



CITY OF BLACK DIAMOND

June 3, 2021 Regular Business Meeting Agenda

**THIS IS OFFERED AS A ZOOM MEETING ONLY.
CALL IN AND JOINING INFORMATION FOLLOWS:**

Zoom link to join meeting:

<https://zoom.us/j/4454477047?pwd=eGxRY3ZEeU14SVM2cGRBcUxCSjdmZz09>

(Note: You do not need a web cam to join the meeting, but you will need audio to hear the proceedings.)

Meeting ID: 445 447 7047

Password: Council

Telephone dial in options:

+1 253 215 8782 US (Tacoma)

+1 206 337 9723 US (Seattle)

Meeting ID: 445 447 7047

Password: 426953 (phone in only)

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

AGENDA REVIEW AND APPROVAL:

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

CONSENT AGENDA:

- 1) Claim Checks** – June 3, 2021 Check No. 50010 through 50059 (voids 49981-50009) in the amount of \$298,028.49
- 2) Minutes** – Council Meeting of May 20, 2021

PUBLIC COMMENTS: Persons wishing to address the City Council 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:

- 3) AB21-032** – City’s Proposed 2022-2027 Six Year Transportation Improvement Plan

Mr. Hanis

If you wish to speak during the above Public Hearing please provide your name and email address to the City Clerk at bmartinez@blackdiamondwa.gov by 12 p.m. on June 3, 2021 so that the remote legislative hearing protocols can be emailed to you prior to the start of the meeting. Alternatively, written comments on this topic can be submitted to bmartinez@blackdiamondwa.gov by 2 p.m. on June 3, 2021.

UNFINISHED BUSINESS:

NEW BUSINESS:

- 4) AB21-033** – Resolution Regarding Port of Seattle Grant to Enhance Downtown Vacant Property

Ms. Davis

5) AB21-034 – Resolution Regarding the 2021 Comprehensive Plan Docket

Ms. Davis

DEPARTMENT REPORTS:

MAYOR'S REPORT:

COUNCIL REPORTS:

- Councilmember O'Donnell
- Councilmember Page
- Councilmember Deady
- Councilmember Oglesbee
- Councilmember Wisnoski
- Councilmember Mulvihill
- Councilmember de Leon

ATTORNEY REPORT:

EXECUTIVE SESSION:

ADJOURNMENT:



CERTIFICATION

Date: June 4, 2021 Council Meeting

Check No.'s / EFT	Batch Name	Check / EFT Date	Amount
V49981 - 50009	May 2021 Void Batch	05/20/21	\$ 0.00
50010 - 50018	Early 3rd May 2021 Batch	05/20/21	\$ 13,112.23
50019 - 50058	3rd May 2021 Batch	06/04/21	\$ 280,937.07
50059	1st June 2021 Batch	06/04/21	\$ 3,979.19
		TOTAL	\$ 298,028.49

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER THE PENALTY OF PERJURY, THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED AND OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF BLACK DIAMOND, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

May Miller

MAY MILLER, FINANCE DIRECTOR

May 26, 2021

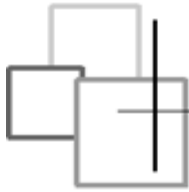
DATE

CAROL BENSON, MAYOR

DATE

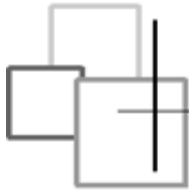
COUNCILMEMBERS:

DATE:



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
King County				
	V49981	5/1/2021	2021 - May - May Void Batch	
	V30031696			
		Void Check		
		407-000-000-535-80-41-04	Metro Sewer Charges	(\$62,954.73)
		Incorrect Vendor Name		
	Total V30031696			(\$62,954.73)
	Total V49981			(\$62,954.73)
	Total King County			(\$62,954.73)
King County Finance - Wastewater Treat Div.				
	50009	5/1/2021	2021 - May - May Void Batch	
	30031696.2			
		May 2021 Service		
		407-000-000-535-80-41-04	Metro Sewer Charges	\$62,954.73
	Total 30031696.2			\$62,954.73
	Total 50009			\$62,954.73
	Total King County Finance - Wastewater Treat Div.			\$62,954.73
	Vendor Count	2	Grand Total	\$0.00



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Black Diamond Royal Towing				
	50010	3/26/2021	2021 - May - Early 3rd May Batch	
	30022 ADJ			
		March 2021 Service		
		001-000-210-521-10-49-06	PD-Towing Services	\$10.88
		Inv written without tax, added on corrected bill		
	Total 30022 ADJ			\$10.88
	Total 50010			\$10.88
	Total Black Diamond Royal Towing			\$10.88
First Net				
	50011	4/21/2021	2021 - May - Early 3rd May Batch	
	287294109909x05132021			
		April 2021 Service		
		001-000-145-518-80-42-00	Tele Communications	\$50.92
		IT		
		001-000-145-518-80-42-01	Telephone, DSL, Web, and Radios	\$883.66
		Data Plans		
		001-000-195-525-60-49-03	COVID Technology Costs	\$472.06
		Telecommuters - Covid		
		001-000-214-521-20-42-00	Police Tele/web/DSL/Air Cards	\$611.04
		Police		
		001-000-240-558-51-42-00	Telephone	\$152.76
		Com Dev		
		001-000-246-558-70-42-01	Telephones	\$192.80
		MDRT		
		001-000-254-518-20-42-00	Facilities-Telephones	\$50.92
		City Clerk		
		001-000-270-576-80-42-00	Telephone/DSL/Radios	\$17.46
		4% Parks		
		001-000-280-536-20-42-00	Telephone, DSL & Radios	\$8.73
		2% Cemetery		
		101-000-000-542-30-42-01	Telephone/DSL/Radios	\$96.03
		22% Streets		

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
		401-000-000-534-80-42-00 24% Water	Telephone/DSL/Radios	\$104.76
		407-000-000-535-80-42-00 24% Sewer	Telephone/DSL/Radios	\$104.76
		410-000-000-531-10-42-00 24% Drainage	Telephone/DSL/Radios	\$104.78
	Total 287294109909x05132021			\$2,850.68
	Total 50011			\$2,850.68
Total First Net				\$2,850.68
Francotyp-Postalia, Inc.				
	50012	11/16/2020	2021 - May - Early 3rd May Batch	
	RI104682080			
		Rental 11/14/2020 - 02/13/2021		
		001-000-180-518-50-45-01 Lost Inv	Postage Meter Rental & Maint.	\$130.32
	Total RI104682080			\$130.32
	50012	5/14/2021	2021 - May - Early 3rd May Batch	
	RI104895387			
		Rental 5/14/2021 - 8/13/2021		
		001-000-180-518-50-45-01	Postage Meter Rental & Maint.	\$130.44
	Total RI104895387			\$130.44
	Total 50012			\$260.76
Total Francotyp-Postalia, Inc.				\$260.76
King County Finance				
	50013	5/3/2021	2021 - May - Early 3rd May Batch	
	5003566			
		April 2021 Service		
		001-000-110-511-60-49-01	K. C. Filing Fees & Misc.	\$209.00
		Oaths of Office Page, Mulvihill		
	Total 5003566			\$209.00
	Total 50013			\$209.00
Total King County Finance				\$209.00
Puget Sound Energy				
	50014	5/1/2021	2021 - May - Early 3rd May Batch	
	05012021 PSE			
		May 2021 Service		
		001-000-212-521-50-47-00	Electric/gas	\$29.49

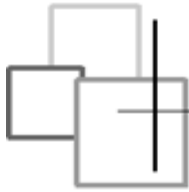
Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
		220013379882: Police Storage		
	001-000-212-521-50-47-00	Electric/gas		\$523.12
		200009377470: PD/CT Elec		
	001-000-248-518-20-47-00	MDRT Electricity		(\$118.52)
		220013379841: MDRT Mod Bldgs Elec		
	001-000-254-518-20-47-00	Facilities-Utilities		\$94.87
		200008062016: City Hall Elec		
	001-000-254-518-20-47-00	Facilities-Utilities		\$136.70
		200008061844: City Hall Elec		
	001-000-254-518-20-47-00	Facilities-Utilities		(\$177.78)
		220013379841: CD/PW Mod Bldgs Elec		
	001-000-270-575-30-47-00	Museum Electric/Gas		\$316.13
		220013378793: Museum		
	001-000-270-575-51-47-00	Gym- Electricity and Gas		\$267.68
		220013379652: Gym		
	001-000-270-576-80-47-00	Electric/Gas		\$12.92
		220013379221: Lake Sawyer Boat Launch		
	001-000-270-576-80-47-00	Electric/Gas		\$3.91
		220013379635: PW Shop-Parks 4%		
	001-000-280-536-20-47-00	Electric/Gas		\$1.96
		220013379635: PW Shop-Cemetery 2%		
	101-000-000-542-63-47-01	Street Lighting		\$12.42
		220019188881: Intersection Light 24430 Morgan St		
	101-000-000-542-63-47-01	Street Lighting		\$14.91
		220013379601: Baker St Crosswalk		
	101-000-000-542-63-47-01	Street Lighting		\$77.37
		220013379817: Ped Lighting Roberts		
	101-000-000-542-63-47-01	Street Lighting		\$47.69
		220013379197: Cov Sawyer & 216th		
	101-000-000-542-63-47-01	Street Lighting		\$75.51
		220024468559: Roberts Dr & Bruckners Way		
	101-000-000-542-63-47-01	Street Lighting		\$156.85
		220014704229: Intersection Light 219th & SE 296th St		
	101-000-000-542-63-47-01	Street Lighting		\$9.12
		220024466751: 24619 Morgan St		
	101-000-000-542-63-47-01	Street Lighting		\$11.62
		220013379247: 216th Signal & Street Lights		
	101-000-000-542-63-47-01	Street Lighting		\$2,062.00
		220013397355: PSE Streetlights		
	101-000-000-543-50-47-00	Electric/Gas		\$21.52
		220013379635: PW Shop-Street 22%		

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
		401-000-000-534-80-47-00	Electric/Gas	\$23.47
		220013379635: PW Shop-Water 24%		
		401-000-000-534-80-47-00	Electric/Gas	\$336.70
		220013378868: 4.3 Mil Gal Resv		
		401-000-000-534-80-47-00	Electric/Gas	\$39.38
		220013378850: .5 Mil Gal Resv		
		401-000-000-534-80-47-00	Electric/Gas	(\$2,577.92)
		220013378835: Booster Station		
		407-000-000-535-80-47-00	Electric/Gas	\$93.62
		220013378819: Morganville Lift Station		
		407-000-000-535-80-47-00	Electric/Gas	\$33.39
		220013379643: Diamond Glen Sewer		
		407-000-000-535-80-47-00	Electric/Gas	\$23.48
		220013379635: PW Shop-Sewer 24%		
		407-000-000-535-80-47-00	Electric/Gas	\$13.43
		220013379619: Sewer Pump		
		410-000-000-531-10-47-00	Electric/Gas	\$23.47
		220013379635: PW Shop-Drainage 24%		
	Total 05012021 PSE			\$1,588.51
	Total 50014			\$1,588.51
	Total Puget Sound Energy			\$1,588.51
Republic Services #176				
	50015	4/30/2021	2021 - May - Early 3rd May Batch	
	0176-006388800			
	April 2021 Service			
		001-000-248-518-20-47-03	MDRT-Waste Disposal Costs	\$123.97
		MDRT		
		001-000-254-518-20-47-01	Facilities-Waste Disposal	\$185.96
		City Hall		
	Total 0176-006388800			\$309.93
	50015	4/30/2021	2021 - May - Early 3rd May Batch	
	0176-006389210			
	April 2021 Service			
		001-000-212-521-50-47-04	Waste Disposal	\$309.93
		Police & Court		
	Total 0176-006389210			\$309.93

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50015	4/30/2021	2021 - May - Early 3rd May Batch	
	0176-06389068			
		April 2021 Service		
		001-000-270-576-80-47-04	Garbage & Waste Disposal	\$91.97
		PW-Parks		
		001-000-280-536-20-47-04	Waste Disposal	\$7.36
		PW-Cemetery		
		101-000-000-543-50-47-04	Waste Disposal	\$58.86
		PW-Street		
		401-000-000-534-80-47-04	Waste Disposal	\$69.90
		PW-Water		
		407-000-000-535-80-47-04	Waste Disposal	\$69.90
		PW-Sewer		
		410-000-000-531-10-47-04	Waste Disposal	\$69.90
		PW-Drainage		
	Total 0176-06389068			\$367.89
	Total 50015			\$987.75
	Total Republic Services #176			\$987.75
RH2 Engineering Inc.				
	50016	5/11/2021	2021 - May - Early 3rd May Batch	
	82003			
		April 2021 Service		
		001-000-257-558-70-41-02	MDRT Civil Engineering	\$522.24
	Total 82003			\$522.24
	Total 50016			\$522.24
	Total RH2 Engineering Inc.			\$522.24
Sound Publishing Inc.				
	50017	4/7/2021	2021 - May - Early 3rd May Batch	
	ECH923686			
		CD - Advertising		
		001-000-240-558-60-41-75	Advertising-Long range planning	\$310.80
		Commercial Mixed Use		
	Total ECH923686			\$310.80
	50017	4/14/2021	2021 - May - Early 3rd May Batch	
	ECH924306			
		CD - Advertising		
		001-000-240-558-60-41-75	Advertising-Long range planning	\$110.70

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
			Withdrawal of SEPA threshold	
	Total ECH924306			\$110.70
50017		4/14/2021	2021 - May - Early 3rd May Batch	
	ECH924424			
	CD - Advertising			
	001-000-240-558-60-41-75		Advertising-Long range planning	\$224.55
			Rezoning	
	Total ECH924424			\$224.55
50017		4/21/2021	2021 - May - Early 3rd May Batch	
	ECH924830			
	Prks - Advertising			
	001-000-270-576-80-41-75		Advertising	\$290.10
			Use of Aquatic Herbicides	
	Total ECH924830			\$290.10
50017		4/21/2021	2021 - May - Early 3rd May Batch	
	ECH925151			
	Adm - Advertising			
	001-000-140-514-23-41-75		Advertising	\$90.00
			New Salary Schedule	
	Total ECH925151			\$90.00
50017		4/28/2021	2021 - May - Early 3rd May Batch	
	ECH925507			
	CD - Advertising			
	001-000-240-558-60-41-75		Advertising-Long range planning	\$169.35
			Housing Action Plan	
	Total ECH925507			\$169.35
50017		4/28/2021	2021 - May - Early 3rd May Batch	
	ECH925590			
	CD - Advertising			
	001-000-240-558-60-41-75		Advertising-Long range planning	\$69.30
			SEPA Ordinance	
	Total ECH925590			\$69.30
	Total 50017			\$1,264.80
Total Sound Publishing Inc.				\$1,264.80

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Williams Scotsman, Inc.				
50018	9010457033	5/1/2021	2021 - May - Early 3rd May Batch	
	May 2021 Rent			
	001-000-254-518-20-45-01		Facilities-Bldg Rental/Modspace	\$3,457.75
	CD Modular Rental			
	Total 9010457033			\$3,457.75
50018	9010457034	5/1/2021	2021 - May - Early 3rd May Batch	
	May 2021 Rent			
	001-000-248-518-20-45-01		MDRT-Bldg Rental-Modspace	\$1,959.86
	MDRT Modular Rental			
	Total 9010457034			\$1,959.86
	Total 50018			\$5,417.61
Total Williams Scotsman, Inc.				\$5,417.61
	Vendor Count	9	Grand Total	\$13,112.23



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Alpine Products Inc.				
50019	TM-201813	5/13/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	Street Supplies			
	101-000-000-542-30-31-03		Streets Operating Supplies	\$195.98
			Paint, No Parking Stemcil, Roller Covers	
	Total TM-201813			\$195.98
Total 50019				\$195.98
Total Alpine Products Inc.				\$195.98
Amazon Capital Services, Inc.				
50020	139M-YNT3-JMHG	5/3/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	Telecommuter - COVID			
	001-000-195-525-60-49-03		COVID Technology Costs	(\$109.08)
			Returned Printer Toner	
	Total 139M-YNT3-JMHG			(\$109.08)
50020	1977-3GKX-W131	5/18/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	PD & Com Events Supplies			
	001-000-212-521-50-31-00		Police Bldg Mtc Sup	\$183.16
			Irrigation Supplies	
	001-000-270-576-80-31-10		Community Event Supplies	\$183.16
			Irrigation supplies for baskets	
	Total 1977-3GKX-W131			\$366.32
50020	19X6-F3XG-16MK	5/8/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	IT- COVID			
	001-000-195-525-60-49-03		COVID Technology Costs	\$41.78
			Parts for Servers	
	Total 19X6-F3XG-16MK			\$41.78

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50020	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1NYP-RV7W-FH9P			
	EM - Supplies			
	001-000-195-525-60-31-02		COVID PPE & Safety Supplies	\$108.64
			Sneeze Guard	
	Total 1NYP-RV7W-FH9P			\$108.64
	50020	4/8/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1W7R-69DM-F4NG			
	EM - Supplies			
	001-000-195-525-60-31-02		COVID PPE & Safety Supplies	\$49.98
			Label Tape	
	Total 1W7R-69DM-F4NG			\$49.98
	Total 50020			\$457.64
Total Amazon Capital Services, Inc.				\$457.64
Black Diamond Development Company, LLC				
	50021	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05242021 BDC			
	PW - Permit Refund			
	401-000-400-369-91-00-10		PW-Permit Consultant Deposits	\$1,000.00
			Refund Deposit - BLD20-0271	
	Total 05242021 BDC			\$1,000.00
	Total 50021			\$1,000.00
Total Black Diamond Development Company, LLC				\$1,000.00
Bud Clary Chevrolet				
	50022	5/7/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	3-M703			
	PD - Veh Purchase			
	510-000-300-594-21-64-00		Police Vehicles-replace	\$38,069.00
			2021 Ford Explorer 1FM5K8AB3MGB35366	
	Total 3-M703			\$38,069.00
	50022	5/7/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	3-M704			
	PD - Veh Purchase			
	510-000-300-594-21-64-00		Police Vehicles-replace	\$38,069.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
		2021 Ford Explorer	1FM5K8AB5MGB35367	
	Total 3-M704			\$38,069.00
	Total 50022			\$76,138.00
	Total Bud Clary Chevrolet			\$76,138.00
CenturyLink (WA)				
	50023	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05112021 CL			
		April 2021 Service		
		401-000-000-534-80-42-00	Telephone/DSL/Radios	\$296.36
		360-886-7235 830B: Water Reservoir		
		407-000-000-535-80-42-00	Telephone/DSL/Radios	\$63.07
		360-886-2835 784B: Morganville Pump Station		
		407-000-000-535-80-42-00	Telephone/DSL/Radios	\$57.71
		360-886-0537 580B: Diamond Glen Sewer		
		407-000-000-535-80-42-00	Telephone/DSL/Radios	\$58.81
		360-886-0474 006B: Ridge Sewer Pump Station		
		407-000-000-535-80-42-00	Telephone/DSL/Radios	\$73.89
		360-886-8146 712B: Old Lawson Pump Station		
	Total 05112021 CL			\$549.84
	Total 50023			\$549.84
	Total CenturyLink (WA)			\$549.84
CHS/Cenex				
	50024	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	12424404302021 CH			
		Ch - Fuel - April 2021		
		001-000-180-518-50-32-01	Fuel-Central Services	\$36.00
		Central Services - CH		
		001-000-181-518-30-32-00	Fuel	\$280.00
		Facilities Clearing		
		001-000-240-558-51-32-00	Fuel	\$88.55
		Com Dev		
		001-000-246-558-70-32-00	Fuel	\$293.96
		MDRT		
		001-000-246-558-70-32-00	Fuel	\$53.19
		MDRT		

Vendor	Transaction Number Transaction Reference	Invoice Date Account Number	Fiscal Description Name Title	Void Amount
		001-000-246-558-70-32-00 MDRT	Fuel	\$70.02
		001-000-270-576-80-32-00 PARKS 4%	Fuel	\$36.23
		001-000-280-536-20-32-00 CEMETERY 2%	Fuel	\$18.12
		101-000-000-543-50-32-00 STREETS 22%	Fuel	\$199.27
		401-000-000-534-80-32-00 WATER 24%	Fuel	\$217.38
		407-000-000-535-80-32-00 SEWER 24%	Fuel	\$217.38
		410-000-000-531-10-32-00 STORM WATER 24%	Fuel	\$217.39
	Total 12424404302021 CH			\$1,727.49
50024		4/30/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	128275 04302021 PD			
	PD - Fuel - April 2021			
		001-000-210-521-10-32-00 Police	PD-Fuel	\$2,747.79
	Total 128275 04302021 PD			\$2,747.79
Total 50024				\$4,475.28
Total CHS/Cenex				\$4,475.28
Comcast Cable Communications, Inc.				
50025		5/10/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05102021 COM			
	5/17/2021 - 6/16/2021 Service			
		001-000-214-521-20-42-00	Police Tele/web/DSL/Air Cards	\$6.07
	Total 05102021 COM			\$6.07
Total 50025				\$6.07
Total Comcast Cable Communications, Inc.				\$6.07

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Creative Product Sourcing				
	50026	5/3/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	138773			
		PD - Supplies		
		001-000-216-521-30-31-00	DARE Supplies	\$387.51
	Total 138773			\$387.51
	Total 50026			\$387.51
	Total Creative Product Sourcing			\$387.51
Financial Consultants International Inc				
	50027	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	17207			
		PD - Veh		
		510-000-300-594-21-64-04	Police Vehicle Conversion Costs	\$14,268.10
		2020 Ford Explorer		
	Total 17207			\$14,268.10
	50027	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	17208			
		PD Veh		
		510-000-300-594-21-64-00	Police Vehicles-replace	\$37,599.20
		2020 Ford Explorer 1FM5K8AB0LGC998821		
	Total 17208			\$37,599.20
	50027	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	17209			
		PD - Veh		
		510-000-300-594-21-64-04	Police Vehicle Conversion Costs	\$14,655.06
		2021 Ford Explorer		
	Total 17209			\$14,655.06
	Total 50027			\$66,522.36
	Total Financial Consultants International Inc			\$66,522.36

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Gunderson Law Firm				
	50028	5/12/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1141			
		May 2021 Service		
		001-000-151-515-41-41-04	Court Legal-Pros Attorney	\$3,400.00
	Total 1141			\$3,400.00
	Total 50028			\$3,400.00
	Total Gunderson Law Firm			\$3,400.00
H.D. Fowler Company				
	50029	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	I5775985			
		PW - Supplies		
		401-000-000-534-80-31-01	Water Operating Supplies	\$387.05
		Meter Boxes, Lids		
	Total I5775985			\$387.05
	Total 50029			\$387.05
	Total H.D. Fowler Company			\$387.05
Home Depot Credit Service				
	50030	5/25/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	7013417			
		EM - COVID Supplies		
		001-000-195-525-60-31-02	COVID PPE & Safety Supplies	\$87.48
		Clear Acrylic for Sneeze Guard		
	Total 7013417			\$87.48
	50030	5/25/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	7013423			
		EM - COVID Supplies		
		001-000-195-525-60-31-02	COVID PPE & Safety Supplies	\$22.89
		Hrdware to install Sneeze Guard		
	Total 7013423			\$22.89
	50030	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	8614803			
		PD - Supplies		
		001-000-212-521-50-48-02	Police Bldg Repairs & Maintenance	\$129.35

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
		Keyless Lock		
	Total 8614803			\$129.35
	Total 50030			\$239.72
Total Home Depot Credit Service				\$239.72
Instrument Technologies, Inc				
	50031	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	W210510			
	PD - Eq Calibration			
	001-000-210-521-10-31-00		PD-Operating Supplies	\$260.00
	Total W210510			\$260.00
	Total 50031			\$260.00
Total Instrument Technologies, Inc				\$260.00
Johnsons Home & Garden				
	50032	5/12/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	455457			
	PW - Supplies			
	101-000-000-544-90-31-00		PW Clearing Acct-Supplies	\$137.98
			Misc cleaning supplies, motor oil, degreaser, wasp spray	
	Total 455457			\$137.98
	50032	5/12/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	455463			
	PW - Supplies			
	101-000-000-544-90-31-00		PW Clearing Acct-Supplies	\$22.57
			Batteries	
	Total 455463			\$22.57
	50032	5/14/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	455504			
	PW - Supplies			
	101-000-000-542-30-31-03		Streets Operating Supplies	\$39.91
			Paint, Paint Tray, Roller Handle	
	Total 455504			\$39.91

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50032	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	455736			
		PW - Supplies		
		001-000-212-521-50-48-02	Police Bldg Repairs & Maintenance	\$7.05
		Lithium Grease		
	Total 455736			\$7.05
	Total 50032			\$207.51
	Total Johnsons Home & Garden			\$207.51
Jorge's Mobile Detail				
	50033	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	2111			
		PD - Veh Maint		
		001-000-210-521-10-48-01	PD-Vehicle/Eq. Mtc. & Repair	\$220.00
		2017 Ford F150		
	Total 2111			\$220.00
	Total 50033			\$220.00
	Total Jorge's Mobile Detail			\$220.00
King County Finance				
	50034	4/30/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	112111-112112			
		PW - April 2021 Service		
		101-000-000-542-64-48-01	Traffic Signal Maintenance	\$489.84
	Total 112111-112112			\$489.84
	50034	5/7/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	2133991			
		2020 Voter Registration		
		001-000-137-514-40-49-07	Voter Registration Costs	\$16,742.35
	Total 2133991			\$16,742.35
	50034	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	2134208			
		1st Qtr 2021 Historical Preservation		
		001-000-270-575-30-49-00	KC Historical Preservation ILA	\$100.00
	Total 2134208			\$100.00
	Total 50034			\$17,332.19
	Total King County Finance			\$17,332.19

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
King County Finance - I-Net				
	50035	4/30/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	11010117			
		April 2021 Service		
		001-000-214-521-20-42-01	Police Comm KC I-Net	\$375.00
		PD INet		
		001-000-248-518-20-42-00	MDRT Telephone costs	\$150.00
		MDRT INet		
		001-000-254-518-20-42-00	Facilities-Telephones	\$225.00
		CH/CD INet		
	Total 11010117			\$750.00
	Total 50035			\$750.00
	Total King County Finance - I-Net			\$750.00
L.N. Curtis & Sons				
	50036	1/13/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	INV455209			
		PD - Uniforms		
		001-000-210-521-11-35-00	PD - Multi City Task Force - Eq & oth Exp	\$2,457.24
		Coats and Name Tags		
	Total INV455209			\$2,457.24
	50036	1/13/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	INV455327			
		PD - Uniforms		
		001-000-210-521-10-31-04	PD-Uniforms	\$11.01
		Alterations		
	Total INV455327			\$11.01
	Total 50036			\$2,468.25
	Total L.N. Curtis & Sons			\$2,468.25
Lakeside Industries				
	50037	5/15/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	160586			
		PW - Supplies		
		101-000-000-542-30-31-03	Streets Operating Supplies	\$150.05
		Asphalt		
	Total 160586			\$150.05
	Total 50037			\$150.05
	Total Lakeside Industries			\$150.05

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Larsen Sign Co.				
	50038	5/10/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	28691			
		PD - Veh		
		510-000-300-594-21-64-00	Police Vehicles-replace	\$972.62
		Signage for New Veh		
	Total 28691			\$972.62
	Total 50038			\$972.62
	Total Larsen Sign Co.			\$972.62
Law Office of Krista White Swain				
	50039	5/25/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05252021 LOKWS			
		May 2021 Service		
		001-000-120-512-50-41-00	Court Judge	\$3,600.00
	Total 05252021 LOKWS			\$3,600.00
	Total 50039			\$3,600.00
	Total Law Office of Krista White Swain			\$3,600.00
Les Schwab Tire Ctr - MV				
	50040	5/24/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	39800478450			
		PW - Veh Maint		
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	\$1,097.56
		Tires - 2007 Dodge 1500		
	Total 39800478450			\$1,097.56
	Total 50040			\$1,097.56
	Total Les Schwab Tire Ctr - MV			\$1,097.56
Maria Moscoso				
	50041	5/19/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	210007			
		April 2021 Service		
		001-000-120-512-50-41-04	Court Interpreter	\$121.00
	Total 210007			\$121.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50041	5/19/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	210008			
		April 2021 Service		
		001-000-120-512-50-41-04	Court Interpreter	\$121.00
	Total 210008			\$121.00
	Total 50041			\$242.00
Total Maria Moscoso				\$242.00
McCarthy & Causseaux, P.S.				
	50042	3/31/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	19 McC			
		March 2021 Service		
		001-000-257-558-70-42-02	Hearing Examiner	\$810.00
		MDRT Hearing Examiner		
	Total 19 McC			\$810.00
	Total 50042			\$810.00
Total McCarthy & Causseaux, P.S.				\$810.00
Miguel Angel Ruiz Perez				
	50043	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05202021 MARP			
		PD - Traffic School Refund		
		001-000-210-342-10-01-00	Police Traffic School Fee	\$169.00
		Refund Duplicate Payment		
	Total 05202021 MARP			\$169.00
	Total 50043			\$169.00
Total Miguel Angel Ruiz Perez				\$169.00
Mohamed Sanura				
	50044	5/14/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05142021 MS			
		PD - Refund Traffic School		
		001-000-210-342-10-01-00	Police Traffic School Fee	\$169.00
		Customer declined traffic school		
	Total 05142021 MS			\$169.00
	Total 50044			\$169.00
Total Mohamed Sanura				\$169.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
O'Brien, Barton, & Hopkins, PLLP				
	50045	4/1/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	67228			
		March 2021 Service		
		001-000-151-515-91-41-00	Court Legal-Public Defender	\$750.00
		3 Additional Wednesday Calendar		
		001-000-151-515-91-41-00	Court Legal-Public Defender	\$3,500.00
	Total 67228			\$4,250.00
	Total 50045			\$4,250.00
	Total O'Brien, Barton, & Hopkins, PLLP			\$4,250.00
Office Products Nationwide				
	50046	5/19/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	114387-0			
		PD - Supplies		
		001-000-210-521-10-31-00	PD-Operating Supplies	\$40.21
		PD Office Supplies		
	Total 114387-0			\$40.21
	Total 50046			\$40.21
	Total Office Products Nationwide			\$40.21
Parametrix, Inc.				
	50047	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26763			
		April 2021 Service		
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$330.00
	Total 26763			\$330.00
	50047	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26764			
		April 2021 Service		
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$473.75
	Total 26764			\$473.75
	50047	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26765 PAR			
		April 2021 Service		
		001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$1,172.50
	Total 26765 PAR			\$1,172.50

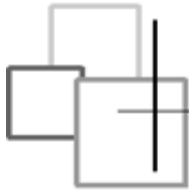
Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50047	5/18/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26839			
		April 2021 Service		
		401-000-400-534-80-41-10	PW-Permit Consultant Exp	\$1,780.00
			Traffic Impact Analysis Review	
	Total 26839			\$1,780.00
	50047	5/18/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26840			
		April 2021 Service		
		101-000-000-544-40-41-00	Prof Services Transportation	\$500.00
			Pedestrian Plan Map	
	Total 26840			\$500.00
	50047	5/18/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26841			
		April 2021 Service		
		410-000-006-534-80-41-01	Professional Services	\$2,502.50
			Stormwater Site Plan	
	Total 26841			\$2,502.50
	50047	5/18/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	26842			
		Service through 05/14/2021		
		320-000-045-595-30-41-00	Ashpalt Overlay Const Costs	\$617.50
			Overlay Project Review	
	Total 26842			\$617.50
	Total 50047			\$7,376.25
Total Parametrix, Inc.				\$7,376.25
RH2 Engineering Inc.				
	50048	5/19/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	82179			
		April 2021 Service		
		404-000-011-534-80-41-00	Water Comp Plan	\$1,710.47
	Total 82179			\$1,710.47
	50048	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	82222 RH2			
		April 2021 Service		
		401-000-400-534-80-41-10	PW-Permit Consultant Exp	\$2,410.75
			Tamarack Civ Plan Review	

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
		404-000-011-534-80-41-00	Water Comp Plan	\$644.00
		407-000-000-535-80-41-01	Professional Services-Sewer	\$233.00
		10 Trails Lift Station		
	Total 82222 RH2			\$3,287.75
	50048	5/23/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	82248			
		April 2021 Service		
		402-000-003-594-34-63-06	Springs Water Project	\$34,383.73
	Total 82248			\$34,383.73
	Total 50048			\$39,381.95
	Total RH2 Engineering Inc.			\$39,381.95
Sound Uniform Solutions/Bratwear				
	50049	4/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	202104SU157			
		PD Uniforms		
		001-000-210-521-10-31-04	PD-Uniforms	\$526.76
	Total 202104SU157			\$526.76
	Total 50049			\$526.76
	Total Sound Uniform Solutions/Bratwear			\$526.76
State Auditor's Office				
	50050	5/12/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	L142150			
		2021 Accountability and Financial Audit		
		001-000-140-514-23-41-01	State Auditor Services	\$1,458.99
		101-000-000-543-30-41-02	State Auditor Services	\$350.16
		401-000-000-534-80-41-03	State Auditor Services	\$1,342.27
		407-000-000-535-80-41-07	State Auditor Services	\$1,342.27
		410-000-000-531-10-41-02	State Auditor Services	\$1,342.27
	Total L142150			\$5,835.96
	Total 50050			\$5,835.96
	Total State Auditor's Office			\$5,835.96
Tacoma Public Utilities				
	50051	4/30/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	04302021 TPUD			
		April 2021 Service		
		401-000-000-534-80-41-05	Tacoma Wholesale base Charge	\$12,215.70

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
		Base Fee		
	Total 04302021 TPUD			\$12,215.70
	Total 50051			\$12,215.70
	Total Tacoma Public Utilities			\$12,215.70
	Third Avenue Development, LLC			
	50052	5/17/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	05172021 TAD			
	PW - Refund Permit Fees			
	401-000-400-369-91-00-10		PW-Permit Consultant Deposits	\$7,942.99
		PUB20-0132 and PUB19-0192		
	Total 05172021 TAD			\$7,942.99
	Total 50052			\$7,942.99
	Total Third Avenue Development, LLC			\$7,942.99
	Triangle Pump & Equipment, Inc.			
	50053	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	13335			
	May 2021 Service			
	402-000-003-594-34-63-06		Springs Water Project	\$271.50
		Turbine Storage		
	Total 13335			\$271.50
	Total 50053			\$271.50
	Total Triangle Pump & Equipment, Inc.			\$271.50
	Varius Inc.			
	50054	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1366 VAR			
	April 2021 Service			
	001-000-257-558-70-41-02		MDRT Civil Engineering	\$14,193.00
	Total 1366 VAR			\$14,193.00
	50054	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1367 VAR			
	April 2021 Service			
	001-000-257-558-70-41-02		MDRT Civil Engineering	\$747.00
	Total 1367 VAR			\$747.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50054	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	1368 VAR			
		April 2021 Service		
		001-000-257-558-70-41-02	MDRT Civil Engineering	\$5,478.00
	Total 1368 VAR			\$5,478.00
	Total 50054			\$20,418.00
Total Varius Inc.				\$20,418.00
W. Anneke Berry				
	50055	5/12/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	051221 WAB			
		May 2021 Service		
		001-000-120-512-50-41-02	Protem Judge	\$120.00
	Total 051221 WAB			\$120.00
	Total 50055			\$120.00
Total W. Anneke Berry				\$120.00
Washington State Patrol				
	50056	5/5/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	I21005923			
		Employment Background Checks		
		001-000-180-518-50-41-03	Misc hiring/Employment costs	\$44.00
		Background Checks		
	Total I21005923			\$44.00
	Total 50056			\$44.00
Total Washington State Patrol				\$44.00
Washington Workwear Stores, Inc.				
	50057	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	5303			
		PW - Uniforms		
		101-000-000-544-90-49-02	PW Clearing-Shared Other costs	\$117.39
		Uniforms		
	Total 5303			\$117.39
	50057	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
	5304			
		PW - Uniforms		
		101-000-000-544-90-49-02	PW Clearing-Shared Other costs	\$146.73

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
		Uniforms		
	Total 5304			\$146.73
	Total 50057			\$264.12
Total Washington Workwear Stores, Inc.				\$264.12
Water Management Laboratories, Inc.				
50058	193544	5/11/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
		May 2021 Service		
		401-000-000-534-80-41-02	Water Testing and Sampling	\$21.00
	Total 193544			\$21.00
50058	193754	5/20/2021	2021 - May - 3rd May 2021 Batch for 06/03/2021 Council	
		May 2021 Service		
		401-000-000-534-80-41-02	Water Testing and Sampling	\$21.00
	Total 193754			\$21.00
Total 50058				\$42.00
Total Water Management Laboratories, Inc.				\$42.00
	Vendor Count	40	Grand Total	\$280,937.07



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Sorci Family LLC	50059	05252021 SFLLC	2021 - June - 1st June 2021 Batch	
		June 2021 Rent		
		001-000-248-518-20-45-02	MDRT Property Rental Cost	\$687.90
		001-000-254-518-20-45-02	Facilities-Prop Rental	\$1,031.84
		001-000-254-518-20-45-05	Facilities City Hall Bldg Rental	\$2,259.45
		Total 05252021 SFLLC		\$3,979.19
	Total 50059			\$3,979.19
Total Sorci Family LLC				\$3,979.19
	Vendor Count	1	Grand Total	\$3,979.19



Register

Fiscal: 2021

Deposit Period: 2021 - June, 2021 - May

Check Period: 2021 - June - 1st June 2021 Batch, 2021 - May - May Void Batch, 2021 - May - Early 3rd May Batch, 2021 - May - 3rd May 2021

Batch for 06/03/2021 Council

Number	Name	Print Date	Clearing Date	Amount
Columbia Bank	390562401			
Check				
<u>50009</u>	King County Finance - Wastewater Treat Div.	5/20/2021		\$62,954.73
<u>50010</u>	Black Diamond Royal Towing	5/20/2021		\$10.88
<u>50011</u>	First Net	5/20/2021		\$2,850.68
<u>50012</u>	Francotyp-Postalia, Inc.	5/20/2021		\$260.76
<u>50013</u>	King County Finance	5/20/2021		\$209.00
<u>50014</u>	Puget Sound Energy	5/20/2021		\$1,588.51
<u>50015</u>	Republic Services #176	5/20/2021		\$987.75
<u>50016</u>	RH2 Engineering Inc.	5/20/2021		\$522.24
<u>50017</u>	Sound Publishing Inc.	5/20/2021		\$1,264.80
<u>50018</u>	Williams Scotsman, Inc.	5/20/2021		\$5,417.61
<u>50019</u>	Alpine Products Inc.	6/4/2021		\$195.98
<u>50020</u>	Amazon Capital Services, Inc.	6/4/2021		\$457.64
<u>50021</u>	Black Diamond Development Company, LLC	6/4/2021		\$1,000.00
<u>50022</u>	Bud Clary Chevrolet	6/4/2021		\$76,138.00
<u>50023</u>	CenturyLink (WA)	6/4/2021		\$549.84
<u>50024</u>	CHS/Cenex	6/4/2021		\$4,475.28
<u>50025</u>	Comcast Cable Communications, Inc.	6/4/2021		\$6.07
<u>50026</u>	Creative Product Sourcing	6/4/2021		\$387.51
<u>50027</u>	Financial Consultants International Inc	6/4/2021		\$66,522.36
<u>50028</u>	Gunderson Law Firm	6/4/2021		\$3,400.00
<u>50029</u>	H.D. Fowler Company	6/4/2021		\$387.05
<u>50030</u>	Home Depot Credit Service	6/4/2021		\$239.72
<u>50031</u>	Instrument Technologies, Inc	6/4/2021		\$260.00
<u>50032</u>	Johnsons Home & Garden	6/4/2021		\$207.51
<u>50033</u>	Jorge's Mobile Detail	6/4/2021		\$220.00
<u>50034</u>	King County Finance	6/4/2021		\$17,332.19
<u>50035</u>	King County Finance - I-Net	6/4/2021		\$750.00
<u>50036</u>	L.N. Curtis & Sons	6/4/2021		\$2,468.25
<u>50037</u>	Lakeside Industries	6/4/2021		\$150.05
<u>50038</u>	Larsen Sign Co.	6/4/2021		\$972.62
<u>50039</u>	Law Office of Krista White Swain	6/4/2021		\$3,600.00
<u>50040</u>	Les Schwab Tire Ctr - MV	6/4/2021		\$1,097.56
<u>50041</u>	Maria Moscoso	6/4/2021		\$242.00
<u>50042</u>	McCarthy & Causseaux, P.S.	6/4/2021		\$810.00
<u>50043</u>	Miguel Angel Ruiz Perez	6/4/2021		\$169.00

Number	Name	Print Date	Clearing Date	Amount
<u>50044</u>	Mohamed Sanura	6/4/2021		\$169.00
<u>50045</u>	O'Brien, Barton, & Hopkins, PLLP	6/4/2021		\$4,250.00
<u>50046</u>	Office Products Nationwide	6/4/2021		\$40.21
<u>50047</u>	Parametrix, Inc.	6/4/2021		\$7,376.25
<u>50048</u>	RH2 Engineering Inc.	6/4/2021		\$39,381.95
<u>50049</u>	Sound Uniform Solutions/Bratwear	6/4/2021		\$526.76
<u>50050</u>	State Auditor's Office	6/4/2021		\$5,835.96
<u>50051</u>	Tacoma Public Utilities	6/4/2021		\$12,215.70
<u>50052</u>	Third Avenue Development, LLC	6/4/2021		\$7,942.99
<u>50053</u>	Triangle Pump & Equipment, Inc.	6/4/2021		\$271.50
<u>50054</u>	Varius Inc.	6/4/2021		\$20,418.00
<u>50055</u>	W. Anneke Berry	6/4/2021		\$120.00
<u>50056</u>	Washington State Patrol	6/4/2021		\$44.00
<u>50057</u>	Washington Workwear Stores, Inc.	6/4/2021		\$264.12
<u>50058</u>	Water Management Laboratories, Inc.	6/4/2021		\$42.00
<u>50059</u>	Sorci Family LLC	6/4/2021		\$3,979.19
<u>V49981</u>	King County	5/20/2021		(\$62,954.73)
		Total	Check	\$298,028.49
		Total	390562401	\$298,028.49
		Grand Total		\$298,028.49

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of May 20, 2021
Virtual Meeting Via Zoom

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 7:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Oglesbee, Mulvihill, de Leon, O'Donnell, and Page.

ABSENT: Councilmembers Deady and Wisnoski (excused)

Staff present: Andrew Williamson, MDRT/Ec Dev Director; Mayene Miller, Finance Director; Mona Davis, Community Development Director; David Linehan, City Attorney; Jamey Kiblinger, Police Chief; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember de Leon **moved** to approve the agenda. **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (5-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Proclamation – Mental Health Awareness Month

CONSENT AGENDA:

Councilmember Oglesbee **moved** to adopt the Consent Agenda; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – May 20, 2021 Check No. 49956 through 50008 and EFTs in the amount of \$1,167,506.21
- 2) **Payroll** – April 2021 Check No. 20075 through 20082 and ACHs in the amount of \$433,403.66
- 3) **Minutes** –, Council Meeting of May 6, 2021
- 4) **AB21-028** – Resolution Granting Approval of the Final Plat for Ten Trails Plat 2E Subdivision
- 5) **AB21-029** – Resolution Approving Contract Extension with Pacifica Law Group for Appellate Legal Services

PUBLIC COMMENTS:

Kristen Bryant, Bellevue addressed the City Council.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS:

- 6) **AB21-026A** – Resolution Amending Council Rules of Procedure to Include a Social Media Policy

City Attorney Linehan reported on the agenda item.

Councilmember Oglesbee **moved** to adopt Resolution No. 21-1419 amending the City Council Rules of Procedure to include a Social Media Policy; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (5-0).

NEW BUSINESS:

- 7) **AB21-030** – Resolution Approving Pass-Through King County Metro Sewer Rate Increase

Finance Director Miller reviewed this item with Council.

Councilmember Oglesbee **moved** to adopt Resolution No. 21-1422 to increase the (pass-through) KC Metro sewer rate by \$2.04 per month per ERU effective June 1, 2021; **second** Councilmember de Leon. Motion **passed** with all voting in favor (5-0).

- 8) **AB21-031** – Ordinance Regarding Accepting Skate Park Donations

Mayor Benson briefed Council on this item.

Councilmember Mulvihill **moved** to approve Ordinance No. 21-1160, authorizing the acceptance of donations for the design and construction of a skate park; establishing a skate park donation fund; providing for severability; and establishing an effective date; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Fire – Chief Smith shared that it has been fairly slow in Black Diamond these past fourteen days with most calls being EMS related. He discussed the two drownings in the Gorge and stressed that this is a dangerous area to recreate. He recapped the number of calls for Station 98 and reported that the new fire engine will be delivered to Station 95 in late June.

MAYOR'S REPORT:

Mayor Benson reported attending the Strong Mayor's meeting where they discussed reopening and what that would look like. She also attending the SCATBd meeting, Chamber meeting at the Legacy Site in Maple Valley, and an AWC/MRSC post pandemic workplace webinar with the City Clerk.

COUNCIL REPORTS:

Councilmember de Leon reported attending her committee meetings and reminded everyone to turn in the parks plan survey; engaged on her social media site on the roundabout so information is pushed out to citizens and noted fielding questions on their concerns. She is hoping to host another zoom meet and greet soon and is also promoting water safety. She reminded everyone that the recycling event is coming up on Saturday for citizens to participate in. She encouraged everyone to find a vaccine as there are many opportunities to get an appointment. She commented on the City having Juneteenth as a legal holiday for the City.

Councilmember O'Donnell is concerned about the cold-water fatality and stated that his heart goes out to the family. He asked for everyone to put their heads together to make sure this does not happen again. He shared that he reached out to his contacts at WSDOT on the roundabout and also the 288th and 169 interchange lane to get an understanding on these projects. He thanked Mayor Benson for her leadership on the skate park project and stated his company will donate \$1,000 towards it.

Councilmember Page reported attending her committee meetings and shared doing her walkabout of Black Diamond where she identified areas needed flags at crosswalks to take back to the Public Safety Committee. She and Councilmember Mulvihill met with King County Councilmember Dunn and they brought up to flags at crosswalks and noted him being open with this. Also discussed was the continued long conversation of the annexation of station 98 into the city and shared that a meeting has been set to discuss this more. She attended the Chamber luncheon and thanked Mayor Benson and the City Clerk for getting their pictures in the visitor's guide. She commented that she and Councilmember Mulvihill are reading partners on the City's Comprehensive Plan. She shared that code violations were discussed at the Planning Committee meeting and she will be researching options with Councilmember de Leon to provide help to folks who cannot work to bring their property up to code. She encouraged citizens to reach out to see when the park donation form will be available.

Councilmember Oglesbee reported attending her committee meeting and the public hearing last week. She expressed that she would like to help deliver the new visitor guides to businesses. She commented on the Vietnam Wall that is coming to the City of Enumclaw on August 5, 6, and 7 and discussed how the extra traffic could be beneficial to our town and businesses.

Councilmember Mulvihill reported that in the Public Safety Committee meeting they discussed a bicycle rodeo with the school on June 15th. She shared the challenges with this event and noted that the Chief suggested getting together to see how we want this to look. She also shared meeting with King County Councilmember Dunn where they expressed the non-function of Station 98. She noted being very impressed their pictures were in the visitor guide. She thanked Councilmember de Leon for her social media update on the roundabout. She encouraged citizens to attend the recycling event at Tahoma High School on May 22 and thanked staff for being so helpful.

