



**CITY OF BLACK DIAMOND
PLANNING COMMISSION AGENDA
February 11, 2025
Council Chambers, 25510 Lawson St., Black Diamond**

THIS IS OFFERED AS A HYBRID MEETING AND MAY BE ATTENDED IN PERSON AT THE ABOVE NOTED ADDRESS OR BY JOINING VIRTUAL/TELEPHONICALLY. CALL IN AND JOINING INFORMATION FOLLOWS:

Zoom link to join meeting:

https://blackdiamondwa-gov.zoom.us/j/*****618?pwd=tE47Grjizkb37zcZcbpy7AhwdhyYDe.1

Meeting ID: 845 853 1618

Password: PC

Telephone dial in options:

+1 206 337 9723 US (Seattle)

+1 253 215 8782 US (Tacoma)

Meeting ID: 845 853 1618

Password: 947794

6:00 P.M. - CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

Introduction of New Planning Commissioners

APPROVAL OF MINUTES:

- 1) Planning Commission Meeting of October 8, 2024

PUBLIC COMMENTS: Persons wishing to address the Planning Commission regarding items of new business are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair, you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in, please press *9 to raise your hand and *6 to unmute yourself.

PUBLIC HEARINGS: None

STUDY/WORK SESSION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 2) Vote for Chair and Vice Chair
- 3) Review Policy and Procedures
- 4) Discussion of Comprehensive Plan

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURNMENT:

This site is barrier free. People needing special assistance or accommodations should contact the Community Development Department 72 hours in advance of the meeting at (360) 851-4447



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
October 8, 2024, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Morgan called the meeting to order at 6:00 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Steve Jensen (via Zoom)
Commissioner Pam McCain
Commissioner Wynstan Larsen
Chair/Commissioner Carol Morgan (via Zoom)
Commissioner John Olson

Unexcused: Commissioner Knut Syversen

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist
IT Staff, Jake Kapsandy
MDRT/Economic Director, Andrew Williamson

APPROVAL OF MINUTES:

- 1) Regular Planning Commission Meeting of September 10, 2024, and Special Planning Commission Meeting of September 24, 2024

There were no changes to the September 10, 2024, or the September 24, 2024, minutes and they were approved as presented.

PUBLIC COMMENT - None

PUBLIC HEARING -

- 2) **Sign Code** – Director Davis introduced the contract planner for the city, Andrew Love, who gave highlights on the following:
 - Two major changes since September
 - Removed multi-tenant pole or pylon sign amortization exemption.
 - Added “human directionals” to prohibit signs.

Chair Morgan opened the Public Hearing at 6:11 pm.
Chair Morgan asked Vice-Chair to recognize citizens who would like to speak. Chair Morgan asked three times and there were no speakers.
Chair Morgan closed the Public Hearing at 6:12 p.m.

Extensive back-and-forth discussion took place between the Commissioners and Director Davis.

Motion was made by Commissioner Jensen to forward the Draft as was discussed and written to the City Council for approval. **Seconded** by Commissioner Larsen **Vote, passed 4 - 2** (Olson and McCain).

STUDY/WORK SESSION - None

UNFINISHED BUSINESS – None

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT -

Director Davis reported on the following items:

- She announced that she has submitted her resignation, and this Friday will be her last day. Andy Williamson, MDRT/Econ. Dev. Director will be overseeing until they can find a replacement.

PUBLIC COMMENTS – None

ADJOURNMENT -

Commissioner Olson moved to adjourn, **second** Commissioner McCain **Vote**, motion **passed 6 - 0**. Meeting adjourned at 6:41 p.m.

These minutes were respectively recorded by Carina Thornquist, Deputy City Clerk

ATTEST:

Carol Morgan, Chairperson

Carina Thornquist, Planning
Commission Secretary

- **Chapter 2.24 - PLANNING COMMISSION**

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Sections:

- **2.24.010 - Membership.**

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Pursuant to RCW Chapter 35A.63, there is created for the city a planning agency to be known as the city planning commission, consisting of seven members who shall be appointed by the mayor and confirmed by the city council.

