



CITY OF BLACK DIAMOND

December 2, 2021 - Regular Business Meeting Agenda – Revised 11/30/21
Council Chambers, 25510 Lawson Street, Black Diamond, WA 98010

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

Zoom link to join meeting:

<https://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:

- 1) **AB21-082** – Confirming the Mayor's Reappointment of Pam McCain to the Planning Commission
Position #4 Mayor Benson
- 2) **AB21-083** - Confirming the Mayor's Reappointment of John Olson to the Planning Commission
Position #7 Mayor Benson
- 3) **AB21-084** - Confirming the Mayor's Appointment of Carol Morgan to the Planning Commission
Position #6 Mayor Benson

CONSENT AGENDA:

- 4) **Claim Checks** – December 2, 2021, Check No. 50745 through 50788 (void 50638) in the amount of \$501,755.94
- 5) **Minutes** – Council Meeting of November 4, 2021, Special Meeting of November 8, 2021, and Council Meeting of November 18, 2021
- 6) **AB21-085** – Resolution Regarding Final Plat Approval for The Villages MPD, Ten Trails Plat 2D Division 1
Mr. Williamson
- 7) **AB21-086** – Resolution Accepting the 2021 Citywide Asphalt Overlays Project
Mr. Hanis
- 8) **AB21-087** – Resolution Regarding Professional Service Agreement with RH2 Engineering for Design and Permitting Service for 3rd Avenue Watermain Improvements
Mr. Hanis
- 9) **AB21-093** – Resolution Authorizing the Mayor to Sign the South County Area Transportation Board Agreement
Mayor Benson

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. If in person, when recognized by the Mayor, please come to the podium and clearly state your name and city. If joining virtually/telephonically, please use the “raise your hand” feature and once recognized by the Mayor you may unmute and state your name and city for the record. For those dialing in please press *9 to raise your hand and *6 to unmute yourself. Please limit your comments to 3 minutes.

PUBLIC HEARINGS:

10) AB21-088 – Proposed 2020 Comprehensive Plan Amendments Ms. Davis
(Council Action May Follow Public Hearing)

UNFINISHED BUSINESS: None

NEW BUSINESS:

11) AB21-089 – Resolution Regarding Update to City’s Fee Schedule Ms. Davis

12) AB21-090 – Resolution Accepting Therapeutic Court Grant Judge Swain

13) AB21-091 – Resolution Regarding Professional Services Agreement for Services Related to
Community Court Program Coordinator Judge Swain

14) AB21-092 – Ordinance Amending the City’s 2021 Operating Budget Ms. Miller

DEPARTMENT REPORTS:

MAYOR’S REPORT:

COUNCIL REPORTS:

- Councilmember Smith
- Councilmember Mulvihill
- Councilmember de Leon
- Councilmember O’Donnell
- Councilmember Page
- Councilmember Deady
- Councilmember Oglesbee

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION:

ADJOURNMENT:

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Confirming the Mayor's reappointment of Pam McCain to Position #4 of the Black Diamond Planning Commission	Agenda Date: December 2, 2021	
	AB21-082	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$		
Fund Source: --		
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments:		
SUMMARY STATEMENT: Staff advertised for three upcoming vacancies on the Planning Commission. Interviews were conducted by the Mayor and Community Development Director with the applicants and Mayor Benson is seeking Council confirmation of her reappointment of Pam McCain to the City of Black Diamond's Planning Commission Position #4; term ending on December 31, 2025.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to confirm the Mayor's reappointment of Pam McCain to Position #4 of the Black Diamond Planning Commission; term ending on December 31, 2025.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Confirming the Mayor's reappointment of John Olson to Position #7 of the Black Diamond Planning Commission	Agenda Date: December 2, 2021	
	AB21-083	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$		
Fund Source: --		
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments:		
SUMMARY STATEMENT: Staff advertised for three upcoming vacancies on the Planning Commission. Interviews were conducted by the Mayor and Community Development Director with the applicants and Mayor Benson is seeking Council confirmation of her reappointment of John Olson to the City of Black Diamond's Planning Commission Position #7; term ending on December 31, 2025.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to confirm the Mayor's reappointment of John Olson to Position #7 of the Black Diamond Planning Commission; term ending on December 31, 2025.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Confirming the Mayor's appointment of Carol Morgan to Position #6 of the Black Diamond Planning Commission	Agenda Date: December 2, 2021	
	AB21-084	
	Mayor Carol Benson	X
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$		
Fund Source: --		
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments:		
SUMMARY STATEMENT: Staff advertised for three upcoming vacancies on the Planning Commission. Interviews were conducted by the Mayor and Community Development Director with the applicants and Mayor Benson is seeking Council confirmation of her appointment of Carol Morgan to the City of Black Diamond's Planning Commission Position #6; term ending on December 31, 2025.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to confirm the Mayor's appointment of Carol Morgan to Position #6 of the Black Diamond Planning Commission; term ending on December 31, 2025.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		



CERTIFICATION

Finance Committee Meeting Date: November 23, 2021

Council Date: December 2, 2021

Check No.'s / EFT	Batch Name	Check / EFT Date	Amount
50638	Void	11/05/21	\$ -64.65
50745 - 50748	Early 3rd November Batch	11/15/2021 - 11/17/2021	\$ 408,395.52
50749 - 50787	3rd November Batch	12/03/21	\$ 89,445.88
50788	1st December Batch	12/03/21	\$ 3,979.19
		TOTAL	\$ 501,755.94

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

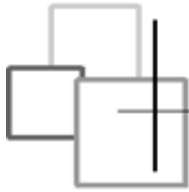
MAY MILLER, FINANCE DIRECTOR

November 19, 2021

DATE

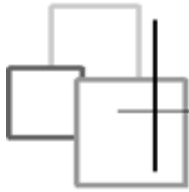
CAROL BENSON, MAYOR

DATE



Voucher Directory with Transaction Date

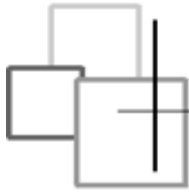
Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Brim Tractor Company Inc.				
	V50638	10/15/2021	2021 - November - Void Batch	
	VIP30451			
		Void Check 50638		
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint	(\$64.65)
		Vendor Billed Freight In Error Returned Payment		
	Total VIP30451			(\$64.65)
	Total V50638			(\$64.65)
Total Brim Tractor Company Inc.				(\$64.65)
	Vendor Count	1	Grand Total	(\$64.65)



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Andrew Williamson				
	50745	10/13/2021	2021 - November - Early 3rd November Batch for 12.02.2021 Council	
	10132021 AW			
		Reimbursement		
		001-000-246-558-70-43-00	Lodging, Meals & Mileage	\$153.44
			274 Round Trip Miles APWA Conference - Yakima, WA	
	Total 10132021 AW			\$153.44
	Total 50745			\$153.44
Total Andrew Williamson				\$153.44
Kevin Esping				
	50746	11/10/2021	2021 - November - Early 3rd November Batch for 12.02.2021 Council	
	11102021 KE			
		Reimbursement		
		001-000-195-525-60-49-03	COVID Technology Costs	\$521.73
			Costco - TV Mounts and Sound Bar for Council Chambers	
	Total 11102021 KE			\$521.73
	Total 50746			\$521.73
Total Kevin Esping				\$521.73
Mountain View Fire & Rescue				
	50748	11/17/2021	2021 - November - Early 3rd November Batch for 12.02.2021 Council	
	21-1073			
		July through December 2021 Service		
		001-000-530-522-10-41-00	Fire Dist 44 Prof Serv	\$291,864.00
			2nd Half 2021	
	Total 21-1073			\$291,864.00
	Total 50748			\$291,864.00
Total Mountain View Fire & Rescue				\$291,864.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Third Avenue Development, LLC				
	50747	11/10/2021	2021 - November - Early 3rd November Batch for 12.02.2021 Council	
	11102021 TAD			
		Refund Over Payment		
		001-000-240-322-10-00-00	Building Permits	\$115,856.35
		Refund Duplicate Payment - BLD21-0175		
	Total 11102021 TAD			\$115,856.35
	Total 50747			\$115,856.35
Total Third Avenue Development, LLC				\$115,856.35
	Vendor Count	4	Grand Total	\$408,395.52



Voucher Directory with Transaction Date

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
AHBL, Inc.				
	50749	10/31/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	128760			
		October 2021 Service		
		001-000-240-558-51-41-08	Prof Svs-Planning/Reg Review	\$8,093.75
	Total 128760			\$8,093.75
	Total 50749			\$8,093.75
Total AHBL, Inc.				\$8,093.75
Alpine Products Inc.				
	50750	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	TM-206248			
		PW - Signs		
		407-000-000-535-80-35-00	Small Tools & Safety Equipment	\$84.45
		Safety Sign		
	Total TM-206248			\$84.45
	Total 50750			\$84.45
Total Alpine Products Inc.				\$84.45
Amazon Capital Services, Inc.				
	50751	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	163K-PX7L-1DCF			
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$345.92
		Cables, Power Strips,Rack Mount Drawer& Fasteners		
	Total 163K-PX7L-1DCF			\$345.92
	50751	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	1FLF-HT&&-TJX6			
		CH - Returned Supplies		
		001-000-180-518-50-31-00	Office Supplies City Hall	(\$33.81)
		Credit Paper Billed in Error		
	Total 1FLF-HT&&-TJX6			(\$33.81)

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
50751	1GHF-WNJV-C6MJ CH - Returned Supplies 001-000-180-518-50-31-00 Pressboard Folders - Returned	11/17/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	(\$22.75) (\$22.75)
50751	1K6H-Y41D-FYTC COVID - Chambers Project 001-000-195-525-60-49-03 Cables, Converter, Wall Mount Rack, Keyboard/Mouse, XLR Cord & Converter	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	\$1,225.35 \$1,225.35
50751	1KK1-DGPN-W3Q9 CH - Supplies 001-000-180-518-50-31-00 Ruler	11/17/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	\$4.88 \$4.88
50751	1MDD-NLDD-611M CH - Supplies 001-000-254-518-20-31-00 Janitorial and Bld Maint Supplies	12/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	\$156.08 \$156.08
50751	1QQI-CXFN-6KRV CH - Supplies 001-000-180-518-50-31-00 Telephone Stands	11/7/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	\$44.86 \$44.86
50751	1XFP-KWLX-1TDH CH - Supplies 001-000-180-518-50-31-00 Pressboard folders	11/16/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	\$22.75 \$22.75
Total 50751				\$1,743.28

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Total Amazon Capital Services, Inc.				\$1,743.28
Andrew Williamson				
	50752	10/13/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	10132021 AW ADJ			
	Mileage Reimbursement			
	001-000-246-558-70-43-00		Lodging, Meals & Mileage	\$1.12
			Corrected mileage Reimbursement APWA conf - Yakima, WA 10/2021	
	Total 10132021 AW ADJ			\$1.12
	Total 50752			\$1.12
Total Andrew Williamson				\$1.12
APSCO, LLC				
	50753	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	22673 APS			
	PW - Equip Repair & Maint			
	407-000-000-535-80-48-02		Sewer System Rep & Mtc-Ext/Int	\$519.65
			Vacuum Pump	
	Total 22673 APS			\$519.65
	Total 50753			\$519.65
Total APSCO, LLC				\$519.65
Bill's Locksmith Service Inc.				
	50754	10/27/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	123180			
	PW - Supplies			
	401-000-000-534-80-31-01		Water Operating Supplies	\$274.70
			10 Ea. Padlocks	
	Total 123180			\$274.70
	Total 50754			\$274.70
Total Bill's Locksmith Service Inc.				\$274.70
Black Diamond Auto Parts				
	50755	10/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	458999			
	PD - Veh Maint			
	001-000-210-521-10-48-01		PD-Vehicle/Eq. Mtc. & Repair	\$9.77

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
		Car Wash Soap		
	Total 458999			\$9.77
	Total 50755			\$9.77
Total Black Diamond Auto Parts				\$9.77
City of Issaquah				
	50756	11/3/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	21000378			
	October 2021 Service			
	001-000-211-523-60-49-00		Jail Costs	\$420.00
	3 days			
	Total 21000378			\$420.00
	Total 50756			\$420.00
Total City of Issaquah				\$420.00
Ferguson Waterworks #3011				
	50757	11/8/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	1047600			
	PW - Equip Repair& Maint			
	407-000-000-535-80-48-02		Sewer System Rep & Mtc-Ext/Int	\$278.54
	Effluent Pump			
	Total 1047600			\$278.54
	Total 50757			\$278.54
Total Ferguson Waterworks #3011				\$278.54
First Net				
	50758	11/5/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	287294109909X11132021			
	October 2021 Service			
	001-000-145-518-80-42-00		Tech. Telephone costs	\$102.08
	IT			
	001-000-145-518-80-42-01		Tech-Comm-INET Costs-First Net	\$748.09
	Data Plans			
	001-000-195-525-60-49-03		COVID Technology Costs	\$473.13
	Telecommuters - Covid			
	001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$612.48
	Police			

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name	Void Amount
	Account Number		Title	
	001-000-240-558-51-42-00		Telephone	\$153.12
	Com Dev			
	001-000-246-558-70-42-01		Telephones	\$193.16
	MDRT			
	001-000-254-518-20-42-00		Facilities-Telephones	\$102.08
	City Clerk			
	001-000-254-518-20-42-00		Facilities-Telephones	\$51.04
	Facilities			
	001-000-270-576-80-42-00		Telephone/DSL/Radios	\$19.54
	4% Parks			
	001-000-280-536-20-42-00		Telephone, DSL & Radios	\$9.77
	2% Cemetery			
	101-000-000-542-30-42-01		Telephone/DSL/Radios	\$107.45
	22% Streets			
	401-000-000-534-80-42-00		Telephone/DSL/Radios	\$117.22
	24% Water			
	404-000-010-534-80-41-00		SCADA/Telemetry Prof Svs	\$1,922.68
	2 ea SCADA Routers Purchase Cost			
	407-000-000-535-80-42-00		Telephone/DSL/Radios	\$117.22
	24% Sewer			
	410-000-000-531-10-42-00		Telephone/DSL/Radios	\$117.20
	24% Drainage			
	Total 287294109909X11132021			\$4,846.26
	Total 50758			\$4,846.26
	Total First Net			\$4,846.26
FP Mailing Solutions				
	50759	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	RI105110666			
	Rental 11/14/2021 - 02/13/2022			
	001-000-180-518-50-45-01		Postage Meter Rental & Maint.	\$130.44
	Total RI105110666			\$130.44
	Total 50759			\$130.44
	Total FP Mailing Solutions			\$130.44
Home Depot Credit Service				
	50760	11/16/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	2611701			
	COVID - Chambers Project			
	001-000-195-525-60-49-03		COVID Technology Costs	\$64.44

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	Total 2611701		HDMI Jack, Bits, Switches, HDMI Cable	\$64.44
50760	3611551	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$21.77
			Painting Supplies	
	Total 3611551			\$21.77
50760	3611552	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		FAC - Supplies		
		001-000-181-518-30-31-00	Office & Operating Supplies	\$52.01
			Tape Measure, Utility Lights	
	Total 3611552			\$52.01
50760	4013242	11/14/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		FAC - Supplies		
		001-000-181-518-30-31-00	Office & Operating Supplies	\$57.56
			Drop Cloth, Sawhorse	
	Total 4013242			\$57.56
50760	4610002	11/4/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		PW - Supplies		
		101-000-000-544-90-31-00	PW Clearing Acct-Supplies	\$76.02
			Fire Extinguishers	
	Total 4610002			\$76.02
50760	5011990	11/3/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Supplies		
		001-000-195-525-60-31-02	COVID PPE & Safety Supplies	\$388.00
			Lumber, Plexiglass For Sneeze Guard	
	Total 5011990			\$388.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
50760	5020629	11/13/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$76.13
		Paint, Crack Sealer, Paint Brush		
	Total 5020629			\$76.13
50760	5095011	11/13/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		FAC - Returned Repair Parts		
		001-000-270-576-80-41-02	Venue Pay Station	(\$27.14)
		Returned Repair Parts		
	Total 5095011			(\$27.14)
50760	6513696	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$26.12
		Bits and Screws		
	Total 6513696			\$26.12
50760	6611106	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$176.39
		Wire, Grounding Adapt, Outlet Adapt, Cord Cover, HDMI Cable		
	Total 6611106			\$176.39
50760	7610970	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$62.22
		Wire, Wall Plate, Outlet		
	Total 7610970			\$62.22
50760	7610986	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$14.11
		Pull toggle for Council Chambers		
	Total 7610986			\$14.11

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
	50760	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	8524467			
		FAC - Supplies		
		001-000-270-576-80-41-02	Venvue Pay Station	\$39.07
		Machine Repair		
	Total 8524467			\$39.07
	50760	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	8524468			
		COVID - Chambers Project		
		001-000-195-525-60-49-03	COVID Technology Costs	\$28.23
		Tapcon 5/16, Shockwave 1/4"		
	Total 8524468			\$28.23
	Total 50760			\$1,054.93
	Total Home Depot Credit Service			\$1,054.93
	Honey Bucket/Northwest Cascade Inc.			
	50761	11/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	0552432526			
		November 2021 Service		
		001-000-270-576-80-31-00	Portable Restroom Facility	\$98.00
		Parks-Boat Launch Rental: 145291		
	Total 0552432526			\$98.00
	50761	11/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	0552432527			
		November 2021 Service		
		001-000-270-576-80-31-00	Portable Restroom Facility	\$98.00
		Lake Sawyer Regional Park: 71400002		
	Total 0552432527			\$98.00
	Total 50761			\$196.00
	Total Honey Bucket/Northwest Cascade Inc.			\$196.00
	Johnsons Home & Garden			
	50762	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	460214			
		PW - Supplies		
		101-000-000-544-90-31-00	PW Clearing Acct-Supplies	\$311.20

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
			Misc Nut, Bolts, Screws, Hose, Glove, Coupler, Tarp, Storage Bin	
	Total 460214			\$311.20
	Total 50762			\$311.20
	Total Johnsons Home & Garden			\$311.20
King County Finance				
	50763	10/31/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	115606-115607			
	October 2021 Service			
	101-000-000-542-64-48-01		Traffic Signal Maintenance	\$1,209.45
	Total 115606-115607			\$1,209.45
	Total 50763			\$1,209.45
	Total King County Finance			\$1,209.45
King County Finance - I-Net				
	50764	10/31/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	11010596			
	October 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 11010596			\$750.00
	Total 50764			\$750.00
	Total King County Finance - I-Net			\$750.00
King County Finance - Mental Health				
	50765	11/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	2137634			
	3rd Qtr 2021			
	001-000-182-564-00-49-01		KC Mental Health	\$381.98
	Total 2137634			\$381.98
	Total 50765			\$381.98
	Total King County Finance - Mental Health			\$381.98

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Kirby Built Sales				
	50766	10/25/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	INVKSA2570			
	#SOKSA8338			
		001-000-290-559-30-35-04	ReDevel-mini Comm Site Park Grant	\$2,261.66
		Hand Sanitizer Station, Table		
	Total INVKSA2570			\$2,261.66
	Total 50766			\$2,261.66
	Total Kirby Built Sales			\$2,261.66
L.N. Curtis & Sons				
	50767	11/8/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	INV541633			
	PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms	\$376.27
		Shirts, Equip Pouches		
	Total INV541633			\$376.27
	50767	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	INV542510			
	PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms	\$68.93
		Equipment Pouch		
	Total INV542510			\$68.93
	50767	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	INV542776			
	PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms	\$15.13
		Name Tape		
	Total INV542776			\$15.13
	50767	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	INV543382			
	PD - Uniforms			
		001-000-210-521-10-31-04	PD-Uniforms	\$132.51
		Pants		
	Total INV543382			\$132.51
	Total 50767			\$592.84
	Total L.N. Curtis & Sons			\$592.84

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Legend Data Systems, Inc.				
	50768	11/12/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	133162			
		PD - Supplies		
		001-000-210-521-10-31-00	PD-Operating Supplies	\$21.74
		Photo ID Card		
	Total 133162			\$21.74
	Total 50768			\$21.74
Total Legend Data Systems, Inc.				\$21.74
Linda A. Noble				
	50769	11/14/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	16757			
		November 2021 Service		
		001-000-120-512-50-41-04	Court Interpreter	\$130.00
	Total 16757			\$130.00
	Total 50769			\$130.00
Total Linda A. Noble				\$130.00
Maple Valley Royal Towing				
	50770	11/7/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	58322			
		PD - Towing		
		001-000-210-521-10-49-06	PD-Towing Services	\$135.87
	Total 58322			\$135.87
	Total 50770			\$135.87
Total Maple Valley Royal Towing				\$135.87
Mayene Miller				
	50771	11/6/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	11062021 MM			
		AFLAC - Reimbursement		
		001-000-900-588-10-00-01	AWC Lia.Bld.Equip Ins /Flex Reimbs	\$1,052.94
	Total 11062021 MM			\$1,052.94
	Total 50771			\$1,052.94
Total Mayene Miller				\$1,052.94

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Office Products Nationwide				
50772	1161438-0	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		CRT - Supplies		
		001-000-120-512-50-31-00	Operating Supplies	\$23.90
		Crt Office Supplies		
	Total 1161438-0			\$23.90
50772	1161548-0	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		CD - Supplies		
		001-000-240-558-51-31-00	CD-Office Supplies only	\$53.12
		Business Card Stock		
	Total 1161548-0			\$53.12
50772	1162376-0	11/18/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		CD - Supplies		
		001-000-240-558-51-31-04	Clg-Office Supplies-CD/PW	\$153.68
		Paper Roll		
	Total 1162376-0			\$153.68
	Total 50772			\$230.70
	Total Office Products Nationwide			\$230.70
Pacifica Law Group, LLP				
50773	71263	11/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		October 2021 Service		
		001-000-150-515-45-41-10	Legal Lawsuits/Other Charges	\$3,912.00
		Koler		
	Total 71263			\$3,912.00
	Total 50773			\$3,912.00
	Total Pacifica Law Group, LLP			\$3,912.00
Puget Sound Energy				
50774	11082021 PSE	11/8/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
		October 2021 Service		
		001-000-212-521-50-47-00	Electric/gas	\$37.41
		220013379882: Police Storage		

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
	001-000-212-521-50-47-00		Electric/gas	\$604.18
	200009377470: PD/CT Elec			
	001-000-248-518-20-47-00		MDRT Electricity	\$413.47
	220013379841: MDRT Mod Bldgs Elec			
	001-000-254-518-20-47-00		Facilities-Utilities	\$94.08
	200008062016: City Hall			
	001-000-254-518-20-47-00		Facilities-Utilities	\$205.83
	200008061844: City Hall Elec			
	001-000-254-518-20-47-00		Facilities-Utilities	\$620.20
	220013379841: CD/PW Mod Bldgs Elec			
	001-000-270-575-30-47-00		Museum Electric/Gas	\$319.17
	220013378793: Museum			
	001-000-270-575-51-47-00		Gym- Electricity and Gas	\$239.62
	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	\$5.39
	220013379635: PW Shop-Parks 4%			
	001-000-280-536-20-47-00		Electric/Gas	\$2.69
	220013379635: PW Shop-Cemetery 2%			
	101-000-000-542-63-47-01		Street Lighting	\$55.15
	220013379197: Cov Sawyer & 216th			
	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	\$11.49
	220013379247: 216th Signal & Street Lights			
	101-000-000-542-63-47-01		Street Lighting	\$15.04
	220013379601: Baker St Crosswalk			
	101-000-000-542-63-47-01		Street Lighting	\$9.34
	220024466751: 24619 Morgan St			
	101-000-000-542-63-47-01		Street Lighting	\$77.01
	220024468559: Roberts Dr & Bruckners Way			
	101-000-000-542-63-47-01		Street Lighting	\$193.55
	220014704229: Intersection Light 219th & SE 296th St			
	101-000-000-542-63-47-01		Street Lighting	\$2,066.09
	220013397355: PSE Streetlights			
	101-000-000-542-63-47-01		Street Lighting	\$110.32
	220013379817: Ped Lighting Roberts			
	101-000-000-543-50-47-00		Electric/Gas	\$29.64
	220013379635: PW Shop-Street 22%			
	401-000-000-534-80-47-00		Electric/Gas	\$369.34
	220013378868: 4.3 Mil Gal Resv			

Vendor	Transaction Number Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
		401-000-000-534-80-47-00 220013378850: .5 Mil Gal Resv	Electric/Gas	\$43.69
		401-000-000-534-80-47-00 220013379635: PW Shop-Water 24%	Electric/Gas	\$32.33
		407-000-000-535-80-47-00 220013378819: Morganville Lift Station	Electric/Gas	\$97.87
		407-000-000-535-80-47-00 220013379619: Sewer Pump	Electric/Gas	\$12.79
		407-000-000-535-80-47-00 220013379643: Diamond Glen Sewer	Electric/Gas	\$34.89
		407-000-000-535-80-47-00 220013379635: PW Shop-Sewer 24%	Electric/Gas	\$32.33
		410-000-000-531-10-47-00 220013379635: PW Shop-Drainage 24%	Electric/Gas	\$32.33
	Total 11082021 PSE			\$5,790.58
	Total 50774			\$5,790.58
	Total Puget Sound Energy			\$5,790.58
Reano Construction & Logging Inc.				
	50775	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	2279			
		November 2021 Service		
		101-000-000-542-70-48-01	Roadside Maint and tree removal	\$2,717.50
		Tree Removal W of 1st Ave		
	Total 2279			\$2,717.50
	Total 50775			\$2,717.50
	Total Reano Construction & Logging Inc.			\$2,717.50
RH2 Engineering Inc.				
	50776	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	83904			
		October 2021 Service		
		001-000-257-558-70-41-02	MDRT Civil Engineering	\$2,720.55
	Total 83904			\$2,720.55
	Total 50776			\$2,720.55
	Total RH2 Engineering Inc.			\$2,720.55

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Sarah Jolk				
	50777	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	11102021 SJ			
		CD - Refund		
		001-000-240-345-83-00-01	CD Staff Review Fees	\$9.00
		Overpaid Pre-Application Fee		
	Total 11102021 SJ			\$9.00
	Total 50777			\$9.00
Total Sarah Jolk				\$9.00
Sound Publishing Inc.				
	50778	6/9/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	ECH929381			
		CD - Adv		
		001-000-240-558-60-41-75	Advertising-Long range planning	\$228.00
		Code Ammendments - Inv Lost in Mail		
	Total ECH929381			\$228.00
	Total 50778			\$228.00
Total Sound Publishing Inc.				\$228.00
South Correctional Entity				
	50779	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	5557			
		October 2021 Service		
		001-000-211-523-60-49-00	Jail Costs	\$3,864.00
		21 days		
		001-000-211-523-60-49-02	Prisoner Lang/ Medical Costs	\$1,272.00
	Total 5557			\$5,136.00
	Total 50779			\$5,136.00
Total South Correctional Entity				\$5,136.00
Spectrum Enterprises				
	50780	11/11/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	1102021-BDMC			
		November 2021 Service		
		001-000-120-512-50-41-04	Court Interpreter	\$130.00
	Total 1102021-BDMC			\$130.00
	Total 50780			\$130.00
Total Spectrum Enterprises				\$130.00

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
State Auditor's Office				
	50781	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	L144869			
		Service Through 11/10/2021		
		001-000-140-514-23-41-01	State Auditor Services	\$3,308.18
		101-000-000-543-30-41-02	State Auditor Services	\$793.96
		401-000-000-534-80-41-03	State Auditor Services	\$3,043.52
		407-000-000-535-80-41-07	State Auditor Services	\$3,043.52
		410-000-000-531-10-41-02	State Auditor Services	\$3,043.52
	Total L144869			\$13,232.70
	Total 50781			\$13,232.70
	Total State Auditor's Office			\$13,232.70
Symbol Arts				
	50782	11/4/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	0327331			
		PD - Uniform		
		001-000-210-521-10-31-04	PD-Uniforms	\$293.49
		Badges		
	Total 0327331			\$293.49
	Total 50782			\$293.49
	Total Symbol Arts			\$293.49
Tacoma Public Utilities				
	50783	10/31/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	10312021 TPU			
		October 2021 Service		
		401-000-000-534-80-41-05	Tacoma Wholesale base Charge	\$12,862.56
		Base Fee		
		401-000-000-534-80-47-05	Tacoma Util- Water Purchase	\$3,785.59
		Consumption		
	Total 10312021 TPU			\$16,648.15
	Total 50783			\$16,648.15
	Total Tacoma Public Utilities			\$16,648.15

Vendor	Transaction Number Transaction Reference Account Number	Invoice Date	Fiscal Description Name Title	Void Amount
Third Avenue Development, LLC				
	50784	11/17/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	11172021			
		Refund Permit Fees		
		408-000-000-367-00-00-01	Sewer Capital Facility Charge	\$4,500.00
		BLD21-0175 Over Charged		
	Total 11172021			\$4,500.00
	Total 50784			\$4,500.00
	Total Third Avenue Development, LLC			\$4,500.00
Thomson Reuters - West				
	50785	11/15/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	0845283419			
		October 2021 Service		
		001-000-210-521-10-41-07	PD-Prof Serv/Leads Online-Pawn shop	\$195.66
	Total 0845283419			\$195.66
	Total 50785			\$195.66
	Total Thomson Reuters - West			\$195.66
Valley Communications Center				
	50786	11/10/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	0026027			
		October 2021 Service		
		001-000-214-521-20-41-00	Valley Comm - Dispatch Service	\$9,131.98
		206 calls		
	Total 0026027			\$9,131.98
	Total 50786			\$9,131.98
	Total Valley Communications Center			\$9,131.98
Water Management Laboratories, Inc.				
	50787	11/2/2021	2021 - November - 3rd November Batch for 12.02.2021 Council	
	198383			
		October 2021 Service		
		401-000-000-534-80-41-02	Water Testing and Sampling	\$69.00
	Total 198383			\$69.00
	Total 50787			\$69.00
	Total Water Management Laboratories, Inc.			\$69.00
	Vendor Count	39	Grand Total	\$89,445.88



Register

Fiscal: 2021

Deposit Period: 2021 - December, 2021 - November

Check Period: 2021 - December - 1st December Batch for 12/02/2021 Council, 2021 - November - Void Batch, 2021 - November - 3rd

November Batch for 12.02.2021 Council, 2021 - November - Early 3rd November Batch for 12.02.2021 Council

Number	Name	Print Date	Clearing Date	Amount
Columbia Bank				
Check				
<u>50745</u>	Andrew Williamson	11/15/2021		\$153.44
<u>50746</u>	Kevin Esping	11/15/2021		\$521.73
<u>50747</u>	Third Avenue Development, LLC	11/15/2021		\$115,856.35
<u>50748</u>	Mountain View Fire & Rescue	11/17/2021		\$291,864.00
<u>50749</u>	AHBL, Inc.	12/3/2021		\$8,093.75
<u>50750</u>	Alpine Products Inc.	12/3/2021		\$84.45
<u>50751</u>	Amazon Capital Services, Inc.	12/3/2021		\$1,743.28
<u>50752</u>	Andrew Williamson	12/3/2021		\$1.12
<u>50753</u>	APSCO, LLC	12/3/2021		\$519.65
<u>50754</u>	Bill's Locksmith Service Inc.	12/3/2021		\$274.70
<u>50755</u>	Black Diamond Auto Parts	12/3/2021		\$9.77
<u>50756</u>	City of Issaquah	12/3/2021		\$420.00
<u>50757</u>	Ferguson Waterworks #3011	12/3/2021		\$278.54
<u>50758</u>	First Net	12/3/2021		\$4,846.26
<u>50759</u>	FP Mailing Solutions	12/3/2021		\$130.44
<u>50760</u>	Home Depot Credit Service	12/3/2021		\$1,054.93
<u>50761</u>	Honey Bucket/Northwest Cascade Inc.	12/3/2021		\$196.00
<u>50762</u>	Johnsons Home & Garden	12/3/2021		\$311.20
<u>50763</u>	King County Finance	12/3/2021		\$1,209.45
<u>50764</u>	King County Finance - I-Net	12/3/2021		\$750.00
<u>50765</u>	King County Finance - Mental Health	12/3/2021		\$381.98
<u>50766</u>	Kirby Built Sales	12/3/2021		\$2,261.66
<u>50767</u>	L.N. Curtis & Sons	12/3/2021		\$592.84
<u>50768</u>	Legend Data Systems, Inc.	12/3/2021		\$21.74
<u>50769</u>	Linda A. Noble	12/3/2021		\$130.00
<u>50770</u>	Maple Valley Royal Towing	12/3/2021		\$135.87
<u>50771</u>	Mayene Miller	12/3/2021		\$1,052.94
<u>50772</u>	Office Products Nationwide	12/3/2021		\$230.70
<u>50773</u>	Pacifica Law Group, LLP	12/3/2021		\$3,912.00
<u>50774</u>	Puget Sound Energy	12/3/2021		\$5,790.58
<u>50775</u>	Reano Construction & Logging Inc.	12/3/2021		\$2,717.50
<u>50776</u>	RH2 Engineering Inc.	12/3/2021		\$2,720.55
<u>50777</u>	Sarah Jolk	12/3/2021		\$9.00
<u>50778</u>	Sound Publishing Inc.	12/3/2021		\$228.00
<u>50779</u>	South Correctional Entity	12/3/2021		\$5,136.00

Number	Name	Print Date	Clearing Date	Amount
<u>50780</u>	Spectrum Enterprises	12/3/2021		\$130.00
<u>50781</u>	State Auditor's Office	12/3/2021		\$13,232.70
<u>50782</u>	Symbol Arts	12/3/2021		\$293.49
<u>50783</u>	Tacoma Public Utilities	12/3/2021		\$16,648.15
<u>50784</u>	Third Avenue Development, LLC	12/3/2021		\$4,500.00
<u>50785</u>	Thomson Reuters - West	12/3/2021		\$195.66
<u>50786</u>	Valley Communications Center	12/3/2021		\$9,131.98
<u>50787</u>	Water Management Laboratories, Inc.	12/3/2021		\$69.00
<u>50788</u>	Sorci Family LLC	12/3/2021		\$3,979.19
<u>V50638</u>	Brim Tractor Company Inc.	11/19/2021		(\$64.65)
		Total	Check	\$501,755.94
				\$501,755.94
		Grand Total		\$501,755.94

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of November 4, 2021
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

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 Deady, Oglesbee, Wisnoski, Mulvihill, de Leon, Wisnoski, and Page.