ATTORNEY REPORT:

Attorney Linehan reported that he and Mr. Williamson met with Mountain View Fire District to hammer out the potential new fire service contract and noted they are making good progress; the next meeting is in the early part of June. He also shared that he and staff are close to having a traffic impact fee ordinance ready for Council consideration.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Oglesbee **moved** to adjourn the meeting; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (5-0). The meeting ended at 8:00 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT:	Agenda Date: June 3, 2021 AB21-032	
Public Hearing and potential adoption for the 2021-2026 Six Year Transportation Improvement Program	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Mona Davis	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): Planning for various budgets	Public Works – Seth Boettcher	X
Fund Source: Various	Court – Stephanie Metcalf	
Timeline: As per individual project schedules; due July 1, 2021		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Six-Year Transportation Improvement Program; Pavement Ratings Map		
SUMMARY STATEMENT: The City is required to update its Six Year Transportation Improvement Program (TIP) per Revised Code of Washington (RCW) 35.77.010 and file the TIP with the Washington State Department of Transportation (WSDOT). Most grant programs require projects to be on the City's Six Year TIP. The City is required by State law to update the TIP prior to July 1st of each year. A resolution to adopt the 2022-2027 Six Year TIP following the public hearing if the City Council so chooses is ready for the June 17th City Council meeting. FISCAL NOTE (Finance Department): This pending action does not bring in revenue nor does it cause expense other than advertising, printing, mailing, and staff labor costs already budgeted for.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Public Works Committee reviewed the draft Plan.		
RECOMMENDED ACTION: Public Hearing		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
June 3, 2021		

City of Black Diamond 6 Year Transportation Improvement Plan 2022 - 2027

2022-2027 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM
EXHIBIT "A"

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
1	2022	General Street Improvement	N/A	N/A	Use for opportunities to leverage private funds, short overlays, chip sealing, crack sealing, patch work, addressing minor safety problems	N/A	\$35,000/year; \$210,000 total	Local City Funds
2	2022	Grant Matching for Street Projects	N/A	N/A	Use for grant applications to provide the required match	N/A	\$40,000/year; \$240,000 total	Local City Funds
3	2022	Covington Creek Bridge	N/A	N/A	Replace culverts at Covington Creek with a bridge	N/A	\$ 2,293,500	King County Flood Control District Funds
4	2022	Rock Creek Bridge Rehab	N/A	N/A	Sealing and painting underside of the bridge	N/A	\$ 75,000	Local City Funds
5	2022	Morgan Creek Neighborhood Roads Preservation	N/A	N/A	Seal Coat or chip seal	1.19	\$ 75,000	Local City Funds
6	2022	Downtown Public Parking	N/A	N/A		N/A	\$ 145,000	Local City Funds/Grants
7	2022	Morgan Creek Pedestrian Connection	Kanasket Dr.	SR 169	Pedestrian connection from the backside of the Morgan Creek Neighborhood to SR 169	0.14	\$ 200,000	Developer-Funded Frontage Improvements
8	2023	Roberts Drive/SR 169/BD-Ravensdale Roundabout	N/A	N/A	Two 1-lane Roundabouts	N/A	\$ 10,000,000	Developer Mitigation & possible Grant funding
9	2023	Roberts Drive Rehabilitation, Cemetery Road to Library	Cemetery Rd.	King County Library	Grind, patch, replace panels, crack sealing, shoulder widening; street lighting improvements at Morgan/Roberts intersection	0.25	\$ 175,000	Grant/TIB, Local City Funds

2022-2027 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM
EXHIBIT "A"

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
10	2023	Downtown Pedestrian & Bicycle Link Study	James St.	Jones Lake Road	Study to identify best routes for pedestrians to bypass SR 169 through the downtown area	0.88	\$ 30,000	Grant/Local City Funds
11	2023	232nd Ave./Pl. SE Overlay	Pavement change at 29615	End of Public Road (302nd)	Asphalt patching and overlay	0.44	\$ 150,000	Local City Funds
12	2023	Baker Street Sidewalk	Railroad Ave.	Lawson St.	Sidewalk on the south side of Baker St. between Railroad and SR 169, then on the west side of SR 169	0.21	\$ 700,000	Grant, Local City Funds, Developer frontage improvements
13	2024	Roberts Drive Reconstruction, Library to SR 169	King County Library	S.R. 169	Widening and overlay, sidewalk, street lighting, and stormwater improvements	0.56	\$ 1,750,000	TIB Grant, Local City Funds
14	2024	5th Avenue	Lawson St.	Baker St.	Widening and overlay of 5th Ave. from Lawson St. to Baker St.	0.15	\$ 100,000	Local City Funds
15	2024	Lawson Street Overlay	S.R. 169	Newcastle Dr.	Surface grinding, select panel replacement, shoulder widening, asphalt overlay	0.36	\$ 160,000	Local City Funds
16	2024	Diamond Glen Neighborhood Improvements	N/A	N/A	Patching, crack sealing, and overlay	0.25	\$ 130,000	Local City Funds
17	2025	SR 169 Sidewalk, Roberts Drive to James Street	Roberts Dr.	James St.	6-foot wide sidewalk on the west side of SR 169	0.20	\$ 550,000	TIB Grant, Local City Funds
18	2025	Lawson Street Sidewalk, Ph. II	6th Ave.	Newcastle Dr.	6-foot wide sidewalk on Lawson Street	0.19	\$ 400,000	Grant/Safe Routes to School, Developer Mitigation
19	2025	228th Ave. SE/229th Ave. SE/229th Pl. SE/SE 292nd Pl.	228th Ave. SE	232nd Ave. SE	Patching and overlay	0.62	\$ 150,000	Local City Funds

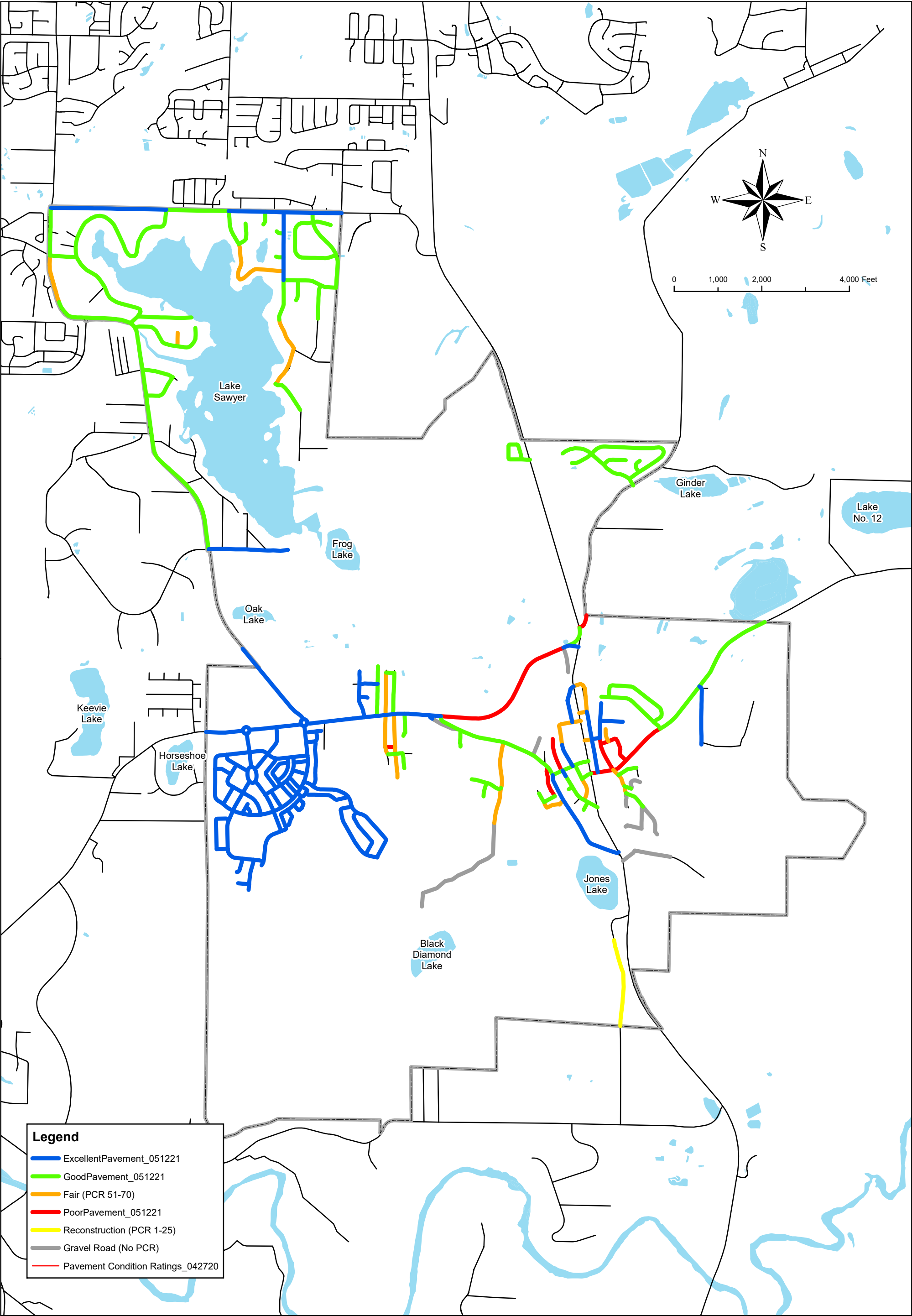
2022-2027 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM
EXHIBIT "A"

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
20	2025	Rainier View Overlay	Baker St.	SR 169	Patch and overlay in the Rainier View Senior Housing Neighborhood	0.41	\$ 150,000	CDBG Grant, Local City Funds
21	2026	216th Ave SE / SE 288th Street Roundabout	N/A	N/A	Intersection improvement to handle higher traffic volume	N/A	\$ 1,400,000	Developer mitigation
22	2026	North Connector	169	South to new commercial and multi family housing	New minor arterial connection to SR 169 with roundabout	0.25	\$ 1,000,000	Developer Funded
23	2026	Morgan Street & Roberts Drive	N/A	N/A	New signal	N/A	\$ 350,000	Grant, Developer Mitigation
24	2026	Baker Street & SR 169 Intersection Improvements	N/A	N/A	New signal to facilitate turning movements and pedestrian crossing	N/A	\$ 650,000	Grant, Developer Mitigation
25	2026	Lawson Street & SR 169 Intersection Improvements	N/A	N/A	New signal to facilitate turning movements and pedestrian crossing	N/A	\$ 1,000,000	Grant, Developer Mitigation
26	2027	Downtown Pedestrian & Bicycle Link	James St.	Jones Lake Rd.	Sidewalk extensions and bike lanes	0.88	\$ 440,000	Grant Funds
27	2027	Lawson Connector/ Lawson Parkway	SR 169	Lawson St.	connection to SR 169 with pedestrian facilities, bike lanes, and street lighting	0.60	\$ 3,200,000	Developer
28	2027	Lawson/ Botts Drive Intersection Improvements	N/A	N/A	Intersection controls for new intersection, include stop controls	N/A	\$ 500,000	Developer
29	2027	216th Ave. SE Overlay	SE 288th St.	SE 296th St.	Patch and overlay	0.41	\$ 165,000	Local City Funds
TOTAL ALL PROJECTS							\$ 26,388,500	

2022-2027 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM
EXHIBIT "A"

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
FUTURE PROJECTS FOR CONSIDERATION								
30	--	SE 288th St. Sidewalk	N/A	N/A	Sidewalk on SE 288th St. to link to future trails and future sidewalks. Project limits will be determined at a future date	0.5	\$ 500,000	Grant, Developer Mitigation, Local City Funds

NOTE: The City has identified the need for maintenance on these streets. There are more projects in these categories than can be funded or completed in six years. Projects in the earlier years have a higher probability of getting funded and completed. Projects in the later years have a lower probability of being funded and completed. If funding does become available and is secured for any project on the list, it will be moved to the top of the list for construction. The City is also considering future projects outside of the 6-year range that may be included in future updates of the Transportation Improvement Plan.



Author: Scott Hanis
Revised: May 11, 2021

Pavement Condition Ratings

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT: Resolution authorizing the Mayor to accept grant funds and execute a grant agreement with the Port of Seattle for Economic Development	Agenda Date: June 3, 2021 AB21-033	
	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Mona Davis	X
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
	Public Works – Seth Boettcher	
Cost Impact (see also Fiscal Note):	Court – Stephanie Metcalf	
Fund Source: Port of Seattle grant		
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution, grant agreement with the Port of Seattle		
SUMMARY STATEMENT: The City has received a grant from the Port of Seattle Economic Development Partnership Program in the amount of \$5,000, to be used in connection with creation of a COVID-safe outdoor seating and dining area on City owned-property on Railroad Avenue. This grant builds on the grant received from the Port in 2020 (Resolution 20-1355), which was used to survey residents and business owners on how they wanted the Railroad Avenue parcel to be used. The 2020 survey showed that residents and local merchants preferred to see the parcel used to stimulate commercial and tourist activity in the Historic Downtown core by creating amenities that encouraged visitors and residents to eat, shop, and explore. If accepted, the 2021 grant funds from the Port will be used to “activate” the Railroad Avenue parcel, with \$2,500 in City matching funds used for additional planning, design, and engineering work. FISCAL NOTE (Finance Department): The Port of Seattle will provide \$5,000 in grant funds, subject to an additional \$2,500 match from the City. A budget change will be needed later this year.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Accept the \$5,000 economic development grant and approve the \$2,500 City match obligation per the grant agreement.		
RECOMMENDED ACTION: MOTION to approve Resolution No. 21-1423 authorizing the acceptance of a \$5,000 economic development grant from the Port of Seattle and authorizing the Mayor to execute a grant agreement.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
June 3, 2021		

RESOLUTION NO. 21-1423

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO ACCEPT GRANT FUNDS AND EXECUTE A GRANT AGREEMENT WITH THE PORT OF SEATTLE FOR ECONOMIC DEVELOPMENT

WHEREAS, engaging in the promotion of economic development is a recognized Port purpose under RCW 53.08.245; and

WHEREAS, RCW 35.21.703 similarly authorizes cities to engage in economic development programs and activities; and

WHEREAS, RCW 53.08.240(2) permits the Port of Seattle (“Port”) to contract with another municipality to perform economic development activity; and

WHEREAS, the Port Commission of the Port of Seattle established an Economic Development Partnership Program to advance and promote a dramatic growth agenda, support the creation of middle class jobs, and address the lack of economic development funding for local projects; and

WHEREAS, grant funding across the region is very limited for cities that want to pursue economic development projects or initiatives, and Washington State has not had an economic development grant program for over 20 years; and

WHEREAS, the Port’s partnership program will provide funding for up to 38 cities in King County to advance local economic development, subject to a 50% matching requirement by cities that receive grants under the program; and

WHEREAS, the Port’s partnership program provides grants to cities that pursue programs and projects that stimulate business development, job creation, and community revitalization, such as small business development, industry retention and expansion, and other projects that support new investment and job creation and retention; and

WHEREAS, the City has identified uses for grant funds that will fulfill the purposes of the Port’s Partnership Program—namely, the “activation” of a parcel of land on Railroad Avenue that was donated to the City in 2020, by creating a COVID-safe outdoor dining and seating space and amenities that will encourage residents and visitors to eat, shop, and explore the Historic Downtown district near the Black Diamond Museum and Black Diamond Bakery; and

WHEREAS, the award to the City of \$5,000 in Port Partnership Program funds will build on survey research funded by the Port’s grant in 2020, which showed that residents would like to see amenities that create an attractive business district in the Historic Downtown core; and

WHEREAS, the City will provide \$2,500 in matching funds for longer-term space planning efforts, including engineering and design work, based on feedback from the 2020 survey, which emphasized the desire to create a destination for shoppers, diners, and outdoor recreation tourists; and

WHEREAS, the City further intends to engage with local businesses to develop the proposed outdoor seating and dining space on the City-owned parcel to encourage commerce and tourist activity, and to measure how the space is used by community members and local merchants;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council hereby accepts the Port of Seattle Economic Development Partnership grant in the amount of \$5,000 to continue City efforts to activate a safe and appealing outdoor dining and seating area on the Railroad Avenue parcel donated to the City in 2020, with the City contributing an additional \$2,500 in matching funds for longer-term design, engineering, and planning work to enhance and measure business use, commercial activity, and tourism in the Historic Downtown core.

Section 2. The Mayor is authorized to execute an Economic Development Partnership Agreement with the Port of Seattle, in a form substantially similar to the agreement attached hereto.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3RD DAY OF JUNE, 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

ECONOMIC DEVELOPMENT PARTNERSHIP AGREEMENT

BETWEEN

THE PORT OF SEATTLE AND CITY OF BLACK DIAMOND

S-00320679

This Economic Development Partnership Agreement (the "Agreement") is made by and between the Port of Seattle (the "Port") and the City of Black Diamond ("Agency"), both municipal corporations of the State of Washington (each, a "Party" or, collectively, the "Parties").

RECITALS

WHEREAS, engaging in the promotion of economic development is a recognized Port purpose authorized under RCW 53.08.245; and

WHEREAS, RCW 35.21.703 similarly authorizes cities to engage in economic development programs; and

WHEREAS, RCW 53.08.240(2) permits the Port to contract with another municipality to perform such undertakings each is authorized to perform; and

WHEREAS, the Port Commission of the Port of Seattle established the Economic Development Partnership Program (the "Program"), to advance the Port's Century Agenda, promote a dramatic growth agenda, support the creation of middle class jobs and help address the lack of economic development funding for local projects; and

WHEREAS, grant funding across the region is very limited for cities that want to pursue economic development projects or initiatives, and Washington State has not had an economic development grant program for over 20 years; and

WHEREAS, the Program will provide 38 King County cities per capita funding to advance local economic development throughout the region, and requires a 50% local match by the cities that receive the grants; and

WHEREAS, the Program will help the Port advance regional economic vitality through focused partnerships with King County cities; and

WHEREAS, the Program will make grants to cities that pursue programs and projects that stimulate business development, job creation and community revitalization, such as small business development, industry retention and expansion, and other economic development projects that support new investment and job creation;

NOW, THEREFORE the parties agree as follows:

1. Purpose. The purpose of this Agreement is to establish a contractual arrangement under which the Port will pay the Agency Program funds in the amount set forth on Section 2 solely for the purpose of carrying out the local initiative described in Exhibit A, attached and incorporated hereto by this reference (the "Project"). This Agreement shall be interpreted in furtherance of this purpose.
2. Responsibilities of the Port. The Port shall contribute Five Thousand and 00/100 Dollars (\$5,000.00) (the "Grant Funds") to assist the Agency in funding the Project. The Port shall disburse the Grant Funds to the Agency no later than thirty (30) days after receipt of a complete and correct invoice(s) detailing those Project deliverables completed in accordance with Exhibit A.
3. Responsibilities of the Agency.
 - 3.1 The Agency shall contribute local funds equivalent to at least fifty percent (50%) of the Grant Funds towards the Project.
 - 3.2 The Agency may contract with local non-profits to complete the Project or elements of the Project; *provided*, that the Port shall not, under any circumstance, disburse the Grant Funds to any of the Agency's contractors or subcontractors.
 - 3.3 The Agency shall complete the Project no later than December 31, 2021
 - 3.4 The Agency shall provide a complete and correct invoice(s) detailing those Project deliverables completed in accordance with Exhibit A no later than December 31, 2021
4. Term. This Agreement shall become effective as of the date the Port executes this Agreement and shall terminate on December 31, 2021, unless earlier terminated under another provision of this Agreement.
5. Termination for Convenience. The Port may terminate this Agreement at any time for any reason, by giving the Agency thirty (30) days' written notice. In the event the Agency has completed any portion of the Project by the time it receives the Port's notice of termination, the Port shall pay the Agency the percentage of the Grant Funds attributable to the Agency's completed portion of the Project.
6. Termination for Default. Except in the case of delay or failure resulting from circumstances beyond the control and without the fault or negligence of the Agency, the Port shall be entitled, by written or oral notice to the Agency, to terminate Agreement for breach of any of the terms and to have all other rights against the Agency by reason of the Agency's breach as provided by law.
7. Waiver. Failure at any time of the Port to enforce any provision of this Agreement shall not constitute a waiver of such provision or prejudice the right of the Port to enforce such provision at any subsequent time. No term or condition of this Agreement shall be held to be waived, modified or deleted except by a written amendment signed by the Parties
8. Partial Invalidity. If any provision of this Agreement is or becomes void or unenforceable by force or operation of law, all other provisions hereof shall remain valid and enforceable.
9. Indemnification and Hold Harmless Agreement. The Agency shall defend, indemnify, and hold harmless the Port, its Commissioners, officers, employees, and agents (hereafter, collectively, the "Port") from all liability, claims, damages, losses, and expenses (including, but not limited to attorneys' and consultants' fees and other expenses of litigation or arbitration) arising out of or related to the fulfillment of this Agreement; *provided*, however, if and to the

extent that this Agreement is construed to be relative to the construction, alternation, repair, addition to, subtraction from, improvement to, or maintenance of, any building, highway, road, railroad, excavation, or other structure, project, development, or improvement attached to real estate, including moving or demolition in connection therewith, and therefore subject to Section 4.24.115 of the Revised Code of Washington, it is agreed that where such liability, claim, damage, loss or expense arises from the concurrent negligence of (i) the Port, and (ii) the Agency, its agents, or its employees, it is expressly agreed that the Agency's obligations of indemnity under this paragraph shall be effective only to the extent of the Agency's negligence. Such obligations shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any person or entity described in this paragraph. This paragraph shall not be construed so as to require the Agency to defend, indemnify, or hold harmless the Port from such claims, damages, losses or expenses caused by or resulting from the sole negligence of the Port.

In any and all claims against the Port, by any employee of the Agency, its agent, anyone directly or indirectly employed by either of them, or anyone for whose acts any of them may be liable, the indemnification obligation of this paragraph shall not be limited in any way by any limitation on the amount or type of damages compensation benefits payable by or for the Agency, or other person under applicable industrial insurance laws (including, but not limited to Title 51 of the Revised Code of Washington), it being clearly agreed and understood by the Parties hereto that the Agency expressly waives any immunity the Agency might have had under such laws. By executing this Agreement, the Agency acknowledges that the foregoing waiver has been mutually negotiated by the parties.

The Agency shall pay all attorneys' fees and expenses incurred by the Port in establishing and enforcing the Port's right under this paragraph, whether or not suit was instituted.

10. Comply with All Laws. The Agency shall at all times comply with all federal, state and local laws, ordinances and regulations, including but not limited to all environmental laws, which in any manner apply to the performance of this Agreement.

11. Integration. This Agreement, together with the attached Exhibit A, constitutes the entire agreement between the Parties and unless modified in writing by an amendment executed by the Parties, shall be implemented only as described herein.

12. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Washington. Any action arising out of this Agreement shall be brought in King County.

13. No Employment Relationship Created. The Parties agree that nothing in this Agreement shall be construed to create an employment relationship between the Agency and the Port.

14. No Entity Created. The Parties agree that nothing in this Agreement shall be construed to create a joint entity between the Agency and the Port.

15. Notices. Notices to the Port shall be sent to the following address:

Port of Seattle
Economic Development Division
P. O. Box 1209
Seattle, WA 98111

Notices to the Agency shall be sent to the following address:

City of Black Diamond
24301 Roberts Drive, PO Box 599
Black Diamond, Wa 98010

16. Audits and Retention of Records. The Agency in and make all books, records and documents (the "Records") relating to the performance of this Agreement open to inspection or audit by representatives of the Port or Washington State during the term of this Agreement and for a period of not less than six (6) years after termination of the Agreement; *provided*, that if any litigation, claim or audit arising out of, in connection with or related to this Agreement is initiated, the Agency shall retain such Records until the later of

(a) resolution or completion of litigation claim or audit; or (b) six (6) years after the termination of this Agreement.

17. Amendment. This Agreement may only be amended by written agreement of the Parties.

18. Dispute Resolution. The Parties shall use their best, good faith efforts to cooperatively resolve disputes that arise in connection with this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the date first set forth above.

PORT OF SEATTLE

By: Suzanne Brown
Purchasing Manager

CITY OF BLACK DIAMOND

By: Mona Davis
Community Development Director

Signature

Dated

Signature

Dated

EXHIBIT A

Black Diamond

Background:

1. **Project Description:** Summarize the project(s) you plan to implement and explain how project(s) address COVID-19 economic issues in your city. Include a brief description of the project goal(s) and summary of COVID-19 economic impacts being addressed.

The City of Black Diamond is looking to respond to COVID-19 by supporting businesses in the Historic Downtown district by temporarily “activating” a public parcel of land to create a safer outdoor dining area and add activities and amenities to encourage visitors to eat, shop, and explore the area.

The selected activations will be guided by consultation with local businesses through one-on-one outreach. Local businesses will also be informed of local services provided by the Green River SBDC including no-fee business consulting on retailing and marketing strategies aimed at attracting new families moving to the city.

The City was gifted a small parcel of property between the Black Diamond Museum and the historic Black Diamond Bakery. This temporary space activation builds on survey research, funded by the Port grant in 2020, showing residents would like to see amenities that create a business district in the Historic Downtown core. The City will utilize the grant funds to activate this space for outdoor seating and dining that is Covid-compliant. City match will go to longer-term space planning, including engineering and design work, based on feedback from the 2020 survey project.

2. **Brief Description Bullets:** Summarize the complete scope of work and goals briefly using 2 - 4 bullets. Please keep each bullet to 1 or 2 sentences. These bullets are meant to be a very brief synopsis the project(s) the Port of Seattle is funding in each city and may be used to describe each city’s project(s) to the Port of Seattle Commission, to the public, and with local media.

The City of Black Diamond proposes:

- Encourage and invite local residents and tourists to explore the outdoors and support small businesses in the downtown core by creating a COVID-safe space “activation” with an outdoor seating area.
- Engage with local businesses to develop the outdoor space to encourage commerce, while encouraging businesses to work with the Green River SBDC.
- Measure space use with a local survey for local business owners and community members in the fall.

3. **Project Scope of Work:** Outline project title or components, economic impacts of COVID-19 the project is addressing, project goals, project deliverables, and metrics (measurable outcomes) using the table below. View Appendix B for sample metrics, measures of success, and data sources. The table is used in the agreement between the Port of Seattle and each city.

Project title or component:	COVID-19 Economic Impacts:	Project goal(s):	Project deliverable(s) and estimated completion:	Metrics (measurable outcomes):
Historic Downtown COVID-19 Responses - outdoor space activation, business engagement, space long-term planning (city match)	Local businesses in the Historic Downtown have been negatively impacted by COVID-19. The pandemic exacerbated customer displacement challenges faced by the historic district as new commercial areas are being developed.	- Consult with local businesses on space activation and share information on Green River SBDC resources - Encourage local residents and tourists to safely explore, shop, and eat in the Historic Downtown by creating outdoor dining space and activities on public land next to businesses - Explore “activating” the Historic Downtown to help make it a destination for residents and outdoor recreation tourists with temporary “activations” and long-term planning including engineering design	- Purchase and add temporary, outdoor dining areas and space amenities - Summary of SBDC engagement and survey results shared in the 2021 Project Final Report - Engineering and/ or design deliverables to implement longer-term public amenities from 2020 survey (city match)	- Number of businesses engaged with SBDC information shared - Provide survey results in fall 2021 that measures space activation use. - Photographs of the changes (before and after) of the activated space.

4. **Connection to Port of Seattle interests:** Explain how your project benefits the Port of Seattle and ties to the Port’s business interests?

*Port business interests tie closely to the health of aviation, maritime/ logistics, manufacturing, and construction/ trades clusters. Tourism is another important industry to the Port of Seattle.

The Port of Seattle has an interest in the economic development and vitality of King County. This project will support local businesses that have been negatively impacted by COVID-19 in Black Diamond, thereby advancing the Port of Seattle’s economic development of retaining and growing local businesses. As the Historic Downtown becomes a local tourism destination, the project also advances the development of the local tourism industry.

5. **Project Budget:** Identify each project budget category, total funds (including the monetary value of in-kind resources), Port of Seattle funds and City monetary and in-kind matching funds. Include the total funds from each column in the second to last row. Include the percentage contributions to the Port of Seattle's contribution in the last row. This table is used in the agreement between the Port of Seattle and each city.

Project:	Project Category (Please select one of the categories provided)	Port of Seattle Funds Awarded:	City Monetary Matching Funds:	City In-kind Matching Funds:	Total Funds (Including In-Kind):
Historic Downtown COVID-19 Space Activation and business engagement	Small Business Assistance	\$5,000.00	\$0	\$0	\$5,000.00
Space design and engineering (city match)	Small Business Assistance	\$0	\$2,500.00	\$0	\$2,500.00
<u>Total Funds:</u>		\$5,000.00	\$2,500.00	\$0	\$7,500.00
<u>Percentage contribution to Port Funds*:</u>		100%	50%	0%	

6. **Collaboration with partners:** Please identify any community organizations (chamber of commerce, neighborhood associations, Small Business Development Centers, SCORE, Greater Seattle Partners, etc.) you plan to work with to complete all or part of your project(s)?
- Black Diamond Museum
 - Downtown merchants
 - Green River College Small Business Center
 - Maple Valley/Black Diamond Chamber of Commerce
7. **Use of consultants or contractors:** If you plan to use consultants or contractors to complete all or part of the project, please identify the firm or type of firm you plan to hire for this project.
- Project will be managed by the City of Black Diamond.

Contact Information

City: City of Black Diamond

Federal Tax ID: 91-6016204

Address: City of Black Diamond
24301 Roberts Drive
PO Box 599
Black Diamond, WA 98010

Contact Name: Mona Davis

Title: Community Development Director

Telephone: 360 851-4528

Email: mdavis@blackdiamondwa.gov

Alternate Contact: Andy Williamson

Email: awilliamson@blackdiamondwa.gov

Phone: 360 851-4541

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT:	Agenda Date: June 3, 2021 AB21-034	
Resolution establishing the City's 2021 docket of proposed Comprehensive Plan amendments	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev – Mona Davis	X
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Seth Boettcher	
Fund Source:	Court – Stephanie Metcalf	
Timeline: 2021, 2022, 2023		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution, Letter from Chairman Olson, Staff Report and Recommendations		
SUMMARY STATEMENT: This Resolution establishes the list of proposed amendments to the Comprehensive Plan that will be considered and analyzed by the City during the 2021 update cycle. Under RCW 36.70A.130(2), cities may consider proposed amendments to their comprehensive plans no more frequently than once per year, with certain limited exceptions. Proposed amendments must be considered in an orderly and holistic manner. To that end, the state Growth Management Act (GMA) directs cities to create an annual “docket” that lists all proposed amendments to be considered during this once-per-year review process. The docket comprises the proposed changes to the Comprehensive Plan and development regulations that the City has resolved to evaluate during the annual update cycle. By preparing an annual docket, the City ensures that all proposed amendments are considered concurrently so that their cumulative effects can be ascertained and evaluated. It is ultimately the Council’s responsibility to decide what items will be included on the annual docket. Proposed amendments to the Comprehensive Plan and City development regulations may be suggested by private citizens or by members of the City staff and City Council. All privately initiated amendments to the Comprehensive Plan or development regulations must be submitted by March 1 of each year for consideration in that year’s docket cycle. City Councilmembers may suggest amendments to be added to the docket at any time before the final docket is set. For 2021, the City received 18 amendments suggested by private citizens and 5 suggested by the City staff, Councilmembers, and Planning Commissioners. As required by the BDMC, Community Development Director Mona Davis compiled these suggestions into a preliminary docket. As also required by the BDMC, Ms. Davis prepared a detailed report summarizing the proposed docket items and recommending to the Planning Commission which of the proposed items should, in her judgment, be included on the final docket for consideration in 2021. A copy of Ms. Davis’s Staff Report and Recommendations is attached as Exhibit B.		

On May 11, 2021, the Planning Commission held a public hearing on the preliminary docket to receive public input, consider Ms. Davis's analysis, and formulate a recommendation to the City Council. Planning Commission Chair John Olson has provided the City Council with the recommendations of the Planning Commission in a letter dated May 20, 2021. That letter is attached as **Exhibit A**.

Having now received the Planning Commission's recommendations on the preliminary docket, the City Council must establish the final docket by resolution. The City Council may adopt the Planning Commission's recommendations as-is. Alternatively, the Council may add to, subtract from, or modify the recommendations of the Planning Commission. However, if the Council decides to add to, subtract from, or modify the suggested amendments, it will need to schedule and hold an additional public hearing under RCW 36.70A.035(2)(a) and BDMC 16.10.230(B) before approving the final docket.

The final docket—which consists of all suggested amendments that the City Council chooses to include on the docket, as well as any complete applications for site-specific amendments that were timely submitted by an applicant—serves as the roadmap for the City's consideration of amendments to the Comprehensive Plan and development regulations during the annual review cycle.

Note: The fact that an item is included on the final docket does not mean that the item will result in any changes to the Comprehensive Plan or development regulations. (BDMC 16.10.190.) Rather, it only reflects a commitment by the City to study the requested amendment during the annual review cycle.

Once the City Council has established the final docket, the items on the docket will be studied and evaluated by City staff and the Planning Commission over a series of months, with meetings and public hearings convened to receive public testimony on each of the docketed items. When the Planning Commission has completed its review and consideration of the docketed items in the fall, it will transmit a report to the City Council with a list of recommended amendments to the Comprehensive Plan and/or development regulations for final adoption. The City Council will then deliberate on the Planning Commission's recommendations and vote in a public meeting to adopt, reject, or modify the proposed amendments, as required by BDMC 16.10.120(A) and 16.10.230.

If the Planning Commission is unable to complete its review of all docketed items in time for year-end action by the Council, the Planning Commission will transmit its recommendations on the items it has completed and advise the Council which of the remaining items should be carried over to the next year's docket cycle.

FISCAL NOTE (Finance Department): N/A

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:

RECOMMENDED ACTION: **MOTION to adopt Resolution No. 21-1424 establishing the City's 2021 Docket of proposed Comprehensive Plan amendments.**

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
June 3, 2021		

RESOLUTION NO. 21-1424

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ESTABLISHING THE CITY'S 2021 DOCKET OF PROPOSED COMPREHENSIVE PLAN AMENDMENTS

WHEREAS, the most recent major periodic update to the City of Black Diamond's Comprehensive Plan was adopted by the City Council in May 2019; and

WHEREAS, the Growth Management Act ("GMA"), Chapter 36.70A RCW, authorizes the City to amend the Comprehensive Plan on an annual basis; and

WHEREAS, Black Diamond Municipal Code ("BDMC") Chapter 16.10 provides a process for Comprehensive Plan amendments to be initiated and considered through an annual docketing process so that all proposed amendments to the Plan and their potential impacts may be evaluated together, as required by the GMA; and

WHEREAS, for the 2021 docket cycle, the City received a total of 23 proposals for amendments to the Comprehensive Plan, 5 of which were proposed by City staff, Councilmembers, and Planning Commissioners, and 18 of which were proposed by private citizens, including a formal application for a site-specific amendment from Oakpointe, as the master developer for the Ten Trails and Lawson Hills MPDs, which application included all required documentation and the application fee pursuant to BDMC 16.10.130(A) and 16.10.050; and

WHEREAS, pursuant to BDMC 16.10.140(A), the Community Development Director compiled a preliminary docket consisting of all applications and suggestions for Comprehensive Plan amendments received by the March 1st deadline from members of the public, as well as amendments suggested by City staff, City Councilmembers, and Planning Commissioners; and

WHEREAS, pursuant to BDMC 16.10.140(B), the Community Development Director prepared and submitted a Staff Report and Recommendations to the Planning Commission, dated April 28, 2021, which set forth the Director's views concerning each of the items on the preliminary docket of suggested 2021 Comprehensive Plan amendments (see Exhibit B attached hereto); and

WHEREAS, the Planning Commission held a public hearing on May 11, 2021, to receive public testimony and comments on the 23 preliminary docket items and to determine which of these preliminary items should be recommended to the City Council for inclusion on the final 2021 Docket; and

WHEREAS, by letter dated May 20, 2021, the Chair of the Planning Commission forwarded the Commission's recommendations to the City Council as to which of the

proposed Comprehensive Plan amendments listed on the preliminary docket should be included on the final 2021 Docket (see Exhibit A attached hereto); and

WHEREAS, BDMC 16.10.170 requires that the final Docket of proposed amendments to the Comprehensive Plan be established by a resolution of the City Council; and

WHEREAS, BDMC 16.10.180 requires that the final Docket include all timely submitted applications for site-specific amendments, such as the one requested by Oakpointe, in addition to any suggested amendments that the City Council chooses in its discretion to consider during the annual amendment process; and

WHEREAS, the Community Development Director recommends that the City adopt the recommendations of the Planning Commission for the final 2021 Docket;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Establishing 2021 Docket. Pursuant to BDMC 16.10.170 and 16.10.180, the City Council hereby accepts the recommendations of the Planning Commission, as shown in the letter from Chairman John Olson, dated May 20, 2021, attached hereto as Exhibit A. Accordingly, the 2021 Docket of proposed Comprehensive Plan amendments shall consist of the following items listed in the Community Development Director's Staff Report and Recommendations dated April 28, 2021, and attached hereto as Exhibit B:

- #2021-01, with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."
- #2021-02
- #2021-03, combined with Item #2021-01, and revised as noted above
- #2021-04
- #2021-05
- #2021-06
- #2021-07, combined with Item #2021-04, which also addresses changes to the Housing element
- #2021-08, limited to a feasibility study, including costs and scope of work, for conducting an ecological inventory
- #2021-17

- #2021-22, combined with Item #2021-01 and #2021-03, and revised as follows: “Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code for consistency with the Comprehensive Plan and FLUM, and to begin narrowing discrepancies with PSRC’s VISION 2040 and 2050 (as applicable) and Regional Growth Strategy.”

Section 2. Initiating Planning Commission Review and Analysis. The City Council hereby requests that the Planning Commission, in cooperation with City staff, initiate its review, analysis, and assessment of each of the items on the approved 2021 Docket, pursuant to BDMC 16.10.210 and 16.10.220. The Planning Commission’s review shall include adequate opportunity for public comment on proposed amendments, including one or more public hearings. At the conclusion of its review, and no later than October 31, 2021, the Planning Commission is directed to return a recommendation to the Council as to whether and how the City Council should act on each of the items included on 2021 Docket. The City Council shall then determine what action(s) to take by December 31, 2021. In the event that the Planning Commission cannot complete its review of all items on the 2021 Docket by October 31, 2021, then the Planning Commission shall forward recommendations on the items it has completed and advise the City Council whether any of the remaining items should be carried over to the 2022 annual docket cycle.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 3RD DAY OF JUNE 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



Office Of The

PLANNING COMMISSION

Chair - John Olson
Vice - Pam McCain

Position 1 - Richard LaConte
Position 5 - Felicia Wheatfall

Position 2 - Steve Jensen
Position 6 - Dave Ambur

Position 3 - Crystal Perez

May 20, 2021

To:

Mayor

Carol Benson

and

Councilmembers

Tamie Deady

Melissa Oglesbee

Chris Wisnoski

Leih Mulvihill

Kristiana de Leon

Bernie O'Donnell

Debbie Page

CC:

Community Development

Director

Mona Davis

and

The Planning

Commission

RE: The City of Black Diamond 2021 Comprehensive Plan Amendments

Dear Mayor and Councilmembers,

On behalf of the Black Diamond Planning Commission, I am forwarding our recommendations for the 2021 Comprehensive Plan Preliminary Docket.

In general, cities may consider proposed amendments to their comprehensive plans no more frequently than once per year under RCW 36.70A.130(2). The state Growth Management Act directs cities to create an annual docket that lists all the proposed amendments that are to be considered during this once-per-year process. Anyone may suggest amendments to the Comprehensive Plan by March 1st of each year.

A public hearing was held by the Planning Commission on May 11, 2021, in accordance with our bylaws, to hear testimony and consider amendments to the Comprehensive Plan. At this meeting, all seven members of the planning commission attended. Several members of the public gave testimony, and many others submitted written comments. Based on information provided by city staff, public comments, and the Commission's deliberations, the Planning Commission officially recommends and transmits the following amendments for consideration in the final docket:

ITEM #2021-01: REVERSION TO THE 2009 FUTURE LAND USE MAP (FLUM)

The Planning Commission recommends that Item #2021-01 be included on the final 2021 Docket, but with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."

**#2021-02: AMENDMENTS TO COMPREHENSIVE PLAN APPENDIX 7
(TRANSPORTATION) TO REFLECT AN ALTERNATIVE SE LOOP CONNECTOR
ROUTE**

The Planning Commission recommends that Item #2021-02 be included on the final 2021 Docket.

#2021-03: HARMONIZING THE FLUM AND CITY ZONING REGULATIONS

The Planning Commission recommends that Item #2021-03 be included on the final 2021 Docket but combined with Item #2021-01. Together, they should be docketed with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."

**#2021-04: UPDATE THE HOUSING CHAPTER OF THE COMPREHENSIVE PLAN TO
INCORPORATE RELEVANT COMPONENTS OF THE 2021 HOUSING ACTION PLAN**

The Planning Commission recommends that Item #2021-04 be included on the final 2021 Docket.

**#2021-05: UPDATE THE PARKS CHAPTER OF THE COMPREHENSIVE PLAN TO
INCORPORATE RELEVANT COMPONENTS OF THE PROS PLAN**

The Planning Commission recommends that Item #2021-05 be included on the final 2021 Docket.

**#2021-06: REPEAL CITY PROHIBITIONS ON MARIJUANA BUSINESSES AND
UPDATE THE LAND USE CHAPTER AS NEEDED TO FACILITATE APPROPRIATE
SITING**

*The Planning Commission recommends that Item #2021-06 be included on the final
2021 Docket.*

**#2021-07: REVIEW ADU AND SHORT-TERM RENTAL REGULATIONS WITH
POTENTIAL CHANGES TO THE HOUSING CHAPTER OF THE COMPREHENSIVE
PLAN**

*The Planning Commission recommends that Item #2021-07 be combined with
consideration of Item #2021-04, which also addresses changes to the Housing element
of the Comprehensive Plan to be included on the final 2021 Docket*

**#2021-08: CONDUCT AN ECOLOGICAL INVENTORY AND PROPOSE CHANGES TO
LAND USES AND REGULATIONS TO PRESERVE NATURAL AREAS**

*The Planning Commission recommends amending Item #2021-08 to conduct a
feasibility study, including costs and scope of operations, on conducting an ecological
inventory to be included in the final 2021 docket*

**#2021-17: DELETE POLICY ED-4.5 FROM THE ECONOMIC DEVELOPMENT
CHAPTER OR MOVE IT TO THE TRANSPORTATION CHAPTER**

*The Planning Commission recommends that Item #2021-17 be included on the final
2021 Docket.*

**#2021-22: AMEND LAND USE POLICY LU-21 CONCERNING GROWTH TARGETS
AND PRESENT RECOMMENDATIONS TO THE PLANNING COMMISSION AND CITY
COUNCIL IN 2022**

*The Planning Commission recommends that Item #2021- 22 be included on the final
2021 Docket, but in combined form with Items #2021-01 PAGE 25 and #2021-03.*

Together, they should be docketed with the description broadened as follows:

*"Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and
corresponding updates to the zoning code for consistency with the Comprehensive Plan
and the FLUM, and to begin narrowing discrepancies with PSRC's VISION 2040 and
2050 (as applicable) and Regional Growth Strategy."*

Sincerely,



John Olson

Chair

Black Diamond Planning Commission



Staff Report and Recommendations to the Planning Commission

2021 Comprehensive Plan Preliminary Docket

CITY OF BLACK DIAMOND

Mona Davis | Community Development Director | April 28, 2021

Introduction

This report is prepared pursuant to Black Diamond Municipal Code (BDMC) 16.10.140(B). Each of the preliminary docket items that were timely received by the City or suggested by the City staff or Council is described below. For each of these preliminary docket items, this report includes a recommendation as to whether the item should, or should not, be included on the final docket, to be set by the City Council, for consideration during the 2021 Comprehensive Plan amendment cycle.

Overview of 2021 Docket Process

Under RCW 36.70A.130(2), cities may consider proposed amendments to their comprehensive plans no more frequently than once per year, with certain limited exceptions. So that proposed amendments can be considered in an orderly and holistic manner, the state Growth Management Act (GMA) directs cities to create an annual docket that lists all proposed amendments to be considered during this once-per-year review process. The docket comprises the proposed changes to the Comprehensive Plan and development regulations that the City has resolved to evaluate during the annual update cycle. By preparing an annual docket, the City ensures that all proposed amendments are considered concurrently so that their cumulative effect can be ascertained and evaluated.¹

Proposed amendments to the Comprehensive Plan and City development regulations may be suggested by private citizens or by members of the City staff and City Council.² Under BDMC 16.10.130(D), all privately initiated amendments to the Comprehensive Plan or development regulations must be submitted by March 1 of each year. City Councilmembers may suggest amendments be added to the docket at any time before the final docket is set. For 2021, there are 18 privately initiated amendments and 5 amendments suggested by the City staff, Councilmembers, and Planning Commissioners.

After the March 1 submission deadline has passed, a preliminary docket is prepared by the Community Development Director (Director). The preliminary docket consists of all timely suggestions for Comprehensive Plan and development regulation amendments received for the annual review cycle.³ The Director is charged with preparing a report summarizing the proposed docket items and making a recommendation to the Planning Commission about which, if any, of the proposed items should be included on the final

¹ BDMC 16.10.130(C).

² BDMC 16.10.130(B).

³ BDMC 16.10.140(A).

docket to be approved by the City Council.⁴ The Director's recommendations to the Planning Commission are informed by the following factors, as laid out in BDMC 16.10.140(B):

- The need, urgency, and appropriateness of the suggested amendments;
- The availability of sufficient planning staff to substantively review the suggested amendments and to manage the public participation process; and
- The anticipated costs and budget impacts associated with processing the suggested amendments.

The Planning Commission is then required to hold a public hearing on the preliminary docket and to make a recommendation to the City Council as to which, if any, of the suggested amendments from the preliminary docket should be included on the final docket.⁵ The City Council then considers the Planning Commission's recommendations before adopting a final docket by resolution.⁶ The City Council may adopt the docket as recommended, or it add to, subtract from, or modify the recommendations from the Planning Commission.⁷ However, if the Council decides to add to, subtract from, or modify the suggested amendments, it may first be required to hold a public hearing under RCW 36.70A.035(2)(a) and BDMC 16.10.230(B).

The final docket – which consists of all suggested amendments that the City Council elects in its discretion to include on the docket, as well as any complete applications for site-specific amendments that were timely submitted by an applicant – serves as the roadmap for the City's consideration of amendments to the Comprehensive Plan and development regulations during the annual review cycle.

- Note: The fact that an item is included on the final docket does not mean that the item will result in any changes to the Comprehensive Plan or development regulations. (BDMC 16.10.190.) Rather, it is a commitment by the City to study the requested amendment during the annual review cycle.

Once the City Council has established the final docket, the items on the docket will be studied by City staff and the Planning Commission over a series of months, with meetings and public hearings convened to receive public testimony and deliberate on

⁴ BDMC 16.10.140(B).

⁵ BDMC 16.10.160.

⁶ BDMC 16.10.170, 16.10.230.

⁷ BDMC 16.10.230.

each of the docketed items.⁸ These deliberations include careful consideration of the impacts of the proposed amendments on long-term planning goals and potential environmental impacts.

When the Planning Commission has completed its review of the docketed items, it will transmit a report to the City Council with a list of recommended amendments to the Comprehensive Plan and/or development regulations for final adoption.⁹ The Director will also prepare a SEPA determination for the recommended amendments.¹⁰ The City Council will then deliberate on the Planning Commission's recommendations and vote in a public meeting to adopt, reject, or modify the proposed amendments, as required by BDMC 16.10.120(A) and 16.10.230.

A tentative schedule for finalizing the docket and considering the docketed items is set forth at the end of this report.

Proposed Amendments for 2021 Docket

Each of the items on the preliminary docket of proposed 2021 amendments to the Black Diamond Comprehensive Plan is described below. For ease of reference, a Summary of all City staff recommendations begins on page 25 of this report.

ITEM #2021-01: REVERSION TO THE 2009 FUTURE LAND USE MAP (FLUM)

Requestors:

This amendment is requested by Duane Garcia, Mike England, William Bryant, Gary Davis, Philip Acosta, Angela Fettig, and Kelley Sauskojus.

Description

The requestors of this amendment ask that the FLUM in the 2019 Comprehensive Plan be replaced with the FLUM from the 2009 Comprehensive Plan. The requestors contend that the 2019 FLUM is not consistent with the text of the Comprehensive Plan and creates "significant excess development capacity." Requestors express concern that the growth potential reflected in the 2019 FLUM goes beyond regional growth targets and/or what the City's infrastructure, public services, and natural environment can support. Requestors believe the 2009 version of the FLUM is better aligned with City capacity for transportation and provision of services and is more in keeping with their objectives for preserving wildlife habitat and a small-town feel.

⁸ BDMC 16.10.120(A).

⁹ BDMC 16.10.210.

¹⁰ BDMC 16.10.200.

Recommendation

The 2019 update to the Comprehensive Plan included revisions to the land use designations of eight areas on the FLUM. One or more of these 2019 revisions to the FLUM have been a source of significant concern for a number of residents. The 2019 revisions also created several inconsistencies with the City's current zoning code – inconsistencies which have yet to be resolved. Consistency between the Comprehensive Plan text, maps, and zoning code is a requirement of the GMA.

City staff believe it is imperative to revisit the changes to the FLUM that were adopted in 2019 and to reconsider whether and how the FLUM can be revised to better harmonize with the zoning code. There are numerous potential outcomes that could result from the Planning Commission and City Council's reconsideration of the 2019 FLUM. The FLUM could be reverted to the form in which it existed in 2009, as the requestors desire. It is also possible that work on the Housing Action Plan and Housing Element could suggest other potential revisions to the FLUM that might better meet the City's housing objectives and desired growth patterns than either the 2009 or 2019 FLUM. The zoning code should also be carefully reviewed and possibly updated for consistency with any changes to the FLUM. (See Item #2021-03, below.)

Regardless of what form any changes to the FLUM and/or zoning regulations might take, these issues will require extensive analysis and opportunities for public participation before final recommendations can be reached. Although this item is certain to consume a substantial amount of resources and time for City staff and the Planning Commission, staff believe the efforts are urgently needed to ensure that the City has a solid foundation for future land use planning and growth management consistent with the GMA. **City staff recommend that Item #2021-01 be included on the final 2021 Docket, but with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."**

#2021-02: AMENDMENTS TO COMPREHENSIVE PLAN APPENDIX 7 (TRANSPORTATION) TO REFLECT AN ALTERNATIVE SE LOOP CONNECTOR ROUTE

Requestor

This item is requested by CCD Black Diamond Partners LLC ("Oakpointe").