A.

The positions of planning commissioners shall be designated numbers one through seven. The term of each member of the planning commission shall be four years. The terms of office shall be staggered based on the date of appointment. Terms expire on December 31, but members of the planning commission shall continue to serve until their successor is appointed and qualified

B.

Qualifications. Members of the planning commission shall be selected from individuals who have an interest in planning, land use, environmental affairs or residential and commercial development as evidenced by training, experience or actions. Consideration will also be given toward maintaining an equitable balance of geographic representation of the community. Members of the planning commission shall be limited to individuals who reside in the City at least one hundred eighty days each calendar year or owners of businesses with a physical presence within the city. A "physical presence" means that the individual or business owner does business in the City of Black Diamond and has obtained a Black Diamond business license.

C.

The planning commission shall adopt rules and procedures to address the conduct of its meetings, elections of officers and other administrative matters. Conflicts of interest shall be addressed as set forth in RCW 35A.63.020.

D.

Removal. A planning commissioner may be removed by the mayor, with the concurrence of the city council, for misfeasance in office or other just cause, or for unexcused absences from more than three consecutive meetings. Failure of a planning commission member to qualify as provided in subsection B, shall constitute forfeiture of office. The decision of the city council regarding membership on the planning commission shall be final.

E.

Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired terms. Members shall serve without compensation.

(Ord. No. 981, § 1, 10-4-2012; Ord. No. 1072, § 1, 1-21-16)

Editor's note— Ord. No. 981, § 1, adopted October 4, 2012, repealed the former § 2.24.010, and enacted a new § 2.24.010 as set out herein. The former § 2.24.010 pertained to similar subject matter and derived from Ord. No. 295, 1984 and Ord. No. 900, adopted April 16, 2009.

- **2.24.020 - Powers and duties.**

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A.

The planning commission shall perform the function of a planning agency as set forth in chapter 35A.63 RCW, provided, certain land use matters may be referred to the city's hearing examiner as elsewhere provided by the Black Diamond Municipal Code. The planning commission shall be an advisory body to the city council. The planning commission will hold public hearings and make recommendations to the city council on zoning code text and development regulation amendments, area-wide rezones, adoption of comprehensive plan and any other plan amendments. "Development regulations" are defined as "controls placed on development of land use activities by the city including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, PUD ordinances, subdivision ordinances, binding site plan ordinances, together with any amendments thereto."

B.

The planning commission shall review such other matters and take such further action as the city council may direct from time to time by motion, resolution or ordinance.

(Ord. 857 § 1, 2008; Ord. 295 § 2, 1984)

(Ord. No. 900, § 3, 4-16-2009; Ord. No. 1028, § 1, 5-15-2014)

- **2.24.030 - Secretary.**

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The mayor shall designate a city staff member to serve as secretary to the planning commission. The secretary shall be responsible for taking the minutes of each commission meeting and for assisting the commission with other administrative duties as assigned by the presiding member of the commission.

(Ord. 570 § 1, 1995; Ord. 295 § 3, 1984)

(Ord. No. 900, § 4, 4-16-2009)

- **2.24.040 - Quorum.**

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A majority of the membership of the planning commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting of the planning commission shall be deemed taken as the action of the commission. The commission may adopt such other rules governing its procedures and conduct of business as it deems appropriate.

(Ord. 295 § 4, 1984)

- **2.24.050 - Referral by council.**

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The city council may refer to the planning commission, for its recommendation and report, any ordinance, resolution, or other proposal relating to any of the matters and subjects referred to in RCW Chapter 35A.63, and the commission shall promptly report to the city council thereon, making such recommendations and giving such counsel as it may deem proper.

(Ord. 295 § 5, 1984)

RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

The following Rules and Procedures are adopted by the City of Black Diamond Planning Commission to facilitate the performance of its duties and functions as empowered in Chapter 2.24, Black Diamond Municipal Code.