ABSENT: None

Staff present: Mona Davis, Community Development Director; Seth Boettcher, Public Works Director; Andrew Williamson; MDRT/Ec Dev Director; Rob Reed; IS Manager; Tristen Bennett, Mayene Miller; Finance Director; Jamey Kiblinger, Police Chief; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR Manager.

AGENDA REVIEW AND APPROVAL:

Councilmember Wisnoski asked to have item # 5 AB21-068 – Resolution Accepting 2021 Citywide Asphalt Overlays Project removed from tonight's agenda.

Councilmember Wisnoski **moved** to approve the agenda as amended; **second** Councilmember Mulvihill. Motion **passed** with all voting in favor (7-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Sientje Morris read an email she sent to Council regarding her positive interaction with the Black Diamond Police Department.

CONSENT AGENDA:

Councilmember de Leon asked to have item #3 – AB21-066 be removed from the consent agenda.

Councilmember de Leon **moved** to adopt the Consent Agenda as amended with removing #3 AB21-066; **second** Councilmember Deady. Motion **passed** 5-2 (Wisnoski, Oglesbee). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – November 4, 2021, Check No. 50632 through 50673 (void 50674) in the amount of \$270,195.14
- 2) **Minutes** – Work Session of October 14, 2021, Town Hall Meeting of October 14, 2021, Special Meeting of October 21, 2021, and Council Meeting of October 21, 2021
- 4) **AB21-067** – Resolution Adopting Yearly Addendum to Agreement with Valley Communications
Chief Kiblinger

PUBLIC COMMENTS:

Melissa Earl, Lumber House spoke to Council.
Robbin Taylor, Black Diamond spoke to Council.
Glen Yadon spoke to Council.
Giovani Tedesco, spoke to Council.
Jennifer Valdeen, Black Diamond spoke to Council.
Oscar Rodriquez, Black Diamond spoke to Council.
Patrick Nelson, Texas spoke to Council.
Brock Deady, Black Diamond spoke to Council.

PUBLIC HEARINGS:

- 6) **AB21-069** – 2022 Preliminary Budget and Revenue Sources Including Possible Increase in Property Tax
Ms. Miller

Finance Director Miller briefed Council on this item.

Mayor Benson opened the public hearing at 7:36 p.m. No comments were heard, and Mayor Benson closed the public hearing at 7:36 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

- 3) **AB21-066** – Resolution Amending the Interlocal Agreement with SCORE
Chief Kiblinger

Councilmember Deady **moved** to approve Resolution No. 21-1447 authorizing the Mayor to execute an addendum to the agreement for inmate housing with South Correctional entity for 2022; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor. (7-0).

DEPARTMENT REPORTS:

Fire – Chief Smith reported that call volumes in the city are normal and there was no fire loss since his last report. He announced that engine 98 is in service. He shared that the fire engine returned to city and aid car is needing parts and mechanics are having a hard time locating parts and trying to see if the cost is too much. He mentioned that a branch went through roof of Station 98 during the windstorm, and we need to look at getting a new roof on it next spring. He discussed some significant storms being off the coast of

Washington and people should get prepared. He noted that November is the rainiest month of the year and for windstorms too.

Police – Chief Kiblinger responded to questions asked by Councilmember de Leon in an email to her.

MAYOR’S REPORT:

Mayor Benson read a statement she prepared regarding a post on social media.

COUNCIL REPORTS:

Councilmember Deady reported attending all her committee meetings, “push-in” of the new fire truck. She noted the fire department being as much loved as the police department and talked about the new station that is being built. She discussed the comprehensive plan setting the level of service for police officers. She thanked Ms. Morris for her coming tonight and sharing her experience with our police department.

Councilmember Oglesbee reported attending all her committee meetings and stated she did listen to the work study from last week. She commented on the Public Safety Committee meeting where Chief Smith explained the aid car and truck being in service. In the meeting they discussed the SCORE agreement and Court receiving a \$90,000 grant for therapeutic court. She mentioned that during the meeting Mr. Esping Kevin talked about having our department ready for the winter so we can have safe roads for citizens to travel on. She thanked everyone for their public comments and expressed it being nice to see everyone in person. She encouraged everyone to continue to come and speak. She noted talking to business owners in the community to see how she can support them. She stated that we are a village and need to work together and be kind, and patient and stick together as a community.

Councilmember Wisnoski reported having volunteers for Make a Difference Day at the Museum to do a clean-up. He thanked everyone who participated and plans on making this a reoccurring event to bring our citizens together and support neighbors helping neighbors. He attended the “push-in” of the fire engine, noted it being time to start thinking about buying another one with the opening of a new fire station and believes this should happen in the 1st or second quarter of next year. He expressed being happy to see the new truck and new contract as public safety is a top priority. He thanked Ms. Morris for coming tonight to reaffirm how great our police department is. He thanked everyone for their public comments tonight and hopes this urge of interest doesn’t go away as it’s important for council to hear from their constituents. He commented on having two weeks left on the Council and thanked everyone for the feedback. He shared that he will be here for any councilmember and will gladly loan out his books. He gave congratulations to the newest member of the police department and hopes she can come to a future meeting. He congratulated the court on the therapeutic court grant and thanked public works for working hard to keep up safe and for keeping everything running. He reminded everyone that the Holidays are coming up and not to forget to support the local small

businesses. H still believe the city needs to hold a business focused town hall to hear from them what challenges they are facing and what Council can do to help. He thanked all who have reached out to him these last few weeks.

Councilmember Mulvihill reported that she missed the fire truck “push in” event and expressed appreciating all the public comments heard tonight. She is thrilled about the therapeutic court grant and also reported attending the joint meeting with the Enumclaw School District Board and the Enumclaw City Council. She announced that December 11 is Hometown Christmas, and the Black Diamond Community Center will be holding a bazaar.

Councilmember de Leon reported attending all her committee meetings and had a delightful opportunity to participate at Lake Sawyer for Make a Difference Day. She commented on being glad to see the grant for therapeutic court and adding this to a menu of ways to help people. She also thanked Ms. Morris for coming here tonight. She expressed being very glad to see all of this come to a very good story and a good experience. She noted that if she over interpreted it, she gave an open invitation for anyone to reach out to her and apologized for any mischaracterization that may have happened. She also thanked Ms. Morris for being here for the entire meeting. She is very glad to have the opportunity about the sources and funding for our future budgets. She noted there being some emotion and hot button issues and she is asking questions regarding financial responsibility. She commented that we need to look at larger expenses and are the costs justified and for our due diligence we need to be asking the questions. She understands that level of service is important when asking these questions, we can get to more opportunities to look at the budget in a holistic way and really talk about what the future of public safety means and gave examples. She commented on appreciating the Chief for taking the opportunity to answer the questions. She added that when we are talking about safety, and talking about ways to communicate with residents, she doesn’t believe that it is so far out of line to ask people not to come to public official residents and gave examples of ways people can get in touch with her and that people do not come to their private property to harass them. She doesn’t condone behavior like that and doesn’t appreciate it either and stated that people have choices and those choices come with consequences and asked how does this make our community come together. She ended by stating is it so much to ask that we draw the line at people in their houses.

Councilmember O’Donnell thanked everyone for coming tonight and noted this being the first time he has been in the Council Chambers. He thanked everyone for providing public comment and is glad to hear about Ms. Morris’ experience and noted we are all in this together. He stated Councilmember Deady living and breathing Black Diamond and expressed her being spectacular and thanked her for her public service. He noted believing it being important for the Council to be non-partisan, and when we agree to disagree, we do it in a respectful way for the sake of the city and everyone here. He noted that Councilmember de Leon is not out there to defund the police, she is doing her job by asking questions. He commented on public safety being the number one priority because they are the ones that have to get it right every single time and we will support them whether in training, more vehicles, or officers and we need to ask tough questions. He is for all of us to be more kinder and decent and that goes for him too. He added that we are

all human beings here and are all doing the best we can do and it's not always easy. He noted making \$68 a month as a Councilmember and donates his money to Miners Day and doesn't want to be someone else's punching bag - we need to have each other's back and we are all in this together. He touched on hearing loud and clear from the two councilmembers about discrimination and believes there is way together to put together a new resolution.

Councilmember Page reported attending all committee meetings and had the opportunity to participate in the "push in" ceremony. She also attended the joint meeting with the Enumclaw School Board and the Enumclaw City Council and noted all are feeling growing pains as neighboring communities. She commented on the property tax item not being an out of line increase; these are incremental steps we need to stay current, and we're not even caught up. She talked about community assist and an incident she had with her mom and needing to call for this. She noted the division in this city is breaking her heart. She urged that we need to be able to have civil productive conversations as we are here because we want to make a difference for everyone in our community. She noted this council being individual thinkers and for being the first time, it was impressive to have these meetings in a hybrid way and is so grateful everyone came and took the time. She reminded everyone to turn back their clock this weekend and to change their smoke detector batteries.

ATTORNEY REPORT:

Attorney Linehan noted being happy to see the new truck in service. He shared good news with Council that a decision was received from the Hearing Examiner on the SEPA appeal regarding the proposed 2020 Comp Plan Update He announced the decision affirmed the SEPA officials' determination. He noted this is great news for the city and Ms. Davis has a work session scheduled to touch on the amendments that will be coming forward for council consideration. He also congratulated Ms. Davis.

PUBLIC COMMENTS:

Melissa Earl, Lumber House Brewery, spoke to Council.

Robbin Taylor, Black Diamond spoke to Council.

Brock Deady, Black Diamond spoke to Council.

Glen Yadon, Black Diamond spoke to Council.

Patrick Nelson, Texas spoke to Council.

Giovani Tedesco, Black Diamond spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Wisnoski **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (7-0). The meeting ended at 9:23 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

DRAFT

BLACK DIAMOND CITY COUNCIL MINUTES
Council Special Meeting of November 8, 2021
Virtual Meeting Via Zoom

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the special meeting to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Wisnoski, Mulvihill, de Leon, O'Donnell.

ABSENT: Councilmembers Oglesbee, Page (excused)

Staff present were: Mona Davis, Community Development Director; Boettcher, Public Works Director; David Linehan, City Attorney; and Brenda L. Martinez, City Clerk/HR

WORK SESSION:

- 1) Discussion and Review of the Annual 2020 Comprehensive Plan Amendments - Ms. Davis

Community Development Director thanked everyone for attending tonight. She noted staff is still trying to get the 2020 comp plan amendments through. She announced that the city prevailed on the appeal of the 2020 Comprehensive Plan Amendments, however now the 2021 Comprehensive Plan Amendments have been appealed and thought it would be good to run through the 2020 comp plan amendments. She stated that she sent Council the just before the meeting Resolution NO. 20-1371 that laid out the whole series and course of events that got us here today.

She discussed that the focus of the 2020 annual amendment was limited to items that were inadvertently deleted from the final formatting of the 2019 Comp Plan and items that the Puget Sound Regional Council (PSRC) recommended for full certification of the 2019 Comprehensive Plan; PSRC gave the plan a partial conditional certification.

City Attorney Linehan discussed the timeline and noted that the 2020 amendments are still proposed amendments since Council has not adopted them as they were appealed. He reminded Council that the SEPA decision was upheld, and the 2020 amendments are now ready to come before Council for adoption. He also noted that the Planning Commission is working on the 2021 amendments.

Ms. Davis reviewed with Council the Planning Commission's recommendation of proposed changes and discussed each one. The City Council recommend the following changes.

5.13 Commercial Goals and Policies - Community Commercial (CC) – Second paragraph, last sentence. Recommended to strike to be consistent with current zoning code. ~~To that end, the Community Commercial designation is not intended to be a mixed-use area and residential development shall not be allowed.~~

LU Goal 10 – Recommended to replace ‘in the TC and NC Designations’ with “in the Town Center and Commercial Zoning Designations”.

In closing, Ms. Davis noted she will be working with the City Clerk to get a public hearing scheduled on December 2nd.

ADJOURNMENT:

Councilmember Wisnoski **moved** to adjourn the meeting; **second** Councilmember Deady. Motion **passed** with all voting in favor (5-0).

The meeting ended at 7:33 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of November 18, 2021
Hybrid Meeting Via Zoom and In-Person
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

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 Deady, Oglesbee, Wisnoski, Mulvihill (Zoom), de Leon, and Wisnoski

ABSENT: Councilmember Page (excused)

Staff present: Mona Davis, Community Development Director; Seth Boettcher, Public Works Director; Andrew Williamson; MDRT/Ec Dev Director; Rob Reed; IS Manager; Tristen Bennett, Mayene Miller; Finance Director; Brian Lynch, Sergeant; David Linehan, City Attorney; 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 (6-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

Councilmember Oglesbee **moved** to adopt the Consent Agenda; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – November 18, 2021, Check No. 50675 through 50744 and EFTs in the amount of \$1,336,844.17
- 2) **Payroll** - October 2021, Check No. 20127 through 20134 and ACHs in the amount of \$409,449.31
- 3) **Minutes** –Special Meeting of October 28, 2021, and Special Meeting of November 4, 2021
- 4) **AB21-070** – Resolution Approving Contract Extension for Madrona Law Group

- 5) **AB21-071** – Resolution Regarding Contract with Long Bay Enterprise for Commercial Real Estate Services
- 6) **AB21-072** - Resolution Confirming and Approving Judicial Services Agreement with Judge Swain

PUBLIC COMMENTS:

Ed Brett, Black Diamond Eagles spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

PUBLIC HEARINGS:

- 7) **AB21-073** – Proposed 2022 Preliminary Budget

Finance Director Miller presented to Council on this item.

Mayor Benson opened the public hearing at 7:14 p.m. No comments were heard, and Mayor Benson closed the public hearing at 7:14 p.m.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

- 8) **AB21-074** – Ordinance Regarding 2022 Property Tax Dollar Amount Increase and Percentage

Finance Director Miller briefed Council on this proposed ordinance.

Councilmember Wisnoski **moved** to adopt Ordinance No. 21-1166 approving the property tax dollar increase and percentage as calculated by King County for 2022; **second** Councilmember Deady. Motion **passed** with all voting in favor (6-0).

- 9) **AB21-075** – Ordinance Setting the Estimated Assessed Valuation and Maximum Property Tax Dollar Amount for 2022

Finance Director Miller reported to Council on this item.

Councilmember Oglesbee **moved** to adopt Ordinance No. 21-1167 setting the estimated assessed valuation and maximum property tax dollar amount for 2022 to be used for public safety, including, police, fire and emergency services; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (6-0).

- 10) **AB21-076** – Approving the City's 2022 Legislative Agenda

Councilmember Deady **moved** to adopt the City's 2022 Legislative Agenda; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (6-0)

11) AB21-077 – Resolution Authorizing Change Order to Pacific Civil & Infrastructure Contract to Add a 12-inch Watermain Installation on SR 169

Public Works Director Boettcher briefed Council on this.

There was Council discussion with the focus being on funding and the trees in the right of way.

Councilmember de Leon **moved** to approve Resolution No. 21-1452 authorizing the Mayor to approve a change order on the Springs Transmission Main construction contract with Pacific Civil and Infrastructure adding a 12-inch watermain installation on SR 169; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (6-0)

DEPARTMENT REPORTS:

Fire – Chief Smith announced that the call volume is 1.5 per day and is up by ½. He reminded everyone that fire station 98 is now staffed 24 hours a day.

MAYOR'S REPORT:

Mayor Benson presented Councilmember Wisnoski with a certificate of appreciation for his service to the City of Black Diamond. She reported attending the SCATBd meeting and the City will need to renew the agreement at the 12/2 meeting. She attended the Chamber Luncheon where there was a presentation on cyber security. She also attended a public meeting at the Bakery regarding rezoning property in King County.

COUNCIL REPORTS:

Councilmember Oglesbee noted being in favor of adding a city administrator to the 2022 budget. She is sending prayers and thoughts to Councilmember Page and her family and agrees with the request from the Eagles to the city for \$30,000 to become an emergency shelter. She wished Chris all the best and noted it being a pleasure to work with him.

Councilmember Deady discussed the request from the Black Diamond Eagles for funding from the City to become an emergency shelter for the city and expressed it being a win for everyone. She commented that the city will need to enter into a written contract with the Eagles before we can give this money to them. She noted it was suggested to do a budget amendment for this year and it will be ready to get to them once the contract is signed. There was consensus for Ms. Miller to bring forward this expense in the 2021 budget amendment.

Councilmember Wisnoski noted fully supporting giving the money to the Eagles for emergency preparedness. He noted this being his last meeting and said thank you for the opportunity and continued to read from his prepared statement.

Councilmember Mulvihill expressed how enjoyable it has been to serve with Councilmember Wisnoski on the Council and thanked him. She asked a question regarding the ARPA funds that were approved for the Black Diamond Community Center and if they are excluded from asking and using the funding for their needs such as rent and utilities. Councilmember Deady responded that the City does donate money to them for the needs they have. She thanked Mayor and staff for attending the public meeting on the zoning issue and agrees with Ms. Wheeler that a City Administrator should be added to the budget. She commented on the therapeutic court serving the people and looking forward to how the court will bring this together for our residents and citizens.

Councilmember de Leon agrees with the importance of adding a city administrator to the budget. She touched on communicating with citizens on the rezone issue and needing to learn more as she has concerns with flooding and landslides. She attended her committee meetings and would like to be part of the meetings with the Eagles. She discussed the vaccine and flu shots. She thanked Mr. Smith for the snacks tonight and expressed her condolences to Councilmember Page.

Councilmember O'Donnell noted being in agreeance with the money allocated to the Eagles. He thanked everyone for their comments, both in person and in writing. He is also in support of adding a city administrator. He thanked Councilmember Wisnoski for his public service. He discussed how we can bring people together during public comment and the need for the back-and-forth dialogue. He asked how do we engage with the community more? He gave examples of types of ad hoc committees that could help with engaging the public and would like to talk about this more in an upcoming work session.

Councilmember Deady reported attending PIC, WRIA 9, SCATBd, and noted that Santa is coming at the Eagles. She discussed the manhole cover bubbling over on Railroad Avenue. She commented on it being nice to see a consensus on the Eagles and noted them being a huge support for all citizens. She thanked Chris for his service on the Council and noted him only showing the best for the citizens and looks forward to working with him off the dais. She expressed needing a City Administrator and believes they could help the city. She shared that the Museum is starting to decorate, and the city will be bringing out the wreaths on Railroad Avenue soon. She commented on Councilmember O'Donnell's question about how to bring the community together. She gave Councilmember Page all her best during this difficult time and noted her heart going out to her. She commented on the rezone meeting and not attending as it looked very crowded and was happy to hear that Mayor Benson and staff attended.

ATTORNEY REPORT:

PUBLIC COMMENTS:

Kristen Bryant, Bellevue spoke to Council.

Ed Brett, Black Diamond Eagles spoke to Council.

Kelley Sauskojus, Black Diamond spoke to Council.

EXECUTIVE SESSION: In accordance with RCW 42.30.110(1)(b) at 8:44 P.M. Mayor Benson recessed the meeting into an executive session in accordance with RCW42.30.110(1)(b). The executive session was anticipated to last approximately 30 minutes with no action to follow.

Councilmember Deady left the meeting during executive session at 8:55 p.m.

Mayor Benson called the meeting back to order at 9:20 p.m.

ADJOURNMENT:

Councilmember Wisnoski **moved** to adjourn the meeting; **second** Councilmember O'Donnell. Motion **passed** with all voting in favor (5-0). The meeting ended at 9:20 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: December 2, 2021	AB21-085
Resolution authorizing the Mayor to execute the City's written final plat approval for The Villages MPD, Ten Trails Plat 2D Division 1 Final Plat	Mayor – Carol Benson	
	City Administrator –	
	City Attorney – David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Mona Davis	
	Finance – May Miller	
	MDRT/Eco Dev – Andy Williamson	X
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): None	Public Works – Seth Boettcher	
Fund Source: n/a	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution; Staff Report; Plat Map; Performance and Maintenance Bonds		
SUMMARY STATEMENT: The Villages (also referred to as “Ten Trails”) Plat 2D Div 1 is a 82-lot plat that was granted preliminary plat approval under City File Number PLN18-0078, pursuant to the Hearing Examiner’s April 23, 2020 Decision. The plat is located within The Villages Master Planned Development Phase 2D and is zoned Master Planned Development (MPD). The owners, Oakpointe / CCD Black Diamond Partners LLC, have completed the preliminary plat requirements and now are requesting final plat approval. Staff has worked with the applicants to ensure preliminary requirements have been met. Staff’s written findings and recommendation for approval are documented in a Staff Report for City Council’s review. If the Council determines that the final plat conforms to all terms of the preliminary plat approval set forth by the Hearing Examiner and that adequate bonds have been posted, then by resolution, it shall accept staff’s written findings and authorize the Mayor to execute the final plat approval by entering the City’s written approval on the face of the plat.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 21-1455 approving the Final Plat for Ten Trails Plat 2D Division 1 (PLN21-0064).		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

RESOLUTION NO. 21-1455

A RESOLUTION OF THE CITY OF BLACK DIAMOND, WASHINGTON, GRANTING APPROVAL OF THE FINAL PLAT FOR TEN TRAILS (F/K/A “THE VILLAGES”) PLAT 2D DIVISION 1 SUBDIVISION

WHEREAS, on September 20, 2010, the City Council adopted Ordinance No. 10-946 approving a Master Planned Development (“MPD”) permit for applicant CCD Black Diamond Partners LLC’s (“Oakpointe”), f/k/a Yarrow Bay, to develop a master planned community known as “The Villages”; and

WHEREAS, on December 12, 2011, the City Council adopted Ordinance No. 11-970 approving The Villages Development Agreement (“DA”) with Oakpointe setting forth extensively negotiated requirements and agreed conditions governing commercial and residential development activity within The Villages MPD, now known as “Ten Trails”; and

WHEREAS, in a decision dated April 23, 2020, the City’s Hearing Examiner granted Preliminary Plat Approval for the subdivision known as Ten Trails Phase 2D (“PP2D”) of The Villages MPD, processed under City File No. PLN18-0078; and

WHEREAS, Oakpointe has applied for final plat approval (File No. PLN21-0064) for Ten Trails Plat 2D Division 1, which lies within Ten Trails PP2D; and

WHEREAS, under the DA, Oakpointe’s application for final plat approval of Ten Trails Plat 2D is vested to the Black Diamond Municipal Code in effect as of the date of the DA, which is attached as Exhibit E to the DA (“Vested Code”); and

WHEREAS, City staff and members of the Master Developer Review Team (“MDRT”) have reviewed the proposed final plat for Ten Trails Plat 2D Division 1 for compliance with all provisions of state law and the Vested Code, as well as all conditions imposed by the applicable MPD permit, the DA, the Hearing Examiner’s Preliminary Plat Approval, and the MPD Framework Design Standards and Guidelines (collectively, “Conditions of Approval”), and have prepared and provided to the City Council a Staff Report summarizing their findings in detail; and

WHEREAS, City staff and members of the MDRT, based on their review of the final plat application, recommend approval of Ten Trails Plat 2D Division 1 final plat, subject to Oakpointe’s submission of adequate security to ensure the completion of the remaining work; and

WHEREAS, City staff and members of the MDRT have reviewed and approved the bonds guaranteeing completion and maintenance of the infrastructure improvements required by the Conditions of Approval; and

WHEREAS, section 17.20.060.B of the Vested Code requires the City Council to review the Staff Report and proposed final plat to assure its conformance to all

Conditions of Approval and that the required bonds, if applicable, have been posted, and further requires the City Council, by resolution, to make written findings to that effect and thereupon to authorize the Mayor to execute the City Council's approval in writing on the face of the final plat; and

WHEREAS, RCW 58.17.140 and Vested Code section 17.20.060 require that the City Council approve, disapprove, or return the final plat for modification within a limited time period, unless the applicant consents to a longer time; and

WHEREAS, RCW 58.17.195 prohibits the approval of any subdivision unless the City makes a formal, written finding of fact that the proposed subdivision conforms to applicable zoning ordinances and other land-use controls;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Final Plat Approval. The City Council finds, based on its review of the Staff Report and proposed final plat for Ten Trails Plat 2D Division 1, that all Conditions of Approval have been satisfied, or where they have not yet been satisfied, that adequate security has been or will be posted to ensure the full and prompt completion of all required improvements that have not yet been completed. Further, the City Council finds that the proposed subdivision conforms to applicable zoning ordinances and land-use controls of the City. Accordingly, the final plat for Ten Trails Plat 2D Division 1 is hereby approved on condition that Oakpointe provides bonds, in a form and amount acceptable to the City, guaranteeing completion of all infrastructure improvements required by the Conditions of Approval that have not yet been completed.

Section 2. Authorization. Upon Oakpointe's provision of the bond(s) described in Section 1, the Mayor is authorized to sign the final plat for Ten Trails Plat 2D Division 1, signifying the Council's approval.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF DECEMBER 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

P.O. Box 599
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November 22, 2021

STAFF REPORT – PLN21-0064 Ten Trails MPD Plat 2D – Division 1 Final Plat

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Administrative Note: References to “Ten Trails” within this final plat application can be used interchangeably with “The Villages.” The applicant has re-branded The Villages Master Planned Development as “Ten Trails,” however the approved Master Planned Development Permit for The Villages (City File Number PLN09-0017) has not been amended to officially refer to the Master Planned Development as “Ten Trails.”

Section I: Application Information

Staff Report Date: November 22, 2021

Name of Subdivision: Ten Trails Master Planned Development Plat 2D – Division 1

Number of Lots: 81 total lots for residential development (Lots 1-65, 67-82), 1 lot for a future community center (Lot 66) and 16 tracts for access, utility, pedestrian access, landscape, sensitive area, and park uses.

Location: Unaddressed King County Parcel Number 152106-9106

Zoning: Master Planned Development (MPD)

Comprehensive Plan Designation: Low Density Residential with MPD Overlay

Land Owner / Applicant: CCD Black Diamond Partners LLC, d/b/a Oakpointe

Preliminary Plat Approval: The Ten Trails MPD Phase 2 Plat D Preliminary Plat application, processed under City File Number PLN18-0078, was approved by the City's Hearing Examiner on April 23, 2020 subject to 51 conditions of approval. Notably, Phase 2 Plat D is identified as an age-qualified development, with a minimum age restriction imposed within the development's Declaration of Covenants, Conditions, and Restrictions (CC&Rs).

Compliance with the Phase 2 Plat D Preliminary Plat conditions of approval is detailed in Section IV – Project Analysis of this Staff Report.

Final Plat Application: The City initially received an application for final plat approval on September 30, 2021. The final plat application is for Division 1 of Plat 2D, with remaining Divisions to be final platted in the future. The applicant provided revised final plat drawings and additional information to the City on November 18, 2021.

Section II: Summary of Request

This application is for the final platting of Division 1 of Ten Trails MPD Plat 2D, which received preliminary plat approval in April 2020. The Plat 2D – Division 1 final plat contains the following:

- 81 Single-Family Residential Lots
 - Residential lot sizes range from 4,411 square feet (0.10 acres) to 7,597 square feet (0.17 acres). The average residential lot size is 5,290 square feet (0.12 acres).
- 1 Community Center Lot
 - Lot 66 is identified as a future community center serving this age-qualified development. Subsequent permitting activities, including a Site Plan Review application and SEPA Environmental Review, will be required prior to development of the community center.
- 16 Tracts
 - Tract uses include access, utility, pedestrian access, landscape, park, and sensitive area uses. Refer to the Tract Areas table on Sheet 3 of the final plat.
 - Tract L is identified as a neighborhood park with an area of 41,336 square feet (0.95 acres).

Section III: Process

The applicant is required to receive preliminary plat approval prior to submittal and approval of a final plat. The Ten Trails Phase 2 Plat D Preliminary Plat was approved by the City’s Hearing Examiner on April 23, 2020 subject to 51 conditions.

The applicant filed a complete final plat application for Plat 2D – Division 1 on September 30, 2021 for review by the City. The applicant provided revised final plat drawings and additional information to the City on November 18, 2021. The final plat was reviewed by City Staff and MDRT consultants for compliance with applicable preliminary plat conditions of approval (see Section IV – Project Analysis below). This Staff Report provides written findings related to the Plat 2D – Division 1 final plat application and a recommendation to the City Council for final plat approval.

It is the City Council’s responsibility to make a final determination on the final plat based on the conditions of preliminary plat approval and applicable laws and regulations. This Staff Report serves to provide Staff’s review of the final plat application and findings regarding compliance with applicable conditions of associated permits, including the preliminary plat application. If the final plat application complies with all applicable conditions and regulations, the City Council is required to enter written findings to that effect and authorize the Mayor to execute the City’s written approval on the face of the plat (BDMC 17.20.060.B and RCW 58.17.170). Final Plat approval is a Type 6 – City Council Decision (BDMC 18.08.030). The Code defines Type 6 decisions as quasi-judicial or other decisions that are made by the City Council following a recommendation by staff (BDMC 18.08.090).

Section IV: Project Analysis

- RCW 58.17.170(1), regarding written approval of Final Plat Applications:

“When the legislative body of the city, town, or county, or such other agency as authorized by RCW 58.17.100, finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that said subdivision meets the requirements of this chapter, other applicable state laws, and any local ordinances adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written

approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town, or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance.”

- BDMC Chapter 17, regarding the City’s Subdivision Ordinance:

The applicant submitted a preliminary plat application for Ten Trails MPD Phase 2 Plat D in compliance with the provisions of Black Diamond Municipal Code Chapter 17.12 under City File Number PLN18-0078. The application was approved by the Hearing Examiner on April 23, 2020 subject to 51 conditions of approval.

This final plat application complies with applicable conditions of approval established by the preliminary plat approval (refer to Section IV – Project Analysis: Compliance with Associated Conditions of Approval – The Phase 2 Plat D Preliminary Plat Conditions of Approval (PLN18-0078) below).

The applicant has submitted final plat drawings in compliance with the provisions of Black Diamond Municipal Code Section 17.20 under this City File Number, PLN21-0064. The submitted final plat drawings include all required contents and standards (as established by BDMC 17.20.020), required surveys and monumentation (as established by BDMC 17.20.030), required certificates (as established by BDMC 17.20.040), and required improvements/bonds (as established by BDMC 17.20.050). Bonds are provided as Exhibit A of this Staff Report.

In summary, the final plat meets all standards established by the City’s Subdivision Ordinance. Written approval from the designated Public Works Director, Surveyor, and Fire Chief are provided as Exhibit B of this Staff Report.

- BDMC 17.20.060, regarding the City’s process for final plat review and decision:

“Final plats shall be approved, disapproved or returned to the applicant for modification or correction within sixty days from the date of filing thereof unless the applicant consents to an extension of such time period.”

This section of the vested Black Diamond Municipal Code further provides for Staff Review and findings (BDMC 17.20.060.A), followed by a City Council decision on the final plat (BDMC 17.20.060.B). Specifically:

“The city council shall review the findings of the public works director or designee and review the proposed final plat to assure that there is conformance with all terms of the preliminary plat approval and, where applicable, MPD approval, the MPD development agreement, and MPD design standards. If the council determines that the final plat conforms with these requirements, and adequate bonds, if applicable, have been posted, then, by resolution, it shall enter written findings to that effect, and shall authorize the mayor to execute the city’s written approval on the face of the plat.”

Pursuant to BDMC 17.08.010, the public works director is defined as the “person, firm, or corporation appointed or authorized (including contractual authorization) by the mayor of the city to carry out the duties of the public works director as prescribed by the chapter.”

- Compliance with Associated Conditions of Approval
 - **Phase 2 Plat D SEPA Environmental Review Mitigation Measures (PLN18-0079)**

The City of Black Diamond prepared an Adoption of Existing SEPA Document (of The Villages Master Planned Development Environmental Impact Statement (EIS)) and Mitigated Determination of Non-Significance (MDNS) for the Ten Trails Phase 2 Plat D Preliminary Plat application. The City's SEPA Determination was appealed and ultimately upheld with revisions to the condition language in association with the Hearing Examiner's Report and Decision for this application, issued on April 23, 2020. The Decision added SEPA Mitigation Measure #17, removed SEPA Mitigation Measure #19 and revised the language of SEPA Mitigation Measures #14 and 20. The final language of the SEPA Mitigation Measures is provided as Conditions of Approval #1-19 of the Hearing Examiner's Report and Decision.

The following SEPA Mitigation Measures, as implemented by the Hearing Examiner's Report and Decision for the Ten Trails Phase 2 Plat D Preliminary Plat (completed under City File Number PLN18-0078), are not applicable to this final plat application:

SEPA Mitigation Measures #4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 17, 18

These mitigation measures are specific to on-site construction activities associated with the approved utility permit application (City File Number PUB20-0017) for Plat 2D.