Description

Oakpointe requests text and map amendments to the Comprehensive Plan to include an alternative route alignment to the Southeast Loop Connector road currently depicted in

the Transportation element. The proposed alternative route would connect the Lawson Hills MPD to Lawson Street rather than connecting the Lawson Hills MPD to SR-169. The proposed amendments would modify text in the Transportation Appendix – specifically, pages 10, 19, and 25 of Appendix 7, as well a map (2035 Roadway Network Concept) shown on page 47 in Figure 7-4.

Oakpointe makes this request to create additional options for road alignment and construction, given the potential environmental impacts, steep hillside topography, and extensive acquisitions of third-party parcels associated with the SE Loop Connector routing presently depicted in the Comprehensive Plan. The amendment is proposed because the alternative alignment likely involves fewer impacts, less cost, and reduced right-of-way acquisition requirements. It does not preclude development of the existing SE Loop Connector, but provides an option for a secondary access route to the Lawson Hills MPD. A final decision as to which option to construct would not be made until the SE Loop Connector road is needed.

For further explanation of Oakpointe’s proposed alternative route and how it might reduce impacts as compared to the route presently shown in Appendix 7, please refer to the attachments to this Staff Report. The attachments also detail Oakpointe’s view of how the proposed amendments would be consistent with other relevant portions of the Comprehensive Plan.

Recommendation

This is a privately initiated request by a property owner for a Comprehensive Plan amendment related to a site-specific development proposal. In support of its application, Oakpointe has submitted all of the materials required by BDMC 16.10.050.¹¹

The current Comprehensive Plan identifies the SE Loop Connector as a future transportation improvement. This road is depicted as extending from the Lawson Hills MPD to SR-169. The language in Appendix 7 makes it clear that the routing depicted therein is not settled and that “alternative road alignments may be considered.” The intent behind including a preliminary alignment concept in Appendix 7 was “to show a basic route,” while expressly mentioning that “exact locations will be determined after engineering and environmental review.” Staff believe that any proposed alternative that

¹¹ The application materials consist of the City’s Master Application Form, a cover letter accompanying a project narrative, a description of the purpose of the requested amendments, an explanation of the proposal’s consistency with the Comprehensive Plan and GMA, and an analysis of the evaluation criteria listed in BDMC 16.10.220 for approval of the amendments. Also included in Oakpointe’s application are the proposed text changes in “bill” format (redlines). Additionally, the application includes a completed SEPA checklist and supplemental sheet for nonproject actions, a sensitive areas identification form, a memo from Transpo Group analyzing potential transportation impacts from the proposed amendments, with supporting LOS worksheets, and the application fee of \$2,734.00.

would minimize environmental impacts, reduce the need to modify the natural topography, and create fewer third-party disturbances is worth careful consideration, even if the requested amendment is not ultimately approved. **City staff recommend that Item #2021-02 be included on the final 2021 Docket.**

#2021-03: HARMONIZING THE FLUM AND CITY ZONING REGULATIONS

Requestor

This item was suggested by Community Development Director Mona Davis following numerous discussions with residents about the 2019 FLUM.

Description

As noted in connection with Item #2021-01, the City's zoning regulations are not fully consistent with the FLUM in the 2019 Comprehensive Plan. The GMA requires that comprehensive plans and their implementing development regulations be consistent. The City needs to carefully review its zoning and consider potential updates to the FLUM and development regulations in a holistic manner to achieve consistency and to promote sound land use planning practices.

Recommendation

City staff believe it is important that concerns raised by some residents about the 2019 FLUM be carefully reconsidered. It is possible that the 2019 FLUM does not represent ideal patterns for residential and commercial development – either by providing more capacity than is necessary, or by locating that capacity in the wrong areas. The City is also mindful of the need to bring City planning policies and regulations into closer alignment with the PSRC's regional planning goals, growth targets, and VISION 2040. Adjustments to the FLUM may be needed to encourage long-term alignment between the City's expected growth and regional planning policies.

It's also possible that portions of the FLUM and Land Use chapter need to be revisited to ensure that there is adequate capacity for development of a balanced mix of housing that will be affordable to residents and potential residents across the socio-economic spectrum. The FLUM and zoning code should reflect the City Council's strong policy of ensuring that Black Diamond is, and remains, a welcome and inclusive community for all, not just for those in higher income brackets.

City staff recommend that Item #2021-03 be included on the final 2021 Docket, but combined with Item #2021-01. Together, they should be docketed with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."

#2021-04: UPDATE THE HOUSING CHAPTER OF THE COMPREHENSIVE PLAN TO INCORPORATE RELEVANT COMPONENTS OF THE 2021 HOUSING ACTION PLAN

Requestor

This item was suggested by Community Development Director Mona Davis.

Description

The City is currently working with its consultant, Blueline, to finalize the 2021 Housing Action Plan. This Plan started with data collected from a citywide housing needs assessment survey conducted by Blueline. Blueline's work incorporates this survey data into an overall plan that reflects realistic residential growth targets and provides insights into how the City can provide for the mix of housing that is likely to meet the needs of current and future populations. The Housing Action Plan creates three strategic objectives for meeting future housing needs in the City: (1) monitoring housing needs and demographic shifts as the City continues to grow; (2) increasing housing diversity while preventing displacement of current residents and preserving small-town feel; and (3) creating opportunity for investment in more housing for lower income brackets.

The Housing Action Plan is scheduled to be completed and ready for City Council consideration in June 2021. The Housing Action plan should then inform the Planning Commission and City Council's consideration of potential changes to the Housing element of the Comprehensive Plan.

Recommendation

The objectives and proposed action items from the Housing Action Plan should be harmonized with the Housing element of the Comprehensive Plan. City staff recommend that Item #2021-04 be included on the final 2021 Docket.

#2021-05: UPDATE THE PARKS CHAPTER OF THE COMPREHENSIVE PLAN TO INCORPORATE RELEVANT COMPONENTS OF THE PROS PLAN

Requestor

This item was suggested by Community Development Director Mona Davis.

Description

The City is currently working to complete the Parks, Recreation, & Open Space Plan (PROS Plan) by year end. This work includes a survey that will be sent out to seek input from residents. The PROS Plan is intended to assess the City's current inventory of parks

and recreation property and facilities and will provide an evaluation of how those facilities may need to be expanded and improved to meet the needs and preferences of current and future residents of the City. The Parks element of the Comprehensive Plan should be updated to reflect the key findings and action items from the PROS Plan, once it is completed.

Recommendation

The objectives and proposed action items from the PROS Plan should be incorporated into the Parks element of the Comprehensive Plan. **City staff recommend that Item #2021-05 be included on the final 2021 Docket.**

#2021-06: REPEAL CITY PROHIBITIONS ON MARIJUANA BUSINESSES AND UPDATE THE LAND USE CHAPTER AS NEEDED TO FACILITATE APPROPRIATE SITING

Requestor

Studying these amendments to the City's development regulations and Comprehensive Plan was requested by multiple members of the City Council.

Description

The BDMC currently prohibits the siting and operation of marijuana businesses in the City. BDMC 20.08 and 20.04. In looking for ways to expand the City's revenue streams, several members of the City Council have suggested looking at repealing the prohibition on marijuana businesses so that the City may collect local sales tax and a share of the state excise tax on the revenues of marijuana-based businesses. This change could potentially diversify City revenue sources beyond its current, heavy reliance on property tax and development-related sales tax and REET – the latter of which may not be sustainable over the long run.

In addition to possibly repealing BDMC Chapters 20.04 (which is now functionally obsolete due to changes in state laws) and 20.08 (which prohibits siting and operation of marijuana businesses), the City would need to undertake an analysis of where such businesses realistically could be sited under state statutes establishing buffers around certain types of establishments such as schools, parks, and churches. Changes to the Land Use element and City zoning regulations could be required in order to facilitate the siting of viable marijuana businesses within the City.

Recommendation

Diversifying the City's tax revenues with reliable new income streams has been declared a high priority by the City Council and the Mayor. Other cities in the region have

received significant tax revenue flowing from marijuana business—revenue that the City is currently unable to collect due to the prohibitions in BDMC Chapters 20.08 and 20.04. Receiving public comment on the desirability of allowing marijuana businesses to be operated in the City, and careful consideration of where such businesses should be located if the prohibitions were repealed, would be a valuable exercise, as would the simultaneous review of potential land use changes that would be necessary to facilitate the siting of viable marijuana businesses in the City. The policy analysis and public engagement process required for this docket item would require substantial staffing resources to manage, but City staff understands that the Council considers this to be a priority item. Accordingly, **City staff recommend that Item #2021-06 be included on the final 2021 Docket.**

#2021-07: REVIEW ADU AND SHORT-TERM RENTAL REGULATIONS WITH POTENTIAL CHANGES TO THE HOUSING CHAPTER OF THE COMPREHENSIVE PLAN

Requestor

This item was requested by the Planning Commission.

Description

Housing affordability and accommodation of multi-generational households continues to be a pressing issue for the City. Accessory dwelling units (ADUs) are viewed as one means of increasing the stock of affordable housing options and an important way to allow multiple generations to live together on the same property without being under one roof. The Planning Commission has requested to review development regulations governing ADUs for possible updates.

Short-term rental properties, as exemplified by AirBnB, present other challenges. The Planning Commission has suggested that the City consider options for regulating the use of residential properties for short-term rentals (under 30 days) so as to minimize the problems that can arise from such activities.

Recommendation

City staff recommends that this item be the subject of further discussion by the Planning Commission at its public hearing on the preliminary docket on May 11, 2021, to better define the nature of proposed amendments. City staff further recommends that if the Planning Commission decides to recommend inclusion of Item #2021-07 on the final 2021 Docket, it should be combined with consideration of Item #2021-04, which also addresses changes to the Housing chapter.

#2021-08: CONDUCT AN ECOLOGICAL INVENTORY AND PROPOSE CHANGES TO LAND USES AND REGULATIONS TO PRESERVE NATURAL AREAS

Requestor

This item was requested by Bob Stuart.

Description

The requestor asks to add a new policy to the Natural Environment chapter of the Comprehensive Plan:

New Policy NE-41: Conduct an ecological inventory of natural areas within the City and propose changes to land uses and regulations to preserve the functions and values of these natural areas. The inventory and proposed actions shall be presented to the Planning Commission for review and action by the City Council in 2022.

The requestor supports his request with the following rationale:

Black Diamond faces an incredible challenge in balancing its future between small town in a natural surrounding and potential development capacity. If not managed more carefully, it will simply be another case of, “you don’t know what you’ve got ‘til it’s gone.” People have already noticed significant change in the type and location of wildlife, and the amount and vegetation of natural space.

The City should study remaining undeveloped land and its: ecosystem value; restoration potential; and open space potential. The study should also include: an evaluation of different ways new development could add conservation and open space, and whether existing zoning should be changed to encourage conservation of remaining open space.

Recommendation

This request does not propose a policy change for the Comprehensive Plan, but rather would require staff to undertake a one-time action – namely the completion of an “ecological inventory” and presentation of that inventory to the Planning Commission and City Council in 2022. The Comprehensive Plan is a planning document that is supposed to guide the City’s implementation of more detailed development regulations to manage growth. While completion of an inventory of the City’s natural areas and ecological assets (such as lakes, wetlands, and wildlife habitat) could be a valuable exercise, a directive to conduct such an inventory and present it to the Council the following year is not appropriate for inclusion in the Comprehensive Plan.

It should be noted, however, that the City is currently completing its Parks, Recreation & Open Space Plan (PROS Plan), which will, in part, analyze the City's existing open space, including natural areas. See Item #2021-05, above. This PROS Plan will be used to evaluate any long-term policy changes that should be made to the Comprehensive Plan so that it can serve as a long-term guide for preserving City open space for the benefit of current and future residents. It is also important to note that the City Council has just approved changes to the City's critical areas ordinance (BDMC 19.10) to improve environmental protection standards and incorporate recent revisions to state and federal law. In light of budgetary and staffing limitations for overseeing the creation of a separate "ecological inventory," and in light of other efforts already underway to review the City's open space assets, **City staff do not recommend that Item #2021-08 be included in the final 2021 Docket.**

However, if the requestor believes that the PROS Plan does not fulfill the objectives of this preliminary docket item, he is encouraged to propose that the City Council allocate funds in the 2022 budget for conducting an ecological inventory that could form the basis for further review and consideration of Comprehensive Plan amendments in 2022 of a subsequent year if approved for that year's docket.

#2021-09: AMEND THE LAND USE CHAPTER TO ADD A NEW ZONING CATEGORY OF "MINERAL AND RESOURCE EXTRACTION"

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

Requestor suggests amending the Land Use chapter of the Comprehensive Plan to include a new zoning classification of "Mineral and Resource Extraction."

Recommendation

Requestor provided no justification or rationale for this change to the Comprehensive Plan or zoning code. Without additional information, City staff have no basis to recommend this item for the docket. In light of other high priority items that must be completed and limited staffing resources available, **City staff do not recommend that Item #2021-09 be included on the final 2021 Docket.**

#2021-10: AMEND THE LAND USE CHAPTER TO ADD A NEW ZONING CATEGORY OF “FORESTRY”

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

Requestor suggests amending the Land Use chapter of the Comprehensive Plan to include a new zoning classification of “Forestry.”

Recommendation

Requestor provided no justification or rationale for this change to the Comprehensive Plan or zoning code. It would be unusual for an incorporated city lying within an Urban Growth Area to have a zoning designation for “forestry,” which is more typically found in unincorporated rural areas. Without additional information, City staff have no basis to recommend this item for the docket. In light of other high priority items that must be completed and limited staffing resources available, **City staff do not recommend that Item #2021-10 be included on the final 2021 Docket.**

#2021-11: ADD A NEW POLICY TO THE LAND USE CHAPTER TO REQUIRE A FORMAL APPLICATION TO AMEND THE FLUM OR ZONING REGULATIONS FOR CHANGES THAT WOULD INCREASE RESIDENTIAL UNITS OR REDESIGNATE PROPERTY AS “COMMERCIAL”

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

Requestor suggests amending the Land Use chapter of the Comprehensive Plan to add the following new policy language:

Any and all Future Land Use Map and/or zoning changes that increase the residential units allowed or change a property to a “commercial” designation must go through the formal docket application and Land Use Map Amendment process as further defined in the Black Diamond Municipal Code.

Recommendation

The Land Use Element of the Comprehensive Plan contains substantive policies for how land is to be used and developed within the City. These policies then inform the creation of more specific development regulations and standards in the municipal code. The language proposed by the requestor does not describe a substantive land use policy to guide future development, nor does it contain specific development standards and regulations. Rather than proposing policy language, it describes a procedural mechanism for seeking changes to the FLUM and zoning code. It therefore appears to be inappropriate for inclusion in the 2021 Docket. Additionally, the requestor provided no justification or rationale for this why the Comprehensive Plan should be changed in this way. Without additional information, and in light of the procedural nature of the requested amendment, City staff have no basis to recommend this item for the docket. Accordingly, **City staff do not recommend that Item #2021-11 be included on the final 2021 Docket.**

#2021-12: CREATION OF A CONSERVATION EASEMENT DEVELOPMENT CREDIT PROGRAM

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

Requestor suggests amending the Land Use chapter of the Comprehensive Plan to add the following new Policy:

Land Use (LU) Policy ##: The city will create a Conservation Easement Development Credit Program separate from its existing TDR (Transfer of Development Rights) program. The program will allow property of higher conservation value that does not meet the definition of critical areas to be put into permanent “natural area” conservation in exchange for a zoning change that increases the allowed density of development on other property of lower conservation value.

Recommendation

This is an intriguing suggestion that, if implemented correctly, could support important existing land use goals of preservation of natural areas and open space, while focusing additional development in areas of lower environmental value as open space and wildlife habitat. However, creation of a new program of this nature would require extensive study to determine the scope of lands that would be able to participate,

appropriate standards to be used in evaluating applications for participation in such a program, and a complex code-drafting effort to establish necessary procedures, use restrictions, and administrative rules for the program. Moreover, even if successfully established, administration of the program would require additional staffing resources in Community Development. At this time, City staff do not have the staffing availability or budget to sponsor, develop, and administer such a program. **City staff do not recommend that Item #2021-12 be included on the final 2021 Docket.**

#2021-13: REDESIGNATE VARIOUS SPECIFIED PARCELS AS “MINERAL AND RESOURCE EXTRACTION,” “LOW DENSITY RESIDENTIAL (LDR),” AND “FORESTRY”

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the FLUM be amended as follows:

Parcels 1521069110, 1521069112, 1521069113, 1521069114, 1521069115, 1021069111 are designated as “Mineral and Resource Extraction.”

Parcel 1021069010 is designated “Low Density Residential” (LDR).

Parcel 1021069103 and 1021069105 are designated “Low Density Residential” (LDR).

Parcels 1121069020, 1121069112, 1121069113, 1121069114 are updated to “Forestry.”

Recommendation

Requestor has provided no justification or rationale for redesignating these parcels on the FLUM. Moreover, some of the requested land use designations do not currently exist, and thus would require adoption of other Comprehensive Plan amendments as a precursor to the requested changes, which staff do not recommend. (See Item #2021-09 and #2021-10, above.)

Staff do note, however, that the FLUM amendments requested in this item are very similar to, or substantially overlap with, the FLUM revisions requested in preliminary docket Item #2021-01, above. As such, the land use designations requested for the specific parcels mentioned in this item may be considered along with other potential FLUM and zoning code changes that could result if preliminary docket Item #2021-01

and #2021-03 are included on the final 2021 Docket, as recommended above. In any event, **City staff do not recommend that Item #2021-13 be included as a separate item on the final 2021 Docket.**

#2021-14: AMENDMENTS TO LAND USE CHAPTER ADDRESSING MINIMUM OPEN-SPACE AND CLUSTERING REQUIREMENTS IN ZONES ALLOWING MIXED-USE AND COMMERCIAL DEVELOPMENT

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the text of the Land Use chapter be amended as follows:

Large amounts of natural open space must be included on sites developed for mixed use or intense land use. Clustering is appropriate so that intense land use is balanced with a natural space that feels like “small town” Black Diamond.

Land Use (LU) Policy ##: Clustering in Commercial Zones. At least 50% of the net developable land (excluding sensitive and critical areas) must remain natural as a trade off for Mixed-Use development. At least 50% of the net developable land (excluding sensitive and critical areas) must remain natural for Commercial development with a F.A.R. exceeding 1.0 .

Recommendation

Requestor has provided no justification or rationale for this requested change. Without further information, City staff have no basis to recommend this amendment for inclusion on the final docket. It is also noted that the proposed minimum open-space and strict clustering requirements, while possibly promoting some existing policies to preserve natural habitat and rural character, may also be inconsistent with other City objectives of increasing the availability of affordable housing across the socio-economic spectrum and increasing the commercial and sales tax base necessary to sustain robust public safety and other services. The net effect of the proposed amendments may be to disincentivize the construction of affordable, multi-family dwelling units if not balanced with other incentives. Understanding how these requested Comprehensive Plan amendments would affect the balance of these competing policy goals and impacts to affordable housing would require extensive use of City staff and consulting resources to conduct necessary investigation and analysis. In light of other urgent priorities, **City staff do not recommend that Item #2021-14 be included on the final 2021 Docket.**

#2021-15 – AMENDMENTS TO LAND USE ELEMENT ADDRESSING OPEN-SPACE REQUIREMENTS AND DENSITY LIMITS FOR MULTI-FAMILY DEVELOPMENT

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the Land Use chapter be amended as follows:

Multi-family development in Black Diamond should include a large amount of open space and natural space for families and to maintain small town character.

Land Use (LU) Policy ##: Commercial Zones used for multi-family development are allowed a maximum of 16 units per acre. Multi-family development must have a minimum of 50% open space of the net developable land (excluding critical and sensitive areas).

Recommendation

See discussion of Item #2021-14, above. For the same reasons, and in light of other urgent priorities, **City staff do not recommend that Item #2021-15 be included on the final 2021 Docket.**

#2021-16 – AMEND TRANSPORTATION CHAPTER TO PRIORITIZE PEDESTRIAN AND BICYCLE SAFETY OVER MOTOR VEHICLE CAPACITY

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the Transportation chapter be amended as follows:

Transportation Policy T-##. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, new development shall not be allowed to avoid providing vehicle capacity

increases or improvements needed for vehicles as a result of new development.

Safety Improvements: Road funds at the state, county, and local level are limited. The safety of Black Diamond residents is one of the most important considerations when prioritizing funding. The majority of employed residents will continue to commute outside the city and therefore roads in and out of town are an important consideration in the Black Diamond Comprehensive Plan. State and County roads leading to Renton, Issaquah, Auburn, and Enumclaw have land slide risks, areas with site distance limitations, pedestrian and bicycle safety problems.

Transportation Policy T-###. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

Recommendation

The requestor's first proposed Transportation policy includes new language requiring that "new development shall not be allowed to avoid providing vehicle capacity increases or improvements needed for vehicles as a result of new development." This proposed amendment is redundant to the City's existing concurrency ordinance, as codified in BDMC Chapter 11.11. The City enforces its concurrency ordinance by requiring developers to offset the impacts of additional vehicle trips generated by their projects by either constructing necessary improvements (including capacity-adding infrastructure), or paying mitigation fees toward the construction of transportation projects on the City's approved Transportation Improvement Plan, or by demonstrating that sufficient capacity exists within the City's current transportation network, or will exist within six-years based on existing commitments.

The requestor's suggestion that the Comprehensive Plan be amended to "prioritize pedestrian and bicycle safety over motor vehicle capacity" presents a false choice. Adding capacity for motor vehicles on City streets does not necessarily reduce pedestrian or bicycle safety. There is no need to prioritize one over the other, nor does the current Comprehensive Plan or the City's street design and construction standards prioritize road capacity over pedestrian and bicycle safety. The City has adopted a Complete Streets program that emphasizes the importance of all modes of transportation in Black Diamond, including non-motorized vehicles and walking.

The specific meaning of requestor's reference to "roads in an out of Black Diamond" is unclear. The Comprehensive Plan addresses the City street network. "State and County roads leading to Issaquah, Auburn, and Enumclaw," as mentioned by the requestor, are not within the City's jurisdiction. Accordingly, the City's ability to influence or mitigate "land slide risks," "sight distance limitations," or "pedestrian and bicycle safety

problems” on state and county roads is limited to public comment and inter-agency dialogue.

Given the existing policies and programs already in place to address the requestor’s concerns with pedestrian and bicycle safety, and the limited ability of the City to address safety concerns on state and country roads outside the City limits, **City staff do not recommend including Item #2021-16 on the final 2021 Docket.**

#2021-17: DELETE POLICY ED-4.5 FROM THE ECONOMIC DEVELOPMENT CHAPTER OR MOVE IT TO THE TRANSPORTATION CHAPTER

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the Economic Development chapter of the Comprehensive Plan be amended to remove Policy ED-4.5, which concerns the Highway 169 corridor. Alternatively, requester suggests that policy ED-4.5 be moved to the Transportation Chapter. Requestor’s rationale is that Policy ED 4.5 is more focused on transportation than economic development. Policy ED-4.5 currently states as follows:

Policy ED-4.5: Coordinate with the Washington State Department of Transportation (WSDOT). King County, and adjacent cities to plan for access improvements, intersection improvements, and infrastructure maintenance in the SR 169 corridor.

Recommendation

This Item would not require expenditure of budgeted Community Development funding nor require extensive staffing resources to study or implement. Additionally, the requested amendment would not represent a substantive change in policy if the text simply moved from the Economic Development chapter to the Transportation chapter. Although Policy ED-4.5 is supportive of the City’s economic development goals by emphasizing improved accessibility to the key commercial corridor in the City, staff agree that the quoted policy is more properly included in the Transportation element of the Comprehensive Plan. Accordingly, **City staff recommend that Item #2021-17 be included in the final 2021 Docket.**

#2021-18: AMENDMENTS TO THE LAND USE CHAPTER TO ELIMINATE POLICIES PROMOTING DEVELOPMENT OF COMMERCIAL AREAS

Requestor

This item is requested by Kelley Sauskojus, as compiled from previous suggestions for Comprehensive Plan Amendments.

Description

The requestor asks that the Land Use chapter be amended to add the following text:

To ensure planning consistent with Small-Town Character, Black Diamond must carefully ensure existing commercial areas and those planned with the Master Planned Developments (MPDs) can thrive without putting too much pressure on limited infrastructure.

The requestor believes that removal of Policy LU-34 is also warranted. Policy LU-34 currently states as follows:

Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County, and business and property owners.

Alternately, she suggests the word "aggressive " could be removed from LU-34.

Additionally, requestor's position is that there are sufficient commercial spaces already developed in Black Diamond or permitted through the MPDs. Therefore, requestor believes that removal of Policy LU-42 is also warranted. Policy LU-42 currently states as follows:

Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.

Recommendation

City staff believe the requested amendments are unwarranted and inappropriate. The proposed amendments would be contrary to strong policy considerations expressed by the City Council and the Mayor to encourage and promote the siting and growth of new businesses in commercial zones. Commercial development will provide badly needed expansion of the City's tax base and increase the convenience and desirability of living in Black Diamond. Moreover, the City has negotiated extensive commitments from the Master Developer to construct capacity-adding infrastructure as new development occurs in the MPDs, and developers along the SR-169 corridor are subject to the City's concurrency ordinance, which ensures that commercial development is not approved unless adequate transportation facilities are available or will be constructed concurrent

with development. City staff do not recommend that Item #2021-18 be included on the final 2021 Docket.

#2021-19: AMEND THE LAND USE CHAPTER TO ADD NEW POLICIES RELATING TO CONSERVATION OF NATURAL AREAS AND NATIVE VEGETATION

Requestor

This item is requested by Bob Stuart.

Description

The requestor asks that the Land Use element be amended to add two new policies:

New Land Use Policy 8.5: Conservation of existing natural areas is preferred, and the city shall consider ways to incentivize such conservation beyond conservation of critical areas. Restoration and reclamation of land as open space and natural space is prioritized.

New Land Use Policy 10.5: The City shall require a significant portion of a development site be conserved as open space with retention of native vegetation or restoration of native vegetation in addition to critical areas and buffers on all development or re-development. Developers will be allowed to contribute funds or land of higher conservation values in exchange for increased development density on land of lower conservation value.

The requestor offers the following rationale for the requested changes:

Black Diamond is unique in its position as a small town within the urban growth boundary that has significant amounts of undeveloped land. Black Diamond is far from the region's dense metropolitan job centers and transportation investments. Most of the community has been surprised to find that for approved development in Black Diamond, Open Space conservation has not necessarily meant "natural" or "green" open space.

The community will benefit from a balance of careful growth that retains open spaces and the feeling of a small town with natural areas around and through the City. The type of economic development that will be appropriate for Black Diamond will use this open space as an asset that attracts light industry, recreational tourism, customers, and employees.

Recommendation

City staff understand the intent behind requested new Land Use Policy LU-8.5 is to increase protection for natural areas generally, not just critical areas. The City currently has a TDR program in place that provides incentives for property owners to preserve natural areas in designated TDR Sending Site Areas by placing conservation easements on their property. These conservation easements impose extensive restrictions on how the property may be used, including a prohibition on development other than for purposes of conservation of natural features and recreational open space. In exchange, the owner may sell or transfer the severed development rights to properties within a designated TDR Receiving Site Area, where greater density may then be constructed.

Proposed new Land Use Policy LU-10.5 would encourage greater retention of native vegetation and open space on development parcels. It is unclear what is meant by “a significant portion” of a development site being required to be conserved as open space, although that could be an appropriate subject for Planning Commission study and recommendations to the Council. Countervailing considerations would be the effects such restrictions would have on the attractiveness of Black Diamond as a place for siting of new commercial businesses and construction of affordable housing.

The requestor’s suggestions, especially regarding proposed policy LU-10.5, are not inconsistent with the current Comprehensive Plan and thus could be implemented as part of a broader revision to the City’s development regulations. City staff agrees that additional development regulations concerning preservation of existing natural areas and landscape buffers would be a useful addition to City code, perhaps as part of a new chapter in Title 18, but amendments to the Comprehensive Plan are not necessary to undertake this work. In light of other urgent priorities and limited staffing and monetary resources in 2021, City staff do not recommend that this item be included on the final 2021 Docket. However, City staff do recommend that drafting new development regulations that prioritize the preservation or restoration of natural vegetation and open space be part of the Community Development Department’s work plan for 2022.

#2021-20: AMEND LAND USE POLICY LU-18 CONCERNING HISTORIC PRESERVATION

Requestor

This item is requested by Bob Stuart.

Description

The requestor asks that Policy LU-18 be amended as follows (shown in underlined text):

Amended Policy LU-18: Partner with county, state, and tribal agencies to ensure preservation of archaeologically and historically significant sites. Inventory all historic sites and present to the Planning Commission and City Council for action in 2022.

The requestor offers the following rationale in support of his request:

Black Diamond's historic heritage is visible in its layout and housing, but much of this is taken for granted. The city's historic homes are affordable, but are at risk of redevelopment into bigger and more expensive houses. The city's historic streets, buildings, & natural areas should be evaluated to identify how they contribute to the city's small town character and livability so that the beneficial aspects for residents and visitors are maintained.

Recommendation

The City already has a chapter in its Municipal Code dedicated to preservation of historic landmarks. See BDMC Ch. 15.38 (Landmark Designation and Preservation). The purposes of Chapter 15.38 are "to designate, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the city's cultural, ethnic, social, economic, political, architectural, aesthetic, archeological, engineering, historic and other heritage; foster civic pride in the beauty and accomplishments of the past; stabilize and improve the economic values and vitality of landmarks; protect and enhance the city tourist industry by promoting heritage related tourism; promote, assist, encourage and provide incentives to public and private owners to preserve, restore, rehabilitate and use landmark buildings, sites, districts, structures and objects to serve the purposes of this chapter; and to provide the framework for the implementation of the inter-local agreement between King County and the city of Black Diamond relating to landmark designation and protection services."

The process for designating properties for landmark status is governed by Chapter 15.38, which in turn incorporates King County Code Chapter 20.62. See KCC 20.62.050. Amending the text of the Comprehensive Plan to include "historically significant" sites in addition to "archaeologically significant" sites for preservation efforts would be consistent with current City codes, as implemented through the City's partnership with the King County Landmarks Commission.

However, conducting an inventory of all historic sites is not a budgeted expense and may exceed available staffing and other resources. Additionally, the amendment would require specific action in 2022, rather than establishing long-term policies to guide land use and development. As such the second sentence of the proposed request is not

appropriate for inclusion in the Comprehensive Plan. City staff recommend that the final 2021 Docket include Item #2021-20 only to the extent it would add “historically significant sites” to Land Use Policy LU-18, but not to the extent it would require conducting an inventory and presenting it in 2022 for action.

#2021-21: AMEND LAND USE POLICY LU-19 CONCERNING PUBLIC PROCESS ON LARGER DEVELOPMENTS

Requestor

This item is requested by Bob Stuart.

Description

The requestor asks that Policy LU-19 be amended as follows (shown in underlined text):

Policy LU-19: Provide early and continuous significant opportunities for public involvement when considering an MPD proposal or site development proposal of more than 5 acres.

The requestor offers the following rationale in support of his request:

Development occurring in the city, particularly on large sites, has a long-term impact on residents, who travel past, interact with, and are affected by the uses of the site. Often, especially for large sites, the developer is not the long-term occupant or owner of the site and will not use the site or control it after construction is complete. Public input can greatly improve a project by bringing the impacts on residents to the fore during the planning stages.

Recommendation

The BDMC already provides early opportunities for public involvement on MPD proposals, and multiple additional opportunities for public comment during the permit review process. See BDMC 18.98.060(A)(2) (public information session must be held before application is accepted); 18.98.060(A)(4)(e) (open record public hearing on MPD proposal after application is received and prior to hearing examiner recommendation); 18.98.090 (public notice and hearing on MPD development agreement prior to hearing examiner recommendation). See also BDMC 18.08.120 (requiring public notice and comment period on Type 1 through 4 development proposals, regardless of size of development); 18.08.180 (requiring public notice of public hearings on Type 3 and 4 decisions). Additionally, SEPA environmental review provides an additional means for public comment on all development proposals that are not SEPA-exempt, including

MPDs and projects on parcels of more than 5 acres. City staff do not recommend that Item #2021-22 be included on the final 2021 Docket.

#2021-22: AMEND LAND USE POLICY LU-21 CONCERNING GROWTH TARGETS AND PRESENT RECOMMENDATIONS TO THE PLANNING COMMISSION AND CITY COUNCIL IN 2022

Requestor

This item is requested by Bob Stuart.

Description

The requestor asks that Policy LU-21 be amended as follows (shown in underlined text):

Policy LU-21: Monitor growth in conjunction with adopted King County population projections and cooperative planning with the county to anticipate future urban growth area needs. Identify areas within the city that should be rezoned in order to bring the City's growth capacity into closer conformity with regionally adopted growth targets and the Puget Sound Regional Vision, and present recommendations for Planning Commission and City Council action in 2022.

The requestor offers the following rationale in support of his request:

The ongoing tension between regional plans and Black Diamond's available undeveloped land has resulted in delays in updating the Comprehensive Plan. This has been unproductive, costly, and could result in difficulties in coordination with neighboring jurisdictions. Residents are concerned about insufficient or expensive infrastructure, public services, and loss of natural space. A zoning review can look at these issues with a goal of resolving future delays and managing the conflicts based on data and best practices.

Recommendation

This request touches on important considerations regarding bringing the City's current zoning regulations in line with the Comprehensive Plan and FLUM, as discussed in connection with preliminary docket Items #2021-01 and #2021-03, above. Although staff do not support the portion of the request that would amend Land Uses Policy LU-21 to include language mandating presentation of recommendations to the Planning Commission and City Council for action in 2022, City staff recommend that Item #2021-22 be included on the final 2021 Docket, but in combined form with Items #2021-01

and #2021-03. Together, they should be docketed with the description broadened as follows: “Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code for consistency with the Comprehensive Plan and the FLUM, and to begin narrowing discrepancies with PSRC’s VISION 2040 and 2050 (as applicable) and Regional Growth Strategy.”

#2021-23: ADD A NEW POLICY TO THE LAND USE CHAPTER CONCERNING NEW LAND USE CATEGORIES

Requestor

This item is requested by Bob Stuart.

Description

The requestor asks that a new Land Use Policy be added as follows:

Policy LU-27.5: Review Land Use Categories in Black Diamond and consider whether growth management, conservation, economic, and small-town character goals could be served by more finely dividing categories for natural resources (forestry, mineral, etc.), and lower or higher residential density, conservation districts, etc.

For his rationale for this request, the requestor refers the City to his rationale for Item #2021-21, above.

Recommendation

Without additional information, City staff have no basis to recommend this item for the docket. In light of other high priority items that must be completed and the limited staffing resources available, this docket request is not feasible for the 2021 cycle. For the reasons stated in connection with Item #2021-09, **City staff do not recommend that Item #2021-23 be included on the final 2021 Docket.**

Summary of Recommendations

In total, City staff recommend including the following Items on the final 2021 Docket:

- #2021-01 — FLUM changes (as revised and combined with #2021-03)
- #2021-02 — SE Loop Connector Alternate Route in Transportation Appendix (Oakpointe request)

- #2021-03 — Harmonizing FLUM and zoning regulations (combined with #2021-01)
- #2021-04 — Update Housing chapter per Housing Action Plan
- #2021-05 — Update Parks chapter per PROS Plan
- #2021-06 — Repeal of Marijuana prohibitions in the BDMC and update Land Use chapter as needed to facilitate siting of businesses
- #2021-17 — Move ED-4.5 to Transportation chapter
- #2021-20 — Historic preservation (partial recommendation)
- #2021-22 — Harmonize zoning with regional growth targets (partial recommendation, in combination with #2021-01 and #2021-03)

Additionally, City staff recommend further discussion of Item #2021-07 concerning ADUs and short-term rentals, to further define the requested potential amendments to the Housing element.

City staff do not recommend adding the remaining preliminary docket items to the final 2021 Docket.

Schedule for 2021 Docket Consideration (tentative)

May 11, 2021	Planning Commission meeting and public hearing to consider the 2021 preliminary docket and Staff Report
May 26, 2021	Planning Commission recommendations for 2021 Docket transmitted to City Council
June 3, 2021	City Council holds public meeting to consider and establish final 2021 Docket
June – Sept. 2021	Planning Commission holds meeting(s) and public hearing(s) to deliberate on 2021 Docket items
October 2021	Planning Commission transmits recommended amendments to the Comprehensive Plan and/or development regulations to City Council for adoption
	Draft Comprehensive Plan amendments and/or development regulations transmitted to state agencies for comment
Nov. – Dec. 2021	SEPA threshold determination on proposed amendments issued

City Council holds public meeting (and possible public hearing) to review and consider final adoption of 2021 amendments to the Comprehensive Plan and/or development regulations

Dec. 2021 – Jan. 2022 Adopted amendments transmitted to Dept. of Commerce

Attachments

Email from Gary Davis dated 2/26/21

Email from Philip Acosta dated 2/26/21

Email from William G. Bryant/Karen Bryant dated 2/26/21

Email from Mike England dated 2/26/21

Email from Kelley Sauskojus dated 2/26/21 (with attachment)

Email from Duane Garcia dated 2/28/21 (with attachment)

Email from Angela Fettig dated 2/28/21

Email from Bob Stuart dated 3/1/21 (with attachment)

Email from Justin Wortman, Sr. Project Mgr., Oakpointe, dated 3/1/21 (with attachments)

From: [CenturyLink Customer](#)
To: [Mona Davis](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Friday, February 26, 2021 10:43:51 AM

Dear Community Development Director Davis, The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B. The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County. Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows: The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map: Map Source: page 5-25 of the 2009 Comprehensive Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Thank you!
Gary Davis

David Linehan

From: Philip Acosta <philamatic@comcast.net>
Sent: Friday, February 26, 2021 1:00 PM
To: Mona Davis
Cc: Carina Thornquist
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

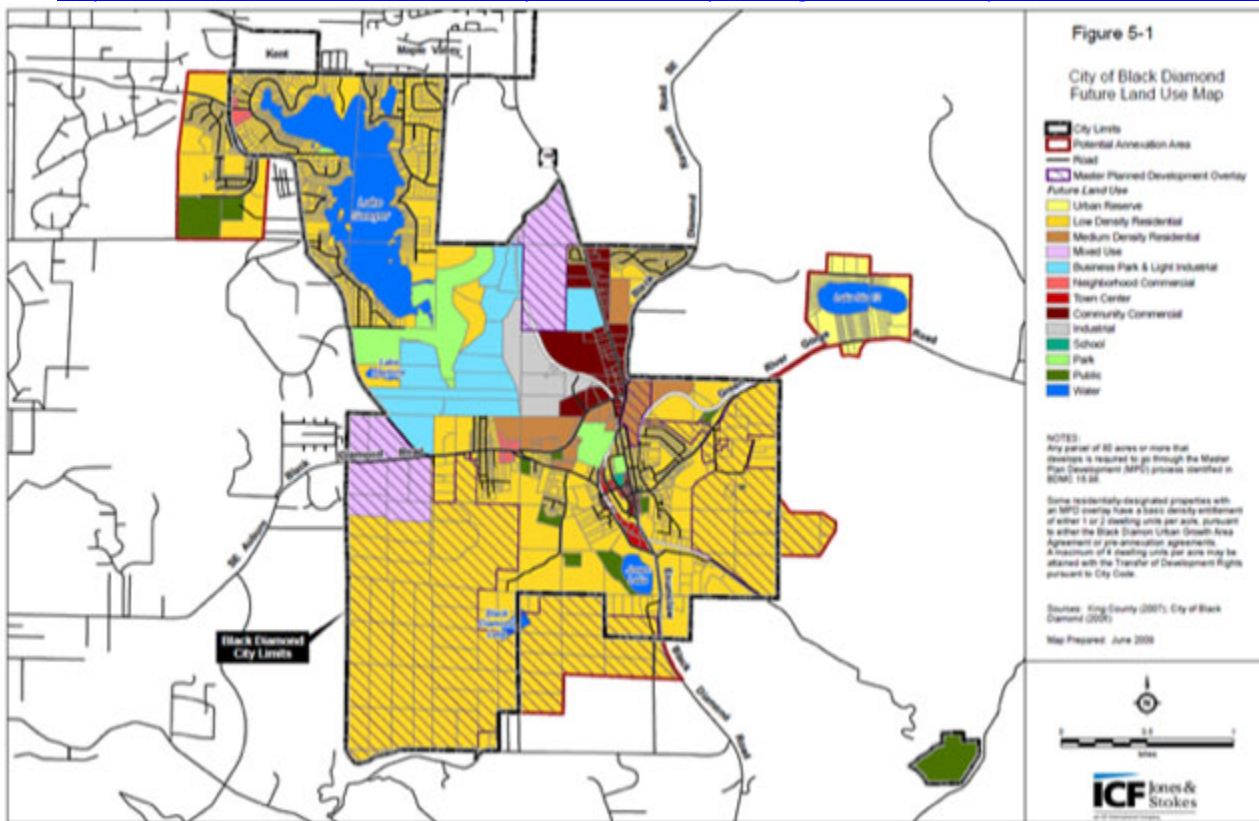
The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf



Sincerely,
Philip N Acosta
206 406 4404
Black Diamond, WA

David Linehan

From: Karen Bryant <karen@bryantstractorandmower.com>
Sent: Friday, February 26, 2021 1:05 PM
To: Mona Davis
Cc: Carina Thornquist
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Attachments: LandUseMapComprehensivePlan.png

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

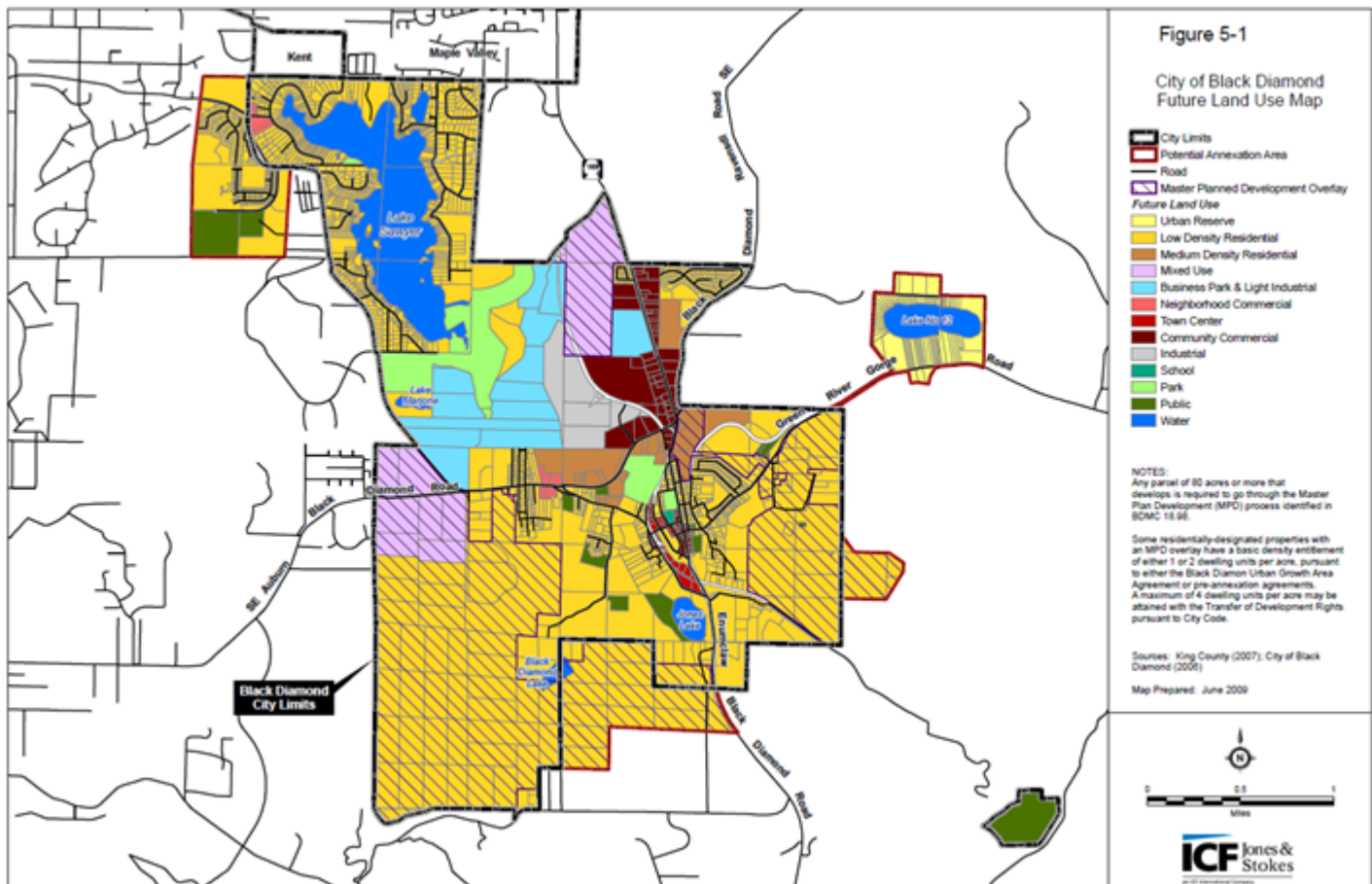
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Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf



Please let me know the next steps for this suggestion and Comprehensive Plan updates. Thank you,

William G. Bryant

Roberts Drive, Black Diamond WA

From: [Mike England](#)
To: [Mona Davis](#)
Cc: [Carina Thornquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Friday, February 26, 2021 6:21:56 PM

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

From: [Kelley Sauskojus](#)
To: [Mona Davis](#)
Subject: RE: Amendments to the 2021 Comprehensive Plan
Date: Friday, February 26, 2021 10:50:42 AM
Attachments: [2021BDCompPlan Suggestions.docx](#)

Dear City of Black Diamond Community Development,

On or before March 1, 2020, numerous people sent in suggested updates to the Black Diamond Comprehensive Plan.

The Black Diamond code says these suggestions are to be part of a preliminary docket report that is considered by the Planning Commission.

Unfortunately, the public's 2020 suggestions were never put forward, and I see no record that the Planning Commission or Council was even aware of them.

Attached is a list of the 2020 Comp Plan update requests compiled from references in public comments to the Planning Commission.

I am sending these as 2021 Comprehensive Plan update suggestions. The people who sent them before may have learned there is no point in doing so. However, these items have merit and would all improve our city and the quality of life for all the residents current and future.

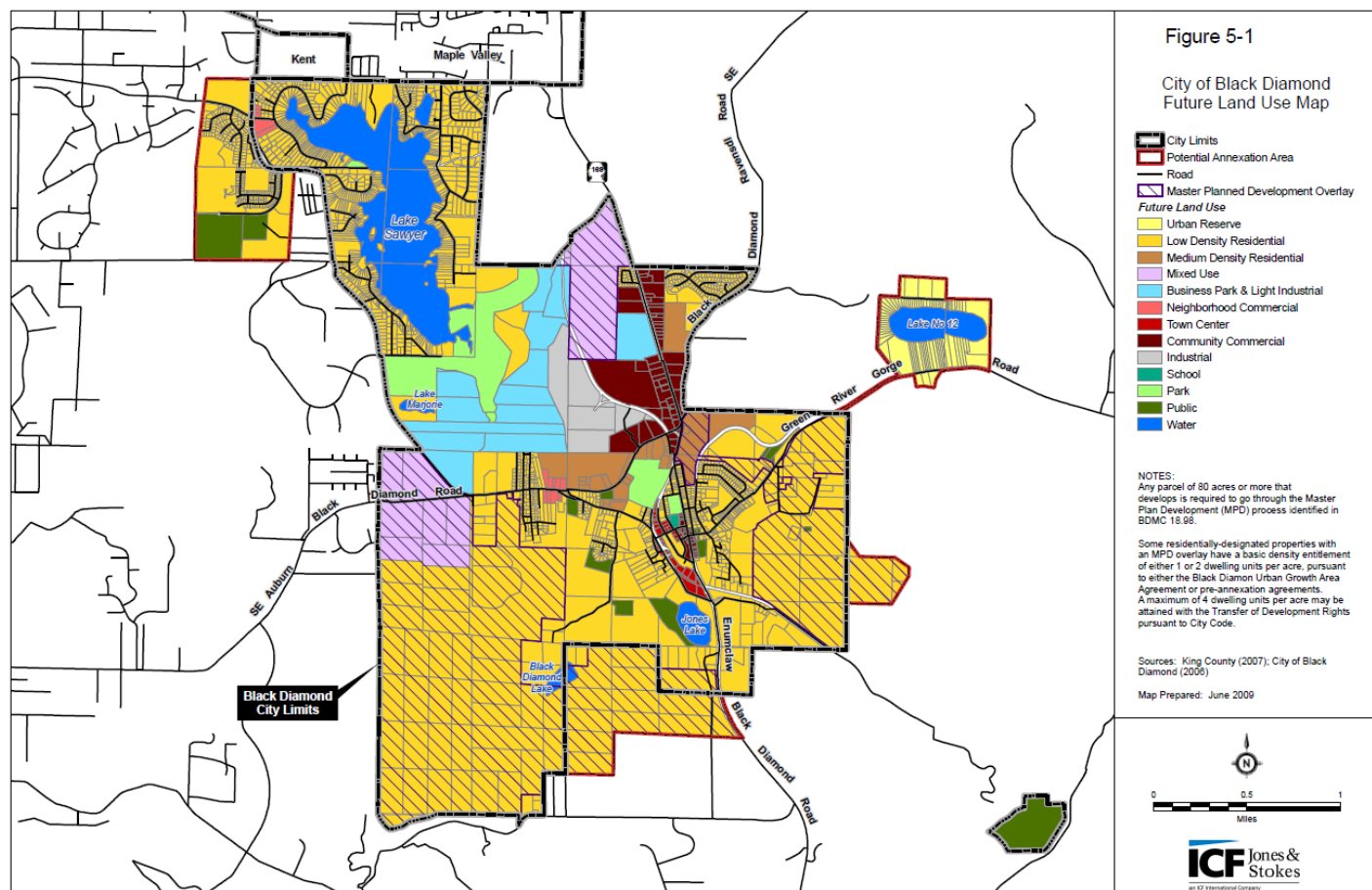
Thank you,
Kelley Sauskojus
Black Diamond resident since 1991

Comprehensive Plan Suggestions for 2021 Annual Update

The following suggestions were advocated by the public in the 2020 process, but the city did not follow its own process for public input and ignored these suggestions. They are being sent again now that the 2021 process is beginning.