Section 1. Meetings

- A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00p.m. in the City Council Chambers. Meetings are offered as a hybrid meeting; the public may attend in person, or by joining virtual/telephonically.
- B. Virtual Participation in Meetings – Members of the Commission may participate in meetings electronically, through the platform provided by the City. Electronic participation in meetings shall be used on a limited basis; it should be used to accommodate members whose physical presence at the meeting is prevented due to unforeseen circumstances. Members who wish to participate in such a meeting must notify staff before the scheduled start time for the meeting, allowing adequate time for staff to make necessary preparations. Participation in such a meeting shall constitute presence in person at such meeting, and that presence shall count toward a quorum of the Commission for all purposes.
- C. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.
- D. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair and Secretary/Community Development Director, or designee, provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.
- E. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. All meetings must be open to the public and communications or discussions of official business in person, by email, phone, or text messages, amongst a quorum of governing body members can be considered a public meeting. Such an exchange that is not open to the public is a violation of the OPMA since public notice has not been given and attendance by the public is not possible. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.

- F. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.
- G. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The nominee receiving the majority vote of those present shall be declared elected and will assume their duties immediately. Elections shall only be held when a minimum of five members are in attendance. The term of office of each officer shall run until the subsequent election.
- D. Vacancies. A vacancy of the office of the Chair caused by his or her resignation shall be filled by the Vice-Chair. A vacancy of the office of Vice-Chair or any other office of the Planning Commission shall be replaced by majority vote of the Planning Commission at the next regular scheduled meeting after the vacancy occurs.
- E. Duties of Officers. The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations.

Vice-Chair: During the absence of the Chair or upon request of the Chair, the Vice-Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.

City Council Liaison: The Chair shall act as a liaison between the Planning Commission and the City Council and other City entities. The Chair may appoint an alternate liaison as needed.

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall provide proper and legal notice for all public hearings; prepare and post the agendas of all regular and special meetings, and draft and sign routine correspondence of the Commission. The Secretary shall record and retain, by electronic means, each meeting of the Planning Commission and any of its committees. The Secretary shall prepare summary minutes, which must be approved by the Commission and maintain a file of all studies, plans, reports, and recommendations for the official record.

Section 4. Quorum

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A quorum must be in attendance in order to conduct a meeting, to transact any business or to render a recommendation. Every motion of the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Absence of Members

Members are expected to attend all regular and special meetings and to fully participate in and contribute to the work of the Commission. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, may be deemed to have forfeited the position and the Chair may recommend to the Mayor that a new member be appointed to fill the unexpired term. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting

Section 6. Vacancies

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Secretary shall immediately notify the City Clerk and request the Mayor to appoint a replacement at the earliest possible time.

Section 7. Disqualification

No member of the Planning Commission should participate in any discussion or vote on any matter in which the member has a direct and substantial personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the matter is disposed. The minutes shall show that the member left the room and abstained on any vote.

Section 8. Conduct of meetings

A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission, while permitting the orderly and timely completion of Planning Commission business.

As a general protocol, the Chair of the meeting should introduce the agenda topic, provide for a staff presentation and questions from the Commission, and call for discussion among the Commission members.

The Chair should generally provide for each Commission member to offer a comment prior to weighing in on an issue. The Chair should ensure that all members have an opportunity to speak.

The Chair should also expedite the discussion in a timely manner and summarize the recommendation or direction from the Commission as appropriate

- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. Executive sessions. Executive sessions can only be held in accordance with the State Open Public Meetings Act.
- D. Public comment. On specific agenda items, other than public hearings, the Chair may allow comments from the audience with the consent of the Commission. Audience members must be recognized by the Chair in order to speak.
- E. Training: Commission members shall attend any training required by the City .

Section 9. Order of Business

The agenda shall be prepared by the Secretary in consultation with the Chair. Members of the Commission who wish to add any item to the agenda shall first notify the planning staff and Chair of their request at least fifteen (15) days prior to the meeting. The preferred order of the Planning Commission agenda shall be as follows:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. New Business
- H. Report of the Community Development Department.

- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Section 10. Rules of Procedures for Public Hearings

Periodically, the Planning Commission conducts public hearings on various issues as required by ordinance. The following procedures shall be used for conducting all public hearings:

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.
- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission. Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
- H. Based upon the testimony, the Commission may ask questions of staff.
- I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
- J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
- K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
- L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, a member will not appear to speak for the Commission except as authorized by the Chair. In any public or private statements, members may indicate whether they are speaking for the Commission or for themselves as needed.

Section 12. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 13. Suspension of Rules

Any provision of these rules not governed by the City code may be temporarily suspended by an affirmative vote of a majority of the Commission members.

Section 14. Validity

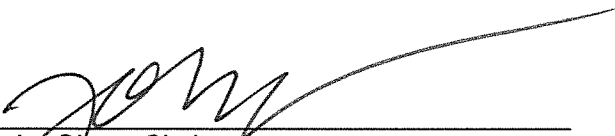
If any portion of these rules and procedures are found to be invalid, that part or parts will not invalidate the remainder of the rules.

INITIALLY ADOPTED by the Planning Commission March 10, 2009.

AMENDED FEBRUARY 21, 2012.

AMENDED APRIL 6, 2021

AMENDED JULY 12, 2022



John Olson, Chair

Pam McCain, Vice-Chair

Attest:



Mona Davis, Community Development Director

◆ BLACK DIAMOND ◆ COMPREHENSIVE PLAN ◆ ADOPTION CALENDAR ◆

JAN
2025

MON	TUE	WED	THU	FRI
30	31	1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

- THU 23** Teams Meeting with King County AHB Staff
- TUE 28** Zoom Meeting with Oakpointe
- WED 29** AHB to prep final changes to maps/ documents (if any) for "SEPA Review Draft"

FEB
2025

MON	TUE	WED	THU	FRI
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

SEPA COMMENT
PERIOD OUTLINED

60-DAY NOTICE PERIOD
UNDERLINED

- TUE 4** Deadline for AHB to finish final prep of "Draft for SEPA Review"
- WED 5** Put draft Plan onto website, the draft will be labeled "Draft for SEPA Review"
- FRI 6** Issue SEPA DNS // Submit to Commerce for 60-day review
- TUE 11** Send draft to PSRC for early feedback (if desired?)
- FRI 21** Last Day for SEPA comment
- MON 24** Draft Letter for County AHC issued (we will have short time to respond)
- MON 26** Deadline for AHB to provide slides for PC Workshop meeting to Andy

MAR
2025

MON	TUE	WED	THU	FRI
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

- THU 6** King Co. Affordable Housing Committee Mtg (Letter will be issued shortly after)
- TUE 11** Planning Commission Workshop @ 6pm - **PRESENTATION / Prep for Hearing**
- WED 12** PSRC Early Feedback Expected by this day
- THU 13** AHB to prep final changes to maps/ documents (if any) for "Public Hearing Draft"
- WED 19** Deadline for AHB to finish final prep of "Public Hearing Draft"
- THU 20** Put draft Plan onto website, the draft will be labeled "Draft for Public Hearing"
- FRI 21** Distribute Draft to PC Members, Interested Parties, Etc.
- TUE 25** Deadline to publish Public Hearing Notice (must be no later than this date)

APRIL
2025

MON	TUE	WED	THU	FRI
31	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	1	2

- MON 7** 60-Day Notice Period Ends
- TUE 8** Planning Commission Public Hearing @ 6pm
- THU 10** City Council Workshop (During Work Session Meeting)
- TUE 22** Planning Commission Public Hearing Continued to this Date (if needed)

Note: Spring Break for Kent, Tahoma School Dist. is April 7-April 11

Note: Spring Break for Enumclaw School Dist is April 14-April 18

MAY
2025

MON	TUE	WED	THU	FRI
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30
JUNE: 1	2	3	4	5

- TUE 6** Planning Commission makes Recommendation to Council
- THU 8** City Council Workshop (During Work Session Meeting)
- THU 15** City Council Public Hearing (During Regular Meeting)
- June 2025:**
- THU 5** City Council Adoption

Meeting
Deadline
Action Begin
Action End