The following SEPA Mitigation Measures (written verbatim) from the Hearing Examiner's Report and Decision (PLN18-0079) have been completed or bonded for to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

SEPA Mitigation Measure #1: Pursuant to BDMC 19.10.220.D, wetland buffer boundaries adjacent to land within this plat shall be permanently delineated by split-rail fencing and identification signs, as approved by the City.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All wetland buffer boundaries adjacent to Plat 2D – Division 1 have been permanently delineated by split-rail fencing and identification signs.*

SEPA Mitigation Measure #2: Site plans for site development permits for lands adjacent to wetland buffers shall include location of all wetland buffer boundaries.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All subsequent permitting activity, ranging from individual building permits to site plan reviews to landscape plans, will be required to show the location of all applicable wetland buffer boundaries on the site development plans.*

SEPA Mitigation Measure #3: Pursuant to BDMC 19.10.150(B), wetlands and associated buffers shall be defined as separate tracts in the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Tracts D, H, I, K, L, M, and P, all of which have sensitive areas and/or*

associated buffers, have been delineated into separate tracts. Refer to the Tract Areas table on Sheet 3 for individual tract uses.

SEPA Mitigation Measure #10: Applicant shall comply with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvement details, dated January 28, 2014 and approved on June 13, 2014.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #2 on Sheet 3 of the final plat binds all development and construction within the final plat to be consistent with the provisions of the MPD Permit and Development Agreement, including the construction thresholds established in the Detailed Implementation Schedule – Phase 2 Regional Infrastructure Improvements table.*

SEPA Mitigation Measure #14: Mitigation performance monitoring reports for the proposed wetland enhancement occurring within wetlands P/Q and E1 shall comply with the guidance and applicable content standards (denoting means and methods) of the State Department of Ecology's Washington interagency wetland mitigation guidance, published as Wetland Mitigation in Washington State: Part 1 - Agency Policies and Guidance (Version 1, March 2006), Pub. No. 06-06-11 a, and Wetland Mitigation in Washington State: Part 2 – Developing Mitigation Plans (Version 1, March 2006), Pub. No. 06-06-11 b. The Department of Ecology has determined that the US Army Corps of Engineers Regulatory Guidance Letter 08-03 is consistent with Washington's interagency wetland mitigation guidance for monitoring reports must be submitted to and approved by the City's Master Development Review Team (MDRT) in accordance with BDMC 19.10.260.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Wetland mitigation performance monitoring reports for the wetland enhancement activities permitted in association with the 2D preliminary plat will be submitted to MDRT annually for review and approval.*

SEPA Mitigation Measure #16: A wetland monitoring plan including detailed vegetation and monitoring methodology shall be submitted to, and approved by, the City's MDRT department prior to any site disturbance activities for final plat approval. The wetland monitoring plan shall meet all requirements of the applicable stormwater manual for pre and post-construction monitoring and shall perform monitoring pre and post construction to a level that exceeds requirements in the 2005 DOE manual and SEPA Mitigation Measure No. 14b from the Phase 2 Plat A Hearing Examiner Decision Upon Reconsideration dated April 29, 2019 which reads as follows:

"Wetland hydrology monitoring means and methods shall be submitted for evaluation and approval prior to permit issuance. Wetland vegetation should be monitored post-construction and adaptive management provisions

included to ensure substantially similar hydrologic support to the existing site conditions. Wetland vegetation monitoring shall be conducted annually for five years. As part of its wetland monitoring plan, the applicant shall prepare a tree study for each wetland that includes all trees over 6 inches dbh, including cottonwood trees. Once the phase is installed all actual topography must be verified to ensure the modelled hydro logic regime is accurate. Hydrologic monitoring must be done in each wetland within the project area. Piezometer-wells crest stage gauges at inlet and outlet should be installed and monitored on a daily basis using a continuous data logger. This should be done post-construction for a minimum of two years. Use vegetation sampling stations, arborist or wetland professional do site visit to each wetland twice yearly to review wetland vegetation, once in spring when trees are beginning to bud and second time in late August at end of growing season. Any signs of stress should be identified immediately and passed to the City so that stormwater reconveyance and flow modification can occur as soon as possible."

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The wetland monitoring means and methods for Plat 2D have been reviewed and approved by the City's wetland consultant (Exhibit D).

SEPA Mitigation Measure #19: Oakpointe shall submit to the City MDRT a park plan for park use of Tract 922, including an analysis of potential impacts from such park use to wildlife habitat within the reduced width wetland buffer adjoining Tract 922. The City MDRT shall review and approve this park plan prior to any construction of recreation improvements on Tract 922. The proposed plan shall include measures to ensure the proposed park use on Tract 922 will not degrade or impair wetland functions; functional performance and the use of the wetland buffer adjoining Tract 922 for wildlife habitat.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Park development plans, including a sensitive areas analysis, must be submitted prior to the commencement of any construction activities on Tract 922 (Tract L of this final plat).

○ **Phase 2 Plat D Preliminary Plat Conditions of Approval (PLN18-0078)**

The preliminary plat conditions of approval continue the numbering sequence from the SEPA Mitigation Measures associated with this proposal – preliminary plat specific conditions of approval begin at #20 of the Hearing Examiner's Decision. The following Phase 2 Plat D Preliminary Plat conditions of approval, as imposed by the Hearing Examiner's approval of the preliminary plat application, are not applicable to this final plat application:

Preliminary Plat conditions of approval #20, 21, 23, 27, 34, 36, 38, 39, 40, 41, 43, 44, 45, 46, 48
These conditions of approval are specific to on-site construction activities associated with the approved utility permit application (City File Number PUB20-0017) for Plat 2D.

The following Ten Trails Phase 2 Plat D Preliminary Plat conditions of approval (written verbatim) have been completed or bonded to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

Preliminary Plat Condition #22: Infrastructure improvements shall be constructed as required by The Villages Development Agreement Section 11: Project Phasing, implementing project conditions of approval, and SEPA Mitigation Measures.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #6 on Sheet 4 of the final plat binds all development and construction within the final plat to be consistent with the provisions of the MPD Permit and Development Agreement, including the construction thresholds established in Section 11 of the Development Agreement. Sheet 14 of the final plat also provides a non-comprehensive list of infrastructure improvement timings established by the MPD Permit and Development Agreement.*

Preliminary Plat Condition #24: At the time of building permit application, structures will be required to either have required fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #7 on Sheet 4 of the final plat states this requirement. This requirement will be enforced at the time of building permit submittal for individual applications.*

Preliminary Plat Condition #25: All alleys shall be posted "No-Parking" with signage according to the International Fire Code; provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Signage plans showing "No-Parking" sign locations were reviewed in association with the utility permit submittal (PUB20-0017). Additionally, Conditions for Final Plat Note #8 on Sheet 4 of the final plat states this requirement. The CCRs associated with this plat establish enforcement provisions in Sections 6.8, 11.1(c), 11.1 (e), and 8.5.7. The CCRs have been reviewed and approved by the City Attorney (Exhibit E).*

Preliminary Plat Condition #26: All ways-of-travel shall maintain a minimum 20 foot unobstructed driving surface, per the IFC.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All ways-of-travel were reviewed for compliance for this condition in association with the underlying utility permit submittal for Plat 2D (PUB20-0017). Conditions for Final Plat Note #9 on Sheet 4 also identifies this requirement.*

Preliminary Plat Condition #28: All easements shall be shown on the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All easements associated with this final plat application have been shown on the final plat drawings.*

Preliminary Plat Condition #29: Prior to final plat approval, the applicant shall submit Covenants, Conditions, and Restrictions (CCRs) for review and approval by the Designated Official.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The CCRs have been reviewed and approved by the City Attorney (Exhibit E).*

Preliminary Plat Condition #30: The CCRs submitted to the Designated Official must include provisions to enforce the age-restriction that is identified by the preliminary plat application. In the case that the applicant proposes to construct housing that is not age-restricted, the applicant must revise the CCRs and submit an updated traffic impact study (TIS) to account for the appropriate traffic generation rate and determine if any additional off-site intersection improvements would be triggered that were not identified in the original TIS. Any revisions to the CCRs and/or updates to the original TIS must be submitted to, and approved by, the Master Development Review Team (MDRT).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The CCRs have been reviewed and approved by the City Attorney (Exhibit E).*

Preliminary Plat Condition #31: The Master Developer shall comply with Exhibit Q (Maple Valley Transportation Mitigation Agreement) of TV DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #11 on Sheet 4 of the final plat states this requirement.*

Preliminary Plat Condition #32: The Master Developer shall comply with Exhibit R (Covington Transportation Mitigation Agreement) of TV DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #12 on Sheet 4 of the final plat states this requirement.*

Preliminary Plat Condition #33: Tracts 901-929 shall be owned and maintained by the Master Developer (M.D.) or Applicable Owners Association (A.O.A.).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Table on Sheet 3 identifies that all tracts are granted and conveyed, including maintenance responsibilities, to the Ten Trails Residential Owners Association. Note that only 16 of the 29 tracts identified in the preliminary plat application are included in this final plat application. For reference, the following table identifies preliminary plat tract numbers and the corresponding final plat tract letter:*

Final Plat Tract Letter	Preliminary Plat Tract Number
A	901
B	907
C	929
D	906
E	904
F	928
G	927
H	925

Final Plat Tract Letter	Preliminary Plat Tract Number
I	926
J	924
K	923
L	922
M	921
N	920
O	911
P	922

Preliminary Plat Condition #35: A second supply tap from the Tacoma regional water supply pipeline must be completed and operational prior to the issuance of the first building permit that permits combustible construction. This condition will be administered in conjunction with Building Permit submittal and Certificates of Occupancy.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #14 on Sheet 4 of the final plat states this requirement. This condition will be administered in conjunction with subsequent building permit applications.*

Preliminary Plat Condition #37: In order to facilitate tracking of sewage capacity and assist the City in maintaining the tracking system the applicant shall identify, on the face of each building plan set, the following as applicable; the total building square footage included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF), and the Peak Wet Weather Flow (PWWF) associated with the improvements in that application. The information must be in tabular form.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #15 on Sheet 4 of the final plat states this requirement. This condition will be administered in conjunction with subsequent building permit applications.*

Preliminary Plat Condition #42: A publicly accessible roadway connection must be provided through Parcel 233 connecting Road A to Road G when that parcel is developed. Such a connection may be a drive aisle through a parking lot, so long as a minimum 20-foot clear driving width is provided to ensure fire access. The design of the connection between Road A and Road G is subject to MDRT approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Parcel 233 is identified as Lot 66 in this final plat application. Conditions for Final Plat Note #16 on Sheet 4 states this requirement. The requirements of this condition will be administered in association with a subsequent site plan review application for the development of Lot 66.*

Preliminary Plat Condition #47: Areas that have differential fills in excess of 10 feet thick over the long axis of the lot will be required to install monitor survey points. Survey points should be installed at locations of proposed improvements that are to be founded on or within thick fills. The

monitoring points should be installed at the ground surface upon completion of fill placement. Each survey point should be protected and monitored over a minimum of three months to determine the magnitude and trend of the fill settlement. The monitoring frequency shall be monthly, at a minimum. In locations where fill settlement is observed, proposed improvements shall not be constructed until appropriate mitigation measures are submitted, approved, and implemented to MDRT's satisfaction. The proposed monitoring plan, including survey point locations and monitoring frequency, shall be submitted for MDRT review and approval prior to commencing clear and grade activities. In the alternative, the building pad area for a given lot with differential fills in excess of 10 feet over the long axis of the lot shall be over-excavated to provide uniform fill thickness, hence making all the fill under the house foundation the same thickness, in which case no monitoring shall be required.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. This condition was reviewed in association with the utility permit application for Plat 2D (PUB20-0017).

Preliminary Plat Condition #49: The SR 169/Roberts Drive and SR 169/SE Black Diamond Ravensdale Road intersection improvements (ID #11 and ID #12, respectively) shall be constructed at the earlier of: (a) the ERU trigger identified in the Detailed Implementation Schedule Phase 1 Regional Infrastructure Improvements, or (b) a schedule approved by the staff that assures these improvements are completed within six (6) years of final plat approval of Plat 2D.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #17 on Sheet 4 of the final plat states this requirement. In accordance with this condition, the City has approved an improvement schedule for the intersection improvements at SR169/Roberts Drive/Black Diamond-Ravensdale Road (Exhibit C).

Preliminary Plat Condition #50: The Phase 2 off-site transportation improvements (ID #9, ID #10, ID #11, ID #13, ID #14) shall be constructed upon the earlier of: (a) the ERU trigger identified in the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements, or (b) a schedule approved by staff that assures these improvements are completed within six (6) years of final plat approval of Plat 2D.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Conditions for Final Plat Note #2 on Sheet 3 of the final plat binds all development and construction within the final plat to be consistent with the provisions of the MPD Permit and Development Agreement, including the construction thresholds established in the Detailed Implementation Schedule – Phase 2 Regional Infrastructure Improvements table.

Preliminary Plat Condition #51: The applicant may obtain final plat approval in four separate divisions.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This final plat application is for the first division of Plat 2D.*

○ **The Villages Master Planned Development Conditions of Approval (PLN09-0017)**

The following MPD Permit conditions of approval, as required by the Hearing Examiner's approval of the MPD Permit application, are not applicable to this final plat application:

MPD Permit conditions of approval #1 – 8 and 10 – 164.

These conditions are implemented by the approved Development Agreement for The Villages Master Planned Development.

The following MPD Permit condition of approval (written verbatim) has been completed to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

MPD Permit Condition #9: Homeowners Association(s) conditions, covenants and restrictions (CCRs) and/or the proposed Architectural Review Committee shall be required to allow the use of green technologies (such as solar panels) in all buildings. In addition, the CCRs shall include provisions, to be enforced by the HOA, prohibiting washing of cars in driveways or other paved surfaces, except for commercial car washes, and limiting the use of phosphorous fertilizers in common areas, so as to limit phosphorous loading in stormwater.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Residential CCRs have been reviewed for compliance with this condition and approved by the City Attorney. Sections 6.26, 9.2, and 7.4.2 of the Residential CCRs meet the requirements of this condition (Exhibit E).*

● **Compliance with The Villages Development Agreement (PLN10-0020/PLN11-0013)**

The Ten Trails Plat 2D – Division 1 final plat application complies with all applicable Sections of the approved Development Agreement for The Villages, as established through the review process of the preliminary plat application. In regards to Section 11 – Project Phasing, the following construction thresholds relating to this final plat approval have been completed or bonded for to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

▪ The Villages MPD Community Connector (Ten Trails Parkway)

Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A.

Staff Comment: *This project has been submitted to the City and approved. The applicant has provided the City with a completion bond form for the construction of this project in association with the approved Phase 1A – Division 2 final plat (PLN18-0034).*

▪ The Ring Road (Willow Avenue SE)

Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A, but also must be completed and accepted by the City of Black Diamond's Master Development Review Team/Public Works prior to the issuance of the first certificate of occupancy in Division 1 of Preliminary Plat 1A.

Staff Comment: *This project has been completed and approved by the City.*

- Frontage Improvements on SE Auburn-Black Diamond Road (Roberts Drive)

Construction Threshold: The first phase will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A. The second phase will be constructed prior to occupancy of the 726th Dwelling Unit in Preliminary Plat 1A. The third phase will be constructed concurrent with the development of the adjacent multi-family parcel 1H of Preliminary Plat 1A.

Staff Comment: *All three phases of the Roberts Drive frontage improvements have been approved by the City and are either constructed or under construction.*

- Intersection of Community Connector and SE Auburn-Black Diamond Road

Construction Threshold: Constructed as a single lane roundabout prior to the occupancy of the 726th Dwelling Unit within Preliminary plat 1A, with the second phase of SE Auburn-Black Diamond Road frontage improvements.

Staff Comment: *This project has been completed and approved by the City.*

- Intersection Improvements at SE Auburn-Black Diamond Road (Roberts Drive) and Ring Road (Willow Avenue SE)

Construction Threshold: This project will be constructed or bonded prior to recording Division 1 of Preliminary Plat 1A.

Staff Comment: *This project has been completed and approved by the City.*

- The Villages MPD Small Interim Wastewater Pumping Station

Construction Threshold: This project will be complete and operational prior to issuance of the first building permit for any structure that might discharge sanitary sewer into the utility system.

Staff Comment: *This project has been completed and approved by the City.*

- The Villages MPD Interim Sewer Force Main

Construction Threshold: This project will be complete and operational prior to the issuance of the first building permit for any structure that might discharge sanitary sewer into the utility system.

Staff Comment: *This project has been completed and approved by the City.*

- The Interim Stormwater Pond and Infiltration Facility

Construction Threshold: This project will be constructed in phases as determined necessary by the MDRT / Public Works through final

engineering review of each division within Preliminary Plat 1A.

Staff Comment: *This project has been completed and approved by the City.*

- The Village Green (Park at Roundabout)

Construction Threshold: This project will be commenced or bonded prior to recording Division 1 of Preliminary Plat 1A and will be completed no later than when Certificates of Occupancy or final inspection has been issued for 60% of the dwelling units located within ¼ mile of this park.

Staff Comment: *This project has been completed and approved by the City.*

- Civic Park in The Villages MPD

Construction Threshold: This project will be commenced or bonded prior to recording Division 1 of Preliminary Plat 1A and will be completed no later than when Certificates of Occupancy or final inspection has been issued for 60% of the dwelling units located within ¼ mile of this park.

Staff Comment: *This project has been completed and approved by the City.*

- SR169 / 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 1 of Preliminary Plat 1A.

Staff Comment: *The applicant submitted an application to WSDOT prior to the final platting of Phase 1A – Division 1 (which was processed and approved under City File PLN17-0049). In accordance with Preliminary Plat Condition of Approval #49 (detailed above), the City has approved a schedule for the intersection improvements at SR169/Roberts Drive/Black Diamond-Ravensdale Road (Exhibit C).*

- SR169 / 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 1 of Preliminary Plat 1A.

Staff Comment: *The applicant submitted an application to WSDOT prior to the final platting of Phase 1A – Division 1 (which was processed and approved under City File PLN17-0049). In accordance with Preliminary Plat Condition of Approval #49 (detailed above), the*

City has approved a schedule for the intersection improvements at SR169/Roberts Drive/Black Diamond-Ravensdale Road (Exhibit C).

- SE 288th Street / 216th Avenue SE Rechannelization
Construction Threshold: The rechannelization shall occur no later than recording of Division 1 of Preliminary Plat 1A.
Staff Comment: *This project has been completed and approved by the City.*
- Water Main Extension (from Black Diamond Library to The Villages MPD)
Construction Threshold: Construction will occur prior to recording of Division 1 of Preliminary Plat 1A. The dual water main must be completed, tested, and in-service prior to the first occupancy permit being issued for a dwelling unit or commercial use within Preliminary Plat 1A.
Staff Comment: *This project has been completed and approved by the City.*
- Roberts Drive Sidewalk/Safe Pedestrian Connection
Construction Threshold: The Applicant shall construct a safe pedestrian connection across Rock Creek for pedestrian linkage to Morgansville prior to the issuance of the certificate of occupancy of the 200th dwelling unit for The Villages MPD. In lieu of construction, the City shall have a financial commitment in place to complete the improvements within six years of PP1A approval.
Staff Comment: *This project has been completed and approved by the City.*
- Satellite Fire Station
Construction Threshold: The design of the satellite fire station, pursuant to Section 13.4 of TV DA, must be selected, completed, and mutually agreed to by the City and Master Developer no later than the issuance of a Certificate of Occupancy for the 250th Dwelling Unit in The Villages MPD.
Staff Comment: *This siting and site design of the satellite fire station has been approved by the Master Developer, the City, and Mountain View/Black Diamond Fire & Rescue (Exhibit F).*

Section V: Staff Recommendation

Based on the information and materials provided in the Staff Report, the City's Community Development Department, Public Works Department, and Master Development Review Team have determined that the Ten Trails Plat 2D – Division 1 Final Plat application meets all applicable requirements for final plat approval.

The City Staff recommends that the City Council adopt the findings in this report and **APPROVE** the Ten Trails Plat 2D – Division 1 Final Plat, City File Number PLN21-0064.



Date: 11/22/21

Andy Williamson – MDRT Designated Official



Date: November 18th 2021

Dan Ervin, PE – MDRT Reviewing Engineer



Date: Nov. 18, 2021

Alex Campbell, AICP – MDRT Reviewing Planner

Section VI: Exhibits

The following Exhibits are hereby incorporated by reference into the findings of this Staff Report:

- Exhibit A: Completion and Maintenance Bond Forms for Ten Trails MPD Plat 2D – Division 1 Final Plat, prepared by David Evans and Associates on behalf of Oakpointe and reviewed by Varius, Inc – dated 11/22/2021
- Exhibit B: Final Plat Approval Letters, prepared by Varius, Inc., Parametrix, and Mountain View/Black Diamond Fire and Rescue – various dates
- Exhibit C: Completion Schedule Approval for SR169/Roberts Drive/Black Diamond-Ravensdale Road Intersection Improvements, prepared by the City of Black Diamond – dated 06/09/2021
- Exhibit D: Wetland Monitoring Means and Methods Approval Memo, prepared by Perteet – dated 07/22/2020
- Exhibit E: CC&R Review Memo, prepared by Madrona Law Group – dated 11/21/2021
- Exhibit F: Satellite Fire Station Site/Design Selection, prepared by Oakpointe and reviewed by City of Black Diamond and Mountain View/Black Diamond Fire and Rescue – dated 10/29/2018

THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT A

TITLE: Performance and Maintenance Bond Forms for Ten Trails
Plat 2D Final Plat

PREPARED BY: David Evans and Associates, Inc. on behalf of
Oakpointe and reviewed by Varius, Inc.

DATE: 11/22/2021



November 22nd, 2021

Andrew Williamson
MDRT Director
PO Box 599
Black Diamond WA 98010

Attn: Andrew Williamson, Director

RE: Final Plat Document – Plat 2D, Division 1 – Bond Review and Approval

Dear Andy:

This letter is your certification, for use during Final Plat review and approval, that the Public Works Director completed a site tour and has reviewed the proposed Performance Bond and Maintenance Bond Worksheets for Plat 2D, Division 1, and found them acceptable to complete and warrant the required work.

The Performance Bond Worksheets (6 worksheets total, dated October 29th and noted for Job Number OAKPCBDP6001) include line items for the completion of the following uncompleted work; valued as follows:

- | | |
|------------------------------------|--------------|
| 1. Landscaping (2A Div 6) | \$430,617.22 |
| 2. Landscaping (2D Div 1) | \$241,758.00 |
| 3. Surface Improvements (2A Div 6) | \$46,906.25 |
| 4. Surface Improvements (2D Div 1) | \$83,525.50 |
| 5. Surface Improvements (2D Div 1) | \$209,983.22 |
| 6. Lighting (2D Div1) | \$150,772.70 |

The final Performance Bond amount (valued at 1.5 times the above listed amounts) for these items totals
\$1,745,344.34

The Maintenance Bond Worksheets (4 worksheets total, dated October 29th and noted for Job Number OAKPCBDP6001) include line items for maintenance of the following completed work; valued as follows:

- | | |
|--|----------------|
| 1. Landscaping (2A Div 6) | \$287,915.25 |
| 2. Landscaping (2D Div 1) | \$241,758.00 |
| 3. Utilities and Surface Improvements (2A Div 6) | \$742,044.40 |
| 4. Utilities and Surface Improvements (2D Div 1) | \$2,523,563.51 |

The final Maintenance Bond amount (valued at 0.25 times the above listed amounts) for these items totals
\$948,820.29

Please call or email if you need additional information

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel R. Ervin', written over a horizontal line.

Daniel R. Ervin, P.E.

Maintenance Cost Summary
For:
Ten Trails - Plat 2A, Division 6



Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2A, Division 6	Amount
---------------------	--------

Utilities:

- Sewer System	\$120,086.62
- Storm Sewer	\$145,545.00
- Water System (750 PZ)	\$159,213.03
- Water System (850 PZ)	\$317,199.75

Total **\$742,044.40**

25% Bond Amount **\$185,511.10**



Maintenance Cost Summary
For:
Ten Trails - Plat 2A, Division 6



Street Tree Quantity Provided by: David Evans and Associates, Inc.

Unit Cost Provided by: Pacific Landscape Management

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2A, Division 6	Amount
---------------------	--------

Landscape:

- Street Trees	\$287,915.25
----------------	--------------

Total	\$287,915.25
25% Bond Amount	\$71,978.81



Note: Unit cost provided by an email by Pacific Landscape Management on 2020-02-12.

Plat 2A - Division 6 - Utility Calcs

Task Description	Parkway	Unit	Unit Price	Total	Taxable Qty.	Total Tax	Total w/ Tax
8" SDR35 Gravity Sewer Main	1,327.00	LF	51.00	67,677.00	1,327.00	5,820.22	73,497.22
48" Sewer Manhole	2.00	EA	4,000.00	8,000.00	2.00	688.00	8,688.00
54" Sewer Manhole	1.00	EA	4,300.00	4,300.00	1.00	369.80	4,669.80
72" Sewer Manhole	3.00	EA	10,200.00	30,600.00	3.00	2,631.60	33,231.60
SUBTOTAL SEWER		LS		110,577.00	1,333.00	9,509.62	120,086.62
30" LCPE Storm Main	100.00	LF	145.00	14,500.00	-	-	14,500.00
18" LCPE Storm Main	1,305.00	LF	65.00	84,825.00	-	-	84,825.00
12" LCPE/PVC/DI Storm Main	265.00	LF	48.00	12,720.00	-	-	12,720.00
48" CB Type 2	8.00	EA	4,000.00	32,000.00	-	-	32,000.00
Type 1 Catch	1.00	EA	1,500.00	1,500.00			1,500.00
SUBTOTAL STORM SYSTEM		LS		145,545.00		-	145,545.00
12" DI Class 52 750 PZ Main	1,403.00	LF	70.00	98,210.00	1,403.00	8,446.06	106,656.06
12" Restrained Joint Water (Add)	60.00	LF	22.00	1,320.00	60.00	113.52	1,433.52
6" DI Class 52 750 PZ	35.00	LF	45.00	1,575.00	35.00	135.45	1,710.45
12" Gate Valve Assembly	3.00	EA	3,000.00	9,000.00	3.00	774.00	9,774.00
6" Gate Valve Assembly	3.00	EA	1,500.00	4,500.00	3.00	387.00	4,887.00
Fire Hydrant Assembly	3.00	EA	5,000.00	15,000.00	3.00	1,290.00	16,290.00
1" Air Vac Assembly	3.00	EA	3,000.00	9,000.00	3.00	774.00	9,774.00
16" DI Class 52 850 Main	1,372.00	LF	100.15	137,405.80	1,372.00	11,816.90	149,222.70
20" HDPE 850 Main	1,345.00	LF	115.00	154,675.00	1,345.00	13,302.05	167,977.05
HDPE Water Main Connection	1.00	LS	8,000.00	8,000.00	1.00	688.00	8,688.00
SUBTOTAL WATER SYSTEM		LS		438,685.80		37,726.98	476,412.78
SUMMARY TOTAL				694,807.80		47,236.60	742,044.40

Opinion of Probable Cost for Remaining Infrastructure
For:
Ten Trails - Plat 2A, Division 6



Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2A, Division 6	Amount
---------------------	--------

Surface Improvements:

- 2" HMA Class 1/2" (Top Lift)	\$39,256.25
- Striping	\$6,000.00
- Survey Monuments	\$1,650.00

Total **\$46,906.25**



**Opinion of Probable Cost for Remaining Infrastructure
For:
Ten Trails - Plat 2A, Division 6**



Quantity and Cost per Unit Provided by: Oakpointe
Cost Summary Provided by: David Evans and Associates, Inc.
Job Number: OAKPCBDP6001
Date: October 29, 2021

Plat 2A, Division 6	Amount
Landscape:	
- Landscape Tracts	\$430,617.22
Total	\$430,617.22



Plat 2A - Division 6 - Surface Improvements Performance Bond

Task Description	Parkway	Unit	Unit Price	Total	Taxable Qty.	Total Tax	Total w/ Tax
2" HMA Class 1/2" (Top Lift)	31,405.00	SF	1.25	39,256.25	-	-	39,256.25
Striping	1.00	LS	6,000.00	6,000.00	-	-	6,000.00
Survey Monuments	3.00	EA	550.00	1,650.00	-	-	1,650.00
ROADWAY TOTAL		LS		46,906.25		-	46,906.25

Maintenance Cost Summary
For:
Ten Trails - Plat 2D, Division 1



Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2D, Division 1	Amount
---------------------	--------

Utilities:

- Sewer System	\$628,161.95
- Storm Sewer	\$712,351.08
- Water System (750 PZ)	\$976,953.65
- Water System (850 PZ)	\$206,096.83

Total **\$2,523,563.51**

25% Bond Amount **\$630,890.88**



Maintenance Cost Summary
For:
Ten Trails - Plat 2D, Division 1



Street Tree Quantity Provided by: David Evans and Associates, Inc.

Unit Cost Provided by: Pacific Landscape Management

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2D, Division 1	Amount
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Landscape:

- Street Trees	\$241,758.00
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Total	\$241,758.00
25% Bond Amount	\$60,439.50



Note: Street tree unit costs provided by Pacific Landscape Management, the number of street trees were confirmed per the approved Right-of-Way Landscape Plans for Plat 2D and counted specific to Division 1.

Plat 2D - DIVISION 1 (Including Ten Trails Parkway) - UTILITIES

Task Description	QTY	Unit	Unit Price	Total	Taxable QTY	Total Tax	Total w/ Tax	Notes
8" Gravity Sewer Main	4,510	LF	50.00	225,500.00	4,510.00	19,393.00	244,893.00	
6" SDR35 Side Sewer	4,466	LF	48.00	214,368.00	4,466.00	18,435.65	232,803.65	
48" Sewer Manhole	19	EA	4,050.00	76,950.00	19.00	6,617.70	83,567.70	
54" Sewer Manhole	4	EA	4,600.00	18,400.00	4.00	1,582.40	19,982.40	
Sewer Clean Outs	108	EA	400.00	43,200.00	108.00	3,715.20	46,915.20	
SUBTOTAL SEWER		LS		578,418.00	9,107.00	49,743.95	628,161.95	
18" Storm Main	720	LF	70.00	50,400.00		-	50,400.00	
15" Storm Main	612	LF	58.00	35,496.00		-	35,496.00	
12" Storm Main	2,618	LF	48.00	125,664.00		-	125,664.00	
8" PVC - Drains	2,847	LF	30.00	85,410.00	2,847.00	7,345.26	92,755.26	
8" C900 - Drains	398	LF	38.00	15,124.00	398.00	1,300.66	16,424.66	
6" PVC - Drains	3,356	LF	28.00	93,968.00	3,356.00	8,081.25	102,049.25	
6" C900 - Drains	44	LF	36.00	1,584.00	44.00	136.22	1,720.22	
Subgrade Drains	128	LF	35.00	4,480.00	128.00	385.28	4,865.28	
48" CB Type 2	7	EA	4,400.00	30,800.00		-	30,800.00	
Type 1 Catch	53	EA	2,250.00	119,250.00		-	119,250.00	
Storm Cleanouts	107	EA	400.00	42,800.00	107.00	3,680.80	46,480.80	
6" Storm Gate Valve	2	EA	2,500.00	5,000.00	2.00	430.00	5,430.00	
8" Storm Gate Valve	4	EA	2,900.00	11,600.00	4.00	997.60	12,597.60	
Flow Dispersal Trench	9	EA	7,000.00	63,000.00	9.00	5,418.00	68,418.00	
SUBTOTAL STORM SYSTEM		LS		684,576.00		27,775.08	712,351.08	
12" DI Class 52 750 PZ Main	958	LF	95.00	91,010.00	958.00	7,826.86	98,836.86	
12" Restrained Joint Water	2,983	LF	91.00	271,453.00	2,983.00	23,344.96	294,797.96	
8" DI Class 52 750 PZ	368	LF	62.00	22,816.00	368.00	1,962.18	24,778.18	
8" Restrained Joint Water	1,570	LF	67.00	105,190.00	1,570.00	9,046.34	114,236.34	
6" DI Class 52 750 PZ	116	LF	55.00	6,380.00	116.00	548.68	6,928.68	
12" Gate Valve Assembly	21	EA	2,850.00	59,850.00	21.00	5,147.10	64,997.10	
8" Gate Valve Assembly	13	EA	1,800.00	23,400.00	13.00	2,012.40	25,412.40	
6" Gate Valve Assembly	12	EA	1,300.00	15,600.00	12.00	1,341.60	16,941.60	
Fire Hydrant Assembly	12	EA	7,000.00	84,000.00	12.00	7,224.00	91,224.00	
1" Single Service Lateral	84	EA	1,950.00	163,800.00	84.00	14,086.80	177,886.80	Includes 1 standard service for the club house
1" Service Lateral Extension	1,224	LF	22.50	27,540.00	1,224.00	2,368.44	29,908.44	
1" Air Vac Assembly	7	EA	3,650.00	25,550.00	7.00	2,197.30	27,747.30	
Sample Stations	1	EA	3,000.00	3,000.00	1.00	258.00	3,258.00	Added in Revision 1
20" HDPE 850 PZ Main	715	LF	119.50	85,442.50	715.00	7,433.50	92,876.00	
16" DI 850 PZ Main	761	LF	119.00	90,559.00	761.00	7,878.63	98,437.63	
1" Air Vac Assembly	1	EA	3,650.00	3,650.00	1.00	317.55	3,967.55	
20" HDPE 850 PZ Main Connection	1	EA	9,950.00	9,950.00	1.00	865.65	10,815.65	
SUBTOTAL WATER SYSTEM		LS		1,089,190.50		93,859.98	1,183,050.48	
SUMMARY TOTAL				2,352,184.50		171,379.01	2,523,563.51	

Opinion of Probable Cost for Remaining Infrastructure
For:
Ten Trails - Plat 2D, Division 1



Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2D, Division 1	Amount
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Surface Improvements:

- 4" HMA Class 1/2" (Two Lifts)	\$137,223.72
- Striping	\$36,465.00
- Survey Monuments	\$16,800.00
- Vertical Curb and Gutter	\$1,480.00
- 4" Sidewalk	\$7,832.00
- 6" Concrete Driveway	\$1,702.50
- Handicap ADA Ramp	\$8,480.00

Total **\$209,983.22**



**Opinion of Probable Cost for Remaining Infrastructure
For:
Ten Trails - Plat 2D, Division 1**



Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: October 29, 2021

Plat 2D, Division 1	Amount
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Illumination:

- Street Lights - Ten Trails Parkway "2D Back Bone"	\$150,772.70
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Total	\$150,772.70
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Opinion of Probable Cost for Remaining Infrastructure

For:

Ten Trails - Plat 2D, Division 1



**DAVID EVANS
AND ASSOCIATES INC.**

Quantity and Cost per Unit Provided by: Oakpointe

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: November 22, 2021

Plat 2D, Division 1	Amount
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Landscape:

- Plantings, Street Trees and Sod	\$241,758.00
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Total **\$241,758.00**



Plat 2D - Division 1 - Performance Bonding

Task Description	QTY	Unit	Unit Price	Total	Notes
4" HMA Class 1/2" (Two Lifts)	13,284	SY	10.33	137,223.72	remains same
Striping	1	LS	36,465.00	36,465.00	remains same
Survey Monuments	32	EA	525.00	16,800.00	remains same
SUBTOTAL ROADWAY		LS		190,488.72	
Vertical Curb & Gutter	100	LF	14.80	1,480.00	qty increased
4" Sidewalk	2,225	SF	3.52	7,832.00	qty increased
Handicap ADA Ramps	8	EA	1,060.00	8,480.00	qty increased
6" Driveway	375	SF	4.54	1,702.50	new qty
SUBTOTAL CONCRETE		LS		19,494.50	
SUMMARY TOTAL				209,983.22	

Street Lights - Ten Trails Parkway "2D Back Bone"
Street Trees

150,772.70 per Custom Street Lighting Order "Ten Trails 2D BB" pg.4
241,758.00 remains the same, its own bond

Opinion of Probable Cost for Remaining Infrastructure

For:

Ten Trails - Plat 2D, Division 1



**DAVID EVANS
AND ASSOCIATES INC.**

Quantity and Cost per Unit Provided by: Goodfellow Bros., Inc.