1. In the 2019 Comprehensive Plan update, Future Land Use Map changes allowed a significant increase in Medium Density Residential housing (8 to 12 per acre) and Commercial development in future zoning. However, the Comprehensive Plan does not contain descriptions of these Map changes or analyze their impacts. The Future Land Use Map contains too much development capacity and needs to be changed urgently before Black Diamond further exceeds our regional Growth Targets.

The City of Black Diamond Comprehensive Plan is Amended As Follows:
The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:



Map Source, page 5-25 of

http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

2. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of “Mineral and Resource Extraction.”
3. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of “Forestry.”
4. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
Any and all Future Land Use Map and/or zoning changes that increase the residential units allowed or change a property to a “commercial” designation must go through the formal docket application and Land Use Map Amendment process as further defined in the Black Diamond Municipal Code.
5. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
Land Use (LU) Policy ##: The city will create a Conservation Easement Development Credit Program separate from its existing TDR (Transfer of Development Rights) program. The program will allow property of higher conservation value that does not meet the definition of critical areas to be put into permanent “natural area” conservation in exchange for a zoning change that increases the allowed density of development on other property of lower conservation value.
6. The Future Land Use Map is Amended as Follows:
 - a. Parcels 1521069110, 1521069112, 1521069113, 1521069114, 1521069115, 1021069111 are designated as “Mineral and Resource Extraction.”
 - b. Parcel 1021069010 is designated “Low Density Residential” (LDR).
 - c. Parcel 1021069103 and 1021069105 are designated “Low Density Residential” (LDR).
 - d. Parcels 1121069020, 1121069112, 1121069113, 1121069114 are updated to “Forestry.”
7. The Land Use Chapter is amended to specify:
Large amounts of natural open space must be included on sites developed for mixed use or intense land use. Clustering is appropriate so that intense land use is balanced with a natural space that feels like “small town” Black Diamond.

Land Use (LU) Policy ##: Clustering in Commercial Zones. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural as a trade off for Mixed-Use development. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural for Commercial development with a F.A.R. exceeding 1.0 .

8. The Land Use Chapter is amended to specify:

Multi-family development in Black Diamond should include a large amount of open space and natural space for families and to maintain small town character.

Land Use (LU) Policy ##: Commercial Zones used for multi-family development are allowed a maximum of 16 units per acre . Multi-family development must have a minimum of 50% open space of the net develop-able land (excluding critical and sensitive areas).

9. The Transportation Chapter is amended to specify:

Transportation Policy T-##. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, new development shall not be allowed to avoid providing vehicle capacity increases or improvements needed for vehicles as a result of new development.

Safety Improvements:

Road funds at the state, county, and local level are limited. The safety of Black Diamond residents is one of the most important considerations when prioritizing funding. The majority of employed residents will continue to commute outside the city and therefore roads in and out of town are an important consideration in the Black Diamond Comprehensive Plan. State and County roads leading to Renton, Issaquah, Auburn, and Enumclaw have land slide risks, areas with site distance limitations, pedestrian and bicycle safety problems.

Transportation Policy T-##. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

10. Economic Development Chapter:

Remove policy Economic Development ED-4.5, about the Highway 169 corridor, or move policy ED-4.5 to the Transportation Chapter. Policy ED 4.5 is more focused on transportation than Economic Development.

~~Policy ED-4.5: Coordinate with the Washington State Department of Transportation (WSDOT). King County, and adjacent cities to plan for access improvements, intersection improvements, and infrastructure maintenance in the SR 169.~~

11. Land Use Chapter is amended to specify:

Add this text: To ensure planning consistent with Small-Town Character, Black Diamond must carefully ensure existing commercial areas and those planned with the Master Planned Developments (MPDs) can thrive without putting too much pressure on limited infrastructure.

Therefore, removal of policy LU-34 is warranted. Alternately, the word "aggressive " could be removed:

~~Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County, and business and property owners.~~

There are sufficient commercial spaces already developed in Black Diamond or permitted through the MPD's. Therefore, removal of policy LU-42 is also warranted.

~~Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.~~

From: [Duane Garcia](#)
To: [Mona Davis](#)
Cc: [Carina Thornquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Sunday, February 28, 2021 4:58:54 PM
Attachments: [16143599799321000011.png](#)

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

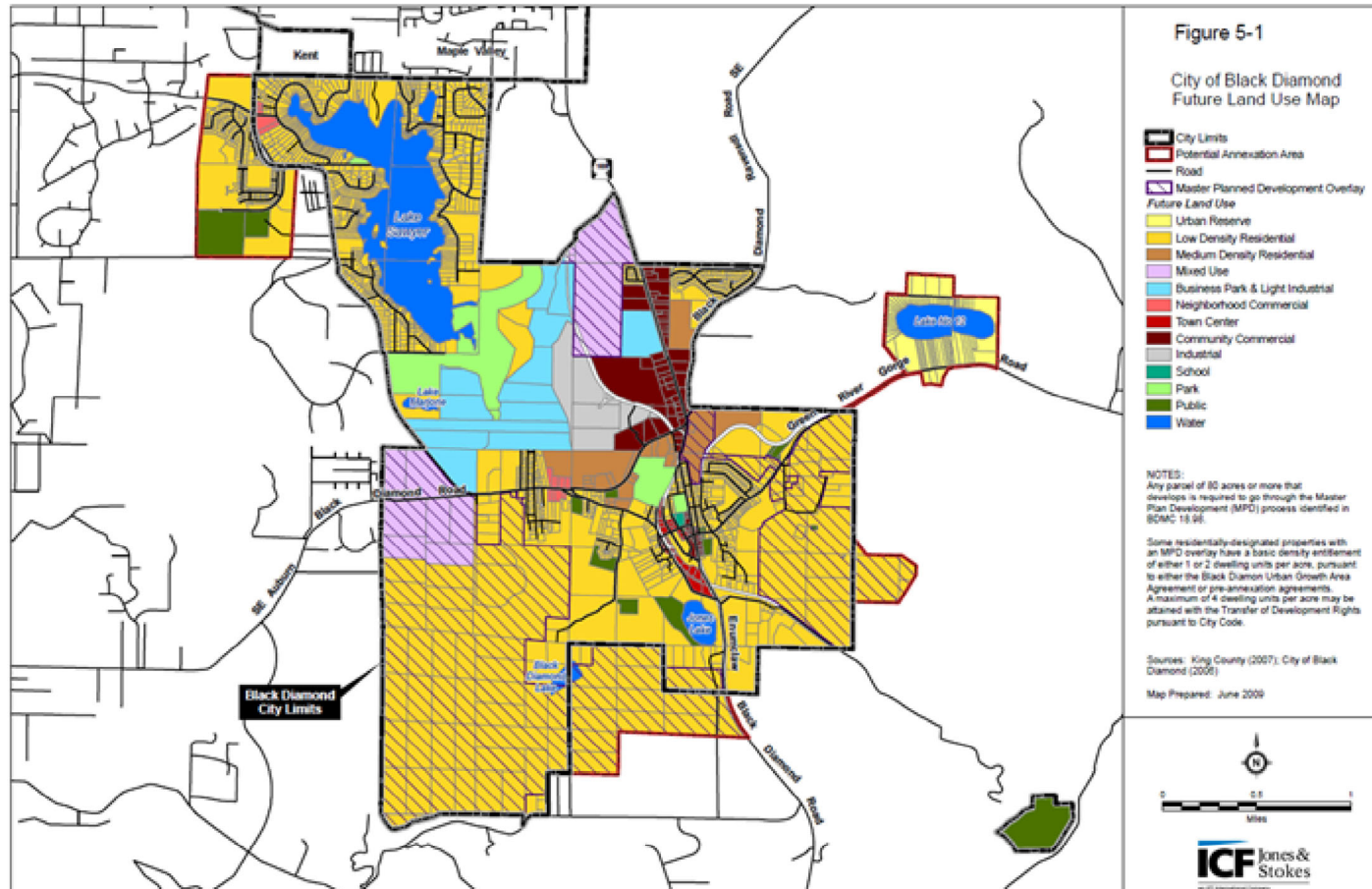
Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Sincerely,

Duane Garcia

Black Diamond, WA



From: [Angela Rossman Fettig](#)
To: [Mona Davis](#)
Cc: [Carina Thorngquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Sunday, February 28, 2021 10:37:25 PM

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

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Map Source: page 5-25 of the 2009 Comprehensive Plan

http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Angela Fettig
Black Diamond, Wa

Sent from my iPhone

From: [B Stuart](#)
To: [Mona Davis](#)
Cc: [Gary Davis](#); [Karen Bryant](#); [Carina Thornquist](#)
Subject: 2021 Comp Plan Suggestions
Date: Monday, March 1, 2021 4:39:55 PM
Attachments: [Proposed CP Amendments for Docket 2021 Black Diamond.docx](#)

Hi Mona. Attached you will find my suggestions for the 2021 Comp Plan review/adoption process. I look forward to seeing what is proposed this year and working with you and the PC through the process.

Bob Stuart
Black Diamond

Black Diamond Comprehensive Plan Update 2021 Suggestions

Black Diamond Code 16.10.130 provides a process for public suggestions to amend text and policies in the Comprehensive Plan. These suggestions are provided after careful review of past community concerns, other city and county Comprehensive Plans, and in the desire to bring the community together as Black Diamond grows.

Amendment Suggestion 1: Don't Know What You've Got Until It's Gone

New Policy NE-41: Conduct an ecological inventory of natural areas within the City and propose changes to land uses and regulations to preserve the functions and values of these natural areas. The inventory and proposed actions shall be presented to the Planning Commission for review and action by the City Council in 2022.

Rationale: Black Diamond faces an incredible challenge in balancing its future between small town in a natural surrounding and potential development capacity. If not managed more carefully, it will simply be another case of, "you don't know what you've got 'til it's gone." People have already noticed significant change in the type and location of wildlife, and the amount and vegetation of natural space.

The City should study remaining undeveloped land and its: ecosystem value; restoration potential; and open space potential. The study should also include: an evaluation of different ways new development could add conservation and open space, and whether existing zoning should be changed to encourage conservation of remaining open space.

Amendment Suggestion 2: Land Use Chapter Open Space

New Land Use Policy 8.5: Conservation of existing natural areas is preferred, and the city shall consider ways to incentivize such conservation beyond conservation of critical areas. Restoration and reclamation of land as open space and natural space is prioritized.

New Land Use Policy 10.5: The City shall require a significant portion of a development site be conserved as open space with retention of native vegetation or restoration of native vegetation in addition to critical areas and buffers on all development or re-development. Developers will be allowed to contribute funds or land of higher conservation values in exchange for increased development density on land of lower conservation value.

Black Diamond is unique in its position as a small town within the urban growth boundary that has significant amounts of undeveloped land. Black Diamond is far from the region's dense metropolitan job centers and transportation investments. Most of the community has been surprised to find that for approved development in Black Diamond, Open Space conservation has not necessarily meant "natural" or "green" open space.

The community will benefit from a balance of careful growth that retains open spaces and the feeling of a small town with natural areas around and through the City. The type of economic development that will be appropriate for Black Diamond will use this open space as an asset that attracts light industry, recreational tourism, customers, and employees.

Amendment Suggestion 3: Preserve Historic Places and Sites

Amended Policy LU-18: Partner with county, state and tribal agencies to ensure preservation of archaeologically and historically significant sites. Inventory all historic sites and present to the Planning Commission and City Council for action in 2022.

Rationale: Black Diamond's historic heritage is visible in its layout and housing, but much of this is taken for granted. The city's historic homes are affordable, but are at risk of redevelopment into bigger and more expensive houses. The city's historic streets, buildings, & natural areas should be evaluated to identify how they contribute to the city's small town character and livability so that the beneficial aspects for residents and visitors are maintained.

Amendment Suggestion 4: Improve Public Process on Larger Developments

Policy LU-19: Provide early and continuous ~~significant~~ opportunities for public involvement when considering an MPD proposal or site development proposal of more than 5 acres.

Rationale: Development occurring in the city, particularly on large sites, has a long-term impact on residents, who travel past, interact with, and are affected by the uses of the site. Often, especially for large sites, the developer is not the long-term occupant or owner of the site and will not use the site or control it after construction is complete. Public input can greatly improve a project by bringing the impacts on residents to the fore during the planning stages.

Amendment Suggestion 5: Manage Growth As Part of Our Region

Policy LU-21: Monitor growth in conjunction with adopted King County population projections and cooperative planning with the county to anticipate future urban growth area needs. Identify areas within the city that should be rezoned in order to bring the City's growth capacity into closer conformity with regionally adopted growth targets and the Puget Sound Regional Vision, and present recommendations for Planning Commission and City Council action in 2022.

Rationale: The ongoing tension between regional plans and Black Diamond's available undeveloped land has resulted in delays in updating the Comprehensive Plan. This has been unproductive, costly, and could result in difficulties in coordination with neighboring jurisdictions. Residents are concerned about insufficient or expensive infrastructure, public services, and loss of natural space. A zoning review can look at these issues with a goal of resolving future delays and managing the conflicts based on data and best practices.

Amendment Suggestion 6: Provide Land Use Categories To Better Reflect Black Diamond's Diverse Land Uses, Cluster Development Goals, and Management of Natural Space

New Policy LU-27.5: Review Land Use Categories in Black Diamond and consider whether growth management, conservation, economic, and small-town character goals could be served by more finely dividing categories for natural resources (forestry, mineral, etc.), and lower or higher residential density, conservation districts, etc.

Rationale: see above rationale for Suggestion 4.

David Linehan

From: Justin Wortman <jwortman@oakpointe.com>
Sent: Monday, March 1, 2021 3:25 PM
To: Mona Davis
Subject: Black Diamond Comprehensive Plan Amendment -- Items for Docket
Attachments: BD Comprehensive Plan Amendment - SEPA Checklist.pdf; Comp Plan Amendment - SE Loop Connector Alternative.pdf; Master Permit Application_signed.pdf; Sensitive Area ID Form_signed.pdf; Comprehensive Plan Submittal.pdf

Mona,

Please find attached an application proposing an amendment for the docket for the Black Diamond Comprehensive Plan.

If you have any questions or need any additional information, please don't hesitate to ask.

Thanks,
Justin



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March 1, 2021

Mona Davis
Community Development Director
City of Black Diamond
Community Development Department
24301 Roberts Drive
P.O. Box 599
Black Diamond, WA 98010

RE: City of Black Diamond Comprehensive Plan Amendment – Items for Docket

Pursuant to Black Diamond Municipal Code 16.10.220, CCD Black Diamond Partners LLC ("Oakpointe" or "Master Developer") respectively suggests text and map amendments to the City of Black Diamond Comprehensive Plan to include an alternative Southeast Loop Connector. The rationale for this request is to include a Southeast Loop Connector alternative in order to provide optionality given potential environmental impacts, topography and extensive third-party parcel acquisition associated with the existing Southeast Loop Connector.

Attached to this letter is Oakpointe's submittal to meet the City's requirements for a comprehensive plan text and map amendment. It includes a project narrative, the purpose of the amendments, consistency with the comprehensive plan goals and policies, and consistency with the evaluation criteria for amendments. It also includes suggested text changes (in "bill" format) for three pages of the comprehensive plan, as well as one map change. A SEPA non-project action checklist is attached as well.

I appreciate your consideration of our suggested changes to the Black Diamond Comprehensive Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Ross".

Brian Ross
CEO Oakpointe



PROJECT NARRATIVE

The proposal is a Comprehensive Plan amendment that would allow an alternative route alignment to the SE Loop Connector and is identified as a future transportation improvement in the 2019 adopted Comprehensive Plan. As an alternative to the SE Loop Connector extending from the Lawson Hills MPD to SR 169, the SE Loop Connector Alternative would route the access road from the MPD to Lawson Street (see proposed map change). This request is an addition to the list of future road projects in Appendix 7, Table 0-9 (nothing is being deleted).

One parcel would be affected by this proposal: King County Parcel Number 1321069018. The address is 32317 Botts Drive. The owner is Palmer Coking Coal Co. LLP (contact information: P.O. Box 10, Black Diamond, Washington 98010). The parcel is 689,990 square feet in size. The existing land use zone is R4 - no concurrent zoning change is being requested. The legal description is:

PARCEL 4 CITY OF BLACK DIAMOND LOT LINE ADJUSTMENT NO PLN 19-0028
RECORDING NO 20190619900008 (BEING A PORTION OF NW QTR STR 13-21-06 AND NE QTR STR 14-21-06).

The proposal is for text and map amendments. The suggested changes to the Comprehensive Plan are in Appendix 7 (Transportation Appendix) for the plan sections titled Functional Classification System located on page A7-10; Transportation Improvement Recommendations on page 19 (*should be A7-19*); and Table 0-9 on page 25 (*should be A7-25*). A map amendment is suggested for Figure 7-4 on page 47 (*should be A7-47*). Attached are the relevant Comprehensive Plan text sections and figure with the suggested additions in “bill” format. Similarly, the suggested map change is shown in red.

PURPOSE OF THE AMENDMENT

The amendment is proposed because the alternative alignment likely involves fewer impacts, less cost, and reduced right-of-way acquisition requirements. It does not preclude development of the existing SE Loop Connector, but provides two options for a secondary access route to the Lawson Hills MPD. As stated in the Transportation Appendix on page A7-19 of the Transportation (emphasis added):

*“The proposed roadways are to show the general route and connections of future roadways and are not specific to design level locations. **Alternative roads and alignments may be considered.** The intent is to show a basic route, connections and concept and the exact locations will be determined after engineering and environmental review. These new roads will distribute future traffic growth throughout the City that would otherwise have been concentrated on the few existing major arterials.”*

This proposal presents an alternative road alignment to be considered that will further the objective stated above. Some preliminary environmental and engineering work has been completed for this alternative, but in the future (when the road is needed) a decision can be made on the which option to construct.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Comprehensive Plan Goals and Policies

Natural Environment Policy 17: Minimize areas of vegetation loss and grading disturbance to protect water quality and prevent erosion, when developing on moderate and highly erodible soils.

The SE Loop Connector Alternative would cross a relatively flat area and the alignment is not mapped as a landslide or erosion hazard area. Construction Best Management Practices to avoid or minimize erosion would be employed as part of the Temporary Erosion and Sediment Control Plan. This alternative results in minimal vegetation loss and grading (refer to the SEPA checklist).

Natural Environment Policy 35: Preserve existing natural trees and vegetation on steep hillsides, along stream banks and other habitat areas, and where visual buffers between uses or activities are desirable.

The SE Loop Connector Alternative avoids crossing steep hillsides thereby helping to preserve existing natural trees and vegetation on steep slopes.

Transportation Policy T-10 Pedestrians, Bicycles, and Transit Policy: Black Diamond recognizes the primacy of pedestrians and other non-motorized modes of mobility. The City shall lessen dependence upon and the influence of the automobile by encouraging complete streets and multi-modal travel for all users including pedestrians, bicyclists, and transit passengers of all ages and abilities. City actions will:

- **Require new roadways to incorporate pedestrian, bicycle and transit facilities including appropriately spaced crosswalks on arterials and collectors.**

The SE Loop Connector Alternative would incorporate pedestrian and bicycle facilities into the road design.

Transportation Policy T-12 Transportation Health and Safety Policy: The City of Black Diamond will provide a transportation system that enhances the health and safety of residents by:

- **Expanding the sidewalk, bike lane, and multi-use path network in the city.**

The SE Loop Connector Alternative would expand the sidewalk and bike lane network in the City.

Transportation Policy T-14 Character of the City Policy: Enhance the character that the City currently possesses by:

- **Encouraging landscaping, parkway trees, and compatible architecture in the design and construction of roadways, especially SR 169, and other facilities along selected corridors.**

The SE Loop Connector Alternative would incorporate landscaping into the design of the roadway.

Transportation Policy T-15 Environmental Protection and Conservation Policy: Design transportation facilities within Black Diamond that minimizes adverse environmental impacts resulting from both their construction and operation. The City will fulfill this need by:

- **Aligning and locating transportation facilities away from environmentally sensitive areas**

The SE Loop Connector Alternative would locate the right-of-way away from wetlands and steep slopes. The SE Loop Connector Alternative would cross Lawson Creek but would provide an opportunity for the elimination of the existing culvert under Botts Drive. This would be part of future studies concerning the implementation of the alternative.

- **Mitigating unavoidable environmental impacts**

Under the SE Loop Connector Alternative there would be few environmental impacts due to the routing of the alignment. However, this alternative would cross Lawson Creek. A bridge crossing is proposed so that stream flow and fish passage are not impeded. Other mitigation as necessary would be incorporated into the design for any impacts that may occur in consultation with the City. This may include the elimination of the Botts Drive crossing of Lawson Creek and the removal of the existing culvert.

Economic Development Policy ED-4.1: Focus investment in infrastructure and services

Stormwater Policy U-22: Manage the quality of stormwater runoff to protect public health and safety, surface and groundwater quality, and the natural drainage systems.

The SE Loop Connector Alternative would provide stormwater runoff flow control and water quality treatment prior to discharge of runoff.

Stormwater Policy U-24: Design stormwater lines or pathways to minimize potential erosion and sedimentation, discourage significant vegetation clearing, and preserve the natural drainage systems such as rivers, streams, lakes, and wetlands.

The SE Loop Connector Alternative would provide stormwater flow control and water quality treatment. Outfall of treated stormwater runoff would be discharged to existing drainage systems in a manner consistent with the Department of Ecology's Stormwater Manual for Western Washington.

EVALUATION CRITERIA FOR PROPOSED AMENDMENTS (BDMC Chapter 16.10.220)

BDMC 16.10.220.A. All Amendments. All of the comprehensive plan amendments shall be reviewed under the following criteria:

- 1. Whether the proposed amendment(s) conform to the Growth Management Act (Chapter 36.70A RCW).**

The proposal amendment is for an infrastructure improvement that supports development within the urban area of the City of Black Diamond. The GMA encourages development in urban areas where adequate public facilities exist to serve the development. The SE Loop

Connector Alternative would meet the goal of providing adequate infrastructure facilities for urban growth.

2. Whether the proposed amendment(s) are consistent with and implement the city's comprehensive plan, including the goals, policies, and implementation strategies of the various elements of the plan.

Consistency with the City's Comprehensive Plan is described above.

3. Whether circumstances related to the proposed amendment(s) and/or the area in which it is located have substantially changed since the adoption of the city's comprehensive plan.

4. Whether the assumptions upon which the city's comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the city's comprehensive plan.

Significant additional investigation and research has been done on the SE Loop Connector since it was originally included in the Comprehensive Plan. Given the considerable additional impacts and hurdles that have been discovered through this research, it became apparent that developing an alternative was a practical approach. The SE Loop Connector Alternative provides a more practical approach.

5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.

The proposed amendment would likely be accepted by residents as a better alternative to the SE Loop Connector currently in the Comprehensive Plan. This would be due to fewer environmental impacts:

- The route does not bring traffic through an existing quiet neighborhood.
- Route does not cross as steep of slopes and significantly less cut and fill
- Less area of disturbance
- Does not require large retaining walls
- Acquisition of one parcel instead of 16 parcels
- Reduction in stormwater facility requirements (i.e., less pollution generating impervious surface)

B. Amendments for Site-Specific Proposals. In addition to the above, any proposal for a site-specific development or amendment shall be reviewed under the following criteria:

1. Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services).

The proposal would not cause the level of service on the roadways to fall below the City standards. There would be a need for improvements at two intersections to maintain intersection level of service (see item A4 above).

2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and

environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities.

Impacts from the SE Loop Connector Alternative can be fully mitigated, and development of this roadway would be funded by the proponent.

3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses.

The alignment would cross one parcel, which is suitable for development of the road (the road would cross the undeveloped portion of the parcel).

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposal would not change the land use designation of other properties.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan.

The proposal itself does not affect land use or population growth but rather would be developed in support of growth at a time when the population of the Lawson Hills MPD would require additional access.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA.

The proposal would not affect the adequacy of urban facilities or services. Instead, it would provide infrastructure that complements growth in the urban area.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposal would be consistent with federal, state and local laws, regulations and policies. It would occur in compliance with a development agreement and MPD permit conditions of approval.

Suggested Comprehensive Plan Changes

Functional Classification System

Roadway classifications define the character of service that a street is intended to provide. The City has classified its roadway system and adopted roadway design standards based on the roadway's functional and physical characteristics. The functional classification system is a hierarchical system providing for the gradation of traffic flow from an access function to a movement function. The functional classification system for the City is described in **Table 0-4** and the accompanying roadway design standards are summarized in **Table 0-5**.

The following list provides the planned classifications by roadway.

Principal Arterials

- SR 169

Minor Arterials

- SE 288th Street
- Roberts Drive
- North Connector*
- North-South Connector*/Abrams Road
- Black Diamond-Ravensdale Road
- Lake Sawyer Road
- Pipeline Road*
- Lawson Connector*

Collectors

- Annexation Road*
- Southeast Loop Connector*
- [Southeast Loop Connector Alternative*](#)
- Morgan Street
- Baker Street (west of SR 169)
- South Connector*
- Railroad Avenue (Jones Lake Road)
- Lake Sawyer Extension* a

Local Access

All remaining roadways within the city are shown on Figure 7-1 and Table 0-4. These tables serve as only a general guide for the different classifications and the City's Road Design Standards should be reference for further clarification.

The short-term forecast coincides with the City's TIP and represents current growth trends and expected short term development within the city. Future levels and timing of land development were based on conversations with City staff, local landowners, and development firms. Changes to development patterns and priorities may vary the need for and the completion order of the transportation improvements. The long-term traffic forecast represents the future growth in housing, employment and background traffic that will produce the expected 2035 traffic projections. The City's Development Agreement with the Master Planned Development (MPD) Developer requires updates at the beginning and middles of the three phases of development so as to program the timing of transportation capacity adding projects to come online as needed.

Transportation Improvement Recommendations

This section of the transportation plan establishes intersection and roadway improvement programs for the periods 2015 to 2021 and 2022 to 2035.

Arterial and Collector Roadway Improvements

A conceptual configuration for the future roadway system in 2035 is shown in Figure 7-4. New arterial and collector roads include: Pipeline Road, Annexation Road, Lake Sawyer Extension, Lawson Connector, South Connector, Southeast Loop Connector or Southeast Loop Connector Alternative, and North Connector.

The proposed roadways are to show the general route and connections of future roadways and are not specific to design level locations. Alternative roads and alignments may be considered. The intent is to show a basic route, connections and concept and the exact locations will be determined after engineering and environmental review. These new roads will distribute future traffic growth throughout the City that would otherwise have been concentrated on the few existing major arterials.

The Pipeline Road will provide an east / west alternative to Roberts Drive and will enhance the circulation and access for industrial development. The North Connector will provide a north / south alternative to SR 169 in the middle of the City. The Annexation Road would provide north-south and east-west circulation through the southwestern portion of the City's Expansion Area. Other new facilities are proposed to improve general circulation such as the Southeast Loop Connector. The Southeast Loop Connector Alternative is a functionally equivalent roadway alternative to the Southeast Loop Connector, both of which provide secondary access to the Lawson Hills MPD and improve general circulation through the City.

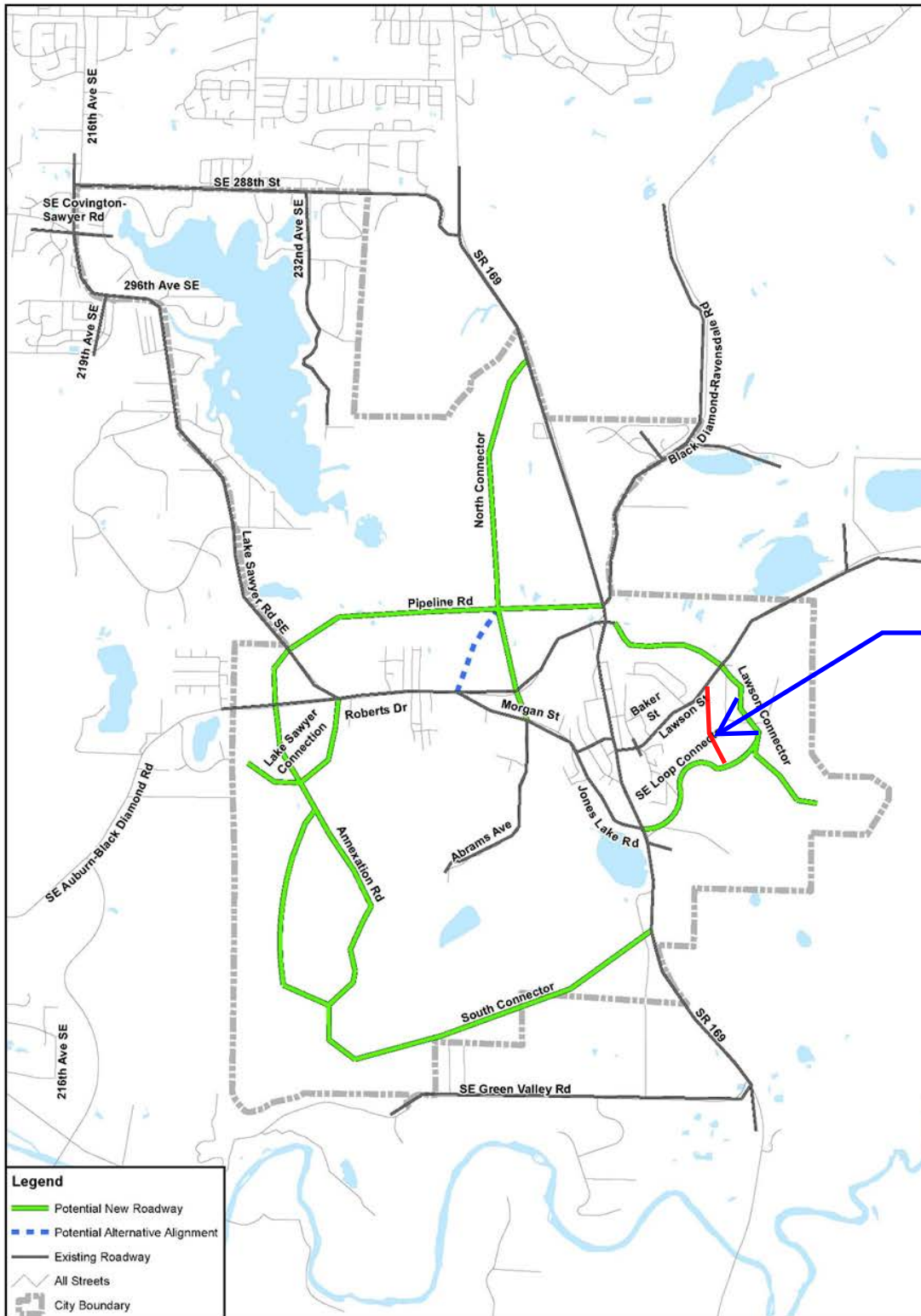
Agency Coordination

Improvements on SR 169 will require coordination with WSDOT. The City has adopted a Gateway Overlay District from the North City boundary to Roberts Drive regulating how development will occur along the roadway including separated meandering sidewalks within the front setbacks of the properties. The Comprehensive Plan should include a vision for SR 169 through the city. The City could use the vision to begin discussions with WSDOT to coordinate the future design of the road. Then as development occurs along the highway, improvements (such as lanes, sidewalks, bike lanes, median planting, turn pockets, driveways, and signals) could be implemented consistent with the overall design. The City will continue to participate in the implementation of or future updates to the SR 169 Route Development Plan (WSDOT, 2007) and as well as any other regional transportation planning efforts.

CITY OF BLACK DIAMOND COMPREHENSIVE PLAN

May 2, 2019

A8, South Connector	South Connector	A new east west collector in south Black Diamond connecting SR 169 to southwest Black Diamond	Within 7 to 20 years	\$7,560,000/ Future Developers potentially with City and grant funds
A9, SE Loop connector	SE Loop Connector	Construct a new collector street from Lawson Hills MPD to SR 169 for a second connection	Within 7 to 20 years	\$7,125,000/ Future Developers potentially with City and grant funds
<u>SE Loop Connector Alternative</u>	<u>SE Loop Connector Alternative</u>	<u>Construct a new collector street from Lawson Hills MPD to Lawson Street for a second connection</u>	<u>Within 7 to 20 years</u>	<u>Future Developers potentially with City and grant funds</u>
Widen SR 169 From Roberts Drive to north City limits		Widen SR 169 to 4 lanes from Roberts Drive to north City limits.	Within 7 to 20 years	Future Developers potentially with City and grant funds
SR 169 / RR Ave / SE Loop Connector	SR 169 / Jones Lake Road / SE Loop Connector	Signal or roundabout	Within 7 to 20 years	\$630,000/ Future Developers potentially with City and grant funds
<u>Lawson Street/SE Loop Connector Alternative</u>	<u>Lawson Street/SE Loop Connector Alternative</u>	<u>Lawson Street & SE Loop Connector Alternative Intersection</u>	<u>Within 7 to 20 years</u>	<u>Future Developers potentially with City and grant funds</u>
SE 288 th Street & 232 nd Ave SE		Channelization improvements	Within 7 to 20 years	Future Developers potentially with City and grant funds
SR 169 / South Connector		Roundabout	Within 7 to 20 years	\$630,000/ Future Developers potentially with City and grant funds
North Connector & Pipeline Road		Roundabout	Within 7 to 20 years	Future Developers potentially with City and grant funds
North Connector & Roberts Drive		Roundabout or maybe a signal	Within 7 to 20 years	Future Developers potentially with City and grant funds
SR 169 / Baker Street & SR 169/ Lawson Street	Intersection improvements for Lawson Street and Baker Street with SR 169.	One roundabout or two signals. Right of Way needed.	Within 7 to 20 years	\$1,260,000
SE Auburn Black Diamond Road / Morgan Street	Roberts Drive & Morgan Street Intersection	Roundabout or maybe a Signal	Within 7 to 20 years	
SE 288 th Street & 232 nd Ave SE		Channelization Improvements.	Within 7 to 20 years	\$630,000
North Connector & Pipeline Road		Roundabout	Within 7 to 20 years	



File: B:\2018\2035 Roadway Network Concept\2035 Roadway Network Concept.aprx
 GIS Base: City of Black Diamond & King County
 Data sources supplied may not reflect current or actual conditions. This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.
 BDC Consultants LLC, assumes no responsibility for the validity of any information presented herein, nor any responsibility for the use or misuse of the data.



GIS Base: City of Black Diamond & King County
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0 1,000 2,000 Feet



2035 Roadway Network Concept
 Comprehensive Plan Update
 City of Black Diamond
 April 2018

Figure

7-4

Additional Reference Material

MEMORANDUM

Date:	March 1, 2021	TG:	16450.00
To:	Andrew Williamson – City of Black Diamond		
From:	Mike Swenson, P.E., PTOE and Maris Fry, P.E. – Transpo Group		
cc:	Brian Ross and Justin Wortman – Oakpointe		
Subject:	Comprehensive Plan Amendment – SE Loop Connector Alternative		

This memorandum provides analysis evaluating the proposed inclusion of the SE Loop Connector Alternative in the City of Black Diamond's 2019 Comprehensive Plan. This memorandum includes the following information:

- Overview of the proposed Alternative
- Summary of pertinent EIS findings
- Operational impacts of the SE Loop Connector Alternative

As detailed below, this analysis determined that the worst-case impacts of the proposed SE Loop Connector Alternative could be sufficiently mitigated through the addition of turn lanes at the intersections of SR 169/Baker Street and SR 169/Lawson Street.

Alternative Overview

As shown in Figure 1, the Comprehensive Plan currently identifies the SE Loop Connector as a connection between the Lawson Connector and SR 169. The identified SE Loop Connector Alternative is shown in Figure 1.

The SE Loop Connector was analyzed in the *Lawson Hills Technical Transportation Report (TTR)*, performed by Parametrix in 2009, which was used as the basis for the transportation-related EIS findings for the Lawson Hills MPD. To understand the worst-case impacts of the proposed SE Loop Connector Alternative, the volume projections outlined in the Lawson Hills TTR were updated assuming all traffic shifts from the SE Loop Connector to the Alternative. Based on the anticipated trip assignment and re-routing associated with the Alternative, volume and operations impacts were limited to the following intersections:

1. SR 169/Baker Street
2. SR 169/Lawson Street
3. SR 169/Jones Lake Road
4. Railroad Avenue/Baker Street

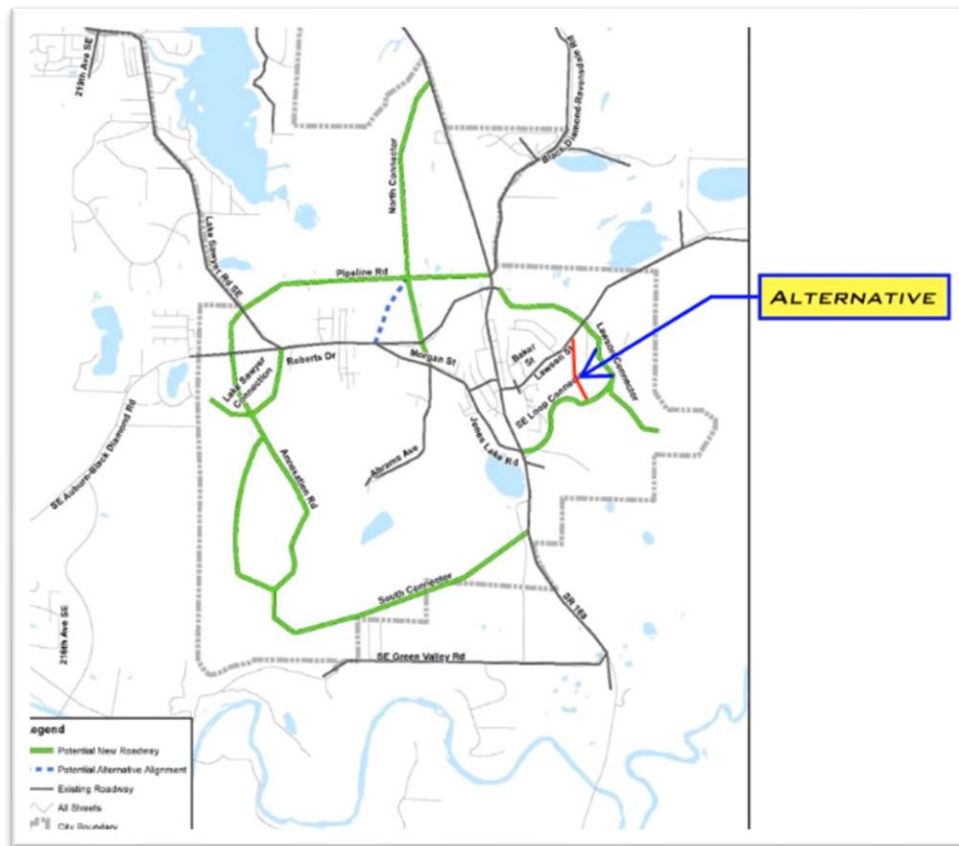


Figure 1: Proposed SE Loop Connector Alternative (Base Map Source: City of Black Diamond 2019 Comprehensive Plan)

Summary of Pertinent EIS Findings

The analysis contained within the Lawson Hills TTR developed traffic volume projections and defined impacts for the Lawson Hills MPD, as well as the collective impacts of the Lawson Hills and Ten Trails MPDs. Based on this analysis, the following mitigations were identified at the above study intersections for full build-out conditions of both MPDs. The channelization and traffic control for the intersections are also summarized in Figure 1.

- **SR 169/Baker Street:** Traffic signal and northbound left-turn lane
- **SR 169/Lawson Street:** Traffic signal and southbound left-turn lane
- **SR 169/Jones Lake Road:** Traffic signal and northbound, westbound, and southbound left-turn lanes
- **Railroad Avenue/Baker Street:** No mitigations necessary

Traffic Operations Analysis

To determine the worst-case impacts of the SE Loop Connector Alternative, traffic volume projections from the Lawson Hills TTR were revised to account for re-routed traffic. This analysis conservatively assumed that all traffic routed through the SE Loop Connector in the EIS is re-routed to Lawson Street. Figure 1 depicts the re-routed volumes and the adjusted full-build traffic volumes.

Using these adjusted volumes, intersection level of service (LOS) was evaluated at the study intersections. The channelization and traffic control associated with the EIS-identified mitigations were used as a baseline in order to determine if additional mitigations would be necessary. For the intersection of SR 169/Jones Lake Road, channelization and traffic control consistent with existing conditions was assumed to determine if introduction of the SE Loop Connector Alternative would result in mitigations no longer being necessary.

Weekday PM peak hour levels of service and delays were calculated at study intersections based on existing peak hour factors (PHFs) and methodologies contained in the *Highway Capacity Manual, 6th Edition* (Transportation Research Board). As shown in Table 1, the re-routed traffic volumes result in the need for additional improvements beyond those identified in the EIS at two intersections: SR 169/Baker Street and SR 169/Lawson Street. Additionally, mitigations are still required at the intersection of SR 169/Jones Lake Road.

In order to meet WSDOT's LOS D or better standard, additional southbound and eastbound right-turn lanes would be needed at SR 169/Baker Street and an additional westbound right-turn lane would be needed at SR 169/Lawson Street. Additionally, the traffic signal and northbound left-turn lane would need to remain at the intersection of SR 169/Jones Lake Road. Consistent with the EIS, no mitigations would be necessary at the intersection of Railroad Avenue/Baker Street. The mitigated channelization and traffic control assumptions are summarized in Figure 1. With these additional mitigations in place, the intersections are projected to operate at LOS D or better, as shown on Table 1.

Table 1. Traffic Analysis Summary – Removal of SE Loop Connector

Intersection	LOS Standard	Mitigated Traffic Control (EIS)			Mitigated Traffic Control (Removal of SE Loop Connector)		
		LOS ¹	Delay ²	WM ³	LOS	Delay	WM
1. SR 169/Baker Street	D	F	129	-	D	53	-
2. SR 169/Lawson Street	D	F	170	-	D	48	-
3. SR 169/Jones Lake Road	D	F	53	EB	A	4	-
4. Railroad Avenue/Baker Street	C	B	12	WB	No Change		

Source: HCM 6th Edition and Transpo Group, 2020

1. Level of service (A – F) as defined by the Highway Capacity Manual (HCM) 6th Edition, Transportation Research Board

2. Average delay per vehicle in seconds

3. Worst movement (WM) reported for two-way stop sign traffic control

Conclusions

This analysis determined that the worst-case impacts of the SE Loop Connector Alternative can be adequately mitigated assuming the following:

- Implementation of additional improvements beyond those identified in the EIS at two intersections:
 - **SR 169/Baker Street:** New southbound and eastbound right-turn lanes
 - **SR 169/Lawson Street:** New westbound right-turn lane
- Implementation of limited improvements (construction of a traffic signal and northbound left-turn lane) at the intersection of **SR 169/Jones Lake Road**

Additionally, improvements would remain unnecessary at the intersection of Railroad Avenue/Baker Street.



	Weekday PM Peak Hour Traffic Volumes		Channelization and Traffic Control	
	Re-Routed	With SE Loop Connector Alternative	EIS	With SE Loop Connector Alternative
1 SR 169/ Baker St	173 188	1,392 104 60 288 252 802		
2 SR 169/ Lawson St	-57 230 299 132 117 -111	1,154 5 516 383 174 168 662		
3 SR 169/ Jones Lake Rd	132 -57 -111 -188 -132 117 -173	1,323 1 108 38 837	 Signal was proposed with new east leg of intersection	 East leg of intersection no longer proposed
4 Railroad Ave/ Baker St	-173 173 188 -188	132 329 359 13 16 44	 No change relative to existing conditions.	 No change relative to existing conditions.