Cost Summary Provided by: David Evans and Associates, Inc.

Job Number: OAKPCBDP6001

Date: November 1, 2021

Plat 2D, Division 1	Amount
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Surface Improvements:

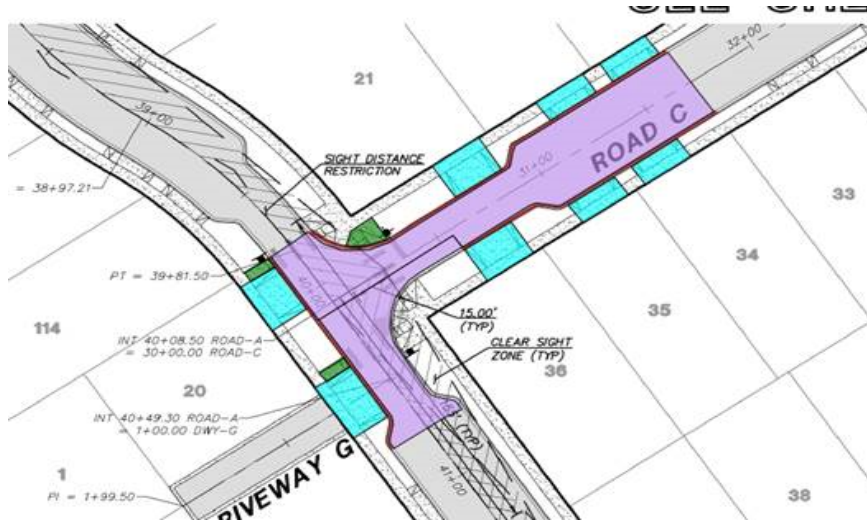
- 4" HMA Class 1/2" (Two Lifts)	\$63,529.50
- Vertical Curb and Gutter	\$5,920.00
- 6" Concrete Driveway	\$10,896.00
- Handicap ADA Ramp	\$3,180.00

Total **\$83,525.50**



Plat 2D - Division 1 - Performance Bonding

Task Description	QTY	Unit	Unit Price	Total	Notes
4" HMA Class 1/2" (Two Lifts)	6,150	SY	10.33	63,529.50	
SUBTOTAL ROADWAY		LS		63,529.50	
Vertical Curb & Gutter	400	LF	14.80	5,920.00	
Handicap ADA Ramps	3	EA	1,060.00	3,180.00	
6" Driveway	2,400	SF	4.54	10,896.00	
SUBTOTAL CONCRETE		LS		19,996.00	
SUMMARY TOTAL				83,525.50	



THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT B

TITLE: Final Plat Approval Letters

PREPARED BY: Varius, Inc., Parametrix, and Mountain View/
Black Diamond Fire and Rescue

DATE: Various dates



November 18th, 2021

Andrew Williamson
MDRT Director
PO Box 599
Black Diamond WA 98010

Attn: Andrew Williamson, Director

RE: Final Plat Document – Plat 2D, Division 1 – Final Plat Review and Approval

Dear Andy:

With this letter I transmit my approval of the Final Plat for Ten Trails, Phase 2D, Division 1 that was posted for review on November 18th 2021. The Final Plat meets the requirements of the Preliminary Plat (including the Hearing Examiner Conditions of Approval) the applicable City codes and standards and the Development Agreement. My review was concluded in accordance with BDMC 17.20.060.

Please call or email if you need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Ervin', with a stylized, cursive script.

Daniel R. Ervin, P.E.
Varius Inc – Executive Vice President

TECHNICAL MEMORANDUM

Date: November 5, 2021
To: Andrew Williamson
From: Jared Kemnitz, PLS
Subject: 2nd Review of TT Plat 2D Div. 1, PLN 21-0064
cc:
Project Number: 247-3043-032, 22-01
Project Name: City of Black Diamond
2nd Review PLN 21-0064

11/5/21



We have completed our 2nd survey review of the above referenced Plat and find that all review comments from the 1st survey review have been adequately addressed.

We have no further comments at this time.

If you have any questions or need additional information, please contact me at jkemnitz@parametrix.com.



MOUNTAIN VIEW/BLACK DIAMOND FIRE AND RESCUE

32316 148th AVE SE Auburn, WA 98092 253 735 0284 info@kcfd44.org www.mvfire.org

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

November 12, 2021

This letter is to inform you that:

Plans for this project were received by the Fire Marshal's office for review. A careful review was conducted based upon the International Fire Code, the City of Black Diamond Code and applicable national standards.

The Fire Department has reviewed Ten Trails, Phase 2 Plat D Division 1 and the Fire Marshal has visited the site for visual inspection.

The Fire Department approves the plans as reviewed.

Fire Hydrants currently comply with City Standards and International Fire Code Appendix C – Fire Hydrants.

Roads currently comply with City Standards and International Fire Code Appendix D – Fire Apparatus Access Roads.

Plans for buildings and/or structures for this Division are differed.

- Premises identification (address) is required to be visible during construction. (IFC 2015 Sec. 505.1)

Fire Impact fees will apply.

Plans for this project were received by the Fire Marshal's office for review. A careful review was conducted based upon the International Fire Code, 2015 Edition, the City of Black Diamond Code and applicable national standards.

This list is provided as information only, and includes the items that have been identified as deficiencies or needing to be addressed during the plan review; and shall not be construed as an all-inclusive list of code requirements that may be applicable or required to construct this project. Please note that not all items or issues may have been identified during the plan review process. If any item or issues are discovered or identified during construction or at the time of field inspections these will need to be addressed and corrections made so that code compliance is achieved. Please contact the Fire Marshal's Office before deviating from approved plans or proceeding with any changes in construction.

GMSmith

Greg Smith
Fire Chief
Black Diamond Fire Department

THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT C

TITLE: Completion Schedule Approval for SR169/Roberts Drive/
Black Diamond-Ravensdale Road Intersection Improvements

PREPARED BY: City of Black Diamond

DATE: 06/09/2021

FILE COPY

Ten Trails SR 169 Phases 1-3

Design, Review, Approval, and Construction Schedule

Design Schedule

- **Phase 3 – SR169 Corridor Improvements (SR169/Roberts & SR169/Pipeline Roundabouts) (2020-2021)**
 - Submit revised geometrics package and ICE to City/WSDOT (3rd submittal): 04/8/21
 - City/WSDOT review: 04/8/21 - 04/29/21
 - Submit revised geometrics package and ICE to City/WSDOT (4th submittal): 05/07/21
 - City/WSDOT review: 05/07/21 - 6/4/2021*
 - Submit design package (construction plans, PFA, BOD, ICE) to City/WSDOT for review (1st submittal): 07/16/2021
 - City/WSDOT review: 07/16/2021 – 09/03/21
 - Submit revised design package to City/WSDOT (2nd submittal): 10/15/21
 - City/WSDOT review: 10/15/21 - 11/19/21
 - Submit revised design package to City/WSDOT (3rd submittal): 12/22/21
 - City/WSDOT review/approval: 12/22/21 - 01/28/22
 - Submit revised design package to City/WSDOT (4th submittal): 02/15/22
 - City/WSDOT review/approval: 03/15/22

Phased Construction Schedule

- **Phase 2 – SR169 Stormwater Infrastructure (Detention and WQ Vaults)**
 - City of Black Diamond Submittal for Site Work Permit – Submitted 7/25/2019 & Under Review (received 1st round of comments 9/16/2019, resubmitted on 1/7/20, will need to be revised per final channelization).
 - Revised Site Work Submittal – September 2021 (Incorporate 1st round of phase 3 construction plan review).
 - Construction Start – April 2022 (Dry season start)
- **Phase 3 – SR169 Corridor Improvements (SR169/Roberts & SR169/Pipeline Roundabouts)**
 - City of Black Diamond Submittal for Site Work Permit – Submittal July 2021
 - Construction Start of June 2022 with estimated completion of October 2024 (26 months, allow for 6 months of wet weather).

* WSDOT provided email (Duffy McColloch) that the Geometrics and ICE submittal package was being passed around for signatures (approved) on 6/2/2021.

APPROVED

BY:  DATE: 6/9/2021

INTERSECTION CONTROL EVALUATION REPORT APPROVAL DOCUMENTATION

Project Name: SR 169/Roberts Drive; SR 169/Black Diamond-Ravensdale Road; and SR 169/"Pipeline Road" (SR 169 Mileposts 8.23-8.30)

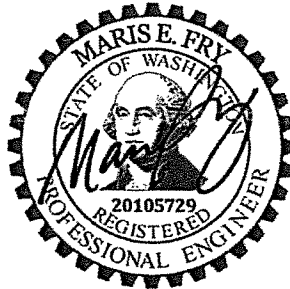
1. This Intersection Control Evaluation (ICE) Report was prepared by WSDOT or Design Consultant staff working under my direct supervision, consistent with the requirements of WSDOT Design Manual Sections 300 and 1300.05(1).

Maris Fry, PE, Project Manager, Transpo Group

06-04-2021

Name and Title

Date



6/4/2021

Responsible PE Seal and Signature

2. Approved By:

Mark P.
Leth

Digitally signed by
Mark P. Leth
Date: 2021.06.04
16:29:24 -07'00'

6/4/2021

Mark Leth, P. E.
NWR Traffic Engineer

Date

3. Concurrence By:


Brian Walsh (signature required)
State Traffic Design Engineer

Brian J Walsh
2021.06.08 08:46:56 -07'00'

Date

THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT D

TITLE: Wetland Monitoring Means and Methods Approval
Memo

PREPARED BY: Perteet

DATE: 07/22/2020

Andy Williamson

From: Jason Walker <jason.walker@perteet.com>
Sent: Wednesday, July 22, 2020 10:15 AM
To: Andy Williamson
Cc: Tracey Redd
Subject: RE: Plat 2D Revised Wetland Monitoring Means and Methods Memo

Hi Andy. In verifying the July 7, 2020 Golder memo in comparison to Finding #3 of the related Perteet review memo from July 2, 2020. The July 7, 2020 Golder memo states:

"Hearing examiner plat condition #16 states that "once the phase is installed all actual topography must be verified to ensure the modeled hydrologic regime." In order to comply with this condition, all existing undisturbed wetland tributary areas associated with this Plat, are to be maintained before, during, and post-construction. Disturbed wetland tributary areas, providing wetland recharge via non-pollution generating impervious or pervious surfaces, **are to be verified once as-constructed engineering drawings are completed and submitted to the City.** A memorandum verifying developed wetland hydrology will be provided by the Engineer of Record, David Evans & Associates Inc."

As-constructed engineering drawings would allow for an as-built verification of topography and would meet HE Condition #16 for means and methods and resolves Finding #3 of the related Perteet review memo.

There were no other outstanding items for this review. Thank you.

Jason Walker, PLA, PWS
Environmental Planning Manager

Perteet Inc.
2707 COLBY AVENUE, SUITE 900 | EVERETT, WA 98201
425.252.7700 | DIR 425.322.0251 | CELL 425.753.1294
jason.walker@perteet.com

PERTEET.COM
Better communities, by design

From: Andy Williamson <awilliamson@blackdiamondwa.gov>
Sent: Tuesday, July 7, 2020 4:51 PM
To: Jason Walker <jason.walker@perteet.com>
Cc: Tracey Redd <tredd@blackdiamondwa.gov>
Subject: FW: Plat 2D Revised Wetland Monitoring Means and Methods Memo

Please review

Andrew Williamson



MDRT/Economic Development Director
Phone: 360-851-4448
Fax: 360-851-4501
Email: awilliamson@ci.blackdiamond.wa.us

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From: Justin Wortman <jwortman@oakpointe.com>
Sent: Tuesday, July 7, 2020 4:50 PM
To: Andy Williamson <awilliamson@blackdiamondwa.gov>
Cc: Tracey Redd <tredd@blackdiamondwa.gov>
Subject: Plat 2D Revised Wetland Monitoring Means and Methods Memo

Andy,

Please find an electronic version of the revised Plat 2D wetland monitoring means and methods memo attached.

We'll bring down hard copy versions tomorrow.

Thanks,
Justin

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

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To: Andrew Williamson, MDRT/Economic Development Director, City of Black Diamond

From: Jason Walker, PLA, PWS, Environmental Manager, Perteet

Date: July 2, 2020

Re: Villages MPD P2D (Ten Trails) Ten Trails Plat 2D Wetland Monitoring Plan Methodology Review

SUMMARY

Perteet Inc. conducted a review of the submitted Ten Trails Plat 2D Wetland Monitoring Plan Methodology, submitted pursuant to Plat 2D Condition of Approval #16 of the Hearing Examiner Decision for PLN18-0078 Ten Trails Master Planned Development Phase 2 Plat D Preliminary Plat.

Applicable approval conditions of the HE Decision to the submitted Monitoring Plan include both Conditions #16 and #17 of the HE Decision, restated below:

16. A wetland monitoring plan including detailed vegetation and monitoring methodology shall be submitted to, and approved by, the City's MDRT department prior to any site disturbance activities for final plat approval. The wetland monitoring plan shall meet all requirements of the applicable stormwater manual for pre and post-construction monitoring and shall perform monitoring pre and post construction to a level that exceeds requirements in the 2005 DOE manual and SEPA Mitigation Measure No. 14b from the Phase 2 Plat A Hearing Examiner Decision Upon Reconsideration dated April 29, 2019 which reads as follows: "Wetland hydrology monitoring means and methods shall be submitted for evaluation and approval prior to permit issuance. Wetland vegetation should be monitored post-construction and adaptive management provisions included to ensure substantially similar hydrologic support to the existing site conditions. Wetland vegetation monitoring shall be conducted annually for five years. As part of its wetland monitoring plan, the applicant shall prepare a tree study for each wetland that includes all trees over 6 inches DBH, including cottonwood trees. Once the phase is installed all actual topography must be verified to ensure the modelled hydro logic regime. is accurate. Hydrologic monitoring must be done in each wetland within the project area. Piezometer-wells crest stage gauges at inlet and outlet should be installed and monitored on a daily basis using a continuous data logger. This should be done post-construction for a minimum of two years. Use vegetation sampling stations, arborist or wetland professional do site visit to each wetland twice yearly to review wetland vegetation , once in spring when trees are beginning to bud and second time in late August at end of growing season. Any signs of stress should be identified immediately and passed to the City so that stormwater reconveyance and flow modification can occur as soon as possible."

17. A wetland monitoring plan for Plat 2D, including detailed means and methods for wetland hydrologic monitoring, shall be submitted to and approved by the City's MDRT prior to grading permit issuance. The wetland monitoring plan shall meet all requirements of the applicable stormwater manual for pre-and post-construction monitoring.

DOCUMENTS REVIEWED

The following documents and information were evaluated by Perteet for this review:

- Ten Trails Plat 2D Wetland Monitoring Plan (Monitoring Methodology), prepared by Golder Associates, dated June 18, 2020
- Hearing Examiner Decision (HE Decision) for PLN18-0078 Ten Trails Master Planned Development Phase 2 Plat D Preliminary Plat, Ordered April 23, 2020.

FINDINGS

- 1) The submitted Monitoring Methodology meets requirements of the applicable stormwater manual for pre and post-construction monitoring and methods indicate monitoring pre- and post-construction to a level that exceeds requirements in the 2005 DOE manual and SEPA Mitigation Measure No. 14b from the Phase 2 Plat A Hearing Examiner Decision Upon Reconsideration dated April 29, 2019.
- 2) HE Decision Condition #16 includes a provision to prepare a tree study for each wetland that includes all trees over 6 inches DBH, including cottonwood trees as part of its wetland monitoring plan. The Monitoring Methodology states “a tree survey will be completed for each wetland at the start of the monitoring program. All trees over 6 inches in diameter, at breast height, will be cataloged (including Black Cottonwood).” A tree study for each wetland will be reviewed by the MDRT with the submittal of the forthcoming baseline assessment monitoring report. The methods are acceptable.
- 3) HE Decision Condition #16 includes a provision that “once the phase is installed all actual topography must be verified to ensure the modelled hydro logic regime.”. This express provision was not found by Perteet to be addressed in the Monitoring Methodology.
- 4) HE Decision Condition #16 includes a provision that hydrologic monitoring must be done in each wetland within the project area using monitoring wells using a continuous data logger and for a minimum of two years. The Monitoring Methodology addresses this provision using monitoring wells and data loggers for the required time duration.
- 5) HE Decision Condition #16 includes a requirement for vegetation sampling stations, and an arborist or wetland professional do site visit to each wetland twice yearly to review wetland vegetation. The Monitoring Methodology addresses this provision. Sample locations will be reviewed by the MDRT with the submittal of the forthcoming baseline assessment monitoring report. The methods are acceptable.
- 6) HE Decision Condition #16 includes a requirement for post-construction and adaptive management provisions to ensure substantially similar hydrologic support to the existing site conditions. The Monitoring Methodology addresses this provision.
- 7) HE Decision Condition #17 requires detailed means and methods for wetland hydrologic monitoring, be submitted to and approved by the City's MDRT prior to grading permit issuance. Condition #17 is assumed to be addressed under the review of the Monitoring Methodology means and methods submitted for consistency review with Condition #16 since Condition #16 must be addressed prior to any site disturbance activities for final plat approval and similarly encompasses grading activities under grading permit as “site disturbance activities.”

END OF MEMO

THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT E

TITLE: CC&R Review Memo

PREPARED BY: Madrona Law Group

DATE: 11/21/2021



MEMORANDUM

TO: Andy Williamson

FROM: David A. Linehan

DATE: November 21, 2021

RE: Ten Trails Plat 2D Division 1 Final Plat: Conditions implemented through Covenants, Conditions, and Restrictions (CC&Rs)

This memo addresses Oakpointe's satisfaction of the conditions of approval that are being implemented in the Ten Trails Plat 2D Division 1 final plat via provisions of the Covenants, Conditions, and Restrictions (CC&Rs) applicable to the Ten Trails MPD (f/k/a "The Villages"). As explained below, the Ten Trails Residential CC&Rs submitted by Oakpointe meet all conditions of approval imposed by the MPD Permit and the Hearing Examiner's April 23, 2020, decision approving the Ten Trails Phase 2, Plat D preliminary plat (City File No. PLN18-0076). Each applicable condition is set forth below verbatim, followed by an analysis of how that condition has been met in the Residential CC&Rs.

A. Preliminary Plat Conditions Imposed by Hearing Examiner

Condition No. 25: *All alleys shall be posted "No-Parking" with signage according to the International Fire Code; provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval.*

This condition has been met. Note 8 of the Conditions for Final Plat on Sheet 4 of the proposed final plat contains this condition verbatim, and Section 6.8 of the Residential CC&Rs contains specific parking prohibitions consistent with this condition: "Parking is prohibited within alleys and on any section of roadway that is twenty (20) feet wide or narrower." The streets and alleys within Plat 2D Division 1 are covered by the parking restrictions in Section 6.8 of the Residential CC&Rs.

Section 11.1(c) of the Residential CC&Rs authorizes the Residential Association to tow and impound any vehicle parked in violation of the CC&Rs. Section 11.1(e) additionally authorizes the Association board to bring legal action to enforce the parking restrictions. Finally, Section 8.5.7 of the Residential CC&Rs contains “provisions for enforcement” of these no parking zones and all other terms of the CC&Rs by authorizing the Association to “perform such acts, whether or not expressly authorized by this Declaration, as may be reasonably necessary to enforce the provisions of this Declaration”

Condition No. 29: *Prior to final plat approval, the Applicant shall submit Covenants, Conditions and Restrictions (CCRs) for review and approval by the Designated Official.*

This condition has been met. Oakpointe previously submitted CC&Rs applicable to the residential areas of Ten Trails PP1A Division 1 (recorded under King County Recording No. 20171107001312) and has since submitted Supplemental Declarations sufficient to annex the entire Ten Trails (f/k/a “The Villages”) MPD site into the area covered by these CC&Rs (recorded under King County Recording No. 20180619000316). The Residential CC&Rs and Supplemental Declarations prepared and submitted by Oakpointe satisfy Condition No. 29 of the Hearing Examiner’s preliminary plat approval for Ten Trails Plat 2D Division 1.

Condition No. 30: *The CCRs submitted to the Designated Official must include provisions to enforce the age-restriction that is identified by the preliminary plat application. In the case that the applicant proposes to construct housing that is not age-restricted, the applicant must revise the CCRs and submit an updated traffic impact study (TIS) to account for the appropriate traffic generation rate and determine if any additional off-site intersection improvements would be triggered that were not identified in the original TIS. Any revisions to the CCRs and/or updates to the original TIS must be submitted to, and approved by, the Master Development Review Team (MDRT).*

This condition has been met. In addition to the CCRs Oakpointe previously submitted and recorded (under King County Recording Nos. 20171107001312 and 20180619000316), the final plat application for Plat 2D Division 1 includes an additional Declaration of Covenants, Conditions

and Restrictions for Regency at Ten Trails (“Regency CC&Rs”). Article 9 of the Regency CC&Rs (entitled “Use Restrictions”) establishes the necessary age restrictions and related enforcement provisions for Plat 2D Division 1. Section 9.2 of the Regency CC&Rs restricts unit occupancy in a manner consistent with the Black Diamond Municipal Code (at least one occupant age 55 or older) and corresponding federal and state housing regulations. This section further restricts permanent occupancy by minors without payment of applicable school mitigation fees, and gives the Enumclaw School District a right of enforcement. This section also creates a duty of occupants to cooperate in completing periodic surveys and certifications regarding the age-qualified status of units within the subdivision. Additionally, Section 9.3 of the Regency CC&Rs requires that written notice of changes in ownership be provided to the Board, along with a certification that new occupants meet the applicable age restrictions, and further provides that any leases include provisions making a violation of the age restrictions a default of the lease.

Section 9.4 of the Regency CC&Rs provides mechanisms for the Board to enforce the age restrictions in the community, including adoption of fines, fees, and hearing procedures. Finally, Section 9.5 requires an updated traffic impact study if the developer proposes to construct any housing units for occupancy without the applicable age restrictions provided in the CC&Rs. Any new or updated traffic impact studies or revisions to the Regency CC&Rs must be approved by the MDRT.

Based on the foregoing, the Regency CC&Rs satisfy Condition No. 30 of the Hearing Examiner’s preliminary plat approval for Ten Trails Plat 2D Division 1.

B. MPD Permit Conditions

Condition No. 9: *Homeowners Association(s) conditions, covenants and restrictions (CCRs) and/or the proposed Architectural Review Committee shall be required to allow the use of green technologies (such as solar panels) in all buildings. In addition, the CCRs shall include provisions, to be enforced by the HOA, prohibiting washing of cars in driveways or other paved*

surfaces, except for commercial car washes, and limiting the use of phosphorous fertilizers in common areas, so as to limit phosphorous loading in stormwater.

This condition is met by Section 6.26 of the Residential CC&Rs, which prohibits washing of vehicles on driveways and other paved surfaces, except for licensed and approved commercial car washes, and by Section 9.2, which provides that the Residential Association “shall limit the use of phosphorous fertilizers in Common Areas to the maximum extent practicable.” This condition is further met by Section 7.4.2 of the Residential CC&Rs, which provides that “the Design Review Committee shall not prohibit the use of green technologies (such as solar panels) in all buildings.”

#

THE VILLAGES / TEN TRAILS MPD
PHASE 2 PLAT D – DIVISION 1 FINAL PLAT
PLN21-0064

EXHIBIT F

TITLE: Satellite Fire Station Site/Design Selection

PREPARED BY: Oakpointe; reviewed/approved by City of Black Diamond and Mountain View/Black Diamond Fire & Rescue

DATE: 10/29/2018

FILE COPY



CITY OF BLACK DIAMOND

Physical Address: 24301 Roberts Drive
Mailing Address: PO Box 599
Black Diamond, WA 98010

Phone: (360) 886-5700
Fax: (360) 886-2592
www.ci.blackdiamond.wa.us

10/29/18

Colin Lund
Director of Development
OAKPOINTE
3025 112th Avenue Ne
Bellevue, WA 98004

RE: Selection of Alternative Site for Satellite Fire Station

Dear Colin:

I have reviewed your letter dated 10/1/18 on your proposed new site and layout for the fire station. Section 13.4(D)(ii)(b) of The Villages MPD Development Agreement calls out the process for selecting an alternative site if the three original sites are deemed infeasible at the reasonable discretion of the City and the Master Developer. In such case, the Master Developer shall provide and/or acquire a site for the satellite fire station.

The Master Development Review Team along with Fire Chief Greg Smith have revived the sites originally proposed and have communicated to me that they are infeasible, and we would have significant development cost with those sites.

The MDRT team and the Fire Chief also asked you to see if Parcel 1321069022 could be used for a fire station as a fourth option. In your exhibit dated September 24, 2018, you show a revised Parcel 1321069022 that would allow a fire station to be built at that location with an approved boundary line application.

The Fire Chief has sent me a letter stating that he has approved this location for the new fire station and the proposed site conception.

I have reviewed all the material and options for the location of the fire station and I agree with the new location at Parcel 1321069022 with an approved boundary line adjustment. This letter will serve as the City's formal agreement to the alternative site, per Section 13.4(D)(ii)(b) of the Development Agreement.

Sincerely

Carol Benson
City of Black Diamond Mayor



October 1, 2018

Andy Williamson
MDRT & Economic Development Director
City of Black Diamond
24301 Roberts Drive
Black Diamond, WA 98010

RE: Boundary Line Adjustment and Site Layout for Satellite Fire Station

Dear Andy:

I appreciate you and Fire Chief Smith's involvement in selecting an appropriate satellite fire station location pursuant to Section 13.4(D) of The Villages MPD Development Agreement and Section 13.4(C) of the Lawson Hills MPD Development Agreement (the DAs). The property selected needs to accommodate a fire station with two bays with a total building square footage not exceeding 4,915 square feet.

The DAs identified three preferred locations for the satellite fire station. One site is on Parcel No. 1421069014, located near the City shop on land owned by the City. A second site is also owned by the City and located by the City water tower on Parcel Nos. 1221069081 and 1221069082. A third location is owned by CCD Black Diamond Partners LLC located adjacent to the City's water tower on Parcel No. 1321069036.

The City and Fire Chief visited each of the sites and reviewed concept site plans for each site. As a result, the City requested the Master Developer provide information on a potential fourth site located between Lawson Street and Botts Drive on a portion of Parcel No. 1321069038. A site plan was provided to the City for evaluation. The City has verbally indicated the fourth site to be the preferred location for the satellite fire station.

A Boundary Line Adjustment will be necessary to create the parcel for the satellite fire station. The attached Lawson Fire Station BLA exhibit dated September 24, 2018 indicates a proposed boundary line adjustment to perfect the parcel to be used for the satellite fire station. Also attached is an illustrative site plan of the proposed station.

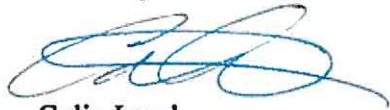
3025 112TH AVENUE NE
SUITE 100
BELLEVUE, WA 98004

WWW.OAKPOINTE.COM



We ask that the City indicate agreement to the proposed alternative fourth site. Once affirmed, we will begin the process as outlined in Section 13.4 of the DAs regarding the satellite fire station.

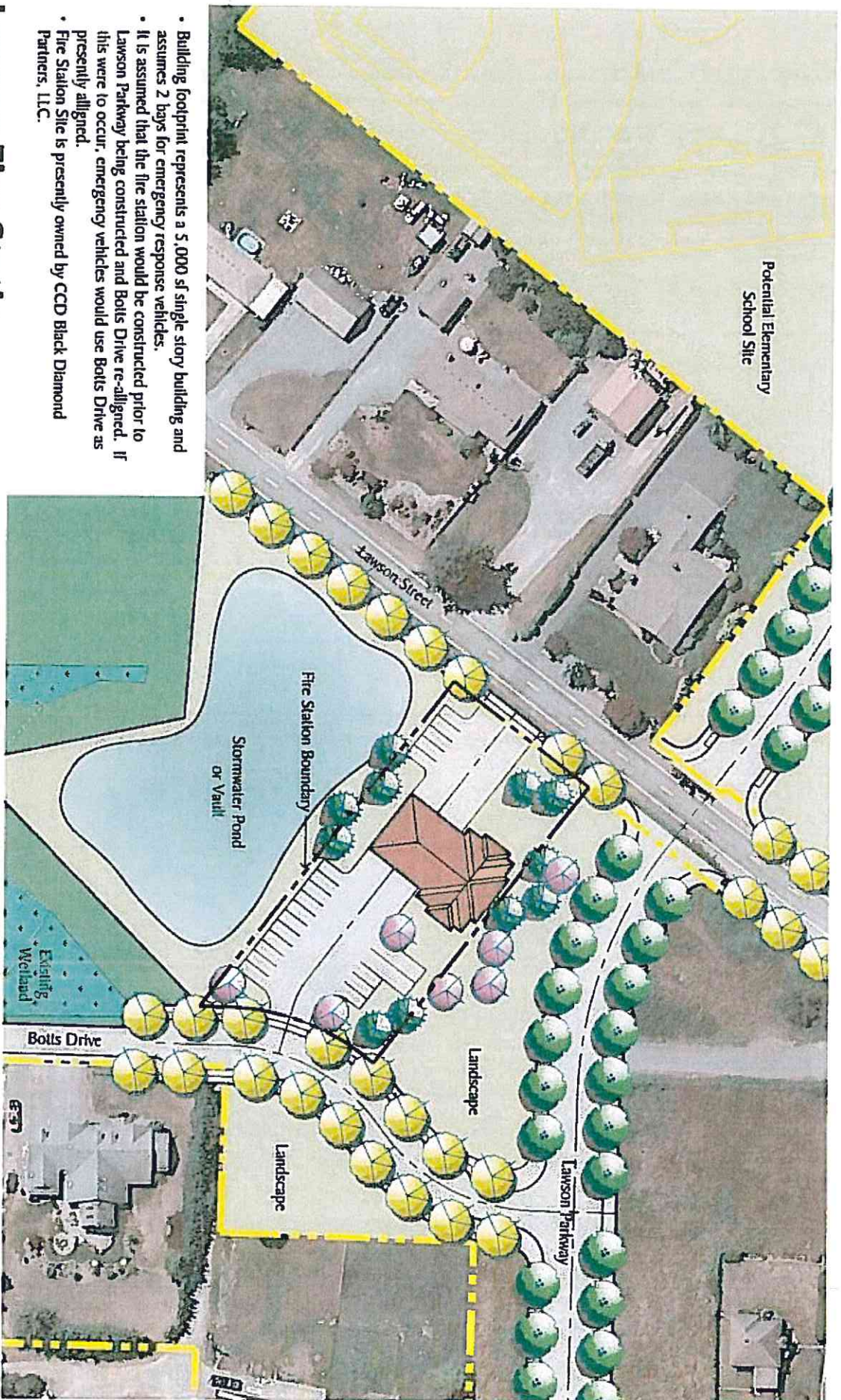
Sincerely



Colin Lund

Director of Development





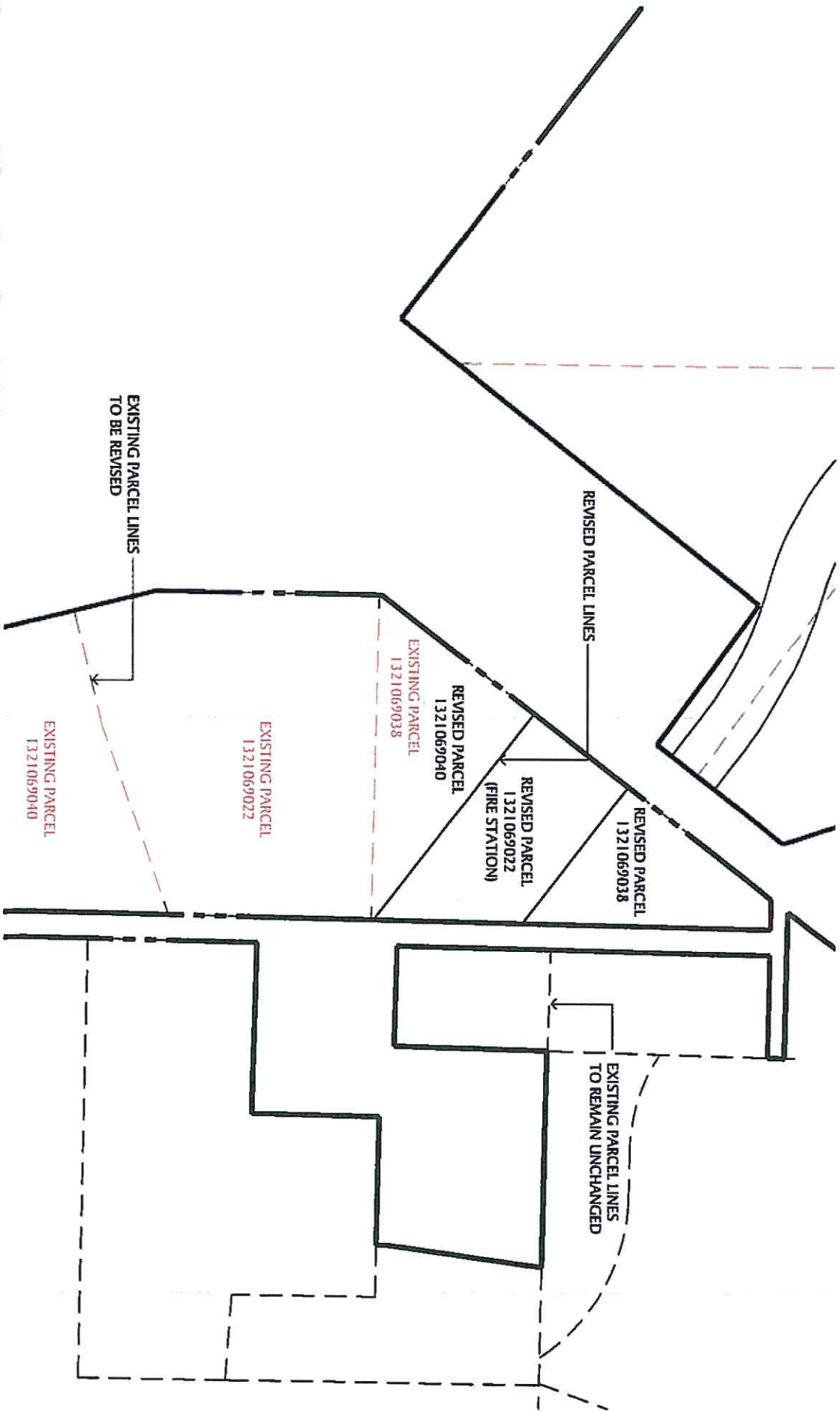
- Building footprint represents a 5,000 sf single story building and assumes 2 bays for emergency response vehicles.
- It is assumed that the fire station would be constructed prior to Lawson Parkway being constructed and Bolts Drive re-aligned. If this were to occur, emergency vehicles would use Bolts Drive as presently aligned.
- Fire Station Site is presently owned by CCD Black Diamond Partners, LLC.