Traffic Analysis in Support of SE Loop Connector Alternative

Comprehensive Plan Amendment

Attachment A:
LOS Worksheets

HCM 6th Signalized Intersection Summary

1: SR-169 & Baker St

02/26/2021

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	60	288	252	802	1392	104
Future Volume (veh/h)	60	288	252	802	1392	104
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1900	1900	1870	1870	1870	1870
Adj Flow Rate, veh/h	62	297	260	827	1435	107
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	2	2	2	2
Cap, veh/h	38	182	218	1502	1166	87
Arrive On Green	0.14	0.14	0.19	1.00	0.68	0.68
Sat Flow, veh/h	270	1291	1781	1870	1719	128
Grp Volume(v), veh/h	360	0	260	827	0	1542
Grp Sat Flow(s),veh/h/ln	1565	0	1781	1870	0	1847
Q Serve(g_s), s	22.5	0.0	15.5	0.0	0.0	108.5
Cycle Q Clear(g_c), s	22.5	0.0	15.5	0.0	0.0	108.5
Prop In Lane	0.17	0.82	1.00			0.07
Lane Grp Cap(c), veh/h	220	0	218	1502	0	1253
V/C Ratio(X)	1.64	0.00	1.20	0.55	0.00	1.23
Avail Cap(c_a), veh/h	220	0	218	1502	0	1253
HCM Platoon Ratio	1.00	1.00	2.00	2.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	0.13	0.13	0.00	1.00
Uniform Delay (d), s/veh	68.8	0.0	55.9	0.0	0.0	25.8
Incr Delay (d2), s/veh	305.7	0.0	93.9	0.2	0.0	111.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	27.7	0.0	13.3	0.1	0.0	83.1
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	374.5	0.0	149.8	0.2	0.0	136.8
LnGrp LOS	F	A	F	A	A	F
Approach Vol, veh/h	360			1087	1542	
Approach Delay, s/veh	374.5			36.0	136.8	
Approach LOS	F			D	F	
Timer - Assigned Phs	2		4		5	6
Phs Duration (G+Y+Rc), s	133.0		27.0		20.0	113.0
Change Period (Y+Rc), s	4.5		4.5		4.5	4.5
Max Green Setting (Gmax), s	128.5		22.5		15.5	108.5
Max Q Clear Time (g_c+l1), s	2.0		24.5		17.5	110.5
Green Ext Time (p_c), s	8.1		0.0		0.0	0.0
Intersection Summary						
HCM 6th Ctrl Delay			128.8			
HCM 6th LOS			F			

HCM 6th Signalized Intersection Summary

2: SSR-169/SR-169 & Lawson St

02/26/2021



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕		↕	↕	
Traffic Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Future Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1811	1811	1811	1870	1870	1870
Adj Flow Rate, veh/h	1	1	1	179	0	395	1	682	173	532	1190	5
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	0	0	0	0	6	6	6	2	2	2
Cap, veh/h	71	70	56	90	0	132	23	698	177	518	1526	6
Arrive On Green	0.12	0.12	0.12	0.12	0.00	0.12	0.50	0.50	0.50	0.58	1.00	1.00
Sat Flow, veh/h	332	569	450	485	0	1071	0	1393	353	1781	1861	8
Grp Volume(v), veh/h	3	0	0	574	0	0	856	0	0	532	0	1195
Grp Sat Flow(s), veh/h/ln	1351	0	0	1556	0	0	1747	0	0	1781	0	1869
Q Serve(g_s), s	0.0	0.0	0.0	19.6	0.0	0.0	7.6	0.0	0.0	46.5	0.0	0.0
Cycle Q Clear(g_c), s	0.2	0.0	0.0	19.8	0.0	0.0	76.7	0.0	0.0	46.5	0.0	0.0
Prop In Lane	0.33		0.33	0.31		0.69	0.00		0.20	1.00		0.00
Lane Grp Cap(c), veh/h	197	0	0	222	0	0	898	0	0	518	0	1533
V/C Ratio(X)	0.02	0.00	0.00	2.59	0.00	0.00	0.95	0.00	0.00	1.03	0.00	0.78
Avail Cap(c_a), veh/h	197	0	0	222	0	0	898	0	0	518	0	1533
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00
Upstream Filter(I)	1.00	0.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00	0.09	0.00	0.09
Uniform Delay (d), s/veh	61.5	0.0	0.0	71.4	0.0	0.0	39.0	0.0	0.0	33.5	0.0	0.0
Incr Delay (d2), s/veh	0.0	0.0	0.0	726.3	0.0	0.0	20.6	0.0	0.0	19.8	0.0	0.4
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%), veh/ln	0.1	0.0	0.0	54.0	0.0	0.0	37.5	0.0	0.0	18.7	0.0	0.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	61.6	0.0	0.0	797.7	0.0	0.0	59.6	0.0	0.0	53.3	0.0	0.4
LnGrp LOS	E	A	A	F	A	A	E	A	A	F	A	A
Approach Vol, veh/h		3			574			856			1727	
Approach Delay, s/veh		61.6			797.7			59.6			16.7	
Approach LOS		E			F			E			B	
Timer - Assigned Phs	1	2		4		6		8				
Phs Duration (G+Y+Rc), s	51.0	84.7		24.3		135.7		24.3				
Change Period (Y+Rc), s	4.5	4.5		4.5		4.5		4.5				
Max Green Setting (Gmax), s	46.5	80.2		19.8		131.2		19.8				
Max Q Clear Time (g_c+H), s	40.5	78.7		2.2		2.0		21.8				
Green Ext Time (p_c), s	0.0	0.9		0.0		19.7		0.0				
Intersection Summary												
HCM 6th Ctrl Delay				170.2								
HCM 6th LOS				F								

HCM 6th TWSC

3: SR-169 & Railroad Ave

02/26/2021

Intersection						
Int Delay, s/veh	2.7					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	108	38	837	1323	1
Future Vol, veh/h	0	108	38	837	1323	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	Stop	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	111	39	863	1364	1
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	2306	1365	1365	0	-	0
Stage 1	1365	-	-	-	-	-
Stage 2	941	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	42	180	503	-	-	-
Stage 1	237	-	-	-	-	-
Stage 2	380	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	36	180	503	-	-	-
Mov Cap-2 Maneuver	36	-	-	-	-	-
Stage 1	202	-	-	-	-	-
Stage 2	380	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	52.9	0.6		0		
HCM LOS	F					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	503	-	180	-	-	
HCM Lane V/C Ratio	0.078	-	0.619	-	-	
HCM Control Delay (s)	12.8	0	52.9	-	-	
HCM Lane LOS	B	A	F	-	-	
HCM 95th %tile Q(veh)	0.3	-	3.5	-	-	

HCM 6th TWSC

4: Railroad Ave/Morgan St & Baker St

02/26/2021

Intersection						
Int Delay, s/veh	7.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	13	359	44	16	329	132
Future Vol, veh/h	13	359	44	16	329	132
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	370	45	16	339	136
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	867	53	0	0	61	0
Stage 1	53	-	-	-	-	-
Stage 2	814	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	323	1014	-	-	1542	-
Stage 1	970	-	-	-	-	-
Stage 2	436	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	246	1014	-	-	1542	-
Mov Cap-2 Maneuver	246	-	-	-	-	-
Stage 1	970	-	-	-	-	-
Stage 2	332	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	11.8	0	5.7			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	914	1542	-	
HCM Lane V/C Ratio	-	-	0.42	0.22	-	
HCM Control Delay (s)	-	-	11.8	8	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	2.1	0.8	-	

HCM 6th Signalized Intersection Summary

1: SR-169 & Baker St

02/26/2021

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	60	288	252	802	1392	104
Future Volume (veh/h)	60	288	252	802	1392	104
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1811	1811	1870	1870	1870	1870
Adj Flow Rate, veh/h	62	297	260	827	1435	107
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	6	6	2	2	2	2
Cap, veh/h	102	321	313	1655	1321	1119
Arrive On Green	0.06	0.06	0.20	1.00	0.71	0.71
Sat Flow, veh/h	1725	1535	1781	1870	1870	1585
Grp Volume(v), veh/h	62	297	260	827	1435	107
Grp Sat Flow(s),veh/h/ln	1725	1535	1781	1870	1870	1585
Q Serve(g_s), s	5.6	6.3	18.2	0.0	113.0	3.4
Cycle Q Clear(g_c), s	5.6	6.3	18.2	0.0	113.0	3.4
Prop In Lane	1.00	1.00	1.00			1.00
Lane Grp Cap(c), veh/h	102	321	313	1655	1321	1119
V/C Ratio(X)	0.61	0.92	0.83	0.50	1.09	0.10
Avail Cap(c_a), veh/h	194	403	313	1655	1321	1119
HCM Platoon Ratio	1.00	1.00	1.33	1.33	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.46	0.46	1.00	1.00
Uniform Delay (d), s/veh	73.5	62.0	60.1	0.0	23.5	7.4
Incr Delay (d2), s/veh	5.7	23.7	8.6	0.5	51.7	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.7	17.5	10.5	0.2	64.7	1.2
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	79.2	85.7	68.7	0.5	75.2	7.6
LnGrp LOS	E	F	E	A	F	A
Approach Vol, veh/h	359			1087	1542	
Approach Delay, s/veh	84.6			16.8	70.5	
Approach LOS	F			B	E	
Timer - Assigned Phs	2		4		5	6
Phs Duration (G+Y+Rc), s	146.2		13.8		28.7	117.5
Change Period (Y+Rc), s	4.5		4.5		4.5	4.5
Max Green Setting (Gmax), s	133.0		18.0		15.5	113.0
Max Q Clear Time (g_c+I1), s	2.0		8.3		20.2	115.0
Green Ext Time (p_c), s	8.1		0.9		0.0	0.0
Intersection Summary						
HCM 6th Ctrl Delay			52.7			
HCM 6th LOS			D			

HCM 6th Signalized Intersection Summary

2: SSR-169/SR-169 & Lawson St

02/26/2021



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕	↕		↕		↕	↕	
Traffic Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Future Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1811	1811	1811	1870	1870	1870
Adj Flow Rate, veh/h	1	1	1	179	0	395	1	682	173	532	1190	5
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	0	0	0	0	6	6	6	2	2	2
Cap, veh/h	30	29	15	133	0	667	23	698	177	518	1526	6
Arrive On Green	0.12	0.12	0.12	0.12	0.00	0.12	0.50	0.50	0.50	0.39	1.00	1.00
Sat Flow, veh/h	0	237	119	710	0	1610	0	1393	353	1781	1861	8
Grp Volume(v), veh/h	3	0	0	179	0	395	856	0	0	532	0	1195
Grp Sat Flow(s),veh/h/ln	356	0	0	710	0	1610	1747	0	0	1781	0	1869
Q Serve(g_s), s	0.0	0.0	0.0	0.0	0.0	19.8	7.6	0.0	0.0	46.5	0.0	0.0
Cycle Q Clear(g_c), s	19.8	0.0	0.0	19.8	0.0	19.8	76.7	0.0	0.0	46.5	0.0	0.0
Prop In Lane	0.33		0.33	1.00		1.00	0.00		0.20	1.00		0.00
Lane Grp Cap(c), veh/h	74	0	0	133	0	667	898	0	0	518	0	1533
V/C Ratio(X)	0.04	0.00	0.00	1.35	0.00	0.59	0.95	0.00	0.00	1.03	0.00	0.78
Avail Cap(c_a), veh/h	74	0	0	133	0	667	898	0	0	518	0	1533
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.33	1.33	1.33
Upstream Filter(I)	1.00	0.00	0.00	1.00	0.00	1.00	1.00	0.00	0.00	0.12	0.00	0.12
Uniform Delay (d), s/veh	62.3	0.0	0.0	73.5	0.0	36.4	39.0	0.0	0.0	49.1	0.0	0.0
Incr Delay (d2), s/veh	0.2	0.0	0.0	198.0	0.0	1.4	20.6	0.0	0.0	21.4	0.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	0.0	0.0	12.8	0.0	12.4	37.5	0.0	0.0	22.8	0.0	0.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	62.5	0.0	0.0	271.4	0.0	37.8	59.6	0.0	0.0	70.5	0.0	0.5
LnGrp LOS	E	A	A	F	A	D	E	A	A	F	A	A
Approach Vol, veh/h	3			574			856			1727		
Approach Delay, s/veh	62.5			110.6			59.6			22.1		
Approach LOS	E			F			E			C		
Timer - Assigned Phs	1	2		4		6		8				
Phs Duration (G+Y+Rc), s	51.0	84.7		24.3		135.7		24.3				
Change Period (Y+Rc), s	4.5	4.5		4.5		4.5		4.5				
Max Green Setting (Gmax), s	46.5	80.2		19.8		131.2		19.8				
Max Q Clear Time (g_c+H), s	46.5	78.7		21.8		2.0		21.8				
Green Ext Time (p_c), s	0.0	0.9		0.0		19.7		0.0				

Intersection Summary

HCM 6th Ctrl Delay 48.4

HCM 6th LOS D

HCM 6th Signalized Intersection Summary

3: SR-169 & Railroad Ave

02/26/2021



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	1	108	38	837	1323	1
Future Volume (veh/h)	1	108	38	837	1323	1
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1900	1900	1870	1870	1870	1870
Adj Flow Rate, veh/h	1	0	39	863	1364	1
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	2	2	2	2
Cap, veh/h	2		334	1697	1696	1
Arrive On Green	0.00	0.00	0.91	0.91	0.91	0.91
Sat Flow, veh/h	912	0	398	1870	1869	1
Grp Volume(v), veh/h	2	0	39	863	0	1365
Grp Sat Flow(s), veh/h/ln	1825	0	398	1870	0	1870
Q Serve(g_s), s	0.1	0.0	3.7	7.9	0.0	25.1
Cycle Q Clear(g_c), s	0.1	0.0	28.8	7.9	0.0	25.1
Prop In Lane	0.50	0.00	1.00			0.00
Lane Grp Cap(c), veh/h	5		334	1697	0	1697
V/C Ratio(X)	0.41		0.12	0.51	0.00	0.80
Avail Cap(c_a), veh/h	328		334	1697	0	1697
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	49.8	0.0	6.5	0.8	0.0	1.6
Incr Delay (d2), s/veh	45.9	0.0	0.7	1.1	0.0	4.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%), veh/ln	0.1	0.0	0.4	0.5	0.0	2.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d), s/veh	95.7	0.0	7.2	1.9	0.0	5.8
LnGrp LOS	F		A	A	A	A
Approach Vol, veh/h	2	A		902	1365	
Approach Delay, s/veh	95.7			2.1	5.8	
Approach LOS	F			A	A	
Timer - Assigned Phs	2			4		6
Phs Duration (G+Y+Rc), s	95.2			4.8		95.2
Change Period (Y+Rc), s	4.5			4.5		4.5
Max Green Setting (Gmax), s	73.0			18.0		73.0
Max Q Clear Time (g_c+I1), s	30.8			2.1		27.1
Green Ext Time (p_c), s	9.4			0.0		23.7

Intersection Summary

HCM 6th Ctrl Delay	4.4
HCM 6th LOS	A

Notes

Unsignalized Delay for [EBR] is excluded from calculations of the approach delay and intersection delay.



CITY OF BLACK DIAMOND
PLANNING DIVISION
MASTER APPLICATION

EXHIBIT B

OFFICE USE ONLY

FILE #	
APPL TYPE	
FEE PAID	

24301 Roberts Dr, PO Box 599 Black Diamond, WA 98010
Phone: (360)886-2560, Fax: (360)886-2592

NAME OF PROJECT/DEVELOPMENT: Southeast Loop Connector Alternative Comprehensive Plan Amendment			
ADDRESS/LOCATION OF PROPERTY: Parcel No. 1321069018 (See attached plan set for additional information)			
OWNER NAME		ADDRESS	
CCD Black Diamond Partners LLC		3025 112th Ave NE Suite 100 Bellevue, WA 98004	
EMAIL	PHONE	FAX	
jwortman@oakpointe.com	(425) 898-2100	(425) 898-2139	
APPLICANT NAME		ADDRESS	
CCD Black Diamond Partners LLC		3025 112th Ave NE Suite 100 Bellevue, WA 98004	
EMAIL	PHONE	FAX	
jwortman@oakpointe.com	(425) 898-2100	(425) 898-2139	
CONTACT NAME		ADDRESS	
Justin Wortman		3025 112th Ave NE Suite 100 Bellevue, WA 98004	
EMAIL	PHONE	FAX	
jwortman@oakpointe.com	(425) 898-2100	(425) 898-2139	
BRIEF DESCRIPTION OF PROJECT:			
Comprehensive Plan Amendment and Rezone			
PARCEL #: 132106-9018; See attached legal description	<i>*Legal Description must be attached</i>	1/4 SEC: NE	SEC: 13
		TWN: 21	RANGE: 06
SIZE (ACRES/SQ FT): 48,600 sq ft		ZONING: MPD	COMP PLAN DESIGNATION: MPD Overlay

EXISTING LAND USE: Vacant MPD

ADJACENT LAND USE: NORTH: SFR SOUTH: Vacant MPD/SFR
EAST: Vacant MPD/SFR WEST: Vacant MPD

DOES THE SITE CONTAIN ANY OF THE FOLLOWING ENVIRONMENTALLY SENSITIVE AREAS? CHECK ALL THAT APPLY:

FLOOD HAZARD AREA ☐ LANDSLIDE HAZARD AREA ☐ SEISMIC HAZARD AREA ☐
COAL MINE HAZARD AREA ☐ STEEP SLOPE HAZARD ☐ WETLANDS ☒ STREAMS ☐

I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing and attached exhibits are true and correct. I further certify that I am the owner of the property described above or authorized to act on behalf of the above interested parties.

OWNER

PRINT NAME	See Attached
SIGNATURE	

APPLICANT/AGENT

PRINT NAME	See Attached
SIGNATURE	

CHANGES TO APPROVED APPLICATIONS WILL CONSTITUTE A NEW APPLICATION AND WILL BE SUBJECT TO FULL APPLICATION FEES.

**SOUTHEAST LOOP CONNECTOR ALTERNATIVE COMPREHENSIVE PLAN AMENDMENT
COMPREHENSIVE PLAN AMENDMENT AND REZONE
LEGAL DESCRIPTION**

PARCEL 4 CITY OF BLACK DIAMOND LOT LINE ADJUSTMENT NO PLN 19-0028
RECORDING NO 20190619900008 (BEING A PORTION OF NW QTR STR 13-21-06 AND
NE QTR STR 14-21-06).

**CITY OF BLACK DIAMOND
COMPREHENSIVE PLAN AMENDMENT AND REZONE
SIGNATURE PAGE**

Owner:

CCD Black Diamond Partners LLC, a Delaware limited liability company

By: Oakpointe LLC, its Manager

By: 

Brian Ross, Manager

Date: 3/2/2021

Applicant:

CCD Black Diamond Partners LLC, a Delaware limited liability company

By: Oakpointe LLC, its Manager

By: 

Brian Ross, Manager

Date: 3/1/2021

Purpose of Checklist: The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help the City of Black Diamond identify impacts from a proposal (and to reduce or avoid impacts from the proposal, if it can be done), and to help the City decide whether an EIS is required.

A. BACKGROUND

1. Name of proposed project, if applicable:

Comprehensive Plan Amendment Request – Southeast Loop Connector Alternative

2. Name of proponent:

CCD Black Diamond Partners LLC

3. Address and phone number of proponent and contact person:

Proponent:
CCD Black Diamond Partners LLC.

Contact:
Justin Wortman
CCD Black Diamond Partners LLC.
3025 112th Ave NE, Suite 100
Bellevue, WA 98004
(425) 898-2100

4. Date checklist prepared:

February 26, 2021

5. Agency requesting checklist:

City of Black Diamond

6. Proposed timing or schedule (including phasing, if applicable):

This proposal is for the 2021 Comprehensive Plan Amendment

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

If the Southeast Loop Connector Alternative is ultimately included in the Black Diamond Comprehensive Plan, the alternative may in the future, subject to permitting requirements, be used as a secondary access to the Lawson Hills Master Planned Development (MPD).

8. Environmental information that has been prepared, or will be prepared, directly related to this proposal.

- Comprehensive Plan Amendment – SE Loop Connector Alternative Traffic Analysis, dated 3/1/21, by Transpo Group.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by this proposal.

Currently, there are no other applications pending for approval related to this proposal.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

This amendment proposal will need to be approved by the City.

11. Description of the proposal including the proposed uses and the size of the project and site.

The proposal is for a Black Diamond Comprehensive Plan (Comp Plan) amendment that would include in the Comp Plan an alternative to the SE Loop Connector identified in the adopted Comprehensive Plan. The SE Loop Connector Alternative is located between the future MPD road and Lawson Street (see attached Comp Plan Map Change). Therefore, text amendments are proposed to the Comprehensive Plan's Transportation Appendix for the plan sections titled Functional Classification System located on page A7-10; the Transportation Improvement Recommendations on page 19; and Table 0-9 on page 25. A map amendment is proposed for Figure 7-4 on page 47. **(Note: This is an addition to the future road projects list and does not preclude the implementation of the SE Loop Connector.)**

See attached documents for proposed text and map changes (in strikeout and highlight):

- Functional Classification System - Comp Plan Text Change 1
- Transportation Improvement Recommendations - Comp Plan Text Change 2
- Table 0.9 - Comp Plan Text Change 3
- Figure 7-4 - Comp Plan Map Change 1.

12. Location of the proposal. Provide a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if available.

The SE Loop Connector Alternative would be located in Township 21N, Range 6E, Section 13 (See attached Figure 7-4).

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one)** flat and rolling, hilly, steep slopes, mountainous.

The land that the road segment would traverse is fairly flat.

- b. What is the steepest slope on the site (approximate percent slope)?**

The steepest slope is approximately 6 percent.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Based on the USDA Natural Resource Conservation Service Soil Survey, the soil type is Beausite gravelly sandy loam. Since the site is located within an urban growth area it is not considered prime farmland.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

There are no surface indications or history of unstable soils in the vicinity.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Grading would occur to construct the road, install temporary construction erosion controls, and permanent stormwater runoff facilities. The approximate cut and fill amounts for the road alternative itself are 650 cubic yards of cut and 2,600 cubic yards of fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Limited erosion could occur as a result of the initial construction on-site; however, temporary erosion and sedimentation control (TESC) measures would be utilized during the construction phase to minimize potential erosion impacts (see 1h below). Temporary erosion and sedimentation control plans must be submitted to and approved by the City of Black Diamond prior to any clearing or grading activity.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 21,600 square feet of impervious road surface would be created.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The site would be stabilized consistent with an approved temporary erosion and sedimentation control (TESC) plan in compliance with the then-applicable DOE Stormwater Management Manual for Western Washington as amended in 2014 and City of Black Diamond requirements (BDMC 15.28). Temporary erosion and sedimentation control plans must be submitted to and approved by the City of Black Diamond prior to any clearing or grading activity. Construction stormwater would be managed per the TESC Plan and Stormwater Pollution Prevention Plan (SWPPP) prior to being discharged.

The TESC would include the use of best management practices (BMPs), which could include all or a combination of the following:

1. Construction activity should be scheduled or phased as much as possible to avoid earthwork activity during the wet season.
2. The winter performance of a site is dependent on a well-conceived plan for control of site erosion and stormwater runoff. The site plan should include ground-cover measures and staging areas. The contractor should be prepared to implement and maintain the required measures to reduce the amount of exposed ground.
3. Temporary erosion and sedimentation control (TESC) elements and perimeter flow control should be established prior to the start of grading.
4. During the wetter months of the year, or when significant storm events are predicted during the summer months, the work area should be stabilized so that if showers occur, it can receive the rainfall without excessive erosion or sediment transport. The required measures for an area to be "buttoned-up" would depend on the time of year and the duration that the area would be left unworked. During the winter months, areas that are to be left unworked for more than 2 days should be mulched or covered with plastic. During the summer months, stabilization would usually consist of seal-rolling the subgrade. Such measures would aid in the contractor's ability to get back into a work area after a storm event. The stabilization process also includes establishing temporary stormwater conveyance channels through work areas to route runoff to the approved treatment/discharge facilities.

5. All disturbed areas should be revegetated as soon as possible. If it is outside of the growing season, the disturbed areas should be covered with mulch. Straw mulch provides a cost-effective cover measure and can be made wind-resistant with the application of a tackifier after it is placed.

6. Surface runoff and discharge should be controlled during and following development. Uncontrolled discharge may promote erosion and sediment transport.

7. Soils that are to be reused around the site should be stored in such a manner as to reduce erosion from the stockpile. Protective measures may include, but are not limited to, covering stockpiles with plastic sheeting, or the use of silt fences around pile perimeters.

In addition to the approved TESC plan, the contractor would be monitored by the Washington State Department of Ecology under the National Pollutant Discharge Elimination System Permit (NPDES) General Stormwater Construction Permit. As part of the NPDES permit requirements, the contractor is required to keep a copy of the SWPPP on-site for reference. The SWPPP includes objectives to implement BMPs to minimize erosion and silt and sediment impacts from rainfall runoff during construction and to identify, reduce, eliminate, or prevent the pollution of stormwater, prevent violations of surface water quality, ground water quality, or sediment management standards, and prevent adverse water quality impacts during construction by controlling peak rates and volumes of stormwater runoff at the permittee's outfall and discharge locations. In addition, the contractor would provide a certified erosion control supervisor to be on site whenever earthwork or other activity that might result in turbid runoff is being performed.

2. Air

- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

During project construction, heavy equipment operation and vehicles would generate exhaust emissions. Additionally, dust particulates generated primarily by construction equipment and construction activities would be produced during the construction phase of this project. During paving operations odors from asphalt would be detectable to some people near the project site. There would be long-term emissions from vehicles using the completed alternative route.

- b. **Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

There are no known off-site sources of emissions or odors that would affect the road alternative.

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

To minimize the potential adverse impacts from emissions resulting from construction activities, Best Management Practices (BMPs) would be implemented to ensure that minimal amounts of dust and exhaust fumes leave the preliminary plat site. BMP measures may include street cleaning/sweeping, wheel washing, and watering of the site as necessary to help control dust and other particulates; and minimizing vehicle and equipment idling to reduce exhaust emissions at the site.

3. Water

- a. **Surface:**

- 1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

Lawson Creek is located on the road alignment and the SE Loop Connector Alternative would cross the creek. No work would occur in the water. The alignment would pass one Category IV wetland and may slightly encroach on the wetland buffer.

- 2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Work would occur within 200 feet of Lawson Creek. However, no work would take place in the water as the SE Loop Connector Alternative would cross Lawson Creek via a bridge.

- 3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

No fill or dredge material would be placed in or removed from surface water or wetlands.

- 4) **Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.**

The road alternative would not require any surface water withdrawals or diversions.

- 5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. If so, note location on the site plan.**

The proposal would cross the 100-year floodplain. FEMA lists the area around Lawson Creek as an area of minimal flood hazard (Zone X).

- 6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No waste materials would be discharged to surface waters.

b. Ground:

- 1) **Will groundwater be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No ground water would be withdrawn. Some stormwater would infiltrate into the ground and the remainder would be sent to a stormwater system.

- 2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals ..; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

No waste materials would be discharged into the ground.

c. Water Run-off (including stormwater):

- 1) **Describe the source of run-off (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Rainfall is the only source of runoff. Stormwater would be collected in roadside catch basins and directed into the stormwater control system that would be constructed as part of the Lawson Hills Master Planned Development. Some stormwater (not captured by the catch basins) would run off the road surface and infiltrate into the ground.

- 2) **Could waste materials enter ground or surface waters? If so, generally describe.**

Construction activities such as fueling, and equipment operation and maintenance can create the potential for spills or minor leaks of fuel, oil, hydraulic fluid or other material into the soil that could make their way into the groundwater. There would be potential for waste materials from the completed road surface to enter groundwater via stormwater runoff.

- d. **Proposed measures to reduce or control surface, ground, and run-off water impacts, if any:**

A temporary erosion and control plan (TESC) and surface water pollution prevention plan (SWPPP) would be prepared for approval by the City of Black Diamond and Washington Department of Ecology (under the NPDES General Construction Stormwater permit) and implemented during construction. These plans contain BMPs for controlling surface and groundwater impacts during construction. See Section 1h above for more detail on the mitigation measures.

4. Plants

- a. **Check or circle types of vegetation found on the site:**

☒ **Deciduous trees:** Alder, maple, aspen, other bitter cherry, cascara
☒ **Evergreen trees:** Fir, cedar, pine, other hemlock
☒ **Shrubs**
☒ **Grass**
☒ **Pasture**
☐ **Crop or grain**
☐ **Wet Soil Plants:** Cattail, buttercup, bulrush, skunk cabbage, other
☐ **Water Plants:** Water Lily, eelgrass, milfoil, other
☐ **Other types of vegetation**

- b. **What kind and amount of vegetation will be removed or altered?**

Only the areas within the clearing limits would have vegetation removed. Areas outside of the clearing limits would retain existing vegetation. Evergreen and deciduous trees and shrubs would be removed.

- c. **List threatened or endangered species known to be on or near the site.**

There are no known threatened or endangered plant species on or near the site.

- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

The clearing limits would be delineated (using continuous flagging and orange barrier fencing) prior to clearing and grading to minimize vegetation removal.

5. Animals

- a. Check or circle any birds and animals which have been observed on or near the site, or are known to be on or near the site:

☒ **Birds:** *hawk, heron, eagle, songbirds*, other:
☒ **Mammals:** *deer, bear, elk*, beaver, other:
☒ **Fish:** *bass, salmon, trout, herring, shellfish*,
 _____ **Other:**

- b. List any threatened or endangered species known to be on or near the site.

According the U.S. Fish and Wildlife's Information for Planning and Consultation (IPaC) database (accessed online) there are no critical habitats at this location and no known threatened, endangered, or priority species known to be on the site.

- c. Is the site part of a migration route? If so, explain.

The project site lies within the migratory bird Pacific Flyway; however, the site is not known to contain critical habitat for migratory birds.

- d. Proposed measures to preserve or enhance wildlife, if any:

No measures are proposed.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Energy in the form of diesel, gasoline and possibly electricity would be used during construction. Electricity would be used for lighting the roadway.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The project will not affect the potential use of solar energy by adjacent properties.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Limiting idling construction equipment would reduce the amount of fuel used during construction.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

Construction equipment and activities such as fueling, and equipment operation (leaky equipment) and maintenance (leaky storage containers) can create the potential for spills or minor leaks of fuel, oil, hydraulic fluid or other material that could potentially pose a threat to environmental health. Project related construction activities and material handling/storage would meet all current local, county, state and federal regulations. The completed road would not result in any environmental health hazards.

- 1) Describe special emergency services that might be required.

No special emergency services would be needed.

2) Proposed measures to reduce or control environmental health hazards, if any:

State regulations regarding safety and the handling of hazardous materials would be enforced during the construction process. Equipment refueling areas would be located in areas where a spill could be quickly contained, and where the risk of the hazardous material entering ground water is minimized.

In order to reduce the risk of environmental health hazards during construction, the selected contractor would submit a Spill Prevention Control and Countermeasures Plan (SPCCP) with future permits. The SPCCP would include the handling of petroleum products and an emergency response procedure for any soil contaminated by a spill. The plan should include the use of fueling pads or berms located in areas where a spill could be quickly contained and where the risk of hazardous materials entering surface water is minimized, procedures to follow in case of spills, a maintenance plan to minimize leaky equipment, specify a staging area for vehicle maintenance, solid waste handling and disposal Best Management Practices (BMPs), and BMPs for any chemicals to be used or stored onsite during construction. State regulations regarding safety and the handling of hazardous materials will be followed during the construction process.

b. Noise

1) What types of noise exist in the area, which may affect your project (for example: traffic, equipment operation, other)?

There is no noise source that would affect the road project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction equipment and activities would create impact and prolonged duration noise during the construction period, which would vary in intensity depending on the equipment in use and type of activity. Construction activities on the site would temporarily increase the peak on-site noise levels. Once completed, there would be noise produced by vehicles on the road.

3) Proposed measures to reduce or control noise impacts, if any:

Construction activity would be limited to hours and days as specified by the Lawson Hills MPD Development Agreement dated December 12, 2011.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The site is currently pastureland with one residence. Surrounding property is mostly residential or vacant, wooded property.

b. Has the site been used for agriculture? If so, describe.

Fields located on the site have recently been plowed.

c. Describe any structures on the site.

There is one residence on the property; however, the road alignment would not impact the house.

d. Will any structures be demolished? If so, what?

No structures would be demolished.

e. What is the current zoning classification of the site?

The current zoning is R-4 and MPD.

f. What is the current comprehensive plan designation of the site?

The comprehensive plan designation for the site is Low Density Residential and Master Planned Development. The current transportation improvement plan attached to the Comprehensive Plan identifies the SE Loop Connector.

g. If applicable, what is the current shoreline master program designation of the site?

There is no shoreline designation on the site.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

There is a Category IV wetland on the site and Lawson Creek, both are environmentally sensitive areas.

i. Approximately how many people would reside or work in the completed project?

Not applicable.

j. Approximately how many people would the completed project displace?

Not applicable.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal will be reviewed for compatibility with the Comprehensive Plan by the Community Development Department as part of the amendment process.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable.

c. Proposed measures to reduce or control housing impacts, if any:

Not applicable.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Lighting would be provided along the roadway and would be approximately 20 feet in height.

- b. What views in the immediate vicinity would be altered or obstructed?**

No views would be obstructed. There would be a slight alteration in views of the site due to the road surface.

- c. Proposed measures to reduce or control aesthetic impacts, if any:**

No measures are proposed.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Night lighting would be installed along the road for safety.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

There would be no light or glare that would be a safety hazard or interfere with views.

- c. What existing off-site sources of light or glare may affect your proposal?**

There are no off-site sources of light or glare that would affect the proposal.

- d. Proposed measures to reduce or control light and glare impacts, if any:**

No measures are proposed.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?**

There are several community parks in the vicinity of this site, including the Eagle Creek Community Park, Lake Sawyer Regional Park (undeveloped) and Ginder Creek Park (undeveloped). There are also a number of lakes in the general area including Lake Sawyer, Horseshoe Lake, Keevie Lake and Oak Lake that provide water-based recreational opportunities.

- b. Would the proposed project displace any existing recreational uses? If so, describe.**

No existing authorized recreational uses would be displaced.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The road alternative would provide sidewalks for pedestrian and bicycle recreation. Sidewalks would be ADA compliant with curb ramps.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

There are no significant historic or cultural resources on the site.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

There are no known landmarks or evidence of historic, archaeological, scientific or cultural importance known to be on or next to the project site.

- c. Proposed measures to reduce or control impacts, if any:**

The project would comply with all applicable local, state and federal laws.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

The SE Loop Connector Alternative would connect to Lawson Street and a not-yet-built portion of road.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

The site is not currently served by public transit. The nearest Metro Transit Route is 143/907 that runs on SR 169 and stops at the intersection with Baker Street.

- c. How many parking spaces would the completed project have? How many would the project eliminate?**

No parking spaces would be added or eliminated.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

The project would not require new roads but would require a new intersection at Lawson Street.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The project would not occur in the immediate vicinity of water, rail or air transportation

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Unknown at this time.

- g. Proposed measures to reduce or control transportation impacts, if any:**

During construction, workers and trucks with materials will travel to and from the site and could be timed to avoid peak traffic hours. For example, workers can arrive early in the morning before the AM peak hour and if possible, material trips can be scheduled to occur during off-peak hours. Flaggers, signage and barriers would be used to help general traffic avoid the construction zone. The contractor would be required to prepare and implement a traffic control plan during construction.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

During construction, there could be a slight increase in the potential demand for emergency medical services due to the operation of heavy construction equipment. The completed project would not result in an increase in the demand for public services.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

No measures are proposed.

16. Utilities

- a. **Indicate utilities currently available at the site:**

Electricity is available at the site.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Electricity would be used for lighting on the finished project.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Justin Wortman

Position and Agency/Organization: Senior Project Manager, CCD Black Diamond Partners, LLC.

Date Submitted: February 26, 2021

A. Supplemental Sheet for Nonproject Actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Construction of the proposal would cause temporary increases in diesel exhaust emissions from construction equipment and gasoline exhaust emissions from construction workers travelling to and from the site. During dry weather, construction earthwork may also result in dust generation. There would also be a temporary increase in construction noise. However, the construction period would be relatively short as compared to the SE Loop Connector, which would reduce the duration of construction-related impacts.

The proposal operation would result in stormwater runoff from the increase in impervious road surface, emissions to air from vehicle exhaust, and increased noise from vehicles moving on the road. There would be no release of toxic or hazardous substances.

Proposed measures to avoid or reduce such increases are:

The site will be stabilized consistent with an approved temporary erosion and sedimentation control (TESC) plan in compliance with the then-applicable DOE Stormwater Management Manual for Western Washington as amended in 2014 and City of Black Diamond requirements (BDMC 15.28). Temporary erosion and sedimentation control plans must be submitted to and approved by the City of Black Diamond prior to any clearing or grading activity. Construction stormwater will be managed per the TESC Plan and Stormwater Pollution Prevention Plan (SWPPP) prior to being discharged.

The TESC will include the use of best management practices (BMPs), which could include all or a combination of the following:

1. Construction activity should be scheduled or phased as much as possible to avoid earthwork activity during the wet season.
2. The winter performance of a site is dependent on a well-conceived plan for control of site erosion and stormwater runoff. The site plan should include ground-cover measures and staging areas. The contractor should be prepared to implement and maintain the required measures to reduce the amount of exposed ground.
3. Temporary erosion and sedimentation control (TESC) elements and perimeter flow control should be established prior to the start of grading.

4. During the wetter months of the year, or when significant storm events are predicted during the summer months, the work area should be stabilized so that if showers occur, it can receive the rainfall without excessive erosion or sediment transport. The required measures for an area to be “buttoned-up” will depend on the time of year and the duration that the area will be left unworked. During the winter months, areas that are to be left unworked for more than 2 days should be mulched or covered with plastic. During the summer months, stabilization will usually consist of seal-rolling the subgrade. Such measures will aid in the contractor’s ability to get back into a work area after a storm event. The stabilization process also includes establishing temporary stormwater conveyance channels through work areas to route runoff to the approved treatment/discharge facilities.

5. All disturbed areas should be revegetated as soon as possible. If it is outside of the growing season, the disturbed areas should be covered with mulch. Straw mulch provides a cost-effective cover measure and can be made wind-resistant with the application of a tackifier after it is placed.

6. Surface runoff and discharge should be controlled during and following development. Uncontrolled discharge may promote erosion and sediment transport.

7. Soils that are to be reused around the site should be stored in such a manner as to reduce erosion from the stockpile. Protective measures may include, but are not limited to, covering stockpiles with plastic sheeting, or the use of silt fences around pile perimeters.

In addition to the approved TESC plan, the contractor will be monitored by the Washington State Department of Ecology under the National Pollutant Discharge Elimination System Permit (NPDES) General Stormwater Construction Permit. As part of the NPDES permit requirements, the contractor is required to keep a copy of the SWPPP on-site for reference. The SWPPP includes objectives to implement BMPs to minimize erosion and silt and sediment impacts from rainfall runoff during construction and to identify, reduce, eliminate, or prevent the pollution of stormwater, prevent violations of surface water quality, ground water quality, or sediment management standards, and prevent adverse water quality impacts during construction by controlling peak rates and volumes of stormwater runoff at the permittee’s outfall and discharge locations. In addition, the contractor will provide a certified erosion control supervisor to be on site whenever earthwork or other activity that might result in turbid runoff is being performed.

To minimize the potential adverse impacts from emissions resulting from construction activities, Best Management Practices (BMPs) will be implemented to ensure that minimal amounts of dust and exhaust fumes leave the site. BMP measures may include the following: street cleaning/sweeping; wheel washing; installing stabilized rock construction entrances; watering of the site as necessary to help control dust and other particulates; covering trucks beds carrying soil material; and minimizing vehicle and equipment idling to reduce exhaust emissions at the site.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would have no effect on fish or marine life (stormwater would be treated prior to discharge). Only one parcel would be affected by the proposal and the route would not impact any wetlands or sensitive wildlife habitat on that property.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Stormwater would be treated prior to discharge into surface waters.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would use energy in the form of diesel, gasoline and possibly electricity during construction. Natural resources such as petroleum, aggregates (e.g., rock, sand, gravel), cement, and various metals (e.g., steel rebar) would be used in constructing the road and road elements (e.g., guard railings, light posts, walls, etc.).

Proposed measures to protect or conserve energy and natural resources are:

No measures are proposed.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

There are no environmentally sensitive areas along the proposal right-of-way except for Lawson Creek. The proposal alignment would cross the creek (similar to the SE Loop Connector).

Proposed measures to protect such resources or to avoid or reduce impacts are:

A bridge would be constructed to span across the creek with bridge supports that are located outside the ordinary high water mark. In this way, creek flow and fish passage would not be impeded.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not impact shoreline uses.

Proposed measures to avoid or reduce shoreline and land use impacts are:

No measures are proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not increase the demand for transportation or public services. There would be a slight increase in demand for electricity to operate lighting along the roadway for safety.

Proposed measures to reduce or respond to such demand(s) are:

The project itself would serve the demand for transportation circulation and access.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not conflict with any local, state, or federal laws for protection of the environment.



CITY OF BLACK DIAMOND SENSITIVE AREA IDENTIFICATION FORM

This form identifies potential sensitive areas located on the subject property. This is a supplemental form to the sensitive area applications. Further study and or identification of sensitive areas may be required. Please complete the following information to the best of your ability.

Applicant: CCD Black Diamond Partners LLC		Permit #:	
Parcel#: See attached legal		Site Address: Southeast Loop Connector Alternative	
Sensitive Areas Identified: ☐ Geologic Hazard Area ☐ Erosion Hazard Area ☒ Wetlands ☐ Flood Zone ☐ Aquifer Recharge ☐ Stream Corridor ☐ To my knowledge there are no sensitive areas on my property.			
Comments: Comprehensive Plan Amendment			
Signature: See Attached		Date: 3/1/2021	

~For Official Use Only~

Reports Completed or Required: ☐ Sensitive Area Report ☐ Wetland Delineation Report ☐ Geotechnical Report
Inspection Results: ☐ No Sensitive Areas Present ☐ Sensitive Areas Present, but No Impact ☐ Sensitive Areas may be affected by proposal
Summary of Findings:

Signature: Natural Resources Director	Date:
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**SOUTHEAST LOOP CONNECTOR ALTERNATIVE COMPREHENSIVE PLAN AMENDMENT
COMPREHENSIVE PLAN AMENDMENT AND REZONE
LEGAL DESCRIPTION**

PARCEL 4 CITY OF BLACK DIAMOND LOT LINE ADJUSTMENT NO PLN 19-0028
RECORDING NO 20190619900008 (BEING A PORTION OF NW QTR STR 13-21-06 AND
NE QTR STR 14-21-06).

**SOUTHEAST LOOP CONNECTOR ALTERNATIVE COMPREHENSIVE PLAN AMENDMENT
COMPREHENSIVE PLAN AMENDMENT AND REZONE
SENSITIVE AREA IDENTIFICATION FORM
SIGNATURE PAGE**

Applicant:

CCD Black Diamond Partners LLC, a Delaware limited liability company

By: Oakpointe LLC, its Manager

By:  _____

Brian Ross, Manager

Date: 3/1/2021

MEMORANDUM

Date:	March 1, 2021	TG:	16450.00
To:	Andrew Williamson – City of Black Diamond		
From:	Mike Swenson, P.E., PTOE and Maris Fry, P.E. – Transpo Group		
cc:	Brian Ross and Justin Wortman – Oakpointe		
Subject:	Comprehensive Plan Amendment – SE Loop Connector Alternative		

This memorandum provides analysis evaluating the proposed inclusion of the SE Loop Connector Alternative in the City of Black Diamond's 2019 Comprehensive Plan. This memorandum includes the following information:

- Overview of the proposed Alternative
- Summary of pertinent EIS findings
- Operational impacts of the SE Loop Connector Alternative

As detailed below, this analysis determined that the worst-case impacts of the proposed SE Loop Connector Alternative could be sufficiently mitigated through the addition of turn lanes at the intersections of SR 169/Baker Street and SR 169/Lawson Street.

Alternative Overview

As shown in Figure 1, the Comprehensive Plan currently identifies the SE Loop Connector as a connection between the Lawson Connector and SR 169. The identified SE Loop Connector Alternative is shown in Figure 1.

The SE Loop Connector was analyzed in the *Lawson Hills Technical Transportation Report (TTR)*, performed by Parametrix in 2009, which was used as the basis for the transportation-related EIS findings for the Lawson Hills MPD. To understand the worst-case impacts of the proposed SE Loop Connector Alternative, the volume projections outlined in the Lawson Hills TTR were updated assuming all traffic shifts from the SE Loop Connector to the Alternative. Based on the anticipated trip assignment and re-routing associated with the Alternative, volume and operations impacts were limited to the following intersections:

1. SR 169/Baker Street
2. SR 169/Lawson Street
3. SR 169/Jones Lake Road
4. Railroad Avenue/Baker Street

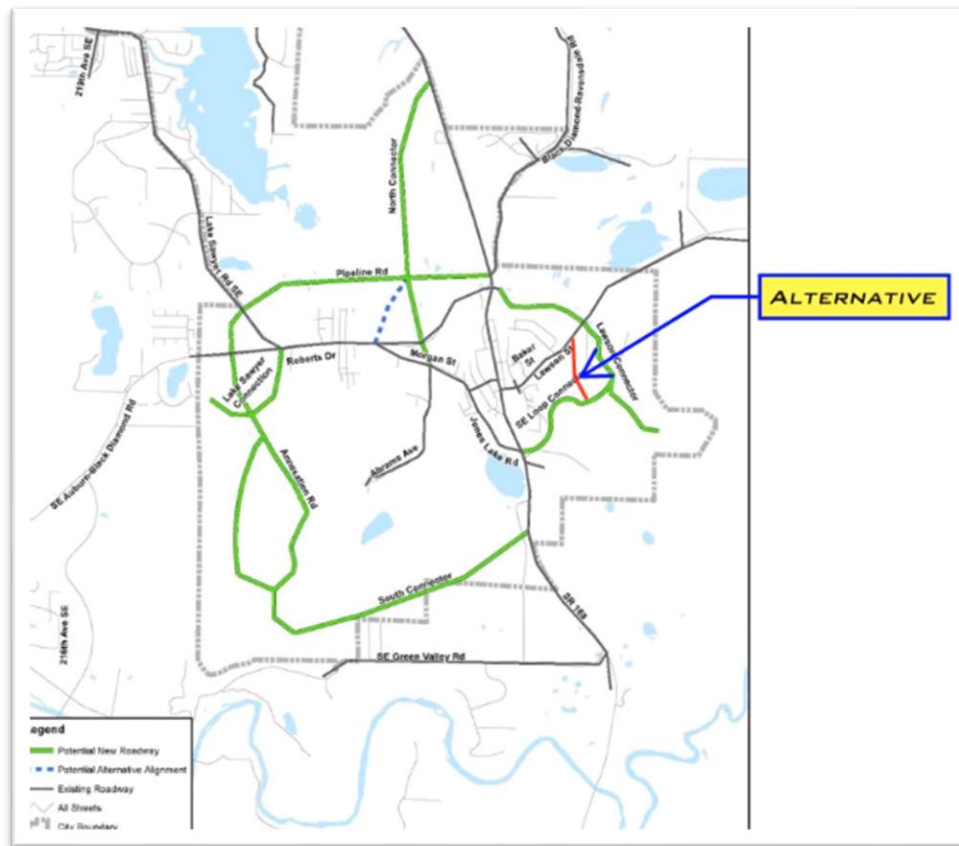


Figure 1: Proposed SE Loop Connector Alternative (Base Map Source: City of Black Diamond 2019 Comprehensive Plan)

Summary of Pertinent EIS Findings

The analysis contained within the Lawson Hills TTR developed traffic volume projections and defined impacts for the Lawson Hills MPD, as well as the collective impacts of the Lawson Hills and Ten Trails MPDs. Based on this analysis, the following mitigations were identified at the above study intersections for full build-out conditions of both MPDs. The channelization and traffic control for the intersections are also summarized in Figure 1.

- **SR 169/Baker Street:** Traffic signal and northbound left-turn lane
- **SR 169/Lawson Street:** Traffic signal and southbound left-turn lane
- **SR 169/Jones Lake Road:** Traffic signal and northbound, westbound, and southbound left-turn lanes
- **Railroad Avenue/Baker Street:** No mitigations necessary

Traffic Operations Analysis

To determine the worst-case impacts of the SE Loop Connector Alternative, traffic volume projections from the Lawson Hills TTR were revised to account for re-routed traffic. This analysis conservatively assumed that all traffic routed through the SE Loop Connector in the EIS is re-routed to Lawson Street. Figure 1 depicts the re-routed volumes and the adjusted full-build traffic volumes.

Using these adjusted volumes, intersection level of service (LOS) was evaluated at the study intersections. The channelization and traffic control associated with the EIS-identified mitigations were used as a baseline in order to determine if additional mitigations would be necessary. For the intersection of SR 169/Jones Lake Road, channelization and traffic control consistent with existing conditions was assumed to determine if introduction of the SE Loop Connector Alternative would result in mitigations no longer being necessary.

Weekday PM peak hour levels of service and delays were calculated at study intersections based on existing peak hour factors (PHFs) and methodologies contained in the *Highway Capacity Manual, 6th Edition* (Transportation Research Board). As shown in Table 1, the re-routed traffic volumes result in the need for additional improvements beyond those identified in the EIS at two intersections: SR 169/Baker Street and SR 169/Lawson Street. Additionally, mitigations are still required at the intersection of SR 169/Jones Lake Road.

In order to meet WSDOT's LOS D or better standard, additional southbound and eastbound right-turn lanes would be needed at SR 169/Baker Street and an additional westbound right-turn lane would be needed at SR 169/Lawson Street. Additionally, the traffic signal and northbound left-turn lane would need to remain at the intersection of SR 169/Jones Lake Road. Consistent with the EIS, no mitigations would be necessary at the intersection of Railroad Avenue/Baker Street. The mitigated channelization and traffic control assumptions are summarized in Figure 1. With these additional mitigations in place, the intersections are projected to operate at LOS D or better, as shown on Table 1.

Table 1. Traffic Analysis Summary – Removal of SE Loop Connector

Intersection	LOS Standard	Mitigated Traffic Control (EIS)			Mitigated Traffic Control (Removal of SE Loop Connector)		
		LOS ¹	Delay ²	WM ³	LOS	Delay	WM
1. SR 169/Baker Street	D	F	129	-	D	53	-
2. SR 169/Lawson Street	D	F	170	-	D	48	-
3. SR 169/Jones Lake Road	D	F	53	EB	A	4	-
4. Railroad Avenue/Baker Street	C	B	12	WB	No Change		

Source: HCM 6th Edition and Transpo Group, 2020

1. Level of service (A – F) as defined by the Highway Capacity Manual (HCM) 6th Edition, Transportation Research Board

2. Average delay per vehicle in seconds

3. Worst movement (WM) reported for two-way stop sign traffic control

Conclusions

This analysis determined that the worst-case impacts of the SE Loop Connector Alternative can be adequately mitigated assuming the following:

- Implementation of additional improvements beyond those identified in the EIS at two intersections:
 - **SR 169/Baker Street:** New southbound and eastbound right-turn lanes
 - **SR 169/Lawson Street:** New westbound right-turn lane
- Implementation of limited improvements (construction of a traffic signal and northbound left-turn lane) at the intersection of **SR 169/Jones Lake Road**

Additionally, improvements would remain unnecessary at the intersection of Railroad Avenue/Baker Street.



	Weekday PM Peak Hour Traffic Volumes		Channelization and Traffic Control	
	Re-Routed	With SE Loop Connector Alternative	EIS	With SE Loop Connector Alternative
1 SR 169/ Baker St	173 188	1,392 104 60 288 252 802		
2 SR 169/ Lawson St	-57 230 299 132 117 -111	1,154 5 516 383 174 168 662		
3 SR 169/ Jones Lake Rd	132 -57 -111 -188 -132 117 -173	1,323 1 108 38 837	 Signal was proposed with new east leg of intersection	 East leg of intersection no longer proposed
4 Railroad Ave/ Baker St	-173 173 188 -188	132 329 359 13 16 44	 No change relative to existing conditions.	 No change relative to existing conditions.