Lawson Fire Station

AKPOINT
CONSULTANTS

September 24, 2018
Scale: 1" = 60'

Lawson Fire Station BLA





MOUNTAIN VIEW/BLACK DIAMOND FIRE AND RESCUE

32316 148th AVE SE Auburn, WA 98092 253 735 0284 info@kcf44.org www.mvfire.org

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

October 4, 2018

This letter is to inform you that:

The Fire Department has reviewed the attached Lawson Fire Station proposed site plan.

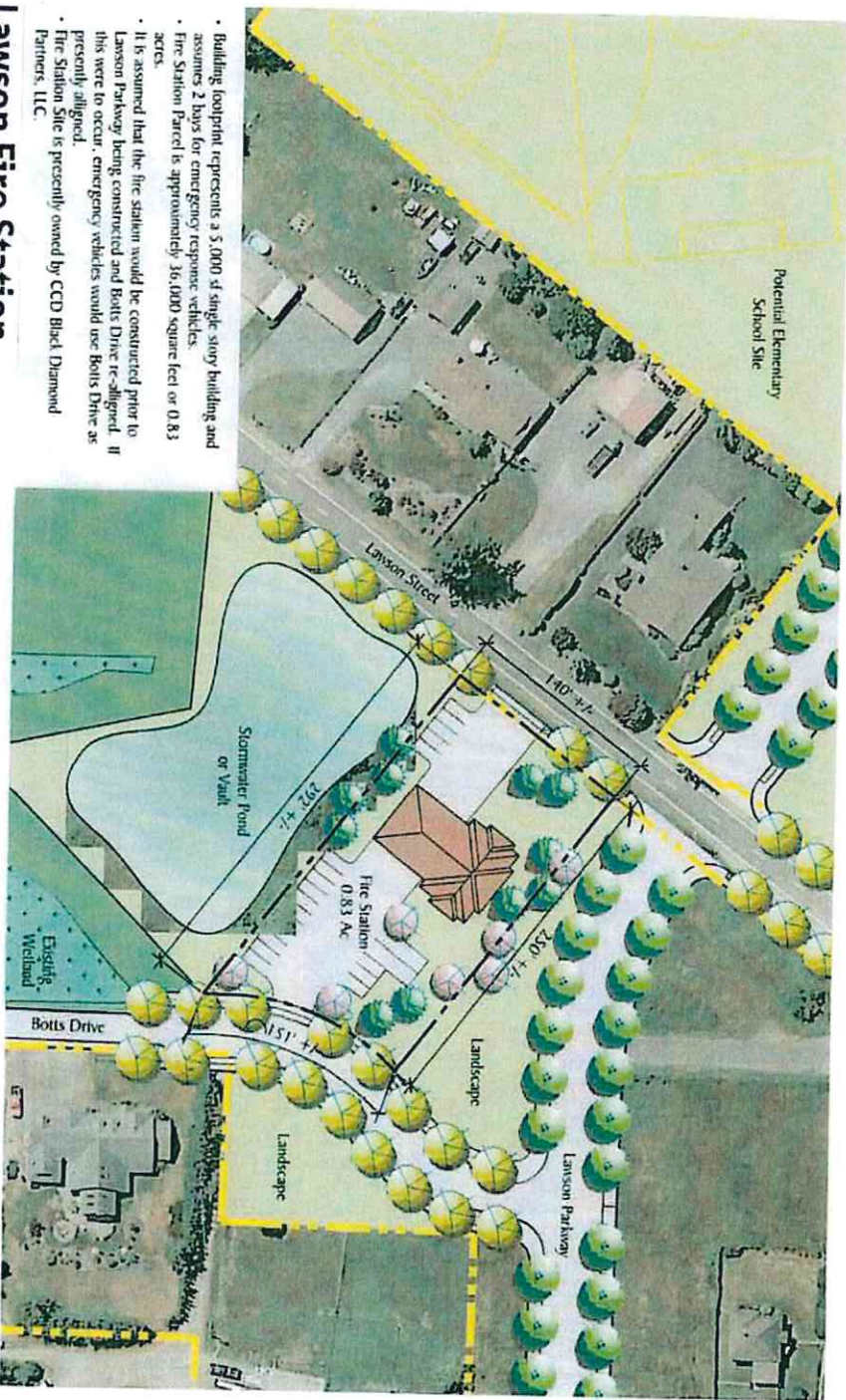
The Fire Department approves the proposed site conception, taking in consideration the planned road configuration as provided in this conceptual representation.


Greg Smith
Fire Chief
Black Diamond Fire Department

- Building footprint represents a 5,000 sf single-story building and assumes 2 bays for emergency response vehicles.
- Fire Station Parcel is approximately 36,000 square feet or 0.83 acres.
- It is assumed that the fire station would be constructed prior to Lawson Parkway being constructed and Botts Drive re-aligned. If this were to occur, emergency vehicles would use Botts Drive as presently aligned.
- Fire Station Site is presently owned by CCD Black Diamond Partners, LLC.

Lawson Fire Station

©ARKOINTE



October 5, 2018
Scale: 1" = 60'

TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER THE HATCHED AREAS DEPICTED ON SHEET 6 OF 14 HERETO AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, INCLUDING THE RIGHT OF THE CITY OF BLACK DIAMOND TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS ADJACENT TO SAID HATCHED AREAS FOR THE ORIGINAL REASONABLE GRADING OF STREETS AND AVENUES. FURTHER, THE UNDERSIGNED OWNER WAIVES FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS AGAINST ANY GOVERNMENTAL AUTHORITY FOR DAMAGES TO SAID ADJACENT LOTS ARISING FROM THE REQUIRED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF THE DEDICATED AREA.

LOT 66 IS HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE REGENCY AT TEN TRAILS OWNERS ASSOCIATION.

TRACTS A, B, C, E AND F, LANDSCAPE AND UTILITY TRACTS; TRACTS D AND P, SENSITIVE AREA TRACTS; TRACTS G, N AND O, UTILITY, LANDSCAPE AND PEDESTRIAN ACCESS TRACTS; TRACT H, UTILITY, LANDSCAPE, PEDESTRIAN ACCESS AND SENSITIVE AREA TRACT; TRACTS I, K AND M, SENSITIVE AREA, UTILITY AND PEDESTRIAN ACCESS TRACTS; TRACT J, ACCESS, UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE TRACT; TRACT L, PARK, LANDSCAPE, UTILITY, PEDESTRIAN ACCESS AND SENSITIVE AREA TRACT ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

NOTWITHSTANDING THE DEDICATIONS CONTAINED WITHIN THIS FINAL PLAT, CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, RETAINS AND RESERVES UNTO ITSELF CERTAIN RIGHTS WITH RESPECT TO TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N AND O INCLUDING, WITHOUT LIMITATION, THE RIGHT OF INGRESS, EGRESS AND ACCESS, AND TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN ANY FACILITIES OR IMPROVEMENTS WITHIN SAID TRACTS AND THE RIGHT TO TEMPORARILY SUSPEND PUBLIC ACCESS TO SAID TRACTS FOR PURPOSES OF CONSTRUCTION AND MAINTENANCE.

A PERMANENT PUBLIC ACCESS AND PEDESTRIAN ACCESS EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE PUBLIC OVER TRACTS A, B, C, E, F, G, H, I, J, K, L, M, N AND O. TRAILS SHALL BE CONSTRUCTED AND MAINTAINED AS DIRECTED IN THE VILLAGES MPD DEVELOPMENT AGREEMENT, RECORDED UNDER RECORDING NUMBER 20120130000655 AND AMENDED UNDER RECORDING NUMBERS 20120906000762, 20120906000763, 20140103000655, 20141112001375 AND 20171206000581. MAINTENANCE SHALL BE THE OBLIGATION OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

A LANDSCAPE MAINTENANCE AND RENEWAL EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR MAINTENANCE AND RENEWAL OF THE LANDSCAPED AREAS WITHIN THE ROADS DEDICATED TO THE PUBLIC WITHIN THIS SUBDIVISION.

A ONE-FOOT SIDEWALK EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF BLACK DIAMOND UPON THE EXTERIOR ONE FOOT OF LOTS 11 THROUGH 82, INCLUSIVE, AND TRACTS A, B, E, G, N AND O, ABUTTING ROADS HEREBY DEDICATED TO THE PUBLIC BY THIS SUBDIVISION FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A SIDEWALK FOR THE PUBLIC USE TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 3 OF 14 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

A ONE-FOOT CONCRETE BAND EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION UPON THE EXTERIOR ONE FOOT OF THAT PORTION OF LOTS 11 THROUGH 82, INCLUSIVE, AND TRACTS A, B, E, G, N AND O, FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A CONCRETE BAND TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 3 OF 14 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

THIS SUBDIVISION, DEDICATION AND WAIVER OF CLAIMS ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER.
IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: OAKPOINTE LLC, A WASHINGTON LIMITED LIABILITY COMPANY,
ITS MANAGER

BY: _____
BRIAN ROSS, MANAGER

TOLL BROS., INC., A PENNSYLVANIA CORPORATION

BY: _____
NAME: KELLEY MOLDSTAD, GROUP PRESIDENT

COUNCIL APPROVAL

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

COUNCIL RESOLUTION NUMBER _____.

MAYOR, CITY OF BLACK DIAMOND

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

THIS IS TO CERTIFY THAT ON THIS DAY, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED CAROL BENSON TO ME KNOWN TO BE THE MAYOR OF THE CITY OF BLACK DIAMOND THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CITY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

CITY OF BLACK DIAMOND FILE NO. PLN 21-0064

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

ON THIS ____ DAY OF _____, 2021, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED BRIAN ROSS, KNOWN TO ME TO BE THE MANAGER OF OAKPOINTE LLC, THE MANAGER OF CCD BLACK DIAMOND PARTNERS LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNATURE OF
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____
DATE

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

THIS IS TO CERTIFY THAT ON THIS ____ DAY OF _____, 2021, PERSONALLY APPEARED KELLEY MOLDSTAD, KNOWN TO ME TO BE THE GROUP PRESIDENT OF TOLL BROS., INC., A PENNSYLVANIA CORPORATION, WHICH CORPORATION HAS EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF THE CORPORATION OF WHICH (HE) (SHE) IS AN OFFICER FOR THE USES AND PURPOSE THEREIN MENTIONED AND ON OATH STATED THAT (HE) (SHE) WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF THE SAID CORPORATION.

SIGNATURE OF
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____
DATE

FIRE CHIEF APPROVAL

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

CITY OF BLACK DIAMOND FIRE CHIEF

COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

COMMUNITY DEVELOPMENT DIRECTOR

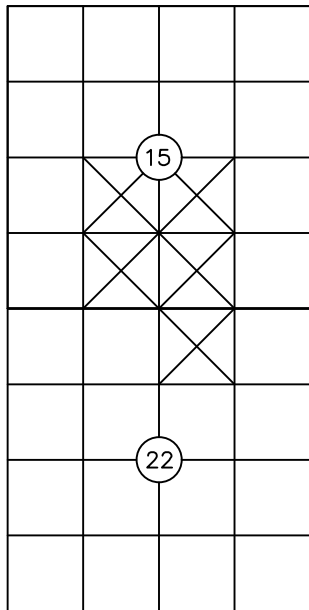
PUBLIC WORKS DIRECTOR

THE PUBLIC WORKS DIRECTOR FOR THE CITY OF BLACK DIAMOND HAS APPROVED THE SURVEY DATA, THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHTS OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEM AND OTHER STRUCTURES.

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

PUBLIC WORKS DIRECTOR

REVIEW COPY
NOT FOR RECORDING



INDEXING MAP
TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M.



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

VOL/PG

ORIGINAL TAX PARCEL NUMBER

152106-9106

DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

KING COUNTY ASSESSOR

DEPUTY KING COUNTY ASSESSOR

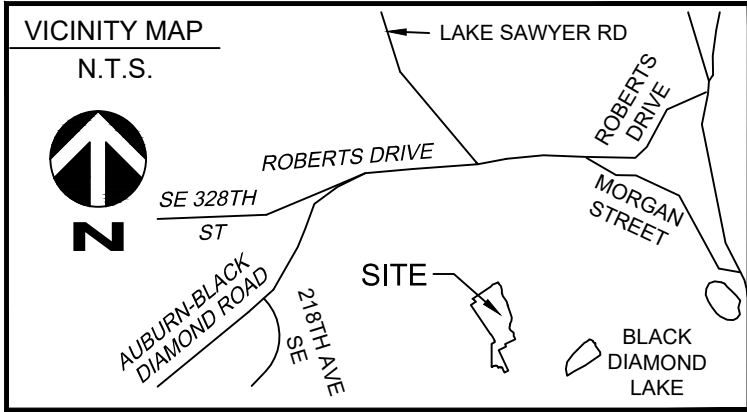
TREASURER CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2021.

TREASURER

DEPUTY



LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF TEN TRAILS PLAT 2D DIVISION 1, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SAID SURVEY WAS BASED UPON AN ACTUAL SURVEY OF SECTIONS 15 AND 22, TOWNSHIP 21 NORTH, RANGE 6 EAST AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED; THAT THE COURSES AND DISTANCES SHOWN HEREON ARE CORRECT; THAT (1) MONUMENTS AS DESCRIBED AND SHOWN HEREON, UNLESS STATED OTHERWISE HEREON, WILL BE OR HAVE BEEN SET AT ALL LOT CORNERS AS SHOWN; (2) MONUMENTS AS DESCRIBED AND SHOWN HEREON AS "SET" WILL BE OR HAVE BEEN SET; AND (3) ALL MONUMENTS DESCRIBED AND SHOWN HEREON THAT ARE SHOWN "TO BE SET" WITHIN THE RIGHT-OF-WAY, WITHIN AND WITHOUT THE BOUNDARY OF THIS SUBDIVISION, WILL BE SET AFTER THE STREET IS PAVED.



MARY H. MCDOWELL, PLS.
SURVEYOR. CERTIFICATE NO. 36805
DAVID EVANS AND ASSOCIATES, INC.
20300 WOODINVILLE SNOHOMISH RD NE
SUITE A-WOODINVILLE, WA 98072
PHONE: (425) 415-2000

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF DAVID EVANS AND ASSOCIATES, INC. THIS ____ DAY OF _____, 2021, AT ____ MINUTES PAST ____ M. AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S) _____, RECORDS OF KING COUNTY, WASHINGTON.

DIVISION OF RECORDS AND ELECTIONS

MANAGER SUPERINTENDENT OF RECORDS

TEN TRAILS, PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND
FILE NUMBER: PLN 21-0064
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON

PORTION OF THE NW 1/4 OF SE 1/4, SW 1/4 OF SE 1/4, NE 1/4 OF SW 1/4 AND THE SE 1/4 OF SW 1/4, OF SECTION 15 AND THE NW 1/4 OF THE NE 1/4 OF SECTION 22, ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M. CITY OF BLACK DIAMOND, WA

JOB NO. OAKPCBDP6001 SHEET 1 OF 14

VOL/PG

REVIEW COPY
NOT FOR RECORDING

TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

LEGAL DESCRIPTION

(PER FIDELITY NATIONAL TITLE INSURANCE COMPANY, GUARANTEE/CERTIFICATE NO. 21001613-SC, DATED AUGUST 20, 2021 AT 8:00 AM)

THAT PORTION OF LOT 1 OF OF CITY OF BLACK DIAMOND LOT LINE ADJUSTMENT NO. PLN 19- 0054, FILED IN VOLUME 448 OF SURVEYS, AT PAGE 124 AND RECORDED UNDER RECORDING NO. 20210628900005, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING ON THE WESTERLY LINE OF SAID LOT 1 AT THE SOUTH QUARTER CORNER OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON;
THENCE NORTHEASTERLY ALONG SAID WESTERLY LINE, NORTH 64°29'46" EAST, 87.71 FEET;
THENCE NORTHWESTERLY AND CONTINUING ALONG SAID WESTERLY LINE, NORTH 24°59'49" WEST, 29.97 FEET;
THENCE CONTINUING NORTHWESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1050.00 FEET, THROUGH A CENTRAL ANGLE OF 09°11'00", AN ARC DISTANCE OF 168.29 FEET;
THENCE NORTH 34°10'49" WEST, 813.79 FEET;
THENCE NORTHEASTERLY AND LEAVING SAID WESTERLY LINE, NORTH 55°49'11" EAST, 134.99 FEET;
THENCE NORTHWESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 55°05'23" WEST, HAVING A RADIUS OF 173.00 FEET, THROUGH A CENTRAL ANGLE OF 23°25'01", AN ARC DISTANCE OF 70.71 FEET;
THENCE NORTHWESTERLY ALONG A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 227.00 FEET, THROUGH A CENTRAL ANGLE OF 07°20'50", AN ARC DISTANCE OF 29.11 FEET;
THENCE NORTHEASTERLY, NORTH 53°48'43" EAST, 56.47 FEET;
THENCE CONTINUING NORTHEASTERLY, NORTH 55°49'11" EAST, 457.20 FEET;
THENCE NORTH 43°56'49" EAST, 58.73 FEET;
THENCE NORTH 67°06'11" EAST, 120.79 TO THE EASTERLY LINE OF SAID LOT 1;
THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE, AND ALONG A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 60°04'11" EAST, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 13°09'20", AN ARC DISTANCE OF 25.26 FEET;
THENCE CONTINUING SOUTHEASTERLY ALONG SAID EASTERLY LINE, SOUTH 43°05'08" EAST, 87.20 FEET;
THENCE SOUTHERLY ALONG SAID EASTERLY LINE, SOUTH 14°59'14" EAST, 89.58 FEET;
THENCE CONTINUING SOUTHERLY ALONG SAID EASTERLY LINE, SOUTH 02°09'47" EAST, 77.41 FEET;
THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 07°12'57", AN ARC DISTANCE OF 13.85 FEET;
THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE, SOUTH 22°53'49" EAST, 51.85 FEET;
THENCE CONTINUING SOUTHEASTERLY, SOUTH 34°10'38" EAST, 124.70 FEET;
THENCE SOUTH 28°51'35" EAST, 55.14 FEET;
THENCE SOUTHERLY AND CONTINUING ALONG SAID EASTERLY LINE, SOUTH 09°23'06" EAST, 68.99 FEET;
THENCE CONTINUING SOUTHERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 10°47'26", AN ARC DISTANCE OF 20.72 FEET;
THENCE SOUTH 20°10'32" EAST, 151.84 FEET;
THENCE SOUTH 19°22'50" EAST, 120.75 FEET;
THENCE SOUTH 06°38'09" WEST, 68.46 FEET;
THENCE SOUTHWESTERLY, SOUTH 24°45'20" WEST, 92.75 FEET;
THENCE SOUTHERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 110.00 FEET, THROUGH A CENTRAL ANGLE OF 26°03'53", AN ARC DISTANCE OF 50.04 FEET;
THENCE CONTINUING SOUTHERLY, SOUTH 01°18'33" EAST, 53.16 FEET;
THENCE SOUTHEASTERLY, SOUTH 40°16'52" EAST, 10.58 FEET;
THENCE CONTINUING SOUTHEASTERLY, SOUTH 33°40'43" EAST, 34.52 FEET;
THENCE SOUTH 53°49'52" EAST, 57.81 FEET;
THENCE SOUTH 43°33'02" EAST, 40.05 FEET;
THENCE SOUTHERLY, SOUTH 01°08'56" WEST, 32.33 FEET;
THENCE SOUTH 02°28'08" WEST, 35.48 FEET;
THENCE SOUTHEASTERLY, SOUTH 28°13'25" EAST, 56.81 FEET;
THENCE CONTINUING SOUTHEASTERLY, SOUTH 24°41'25" EAST, 24.84 FEET;
THENCE SOUTHWESTERLY AND LEAVING SAID EASTERLY LINE, SOUTH 65°00'11" WEST, 263.10 FEET;
THENCE SOUTHEASTERLY, SOUTH 24°59'49" EAST, 64.00 FEET;
THENCE SOUTHWESTERLY, SOUTH 65°00'11" WEST, 189.00 FEET;
THENCE SOUTHEASTERLY, SOUTH 24°59'49" EAST, 524.00 FEET;
THENCE SOUTHWESTERLY, SOUTH 65°00'11 " WEST, 100.00 FEET;
THENCE NORTHWESTERLY, NORTH 24°59'49" WEST, 120.05 FEET;
THENCE WESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 24°01'54" WEST, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 07°13'43", AN ARC DISTANCE OF 5.05 FEET;
THENCE CONTINUING WESTERLY, NORTH 73°11'49" WEST, 20.24 FEET;
THENCE ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 09°44'48", AN ARC DISTANCE OF 6.80 FEET;
THENCE NORTH 82°56'37" WEST, 18.12 FEET;
THENCE SOUTHWESTERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 31°07'14", AN ARC DISTANCE OF 21.73 FEET;
THENCE CONTINUING SOUTHWESTERLY, SOUTH 65°56'09" WEST, 21.76 FEET;
THENCE NORTHWESTERLY ALONG NON-TANGENT CURVE TO THE LEFT, WHOSE CENTER BEARS SOUTH 82°09'59" WEST, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 39°05'35", AN ARC DISTANCE OF 27.29 FEET;
THENCE NORTHWESTERLY, NORTH 46°55'36" WEST, 25.05 FEET;
THENCE WESTERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 66°22'47", AN ARC DISTANCE OF 46.34 FEET;
THENCE SOUTHWESTERLY, SOUTH 66°41'37" WEST, 12.46 FEET;
THENCE WESTERLY, SOUTH 86°07'43" WEST, 17.62 FEET;
THENCE SOUTHWESTERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 44°15'28", AN ARC DISTANCE OF 30.90 FEET;
THENCE CONTINUING SOUTHWESTERLY, SOUTH 41°52'15" WEST, 15.18 FEET;
THENCE WESTERLY ALONG A NON-TANGENT CURVE TO THE LEFT, WHOSE CENTER BEARS SOUTH 25°53'17" WEST, HAVING A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 21°44'58", AN ARC DISTANCE OF 15.18 FEET TO THE WESTERLY LINE OF SAID LOT 1;
THENCE NORTHERLY ALONG SAID WESTERLY LINE, NORTH 00°02'51 " EAST, 531.48 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 15 AND THE POINT OF BEGINNING OF THIS DESCRIPTION.

EXCEPTIONS NOTED IN TITLE REPORT

- (TITLE NOTES CORRESPONDING TO PARAGRAPH NUMBERS FROM SCHEDULE B, PER FIDELITY NATIONAL TITLE INSURANCE COMPANY, GUARANTEE/CERTIFICATE NO. 21001613-SC, DATED AUGUST 20, 2021 AT 8:00 AM)
2. THIS PROPERTY IS SUBJECT TO AN ACCESS AND UTILITIES EASEMENT, RESERVED BY WEYERHAEUSER REAL ESTATE COMPANY, BEARING A RECORDING DATE OF SEPTEMBER 25, 1986, RECORDED UNDER RECORDING NOS. 8609250370 AND 8609250371
5. THIS PROPERTY IS SUBJECT TO A CONSERVATION EASEMENT GRANTED TO THE CITY OF BLACK DIAMOND, BEARING A RECORDING DATE OF MARCH 23, 2006, RECORDED UNDER RECORDING NOS. 20060323001818 AND 20060323001819
6. THIS PROPERTY IS SUBJECT TO A CONSERVATION EASEMENT GRANTED TO THE CITY OF BLACK DIAMOND, BEARING A RECORDING DATE OF JANUARY 6, 2010, RECORDED UNDER RECORDING NO. 20100106000723
7. THIS PROPERTY IS SUBJECT TO A MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, BEARING A RECORDING DATE OF APRIL 22, 2011, RECORDED UNDER RECORDING NO. 20110422000249
8. THIS PROPERTY IS SUBJECT TO A COMPREHENSIVE SCHOOL MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, BEARING A RECORDING DATE OF JUNE 24, 2011, RECORDED UNDER RECORDING NO. 20110624001156, AND MODIFIED UNDER RECORDING NO. 20150130000466 ,DATED JANUARY 30, 2015.
9. THIS PROPERTY IS SUBJECT TO THE VILLAGES MPD DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF, BEARING A RECORDING DATE OF JANUARY 30, 2012 UNDER RECORDING NO. 20120130000655 AND MODIFIED UNDER RECORDING NOS. 20120906000762, 20120906000763, 20140103000655, 20141112001375, 20171206000581, 20181011000280, 20181011000281, 20190228000492, 20190228000493
10. THIS PROPERTY IS SUBJECT TO A TEMPORARY ACCESS EASEMENT, BEARING A RECORDING DATE OF MAY 28, 2015, RECORDED UNDER RECORDING NO. 20150528000482 AND AMENDED UNDER RECORDING NOS. 20150811000652 AND 20151021001954
12. THIS PROPERTY IS SUBJECT TO AN EASEMENT FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY, GRANTED TO PUGET SOUND ENERGY, INC., BEARING A RECORDING DATE OF MAY 18, 2017 UNDER RECORDING NO. 20170518000241 AND MODIFIED UNDER RECORDING NO. 20180313000130, DATED MARCH 13, 2018. A PARTIAL RELEASE OF SAID EASEMENT WAS RECORDED UNDER RECORDING NO. 20180828000307, DATED AUGUST 28, 2018

EXCEPTIONS NOTED IN TITLE REPORT (CONT.)

13. THIS PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN DOCUMENT RECORDED UNDER RECORDING NO. 20171107001312, DATED NOVEMBER 7, 2017 AND MODIFIED UNDER RECORDING NOS. 20171227000507, 20180619000316, 20180627001396, 20190822000857 AND 20191231001205.
14. THIS PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT RECORDED UNDER RECORDING NO. 20171107001314, DATED NOVEMBER 7, 2017 AND MODIFIED UNDER RECORDING NOS. 20171227000508, 20180619000315, 20180627001395.
16. THIS PROPERTY IS SUBJECT TO AN EASEMENT FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION OF GAS AND ELECTRICITY GRANTED TO PUGET SOUND ENERGY, INC., BEARING A RECORDING DATE OF JULY 19, 2021 UNDER RECORDING NO. 20210719000564.

EASEMENT PROVISIONS

EASEMENT PROVISIONS

PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED AND CONVEYED, UPON THE RECORDING OF THIS PLAT, TO PUGET SOUND ENERGY, ANY TELEPHONE COMPANY, ANY CABLE TELEVISION COMPANY, ANY BROADBAND OR TELECOMMUNICATIONS COMPANY, CITY OF BLACK DIAMOND AND ITS SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACTS A, B, C, E, F, G, H, I, J, K, L, M, N AND O. ALL LOTS DESIGNATED WITH A STRIP FOR PUBLIC UTILITY EASEMENTS IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES, CATCH BASINS, MANHOLES, CLEANOUTS, WIRES, WATER METERS AND FIRE HYDRANTS WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, SEWER, STORM, WATER AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS, AND SPACES AT ALL TIMES FOR THE PURPOSE HEREIN STATED. THE LANDS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION. NO LINES OR WIRES FOR TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE OR CABLE TELEVISION SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT OR TRACT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

ALL PRIVATE STORM DRAINAGE EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING THE PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 14.

IN ADDITION THE APPLICABLE ASSOCIATION SHALL BE RESPONSIBLE FOR OPERATING, MAINTAINING, REPAIRING AND RENEWING ALL PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION LYING WITHIN THE TRACTS OWNED BY SUCH ASSOCIATION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 14.

ALL PRIVATE WATER EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING THE PRIVATE WATER FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 14.

ALL PRIVATE SANITARY SEWER EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING THE PRIVATE SANITARY SEWER FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 14.

ALL TRAIL EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING A PATH FOR TRAVELING AND LANDSCAPING IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 14.

ALL SINGLE FAMILY RESIDENTIAL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES, AND 5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL REAR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURES OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.

A PERMANENT PRIVATE ACCESS AND UTILITY EASEMENT IS HEREBY GRANTED OVER LOTS 1 THROUGH 20, INCLUSIVE, AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AND LOTS 1 THROUGH 10, INCLUSIVE. MAINTENANCE SHALL BE THE OBLIGATION OF THE ACTIVE ADULT RESIDENTIAL OWNERS ASSOCIATION.

RESTRICTIONS

1. FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS, PRIOR TO MAKING ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF ANY LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER
2. NO LOT OR PORTION OF A LOT IN THIS PLAT SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL BE LESS THAN THE AREA REQUIRED FOR THE USE DISTRICT IN WHICH LOCATED.
3. THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000507, 20180619000316, 20180627001396, 20190822000857 AND 20191231001205.
4. THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS COMMUNITY COUNCIL AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001314 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000508, 20180619000315 AND 20180627001395.
5. DECORATIVE TYPE ENTRY SIGNS EITHER FOR BEAUTIFICATION OR ADVERTISEMENT OF THIS PLAT SHALL NOT UNDER ANY CIRCUMSTANCES BE PLACED IN PUBLIC RIGHT OF WAY.

INSTRUMENTATION NOTE

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SR 9500 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING A 1 MINUTE THEODOLITE AND ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.

MONUMENT NOTE

PROPERTY CORNERS SHALL BE SET AS FOLLOWS UNLESS OTHERWISE NOTED:

1. ALL TRACT CORNERS ARE SET WITH 1/2" X 24" REBAR WITH CAP STAMPED "DEA 36805".
2. ALL TACK IN LEAD WITH WASHERS ARE SET ON THE STREETWARD PROJECTION OF THE LATERAL LOT OR LOT/TRACT LINES.
3. SET 1/2" X 24" REBAR WITH CAP STAMPED "DEA 36805" AT ALL SIDE AND REAR LOT CORNERS.

VOL/PG



TEN TRAILS

PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
AND ASSOCIATES INC.**
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO. OAKPCBDP6001
SHEET 2 OF 14

VOL/PG

CITY OF BLACK DIAMOND FILE NO. PLN 21-0064

TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

CITY OF BLACK DIAMOND CONDITIONS

MINE WORKING WARNING:

WARNING: THE CITY OF BLACK DIAMOND OVERLIES NUMEROUS MINE SHAFTS, TUNNELS, AND OTHER WORKINGS, THE EXACT LOCATION, DEPTH, AND SIZE OF WHICH ARE UNKNOWN. THE LAND ENCOMPASSED BY THIS SUBDIVISION MAY OR MAY NOT OVERLIE SUCH A WORKINGS. IN APPROVING THIS SUBDIVISION, THE CITY OF BLACK DIAMOND MAKES NO REPRESENTATIONS AND ASSUMES NO LIABILITY OR RESPONSIBILITY WITH RESPECT TO THE SUITABILITY OF THIS SITE FOR THE DEVELOPMENT CONTEMPLATED OR THE SUITABILITY OR INTEGRITY OF THE SUBSOIL AGAINST SUBSIDENCE OR COLLAPSE.