Traffic Analysis in Support of SE Loop Connector Alternative

Comprehensive Plan Amendment

Attachment A:
LOS Worksheets

HCM 6th Signalized Intersection Summary

1: SR-169 & Baker St

02/26/2021

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	60	288	252	802	1392	104
Future Volume (veh/h)	60	288	252	802	1392	104
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1900	1900	1870	1870	1870	1870
Adj Flow Rate, veh/h	62	297	260	827	1435	107
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	2	2	2	2
Cap, veh/h	38	182	218	1502	1166	87
Arrive On Green	0.14	0.14	0.19	1.00	0.68	0.68
Sat Flow, veh/h	270	1291	1781	1870	1719	128
Grp Volume(v), veh/h	360	0	260	827	0	1542
Grp Sat Flow(s),veh/h/ln	1565	0	1781	1870	0	1847
Q Serve(g_s), s	22.5	0.0	15.5	0.0	0.0	108.5
Cycle Q Clear(g_c), s	22.5	0.0	15.5	0.0	0.0	108.5
Prop In Lane	0.17	0.82	1.00			0.07
Lane Grp Cap(c), veh/h	220	0	218	1502	0	1253
V/C Ratio(X)	1.64	0.00	1.20	0.55	0.00	1.23
Avail Cap(c_a), veh/h	220	0	218	1502	0	1253
HCM Platoon Ratio	1.00	1.00	2.00	2.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	0.13	0.13	0.00	1.00
Uniform Delay (d), s/veh	68.8	0.0	55.9	0.0	0.0	25.8
Incr Delay (d2), s/veh	305.7	0.0	93.9	0.2	0.0	111.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	27.7	0.0	13.3	0.1	0.0	83.1
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	374.5	0.0	149.8	0.2	0.0	136.8
LnGrp LOS	F	A	F	A	A	F
Approach Vol, veh/h	360			1087	1542	
Approach Delay, s/veh	374.5			36.0	136.8	
Approach LOS	F			D	F	
Timer - Assigned Phs	2		4		5	6
Phs Duration (G+Y+Rc), s	133.0		27.0		20.0	113.0
Change Period (Y+Rc), s	4.5		4.5		4.5	4.5
Max Green Setting (Gmax), s	128.5		22.5		15.5	108.5
Max Q Clear Time (g_c+I1), s	2.0		24.5		17.5	110.5
Green Ext Time (p_c), s	8.1		0.0		0.0	0.0
Intersection Summary						
HCM 6th Ctrl Delay			128.8			
HCM 6th LOS			F			

HCM 6th Signalized Intersection Summary

2: SSR-169/SR-169 & Lawson St

02/26/2021



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕		↕	↕	
Traffic Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Future Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1811	1811	1811	1870	1870	1870
Adj Flow Rate, veh/h	1	1	1	179	0	395	1	682	173	532	1190	5
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	0	0	0	0	6	6	6	2	2	2
Cap, veh/h	71	70	56	90	0	132	23	698	177	518	1526	6
Arrive On Green	0.12	0.12	0.12	0.12	0.00	0.12	0.50	0.50	0.50	0.58	1.00	1.00
Sat Flow, veh/h	332	569	450	485	0	1071	0	1393	353	1781	1861	8
Grp Volume(v), veh/h	3	0	0	574	0	0	856	0	0	532	0	1195
Grp Sat Flow(s), veh/h/ln	1351	0	0	1556	0	0	1747	0	0	1781	0	1869
Q Serve(g_s), s	0.0	0.0	0.0	19.6	0.0	0.0	7.6	0.0	0.0	46.5	0.0	0.0
Cycle Q Clear(g_c), s	0.2	0.0	0.0	19.8	0.0	0.0	76.7	0.0	0.0	46.5	0.0	0.0
Prop In Lane	0.33		0.33	0.31		0.69	0.00		0.20	1.00		0.00
Lane Grp Cap(c), veh/h	197	0	0	222	0	0	898	0	0	518	0	1533
V/C Ratio(X)	0.02	0.00	0.00	2.59	0.00	0.00	0.95	0.00	0.00	1.03	0.00	0.78
Avail Cap(c_a), veh/h	197	0	0	222	0	0	898	0	0	518	0	1533
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	2.00	2.00	2.00
Upstream Filter(I)	1.00	0.00	0.00	1.00	0.00	0.00	1.00	0.00	0.00	0.09	0.00	0.09
Uniform Delay (d), s/veh	61.5	0.0	0.0	71.4	0.0	0.0	39.0	0.0	0.0	33.5	0.0	0.0
Incr Delay (d2), s/veh	0.0	0.0	0.0	726.3	0.0	0.0	20.6	0.0	0.0	19.8	0.0	0.4
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%), veh/ln	0.1	0.0	0.0	54.0	0.0	0.0	37.5	0.0	0.0	18.7	0.0	0.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d), s/veh	61.6	0.0	0.0	797.7	0.0	0.0	59.6	0.0	0.0	53.3	0.0	0.4
LnGrp LOS	E	A	A	F	A	A	E	A	A	F	A	A
Approach Vol, veh/h	3			574			856			1727		
Approach Delay, s/veh	61.6			797.7			59.6			16.7		
Approach LOS	E			F			E			B		
Timer - Assigned Phs	1	2		4		6		8				
Phs Duration (G+Y+Rc), s	51.0	84.7		24.3		135.7		24.3				
Change Period (Y+Rc), s	4.5	4.5		4.5		4.5		4.5				
Max Green Setting (Gmax), s	46.5	80.2		19.8		131.2		19.8				
Max Q Clear Time (g_c+H), s	40.5	78.7		2.2		2.0		21.8				
Green Ext Time (p_c), s	0.0	0.9		0.0		19.7		0.0				

Intersection Summary

HCM 6th Ctrl Delay 170.2

HCM 6th LOS F

HCM 6th TWSC

3: SR-169 & Railroad Ave

02/26/2021

Intersection						
Int Delay, s/veh	2.7					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	108	38	837	1323	1
Future Vol, veh/h	0	108	38	837	1323	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	Stop	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	111	39	863	1364	1
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	2306	1365	1365	0	-	0
Stage 1	1365	-	-	-	-	-
Stage 2	941	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	42	180	503	-	-	-
Stage 1	237	-	-	-	-	-
Stage 2	380	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	36	180	503	-	-	-
Mov Cap-2 Maneuver	36	-	-	-	-	-
Stage 1	202	-	-	-	-	-
Stage 2	380	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	52.9	0.6		0		
HCM LOS	F					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	503	-	180	-	-	
HCM Lane V/C Ratio	0.078	-	0.619	-	-	
HCM Control Delay (s)	12.8	0	52.9	-	-	
HCM Lane LOS	B	A	F	-	-	
HCM 95th %tile Q(veh)	0.3	-	3.5	-	-	

HCM 6th TWSC

4: Railroad Ave/Morgan St & Baker St

02/26/2021

Intersection						
Int Delay, s/veh	7.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	13	359	44	16	329	132
Future Vol, veh/h	13	359	44	16	329	132
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	13	370	45	16	339	136
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	867	53	0	0	61	0
Stage 1	53	-	-	-	-	-
Stage 2	814	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	323	1014	-	-	1542	-
Stage 1	970	-	-	-	-	-
Stage 2	436	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	246	1014	-	-	1542	-
Mov Cap-2 Maneuver	246	-	-	-	-	-
Stage 1	970	-	-	-	-	-
Stage 2	332	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	11.8	0	5.7			
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	914	1542	-	
HCM Lane V/C Ratio	-	-	0.42	0.22	-	
HCM Control Delay (s)	-	-	11.8	8	0	
HCM Lane LOS	-	-	B	A	A	
HCM 95th %tile Q(veh)	-	-	2.1	0.8	-	

HCM 6th Signalized Intersection Summary

1: SR-169 & Baker St

02/26/2021

						
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	60	288	252	802	1392	104
Future Volume (veh/h)	60	288	252	802	1392	104
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1811	1811	1870	1870	1870	1870
Adj Flow Rate, veh/h	62	297	260	827	1435	107
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	6	6	2	2	2	2
Cap, veh/h	102	321	313	1655	1321	1119
Arrive On Green	0.06	0.06	0.20	1.00	0.71	0.71
Sat Flow, veh/h	1725	1535	1781	1870	1870	1585
Grp Volume(v), veh/h	62	297	260	827	1435	107
Grp Sat Flow(s),veh/h/ln	1725	1535	1781	1870	1870	1585
Q Serve(g_s), s	5.6	6.3	18.2	0.0	113.0	3.4
Cycle Q Clear(g_c), s	5.6	6.3	18.2	0.0	113.0	3.4
Prop In Lane	1.00	1.00	1.00			1.00
Lane Grp Cap(c), veh/h	102	321	313	1655	1321	1119
V/C Ratio(X)	0.61	0.92	0.83	0.50	1.09	0.10
Avail Cap(c_a), veh/h	194	403	313	1655	1321	1119
HCM Platoon Ratio	1.00	1.00	1.33	1.33	1.00	1.00
Upstream Filter(I)	1.00	1.00	0.46	0.46	1.00	1.00
Uniform Delay (d), s/veh	73.5	62.0	60.1	0.0	23.5	7.4
Incr Delay (d2), s/veh	5.7	23.7	8.6	0.5	51.7	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.7	17.5	10.5	0.2	64.7	1.2
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	79.2	85.7	68.7	0.5	75.2	7.6
LnGrp LOS	E	F	E	A	F	A
Approach Vol, veh/h	359			1087	1542	
Approach Delay, s/veh	84.6			16.8	70.5	
Approach LOS	F			B	E	
Timer - Assigned Phs	2		4		5	6
Phs Duration (G+Y+Rc), s	146.2		13.8		28.7	117.5
Change Period (Y+Rc), s	4.5		4.5		4.5	4.5
Max Green Setting (Gmax), s	133.0		18.0		15.5	113.0
Max Q Clear Time (g_c+I1), s	2.0		8.3		20.2	115.0
Green Ext Time (p_c), s	8.1		0.9		0.0	0.0
Intersection Summary						
HCM 6th Ctrl Delay			52.7			
HCM 6th LOS			D			

HCM 6th Signalized Intersection Summary

2: SSR-169/SR-169 & Lawson St

02/26/2021



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕	↕		↕		↕	↕	
Traffic Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Future Volume (veh/h)	1	1	1	174	0	383	1	662	168	516	1154	5
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No			No			No		
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1811	1811	1811	1870	1870	1870
Adj Flow Rate, veh/h	1	1	1	179	0	395	1	682	173	532	1190	5
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	0	0	0	0	6	6	6	2	2	2
Cap, veh/h	30	29	15	133	0	667	23	698	177	518	1526	6
Arrive On Green	0.12	0.12	0.12	0.12	0.00	0.12	0.50	0.50	0.50	0.39	1.00	1.00
Sat Flow, veh/h	0	237	119	710	0	1610	0	1393	353	1781	1861	8
Grp Volume(v), veh/h	3	0	0	179	0	395	856	0	0	532	0	1195
Grp Sat Flow(s),veh/h/ln	356	0	0	710	0	1610	1747	0	0	1781	0	1869
Q Serve(g_s), s	0.0	0.0	0.0	0.0	0.0	19.8	7.6	0.0	0.0	46.5	0.0	0.0
Cycle Q Clear(g_c), s	19.8	0.0	0.0	19.8	0.0	19.8	76.7	0.0	0.0	46.5	0.0	0.0
Prop In Lane	0.33		0.33	1.00		1.00	0.00		0.20	1.00		0.00
Lane Grp Cap(c), veh/h	74	0	0	133	0	667	898	0	0	518	0	1533
V/C Ratio(X)	0.04	0.00	0.00	1.35	0.00	0.59	0.95	0.00	0.00	1.03	0.00	0.78
Avail Cap(c_a), veh/h	74	0	0	133	0	667	898	0	0	518	0	1533
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.33	1.33	1.33
Upstream Filter(I)	1.00	0.00	0.00	1.00	0.00	1.00	1.00	0.00	0.00	0.12	0.00	0.12
Uniform Delay (d), s/veh	62.3	0.0	0.0	73.5	0.0	36.4	39.0	0.0	0.0	49.1	0.0	0.0
Incr Delay (d2), s/veh	0.2	0.0	0.0	198.0	0.0	1.4	20.6	0.0	0.0	21.4	0.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	0.0	0.0	12.8	0.0	12.4	37.5	0.0	0.0	22.8	0.0	0.2
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	62.5	0.0	0.0	271.4	0.0	37.8	59.6	0.0	0.0	70.5	0.0	0.5
LnGrp LOS	E	A	A	F	A	D	E	A	A	F	A	A
Approach Vol, veh/h		3			574			856			1727	
Approach Delay, s/veh		62.5			110.6			59.6			22.1	
Approach LOS		E			F			E			C	
Timer - Assigned Phs	1	2		4		6		8				
Phs Duration (G+Y+Rc), s	51.0	84.7		24.3		135.7		24.3				
Change Period (Y+Rc), s	4.5	4.5		4.5		4.5		4.5				
Max Green Setting (Gmax), s	46.5	80.2		19.8		131.2		19.8				
Max Q Clear Time (g_c+H), s	46.5	78.7		21.8		2.0		21.8				
Green Ext Time (p_c), s	0.0	0.9		0.0		19.7		0.0				

Intersection Summary

HCM 6th Ctrl Delay	48.4
HCM 6th LOS	D

HCM 6th Signalized Intersection Summary

3: SR-169 & Railroad Ave

02/26/2021



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Volume (veh/h)	1	108	38	837	1323	1
Future Volume (veh/h)	1	108	38	837	1323	1
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00	1.00	1.00			1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach	No			No	No	
Adj Sat Flow, veh/h/ln	1900	1900	1870	1870	1870	1870
Adj Flow Rate, veh/h	1	0	39	863	1364	1
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Percent Heavy Veh, %	0	0	2	2	2	2
Cap, veh/h	2		334	1697	1696	1
Arrive On Green	0.00	0.00	0.91	0.91	0.91	0.91
Sat Flow, veh/h	912	0	398	1870	1869	1
Grp Volume(v), veh/h	2	0	39	863	0	1365
Grp Sat Flow(s), veh/h/ln	1825	0	398	1870	0	1870
Q Serve(g_s), s	0.1	0.0	3.7	7.9	0.0	25.1
Cycle Q Clear(g_c), s	0.1	0.0	28.8	7.9	0.0	25.1
Prop In Lane	0.50	0.00	1.00			0.00
Lane Grp Cap(c), veh/h	5		334	1697	0	1697
V/C Ratio(X)	0.41		0.12	0.51	0.00	0.80
Avail Cap(c_a), veh/h	328		334	1697	0	1697
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	49.8	0.0	6.5	0.8	0.0	1.6
Incr Delay (d2), s/veh	45.9	0.0	0.7	1.1	0.0	4.2
Initial Q Delay(d3), s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%), veh/ln	0.1	0.0	0.4	0.5	0.0	2.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d), s/veh	95.7	0.0	7.2	1.9	0.0	5.8
LnGrp LOS	F		A	A	A	A
Approach Vol, veh/h	2	A		902	1365	
Approach Delay, s/veh	95.7			2.1	5.8	
Approach LOS	F			A	A	
Timer - Assigned Phs	2			4		6
Phs Duration (G+Y+Rc), s	95.2			4.8		95.2
Change Period (Y+Rc), s	4.5			4.5		4.5
Max Green Setting (Gmax), s	73.0			18.0		73.0
Max Q Clear Time (g_c+I1), s	30.8			2.1		27.1
Green Ext Time (p_c), s	9.4			0.0		23.7

Intersection Summary

HCM 6th Ctrl Delay	4.4
HCM 6th LOS	A

Notes

Unsignalized Delay for [EBR] is excluded from calculations of the approach delay and intersection delay.

Mona Davis

From: Alan Gangl <argangl52@gmail.com>
Sent: Tuesday, May 11, 2021 9:04 AM
To: Mona Davis; Carina Thornquist
Subject: March 11, 2021 Comprehensive Plan 2021 Update Hearing

To the Planning Commission and City Council,

I have lived in Black Diamond for many years in the Lake Sawyer area. My family and I have been involved with development issues because we care about the community, the environment, and the health of Lake Sawyer and the streams and wildlife in the area. I am the vice president of finance at a thriving manufacturing business in Auburn.

Please support the changes in Preliminary Docket on the Reverting to the prior Future Land Use Map – Docket items #2021-01 and #2021-22.

The 2020 and 2021 Comprehensive Plan update regarding commercial land uses are based on assumptions that have not been verified.

One of the reasons the staff report gives for supporting commercial land uses in Black Diamond is that Commercial properties can provide an expansion of the City's tax base. This makes an assumption that commercial land uses will develop to provide more taxes to the city. However, commercial land uses also require significant public services.

The Planning Commission has likely heard that Ten Trails has had trouble selling or leasing its commercial space. The City should seriously ask the question of why so much commercial space is justified on the city's Future Land Use Map at this time.

The prior (2009) Future Land Use Map had more Light Industrial / Office space. This land use has the potential to provide significant city tax revenue. It has the added advantage for local residents that the jobs at these locations usually pay more than the retail work in commercial space.

Also, light industrial land generates far less traffic. Reducing the need to widen roads through our beautiful town should be a big consideration. As someone who must exit my neighborhood onto the Lake Sawyer Road, I am concerned that traffic plans do not sufficiently address continued increases in traffic here. What happens along SR169 will definitely affect Lake Sawyer Road, as traffic seeking to avoid SR169 uses Lake Sawyer Road as a north-south route. The following concerns must be addressed:

- Addressing this traffic by adding lanes is a cost that will not be fully paid by developers.
- Even worse, another lane will harm the property values and daily quality of life of existing residents in the neighborhoods on this road much more than another large strip mall will benefit them.

It is smarter to manage traffic and city revenue with land use decisions, such as adopting the 2009 Future Land Use Map.

For the above reasons, I also support adoption of the docket item #2021-18, which is to remove Policy LU-34 and LU-42. These policies should be removed from the Comprehensive Plan. The preliminary docket staff report does not fully address the issues raised above.

Alan Gangl

Mona Davis

From: Angela Rossman Fettig <angimal80@hotmail.com>
Sent: Tuesday, May 11, 2021 12:32 PM
To: Mona Davis
Cc: Angela Rossman Fettig
Subject: Comments for Planning Commission 5/11/21
Attachments: 2021 May11 CP HearingTestimonyAFettig (1).docx

Hi Ms. Davis,
Please include my written comments for tonight's meeting.
Thank you,
Angela Fettig

May 11, 2021 Public Hearing Planning Commission. Comprehensive Plan Update.

These comments are about the Staff Report's Docket Items **#2021-16 – Road Safety**, and **#2021-18 to Revise Commercial and Economic Development Increases**, and **#2021-04 the Housing Action Plan** and **#2021-22 the Future Land use Map**.

The Planning Commission should send #2021-16 and #2021-18 to the Council for the final docket and further consideration. They will result in a better transportation network. #2021-16 prioritizes safety. #2021-18 supports making better Land Use decisions that don't add so much traffic to our roads in such a short time.

1. Black Diamond's Traffic Concurrency requirements are not sufficient, and traffic concurrency enforcement is weak.
2. If we do not add these docket items, the city will keep doing what it has been doing. It is far better to add requirements that will make things different next time.

Traffic Concurrency means that road improvements are built "concurrent" with new development, so that roads are expanded as needed to serve new development.

When I say traffic concurrency enforcement is weak, we are just starting to see this issue as Ten Trails has added less than 10% of their planned housing. The Roberts Drive / SR169 and the SR169 / Ravensdale Road intersections have been delayed from their original concurrency requirements. Some people have said WSDOT is causing delays, but this is false. The city and OakPointe are not meeting requirements. Here are the facts:

- 1) Construction of signal or roundabout for Roberts Dr./SR169 and Ravensdale Road / SR169 was required by 327 Ten Trails units (threshold). Ten Trails passed this threshold over a year ago (December 2019 according to the city permit system). Ten Trails is now at ~ 600 building permits.
- 2) Public records of all permit submissions to WSDOT show OakPointe took between 6 months to a year to respond to requests from WSDOT. They submitted a partial application in December 2017, then took until Jan 2019 to submit a redesign, then October 2019, then May 2020. The developer is not being timely.
- 3) These submissions from the developer to WSDOT for permits to build the intersection did not include the complete materials needed for Permit issuance, as evidenced by the city staff's statement at a Council meeting on February 6, 2020. The City MDRT Director said the re-design was going to WashDoT, but "still have to do all the engineering and all the geometry, and all that work still has to go. So we're going to be a while before we get going on this."
- 4) The City's Development Agreement ordinance says OakPointe must construct a fix so traffic does not overwhelm these SR169 intersections. The City is supposed to stop allowing new house occupancy in Ten Trails if the required intersection improvements on Black Diamond roads are not started on time.

Below is a quote from the Ten Trails Development Agreement ordinance. An "implementing project" is a Ten Trails Preliminary Plat (basically a subdivision), and an "off-site Regional Facility" is an intersection not on Ten Trails land:

*"Occupancy of an Implementing Project that exceeds the construction threshold is allowed **after** the necessary Regional Facility has been permitted. This ensures that necessary off-site Regional Facilities are provided to serve Implementing Projects as they occur."* (Ordinance 11-970 <http://ci.blackdiamond.wa.us/Depts/Clerk/Ordinances/2011/11-970.pdf>).

The city is not enforcing the above traffic concurrency agreement. (More detail on the requirements is shown later in an appendix).

If the city is not enforcing Concurrency with OakPointe, then we need to slow growth until we have evidence that OakPointe's transportation issues are addressed.

We are already taking on a massive amount of growth. That growth already has large amounts of retail and commercial. Some of the retail is in Ten Trails, and some is on SR169, where we can see two sites being developed today. For traffic reasons, the Commission should:

- Recommend docket item #2021-18 to delete Land Use policies that encourage too much commercial development. Retail is the most traffic-intense land use.

The city is also learning about pedestrian safety issues as growth occurs. The roundabout projects on SR169 discussed previously would provide some pedestrian and bike improvements, but these are delayed.

We also had a horrible event last month where a driver struck a 12-year-old on a bicycle near Lake Sawyer Road. We can prevent more of these events. But we need a policy to do more about our delayed pedestrian and safety projects. We should:

- Adopt docket item #2021-16 policies to prioritize safety.

If someone suggests that we take the opposite approach and rely on growth to fix safety or pedestrian problems, I point again to the outcome of relying on growth to fix the SR169/Ravensdale Road intersection. The delay averages over 5 minutes at rush hour, we have no pedestrian improvements while we wait, and we have a moving target for how it will be fixed or when.

Finally, Ten Trails is also not meeting its commitments on affordable housing. But we know massive growth is already quadrupling Black Diamond. More housing will exacerbate the above problems. The Commission should:

- Recommend that docket item #2021-04 on the Housing Action Plan ensure that future Ten Trails revisions include the affordable housing the city needs.

For the reasons cited in this letter, the Commission should not add to our transportation problems, and this means not taking action to further increase housing beyond our already massive growth.

- Adopt docket item #2021-22 to revert to the prior Future Land Use Map and remove excessive development capacity.

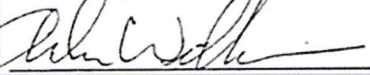
The image is a screenshot of a mobile phone screen, likely an iPhone, showing a 'Calls' app interface. The top section displays 'Call Details' for a call from 'Darcy Tomlinson' at 11:31. The call log shows a run number VF210000526, department District #44 Fire, and timestamp 4/16/21 12:47. The address is 224TH AVE SE & SE 300TH ST, BLACK DIAMOND. The call type is ALS Injury Accident. Below the call details is a map showing the location near Lake Sawyer and Black Diamond. The bottom section shows a social media post by Darcy Tomlinson, dated 19h, with a photo of a young man in a yellow shirt and a video thumbnail. The post text describes a van accident involving a boy named Caelan, who was hit by a van on April 16th near Lake Sawyer. The post includes a photo of the boy in a hospital bed and a video thumbnail. The bottom of the screen shows a navigation bar with icons for Home, Favorites, Recent, and a search icon.

Appendix: copy of the Ten Trails Regional Infrastructure Schedule details for the SR169 intersections. This document set the specific timing requirements pursuant to ordinance 11-970:

Re: Approval of Regional Facilities Implementation Schedule for Phase 1A, The Villages MPD

Pursuant to Conditions of Approval Nos. 29 and 164 of The Villages MPD approval (Ordinance 10-946) and Sections 11.2 and 11.4.A of The Villages Master Planned Development Development Agreement (adopted by Ordinance 11-970), the Master Developer submitted a final "Detailed Implementation Schedule – Phase 1A Regional Infrastructure Improvements (August 25, 2012)". This document has been reviewed by the Designated Officials and by the contracted Major Development Review Team (MDRT) civil engineering (RH2) and traffic (Parametrix) consultants.

The undersigned Designated Officials hereby approve the implementation schedule for Phase 1A.



11. SR 169/ Roberts Drive (Interim Improvement)

Construction Threshold

Completed engineering, design and construction drawings and related application materials necessary for permit issuance for this interim improvement will be submitted to WSDOT prior to the City of Black Diamond's issuance of the first residential or commercial building permit associated with Division 1A of Preliminary Plat 1A. The Master Developer shall diligently pursue issuance of all permits for this interim improvement, by taking such actions including but not limited to promptly responding to requests for additional information and/or promptly submitting permit application revisions requested by the permitting agencies. Construction of this improvement will commence as soon as reasonably practicable following issuance of all necessary permits, but in any event prior to issuance of the building permit for the 327th Equivalent Residential Unit (ERU) within Preliminary Plat 1A plus any additional time demonstrated to the reasonable satisfaction of the City's Designated Official to be necessary due to action, inaction, or events outside of the Master Developer's control.

Interim Improvement Details

This intersection will be improved by shifting Roberts Drive to the south to provide approximately 500 feet separation between it and SE Black Diamond – Ravensdale Road. The SR169 / Roberts Drive intersection will be reconfigured to form a tee intersection instead of the currently existing Y configuration to improve safety and operation. This intersection improvement will include installation of a signal to control the intersection. Intersection improvements will include construction of a right turn lane on southbound SR 169. Roberts Drive behind the stop bar location at SR 169 will be designed per City of Black Diamond standards. The ultimate design is a roundabout – this is only an interim improvement.

Page 6 of 11

12. SR 169/SE Black Diamond – Ravensdale Road (Interim Improvement)

Construction Threshold

Completed engineering, design and construction drawings and related application materials necessary for permit issuance for this interim improvement will be submitted to WSDOT prior to the City of Black Diamond's issuance of the first residential or commercial building permit associated with Division 1A of Preliminary Plat 1A. The Master Developer shall diligently pursue issuance of all permits for this interim improvement, by taking such actions including but not limited to promptly responding to requests for additional information and/or promptly submitting permit application revisions requested by the permitting agencies. Construction of this improvement will commence as soon as reasonably practicable following issuance of all necessary permits, but in any event prior to issuance of the building permit for the 327th Equivalent Residential Unit (ERU) within Preliminary Plat 1A plus any additional time demonstrated to the reasonable satisfaction of the City's Designated Official to be necessary due to action, inaction, or events outside of the Master Developer's control.

The City is not enforcing the above schedule.

Mona Davis

From: B Mac <billie_mckibben@hotmail.com>
Sent: Sunday, May 9, 2021 10:59 AM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

Dear Black Diamond Council and Planning Commission, Please accept these comments on the 2021 Comprehensive Plan Update and the Housing Action Plan:

- Please reverse the Future Land Use Map change from two years ago that did not analyze the impacts of thousands more units of development BEYOND the 6,000+ houses and 1.1 million square feet of retail that is barely started in Ten Trails.
- Prior to further Map or zoning changes, provide a full financial analysis of expected tax revenues compared to public service costs of additional development.
- Require more natural open space and trails.
- Do more to ensure safe walking and biking in town. Sidewalks and paths need to be pleasant and protected. Do not allow traffic to force walkers and kids off our roads.
- Only allow growth if improvements are added to handle increases in traffic. We don't need more delayed projects like developer OakPointe's failure to fix SR169 at Ravensdale Road and Roberts Drive.
- Support our existing small businesses and avoid large rezones for more commercial. Ten Trails retail needs to be built first.
- Provide an analysis of the average tax increase to build the 5 new Enumclaw schools already needed for Ten Trails.

AFFORDABLE HOUSING:

- The Ten Trails developer has not kept its commitments from the 1996 Black Diamond Urban Growth Area Agreement and the 2011 Development Agreement to build its share of affordable housing. The areas in town that currently provide affordable housing will already be burdened by the impacts of growth. Must they bear the impacts of more development to fix a low income housing imbalance caused by the Ten Trails MPD?
- It is much more equitable for new affordable housing projects to be built within the MPD. The wealthy developer should not be allowed to export affordable housing obligations in the same way they are exporting their traffic onto existing neighborhoods.

Thank you,

Sent from my iPhone

Mona Davis

From: B Stuart <lovethenw4life@gmail.com>
Sent: Tuesday, May 11, 2021 1:51 PM
To: Carina Thornquist
Cc: Mona Davis
Subject: Comments for Black Diamond Comprehensive Plan 2021 Update

Written comment to be included in Comprehensive Plan hearing this evening

Relating to comment on Preliminary Docket Item #2021-22 to revert to the 2009 Future Land Use Map and becoming more consistent with the Puget Sound Regional Council's conditions that Black Diamond avoid further increased development capacity beyond established growth targets.

Affordable housing

The May 11, 2021 staff report, in Docket Item #2021-04 and elsewhere, refers to a potential need to increase the city's share of affordable housing. Ten Trails is creating an imbalance that did not exist previously. The Ten Trails development agreement does include affordable housing requirements. The Housing Action Plan draft and some of the Comprehensive Plan docket items appear to be designed to let the developer "off the hook" for their affordable housing commitments by creating policy support for other affordable housing elsewhere in Black Diamond.

Given that we can't make our biggest developer meet their affordable housing commitments, we should seriously question whether the Comprehensive Plan or Housing Action Plan will hold other future developers to affordability commitments. We don't need to add other affordable housing. The rest of Black Diamond already has its share of affordable housing options. We need to look to the future and get Ten Trails on track to provide a reasonable number of affordable homes for the long-term.

Regional accountability

Besides the cost, school, and other infrastructure issues, we also have to face our neighboring jurisdictions when it comes to growth. We have to coordinate and work within Countywide Planning Policies and the Puget Sound Regional Council (PSRC) framework.

The PSRC has pointed out transportation issues as well as growth target issues with Black Diamond's Comprehensive Plan. Black Diamond's year 2031 regional growth target is for 1,900 *additional* households above our baseline of about 1,500 homes. Given that Black Diamond has approved *over 6,000 additional* dwelling units, it is not clear how we can possibly coordinate properly with our neighboring jurisdictions.

It is also not clear how we can meet PSRC requirements that call for Black Diamond to:

"work to narrow the gap between the plan's anticipated housing and employment growth to align with adopted countywide targets,"

Work to "manage growth from vested projects."

"Avoid increases in development capacity that would significantly surpass adopted targets."

Given these PSRC conditions, it is surprising that the city is still delaying and studying the Future Land Use Map. The 2019 Future Land Use Map contains another 120 acres of denser land use than the 2009 map. This growth was not analyzed for any impacts, specifically for traffic. For instance, the 2021 site plan application for just one project, the Commercial proposal for 31 acres by Weston Butt, adds over 750 cars trips at rush hour. These new car trips are AFTER bypass trips and internal trips are removed from the equation. That is for only one parcel. If development is done according to the 2019 map it would result in similar traffic increases.

Solution

The Future Land Use Map should be reverted as soon as possible to the prior version for which adequate study was performed, which happens to be the 2009 version. A zoning review can then look at these issues with a goal of resolving future delays and managing the conflicts based on data and best practices.

This Future Land Use Map and affordable housing decision is not really about accepting growth. With growth quadrupling the community, we are all accepting growth! This is about accountability and meeting our regional commitments, if not the selfish desire to avoid negative results: failing to avoid surpassing targets is risking our transportation funding from PSRC, as well as legal issues with neighboring jurisdictions.

Further, the staff report about the Future Land Use Map docket items says there would be significant work to analyze the Map and synthesize zoning code going forward. Why? There was no such work on the Land Use Map changes made in 2019. Where are the reports and analysis? The work that is shown in the 2019 Comprehensive Plan is in the transportation Appendix, and it clearly describes that the only expected growth comes from the build out of the Oakpointe developments, not other or additional development. This means that a reversion of the Future Land Use Map would be consistent with the transportation appendix.

The staff report also talks about commercial growth for tax purposes. Growth has been proposed as a solution for finding road funding and providing local jobs so that we don't need to drive. Our neighboring jurisdictions have pursued this kind of growth. Before moving to Black Diamond, I lived in Covington. Covington is struggling with family wage jobs, traffic, and long commutes, after years of growth. According to Covington's website:

The city's major employers are in retail, health care, and the public sector. Many local residents commute out of the area for high wage jobs. The area's largest employer is the Kent School District, followed by Wal-Mart, Multicare Health System, Fred Meyer and Costco. Others include Home Depot, Kohl's, Safeway, City of Covington, Valley Medical and Petco.
(<https://www.covingtonwa.gov/ed/industry.php>)

That is not the future we want for Black Diamond.

Feb 27, 2020 PSRC Certification Report, packet page 22:



Puget Sound Regional Council

Executive Board

Thursday, February 27, 2020 • 10:00 – 11:30 AM

PSRC Board Room • 1011 Western Avenue, Suite 500, Seattle, WA 98104

6.d

The plan includes language on SR 169 and contingency funding that is inconsistent with the Regional Transportation Plan. The plan should be amended to indicate that the transportation demand modeling and project list do not assume a widening of SR 169 and to acknowledge the route as a highway of statewide significance and the associated level of service. Additionally, the plan should be amended to provide a more detailed explanation of contingency plans to address any funding shortfalls that may occur if the planned improvements through the Master Planned Developments are not fulfilled.

The city's anticipated growth significantly exceeds its adopted growth targets. The plan acknowledges the inconsistency between the anticipated growth in Black Diamond, the growth targets, and the Regional Growth Strategy and commits the city to work with PSRC, King County, and neighboring jurisdictions to manage growth and mitigate its impacts, including on surrounding communities, rural and resource lands, and the regional transportation system. While the language included in the plan is important, this does not resolve the inconsistency between anticipated growth and the adopted growth targets. As such, the City of Black Diamond should commit through a council resolution to continue to work with regional, county, and local planning agencies to ensure the impacts of the Master Planned Developments are managed appropriately, specifically to:

- Coordinate with King County and other jurisdictions during the 2021 target setting process to narrow the gap between growth targets and anticipated growth.
- Avoid increases in development capacity that would significantly surpass adopted targets.
- Continue to coordinate with other jurisdictions regarding unanticipated growth levels, and to assess and mitigate traffic impacts from growth.

During the review process, staff heard from residents who expressed concern about the comprehensive plan; see attached letter and matrix.

For more information, contact Laura Benjamin at 206-464-7134 or LBenjamin@psrc.org, or Paul Inghram at 206-464-7549 or PInghram@psrc.org.

Attachments:

- A - Black Diamond Comprehensive Plan Certification Report
- B - Letter from Citizens Technical Action Team, dated January 16, 2020
- C - Matrix of Responses from Citizens Technical Action Team, dated November 30, 2019

As one additional comment, I ask the Commission to include docket item #2021-23 on the Final Docket.

Provide Land Use Categories To Better Reflect Black Diamond's Diverse Land Uses, Cluster Development Goals, and Management of Natural Space

New Policy LU-27.5: Review Land Use Categories in Black Diamond and consider whether growth management, conservation, economic, and small-town character goals could be served by more finely dividing categories for natural resources (forestry, mineral, etc.), and lower or higher residential density, conservation districts, etc.

As Support, the suggestion originally sent in had a typo, where it referred to a related suggestion's rationale, calling it item #4 when it should have said item #5.

Here is the rationale:

Rationale: The ongoing tension between regional plans and Black Diamond's available undeveloped land has resulted in delays in updating the Comprehensive Plan. This has been unproductive, costly, and could result in difficulties in coordination with neighboring jurisdictions. Residents are concerned about insufficient or expensive infrastructure, public services, and loss of natural space. A zoning review can look at these issues with a goal of resolving future delays and managing the conflicts based on data and best practices.

It would be very premature to close the door this early on the idea in the process of adding a Land Use or zoning category. It would limit the Council in trying to balance the city's various goals.

Bob Stuart
Black Diamond resident

Mona Davis

From: dawnis m <dawnis2@hotmail.com>
Sent: Sunday, May 9, 2021 12:07 AM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

Dear Black Diamond Council and Planning Commission,

Please accept these comments on the 2021 Comprehensive Plan Update and the Housing Action Plan: -

Please reverse the Future Land Use Map change from two years ago that did not analyze the impacts of thousands more units of development BEYOND the 6,000+ houses and 1.1 million square feet of retail that is barely started in Ten Trails. -
Prior to further Map or zoning changes, provide a full financial analysis of expected tax revenues compared to public service costs of additional development. -

Require more natural open space and trails. -

Do more to ensure safe walking and biking in town. Sidewalks and paths need to be pleasant and protected. Do not allow traffic to force walkers and kids off our roads. -

Only allow growth if improvements are added to handle increases in traffic. We don't need more delayed projects like developer OakPointe's failure to fix SR169 at Ravensdale Road and Roberts Drive. -

Support our existing small businesses and avoid large rezones for more commercial. Ten Trails retail needs to be built first. -

Provide an analysis of the average tax increase to build the 5 new Enumclaw schools already needed for Ten Trails.

AFFORDABLE HOUSING: -

The Ten Trails developer has not kept its commitments from the 1996 Black Diamond Urban Growth Area Agreement and the 2011 Development Agreement to build its share of affordable housing. The areas in town that currently provide affordable housing will already be burdened by the impacts of growth. Must they bear the impacts of more development to fix a low income housing imbalance caused by the Ten Trails MPD? -

It is much more equitable for new affordable housing projects to be built within the MPD. The wealthy developer should not be allowed to export affordable housing obligations in the same way they are exporting their traffic onto existing neighborhoods.

Thank you,

Dawnis Sparks

Mona Davis

From: CenturyLink Customer <g.davis001@q.com>
Sent: Tuesday, May 11, 2021 1:04 PM
To: Mona Davis
Subject: Public Comment for Planning Commission
Attachments: Comments on the 2021 Comprehensive Plan Update.pdf

Enclosed my comments

Comments on the 2021 Comprehensive Plan Update
For Planning Commission and Council.
Gary Davis, Black Diamond

1. Support Policies to adopt the 2009 Future Land Use Map.

The staff report indicates there is significant work to change the land use map and analyze competing policy goals. Here are some quotes:

“Understanding how construction of affordable, multi-family dwelling units would affect the balance of these competing policy goals would require extensive investigation and analysis...

these requested Comprehensive Plan amendments and impacts to affordable housing would require extensive use of City staff and consulting resources to conduct necessary review ...

The net effect of the proposed amendments may be to disincentivize the if not balanced with other incentives. “

Those quotes describe exactly why the Future Land Use Map change of 2019 should be removed. There was no analysis of how those changes in land use would affect other goals. How does more commercial space affect The Ten Trails retail ? How does it affect traffic and schools? How does it affect walking and biking and park funds? City finances and police, fire, and public works? We don't know.

Analyzing the Map for possible revision doesn't make sense without first removing the items from the Future Land Use Map that were never analyzed to begin with. We shouldn't wait until the end of 2021. If we revert to the 2009 Future Land Use Map, we know we are better aligned with the extensive planning and analysis that was done for the Ten Trails Master Planned Developments. Then, the city can analyze land use map changes in the proper order without risk.

2. Support #2021-18 “Amendments to the land use chapter to eliminate policies promoting over-development of commercial areas”

The staff report also indicates that more commercial development is needed, but we don't have analysis or evidence of how much or even if more retail is needed. We have 5 acres of Commercial going in at Weston Butt's south location on SR169, and we have other commercial land in that area including construction east of SR169. We have Ten Trails

commercial. We know that Ten Trails is having trouble selling their commercial space, indicating low market demand. We have more than enough commercial already in the zoning map, given our traffic, safety, and conservation concerns.

One more note regarding traffic. We have heard that Ten Trails and other developments must mitigate traffic, so all are traffic concerns are not valid. This is not true. As one example, the traffic plans are based on a bad assumption in the 2019 Comprehensive Plan that there are extra lanes on SR169. But these lanes do not exist, and there is no future funding or project to build them.

3. Support Policy #2021-16 Road Safety

I made this suggestion in 2020. The title for 2021-16 in the staff report does not accurately reflect the goals of the policy suggestions. Please change the title to **#2021-16 Road Safety**.

Outside our City Limits

Policy suggestion: T-#. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

Based on the staff report, it seems clarification of this draft policy is warranted, but please do not eliminate it. Staff says the City does not control roads outside the city limits. However, a major reason for a Comprehensive Plan is to coordinate with neighboring jurisdictions. The Comprehensive Plan is the most appropriate place to express how funding and roads external to the city are prioritized.

We know that people in Black Diamond will continue to travel outside of the city regularly, and roads beyond our borders are a major concern for us. For example, the intersection at SE 288th street and Highway 169 is unsafe. Land slide hazards on SR169 deserve priority funding.

It is also true that Black Diamond was able to require that traffic on 288th and other outside-the-city roads be addressed in the Ten Trails development overall traffic plan. Ten Trails is not the only impact to those roads and we should continue to prioritize their safety.

Inside Black Diamond City Limits

Developer Plans routinely include analysis of intersection capacity, and approval of new development requires that vehicle capacity be added. However, the analysis in these

transportation plans contains almost no information on the pedestrian environment. We must raise our expectations.

Please revise and include Policy T-#. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, this must not allow new development to avoid providing street capacity increases or improvements needed as a result of new development.

Here is the description of why walking matters from my 2020 suggestion of this item:

Black Diamond residents enjoy the ability to walk to and from local destinations such as the Elementary School, post office, bakery, Community Center and local businesses. To maintain small-town character and prioritize the high quality of life those who live here enjoy, it is extremely important to make walking a viable option as the city grows.

To walk, people must feel safe, the walk must be pleasant, and people must have a destination. As the traffic increases on highway 169, safety and enjoyment of the walk are at risk. Increasing numbers of cars or expanding the paved area by adding a lane or removing trees would reduce the enjoyment of the walk. Increased cars also call for an increase in safety. To maintain Black Diamond's historic charm and small-town feel, the existing town center including highway 169 should become a more pedestrian-friendly zone. We should encourage walking trips which will support local businesses as destinations, and connect people to each other within the community.

As an example, our town has the Rainier View retirement community near Lawson St and Highway 169. We also have a Community Center about a mile away that serves lunch and provides other services to senior citizens. As people age, they may prefer be able to walk but not drive, we should ensure our seniors can safely walk to the Community Center.

I hope you will agree that our Council should have the opportunity to consider these amendments.

Mona Davis

From: Kelley Sauskojus <kelleysauskojus@outlook.com>
Sent: Monday, May 10, 2021 2:29 PM
To: Mona Davis
Subject: 2021 Comprehensive Plan Comments
Attachments: 2021BDCompPlan Suggestions.docx

Mona

please enter these comments below for the Comprehensive Plan:

Dear City Council and Planning Commission,

For the 2021 Docket, I emailed the city numerous suggestions for the Comprehensive Plan that the public requested in the 2020 update. These were never reviewed in 2020 even though the law requires that public suggestions for Comprehensive Plan changes receive a public hearing.

The public have been ignored over and over in Black Diamond. It is outrageous. All of the public's items should go to Council on the Final Docket because our Council needs to spend more time considering ways to deal with problems that residents are facing.

Big development is already approved, but contrary to the common message, anyone can see that growth issues are not being handled well. I live near Roberts Drive and Morgan Street, and traffic is getting busier, louder, and faster. It is getting more dangerous and less pleasant to walk.

Anyone can see that developer OakPointe's stop sign move at Roberts Drive and SR169 is insufficient, and we know that Washington Department of Transportation is not solely to blame for project delays. Yet, the developer keeps building and adding traffic to the already crowded roads.

Today's Comprehensive Plan contains similar policies to those that allowed these kinds of problems to occur. In fact, these problems are going to get far worse before the projects happen that are supposed to make things better. So, the Planning Commission must seriously consider pushing forward with the following two amendments.

The Commission should include Docket item #2021-18, which is to remove
~~Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County, and business and property owners.~~

~~Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.~~

The staff recommended that this change not go on the Final Docket, but these policies should not be in the Comp Plan in the first place. If they are going to remain, these policies require:

1. Studies and proof that our city can safely and adequately handle the traffic these policies would create. The Traffic Appendix in the Comprehensive Plan only considers traffic from the OakPointe / Ten Trails MPDs, and no other additional traffic. Therefore, these policies are inconsistent with the traffic appendix and should be removed.
2. Further, the 2009 Environmental Impact Statement for the OakPointe / Ten Trails MPDs shows enough traffic to require more lanes on SR169 and on Lake Sawyer Road. But there are no funded projects to build these lanes. Where is the policy that requires additional commercial development to make up for this deficiency *and* handle the additional traffic the new commercial development will generate?
3. Describe how additional development will affect the required new North-South Connector Road needed to serve the OakPointe / Ten Trails MPDs?
4. The OakPointe / Ten Trails developments also requires another east-west pipeline Road so that Roberts Drive can remain a neighborhood street with only one lane each direction as mandated by past agreements. How will new commercial development affect the Pipeline Road and Roberts Drive?
5. We do not have, but we need to have, a full study of projects needed to ensure safe walking and biking in the existing city in the face of this kind of additional development. It is not just adding sidewalks. It is about making paths that people will want to walk on, and building for people, not for cars. We must have contributions from Commercial and other development to ensure these projects are done.
6. Finally, we must consider if the people really want this kind of massive commercial strip mall. I do not, and I don't know any Black Diamond resident who does. Policies LU-34 and especially LU-42 talk about creating the kind of massive strip malls we see in Covington or at the new Four Corners in Maple Valley. That is not Black Diamond. (see BDMC 16.10.220)

Again, docket item #2021-18 is to delete Policies LU-34 and LU-42. Please recommend removal of LU-34 and LU-42 in the Final Docket.

The Planning Commission should also prioritize safety when a hard choice must be made. Please put #2021-16 on the final docket.

The following is the suggestion for two new Transportation Policies, docket item #2021-16. They are not solely about walking and biking as the Staff Report implies. They are about safety. These policies would not in any way remove the obligation to add vehicle capacity for new development. These policies do have the potential to make up for years of neglect of our pedestrian environment.

The Transportation Chapter is amended to specify:

Transportation Policy T-##. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, new development shall not be allowed

to avoid providing vehicle capacity increases or improvements needed for vehicles as a result of new development.

Safety Improvements:

Road funds at the state, county, and local level are limited. The safety of Black Diamond residents is one of the most important considerations when prioritizing funding. The majority of employed residents will continue to commute outside the city and therefore roads in and out of town are an important consideration in the Black Diamond Comprehensive Plan. State and County roads leading to Renton, Issaquah, Auburn, and Enumclaw have land slide risks, areas with site distance limitations, pedestrian and bicycle safety problems.

Transportation Policy T-##. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

Today pedestrians can walk on Black Diamond roads without sidewalks. They can cross our streets where ever they need to without a traffic signal. This is because traffic is not that busy during much of the day, and we have only two lane roads. It is part of what makes our town a nice place to walk in.

But we are rapidly losing that pedestrian environment as Ten Trails builds out and traffic increases. Sidewalk and safety projects have been put off for many years. For example, most of our roads don't have identified pedestrian safety projects in the city's six-year plan. Yet look around the city – where are the walking paths and crosswalks? If we get 4-lane roads blasting through town, who will want to walk near those roads anyway?

Although we do have walking and biking policies in the Comprehensive Plan, they are clearly insufficient. Projects have been deferred. Our existing sidewalks don't have vegetative strips to separate cars from sidewalks. Just recently a child was hit by a car while riding his bike on Lake Sawyer Road.

Hopefully we don't have to choose and we can have both vehicle capacity and walking safety. But, if we do have to choose between capacity for others to drive through town, or **safety for our kids and walking residents, we should have a policy that makes it clear we choose safety before all else.**

Thank you
Kelley Sauskojus
Resident on Morgan Street in Black Diamond for 30yrs

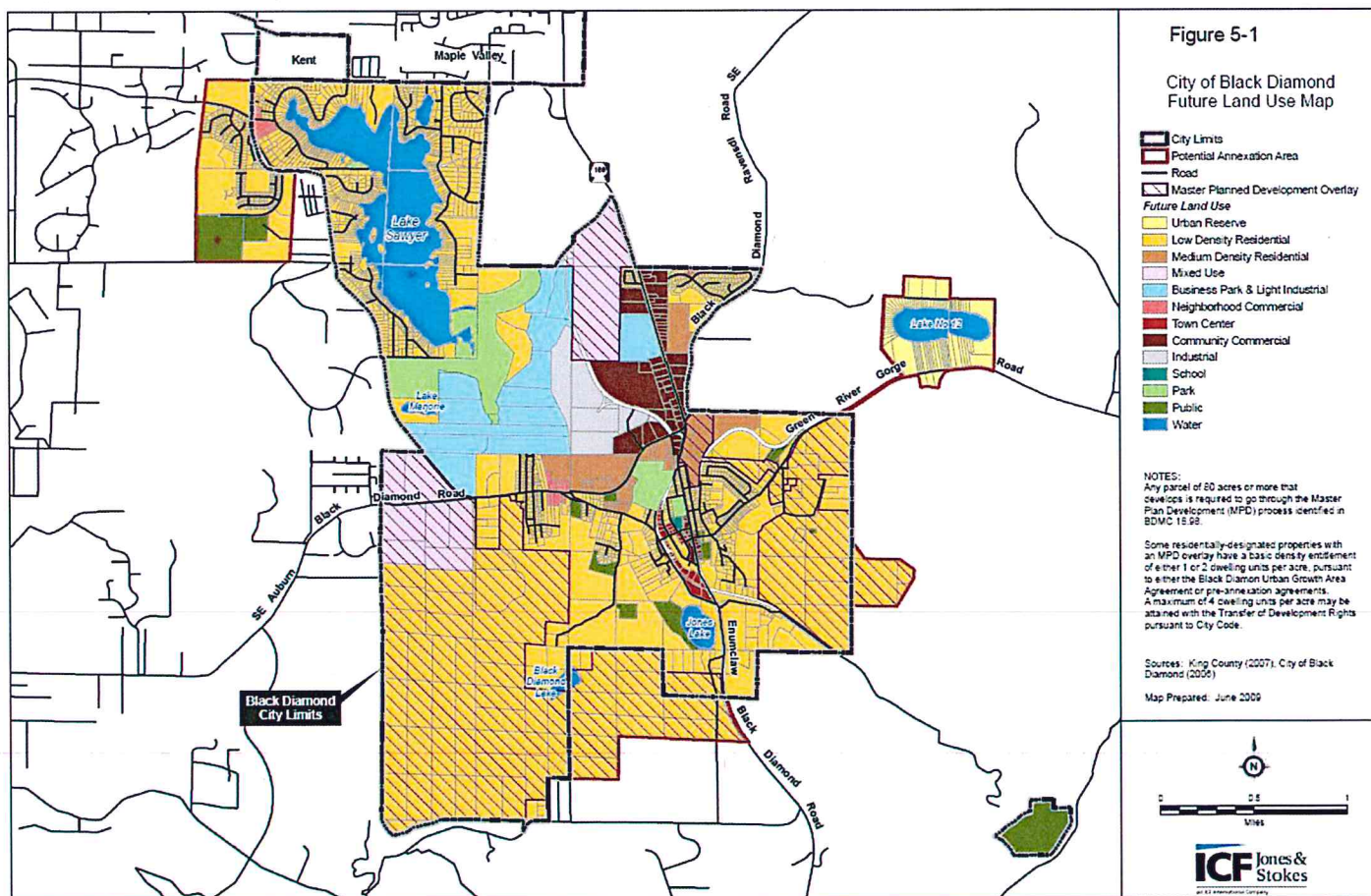
Comprehensive Plan Suggestions for 2021 Annual Update

The following suggestions were advocated by the public in the 2020 process, but the city did not follow its own process for public input and ignored these suggestions. They are being sent again now that the 2021 process is beginning.

1. In the 2019 Comprehensive Plan update, Future Land Use Map changes allowed a significant increase in Medium Density Residential housing (8 to 12 per acre) and Commercial development in future zoning. However, the Comprehensive Plan does not contain descriptions of these Map changes or analyze their impacts. The Future Land Use Map contains too much development capacity and needs to be changed urgently before Black Diamond further exceeds our regional Growth Targets.

The City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:



2. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of "Mineral and Resource Extraction."
3. The Comprehensive Plan Land Use Chapter is updated to add a new Zoning Category of "Forestry."
4. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
Any and all Future Land Use Map and/or zoning changes that increase the residential units allowed or change a property to a "commercial" designation must go through the formal docket application and Land Use Map Amendment process as further defined in the Black Diamond Municipal Code.
5. The Comprehensive Plan Land Use Chapter is updated to add the following Policy:
Land Use (LU) Policy ##: The city will create a Conservation Easement Development Credit Program separate from its existing TDR (Transfer of Development Rights) program. The program will allow property of higher conservation value that does not meet the definition of critical areas to be put into permanent "natural area" conservation in exchange for a zoning change that increases the allowed density of development on other property of lower conservation value.
6. The Future Land Use Map is Amended as Follows:
 - a. Parcels 1521069110, 1521069112, 1521069113, 1521069114, 1521069115, 1021069111 are designated as "Mineral and Resource Extraction."
 - b. Parcel 1021069010 is designated "Low Density Residential" (LDR).
 - c. Parcel 1021069103 and 1021069105 are designated "Low Density Residential" (LDR).
 - d. Parcels 1121069020, 1121069112, 1121069113, 1121069114 are updated to "Forestry."
7. The Land Use Chapter is amended to specify:
Large amounts of natural open space must be included on sites developed for mixed use or intense land use. Clustering is appropriate so that intense land use is balanced with a natural space that feels like "small town" Black Diamond.

Land Use (LU) Policy ##: Clustering in Commercial Zones. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural as a trade off for Mixed-Use development. At least 50% of the net develop-able land (excluding sensitive and critical areas) must remain natural for Commercial development with a F.A.R. exceeding 1.0 .

8. The Land Use Chapter is amended to specify:

Multi-family development in Black Diamond should include a large amount of open space and natural space for families and to maintain small town character.

Land Use (LU) Policy ##: Commercial Zones used for multi-family development are allowed a maximum of 16 units per acre . Multi-family development must have a minimum of 50% open space of the net develop-able land (excluding critical and sensitive areas).

9. The Transportation Chapter is amended to specify:

Transportation Policy T-##. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, new development shall not be allowed to avoid providing vehicle capacity increases or improvements needed for vehicles as a result of new development.

Safety Improvements:

Road funds at the state, county, and local level are limited. The safety of Black Diamond residents is one of the most important considerations when prioritizing funding. The majority of employed residents will continue to commute outside the city and therefore roads in and out of town are an important consideration in the Black Diamond Comprehensive Plan. State and County roads leading to Renton, Issaquah, Auburn, and Enumclaw have land slide risks, areas with site distance limitations, pedestrian and bicycle safety problems.

Transportation Policy T-##. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

10. Economic Development Chapter:

Remove policy Economic Development ED-4.5, about the Highway 169 corridor, or move policy ED-4.5 to the Transportation Chapter. Policy ED 4.5 is more focused on transportation than Economic Development.

~~Policy ED-4.5: Coordinate with the Washington State Department of Transportation (WSDOT), King County, and adjacent cities to plan for access improvements, intersection improvements, and infrastructure maintenance in the SR 169.~~

11. Land Use Chapter is amended to specify:

Add this text: To ensure planning consistent with Small-Town Character, Black Diamond must carefully ensure existing commercial areas and those planned with the Master Planned Developments (MPDs) can thrive without putting too much pressure on limited infrastructure.

Therefore, removal of policy LU-34 is warranted. Alternately, the word "aggressive" could be removed:

~~Policy LU-34: Create an aggressive economic development strategy, with the cooperation of the City, County, and business and property owners.~~

There are sufficient commercial spaces already developed in Black Diamond or permitted through the MPD's. Therefore, removal of policy LU-42 is also warranted.

~~Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.~~

Mona Davis

From: Jaquas TwoCents' <zyanyake@gmail.com>
Sent: Tuesday, May 11, 2021 3:45 PM
To: Brenda Martinez; Carina Thornquist; Mona Davis
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

Dear Black Diamond Council and Planning Commission, Please accept these comments on the 2021 Comprehensive Plan Update and the Housing Action Plan:

Why is the stretch of road from 169 onto Roberts dr just past the kcls Library still 35 m.p.h.?

How come the police department never does any kind speed enforcement along the 35 mph stretch of Roberts dr? The police are always performing radar speed enforcement for the 25 mph zone but never for those of us who live in the 35 mph area why?

When will the 45 families that live in Diamond Village feel safe walking to the King County Library?

What will it take to lower the speed limit?

Thank you
Kevin Zyanya
25123 Roberts Dr, Black Diamond, WA 98010

Mona Davis

From: Kristen Bryant <kristenbry@gmail.com>
Sent: Tuesday, May 11, 2021 2:14 PM
To: Mona Davis
Subject: Re: Confirmation of comments for tonight's hearing for the Planning Commision
Attachments: 2021-05-11 CP HearingTestimonyBryant.pdf; Expert Testimony of traffic engineer Gary Norris Comments on Comp Plan 2021-04-01.pdf

Hello Ms. Davis,

If this revision for tonight can be used instead of my earlier comment, please use the attached. I clarified the wording in one part. And I'm attaching the referenced traffic engineer testimony.

Thanks,
Kristen

On Tue, May 11, 2021 at 2:06 PM Kristen Bryant <kristenbry@gmail.com> wrote:

Hi Mona,

Can you confirm receipt of my comments for the hearing tonight?

When I went to hit send, my internet connection dropped and I had to scramble around connecting a cable, etc. Hopefully the comments made it in ?

Kristen - 425-247-9619

Black Diamond Comprehensive Plan 2021 Preliminary Docket Comments

May 11, 2021

Kristen Bryant and William Bryant

The Preliminary Docket Staff Report says that transportation concurrency policies and existing pedestrian and multi-modal policies will handle the public's transportation concerns. We have been assured that Black Diamond has traffic impact fees and concurrency requirements so that traffic improvements needed for new commercial or other development will be built.

It makes sense to expect this of the Black Diamond's Transportation Concurrency Ordinance in City Code Chapter 11.11, and also the Multi-Modal transportation requirements of Black Diamond Code 12.10. These require that development pays for road and intersections expansions. These also require that the city and developers include walking paths, sidewalks, and bicycle options where feasible.

If we testify about failures in how the Ten Trails traffic is being handled, the City might respond that Ten Trails was approved under prior requirements before Black Diamond's new Concurrency and Complete Streets Ordinances. They could also say Ten Trails was approved before Black Diamond's current Comprehensive Plan, with its improved policies on transportation system management and pedestrians (Policies T-8, T-9, and T-10).

Why, then, are we still talking about transportation as one of the reasons to revert to the prior the Future Land Use Map (docket item #2021-22)? Why are we talking about traffic in our support of item #2021-18 to change policies on Commercial Land Use? Why is transportation a concern for the Housing Action Plan #2021-04? We already have road safety requirements, so why do we need item #2021-16 clarifying road safety priorities?

The following problems are not addressed:

1. The 2019 Comprehensive Plan Transportation Appendix assumes 3 lanes on State Route 169, and then forecasts the city's future transportation project needs from this assumption. However, there is no project or money to add the third lane and it clearly does not already exist.
2. This problem is exacerbated by the fact that the volume of traffic on the city's other north-south road, Lake Sawyer Road, also is forecast to have enough traffic from Ten Trails to need another lane. However, there is no plan for a new lane there either.
3. If Black Diamond continues to add significant development, it is likely developer fees will not pay enough for transportation fixes because these assumptions are wrong.
4. Even if the city had the money, there would be negative impacts of widening roads. Black Diamond has houses that line up right next to through-streets. Yet these streets are expected to absorb massive amounts of traffic. Expanding road lanes would destroy neighborhoods, displace affordable housing, and, depending on the location, remove the possibility of a real pedestrian-friendly retail /service core.
5. New Roads

- a. One of Black Diamond's through roads is Roberts Drive. Black Diamond's road plans include a future east-west Pipeline Road specifically planned since at least the 1996 Black Diamond Urban Growth Area Agreement to alleviate Ten Trails traffic. Further, past agreements prohibit the city from widening Roberts Drive, with the goal that it remains a neighborhood street.
 - b. The Ten Trails developer also must build a future North-South Connector Road that will be built parallel to and west of SR 169. This could help the Lake Sawyer Road neighborhoods and Highway 169 neighborhoods. But, we need to realistically plan for Highway 169 north of the city limits, where it will only have two lanes. The bottleneck here, along with Black Diamond's remote location, are reasons for Black Diamond to carefully limit growth.
 - c. Regarding the new Pipeline Road and the North Connector: for development beyond Ten Trails in the Future Land Use Map, where is the analysis of how additional development will affect the new roads? With the errors in the Comprehensive Plan Traffic Appendix, the city doesn't know if it has road capacity. The city doesn't know how much it will cost or if it will be possible to expand roads beyond a certain point.
- 6. Existing Projects. Here is what has happened with transportation concurrency projects so far:
 - a. Roberts Drive Tee. State and local law require pedestrian improvements when a road is reconstructed. The intersection at Roberts Drive was recently reconstructed. The developer left out pedestrian improvements, expaining that they are going to construct a roundabout with sidewalks there in a few years. What are we supposed to do in the meantime? Traffic is increasing. The corner where people used to walk far from the highway to get to our local retail on SR169 is fenced off. Since the project, the ground is actually more uneven and difficult to walk on.
 - b. Roberts Drive and Ravensdale Road at SR169. A stop light or roundabout was supposed to be built here soon after Ten Trails started selling homes. But now, the project is delayed by at least several years. Yes, these intersections will eventually include pedestrian crossing and sidewalks, at least at the new intersections. However they have been given a deferral on meeting concurrency requirements by the city official. So, pedestrians are still waiting. But our safety is important now.

Please keep docket item #2021-18 "Amendments to the land use chapter to eliminate policies promoting development of commercial areas"

The staff recommendation for #2021-18 says. "the City has negotiated extensive commitments from the Master Developer to construct capacity-adding infrastructure as new development occurs in the MPDs, and developers along the SR-169 corridor are subject to the City's concurrency ordinance, which ensures that commercial development is not approved unless adequate transportation facilities are available"

As documented above, there is ample evidence that this is not true.

Please keep the following policies, which are #2021-16 in your docket. These policies can be re-worded and clarified if they are kept on the final docket for more study.

Transportation Policy T-##. Prioritize pedestrian and bicycle safety over increased motor vehicle capacity on city streets. At the same time, new development shall not be allowed to avoid providing vehicle capacity

Transportation Policy T-##. For both state and county roads leading to or from Black Diamond, the City supports prioritization of funding for safety improvements above road expansion.

Traffic is not the only factor in evaluating how vastly increased development will affect the community. Traffic brings increased pavement and environmental issues from road runoff and removal of wildlife. It also makes the walking environment more noisy and less pleasant. It can reduce the time people want to spend outdoors.

If existing policies and plans are sufficient, why have so many pedestrian projects in the six year transportation plan been put off beyond the six year threshold? The city hasn't proposed projects to add more lighted and safe pedestrian crossings on Roberts, SR169, SE 288th, and Lake Sawyer Road. This is despite the need to cross these to get to schools, the Community Center, parks, and retail.

Here is what will happen if the policies substantially similar to those above are not adopted: It will be easier for individual projects to avoid safety improvements. What does the city do when there is a need to add a vehicle lane, but also a need for a sidewalk, a vegetated separator, and a bike lane? How do you decide? Resources are limited. Sometimes pedestrian projects are deemed "not feasible." Even when adding projects to the 6-year TIP or choosing which projects to implement and in what order, funds are limited.

If allowed, there will be continued excuses and delays of improvements to our pedestrian environment. We will go from a city where people can walk, bike, and enjoy the outdoors to a city that is built for cars and forces people off the road.

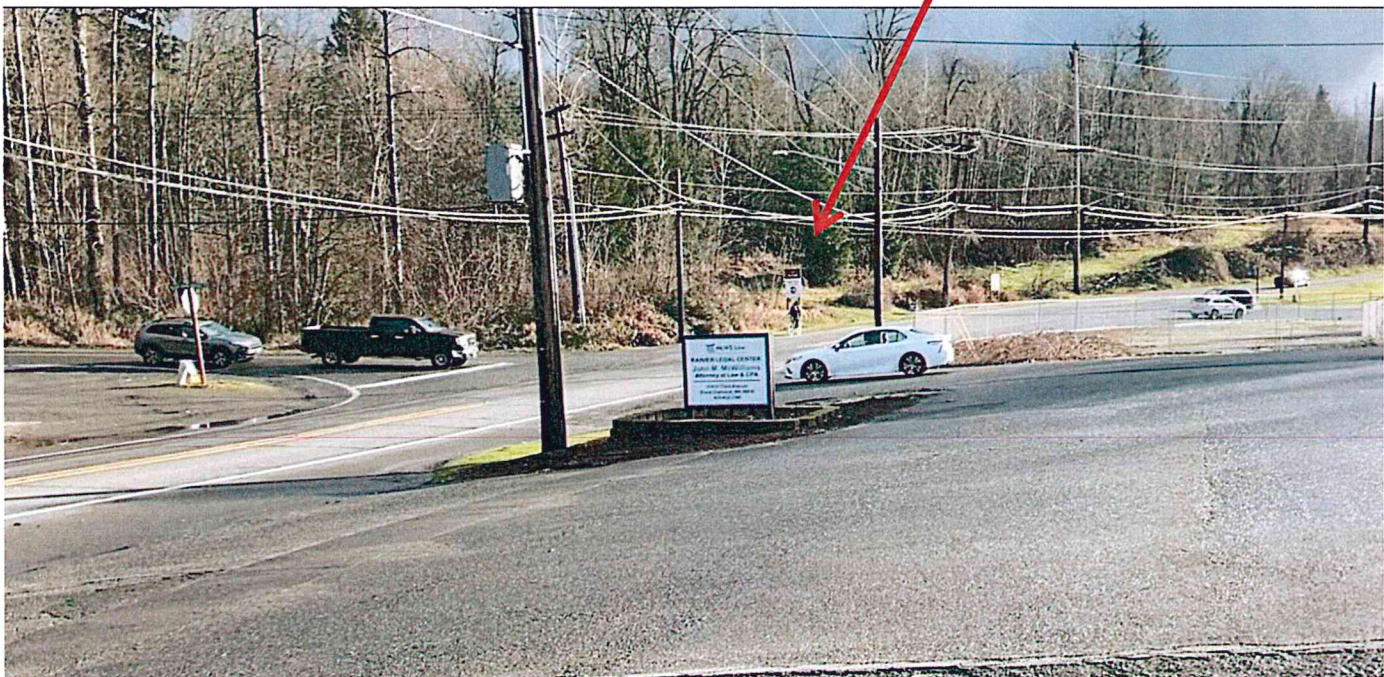
We are already seeing it. See Documentation of pedestrian issues on following pages.

Pedestrian Roberts Drive (Auburn-Black Diamond road) near SR 169, Nov. 2020.



The Roberts Drive sidewalk from the library to SR169 has been on the six-year plan since 2009. The proposed Lawson Hill sidewalk has a similar problem.

Cyclist at SR169 and Black Diamond-Ravensdale Road, January 17, 2021. Cyclist on wrong side of road due driveways, lack of connection, and limited shoulders in this area. The sidewalk at a future roundabout will not fix the corridor.



Crossing SR169 at James Street where sidewalk begins on 3rd Ave. December 14, 2020.



Black Diamond has talked for decades about the need to add pedestrian safety and crossing along SR169 north of James Street.

Pedestrian on Lake Sawyer Road / 224th Ave SE near Ten Trails, April 4, 2021.



City officials may point out that there are proposed projects for some of these pedestrian needs, but until these projects are funded, what is the plan? Will the city continue to rely on waiting for grants, or will it take more responsibility for funding?

1. There is no pedestrian project on Lake Sawyer Road. Sawyer Woods Elementary School has no safe crossing and no safe walk to school.
2. Walking across SR169 at the end of James Street has been unsafe for decades.
3. People walk across SR169 all the time, but public is hampered by the fact that cars often don't stop at the one flashing light crosswalk we have near Black Diamond Elementary.
4. Will more people have to get hit by cars for us to do something?

Transit

The Black diamond Comprehensive Plan includes transit, but has only one bus route, and it is infrequent. I used to take it to work in 2010. I was the only person who got on in Black Diamond. This year, I have taken the bus to and from Black Diamond several times. I'm still the only person on the bus.

The following excerpt from the April 1, 2021 testimony of traffic expert Gary Norris is copied below, with the full testimony attached separately.

There are certain policies in the Comprehensive Plan already that support reduction of reliance on single occupancy vehicles, including:

Policy LU-6

Policy T-8 Transportation Demand Management (TDM) Policy

Policy T-9 Transportation System Management Policy

Policy T-10 Pedestrians, Bicycles, and Transit Policy

These Policies are insufficient by themselves, without projects and funding.

The policies are also do not go far enough to achieve their lofty goals. For example, the word "should" greatly diminish the force and implementation of the policy. The public and builders know it cannot be enforced.

In order to avoid adverse impacts of the change to decrease SOV travel, additional requirements and policies such as the following would be needed:

- The City must commit to developing specific design guidelines based on data that indicate such design features will help achieve the multi-modal goal. It is not sufficient to simply say "design for" and not provide design guidance.
- Require developments to provide connectivity of walking and biking networks to major community facilities and activity centers.
- Bike racks at all transit stops.
- Bus shelters at all transit stops.
- Safety analysis and improvements at all transit stops.
- Prioritization for buses at signals.
- Walking paths thru all development.
- Sidewalk plan and bike route plan for entire city connection all major dev, schools, and commercial centers.
- The City shall take advantage of EVERY opportunity to develop and improve the walking and bicycle system. These opportunities should include requirements of new developments to provide bike and pedestrian facilities which connect development to community centers, schools, libraries, recreation, and commercial activity. The Plan should direct the inclusion of bike and pedestrian facilities as part of minor roadway and intersection projects as well as major roadway improvements. Design guidance

should be provided to direct the development of the biking, walkway, and minor roadway projects.

- The City shall include pedestrian and biking counts in its traffic analyses to measure the extent of demand and determine where new facilities are required.
- The City shall identify areas of unmet and potential demand for improved pedestrian accommodations.
- The City shall provide pedestrian, bicycle, and transit use assessments in its ongoing transportation demand modeling. These must be used to measure progress toward goals.

April 1, 2021

To: Black Diamond City Council

From: Gary A. Norris, PE, PTOE
DN Traffic Consultants, Inc.

Subject: Expert Testimony of Gary Norris
In Appeal of SEPA DNS for City of Black Diamond Comprehensive



The Black Diamond Comprehensive Plan 2020 Update identified Plan changes to address transportation issues by reducing reliance on Single Occupancy Vehicles. An example is the new text in Section 7.2 Transportation "Planning Framework and Consistency":

"... Some existing transportation deficiencies, including several on State Route (SR) 169, ... could be addressed in a variety of ways, including improved interjurisdictional coordination and through the implementation of plans and programs that reduce reliance on single occupancy vehicle travel."

Whereas this text suggests an approach to addressing the transportation deficiencies, the Comprehensive Plan offers no substance as to what is included in the plans and program, the impacts of the programs on existing systems, the cost of implementing this policy, and potential funding mechanism. These deficiencies will result in a failure to achieve the Comp Plan objectives.

Most importantly, there is no identified *commitment on the part of the City in terms of specific actions nor means to measure the accomplishment or success of this objective*. As a result, the city will assume this statement will result in some improvement in reducing non-single-occupancy vehicle travel. The city will therefore not: limit growth or add fees to development to pay for this. Another adverse impact will be the risk to people who do attempt to reduce their SOV use because of the inadequate infrastructure in terms of increased transit, biking and pedestrian amenities available within Black Diamond. Black Diamond's currently identified future improvements to this infrastructure are wholly inadequate to support the safe reduction of S.O.V use.

There are certain policies in the Comprehensive Plan already that support reduction of reliance on single occupancy vehicles, including:

Policy LU-6

Policy T-8 Transportation Demand Management (TDM) Policy

Policy T-9 Transportation System Management Policy**Policy T-10 Pedestrians, Bicycles, and Transit Policy**

These Policies are insufficient by themselves, without defined projects, timelines for implementation and funding.

The policies also do not go far enough to achieve their lofty goals. For example, the word "should" greatly diminish the force and implementation of the policy. The public and builders know it cannot be enforced.

In order to avoid adverse impacts of the change to decrease SOV travel, additional requirements and policies such as the following would be needed:

- The City must commit to developing specific design guidelines based on data that indicate such design features will help achieve the multi-modal goal. It is not sufficient to simply say "design for" and not provide design guidance.
- Require developments to provide connectivity of walking and biking networks to major community facilities and activity centers.
- Bike racks at all transit stops.
- Bus shelters at all transit stops.
- Safety analysis and improvements at all transit stops.
- Prioritization for buses at signals.
- Walking paths thru all development.
- Sidewalk plan and bike route plan for entire city connection all major dev, schools, and commercial centers.
- The City shall take advantage of EVERY opportunity to develop and improve the walking and bicycle system. These opportunities should include requirements of new developments to provide bike and pedestrian facilities which connect development to community centers, schools, libraries, recreation, and commercial activity. The Plan should direct the inclusion of bike and pedestrian facilities as part of minor roadway and intersection projects as well as major roadway improvements. Design guidance should be provided to direct the development of the biking, walkway, and minor roadway projects.
- The City shall include pedestrian and biking counts in its traffic analyses to measure the extent of demand and determine where new facilities are required.
- The City shall identify areas of unmet and potential demand for improved pedestrian accommodations.

- The City shall provide pedestrian, bicycle, and transit use assessments in its ongoing transportation demand modeling. These must be used to measure progress toward goals.

Level of Service

The existing Level of Service standards in the Black Diamond Comprehensive Plan for transit and trails are further evidence of the insufficient requirements in place to meet the goal of reducing reliance on single occupancy vehicles. The standards are as follows:

"The GMA (RCW 36.70A) requires communities to also adopt LOS standards for transit routes. The City has established guidelines to address the performance of the transit system as follows:

§ Encourage King County Metro to expand transit service as the demand dictates.

§ Work with King County Metro to determine if additional transit facilities and routes are needed or if existing headways should be decreased (or frequency increased).

Trail Level of Service

The City's 2008 Parks, Recreation and Open Space Plan established guidelines to measure the performance of the trail system. The level of service standard is to have 75% of the Black Diamond population within 0.5 miles of a trail facility." (Black Diamond Comprehensive Plan Transportation Appendix)

In order to avoid adverse impacts of the change to decrease SOV travel, a change such as the following would be needed:

The City shall update its level of service to a measurable unit for sidewalks, trails, bikeways and transit. New development shall be required to include a concurrency analysis for these modes of transportation, showing how the Level of Service will be met.

Traffic Impact Fees will include funding to meet the level of service.

Mona Davis

From: Mona Davis
Sent: Tuesday, May 25, 2021 5:55 PM
To: Mona Davis
Subject: FW: Comment for May 11 CP Preliminary docket on Alternative SE Loop Connector

From: Kristen Bryant <kristenbry@gmail.com>
Sent: Friday, May 7, 2021 5:36 PM
To: Mona Davis <mdavis@blackdiamondwa.gov>
Subject: Re: Comment for May 11 CP Preliminary docket on Alternative SE Loop Connector

Yes.

The line is referred to as an alternative. But the material and the map are not clear as what it is alternative to.

If it is easier please call me. But I would like to know what the alternatives are.

For example, it would be nice to see the old map and separately a new map so that it is more clear what is the potential change.

On Fri, May 7, 2021 at 5:33 PM Mona Davis <mdavis@blackdiamondwa.gov> wrote:

Hi Kristen,

Are you referring to this map and red line? If so, remember that this is only a docket request prepared by the applicant and nothing is being evaluated for approval at the Planning Commission other than if the items submitted for consideration should be on the docket to further analyze in 2021. There will be further opportunities to provide comment on this particular item around the Transportation element at future public meetings before a decision is made to amend this Chapter of the comp plan.



Hope this helps to clarify.

Thank you...and have a nice Mother's Day weekend!

Mona Davis, Community Development Director

City of Black Diamond | www.ci.blackdiamond.wa.us

360-851-4528 DIRECT | 360-851-4447 MAIN | 360-851-4501 FAX

mdavis@blackdiamondwa.gov E-MAIL

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From: Kristen Bryant <kristenbry@gmail.com>
Sent: Friday, May 7, 2021 10:29 AM
To: Mona Davis <mdavis@blackdiamondwa.gov>
Subject: Comment for May 11 CP Preliminary docket on Alternative SE Loop Connector

Hello Ms. Davis,

In reviewing the Staff Report on the 2021 Comprehensive Plan Update preliminary docket, the map of the Alternative SE Loop Connector is unclear. There is a red line on the map, but what is this "alternative" to? Will one of the other future roads shown be eliminated? Is the red line in addition to the other road lines shown?

This map material is not at all clear. The Planning Commission and Council should not approve anything based on this.

It is not sufficient to answer this question at a meeting. If a clarifying map is provided, an extended comment period and notice to all those who live in the area of Lawson Hill should be sent. This will impact vehicle trip distribution, but with the map given, there is no way to envision how.

Thanks,

Kristen Bryant - 425-247-9619

Mona Davis

From: wentzlinda@gmail.com
Sent: Tuesday, May 11, 2021 10:42 AM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

To Black Diamond Council and Planning Commission,
My comments on the 2021 Comprehensive Plan Update and the Housing Action Plan:

I am disabled and have invested in an electric mobile unit. I live 3 minutes from the Police station in Black Diamond on Lawson, and yet, I cannot use my electric unit because there are NO SIDEWALKS. I would have to travel down the middle of the street, across Lawson, that has NO PEDESTRIAN LIGHT, or CROSS WALK to 5th. Neither am I able to use the unit even to go down Pacific Street for a leisurely drive because there again are NO SIDEWALKS. Even though we are in the middle of downtown Black Diamond.

When I use my car, at certain times of the day, you simply DO NOT turn left at Lawson to go to Enumclaw, south on 169. You simply don't turn left, period, anywhere on or off I169 at certain times of the day because of impossible, heavy traffic.

My understanding is that you are already well beyond the 6,000+ houses and 1.1 million square feet of retail started in Ten Trails.

And, what are you thinking when you allow a developer, that I understand is somehow connected with the "powers that be" in the city, to clear cut an old homestead that had incredible fauna that should have, could have been saved and replanted into whatever development is in the plan there?

Do you have absolutely no awareness of the heritage here in Black Diamond? Do you really want us to be another Lynwood? Or Lake City? Because, that is where we are headed if someone in power in the city shows up to say, "Wait a minute! Can't we do this better?"

From now on, I would strongly request that, at the very least:

- Prior to further Map or zoning changes, provide a full financial analysis of expected tax revenues compared to public service costs of additional development.
- Require more natural open space and trails.
- Do more to ensure safe walking and biking in town. Sidewalks and paths need to be pleasant and protected. Do not allow traffic to force walkers and kids off our roads.
- Only allow growth if improvements are added to handle increases in traffic. We don't need more delayed projects like developer OakPointe's failure to fix SR169 at Ravensdale Road and Roberts Drive.
- Support our existing small businesses and avoid large rezones for more commercial. Ten Trails retail needs to be built first.
- Provide an analysis of the average tax increase to build the 5 new Enumclaw schools already needed for Ten Trails.

Sincerely Linda Wentz

Mona Davis

From: Mike and Wendy Ward <mike_wen@msn.com>
Sent: Tuesday, May 11, 2021 5:22 PM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

Dear Black Diamond Council and Planning Commission, Please accept these comments on the 2021 Comprehensive Plan Update and the Housing Action Plan:

- Please reverse the Future Land Use Map change from two years ago that did not analyze the impacts of thousands more units of development BEYOND the 6,000+ houses and 1.1 million square feet of retail that is barely started in Ten Trails.
- Prior to further Map or zoning changes, provide a full financial analysis of expected tax revenues compared to public service costs of additional development.
- Require more natural open space and trails.
- Do more to ensure safe walking and biking in town. Sidewalks and paths need to be pleasant and protected. Do not allow traffic to force walkers and kids off our roads.
- Only allow growth if improvements are added to handle increases in traffic. We don't need more delayed projects like developer OakPointe's failure to fix SR169 at Ravensdale Road and Roberts Drive.
- Support our existing small businesses and avoid large rezones for more commercial. Ten Trails retail needs to be built first.
- Provide an analysis of the average tax increase to build the 5 new Enumclaw schools already needed for Ten Trails.

AFFORDABLE HOUSING:

- The Ten Trails developer has not kept its commitments from the 1996 Black Diamond Urban Growth Area Agreement and the 2011 Development Agreement to build its share of affordable housing. The areas in town that currently provide affordable housing will already be burdened by the impacts of growth. Must they bear the impacts of more development to fix a low income housing imbalance caused by the Ten Trails MPD?
- It is much more equitable for new affordable housing projects to be built within the MPD. The wealthy developer should not be allowed to export affordable housing obligations in the same way they are exporting their traffic onto existing neighborhoods.

Thank you,
Mike and Wendy Ward

Mona Davis

From: Nicole De Leon <NDeLeon@Cairncross.com>
Sent: Tuesday, May 11, 2021 10:15 AM
To: Mona Davis
Cc: Nancy Rogers; Kristi Beckham
Subject: Black Diamond - Comp. Plan Preliminary Docket Comment
Attachments: Ltr re Comp Plan Prelim Docket (04200758).PDF

Mona,

Attached is a comment letter regarding the Comprehensive Plan Preliminary Docket. In addition, I would like to provide a brief comment during the hearing tonight, so please add me to the list. Thank you!

Nicole

Nicole De Leon

Attorney

Pronouns: she/her/hers

CH& | Cairncross & Hempelmann

524 Second Avenue | Suite 500 | Seattle, WA 98104-2323

d: 206-254-4472 | f: 206-587-2308

NDeLeon@cairncross.com | cairncross.com | Nicole's Profile

CH& is a member of Mackrell International, a Global Network of Independent Law Firms.

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May 11, 2021

VIA EMAIL

Planning Commission
City of Black Diamond
c/o Mona Davis
mdavis@blackdiamondwa.gov

Re: Public Comment on 2021 Comprehensive Plan Preliminary Docket

Planning Commissioners:

As you know, we represent CCD Black Diamond Partners ("**Oakpointe**"), the Master Developer of the City of Black Diamond's two Master Planned Developments, Ten Trails, formerly known as The Villages, and Lawson Hills (the "**MPDs**"). We write to comment on the proposed 2021 Comprehensive Plan Amendments and Preliminary Docket.

Oakpointe appreciates and supports City Staff's review and recommendation to include Comprehensive Plan Amendment Application 2021-02 (the "**Oakpointe Amendment**") in the 2021 Final Docket. The Oakpointe Amendment requests text and map amendments to the Comprehensive Plan to include an alternative route alignment to the Southeast Loop Connector road currently depicted in the Transportation Element. As explained in the Staff Report, the Oakpointe Amendment merits inclusion in the 2021 Final Docket and we urge the Planning Commission to follow the Staff Report's recommendation.

Oakpointe also took note of and encourages further analysis of the Comprehensive Plan Amendment Applications related to recent increases in commercial development capacity and zoning, e.g., Applications 2021-1 and 3. Oakpointe is similarly concerned that the City's local and regional market will be overly saturated with commercial uses as a result of the existing Comprehensive Plan and Code requirements, and the approvals for Oakpointe's MPDs. Thus, the City should reevaluate recent actions that increased development capacity in the City and include Amendment Applications 2021-1 and 2021-3 in the 2021 Final Docket.

With respect to the Comprehensive Plan Amendment Applications 2021-4 and 2021-5 ("**Applications 4 & 5**"), we note that these applications aim to incorporate components of the future Housing Action Plan and the Park, Recreation, & Open Space Plan ("**PROS Plan**"). As noted in the

{04199533.DOCX;3 }

ndeleon@cairncross.com
direct: (206) 254-4472

Planning Commission
City of Black Diamond
May 11, 2021
Page 2

Staff Report, the Housing Action Plan and PROS Plan are still under review by the City and neither are complete. Consistent with this incomplete status, Applications 4 & 5 do not include the information required by Code to be considered complete Comprehensive Plan Amendment Applications that may proceed to the 2021 Final Docket. *See* BDMC 16.10.130.D, BDMC 16.10.050. For example, BDMC 16.10.050.F requires an application include “[p]roposed amendatory language, preferably shown in ‘bill’ format.” This critical information was not provided in connection with Applications 4 & 5. Given the lack of information, Oakpointe and the public in general are unable to meaningfully evaluate and comment on Applications 4 & 5 because it is essentially unknown what is being proposed. Therefore, the purpose of the required review process and the public hearing is thwarted. The correct process to incorporate the Housing Action Plan and the PROS Plan into the Comprehensive Plan is to finalize the plans this year and then proceed with Comprehensive Plan Amendment Applications during the 2022 Docket cycle. We therefore respectfully request the Planning Commission not include Applications 4 & 5 in the 2021 Final Docket.

Thank you for your time and efforts in evaluating the proposed Comprehensive Plan Amendments. We look forward to continuing to work with the City as this process progresses.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Nicole De Leon", with a stylized flourish at the end.

Nicole De Leon

NED/kgb

Mona Davis

From: Mona Davis
Sent: Monday, May 10, 2021 5:53 PM
To: John Olson; Dave Ambur; Pam McCain (Kent-Covington); Richard LaConte <ricco451@comcast.net>; stevesharon2@comcast.net; Felecia Wheatfall; Crystal Perez
Cc: Carina Thornquist; Brenda Martinez
Subject: FW: PROPOSED COMP PLAN DOCKET AMENDMENTS
Attachments: TAT COMMENTS--12-1-20.pdf

Dear Planning Commissioners,

Please see the attached comments in regard to the 2021 Docket proposal we will be discussing tomorrow.

Thank you,

Mona Davis, Community Development Director
City of Black Diamond | www.ci.blackdiamond.wa.us
360-851-4528 DIRECT | 360-851-4447 MAIN | 360-851-4501 FAX
mdavis@blackdiamondwa.gov E-MAIL

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From: Peter Rimbo <primbos@comcast.net>
Sent: Monday, May 10, 2021 8:33 AM
To: Mona Davis <mdavis@blackdiamondwa.gov>
Subject: Re: PROPOSED COMP PLAN DOCKET AMENDMENTS

Mona,

One more thing. On November 30, 2020, we submitted the attached detailed **Written Testimony** for the Planning Commission's December 1, 2020, Public Hearing.

With our submittal we also stated the following: *"Our January 16, 2020, submittal to the PSRC Growth Management Policy Board (GMPB) [included in its February 6, 2020, Meeting—see Packet: <https://www.psrc.org/sites/default/files/gmpb2020feb06-agenda.pdf> — pp. 22-39] should be considered as an addendum to our attached **Written Testimony**."*

This is another reason why we expected our proposed Docket Amendments to continue to be carried over into 2021.

Peter Rimbo
Leader, Citizens' Technical Action Team (TAT)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

On May 8, 2021, at 10:42 AM, Peter Rimbo <primbos@comcast.net> wrote:

Mona,

Thank you for your reply. Two points:

1. You mentioned you have "confirmed with PSRC that the proposed updates to the 2019 comp plan have satisfied their requests." Did Paul and/or Laura provide such confirmation in writing? If so, could you please forward same to us so we can see any of PSRC's underlying rationale. Also, to ensure we're on the same page, could you please send us a link to the post-May-2019-Council-approved version you say PSRC says satisfies their requests. Thank you.
2. The only reason we did not submit our proposed Docket Amendments by the city's deadline was because we believed, based on our past conversations/e-mails with Barbara (that we cited) that they were carried over and, thus, need not be resubmitted. Since you state they are not part of the 2021 proposed Docket, are we allowed to discuss them at the PC meeting and any subsequent Council meetings on same? Or will we be told that the Docket is closed and only items in the Docket can be discussed?

As I believe I discussed with you earlier this year, our technical team has been involved with the city's 2015 Comprehensive Plan Update since the effort kicked off 7 years ago last month. During that time we believe we have conducted the most thorough review of and provided the most detailed comments/recommendations for the Transportation sections (both Chapter and Appendix). We believe Barbara, and we hope you, would concur with that statement.

Peter Rimbo
Leader, Citizens' Technical Action Team (TAT)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

On May 7, 2021, at 5:21 PM, Mona Davis <mdavis@blackdiamondwa.gov> wrote:

Hi Peter,

Thank you for reaching out. As you know, the City feels that we have addressed PSRC's four conditions included in their Conditional Certification as part of the 2020 Comprehensive Plan update. We are still working to get that 2020 update adopted by the Council and provide that to PSRC for full certification, but we have confirmed with PSRC that the proposed updates to the 2019 comp plan have satisfied their requests. The 2019 docket amendments that you've attached are not part of the 2021 docket proposal; however, we are going to be evaluating Chapter 7 - Transportation and Appendix 7 - Transportation again in 2021 as part of a comprehensive plan docket item and there will be opportunity for public comment as part of that process.

I hope this helps to clarify. I welcome your participation at the public hearing on Tuesday during the Planning Commission meeting.

Thank you,

Mona Davis, Community Development Director
City of Black Diamond | www.ci.blackdiamond.wa.us
360-851-4528 DIRECT | 360-851-4447 MAIN | 360-851-4501 FAX
mdavis@blackdiamondwa.gov E-MAIL

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From: Peter Rimbo <primbos@comcast.net>
Sent: Friday, May 7, 2021 9:19 AM
To: Mona Davis <mdavis@blackdiamondwa.gov>
Subject: PROPOSED COMP PLAN DOCKET AMENDMENTS

Mona,

Good morning. We recently received notice of next Tuesday's, May 11, Planning Commission meeting which will include discussion of the 2021 Comprehensive Plan Preliminary Docket. We request your concurrence that our 2019 Docket Amendments (see TAT's 9/30/19 e-mail pasted below) that Barbara rolled into 2020 (see attached Barbara's 12/5/19 e-mail confirming same) are still part of the Preliminary Docket and will undergo review for adoption.

As you can see, our Docket Amendments address both *Chapter 7 Transportation* and *Appendix 7 Transportation*. The items in the latter are critical

as four of them served as the basis for PSRC's four Conditions included in its Conditional Certification of the city's ongoing **Comprehensive Plan Update**. To date we have yet to see changes in the **Update** that satisfy PSRC's four conditions. I believe our conversations several months ago covered this concern.

Thank you. We await your response.

Peter Rimbos
Leader, Citizens' Technical Action Team (TAT)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

Begin forwarded message:

From: Rimbos Peter <primbos@comcast.net>
Subject: TAT- PROPOSED BDCP 2019 DOCKET AMENDMENTS
Date: September 30, 2019 at 9:12:50 AM PDT
To: Barbara Kincaid <bkincaid@blackdiamondwa.gov>

Barbara,

Thank you for meeting with us this past Thursday to discuss the **2019 Preliminary Docket** and the docket process.

At the end of our meeting we committed to send you a set of proposed Amendments for the Preliminary Docket. Those are attached for the *Transportation Element* (pp. 1-3 cover *Chapter 7-Transportation* and pp. 4-9 cover *Appendix 7-Transportation*). For your convenience, please note we used the *same* format you used in preparing the Preliminary Docket included in the 9/10 Planning Commission meeting packet materials.

Also for your convenience, we are attaching TAT's Detailed Comments submitted a year ago on the *Transportation Elements Appendix 7-Transportation*, as we reference portions (by page number) in a few places in our attached proposed Docket Amendments.

You already have our proposed Amendments for the *Parks, Recreation, Trails, and Open Space Element* and the *Natural Environment Element* discussed and left with you at the end of our Thursday meeting.

Each of the attachments we are sending are in *pdf*. If you need *Word* versions, please let us know. If you have any questions, please do not hesitate to ask.

Since this is time sensitive material, we want to ensure you have received them--so, if you could, please RSVP.

Thank you.

Peter Rimbos
Leader, Citizens' Technical Action Team (TAT)
primbos@comcast.net

"To know and not to do is not to know."-- Chinese proverb

Please consider our shared environment before printing.

Black Diamond Comprehensive Plan Update 12/1/20 Planning Commission Public Hearing Draft

CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

We reviewed the entire revised *Comprehensive Plan Update (Update)*. Herein we provide **COMMENTS** on Chapter 5. **LAND USE** (see p. 2) and **Appendix 7 TRANSPORTATION APPENDIX** (see pp. 3-15). First and immediately below we provide **COMMENTS** on whether the revised *Update* meets or does not meet the four Conditions PSRC imposed on certification.

TAT COMMENTS

PSRC CONDITIONS (ref.: *PSRC PLAN REVIEW REPORT & CERTIFICATION RECOMMENDATION; City of Black Diamond Comprehensive Plan; January 17, 2020*—quoted text shown in *green* below)

CONDITION 1 — Widening of SR-169: *"The plan includes information about the potential widening of SR-169 that is inconsistent with the RTP. The plan should be amended to indicate that a route development plan has not been completed for SR-169, and the TDM and project list do not assume a widening of SR-169."*

This PSRC Condition is *not met*. It is *not* enough to simply remove references to WSDOT widening SR-169. Rather, *all* related Traffic-Demand Modeling and subsequent Traffic Analyses must reflect the *removal* of this assumption, which could have major impacts on downstream traffic analyses. To meet the PSRC Condition the traffic modeling and analyses must be *redone* using the *correct* assumptions for SR-169 width and number of lanes, then the needed project list must be *revised* and costs *re-estimated* to determine the impacts.

CONDITION 2 — SR-169 as a Highway of Statewide Significance: *"In 2006, HB 3266 designated SR 169 as a HSS. The plan should be amended to acknowledge this designation and the associated LOS."*

This PSRC Condition is *met*. However, the text *also* must explain the ramifications associated with the *"highway of statewide significance"* designation, not that the State sets the Level of Service standard.

CONDITION 3 — Contingency Planning: *"The plan should be amended to provide a more detailed explanation of contingency plans to address any funding shortfalls that may occur if the planned improvements through the Master Planned Developments are not fulfilled. (RCW 36.70A.070(6)(a)(iv)(C))"*

This PSRC Condition is *not met*. We do not see any detailed explanation of contingency plans to address potential funding shortfalls that may occur if the planned MPD improvements are *not* completed. The various Tables do *not* meet the requirements of the cited **RCW TITLE**: *"If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;"*

CONDITION 4 — Growth Targets: *"Coordinate with King County and other jurisdictions during the 2021 target setting process to narrow the gap between growth targets and anticipated growth; Avoid increases in development capacity that would significantly surpass adopted targets; and Continue to coordinate with other jurisdictions regarding unanticipated growth levels, and to assess and mitigate traffic impacts from growth."*

This PSRC Condition is *not met*. We do *not* see where inconsistencies between anticipated growth, growth targets, and the PSRC Regional Growth Strategies have been addressed. Nor do we see where goals or policies are identified that would help to better align them. While we understand this the most *difficult* task to be accomplished, as it impacts many major assumptions and policies in the *Update*, it still must be done to meet the PSRC Condition.

Yes, the City should *not* approve any more MPDs, large developments, or PAAs. But, it also has a very powerful tool it can legally use with respect to the two approved MPDs—**MPD COA 17** (including supporting **COAs 11-14**). Again, the MPDs, in total, have never been subjected to rigorous traffic analyses using an acceptable Traffic-Demand Model (TDM). In 2011, the original approval was based on the 2009 flawed traffic analyses using 2007 (during a recession!) data. However, once 850 building permits have been issued, the City can complete and validate and thereafter, continually update and exercise, the TDM, as necessary, paid for by the Master Developer. This provides the City with *flexibility* as to when and how often the TDM should be run and validated to ensure it is generating information that tracks reality. This is a *cyclic* process in which model results are confirmed (i.e., validated) and the model's attributes/assumptions are adjusted (i.e., calibrated), accordingly, striving towards convergence.

Consequently, all future MPD plats will be subject to this much more rigorous, up-to-date traffic analyses and, given the limitations of the road network and improvements that can be made, such analyses most likely will show suitable infrastructure cannot be provided to support the full 6,050 homes and 1.15M sq ft of commercial space. This would provide the City much more direct flexibility when it comes to the Growth Target issues identified by PSRC.

Black Diamond Comprehensive Plan Update

12/1/20 Planning Commission Public Hearing Draft

CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

Herein we quote *Update* text both in **black** and **red** and underlined; Note there also is **pink** background shading used in the *Update*. we provide our COMMENTS in purple enclosed within boxes. In our COMMENTS we quote text (from any source) in **green**.

Chapter 5. LAND USE

p. 5-6:

5.7 Master Planned Development (MPD) Overlay

"There are two Master Planned Developments (MPDs) currently under construction in the City of Black Diamond. The build-out of these MPDs will result in housing units that exceed the Countywide adopted growth targets and the regional growth strategy, as discussed in Chapter 2 of this Plan. In order to align the City's future growth with countywide and regional growth projections, the allowance for any new MPD's must be carefully considered."

MPD Designation Criteria

- "The designation of any new MPD should be discouraged until full buildout of the two currently under construction and until such time as the City's growth projections are within the range of adopted growth targets consistent with the King County CWPPs and the PSRC regional growth strategy, Vision 2050."

TAT COMMENTS — SPECIFIC

The City cannot meet PSRC's CONDITION 4 — Growth Targets: "...**narrow the gap between growth targets and anticipated growth.**" by simply stating that "the allowance for any new MPDs must be carefully considered." That in no way addresses the current massive gap in the City's Growth Targets and its planned growth from the two existing MPDs alone! Further, at what future date will "the City's growth projections (be) within the range of adopted growth targets?" PSRC's CONDITION 4 — Growth Targets is not satisfied!

p. 5-9:

5.10 Urban Reserve Goals and Policies

- "LU Goal 6: GOAL: Future annexation of the PAAs will not occur until the City's growth is aligned with countywide growth targets and the regional growth strategy."

TAT COMMENTS — SPECIFIC

This new Land-Use Goal also does not address PSRC's CONDITION 4 — Growth Targets: "...**narrow the gap between growth targets and anticipated growth.**" because it looks at future issues of growth, not current issues of growth related to the two massive MPDs.