APPROVED MPD STATEMENT:

THIS PLAT IS PART OF AN APPROVED MASTER PLANNED DEVELOPMENT (MPD). ALL DEVELOPMENT AND CONSTRUCTION WITHIN THIS PLAT MUST BE CONSISTENT WITH THE APPLICABLE REQUIREMENTS OF THE MPD DEVELOPMENT AGREEMENT, MPD DESIGN STANDARDS, AND MITIGATION REQUIREMENTS.

GENERAL NOTES:

1) UNLESS OTHERWISE NOTED WITHIN THIS PLAT, ALL WATER AND SEWER PIPELINES WILL BE PUBLICLY OWNED AND OPERATED AND WILL BE WITHIN DEDICATED EASEMENT OR RIGHT OF WAY. STORMWATER PIPELINES MAY BE PRIVATELY OWNED AS LONG AS THE AREA SERVED BY THE PIPELINE IS ENTITLED BY EASEMENT AND OWNED BY THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

2) WATER CAPITAL FACILITY CHARGES AND SEWER CAPITAL FACILITY CHARGES SHALL NOT BE IMPOSED FOR DEVELOPMENT IN THIS PLAT.

3) MPD CONDITIONS OF APPROVAL: IN THE EVENT THAT THE REGENCY AT TEN TRAILS OWNERS ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF PRIVATE ALLEY AS REQUIRED BY SECTION 5.5.7 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED PRIVATE ALLEY OR AUTO COURT PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

4) MPD CONDITIONS OF APPROVAL: IN THE EVENT THAT THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF STREET-SIDE LANDSCAPING FEATURE AS REQUIRED BY SECTION 5.5.7 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED LANDSCAPING MAINTENANCE PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

5) ANY STRUCTURE (INCLUDING RETAINING WALLS 4 FEET OR TALLER) ADJACENT TO A SENSITIVE AREAS SETBACK SHALL COMPLY WITH THE CITY OF BLACK DIAMOND SENSITIVE AREAS ORDINANCE AS FOUND IN EXHIBIT E OF THE VILLAGES MPD DEVELOPMENT AGREEMENT.

LOT AREAS

LOT NO.	AREA	LOT NO.	AREA	LOT NO.	AREA	LOT NO.	AREA
1	4,725 SF	22	5,000 SF	43	7,094 SF	64	4,688 SF
2	4,725 SF	23	5,000 SF	44	6,121 SF	65	7,384 SF
3	4,725 SF	24	5,000 SF	45	4,500 SF	66	169,955 SF
4	4,725 SF	25	4,500 SF	46	4,500 SF	67	6,298 SF
5	4,725 SF	26	4,500 SF	47	4,500 SF	68	6,856 SF
6	4,725 SF	27	5,002 SF	48	4,500 SF	69	6,789 SF
7	4,725 SF	28	7,162 SF	49	4,500 SF	70	6,000 SF
8	4,725 SF	29	5,688 SF	50	5,500 SF	71	6,000 SF
9	4,725 SF	30	5,000 SF	51	5,500 SF	72	5,000 SF
10	4,725 SF	31	4,500 SF	52	5,000 SF	73	6,000 SF
11	4,725 SF	32	4,500 SF	53	5,000 SF	74	6,000 SF
12	4,725 SF	33	5,000 SF	54	5,000 SF	75	6,000 SF
13	4,725 SF	34	4,500 SF	55	5,002 SF	76	6,000 SF
14	4,725 SF	35	4500 SF	56	7,026 SF	77	6,000 SF
15	4,725 SF	36	5,500 SF	57	6,124 SF	78	5,000 SF
16	4,725 SF	37	5,500 SF	58	7,597 SF	79	6,000 SF
17	4,725 SF	38	5,000 SF	59	5,000 SF	80	6,000 SF
18	4,725 SF	39	5,000 SF	60	5,500 SF	81	6,000 SF
19	4,725 SF	40	5,000 SF	61	4,411 SF	82	6,000 SF
20	4,725 SF	41	5,000 SF	62	4,556 SF		
21	7,256 SF	42	5,002 SF	63	5,903 SF		

TRACT AREAS

TRACT	AREA	USE	TYPE OF PARK	GRANTED AND CONVEYED TO
A	3,837 SF	LANDSCAPE AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
B	1,634 SF	LANDSCAPE AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
C	20,330 SF	LANDSCAPE AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
D	1,252 SF	SENSITIVE AREA		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
E	7,821 SF	LANDSCAPE AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
F	5,740 SF	LANDSCAPE AND UTILITY		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
G	4,979 SF	UTILITY, LANDSCAPE AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
H	5,248 SF	UTILITY, LANDSCAPE, PEDESTRIAN ACCESS, SENSITIVE AREA		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
I	2,953 SF	SENSITIVE AREA, UTILITY AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
J	5,591 SF	ACCESS, UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
K	22,567 SF	SENSITIVE AREA, UTILITY AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
L	41,336 SF	PARK, LANDSCAPE, UTILITY, PEDESTRIAN ACCESS AND SENSITIVE AREA	NEIGHBORHOOD	TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
M	3,904 SF	SENSITIVE AREA, UTILITY AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
N	1,073 SF	UTILITY, LANDSCAPE AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
O	14,802 SF	UTILITY, LANDSCAPE AND PEDESTRIAN ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
P	919 SF	SENSITIVE AREA		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION

LOT ADDRESS TABLE

LOT NO.	STREET NAME	ADDRESS	LOT NO.	STREET NAME	ADDRESS	LOT NO.	STREET NAME	ADDRESS
1	DOUGLAS AVENUE SE	33413	29	SE LOGAN STREET	23589	57	LIBERTY AVENUE SE	33503
2	DOUGLAS AVENUE SE	33419	30	SE LOGAN STREET	23577	58	SE ASPEN STREET	23603
3	DOUGLAS AVENUE SE	33449	31	SE LOGAN STREET	23565	59	SE ASPEN STREET	23591
4	DOUGLAS AVENUE SE	33455	32	SE LOGAN STREET	23553	60	SE ASPEN STREET	23579
5	DOUGLAS AVENUE SE	33485	33	SE LOGAN STREET	23541	61	DOUGLAS AVENUE SE	33572
6	DOUGLAS AVENUE SE	33491	34	SE LOGAN STREET	23529	62	DOUGLAS AVENUE SE	33590
7	DOUGLAS AVENUE SE	33521	35	SE LOGAN STREET	23517	63	SE REGENCY STREET	23652
8	DOUGLAS AVENUE SE	33527	36	SE LOGAN STREET	23505	64	SE REGENCY STREET	23662
9	DOUGLAS AVENUE SE	33557	37	SE JASMINE STREET	23532	65	LIBERTY AVENUE SE	33517
10	DOUGLAS AVENUE SE	33563	38	SE JASMINE STREET	23544	66	SE REGENCY STREET	23613
11	DOUGLAS AVENUE SE	33569	39	SE JASMINE STREET	23556	67	LIBERTY AVENUE SE	33532
12	DOUGLAS AVENUE SE	33551	40	SE JASMINE STREET	23568	68	LIBERTY AVENUE SE	33514
13	DOUGLAS AVENUE SE	33533	41	SE JASMINE STREET	23580	69	LIBERTY AVENUE SE	33502
14	DOUGLAS AVENUE SE	33515	42	SE JASMINE STREET	23592	70	LIBERTY AVENUE SE	33480
15	DOUGLAS AVENUE SE	33497	43	SE JASMINE STREET	23604	71	LIBERTY AVENUE SE	33460
16	DOUGLAS AVENUE SE	33479	44	SE JASMINE STREET	23605	72	LIBERTY AVENUE SE	33442
17	DOUGLAS AVENUE SE	33461	45	SE JASMINE STREET	23593	73	LIBERTY AVENUE SE	33424
18	DOUGLAS AVENUE SE	33443	46	SE JASMINE STREET	23581	74	LIBERTY AVENUE SE	33406
19	DOUGLAS AVENUE SE	33425	47	SE JASMINE STREET	23569	75	LIBERTY AVENUE SE	33388
20	DOUGLAS AVENUE SE	33407	48	SE JASMINE STREET	23557	76	LIBERTY AVENUE SE	33370
21	SE LOGAN STREET	23506	49	SE JASMINE STREET	23545	77	LIBERTY AVENUE SE	33352
22	SE LOGAN STREET	23518	50	SE JASMINE STREET	23533	78	LIBERTY AVENUE SE	33334
23	SE LOGAN STREET	23530	51	SE ASPEN STREET	23576	79	LIBERTY AVENUE SE	33316
24	SE LOGAN STREET	23542	52	SE ASPEN STREET	23588	80	LIBERTY AVENUE SE	33298
25	SE LOGAN STREET	23554	53	SE ASPEN STREET	23600	81	LIBERTY AVENUE SE	33262
26	SE LOGAN STREET	23566	54	SE ASPEN STREET	23612	82	LIBERTY AVENUE SE	33244
27	SE LOGAN STREET	23578	55	SE ASPEN STREET	23624			
28	SE LOGAN STREET	23590	56	SE ASPEN STREET	23636			

ADDRESSING NOTE

ADDRESSES FOR INDIVIDUAL LOTS HAVE BEEN SHOWN ON SHEET 3 OF 14 ON THIS PLAT PURSUANT TO BDMC 17.20.020 OF THE VESTED CODE, BUT THESE ADDRESSES WERE ASSIGNED WITHOUT BUILDING OR SITE PLANS AVAILABLE FOR EACH LOT. ANY ADDRESS CHANGES REQUIRED SUBSEQUENT TO RECORDING OF THIS FINAL PLAT SHALL NOT CONSTITUTE A PLAT ALTERATION AS DEFINED IN BDMC 17.20.090.B. OF THE VESTED CODE. REFER TO THE CITY OF BLACK DIAMOND (OR ITS SUCCESSOR AGENCY) BUILDING OR PLANNING DEPARTMENT RECORD ADDRESSES TO CONFIRM BUILDING ADDRESSES.



TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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JOB NO. OAKPCBDP6001
SHEET 3 OF 14

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TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

CONSERVATION EASEMENT DEED PARTIAL RELINQUISHMENT

THE CITY OF BLACK DIAMOND AND CCD BLACK DIAMOND PARTNERS LLC HEREBY AMEND THOSE CERTAIN CONSERVATION EASEMENT DEEDS RECORDED UNDER KING COUNTY RECORDING NOS. 20060323001818 ("CED1"), 20060323001819 ("CED2") AND 20100106000723 ("CED3") AS FOLLOWS:

TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O AND P ARE HEREBY ESTABLISHED AS AND DECLARED TO BE "CONSERVATION ZONES," AS DEFINED IN CED1, CED2 AND CED3.

TRACTS A, B, C, E, F, G, H, J, L, N AND O ARE LANDSCAPED AREAS CONSISTING OF 112,391 SQUARE FEET, WHICH PROVIDE PERMANENT PUBLIC ACCESS AND TRAILS. SAID TRACTS PROTECT AND CONSERVE THE CONSERVATION VALUES IDENTIFIED IN CED1 AND CED2 PARAGRAPH 2.3 AND AS IDENTIFIED IN CED3 PARAGRAPH 2.4 BY ENHANCING THE VALUE TO THE PUBLIC OF ABUTTING OR NEIGHBORING PARKS OR OTHER OPEN SPACE.

TRACTS D, I, K, M AND P ARE SENSITIVE AREA TRACTS CONSISTING OF 31,595 SQUARE FEET, WHICH PROTECTS AND CONSERVES THE CONSERVATION VALUES IDENTIFIED IN PARAGRAPH 2.3 OF THE CED BY CONSERVING WETLANDS.

THE APPLICABLE OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE PRESERVATION AND PROTECTION OF THE CONSERVATION VALUES OF THE CONSERVATION ZONE ESTABLISHED HEREBY, AND THE CITY OF BLACK DIAMOND SHALL HAVE THE RIGHT TO ENFORCE SUCH PRESERVATION AND PROTECTION, PURSUANT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000507, 20180619000316, 20180627001396, 20190822000857 AND 20191231001205.

THE CITY OF BLACK DIAMOND HEREBY TERMINATES AND RELEASES ALL OF ITS RIGHTS, TITLE AND INTEREST IN CED1 AND CED2 WITH RESPECT TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS RELEASE IS INTENDED TO REMOVE CED1 AND CED2 FROM TITLE TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS AMENDMENT AND RELEASE IS AN ADDENDUM TO CED1 AND CED2.

UPON RECORDING OF THIS AMENDMENT AND RELEASE, THE TOTAL SIZE OF THE CONSERVATION ZONES ESTABLISHED WITHIN THE PLAT AND THE REMAINING MINIMUM SIZE OF CONSERVATION ZONES TO BE ESTABLISHED SUBSEQUENTLY ARE AS FOLLOWS:

SOURCE OF REQUIREMENT: TABLE 9-1 OF THE VILLAGES DEVELOPMENT AGREEMENT	TOTAL CZ ACREAGE REQUIRED	TOTAL CZ ACREAGE ESTABLISHED BY PREVIOUS PLATS OF TEN TRAILS	CZ ACREAGE REMAINING LESS PREVIOUS PLATS	TOTAL CZ ACREAGE ESTABLISHED BY PLAT OF TEN TRAILS	REMAINING MINIMUM CZ ACREAGE TO BE ESTABLISHED BY FUTURE PLATS WITHIN THE WEST ANNEXATION AREA
CED 1	63.3 ACRES	7.44 (PP1A DIV 1) 0.37 (PH2, PLAT C, DIV 1) 1.93 (PP1A DIV 2) 1.14 (V-13) 6.77 (PP1A, DIVS 3-5 AND 8) 3.74 (PH2, PLAT C, DIV 2) 1.55 (V-24) 5.53 (PLAT 2A, DIVS 1-3) 3.26 (PLAT 2A, DIV 4) 0.26 (PP1A, DIV 6) 0.78 (PLAT 2A, DIV 5) 1.70 (PLAT 2E)	28.83 ACRES	0.05 ACRES	28.78 ACRES
CED 2	91 ACRES	2.11 (PH2, PLAT C, DIV 1) 92.66 (PH2, PLAT C, DIV 2) 1.12 (PLAT 2E)	0 ACRES*	0.92 ACRES**	0 ACRES
CED 3	197.87 ACRES	0	197.87 ACRES	2.34 ACRES	195.53 ACRES

* AN EXCESS OF 4.89 CONSERVATION ZONE ACRES LYING WITHIN CED 2 HAS PREVIOUSLY BEEN RECORDED.

** AN EXCESS OF 0.92 CONSERVATION ZONE ACRES LYING WITHIN CED 2 HAS BEEN RECORDED WITH THIS PLAT OF TEN TRAILS PLAT 2D DIVISION 1.

OPEN SPACE TABLE

	GROSS ACRES	BDUGAA/ OPEN SPACE REQUIREMENT	MPD REQUIREMENT (IF APPLICABLE)	REQUIRED OPEN SPACE	OPEN SPACE PREVIOUSLY RECORDED	REQUIRED OPEN SPACE LESS PREVIOUS PLATS	OPEN SPACE PROVIDED IN THIS PLAT	REMAINING OPEN SPACE REQUIRED
WEST ANNEXATION AREA								
PARCEL C	54.62				17.89 (PASSIVE) 16.58 (ACTIVE) (PP1A, DIV 1) (PH2, PLAT C, DIV 1) (PP1A, DIV 2) (V-13)			
PARCEL D	225.99	63.30	0	63.3	(PP1A, DIVS 3-5 and 8) (PH2, PLAT C, DIV 2) (V-24) (PLAT 2A, DIVS 1-3) (PLAT 2A, DIV 4) (PP1A, DIV 6) (PLAT 2A, DIV 5) (PLAT 2E)	28.83	0.05 (PASSIVE)	28.78
PARCEL E	151.15	0	75.58	75.58	93.71 (PASSIVE) 2.18 (ACTIVE) (PH2, PLAT C, DIV 1) (PH2, PLAT C, DIV 2) (PLAT 2E)	0*	0.92** (PASSIVE)	0
PARCEL BDA	395.74	0	197.87	197.87	0	197.87	1.39 (PASSIVE) 0.95 (ACTIVE)	195.53
TOTAL IN CITY/UGA MPD OPEN SPACE	1196.40	145	336.4	481.4	111.60 (PASSIVE) 18.76 (ACTIVE)	351.04	2.36 (PASSIVE) 0.95 (ACTIVE)	347.73

*AN EXCESS OF 20.31 ACRES OF OPEN SPACE LYING WITHIN PARCEL E HAS PREVIOUSLY BEEN RECORDED.

**AN EXCESS OF 0.92 ACRES OF OPEN SPACE LYING WITHIN PARCEL E HAS BEEN RECORDED WITH THIS PLAT OF TEN TRAILS PLAT 2D DIVISION 1.

- PRELIMINARY PLAT 2D CONDITION #2: SITE PLANS FOR SITE DEVELOPMENT PERMITS FOR LANDS ADJACENT TO WETLAND BUFFERS SHALL INCLUDE LOCATION OF ALL WETLAND BUFFER BOUNDARIES.
- PRELIMINARY PLAT 2D CONDITION #10 APPLICANT SHALL COMPLY WITH THE DETAILED IMPLEMENTATION SCHEDULE PHASE 2 REGIONAL INFRASTRUCTURE IMPROVEMENTS CONSTRUCTION THRESHOLDS AND IMPROVEMENT DETAILS, DATED JANUARY 28, 2014 AND APPROVED ON JUNE 13, 2014.
- PRELIMINARY PLAT 2D CONDITION #14: MITIGATION PERFORMANCE MONITORING REPORTS FOR THE PROPOSED WETLAND ENHANCEMENT OCCURRING WITHIN WETLANDS P/Q AND E1 SHALL COMPLY WITH THE GUIDANCE AND APPLICABLE CONTENT STANDARDS (DENOTING MEANS AND METHODS) OF THE STATE DEPARTMENT OF ECOLOGY'S WASHINGTON INTERAGENCY WETLAND MITIGATION GUIDANCE, PUBLISHED AS WETLAND MITIGATION IN WASHINGTON STATE: PART 1 - AGENCY POLICIES AND GUIDANCE (VERSION 1, MARCH 2006), PUB. NO. 06-06-11a, AND WETLAND MITIGATION IN WASHINGTON STATE: PART 2 - DEVELOPING MITIGATION PLANS (VERSION 1, MARCH 2006), PUB. NO. 06-06-11b. THE DEPARTMENT OF ECOLOGY HAS DETERMINED THAT THE US ARMY CORPS OF ENGINEERS REGULATORY GUIDANCE LETTER 08-036 IS CONSISTENT WITH WASHINGTON'S INTERAGENCY WETLAND MITIGATION GUIDANCE FOR MONITORING REPORTS MUST BE SUBMITTED TO AND APPROVED BY THE CITY'S MASTER DEVELOPMENT REVIEW TEAM (MDRT) IN ACCORDANCE WITH BDMC 19.10.260.
- PRELIMINARY PLAT 2D CONDITION #16: A WETLAND MONITORING PLAN INCLUDING DETAILED VEGETATION AND MONITORING METHODOLOGY SHALL BE SUBMITTED TO, AND APPROVED BY, THE CITY'S MDRT DEPARTMENT PRIOR TO ANY SITE DISTURBANCE ACTIVITIES FOR FINAL PLAT APPROVAL. THE WETLAND MONITORING PLAN SHALL MEET ALL REQUIREMENTS OF THE APPLICABLE STORMWATER MANUAL FOR PRE AND POST-CONSTRUCTION TO A LEVEL THAT EXCEEDS REQUIREMENTS IN THE 2005 DOE MANUAL AND SEPA MITIGATION MEASURE NO. 14b FROM THE PHASE 2 PLAT A HEARING EXAMINER DECISION UPON RECONSIDERATION DATED APRIL 29, 2019 WHICH READS AS FOLLOWS:

WETLAND HYDROLOGY MONITORING MEANS AND METHODS SHALL BE SUBMITTED FOR EVALUATION AND APPROVAL PRIOR TO PERMIT ISSUANCE. WETLAND VEGETATION SHOULD BE MONITORED POST-CONSTRUCTION AND ADAPTIVE MANAGEMENT PROVISIONS INCLUDED TO ENSURE SUBSTANTIALLY SIMILAR HYDRAULIC SUPPORT TO THE EXISTING SITE CONDITIONS. WETLAND VEGETATION MONITORING SHALL BE CONDUCTED ANNUALLY FOR FIVE YEARS.

AS PART OF ITS WETLAND MONITORING PLAN, THE APPLICANT SHALL PREPARE A TREE STUDY FOR EACH WETLAND THAT INCLUDES ALL TREES OVER 6 INCHES DBH, INCLUDING COTTONWOOD TREES. ONCE THE PHASE IS INSTALLED ALL ACTUAL TOPOGRAPHY MUST BE VERIFIED TO ENSURE THE MODELED HYDROLOGIC REGIME IS ACCURATE. HYDROLOGIC MONITORING MUST BE DONE IN EACH WETLAND WITHIN THE PROJECT AREA.

PIEZOMETER-WELLS CREST STAGE GAUGES AT INLET AND OUTLET SHOULD BE INSTALLED AND MONITORED ON A DAILY BASIS USING A CONTINUOUS DATA LOGGER. THIS SHOULD BE DONE POST-CONSTRUCTION FOR A MINIMUM OF 2 YEARS. USE VEGETATION SAMPLING STATIONS, ARBORIST OR WETLAND PROFESSIONAL DO SITE VISIT TO EACH WETLAND TWICE YEARLY TO REVIEW WETLAND VEGETATION, ONCE IN SPRING WHEN TREES ARE BEGINNING TO BUD AND SECOND TIME IN LATE AUGUST AT END OF GROWING SEASON. ANY SIGNS OF STRESS SHOULD BE IDENTIFIED IMMEDIATELY AND PASSED TO THE CITY SO THAT STORMWATER RECONVEYANCE AND FLOW MODIFICATION CAN OCCUR AS SOON AS POSSIBLE.

- PRELIMINARY PLAT 2D CONDITION #19: OAKPOINTE SHALL SUBMIT TO THE CITY MDRT A PARK PLAN FOR PARK USE OF TRACT 922, INCLUDING AN ANALYSIS OF POTENTIAL IMPACTS FROM SUCH PARK USE TO WILDLIFE HABITAT WITHIN THE REDUCED WIDTH WETLAND BUFFER ADJOINING TRACT 922. THE CITY MDRT SHALL REVIEW AND APPROVE THIS PARK PLAN PRIOR TO ANY CONSTRUCTION OF RECREATION IMPROVEMENTS ON TRACT 922. THE PROPOSED PLAN SHALL INCLUDE MEASURES TO ENSURE THE PROPOSED PARK USE ON TRACT 922 WILL NOT DEGRADE OR IMPAIR WETLAND FUNCTIONS; FUNCTIONAL PERFORMANCE AND THE USE OF THE WETLAND BUFFER ADJOINING TRACT 922 FOR WILDLIFE HABITAT.
- PRELIMINARY PLAT 2D CONDITION #22: INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, REGIONAL FACILITIES IMPLEMENTATION SCHEDULE FOR PHASE 2, APPLICABLE IMPLEMENTING PROJECT CONDITIONS OF APPROVAL, AND APPLICABLE SEPA MITIGATION MEASURES INCLUDING, BUT NOT LIMITED TO, ITEMS LISTED ON SHEET 14.
- PRELIMINARY PLAT 2D CONDITION #24: AT THE TIME OF BUILDING PERMIT APPLICATION, STRUCTURES WILL BE REQUIRED TO EITHER HAVE REQUIRED FIRE FLOW AVAILABLE OR TO HAVE A FIRE SPRINKLER SYSTEM INSTALLED TO ALLOW FOR A REDUCTION IN REQUIRED FIRE FLOW.
- PRELIMINARY PLAT 2D CONDITION #25: ALL ALLEYS SHALL BE POSTED "NO PARKING" WITH SIGNAGE ACCORDING TO THE INTERNATIONAL FIRE CODE (IFC); AND PROVISIONS FOR ENFORCEMENT OF THESE NO PARKING ZONES SHALL BE DEFINED AND ACCEPTED BY THE DESIGNATED OFFICIAL PRIOR TO FINAL PLAT APPROVAL.
- PRELIMINARY PLAT 2D CONDITION #26: ALL WAYS-OF-TRAVEL SHALL MAINTAIN A MINIMUM 20 FOOT UNOBSTRUCTED DRIVING SURFACE, PER THE IFC.
- PRELIMINARY PLAT 2D CONDITION #30: THE CCRs SUBMITTED TO THE DESIGNATED OFFICIAL MUST INCLUDE PROVISIONS TO ENFORCE THE AGE-RESTRICTION THAT IS IDENTIFIED BY THE PRELIMINARY PLAT APPLICATION. IN THE CASE THAT THE APPLICANT PROPOSES TO CONSTRUCT HOUSING THAT IS NOT AGE-RESTRICTED, THE APPLICANT MUST REVISE THE CCRs AND SUBMIT AN UPDATED TRAFFIC IMPACT STUDY (TIS) TO ACCOUNT FOR THE APPROPRIATE TRAFFIC GENERATION RATE AND DETERMINE IF ANY ADDITIONAL OFF-SITE INTERSECTION IMPROVEMENTS WOULD BE TRIGGERED THAT WERE NOT IDENTIFIED IN THE ORIGINAL TIS. ANY REVISIONS TO THE CCRs AND/OR UPDATES TO THE ORIGINAL TIS MUST BE SUBMITTED TO, AND APPROVED BY, THE MASTER DEVELOPMENT REVIEW TEAM (MDRT).
- PRELIMINARY PLAT 2D CONDITION #31: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "Q" (MAPLE VALLEY TRANSPORTATION MITIGATION AGREEMENT) OF THE VILLAGES DEVELOPMENT AGREEMENT.
- PRELIMINARY PLAT 2D CONDITION #32: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "R" (COVINGTON TRANSPORTATION MITIGATION AGREEMENT) OF THE VILLAGES DEVELOPMENT AGREEMENT.
- PRELIMINARY PLAT 2D CONDITION #33 TRACTS 901-929 SHALL BE OWNED AND MAINTAINED BY THE MASTER DEVELOPER (M.D.) OR APPLICABLE OWNERS ASSOCIATION (A.O.A.)
- PRELIMINARY PLAT 2D CONDITION #35: A SECOND SUPPLY TAP FROM THE TACOMA REGIONAL WATER SUPPLY PIPELINE MUST BE COMPLETED AND OPERATIONAL PRIOR TO THE ISSUANCE OF THE FIRST BUILDING PERMIT THAT PERMITS COMBUSTIBLE CONSTRUCTION. THE CONDITION WILL BE ADMINISTERED IN CONJUNCTION WITH BUILDING PERMIT SUBMITTAL AND CERTIFICATES OF OCCUPANCY.
- PRELIMINARY PLAT 2D CONDITION #37: IN ORDER TO FACILITATE TRACKING OF SEWAGE CAPACITY AND ASSIST THE CITY IN MAINTAINING THE TRACKING SYSTEM THE APPLICANT SHALL IDENTIFY, ON THE FACE OF EACH BUILDING PLAN SET, THE FOLLOWING AS APPLICABLE: THE TOTAL BUILDING SQUARE FOOTAGE INCLUDED IN THAT APPLICATION, THE NUMBER OF FIXTURE UNITS, THE AVERAGE DRY WEATHER FLOW (ADWF), AND THE PEAK WET WEATHER FLOW (PWWF) ASSOCIATED WITH THE IMPROVEMENTS IN THAT APPLICATION. THE INFORMATION MUST BE IN TABULAR FORM.
- PRELIMINARY PLAT 2D CONDITION #42: A PUBLICLY ACCESSIBLE ROADWAY CONNECTION MUST BE PROVIDED THROUGH PARCEL 233 CONNECTING ROAD A TO ROAD G WHEN THAT PARCEL IS DEVELOPED. SUCH A CONNECTION MAY BE A DRIVE AISLE THROUGH A PARKING LOT, SO LONG AS A MINIMUM 20-FOOT CLEAR DRIVING WIDTH PROVIDED TO ENSURE FIRE ACCESS. THE DESIGN OF THE CONNECTION BETWEEN ROAD A AND ROAD G IS SUBJECT TO MDRT APPROVAL.
- PRELIMINARY PLAT 2D CONDITION #49: THE SR 169/ROBERTS DRIVE AND SR 169/SE BLACK DIAMOND RAVENSDALE ROAD INTERSECTION IMPROVEMENTS (ID #11 AND ID #12, RESPECTIVELY) SHALL BE CONSTRUCTED UPON THE EARLIER OF: (A) THE ERU TRIGGER IDENTIFIED IN THE DETAILED IMPLEMENTATION SCHEDULE PHASE 1 REGIONAL INFRASTRUCTURE IMPROVEMENTS, OR (B) A SCHEDULE APPROVED BY STAFF THAT ASSURES THESE IMPROVEMENTS ARE COMPLETED WITHIN SIX (6) YEARS OF FINAL PLAT APPROVAL OF PLAT 2D.
- PRELIMINARY PLAT 2D CONDITION #50: THE PHASE 2 OFF-SITE TRANSPORTATION IMPROVEMENTS (ID #9, ID #10, ID #11, ID #12, ID #13, AND ID #14) SHALL BE CONSTRUCTED UPON THE EARLIER OF: (A) THE ERU TRIGGER IDENTIFIED IN THE DETAILED IMPLEMENTATION SCHEDULE PHASE 2 REGIONAL INFRASTRUCTURE IMPROVEMENTS, OR (B) A SCHEDULE APPROVED BY STAFF THAT ASSURES THESE IMPROVEMENTS ARE COMPLETED WITHIN SIX (6) YEARS OF FINAL PLAT APPROVAL OF PLAT 2D.
- THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION 7.4.4.A.3: PURSUANT TO CONDITION OF APPROVAL NO. 68 OF THE MPD PERMIT APPROVAL, GALVANIZED AND COPPER AND SIMILAR ROOF AND GUTTER MATERIALS, AS WELL AS ROOF TREATMENTS SUCH AS CHEMICAL MOSS KILLERS ARE PROHIBITED FOR ANY ROOFTOP DRAINING DIRECTLY TO WETLANDS, STREAMS, OR THEIR ASSOCIATED BUFFERS WITHOUT TREATMENT. STORMWATER FROM NON-COPPER OR NON-GALVANIZED ROOFTOPS DOES NOT REQUIRE WATER QUALITY TREATMENT PRIOR TO INFILTRATION OR DISCHARGE UNLESS COMBINED WITH STORMWATER FROM POLLUTION GENERATING SURFACES.
- CLEARING AND GRADING ACTIVITIES ARE PROHIBITED IN SENSITIVE AREA BUFFER AREAS AND/OR TRACTS, INCLUSIVE OF AREAS ADDED FOR THE AVERAGING APPROVAL, EXCEPT FOR TEMPORARY DISTURBANCES THAT ARE REQUIRED FOR GRADING AND CONSTRUCTION AS DESCRIBED IN THE AVERAGING PROPOSAL, AND EXCEPT FOR TEMPORARY DISTURBANCES THAT ARE REQUIRED TO INSTALL UTILITIES AND CONSTRUCT THE SOFT-SURFACE TRAIL, AND EXCEPT FOR AREAS OF EXISTING BUFFER THAT WILL BE PERMANENTLY IMPACTED VIA CONVERSION TO DEVELOPMENT AREA IN EXCHANGE FOR PROTECTED BUFFER ADDITION AREA ELSEWHERE. BUFFER AVERAGING IS LIMITED TO THOSE AREAS SHOWN ON THE VILLAGES MPD PHASE 2 PLAT D PRELIMINARY PLAT (PLN 18-0078) AS SHOWN ON PLAT SET SHEETS PP1-PP5 AND SHEETS WL1-WL4.



TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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SHEET 4 OF 14

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TEN TRAILS

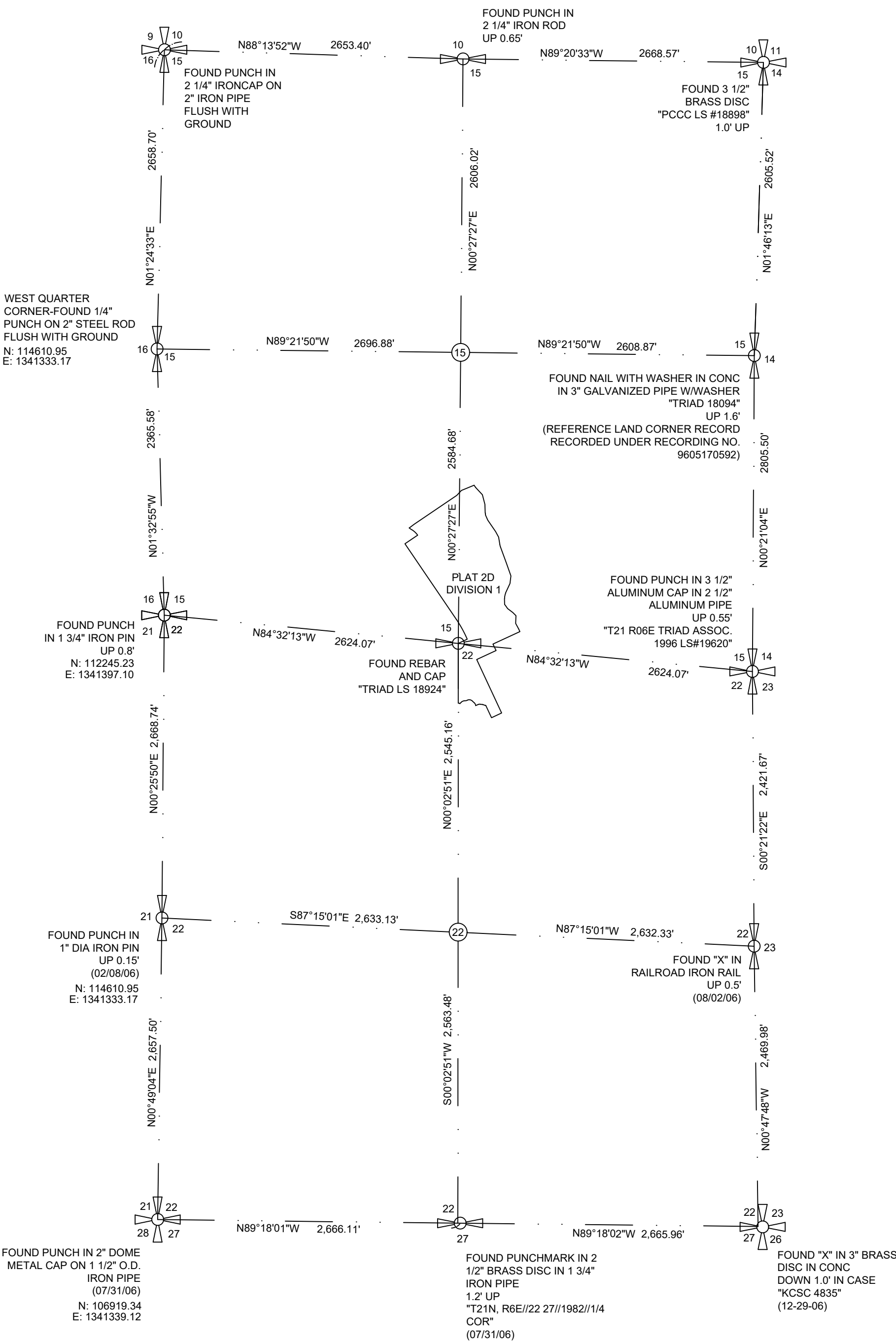
PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/Pg

SECTION BREAKDOWN

NOT TO SCALE



TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO. OAKPCBDP6001
SHEET 5 OF 14

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	N53°48'43"E	56.47	L41	N33°16'20"W	30.44
L2	N43°56'49"E	58.73	L42	N35°24'42"W	6.44
L3	N67°06'11"E	120.79	L43	N31°58'07"W	69.48
L4	S43°05'08"E	87.20	L44	N28°00'39"W	19.50
L5	S14°59'14"E	89.58	L45	N29°48'05"W	30.07
L6	S02°09'47"E	77.41	L46	N32°56'42"W	41.15
L7	S22°53'49"E	51.85	L47	N29°34'12"W	9.60
L8	S34°10'38"E	124.70	L48	N34°47'42"W	11.80
L9	S28°51'35"E	55.14	L49	N36°41'06"W	15.05
L10	S09°23'06"E	68.99	L50	N36°11'21"W	22.20
L11	S19°22'50"E	120.75	L51	N32°25'48"W	18.36
L12	S06°38'09"W	68.46	L52	N34°44'20"W	37.41
L13	S24°45'20"W	92.75	L53	N36°06'35"W	62.69
L14	S01°18'33"E	53.16	L54	N31°34'11"W	38.95
L15	S40°16'52"E	10.58	L55	N33°00'29"W	24.63
L16	S33°40'43"E	34.52	L56	N37°20'08"W	54.80
L17	S53°49'52"E	57.81	L57	N31°05'06"W	22.62
L18	S43°33'02"E	40.05	L58	N33°08'53"W	4.44
L19	S01°08'56"W	32.33	L59	S65°37'31"W	52.33
L20	S02°28'08"W	35.48	L60	N24°22'29"W	10.00
L21	S28°13'25"E	56.81	L61	N65°37'31"E	50.79
L22	S24°59'49"E	64.00	L62	N33°08'53"W	14.43
L23	N24°59'49"W	120.05	L63	N26°10'59"W	18.50
L24	N73°11'49"W	20.24	L64	N21°29'54"W	18.91
L25	N82°56'37"W	18.12	L65	N38°02'47"W	36.00
L26	S65°56'09"W	21.76	L66	S35°50'15"W	55.18
L27	N46°55'36"W	25.05	L67	N54°09'45"W	10.00
L28	S66°41'37"W	12.46	L68	N35°50'15"E	58.06
L29	S86°07'43"W	17.62	L69	N38°44'42"W	87.44
L30	S41°52'15"W	15.18	L70	N30°09'00"W	80.98
L31	N64°29'46"E	87.71	L71	N36°10'38"W	39.26
L32	N24°59'49"W	29.97	L72	N32°59'23"W	79.94
L33	N55°49'11"E	134.99	L73	N28°33'00"W	10.41
L34	S24°41'25"E	24.84	L74	N34°20'06"W	66.47
L35	N55°49'11"E	77.50	L75	N40°48'09"W	20.04
L36	N84°32'13"W	31.23	L76	N34°51'39"W	56.06
L37	N05°27'25"E	31.32	L77	N54°44'06"W	22.50
L38	N27°51'19"W	45.52	L78	N34°10'49"W	54.07
L39	N05°28'00"E	4.69	L79	N55°49'11"E	4.46
L40	N30°44'08"W	55.20	L80	N60°14'17"E	8.02

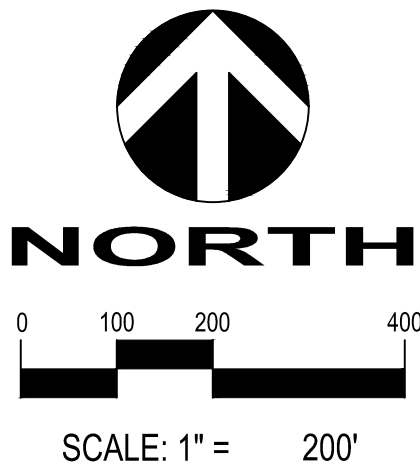
TEN TRAILS

REVIEW COPY
NOT FOR RECORDING

VOL/PG

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

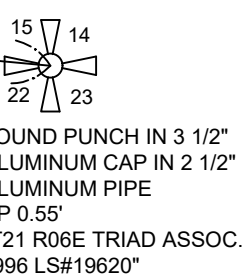
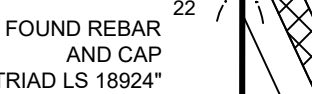
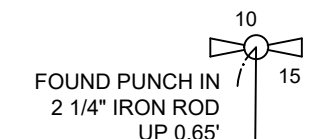
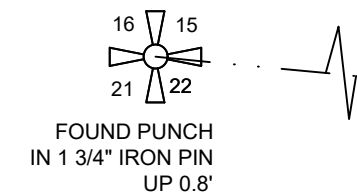


BASIS OF BEARINGS
WASHINGTON NORTH ZONE NAD 83/91
NORTH 01°32'55" WEST BEING THE WEST LINE
OF THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M.

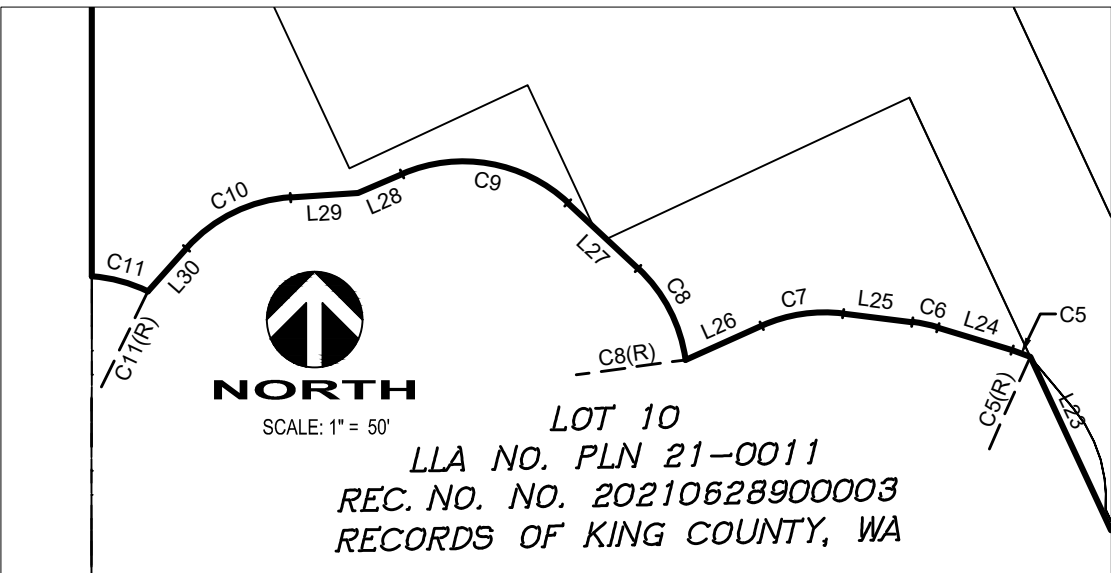
HATCH LEGEND	
	WETLAND
	WETLAND BUFFER
	ROADS HEREBY DEDICATED TO THE CITY OF BLACK DIAMOND FOR PUBLIC RIGHT OF WAY

Curve Table			
Curve #	Delta	Radius	Length
C1	13°09'20"	110.00	25.26
C2	7°12'57"	110.00	13.85
C3	10°47'26"	110.00	20.72
C4	26°03'53"	110.00	50.04
C5	7°13'43"	40.00	5.05
C6	9°44'48"	40.00	6.80
C7	31°07'14"	40.00	21.73
C8	39°05'35"	40.00	27.29
C9	66°22'47"	40.00	46.34
C10	44°15'28"	40.00	30.90
C11	21°44'58"	40.00	15.18
C12	23°25'01"	173.00	70.71
C13	7°20'50"	227.00	29.11
C14	36°12'09"	35.00	22.11
C15	46°45'36"	35.00	28.56
C16	5°29'16"	105.00	10.06

Radial Bearing Table	
Curve #	Radial Bearing
C1	N60°04'11"E
C12	S55°05'23"W
C13	N31°40'22"E
C16	N28°41'33"W



DETAIL-1



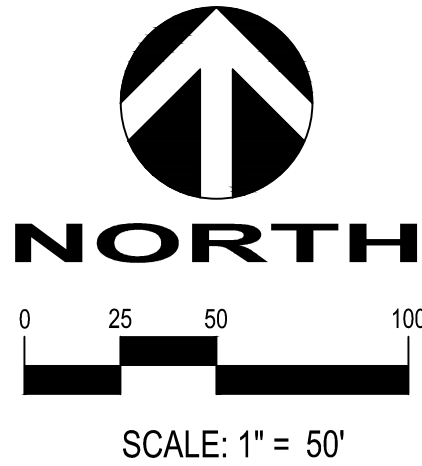
TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
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**DAVID EVANS
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SHEET 6 OF 14

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TEN TRAILS

PLAT 2D DIVISION 1

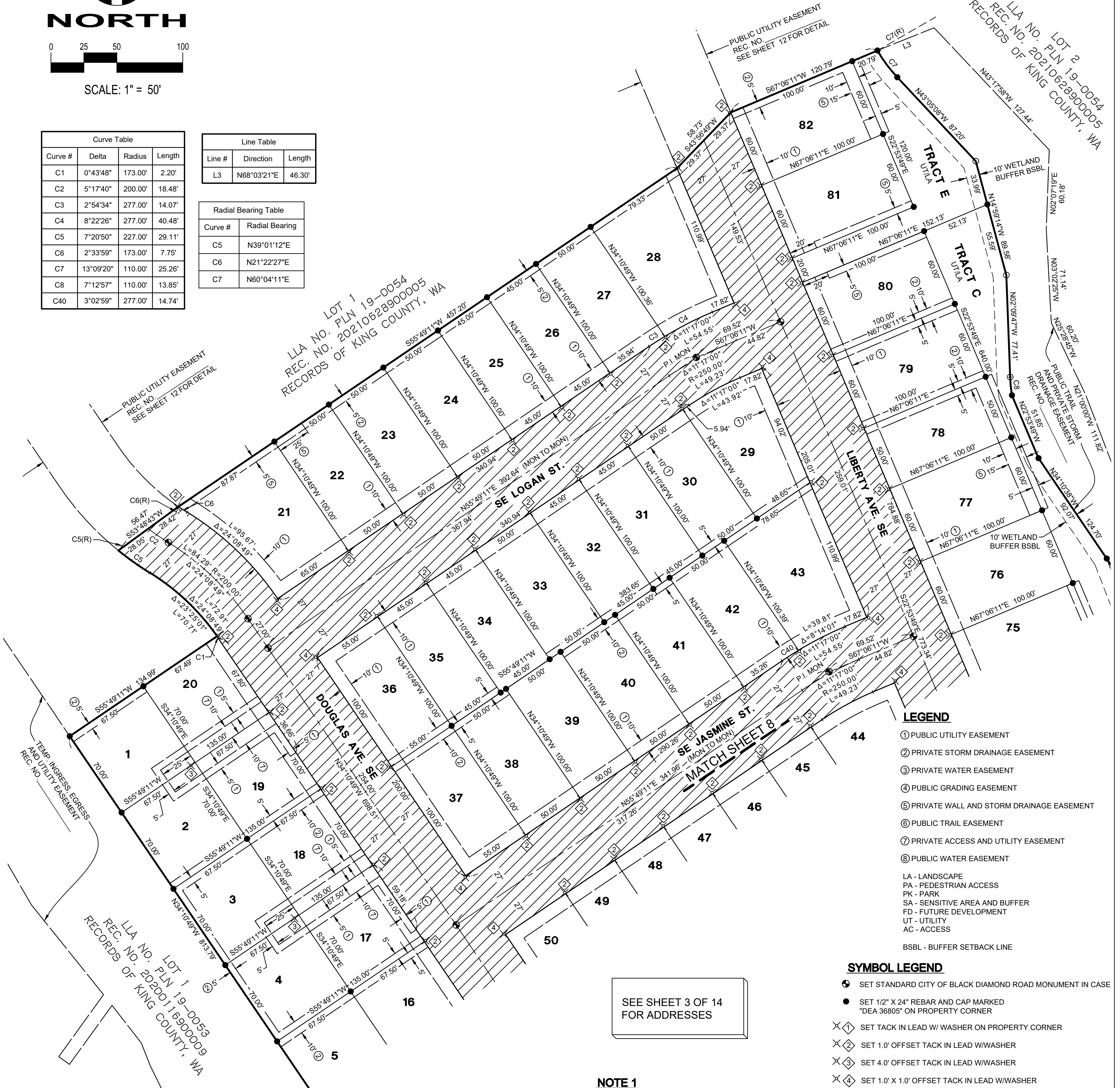
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CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

Curve Table			
Curve #	Delta	Radius	Length
C1	0°43'48"	173.00'	2.20'
C2	5°17'40"	200.00'	18.48'
C3	2°54'34"	277.00'	14.07'
C4	8°22'26"	277.00'	40.48'
C5	7°20'50"	227.00'	29.11'
C6	2°33'59"	173.00'	7.75'
C7	13°09'20"	110.00'	25.26'
C8	7°12'57"	110.00'	13.85'
C40	3°02'59"	277.00'	14.74'

Line Table		
Line #	Direction	Length
L3	N68°03'21"E	46.30'

Radial Bearing Table	
Curve #	Radial Bearing
C5	N39°01'12"E
C6	N21°22'27"E
C7	N60°04'11"E



LEGEND

- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- ③ PRIVATE WATER EASEMENT
- ④ PUBLIC GRADING EASEMENT
- ⑤ PRIVATE WALL AND STORM DRAINAGE EASEMENT
- ⑥ PUBLIC TRAIL EASEMENT
- ⑦ PRIVATE ACCESS AND UTILITY EASEMENT
- ⑧ PUBLIC WATER EASEMENT

LA - LANDSCAPE
PA - PEDESTRIAN ACCESS
PK - PARK
SA - SENSITIVE AREA AND BUFFER
FD - FUTURE DEVELOPMENT
UT - UTILITY
AC - ACCESS

BSBL - BUFFER SETBACK LINE

SYMBOL LEGEND

- SET STANDARD CITY OF BLACK DIAMOND ROAD MONUMENT IN CASE
- SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- ⊗ SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- ⊗ SET 1.0' OFFSET TACK IN LEAD W/WASHER
- ⊗ SET 4.0' OFFSET TACK IN LEAD W/WASHER
- ⊗ SET 1.0' X 1.0' OFFSET TACK IN LEAD W/WASHER
- (R) RADIAL BEARING
- FOUND 1/2" X 24" REBAR AND CAP MARKED "DEA 21867" ON PROPERTY CORNER

NOTE 1

ROADS HEREBY DEDICATED TO
THE CITY OF BLACK DIAMOND
FOR PUBLIC RIGHT OF WAY



TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
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JOB NO. OAKPCBDP6001
SHEET 7 OF 14

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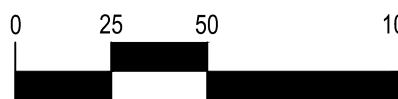
TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON



NORTH



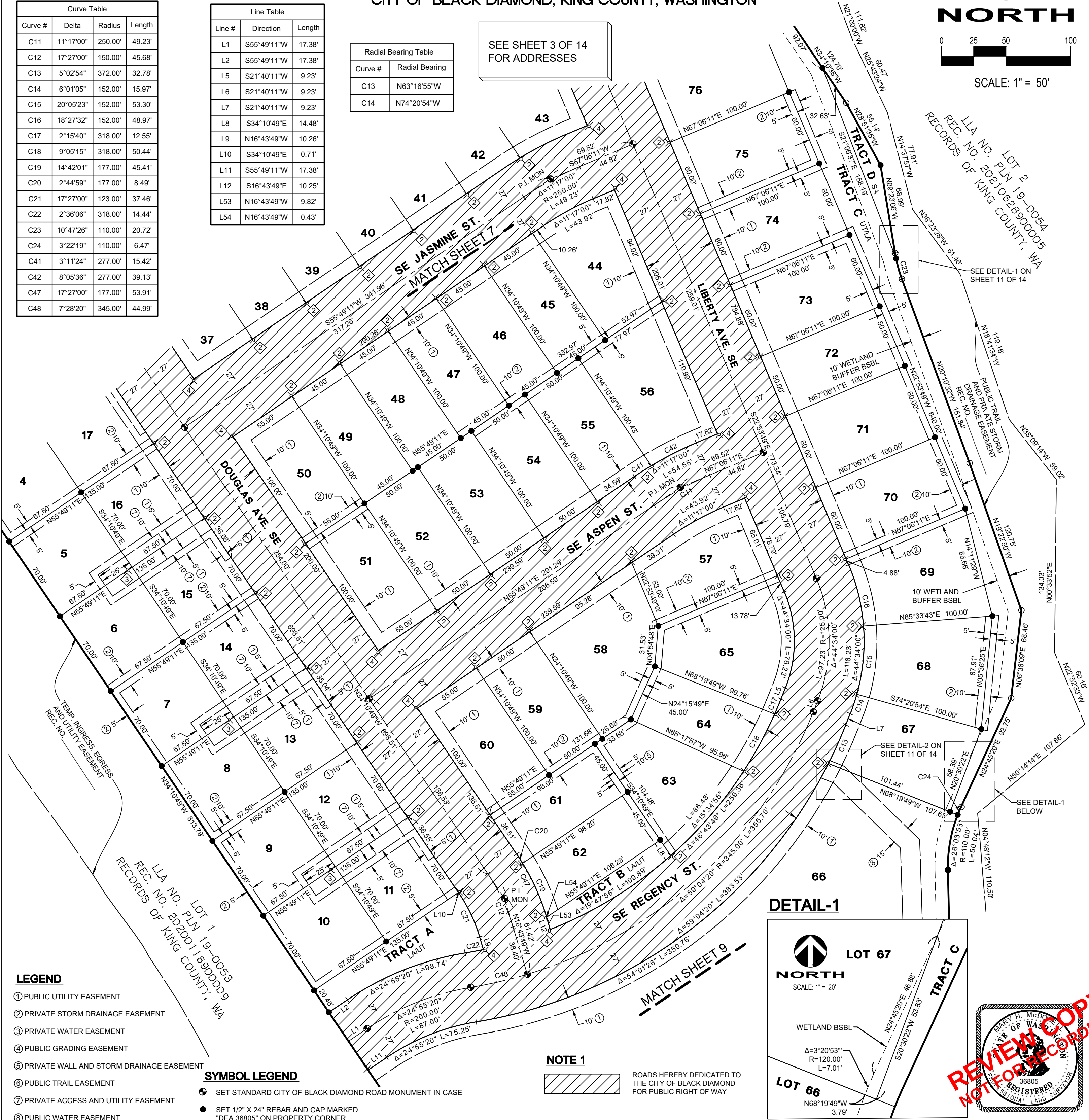
SCALE: 1" = 50'

Curve Table			
Curve #	Delta	Radius	Length
C11	11°17'00"	250.00'	49.23'
C12	17°27'00"	150.00'	45.68'
C13	5°02'54"	372.00'	32.78'
C14	6°01'05"	152.00'	15.97'
C15	20°05'23"	152.00'	53.30'
C16	18°27'32"	152.00'	48.97'
C17	2°15'40"	318.00'	12.55'
C18	9°05'15"	318.00'	50.44'
C19	14°42'01"	177.00'	45.41'
C20	2°44'59"	177.00'	8.49'
C21	17°27'00"	123.00'	37.46'
C22	2°36'06"	318.00'	14.44'
C23	10°47'26"	110.00'	20.72'
C24	3°22'19"	110.00'	6.47'
C41	3°11'24"	277.00'	15.42'
C42	8°05'36"	277.00'	39.13'
C47	17°27'00"	177.00'	53.91'
C48	7°28'20"	345.00'	44.99'

Line Table		
Line #	Direction	Length
L1	S55°49'11"W	17.38'
L2	S55°49'11"W	17.38'
L5	S21°40'11"W	9.23'
L6	S21°40'11"W	9.23'
L7	S21°40'11"W	9.23'
L8	S34°10'49"E	14.48'
L9	N16°43'49"W	10.26'
L10	S34°10'49"E	0.71'
L11	S55°49'11"W	17.38'
L12	S16°43'49"E	10.25'
L53	N16°43'49"W	9.82'
L54	N16°43'49"W	0.43'

Radial Bearing Table	
Curve #	Radial Bearing
C13	N63°16'55"W
C14	N74°20'54"W

SEE SHEET 3 OF 14
FOR ADDRESSES



- LEGEND**
- ① PUBLIC UTILITY EASEMENT
 - ② PRIVATE STORM DRAINAGE EASEMENT
 - ③ PRIVATE WATER EASEMENT
 - ④ PUBLIC GRADING EASEMENT
 - ⑤ PRIVATE WALL AND STORM DRAINAGE EASEMENT
 - ⑥ PUBLIC TRAIL EASEMENT
 - ⑦ PRIVATE ACCESS AND UTILITY EASEMENT
 - ⑧ PUBLIC WATER EASEMENT

LA - LANDSCAPE
PA - PEDESTRIAN ACCESS
PK - PARK
SA - SENSITIVE AREA AND BUFFER
FD - FUTURE DEVELOPMENT
UT - UTILITY
AC - ACCESS

BSBL - BUFFER SETBACK LINE

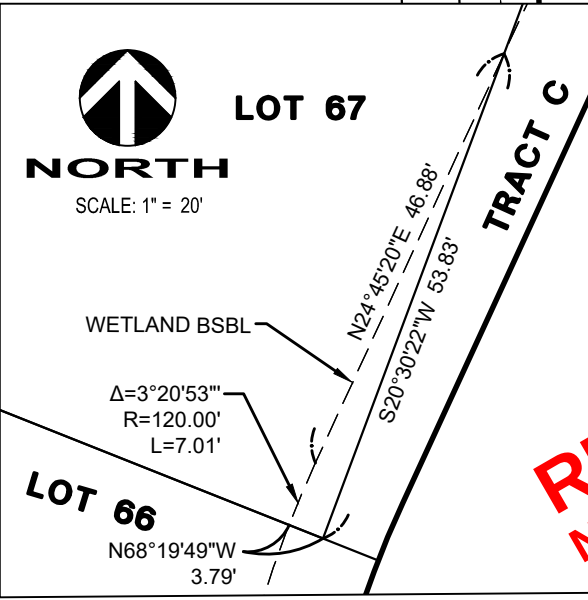
- SYMBOL LEGEND**
- SET STANDARD CITY OF BLACK DIAMOND ROAD MONUMENT IN CASE
 - SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
 - ✕① SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
 - ✕② SET 1.0' OFFSET TACK IN LEAD W/WASHER
 - ✕③ SET 4.0' OFFSET TACK IN LEAD W/WASHER
 - ✕④ SET 1.0' X 1.0' OFFSET TACK IN LEAD W/WASHER
 - (R) RADIAL BEARING
 - FOUND 1/2" X 24" REBAR AND CAP MARKED "DEA 21867" ON PROPERTY CORNER

NOTE 1



ROADS HEREBY DEDICATED TO
THE CITY OF BLACK DIAMOND
FOR PUBLIC RIGHT OF WAY

DETAIL-1



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TEN TRAILS

PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



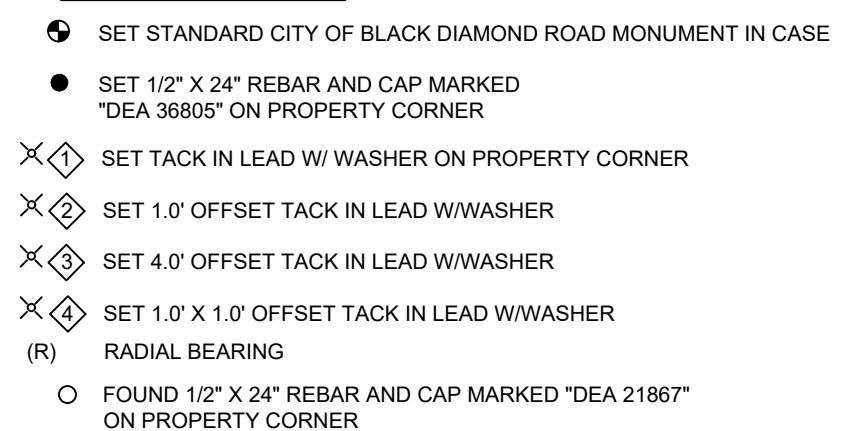
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JOB NO. OAKPCBDP6001
SHEET 8 OF 14

TEN TRAILS

PLAT 2D DIVISION 1

SCALE: 1" = 50'



ROADS HEREBY DEDICATED TO
THE CITY OF BLACK DIAMOND
FOR PUBLIC RIGHT OF WAY

TEN TRAILS
PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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JOB NO. OAKPCBDP6001
SHEET 9 OF 14

CITY OF BLACK DIAMOND FILE NO. PLN 21-0064

VOLI / BCG

TEN TRAILS

PLAT 2D DIVISION 1

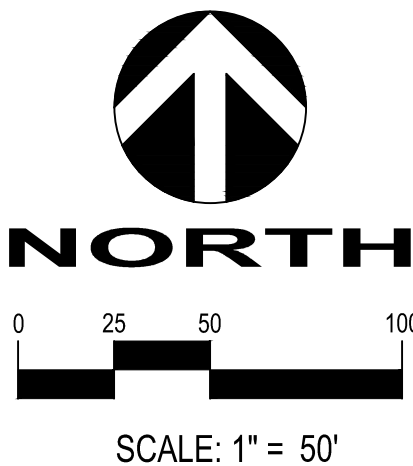
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CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

SEE SHEET 3 OF 14
FOR ADDRESSES

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LOT 1
LLA NO. PLN 19-0053
NO. 20200116900009
RECORDS OF KING COUNTY, WA

MATCH SHEET 9



LEGEND

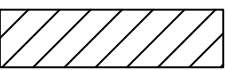
- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- ③ PRIVATE WATER EASEMENT
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SYMBOL LEGEND

- SET STANDARD CITY OF BLACK DIAMOND ROAD MONUMENT IN CASE
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- SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- SET 1.0' OFFSET TACK IN LEAD W/WASHER
- SET 4.0' OFFSET TACK IN LEAD W/WASHER
- SET 1.0' X 1.0' OFFSET TACK IN LEAD W/WASHER
- RADIAL BEARING
- FOUND 1/2" X 24" REBAR AND CAP MARKED "DEA 21867" ON PROPERTY CORNER

TPN 2221069007
UNPLATTED

NOTE 1



ROADS HEREBY DEDICATED TO
THE CITY OF BLACK DIAMOND
FOR PUBLIC RIGHT OF WAY

Line Table		
Line #	Direction	Length
L13	S24°59'49"E	10.00'
L18	N40°47'51"E	19.51'
L19	N65°00'11"E	9.50'
L20	N65°00'11"E	9.50'
L21	N73°11'49"W	20.24'
L22	N82°56'37"W	18.12'
L23	S65°56'09"W	21.76'
L25	S66°41'37"W	12.46'
L26	S86°07'43"W	17.62'
L27	S41°52'15"W	15.18'
L30	N89°12'15"E	19.52'

Curve Table			
Curve #	Delta	Radius	Length
C25	90°00'00"	25.00'	39.27'
C26	90°00'00"	25.00'	39.27'
C30	7°13'43"	40.00'	5.05'
C31	9°44'48"	40.00'	6.80'
C32	31°07'14"	40.00'	21.73'
C33	39°05'35"	40.00'	27.29'
C34	66°22'47"	40.00'	46.34'
C35	44°15'28"	40.00'	30.90'
C36	21°44'58"	40.00'	15.18'

LOT 10
LLA NO. PLN 21-0011
REC. NO. 20210628900003
RECORDS OF KING COUNTY, WA

LOT 1
LLA NO. PLN 19-0055
REC. NO. 20210628900003
RECORDS OF KING COUNTY, WA

LOT 11
LLA NO. PLN 21-0011
REC. NO. 20210628900003
RECORDS OF KING COUNTY, WA



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TEN TRAILS PLAT 2D DIVISION 1

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SHEET 10 OF 14

TEN TRAILS

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CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

NORTH

SCALE: 1" = 10'

LOT 19-0054
PLAN NO. 202106890005
KING COUNTY, WA

RECORDS OF KING COUNTY, WA

TRACT D SA
S71°06'37"E 151.18'
C46
Δ=10° 47' 26" R=110.00' L=20.72'
C47
Δ=8° 43' 20" R=110.00' L=16.43'
C48
N20°10'32"W 151.84'

TRACT C UNIA

TRACT I
UT/LA/PA/SA

TRACT H
UT/LA/PA/SA

TRACT J
AC/UT/PA/LA

TPN 2221069007

(3)M/L15-20-00S

287'

S65°00'11"W 52.53'

S65°00'11"W 83.72'

0.1'

C27

2.19'

+ C45

C44

3' WETLAND BUFFER BSBL



NORTH

SCALE: 1" = 10'

TRACT K
SAUT/PA

TRACT L
PKLAUT/PA/SA

TRACT M
SAUT/PA

10' WETLAND
BUFFER BSEL

S24°39'49"E 40.78'

S65°00'11"W 87.08'

L33

L32

L24

L31

LOT 10
BLK 21-0011

REC. NO. 20210628900003

RECORDS OF KING COUNTY, WA

NORTH

SCALE: 1" = 10'

Site plan for Tract H, Utlavalpasa, showing a proposed road layout. The plan includes a north arrow and a scale of 1" = 20'.

Key features and dimensions:

- Proposed Road:** A road with a 10' radius curve (R=10') and a 10' wetland buffer (BSBL).
- Adjacent Road:** TEN TRAILS PARKWAY SE.
- Dimensions:**
 - 5.75' (width of proposed road)
 - 15.51' (length of proposed road segment)
 - 94.37' (length of adjacent road segment)
 - 15.51' (length of adjacent road segment)
- Labels:**
 - TRACT H
 - UTLALPASA
 - 10' WETLAND BUFFER BSBL
 - 10' (radius of curve)
- North Arrow:** A circle with an arrow pointing up, labeled NORTH.
- Scale:** SCALE: 1" = 20'.