Black Diamond Comprehensive Plan Update 12/1/20 Planning Commission Public Hearing Draft

CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

Appendix 7 TRANSPORTATION APPENDIX

TAT COMMENTS — GENERAL

The **Appendix 7 TRANSPORTATION APPENDIX** must include and discuss the following items in sufficient detail for the City's Comprehensive Plan Update to meet the State's Growth Management Act (GMA) requirements; however it does not.

CONCURRENCY

Clearly, the city's Hearing Examiner does not agree with the statement on p. A7-33: "concurrency was addressed through the review and permitting process for the Master Planned Developments...." This is not true due the flaws in the Traffic Monitoring Plan as detailed by the city's hearing examiner:

"...it is recommended that the [traffic] monitoring plan be amended to make it clear that GMA traffic concurrency review shall supersede any conflicting timing identified in the monitoring plan."

The Mitigation Trigger for *intersection improvements* is when the PM peak-hour LOS: (1) no longer meets the adopted LOS or (2), traffic volumes from the new MPD Phase begin to increase delay at an intersection (whose LOS already is below the applicable threshold) that causes an additional impact.

The Mitigation Trigger for *roadway improvements* is when MPD traffic increases delay or impacts LOS at any existing intersection to a point at which the new roadway would be warranted.

Both of these Mitigation Triggers could be subject to question, especially in defining terms like "delay" or "impact." Also, the "trigger" methodology is *reactive*--whereby The Master Developer only is required to build an improvement, if the applicable threshold is triggered--rather than *proactive*. The attendant time lags could be large.

Also, there is an apparent conflict in the language of the Traffic Monitoring Plan:

"The specific construction timing shall be set in each report, based on the results of the required monitoring and modeling. For City of Black Diamond projects, by execution of the Development Agreement, the City commits to prompt permit review, such that the Master Developer's prompt construction of transportation improvements shall commence before the impacted street or intersection falls below the applicable level of service. [DA, Exhibit F--Traffic Monitoring Plan, Para. D--Triggers and Timing for Construction of Transportation Projects, p. 3]"

How, will the Master Developer "promptly" construct needed transportation improvements if such decisions solely are based on monitoring actual traffic conditions? For example, for intersection improvements, as described above, the Mitigation Trigger is when the LOS standard actually is violated. Clearly, the city should revisit this language to ensure improvements are started *before* LOS standards are violated and are *not* dependent on the city's "prompt permit review."

Finally, the TMP is to specify when engineering and design is to begin, not actual construction to mitigate the problem. Such timing of mitigation is critical to the city and its residents and businesses. In general, the city must recognize the MPD Master Developer will be providing the bare minimum to meet its local direct impacts, so that *cumulative* long-term growth is ignored until it is too late to address transportation infrastructure needs in a cost-effective and timely manner.

FUTURE TRAFFIC VOLUME PREDICTIONS

Figure 7-7 — 2035 Peak Hour Traffic Volumes & Roadway Network, probably the most important figure in the entire document, provides 2035 traffic volume predictions at 10 key intersections. These must be consistent with the road network shown for 2035 in **Figure 7-6 — Transportation Improvements (2022-2035)** and LOS performance listed for each in the **2nd Table 0-10 — Future Intersection Level of Service Summary (2035)** **(should be re-numbered to Table 0-11)**. All of this must be sufficiently explained in the text, but it isn't. There is no information provided on what assumptions were used in the analyses. For example, Background Traffic Growth; Internal-Capture Rates; Housing/Job Balance; etc.? When looking at the raw number predictions of turning movements, etc., the accompanying text is completely devoid of any explanations.

MEETING LEVEL OF SERVICE STANDARDS

Several projects listed in **Table 0-8 — Transportation Capacity Adding Projects (2022-2035)** **(should be re-numbered to Table 0-9)** are not shown in **Figure 7-6 — Transportation Improvements (2022-2035)**. Because of these discrepancies, it is not clear these projects are sufficient to ensure the city's LOS standards are met.

COST ESTIMATES, FUNDING SOURCES

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

Table 0-9 — Transportation Capacity Adding Projects (2022-2035) generally lacks Cost Estimates and there are several concerns regarding "Funding Sources" listed. *Table 0-10 — Master Developer Funded Transportation Projects* still remains mostly empty of pertinent information.

INTERGOVERNMENTAL COORDINATION

The City's intergovernmental coordination efforts mentioned will *not* address the Growth Targets issue and, thus help the City satisfy PSRC's CONDITION 4 — Growth Targets: "...*narrow the gap between growth targets and anticipated growth.*"

INCONSISTENCIES AND ERATTA

Several Tables remain empty. Some Tables are inconsistent with some of the Figures 7-1 through 7-7. Table numbering mistakes remain. There are typos—never corrected even though we identified them in our COMMENTS of 2018 and 2019!

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-4:

Level of Service

Level of Service Standards

"These LOS standards are higher than other cities in the area. For example, the Cities of Maple Valley and Covington have adopted a standard of LOS D. The higher LOS standards adopted within Black Diamond for non-HSS facilities indicate the City's desire to minimize congestion and the willingness to identify and fund future transportation improvements. The higher LOS standards adopted within Black Diamond for non-HSS facilities also will increase the size of intersections and may become an unaffordable standard to maintain. Should the City encounter challenges associated with funding transportation improvements, adoption of lower LOS standards for non-HSS facilities is a permissible option for remaining in compliance with concurrency requirements."

TAT COMMENTS — SPECIFIC

The LOS standards should not be reduced for those intersections required by the MPDs, as they will not become "unaffordable...to maintain," since it is up to the Master Developer to pay for such infrastructure, not the City. Per the MPD Condition of Approval (COA) 10 (our emphases below):

"Over the course of project build out, construct any new roadway alignment or intersection improvement that is:

(a) depicted in the 2025 Transportation Element of the adopted 2009 City Comprehensive Plan and in the City's reasonable discretion is

(i) necessary to maintain the City's then-applicable, adopted levels of service to the extent that project traffic would cause or contribute to any level of service deficiency as determined by the City's adopted level of service standard, or

(ii) to provide access to or circulation within the project;

(b) functionally equivalent to any said alignment or improvement; or

(c) otherwise necessary to maintain the City's then-applicable, adopted levels of service to the extent that project traffic would cause or contribute to any level of service failure as determined by the City's adopted level of service standard,...."

Consequently, the Master Developer must meet, and pay for, whatever LOS standards the city decides to put in place to maintain reasonable traffic patterns for its residents and businesses. COA 17 (which includes ten subparagraphs a. through j.) also deals with this as it pertains to Traffic Impact Analyses and Mitigation.

Why were these two options in the *existing* 2009 Comprehensive Plan removed?:

"Revise the City's current land use plan to reduce density or intensity of development that will "fit" with the planned transportation system; or

Phase or restrict development to allow more time for the necessary LOS-driven transportation improvements to be completed by the development community and/or responsible agency or jurisdiction(s)."

Further, the text above implies the City has only one option: to fund future transportation improvements to maintain higher LOS standards for non-HSS facilities. However, the State's Growth Management Act (GMA) provides the City another option: *deny development*. There are other potentially developable lands within the city limits that are separate from the MPDs.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

pp. A7-12 to A7-13:

Current Transportation Plans and Improvements

Planned Roadway Improvements WSDOT & SR169

"SR-169 is a designated Highway of Statewide Significance (HSS) which functions as major rural and suburban route for the metropolitan area. WSDOT has jurisdiction over SR 169 through the city and establishes the LOS standard for the roadway. Concern over congestion and safety issues along the corridor have spurred several studies, one of which was a route development plan that considered widening the highway. However WSDOT did not complete this plan and therefore transportation demand modeling and the state's Regional Transportation Plan (RTP) do not assume widening of SR 169. Even so, the City is taking a proactive approach by seeking additional right of way through dedication upon major development or redevelopment where right of way width along SR-169 is less than 100 feet. The City is also working on access management along SR-169 to plan for necessary transportation improvements that would be funded by new development along the corridor to alleviate congestion and safety issues."

The City has recognized the potential impacts to SR 169 associated with forecast growth and has entered into agreements with major developers to ensure these impacts, as well as some existing deficiencies, are properly mitigated to maintain consistency with concurrency requirements."

TAT COMMENTS — SPECIFIC

Actually, the 2007-2012 SR-169 Route Development Plan was completed, but no actions taken due to funding constraints. The "proactive approach...(in)...seeking additional right of way through dedication upon major development or redevelopment" is a good idea, if that means the developers are providing same *au grati*s. We also support requiring "necessary transportation improvements ... funded by new development along the corridor." However, such new development should be required to only pay its fair share and not fund improvements that are the legal sole responsibility of the MPD Master Developer.

Please note that in May 2018 PSRC adopted its *Regional Transportation Plan (RTP)*—the successor to Transportation 2040. It serves as the required regional transportation plan under State law and as the Metropolitan Transportation Plan under Federal law. The *RTP* shows only a small portion of SR-169, just through *part* of Maple Valley, as slated for widening by 2040 [p. 46, *RTP, May 2018*]. Consequently the City's Comprehensive Plan Update through 2035 must recognize this reality through 2040, as PSRC has stated in one of its *Conditions* related to SR-169.

Finally, the red underlined addition conflicts with the MPD DAs, which do not require meeting Concurrency. Rather, MPD traffic volume/throughput management depends heavily on the COA 20 — *Traffic Monitoring Plan*, with which the city's Hearing Examiner has many issues [*Black Diamond Hearing Examiner Development Agreement Recommendations ADDENDUM, B. Recommendation, September 2011, pp. 4-5*] (our emphases below):

"As discussed in the Examiner's Response to concerns over the traffic monitoring plans for the DAs, DA Ex F, the traffic monitoring plans set up detailed timing requirements for infrastructure improvements that are not linked to implementing project level concurrency assessments. Nothing in the monitoring plans suggests construction of traffic infrastructure will be superseded by the concurrency findings required by DA 11.1...."Further, the phasing plan adopted by V COA 3 states that the timing of traffic infrastructure is set by the traffic monitoring plans, with no mention of a superseding concurrency provision such as DA 11.1. Given the difference in specificity between the general requirements of DA 11.1 on the one hand and the detailed timing provisions in the traffic monitoring and phasing plans on the other, DA 11.1 is vulnerable to an interpretation that the timing established in the traffic monitoring plan satisfies the timing requirements of DA 11.1, even though they may not meet the timing requirements of GMA traffic concurrency adopted into the City's comprehensive plan and contemplated by BDMC 19.98.080(A)(4). ...it is recommended that the [traffic] monitoring plan be amended to make it clear that GMA traffic concurrency review shall supersede any conflicting timing identified in the monitoring plan."

The City Council did not heed this recommendation to amend the the COA 20 — *Traffic Monitoring Plan*.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

pp. A7-13 to A7-18, including Table 0-7 (numbered 7-7 in earlier versions):

Current Transportation Plans and Improvements

Planned Roadway Improvements

City of Black Diamond

TAT COMMENTS — SPECIFIC

There is no mention of *Contingency Plans*, as called for by one of PSRC's Conditions. Many of the projects listed in *Table 0-7's* TIP rely, in some part, on Grant monies. Where are the *Contingency Plans* should those monies continue to remain in short supply or, even if grants are won, they are of lesser amounts than requested/needed? PSRC knows this is a requirement of State **RCW 36.70A.070 Comprehensive Plans—Mandatory Elements.(6)(a)(iv)(C)**:

"If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;..."

There remains no detailed explanation of Contingency Plans to address potential funding shortfalls that may occur if the planned MPD improvements are not completed. This is called for by **PSRC CONDITION 3 — Contingency Planning**: "...provide...contingency plans to address any funding shortfalls."

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-19:

Actions Needed to Meet Level of Service Standard

TAT COMMENTS — SPECIFIC

The types we pointed out in 2018 still have not been fixed:

"The design and permitting of these intersections is are already underway. These intersections are required to be constructed by the City's Development agreement with the Master Planned Developer in the City."

Travel Forecasts

Future Land Use and Transportation Concepts

"At the expiration of the Developer Agreement in 10 to 15 years the implementation of transportation capacity projects may shift to a City funded transportation capacity program with traffic impact fees and may vary depending on market forces, availability of utilities and actions taken by the jurisdiction."

TAT COMMENTS — SPECIFIC

We remain concerned with the above statement. Why would the "implementation of transportation capacity projects" be shifted to the city? All the Master Developer obligations still are legally enforceable obligations (per the original MPD overall permit), which don't simply disappear. In fact, has the city (along with its attorneys) actually planned for the scenario when the DAs expire. The city does not want to find itself in a position where the Master Developer claims it is not obligated to complete agreed-to projects.

The city also should keep in mind that required transportation mitigation could *change* as the result of the new Traffic-Demand Model, which will be constructed through a cyclic process in which model results are confirmed (i.e., validated) and the model's attributes and/or assumptions are adjusted (i.e., calibrated), accordingly, striving towards convergence, coupled with subsequent Traffic-Impact Analyses performed per the overall permit Conditions of Approval, particularly COA 17. Further, COA 17d. calls for "...project impacts and compliance with mitigations and conditions to date..." This provides the city with needed flexibility to evaluate planned traffic mitigation adequacy.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-24:

Actions Needed to Meet Level of Service Standard Transportation Improvement Recommendations Roadway Conditions - 2035

TAT COMMENTS — SPECIFIC

We consider *Figure 7-7 — 2035 Peak Hour Traffic Volumes & Roadway Network* probably the most important figure in the entire document, because it provides 2035 traffic volume predictions at 10 key intersections and must be consistent with the road network shown for 2035 in *Figure 7-6 — Transportation Improvements (2022-2035)* and LOS performance listed for each in the 2nd *Table 0-10 — Future Intersection Level of Service Summary (2035)* (*which should be re-numbered to Table 0-11*). We would expect this all to be sufficiently explained in the text here, but it isn't. There is no information provided on what assumptions were used in the analyses. For example, Background Traffic Growth; Internal-Capture Rates; Housing/Job Balance; etc.?

The information provided in Figure 7-7 is critical to evaluating future traffic impacts and whether or not this Comprehensive Plan Update is adequate to meet the city's Vision and the future needs of its residents. We are concerned the text above states the city "expects that additional arterial roads will be needed in the planning area." What "additional arterial roads" are needed and when? Who will pay for them?

At a minimum, we have several concerns here:

- (1) The predicted traffic volumes *southbound* through **intersections 1 and 3** (west of Lk Sawyer) in the PM peak hour are large, yet the former is labeled as unsignalized. Yes, it currently is unsignalized, but in 2035? Further, a two-lane road can comfortably handle ~1000 vehicles/hr (both ways combined), and LOS degrades badly above 1500 vehicles/hr.
- (2) The predictions show *more* vehicles (primarily commuting back to the MPDs) traveling south on Lk Sawyer Rd (1,022 through **intersection 3** vs. 355 today from Figure 7-1), then are predicted southbound on SR-169 (480 [397+79+4] through **intersection 6** vs. 589 [562+27+0] today from Figure 7-1). This indicates that Lk Sawyer Rd is predicted to handle the vast majority of the *new* traffic by 2035. Such traffic-pattern behavior is surprising in 2035 after MPD buildout, especially given that Lk Sawyer Rd will remain a narrow, winding route with at least three very busy intersections.
- (3) The traffic volumes predicted southbound on SR-169 (480 [397+79+4] through **intersection 6**—are *less* than the 589 [562+27+0] experienced today *without* the MPDs (see Figure 7-1).
- (4) Why do the predictions show such a large volume of traffic (769 [574+178+10]) traveling *westbound* from the Lawson Connector to **intersection 7**?
- (5) There are large increases shown in *northbound* traffic from the Lawson area at **intersection 7** that isn't matched with traffic growth to/from SR-169 south on the SE Loop Connector at **intersection 10**.
- (6) The predicted traffic volumes on Morgan Road / Jones Lake Road (between **intersections 5 and 10**—the forecast two-way total is 416 [226+25+155+10] vs. existing 71 [23+45+3] at the latter and more than double 875 [402+10+457+6] vs. existing 179 [43+121+15] that at the former) are hugely increased, but no improvements are shown. Such volumes, although not a road capacity problem *per se*, should not be acceptable to the city without any improvements, because of potential urban design / pedestrian safety issues, and no provisions for left-turn activity. Many urban streets with this level of volume have three-lane cross sections and/or "traffic calming" features. Note that LOS standards appear mainly concerned with traffic flow, not pedestrian safety or urban design compatibility, so the lack of shoulders, sidewalks, turn lanes, etc., is not sufficiently addressed, but could be, if the LOS definitions are changed herein to address such safety/quality-of-life issues.

None of this is explored, nor explained, in the accompanying text.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-24:

Actions Needed to Meet Level of Service Standard Transportation Improvement Recommendations 2022 to 2035 Recommendations

TAT COMMENTS — SPECIFIC

Several intersection projects listed in *Table 0-8 — Transportation Capacity Adding Projects (2022-2035)* (which should be re-numbered to Table 0-9) are not shown as transportation improvements in *Figure 7-6 — Transportation Improvements (2022-2035)*.

Because of these discrepancies, it is not clear that these projects are sufficient to ensure the city's LOS standards are met.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

pp. A7-25-26:

Actions Needed to Meet Level of Service Standard Transportation Improvement Recommendations 2022 to 2035 Recommendations

TAT COMMENTS — SPECIFIC

Table 0-9 — Transportation Capacity Adding Projects (2022-2035) generally lacks Cost Estimates. Further, we have several concerns regarding "Funding Sources":

- Six projects list the MPD Developer—five of which lack Cost Estimates.
- Eleven projects list "Future Developers"—seven of which lack Cost Estimates.
- Six projects list no Funding Sources.
- Eight projects list the City and Grant monies as Funding Sources.

Why are not all twenty-three projects listed the responsibility for the MPD Developer? Is the problem because the 13-yr period goes beyond the expiration date of the MPD Development Agreements? If so, how will these projects be paid for and who will pay for them? Reference sources for the information also should be shown.

It cannot be overemphasized: This is what PSRC wants to see as *part* of its "Contingency Plans" condition.

pp. A7-27-28:

TAT COMMENTS — SPECIFIC

Table 0-10. Master Developer Funded Transportation Projects still remains mostly empty of pertinent information.

pp. A7-25-26:

Actions Needed to Meet Level of Service Standard Transportation Improvement Recommendations Level of Service–2035

TAT COMMENTS — SPECIFIC

The above attributes 2035 LOS failure of the 216th Ave SE / SE Covington-Sawyer Rd intersection and the 216th Ave / SE 288th St intersection to "traffic volume growth ... primarily from regional growth outside Black Diamond." In 2015, Table 7-2 showed these two intersections performing at LOS B and D in 2015, respectively. But for 2035 the statement cited above does not make sense, as a majority of AM commute traffic through these intersections would be northbound from the City and for the PM commute southbound to the City due to the impacts of the MPDs. The 216th Ave SE corridor requires a multilane solution, not small fixes.

Further, it should be noted that more than eight years ago the 216th Ave SE/SE Covington Rd intersection was flagged as a major problem. The Traffic Impact Study (TIS) for The Villages MPD--Phase 1A computed estimated Queue Lengths at seventeen different intersections. For this intersection certain legs were flagged as follows: "95th percentile volume exceeds capacity, queue may be longer" and Queue lengths of "252 ft northbound" and "507 ft southbound-through" were shown. [Ref.: Memorandum, TV MPD--PP1A--Response to Comments, Attachment 5--Queueing Summary and Worksheets, SYNCHRO 7 Reports, The Transpo Group, June 28, 2012]

Finally, if SR-169, the transportation infrastructure backbone for southeast King County, is not addressed, in any meaningful way, much of what is planned herein will be insufficient to meet the city's growing needs.

Black Diamond Comprehensive Plan Update 12/1/20 Planning Commission Public Hearing Draft

CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-34:

Funding Strategy

Costs

Funding Sources

"A number of financial strategies are available to the City to finance the transportation improvements identified in the comprehensive transportation plan. Table 0-11 lists these strategies, their availability, and recommendations for the City to consider when implementing the improvement program. Historically, the City has relied on Real Estate Excise tax, grants and contributions from land developers to construct roadway improvements. In addition to those previously pursued, Black Diamond will be eligible to seek funds from larger grant sources once the population exceeds 5,000, as there are sources available only to cities of that size. The grant programs available to large cities are generally greater in overall size and the typical awards for funded projects are bigger than those for small cities. This expands the City's opportunities to secure significant funding for large infrastructure projects. This is anticipated by 2021 and will be confirmed by the 2020 United States Census."

TAT COMMENTS — SPECIFIC

The red underlined addition does not constitute a *Contingency Plan* should funds not materialize. The City appears to be relying on difficult to secure grant monies, instead of requiring all developers to pay their fair share, especially the Master Developer of the two MPDs.

(Note: **Table 0-11** in the text refers to a table labeled **Table 0-1**, please fix the numbering to be consistent.)

p. A7-34:

Funding Strategy

Costs

Strategies

"We would recommend that the City explore a mechanism for a set mitigation/impact fee per PM peak hour trip for infill development, such as a Transportation Impact Fee (TIF). A pay and go proportionate share program for infill development would reduce the administrative burden, reduce the high cost of individual studies, and provide more efficiency and certainty to the development community. Should the MPD agreements not be extended once they are scheduled to expire, the TIF would be applied to remaining projects in those developments."

TAT COMMENTS — SPECIFIC

This TIF only addresses "in-fill" development, not the two MPDs which will overwhelm the city's transportation infrastructure. It appears the city's strategy is to wait out the MPD Development Agreements until their expiration date in late 2026. That is not a Contingency Plan. Rather, the city should recognize that it also has the responsibility to create, validate, verify, and exercise the new Traffic-Demand Model (paid for by the Master developer) per MPD Permit Conditions of Approval 11-14 and 17, that will be used to inform all Traffic-Impact Analyses and, thus, all needed transportation infrastructure for which the Master Developer should pay. It cannot be overemphasized that the MPDs have yet to be subjected to technically sound and accurate Traffic-Demand Modeling used to inform Traffic-Impact Analyses, as enumerated in painstaking detail by the city's Hearing Examiner's MPD Environmental Impact Statement Hearing Decision and MPD Application Hearing Recommendations. This Comprehensive Plan Update should clearly state and show *schematically*, the interrelationship between the continuing cycle of: Meeting LOS Standards : Traffic Monitoring : Traffic Analyses : Altering Development Patterns and Volumes: Traffic Monitoring :

(Note: **Typo** in the word **"sould"** in the last sentence.)

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-36:

Plan Administration

Concurrency

Legislative Requirement

*" * Reduce the LOS standard for the non-HSS system or portions of the system to give the City more time to fund the needed transportation improvements."*

TAT COMMENTS — SPECIFIC

The red underlined addition is *not* an acceptable solution. Moving the "goal posts" does not benefit the city's residents, it only benefits the Master Developer in that it does not require it to pay its fair share and on time. Transportation improvements to meet development needs must be in place and are the responsibility of the developer. Simply relaxing standards in the hopes that monies will materialize does *not* constitute a strategy and, thus, should not be part of Contingency Plans. In fact, **WAC 365-196-840 — Concurrency (6)(a)(ii)(b)** states such an option only be considered: *"if the proposed development is consistent with the land use element,..."*

p. A7-39:

Table 0-2. Transportation Improvement Project – Cost Estimates (which is identified as Table 0-12 in the text on p. A7-36)

Note: The 2016-2021 TIP. With the installation of the capacity adding projects as identified in Table 0-12 facilities meet the LOS standards based on existing, 6-, and 20-year forecasts. The potential funding plan identifies possible sources for improvements identified in the comprehensive transportation plan.

TAT COMMENTS — SPECIFIC

At least for the MPDs, the city must recognize it cannot, with confidence, make the statement shown in the second sentence above. The reasons, as detailed earlier under **Funding Strategy**, are that the MPDs have yet to be subjected to technically sound and accurate Traffic-Demand Modeling used to inform Traffic-Impact Analyses, as enumerated in painstaking detail by the city's Hearing Examiner's MPD Environmental Impact Statement Hearing Decision and MPD Application Hearing Recommendations, which was *partially* satisfied by **MPD COA 17a**.

Consequently, the city has no reasonable assurance, at this time, that "(w)ith the installation of the capacity adding projects as identified in Table 0-12 facilities meet the LOS standards based on existing, 6-, and 20-year forecasts." The city does not know that such "capacity addicting projects" will be sufficient to meet the needs, since the needs are not really known to any degree of accuracy.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

p. A7-40:

Plan Administration

Concurrency

Analyzing External Influences on Concurrency Management System

"The City's LOS standards will also be used to evaluate impacts to the transportation system created by development outside the City. The City's annual TIP development process will evaluate if concurrency standards have been exceeded and identify the improvements needed to maintain the City's standards. The City should seek appropriate funding sources to mitigate through traffic impacts."

TAT COMMENTS — SPECIFIC

Yes the City should evaluate external impacts. However, internal impacts will grow exponentially as the MPDs are built out. Consequently, the City must ensure its transportation infrastructure is adequate. To do this no MPD implementing project should be approved unless: Concurrency requirements are met. Such Concurrency testing should *supersede* any conflicting timing in the MPD Traffic Monitoring Plan, because, RCW-mandated Concurrency takes *precedence*—the State's Growth Management Act (GMA) *requires* the City ensure each implementing project satisfies concurrency. So, *at each stage*, mitigation projects should be funded and included in the 6-yr Transportation Improvement Plan (TIP), so that LOS requirements are met per RCW-mandated timing requirements and the MPD Traffic Monitoring Plan must address and incorporate same.

Unfortunately, as noted by the City's Hearing Examiner: *"nothing in the monitoring plan requires concurrency review for implementing projects. Nothing requires that the City deny any implementing project applications that fail to meet concurrency."* [HE DA Recommendations, September 2011, p. 83] The City's Hearing Examiner also stated: *"the traffic monitoring plans set up detailed timing requirements for infrastructure improvements that are not linked to implementing project level concurrency assessments."* [HE DA Recommendations ADDENDUM, B. Recommendation, September 2011, pp. 4-5]

Since the MPD Development Agreements don't specify what specific steps will be taken to implement *additional* mitigation should future traffic modeling, analyses, and monitoring show planned mitigation is inadequate (this is extremely likely given the vast increase in traffic volumes since the 2009-era Traffic-Demand Model (TDM) using 2007 or earlier-era data), how will the City handle same at Plat approval? (Note: Once 850 building permits have been issued, the City can complete and validate and thereafter, continually update and exercise, the TDM, as necessary, paid for by the Master Developer--see MPD COA 17a).

We recommend the City consult its attorneys as to applicability to the MPDs and consider revising its Concurrency Ordinance to conduct Transportation Concurrency testing for *each* implementing project (in conjunction with review of Traffic Monitoring results) to better align the timing of needed traffic mitigation. This might be the *only* way the City can ensure adequate and timely transportation infrastructure.

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CITIZENS' TECHNICAL ACTION TEAM (TAT) COMMENTS

pp. A7-42 to A7-43:

Transportation Plan

Transportation Facilities and LOS Standards Coordination

"The City's existing intergovernmental coordination efforts could be further expanded through the establishment of a coalition of cities in both King and Pierce counties focused on developing corridor-wide transportation solutions for SR 169. This group could work in partnership with WSDOT to identify forecast safety and operational deficiencies as well as possible solutions. The products of these efforts could be used to formulate an intergovernmental strategy to pursue joint state and/or grant funding and equitable distribution of developer-provided funds to all affected jurisdictions."

TAT COMMENTS — SPECIFIC

Thank you for adding the red underline above to satisfy concerns expressed in our multiple earlier Written Comments that the City and this Comprehensive Plan Update was not meeting the requirements of RCW 36.70A.0740(6)(a)(v):

"Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;..."

That said, the City still has yet to come to grips with our and PSRC's concern, as expressed in its **CONDITION 4 — Growth Targets**: "...*narrow the gap between growth targets and anticipated growth.*" As the City knows, this is a massive gap (~5,000 to ~30,000)! We see nothing in this revised Comprehensive Plan that addresses this PSRC Condition.

We expect it will be very difficult for the City to, in good faith, work with the Cities of Covington and Maple Valley, since the City has chosen to far, far exceed its agreed-to Growth Targets, which will have a strong negative impact on traffic in much of southeast King County for decades to come.

Taxpayers who outside of the City of Black Diamond should *not* be asked to pay—through State Grants, State highway funds, County highway funds, etc.—for Black Diamond's decision to permit the two MPDs without a full transportation evaluation that was acceptable to the city's Hearing Examiner.

Mona Davis

From: Philip Acosta <philamatic@comcast.net>
Sent: Sunday, May 9, 2021 8:32 PM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: Comments addressing 2021 proposed Comprehensive Plan to be heard before Planning Commission on 5/11/21 and City Council on 5/13/21

Dearest Council and Planning Commission members please except my comments regarding changes to Comp Plan and Housing Action changes

Thanks to the volunteer citizen advocates, the issue of 288th safety and pedestrian safety were suggested for the 2021 Comprehensive Plan update. The Comprehensive Plan is the document we should use first to coordinate with neighboring jurisdictions. We should use it to advocate for the safety of our community

Two policy suggestions made by citizens. One is regarding pedestrian/bike safety. The second is to prioritize safety on roads to and from the city when limited funds are available. The staff report argues that the citizen suggestions are not necessary and that safety and multi-modal (pedestrian) improvements are already required.

I have repeatedly requested that Black Diamond act to make safety improvements at the intersection of SR169 and SE 288th. And repeatedly been told that it is under WSDOT jurisdiction, and that it is in unincorporated King County. While the intersection itself is under WSDOT the 288th corridor is primarily Black Diamond and traffic laws have been enforced solely by Black Diamond. 288th is the primary infrastructure used by northern BD residents and surrounding communities. My granddaughter was injured in a collision at this intersection and was fortunate to come away with her life.

Right now, the Ten Trails developer is proposing a capacity improvement to add a center receiver lane for cars turning left from 288th to head north on SR169. This proposal clearly prioritizes capacity over safety. The proposed design is not safe, yet we could be forced to live with it for many years. Turning northbound and waiting in a receiver lane while monitoring both southbound traffic, head-on, and monitoring the right hand mirror is a major distraction, a more dangerous situation than currently exists. What is needed now is a traffic signal at this, the most heavily used east west corridor in Black Diamond, currently the idea is to throw minimal resources at this intersection and delay a light for five years, why wait. In the long run money and possibly lives will be saved by completing this project in one step. (See attached engineer testimony)

In addition to increased traffic a multitude of developments under construction and many more in the planning stage not only in BD but Maple Valley, Covington and King County who have increased volumes on 288th to such that walkers, runners, pedestrians can no longer safely cross this major east/west Black Diamond thoroughfare. A patchwork of sidewalks and no crosswalks, yet we are forced to endure the residual affects of development in and beyond our area. Please find it in our communities best interest to hold development to the existing 2009 Comprehensive Plan and allow our infrastructure to catch up with growth.

Best Regards
Philip N Acosta
Black Diamond Wa
206 406 4404

Mona Davis

From: Renee Mix <r.mixdog4@comcast.net>
Sent: Tuesday, May 11, 2021 1:43 PM
To: Mona Davis; Brenda Martinez
Subject: Comments for Comp Plan Hearing May 11 and Housing Action Plan May 13
Attachments: Comments on Comprehensive Plan Update 2021 (1).docx

Good afternoon,

Please see and read the attached comments in regards to the Comprehensive Plan Update and Housing Action Plan. Also, please add my name to the list to speak at the meeting.

Thank you,

Renee Mix

My Comments on the Comprehensive Plan Update for 2021 are in support of the following items:

#2021-14: Amendments to land use chapter addressing minimum open-space and clustering requirements in zones allowing mixed-use and commercial development

#2021-15 – Amendments to land use element addressing open- space requirements and density limits for multi-family development

#2021-16 – Amend transportation chapter to prioritize safety over motor vehicle capacity

#2021-22: Amend Land Use policy LU-21 concerning growth targets and present recommendations to the planning commission and city council in 2022

Safety

I often walk near my home in Black Diamond for exercise. Recently I decided to walk up the Ravensdale Road to 310th Street and to the Morgan Creek neighborhood, which is not too far from my home in Lawson Hill Estates. I experienced what many know. Walking on the Ravensdale Road is incredibly dangerous.

I thought it was funny how much praise we have heard for the new sidewalk for safe walking from Ten Trails to the city hall area. But walking to the Morgan Creek development or other places in Black Diamond? Nothing.

The history of that new Roberts Drive sidewalk is important. It took a huge effort by the public during the Ten Trails public hearings to ensure that a sidewalk would be added along the short distance from Ten Trails to City Hall. This included the public making the time and effort to file and win an appeal of the first Ten Trails preliminary plat.

The Morgan Creek and Lawson Hills developments are examples to learn from. When built, they should have been required to do more for both road and walking safety outside of their neighborhoods. Because it was not a priority when our development was built, we do not have sidewalks from my neighborhood, Lawson Hill Estates, to schools. We are waiting and even asking developer OakPointe to build them. We don't have a safe pedestrian crossing on SR169 and we don't have a project planned to replace and improve the existing unsafe crosswalk with the flashing light that cars ignore.

Morgan Creek is worse. People have given up on having a safe walking route near the Ravensdale Road. We should not give up. We should strengthen policies. We should not add more development until we have better pedestrian plans and better ways to pay for them. Waiting for grants is not enough.

Please do not remove policy #2021-16 to Prioritize Road Safety. The Council should put this on the Final Docket and consider it carefully, amending it as needed.

Regional Growth and Black Diamond's Share

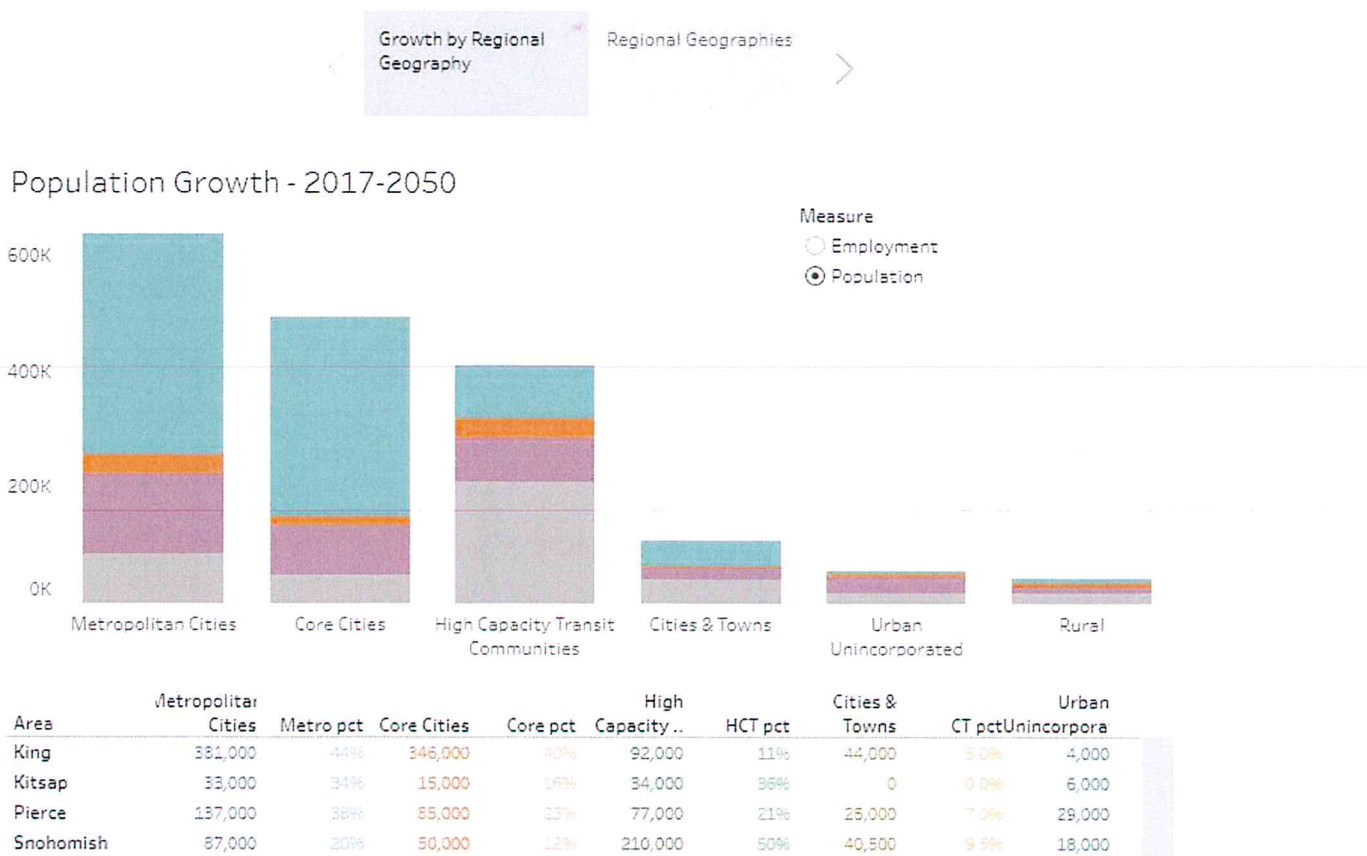
Black Diamond is inside the Urban Growth Boundary, but we still must manage and plan carefully for growth. It is possible for us to grow too much. Importantly, given the size of Ten Trails combined with our distant foothills location, it is reasonable for residents to feel that we should make an effort to limit additional growth.

We live here because we like being in a small town. Our city has no nearby freeway and very poor transit service. These things are not changing, and we cannot just build them. We need to coordinate with our neighboring cities, and within the Puget Sound Region's overall growth plan.

The Puget Sound Regional Growth Strategy calls for 42 Cities and Towns to accommodate only 6% of the region's population growth and 4% of its employment growth by the year 2050. Black Diamond is just one of these 42:

Cities and Towns (42 cities, 140 square miles): Algona, Beaux Arts, Black Diamond, Bonney Lake, Brier, Buckley, Carbonado, Carnation, Clyde Hill, Covington, Darrington, Duvall, Eatonville, Edgewood, Enumclaw, Gig Harbor, Gold Bar, Granite Falls, Hunts Point, Index, Lake Stevens, Maple Valley, Medina, Milton, Monroe, Normandy Park, North Bend, Orting, Pacific, Roy, Ruston, Sammamish, Skykomish, Snohomish, Snoqualmie, South Prairie, Stanwood, Steilacoom, Sultan, Wilkeson, Woodway, and Yarrow Point

From the Puget Sound Region's Vision 2050:
Regional Growth Strategy



Black Diamond is not a growth center and not a high-capacity transit community. Given that the Ten Trails master planned developments are going to quadruple our town, (projected to be bigger than the Issaquah Highlands), we should not add more growth. Instead, we do more around safety, open space, and traffic management.

Regional Growth Policies to Coordinate With

Regional Growth policies designate more infrastructure funding to the high-capacity transit communities, and job centers like Seattle. The City should pay careful attention to the following multi-county Planning Policies in Puget Sound Regional Council Vision 2050:

MPP-RC-7

Give funding priority – both for transportation infrastructure and for economic development – to support designated regional growth centers and manufacturing/industrial centers, consistent with the regional vision. Regional funds are prioritized to regional centers.

MPP-RC-8

Direct subregional funding, especially county-level and local funds, to countywide centers, high-capacity transit areas with a station area plan, and other local centers.

MPP-RGS-12

Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

MPP-DP-5

Identify, protect, and enhance those elements and characteristics that give the central Puget Sound region its identity, especially the natural visual resources and positive urban form Elements.

MPP-DP-6

Preserve significant regional historic, visual, and cultural resources, including public views, landmarks, archaeological sites, historic and cultural landscapes, and areas of special character.

Please do not wait to remove excess growth from our Future Land Use Map. Let's prioritize safety, not over-development. Do not wait until 2022. I support item #2021-22, but with removal of the reference to the year "2022" :

#2021-22 Amend Land Use Policy LU-21 concerning growth targets and present recommendations to the planning commission and city council ~~in 2022~~

"Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code for consistency with the comprehensive plan and the FLUM, and to begin narrowing discrepancies with PSRC's Vision 2040 and 2050 (as applicable) and regional growth strategy."

Open Space and Black Diamond's Unique Characteristics

For the same reasons as in the prior section, the Planning Commission should recommend inclusion on the final docket of :

#2021-14: Amendments to land use chapter addressing minimum open-space and clustering requirements in zones allowing mixed-use and commercial development

#2021-15 –Amendments to land use element addressing open- space requirements and density limits for multi-family development

The staff reasons in the May 11 meeting packet for not including these policies are that it could limit the ability to do affordable housing or achieve commercial development goals. This requires more analysis. There is a lot of commercial land and housing capacity in Black Diamond. We do not need to rush; we need to build carefully. Once buildings are constructed, we do not get a do-over.

If we are considering the need for housing for lower incomes, why not ensure those residents have open space? Black Diamond is far from the city, and people expect a trade-off of longer drives for some things but more natural and open space in Black Diamond.

A revision could be: Add a policy that requires a minimum percentage of conserved open space (to be determined during the 2021 comprehensive plan update process) in all mixed use and commercial development, and in multi-family development.

Submitted By
Renee Mix
Black Diamond

Mona Davis

From: Mona Davis
Sent: Monday, May 17, 2021 6:23 PM
To: Rosemarie Wentz
Subject: RE: Proposed SE Loop Bypass

Hi Rosemarie...and thank you for your e-mail. At this stage, we don't have any additional information or analysis around the secondary access configuration. I appreciate your concerns and will provide this information to the applicant to be better prepared to address these issues during the public hearing(s). I will also keep you apprised of future opportunities to participate in the public process and provide testimony around these issues. At this point, the applicant submitted a comprehensive plan amendment to be included in the 2021 docket; no further analysis of the materials has occurred.

Thank you,

Mona Davis, Community Development Director
City of Black Diamond | www.ci.blackdiamond.wa.us
360-851-4528 DIRECT | 360-851-4447 MAIN | 360-851-4501 FAX
mdavis@blackdiamondwa.gov E-MAIL

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From: Rosemarie Wentz <RosemarieWentz@hotmail.com>
Sent: Wednesday, May 12, 2021 8:16 AM
To: Mona Davis <mdavis@blackdiamondwa.gov>
Subject: Proposed SE Loop Bypass

Miss Davis,

At last night's meeting there was discussion about the SE Loop Bypass. As I understood it is not finalized or been looked at closely as of yet or what path it would take. But I am interested in the information that may be available regarding it.

From looking at the map it appears that the loop might go through the "Open Space" parcel, which also came up during the forestry zoning discussion last night. The parcel number is 132106-9012, on the Black Diamond map this was listed as Open Space. However, this property is owned by Palmer and zoned R4. So it can be sold and developed without issue. I believe this might be why the citizen requested a new zoning of forestry be added to ensure this parcel stays open space. It is on a steep hill with old growth trees that provide habitat for a nesting pair of eagles, pair of falcons and a pair of pileated woodpeckers. There are also bob cat and cougar in this area where the future Lawson MPD is set to go.

I truly hope there will be a larger and better effort to maintain the wildlife habitat in the Lawson MPD than there was with the Ten Trails MPD. Out of all the concept art for Ten Trails that was distributed, not one showed a wall of 4 story condos or apartments. The Ten Trails MPD is not shaping up to be anything like the concept art of the proposed development.

But I digress. I'm interested is how and if the SE loop proposal would impact the open space parcel mentioned above and if/how it might connect to Pacific St. Thus making Pacific St a through street and no longer a deadend road.

If there is any information available with details could you please share it with me or direct me to where I might find it?

Thank you,
Rosemarie Wentz

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Mona Davis

From: Rosemarie Wentz <RosemarieWentz@hotmail.com>
Sent: Tuesday, May 11, 2021 11:42 AM
To: Carina Thornquist; Mona Davis; Brenda Martinez
Subject: 2021 Comprehensive Plan and Housing Action Plan Hearings

Dear Black Diamond Council and Planning Commissioners,
Please accept these comments on the 2021 Comprehensive Plan Update and the Housing Action Plan:

I would like to start by saying I appreciate the city sending out the surveys for both Housing needs and especially the Parks survey. I truly hope the city will listen to the citizens of the community and less to the developers in the city. I know the belief is that the city is becoming more livable, but as a citizen that lives close to the downtown center and not out on Lake Sawyer, the outskirts of town or off of main roads, the livability of the city has significantly decreased.

I used to walk to local restaurants and shops, but the traffic has increased so much, even with Covid, to the point it is too dangerous to walk street with no sidewalks or cross busy streets where the cross walk flashing lights are ignored. My walks along 169 through the historic district, viewing and appreciating the historic homes and trees were only interrupted by the occasional car, but now it is a constant stream of cars and mostly huge construction trucks. The wind, dust and debris kicked up as I walk along the stretch along 169 from Lawson St to Railroad Ave, has made it dangerous and unenjoyable.

I can no longer walk any further north than Railroad Ave. I cannot walk to Sahara Pizza or the local Pawn Shop, or even the library because there are no sidewalks and the stream of traffic is constant, it is too dangerous.

Is the city aware that Lake Sawyer Road has become the new highway for those in TenTrails to exit the city? There are no sidewalks on this stretch or road and we saw one young child hit and severely injured this year as a result. Lake Sawyer Park is the only true park with picnic tables, lush shade trees and activities within the city, it is located on this stretch of road. Was this child headed to the park for a day of recreation when he was hit? How is the city addressing these needs? There is also an issue of speed on Lake Sawyer Road, cars exceed the speed limits, there needs to be speed bumps to reduce driver's speeds on this stretch since there are no sidewalks or bike lanes.

The same is true of Lawson Street. I often encounter bike riders; they don't have a bike lane or sidewalks. My neighbors walk on side streets and on Lawson street and I repeatedly hear them say someone almost hit them.

I do not feel safe walking anywhere in this city at this point. There is too much traffic and no pedestrian walkways or safety measures to ensure I will get to where I intend, before getting side swiped by a vehicle. It is unacceptable for a city growing at the rate Black Diamond is growing to not be putting in sidewalks, bike lanes and fixing the roads. We need infrastructure and road improvements before more development moves forward. The city is currently not doing enough to meet the needs and demands of the growth.

2021 COMPREHENSIVE PLAN:

- I would ask the City to stop any up-zoning and reverse the Future Land Use Map change from two years ago that did not analyze the impacts of thousands more units of development BEYOND the 6,000+ houses and 1.1 million square feet of retail that is barely started in Ten Trails.
 - We need road and pedestrian improvements before adding to the problem with more development.

- We need more green space free from mountain bikers, designated for walkers only as Ruston Park in Tacoma is. This promotes and ensures habitat for wildlife and vegetation.
- Prior to further Map or zoning changes, provide a full financial analysis of expected tax revenues compared to public service costs of additional development.
 - I saw my taxes increase specifically to Black Diamond initiatives. My tax dollars should not be used as a result of the city not following through on having Growth pay for Growth. The City promised the developer would cover the costs and our taxes wouldn't go up. But time after time the city has accepted the minimum fees allowable for the developer to pay and put the rest of the burden on the citizens via taxes.
 - The city needs to start putting the MAXIMUM fees allowable on the developers to cover the costs. Follow through, make Growth pay for Growth.
- Only allow growth if improvements are added to handle increases in traffic. We don't need more delayed projects like developer OakPointe's failure to fix SR169 at Ravensdale Road and Roberts Drive.
 - Stop allowing the developer to sit on responding to WSDOT requests and feedback. Start setting response times on the developer, otherwise they only drag their feet and delay doing the agreed upon road improvements.
 - If the developer does not start the projects in a timely manner start withholding their building permits. We need road improvements before there is more construction.
- Support our existing small businesses and avoid large rezones for more commercial. Ten Trails retail needs to be built first.
 - The citizens of TenTrails were promises retail, coffee shops. It's been 5+ years and construction hasn't started. But the city is giving permits for other retail space to be constructed along 169. The city needs to fulfill the promises to TenTrails and promote retail development there before re-zone other sections of the city for retail. We don't need more retail right now. Finish TenTrails retail space first.
- Provide an analysis of the average tax increase to build the 5 new Enumclaw schools already needed for Ten Trails.

HOUSING ACTION PLAN - AFFORDABLE HOUSING:

- Affordable Housing plan is focused on stick-built homes and apartments.
 - I would like to see consideration for Tiny Homes and Tiny Home communities within the city. The current codes restrict mobile home communities to 10 acre parcels and residential manufactured homes to minimum size of 24'x36'. There is a housing crisis and more and more individuals cannot afford the costs, or wish to down size. But the city has no consideration for these smaller homes and communities.
 - I would ask the city to add code for Tiny Homes to be placed on privately owned properties.
 - Add code to allow Tiny Homes or Tiny Home communities to be provided on smaller parcels, IE: 1 Tiny home of less than 400sqft per 3000sqft lot size.
 - OakPoint has not provided its share of Affordable housing. They need to meet their obligations and not outsource or skirt providing affordable housing. Affordable housing comes in all types, not just condos and apartments, but with homes that are less than 2000sq ft on 10,000sqft lots.

Thank you,
Rosemarie Wentz