TRACT L
PULAUTI PASA

TRACT P
SA

TEN TRAILS PARKWAY SE

10' WETLAND BUFFER BSL

N39°35'40"W 16.19'

L62

L61

L60

L59

L58

L57

L56

19.41'
N24°59'49"W

L55

L51

L50

L49

L48

L47

S24°59'49"E 120.05'

L46

L45

L63

24.73'
N25°08'12"W

26.31'
N65°00'11"E

REC. NO. 20210828900003
LLA NO. PLN 21-0011
LOT 1D

RECORDS OF KING COUNTY, WA

NORTH

SCALE: 1" = 20'

Curve Table			
Curve #	Delta	Radius	Length
C27	1°40'22"	227.00'	6.63'
C28	11°06'25"	173.00'	33.54'
C29	12°53'33"	166.00'	37.35'
C43	0°23'11"	372.00'	2.51'
C44	25°51'27"	10.00'	4.51'
C45	0°48'48"	224.00'	3.18'
C46	2°14'06"	110.00'	4.29'
C49	37°34'18"	40.00'	26.23'

- SET STANDARD CITY OF BLACK DIAMOND ROAD MONUMENT IN CASE
- SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- ✕① SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- ✕② SET 1.0' OFFSET TACK IN LEAD W/WASHER
- ✕③ SET 4.0' OFFSET TACK IN LEAD W/WASHER
- ✕④ SET 1.0' X 1.0' OFFSET TACK IN LEAD W/WASHER
- (R) RADIAL BEARING
 - FOUND 1/2" X 24" REBAR AND CAP MARKED "DEA 21867" ON PROPERTY CORNER

- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- ③ PRIVATE WATER EASEMENT
- ④ PUBLIC GRADING EASEMENT

LA - LANDSCAPE
PA - PEDESTRIAN ACCESS
PK - PARK
SA - SENSITIVE AREA AND BUFFER
FD - FUTURE DEVELOPMENT
UT - UTILITY
AC - ACCESS



TRACT M
SA/UT/PA

TRACT L
PRLA/UT/PA/SA

TRACT P
SA

LOT 10
LLA NO. PLN 21-0011
REC. NO. 20210628900003
RECORDS OF KING COUNTY, WA

PUBLIC TRAIL AND PRIVATE STORM DRAINAGE EASEMENT
REC. NO. _____

PUBLIC TRAIL AND PRIVATE STORM DRAINAGE EASEMENT
REC. NO. _____

North Arrow
NORTH
SCALE: 1" = 20'

Boundary Measurements:

- S44°35'14"W (M)
- C49
- N22°33'03"W 38.47'
- L68
- L70
- S22°53'00"E 42.99'
- L72
- 10.00'
- N03°30'37"E
- S86°29'23"E 38.06'
- N86°29'23"W 33.74'
- S30°44'54"E 18.04'
- N39°44'54"W 23.85'
- L69
- L67
- L71

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
AND ASSOCIATES INC.**
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
t: 425.415.2000 f: 425.486.5059

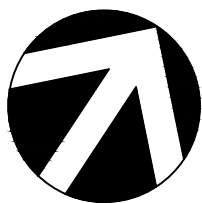
JOB NO. OAKPCBDP6001
SHEET 11 OF 14

REVIEW COPY
NOT FOR RECORDING

TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE SW 1/4 AND SE 1/4 OF SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON



NORTH



SCALE: 1" = 50'

CYPRESS AVE. SE

TRACT H
TEN TRAILS V-24
REC. NO. 20191224000121
RECORDS OF KING COUNTY, WA

LOT 2
LLA NO. PLN 19-0054
REC. NO. 20210628900005
RECORDS OF KING COUNTY, WA

TEN TRAILS PLAT 2A DIV. 4
REC. NO. 20201022000768
RECORDS OF KING COUNTY, WA

TEN TRAILS PARKWAY SE

TRACT S
LOT 1
LLA NO. PLN 19-0053
REC. NO. 20200116900009
RECORDS OF KING COUNTY, WA

LOT 1
LLA NO. PLN 19-0054
REC. NO. 20210628900005
RECORDS OF KING COUNTY, WA

PUBLIC UTILITY EASEMENT
REC. NO. 20210628900005
SEE SHEET 12 FOR DETAIL

PUBLIC UTILITY EASEMENT
REC. NO. 20210628900005
SEE SHEET 12 FOR DETAIL

Line Table		
Line #	Direction	Length
L64	N34°10'49"W	20.00'
L65	N37°02'12"E	0.64'
L66	N20°52'36"E	21.43'

21

22

23

24

25

26

27

28

82

TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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JOB NO. OAKPCBDP6001
SHEET 12 OF 14



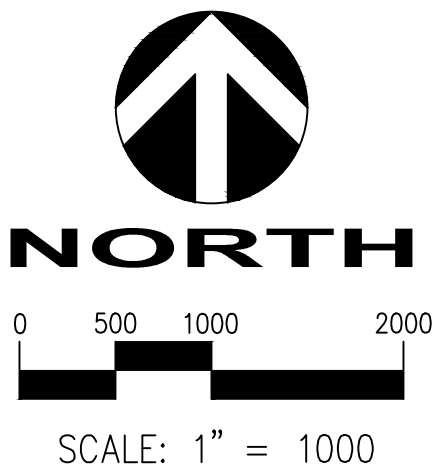
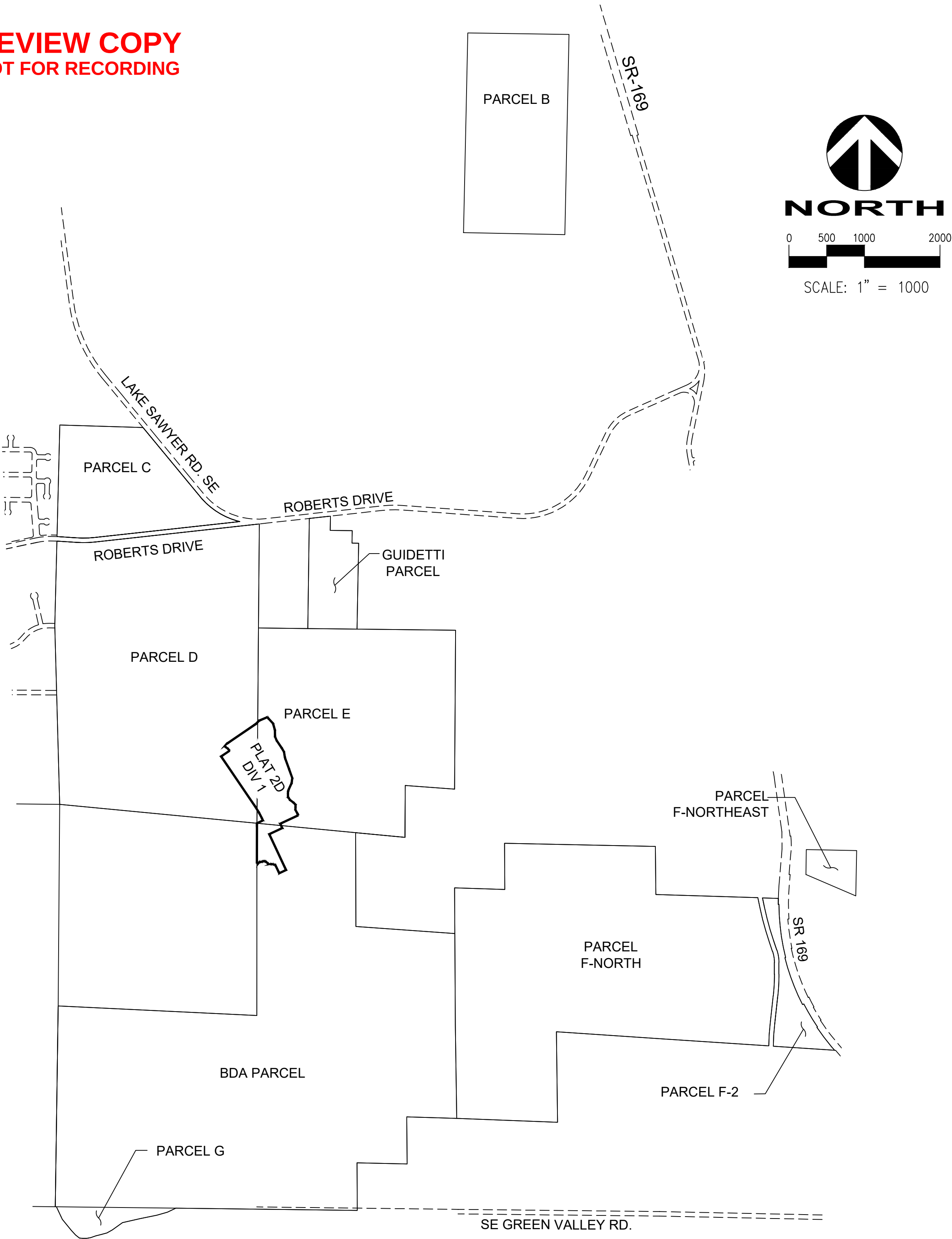
TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE NW 1/4, SW 1/4 AND SE 1/4, ALL IN SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

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TEN TRAILS PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
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JOB NO. OAKPCBDP6001
SHEET 13 OF 14

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TEN TRAILS

PLAT 2D DIVISION 1

PORTIONS OF THE NW 1/4, SW 1/4 AND SE 1/4, ALL IN SECTION 15, AND NE 1/4 OF SECTION 22,
ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

INFRASTRUCTURE IMPROVEMENT TIMING

(INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, INCLUDING – BUT NOT LIMITED TO – THE FOLLOWING ITEMS:)

PROJECT IDENTIFICATION	DESCRIPTION	
SATELLITE FIRE STATION	THE SITING AND DESIGN OF THE SATELLITE FIRE STATION SHALL BE PROVIDED BY THE APPLICANT AND AGREED TO BY THE CITY.	NO LATER THAN THE TIME OF ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 250TH DWELLING UNIT WITHIN THE VILLAGES.
RING ROAD	PHASE 2: WEST FROM COMMUNITY CONNECTOR TO ROAD G.	PRIOR TO OCCUPANCY WITHIN DIVISIONS G (DIVISION 3), J (DIVISION 6), AND K (DIVISION 5) OF PP1A. DIVISIONS G, J, AND K ARE NOW REFERRED TO AS DIVISIONS 3, 5 AND 6 PER PLAT ALTERATION PLN 16–0059.
INTERSECTION SR 169/ROBERTS DRIVE INTERSECTION	PHASE 1: (INTERIM IMPROVEMENT) SHIFT ROBERTS DRIVE TO THE SOUTH TO PROVIDE APPROXIMATELY 500 FEET OF SEPARATION WITH SE BLACK DIAMOND RAVENSDALE ROAD. RECONFIGURE THE INTERSECTION AS A T, SIGNALIZE.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, 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.
SR 169/SE BLACK DIAMOND–RAVENSDALE ROAD	PHASE 1: (INTERIM IMPROVEMENT) FOUR–WAY SIGNALIZED INTERSECTION TO MAINTAIN ACCESS TO PALMER COKING COAL PROPERTY.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, 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.
SE AUBURN BLACK DIAMOND ROAD/COMMUNITY CONNECTOR INTERSECTION	SINGLE LANE ROUNDABOUT.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
COMMUNITY CONNECTOR	PHASE 2: CONNECT PHASE 1 WITH SE AUBURN BLACK DIAMOND ROAD.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A, OR IF NECESSARY TO PROVIDE DUAL EMERGENCY ACCESS ROUTES TO ANY DEVELOPED LOTS WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 2: COMPLETE FRONTAGE IMPROVEMENTS BETWEEN COMMUNITY CONNECTOR AND MAIN STREET, MAIN STREET SIGNALIZED.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 3: COMPLETE FRONTAGE IMPROVEMENTS FROM ROUNDABOUT AT COMMUNITY CONNECTOR TO WEST PROPERTY LINE.	CONCURRENT WITH THE ADJACENT MULTI–FAMILY PARCEL 1H OF PP1A.
COMMUNITY CONNECTOR	EXTEND COMMUNITY CONNECTOR IN SEVERAL PHASES FROM END OF CONSTRUCTION IN PHASE 1A, NEAR INTERSECTION OF VILLAGES PARKWAY SE AND SE DOGWOOD STREET, INCLUDING APPROXIMATELY 2,800 LINEAR FEET OF ROADWAY.	CONSTRUCTED IN PHASES AS NECESSARY TO PROVIDE ACCESS TO EACH PHASE 2 PLAT THAT TAKES ACCESS FROM THE COMMUNITY CONNECTOR. EACH PHASE OF CONSTRUCTION WILL BE COMPLETED THROUGH THE INTERSECTION OF THE STREET THAT PROVIDES ACCESS TO EACH PHASE 2 PLAT WITHIN THE VILLAGES MPD.
NEIGHBORHOOD STREET	CONSTRUCT A NEIGHBORHOOD STREET, INCLUDING 64 FEET OF RIGHT–OF–WAY, TO THE INTERIM LIFT STATION.	THIS NEIGHBORHOOD STREET WITH BIKE LANES WILL BE CONSTRUCTED IN PHASES AS NECESSARY TO SERVE DEVELOPMENT WITHIN PHASE 2 OF THE VILLAGES MPD. THIS ROAD WILL BE CONSTRUCTED TO THE PLAT ENTRANCE TO PHASE 2 PLAT A WITH CONSTRUCTION OF PHASE 2 PLAT A. RIGHT–OF–WAY WILL BE DEDICATED FOR THE REMAINDER OF THE ROAD TO THE SOUTH PROPERTY LINE OF PARCEL D WITH THE RECORDING OF PHASE 2 PLAT A FINAL PLAT. THE REMAINDER OF THIS ROAD WILL BE CONSTRUCTED WITH DEVELOPMENT SOUTH OF PARCEL D OR CONSTRUCTION OF THE ULTIMATE LIFT STATION.
OFF–SITE WATER MAIN PARALLEL LOOP	EXTEND WATER MAIN TO SITE.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,019TH ERU, AS NECESSARY TO SUPPLY FIRE FLOW REQUIRED FOR A SPECIFIC IMPLEMENTING PROJECT, OR AS UPDATED MODELING MAY ALLOW.
WASTEWATER STORAGE	CONSTRUCT A WASTEWATER STORAGE FACILITY SUFFICIENT TO SERVE PROPOSAL.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,151ST ERU.
PIPELINE ROAD	CONSTRUCT PIPELINE ROAD FROM SR169 TO LAKE SAWYER ROAD SE.	PRELIMINARY DESIGN AND DEDICATION OF RIGHT–OF–WAY MUST BE DONE PRIOR TO BUILDING PERMIT FOR 1,200TH DWELLING UNIT. CONSTRUCTION MUST OCCUR AND THE ROAD OPEN TO TRAFFIC PRIOR TO BUILDING PERMIT FOR 1,746TH DWELLING UNIT (UNLESS REQUIRED EARLIER BY INCREASED DELAY OR LOS IMPACT).
SR 169/SE 288TH STREET INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
ROBERTS DRIVE/MORGAN STREET INTERSECTION INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE KENT KANGLEY ROAD/LANDBURG ROAD SE	CONSTRUCT SOUTHBOUND LEFT–TURN LANE.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE 288TH STREET/216TH AVENUE SE INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,462ND ERU.
SE AUBURN–BLACK DIAMOND ROAD/SE GREEN VALLEY ROAD INTERSECTION	RECHANNELIZE THE WEST LEG OF THE INTERSECTION TO PROVIDE A REFUGE/MERGE AREA FOR NORTHBOUND–TO–WESTBOUND LEFT TURNING VEHICLES.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,687TH ERU.
SE AUBURN BLACK DIAMOND ROAD/LAKE SAWYER ROAD SE/RING ROAD INTERSECTION	PHASE 2: CONSTRUCT A RIGHT–TURN SLIP LANE ON THE NORTHWEST CORNER OF THE INTERSECTION.	ONLY NECESSARY IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE. IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE, CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,857TH ERU.



TEN TRAILS
PLAT 2D DIVISION 1

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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JOB NO. OAKPCBDP6001
SHEET 14 OF 14

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CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021 AB21-086	
Resolution accepting the 2021 Citywide Asphalt Overlays project	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): N/A	Public Works – Scott Hanis	X
Fund Source: N/A	Court – Stephanie Metcalf	
Timeline: Acceptance November 4th		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution		
SUMMARY STATEMENT: Tony Lind Paving completed the required work for the 2021 asphalt overlays project. Retainage of 5% has been held until release is received by the Department of Revenue, Department of Labor and Industries, and the Employment Security Department. Once release from these departments has been received, the City may release retainage to the contractor.		
FISCAL NOTE (Finance Department): City Asphalt project was completed within budget.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Public Works Committee recommends bringing to full Council for consideration on the Consent Agenda.		
RECOMMENDED ACTION: MOTION to approve Resolution No. 21-1456 authorizing the Mayor to accept the 2021 Asphalt Overlays Project by Tony Lind Paving as complete according to the contract documents.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
November 23 rd , 2021	Pulled from agenda	
December 2, 2021		

RESOLUTION NO. 21-1456

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
REGARDING FINAL ACCEPTANCE OF THE 2021
ASPHALT OVERLAYS PROJECT**

WHEREAS, Tony Lind Paving has completed the 2021 Asphalt Overlays project according to the contract; and

WHEREAS, RCW 60.28.011(2) allows a period of forty-five days to file any liens or claims with the City; and

WHEREAS, RCW 39.080.030 requires acceptance of a Public Works project as complete as a formal, public action in order to begin the forty-five day period;

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

Section 1. The City hereby accepts the 2021 Asphalt Overlays project as complete and as set forth in the contract with Tony Lind Paving.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2nd DAY OF DECEMBER, 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

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: December 2, 2021 AB21-087	
Resolution Regarding Professional Services Agreement with RH2 Engineering for the design and permitting services for the 3rd Ave Water Main Improvements.	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): \$	Public Works – Seth Boettcher	X
Fund Source: ARPA	Court – Stephanie Metcalf	
Timeline: 2021		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution; Professional Services Agreement; Scope of Work		
SUMMARY STATEMENT: The City has budgeted funds to move forward with the replacement of two undersized substandard water mains serving the north end of the city and the main commercial area of the city. This project will improve the reliability, water quality and redundancy of the water supply for the north end of the city. Public Works staff solicited Statements of Qualification from engineering firms to help the City with the design and permitting of this project. The City interviewed two firms and selected RH2 Engineering as the most qualified to provide the engineering, permitting service and meet the Federal funding requirements for this project. This project has a higher-level complexity than most project as: the Federal funds will introduce higher levels of paperwork and costs; multiple agencies may be involved in the crossing of Ginder Creek; coordination with WSDOT will be needed; traffic and minimizing impact to businesses will be needed. These complications are included in the scope and fee for this contract. FISCAL NOTE (Finance Department): With this years budget amendment of \$250,000 and next years budget of \$850,000 the total project budget will be \$1,100,000 all coming from ARPA funds.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Public Works Committee recommends taking to full Council for consideration.		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 21-1457 authorizing the Mayor to execute a Professional Services Agreement with RH2 Engineering, Inc.		

to provide engineering and permitting services for the 3rd Ave Water Main Improvement Project.

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 2, 2021		

RESOLUTION NO. 21-1457

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE MAYOR TO EXECUTE A
PROFESSIONAL SERVICES AGREEMENT WITH RH2
ENGINEERING, INC. FOR ENGINEERING AND
PERMITTING SERVICES FOR THE 3RD AVE WATER MAIN
IMPROVEMENT PROJECT**

WHEREAS, the City has planned and has a pending budget for the 3rd Ave Water Main Improvement Project; and

WHEREAS, the City has received Federal funding (ARPA) that can be used for this important project; and

WHEREAS, the City has advertised and selected RH2 Engineering as the most qualified to design and permit this project; and

WHEREAS, the City has a short window of time to upgrade the water mains in front of the existing commercial area before WSDOT's bridge project and the City's roundabout projects move forward;

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

Section 1. The Mayor is hereby authorized to execute a professional services agreement with RH2 Engineering, Inc. to design, permit and prepare bid documents for the 3rd Ave Water Main Improvement Project

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2nd DAY OF DECEMBER, 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

**CITY OF BLACK DIAMOND
PROFESSIONAL SERVICES AGREEMENT
FOR CIVIL ENGINEERING SERVICES
FOR STATE ROUTE 169 WATER MAIN IMPROVEMENTS**

This Professional Services Agreement (“Agreement”) is entered into by and between:

CITY OF BLACK DIAMOND, WASHINGTON (the “City”)

Physical Address: 24301 Roberts Drive

Mailing Address: PO Box 599

Black Diamond, WA 98010

Contact: Seth Boettcher Phone: 360-851-4446 Fax : 360-851-4501

and RH2 Engineering, Inc. (“Consultant”)

Physical Address: RH2 Engineering, Inc.
22722 29th Drive SE, Suite 210
Bothell, WA 98021

Mailing Address: Same as above

Contact: Geoffrey G. Dillard, PE Phone: 253-327-1522 Fax: 425-951-5401

E-mail: gdillard@rh2.com

Tax Id No. 91-1108443

for non-exclusive professional civil engineering services in connection with the following project:

City of Black Diamond STATE ROUTE 169 WATER MAIN IMPROVEMENTS.

WHEREAS, the City has selected RH2 Engineering, Inc.; and

WHEREAS, the Consultant has agreed to provide the services described in Exhibit A (scope of work) under the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the parties as follows:

TERMS AND CONDITIONS

1. Services by Consultant

1.1 Consultant has been retained by the City to provide professional civil engineering services as generally described in the Scope of Work attached to this Agreement as Exhibit "A" and as further detailed in the Fee Estimate attached as Exhibit “B”. The services performed by Consultant shall not exceed the Scope of Work nor shall the Consultant be entitled to a greater

amount of compensation as that provided in this Agreement without the prior written authorization of the City.

1.2 The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to this Agreement.

1.3 Consultant represents and warrants that its staff to be assigned to the Project, and its subconsultants and their staff have the requisite training, skill, and experience necessary to provide the services required by this Agreement and are appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by Consultant and its subconsultants under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

2. Schedule of Work

2.1 The City and the Consultant agree that work will begin on the tasks described in Exhibit A upon execution of this Agreement. The goal of this design effort will be to have tasks outlined in Exhibit A completed and City comments and revisions addressed by the end of July 2022.

2.2 This Agreement shall commence on the effective date and shall terminate on December 31, 2022 unless extended in writing by the authority of Mayor, upon satisfactory completion of the project or as outlined in Section 6 of this Agreement. Additional time may be granted by the City for unforeseen delays or for extra work requested by the City.

3. Compensation

3.1 Rates. Compensation for the services provided according to the tasks outlined in Exhibit "A" shall be on a time and materials basis according to the list of billing rates and reimbursable expenses attached hereto as Exhibit "C" and shall not exceed TWO-HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00). This amount shall not be exceeded without the prior written authorization of the City in the form of a negotiated and executed Agreement amendment.

4. Payment

4.1 Consultant shall maintain time and expense records and provide them to the City monthly, along with monthly invoices, in a format acceptable to the City for work performed to the date of the invoice.

4.2 All invoices shall be paid by City warrant within sixty (60) days of actual receipt by the City of an invoice conforming in all respects to the terms of this Agreement.

4.3 Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Consultant shall make copies available to the City on request.

4.4 If the services rendered do not meet the requirements of the Agreement, Consultant will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement.

5. Discrimination and Compliance with Laws

5.1 Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

5.2 Consultant and its subconsultants shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.

5.3 Any violation of this Section 5 shall be a material breach of this Agreement and grounds for immediate cancellation, termination, or suspension of the Agreement by the City, in whole or in part, and may result in Consultant's ineligibility to conduct further work for the City.

6. Duration, Suspension, and Termination of Agreement

6.1 This Agreement is an "Open End" Agreement that is signed by both parties, unless the City provides written notice of earlier termination pursuant to this Section 6, below.

6.2 The City reserves the right to terminate or suspend this Agreement at any time, without cause, by giving Consultant notice in writing no fewer than ten (10) days prior to the stated termination or suspension date. In the event of termination, all finished or unfinished reports, or other material prepared by Consultant pursuant to this Agreement, shall be submitted to the City. In the event the City terminates this Agreement prior to completion without cause, Consultant may complete such analyses and records as may be necessary to place its files in order. Consultant shall be entitled to compensation for any satisfactory work completed on the Project prior to the date of suspension or termination.

6.3 Any notice from the City to Consultant regarding the suspension of this Agreement shall specify the anticipated period of suspension. Any reimbursement for expenses incurred due to the suspension shall be limited to Consultant's reasonable expenses and shall be subject to verification. Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

7. Standard of Care

7.1 Consultant represents and warrants that it has the requisite training, skill, and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services Consultant provides under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances. Consultant understands and agrees that the services rendered pursuant to this Agreement are for the sole exclusive benefit of the City and that no third party shall have authority to authorize, approve, direct or control any of the services rendered to the City pursuant to this Agreement.

8. Ownership of Work Product

8.1 Ownership of the originals of any reports, data, studies, surveys, charts, maps, drawings, specifications, figures, photographs, memoranda, and any other documents which are developed, compiled, or produced as a result of this Agreement, whether or not completed, shall be vested in the City and shall be submitted to the City upon termination of this Agreement. Consultant assigns to the City all of Consultant's right, title, and interest in any such documents. Any reuse of these materials by the City for projects or purposes other than those that fall within the scope of this Agreement and the Project to which it relates, without written concurrence by Consultant, will be at the sole risk of the City.

8.2 The City acknowledges Consultant's documents as instruments of professional service. Nevertheless, the documents prepared under this Agreement shall become the property of the City upon completion of the work. The City agrees to hold harmless and indemnify Consultant against all claims made against Consultant for damage or injury, including defense costs, arising out of the City's reuse of such documents beyond the use for which they were originally intended without the written authorization of Consultant.

8.3 Methodology, software, logic, and systems developed under this Agreement are the property of Consultant and the City, and may be used as either Consultant or the City see fit, including the right to revise or publish the same without limitation.

9. Indemnification/Hold Harmless

9.1 Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, volunteers, and agents harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising directly or indirectly out of or resulting from the acts, errors, or omissions of Consultant or its subconsultants in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. PROVIDED, HOWEVER, THAT IF ANY SUCH CLAIMS, INJURIES, DAMAGES, LOSSES OR SUITS RESULT FROM THE CONCURRENT NEGLIGENCE OF CONSULTANT AND THE CITY, IT IS EXPRESSLY AGREED THAT CONSULTANT'S OBLIGATIONS AND INDEMNITY UNDER THIS PARAGRAPH SHALL BE EFFECTIVE ONLY TO THE EXTENT OF CONSULTANT'S NEGLIGENCE.

9.2 The City's inspection or acceptance of any of the Consultant's work when completed shall not be grounds to avoid any of these covenants of indemnification.

9.3 IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER. THE CONSULTANT'S WAIVER OF IMMUNITY UNDER THE PROVISIONS OF THIS SECTION DOES NOT INCLUDE, OR EXTEND TO, ANY CLAIMS BY THE CONSULTANT'S EMPLOYEES DIRECTLY AGAINST THE CONSULTANT.

9.4 The provisions of this Section 9 shall survive the expiration or termination of this Agreement.

10. Insurance

10.1 Consultant shall procure and maintain for the duration of the Agreement, and shall provide proof satisfactory to the City that such insurance is procured and maintained by each of its subconsultants, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

10.2 Consultant shall procure and maintain the following types and amounts of insurance:

a. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage. This insurance shall have a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

b. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors, personal injury, and advertising injury. This insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

c. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

d. Professional Liability insurance appropriate to Consultant's profession, with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

10.3 The Automobile Liability, Commercial General Liability, and Professional Liability insurance policies are to contain, or be endorsed to contain, the following provisions:

a. Consultant's insurance coverage shall be primary insurance vis-à-vis the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess over Consultant's insurance and shall not contribute with it.

b. Consultant's insurance shall be endorsed to state that coverage shall not be cancelled, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

10.4 The City shall be named as an additional insured under Consultant's Automobile Liability and Commercial General Liability insurance policies with respect to the work to be performed for the City pursuant to this Agreement.

10.5 Insurance shall be placed with insurers with a current A.M. Best rating of not less than A:VII.

10.6 Declaration pages issued by the insurance carriers for the policies mentioned in this Section 10 showing such insurance to be in force shall be filed with the City not less than ten (10) days following both parties signing this Agreement and before commencement of the work. In addition, the City may request, in writing, a full copy from Consultant of any insurance policy Consultant must procure and maintain pursuant to this Agreement and Consultant must provide such copy to the City within ten (10) days of Consultant's receipt of the City's request. Any policy or required insurance written on a claims-made basis shall provide coverage as to all claims arising out of the services performed under this Agreement and for three (3) years following completion of the services to be performed. It shall be a material breach of this Agreement for Consultant to fail to procure and maintain the insurance required by this Section 10 or to provide the proof of such insurance to the City as provided for in this Agreement.

11. Assigning or Subcontracting

11.1 Consultant shall not assign, transfer, subcontract, or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld at the sole discretion of the City.

12. Independent Contractor

12.1 Consultant and its subconsultants are, and shall be at all times during the term of this Agreement, independent contractors. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

13. Notice

City: ATTN: Seth Boettcher
City of Black Diamond
24301 Roberts Drive
P.O. Box 599
Black Diamond, WA 98010
Fax: 360-851-4501

Consultant: RH2 Engineering, Inc.
ATTN: Geoffrey G. Dillard, PE
22722 29th Drive SE, Suite 210
Bothell, WA 98021
Fax: 425-951-5401

14. Disputes

15. Attorney Fees

16. General Administration and Management on Behalf of the City

Page 7 of 9

Agreement must be approved in advance by the contract Administrator. No third party, including the project applicant, shall have any direct control or influence over the services performed under this Contract.

16.2 Even though the Consultant is an independent contractor with the authority to control and direct the performance, and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state, and municipal laws, rules, and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

16.3 The failure of the City to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein conferred in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options and the same shall be and remain in full force and effect.

17. Extent of Agreement/Modification

17.1 This Agreement, together with any attachments or addenda, represents the entire and integrated Agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended, modified, or added to by written instrument properly signed by both parties. The parties acknowledge the general contract rule that a clause in a contract, such as this one, prohibiting oral modifications is itself generally subject to oral modification. However, in order to ensure certainty as to the terms and conditions of this Agreement, the parties waive this general contract rule.

18. Conflict of Interest; Non-Collusion

18.1 No officer, employee or agent of the City, nor any member of the immediate family of any such officer, employee or agent, shall have any personal financial interest, direct or indirect, in this Contract, either in fact or in appearance. The Consultant shall comply with all federal, state, and City conflict of interest laws, statutes and regulations. The Consultant represents that the Consultant presently has no interest and shall not acquire any interest, direct or indirect, in the project to which this Contract pertains which would conflict in any manner or degree with the performance of the Consultant's services and obligations hereunder. The contractor's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from the project applicant or any affiliate or agent of the project applicant.

18.2 The Consultant warrants and represents that the Consultant has not, nor has any other member, employee, representative, agent or officer of the Consultant, entered into or offered to enter into any combination, collusion or agreement with any person or entity to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of this Contract other than the consideration offered pursuant to the terms and conditions hereof.

AGREED TO BY:

CITY OF BLACK DIAMOND

By: _____

Carol Benson

Its: Mayor

Date: _____

CONSULTANT

By: Geoffrey G. Dillard

Geoffrey G. Dillard, PE

Its: Director

Date: 11/22/21

Attest:

By:

Brenda L. Martinez

City Clerk

APPROVED AS TO FORM:

David A. Linehan
City Attorney

EXHIBIT A
Scope of Work
City of Black Diamond
State Route 169 Water Main Improvements
November 2021

Background

The City of Black Diamond (City) intends to upsize the existing water main along the State Route (SR) 169 commercial corridor to improve water system reliability and redundancy, and replace outdated infrastructure. These improvements will enhance development potential and water service along the SR 169 commercial corridor. It is anticipated that the water main will be installed along the unimproved shoulders of SR 169 to minimize traffic impacts. The alignment segments to be developed under this Scope of Work are as follows (shown in **Exhibit D**).

- Approximately 800 linear feet (LF) along the west shoulder of SR 169 between Roberts Drive and Columbia Bank (roundabout water main, segment 2 as shown in **Exhibit D**).
- Approximately 1,000 LF along the east shoulder of SR 169 between Roberts Drive and Columbia Bank (roundabout water main, segment 3 as shown in **Exhibit D**).

RH2 Engineering, Inc., (RH2) has been retained by the City to assist in the development of construction documents for the water main improvements.

Task 1 – Subsurface Investigation and Preliminary Design

Objective: Obtain existing site information from available as-built drawings and improvements planned by others (provided by City). Obtain subsurface data relevant to this project. Analyze water main size and develop cost estimates for the water main replacement construction.

Approach:

- 1.1 Confirm the proposed connection points to the City's water system for the project based on as-built information.
- 1.2 Coordinate with City staff and subconsultant to perform a geotechnical investigation along the proposed alignment to assess soils, asphalt thickness, and groundwater conditions. *This subtask assumes up to ten (10) boring locations; ranging in depth from 5 feet to 20 feet deep.*
- 1.3 Perform a visual observation of the site to confirm the interfering utility data obtained from the City to the degree possible by surface observation. Collect additional site data relating to the interfering utilities.
- 1.4 Perform soil corrosivity evaluation. Analyze data and provide input in a technical memorandum with construction recommendations, which will include cathodic protection elements and pipeline material selection.
- 1.5 Prepare a preliminary design technical memorandum summarizing geotechnical findings, soil corrosivity findings, hydraulic modeling and testing findings, and recommendations for design.

- 1.6 Attend one (1) meeting with City staff to review findings, receive staff comments, and confirm extents of improvements.

Assumptions:

- *RH2 will rely upon the accuracy and completeness of information, data, and materials generated or produced by the City or others in relation to this Scope of Work.*
- *It is assumed that work will be done in the right-of-way (ROW) and that there will be no need to research or provide services for easement acquisitions.*

Provided by City:

- Construction and as-built records, as available, for the water main alignment.
- Proposed SR169 roundabout and frontage design (prepared by David Evans and Associates) in PDF or AutoCAD 2021 format.
- Drilling coordination with other utility operators.

RH2 Deliverables:

- Subsurface/drilling subconsultant and field report.
- Site attendance and investigations by two (2) RH2 personnel (design engineer and geologist). Site visits and investigations may occur on the same day or separate as necessary.
- One (1) electronic copy of the technical memorandum summarizing the geotechnical, soil corrosivity, and alignment recommendations.
- Attendance at one (1) meeting to review findings, confirm extents of improvements, and discuss City staff comments.

Task 2 – Design Survey and Subconsultant Coordination

Objective: Hire and coordinate with a professional land surveyor subconsultant to provide the vertical and horizontal control and topographical mapping necessary for design of the water main replacements.

Approach:

- 2.1 Obtain subconsultant services from Parametrix, Inc., (Parametrix) to provide horizontal and vertical survey control and topographic information, including surface features, underground utilities, topography, roadway, and utility alignments, delineated critical areas boundaries, rights-of-way, and property lines and easements. RH2 will provide a sample drawing in AutoCAD 2021 with RH2 standard layers, blocks, and colors for formatting. Each utility is to be depicted in a separate layer. *If the City provides RH2 with the survey for the project without using Parametrix's services, the amount for subconsultant services that is shown in the Fee Estimate will not be utilized for other tasks in the project.*
- 2.2 Format survey data for use in AutoCAD 2021. Create base map for project design using RH2 standards.

- 2.3 Perform one (1) site visit to confirm survey.
- 2.4 Coordinate with Parametrix to obtain additional subsurface utility information, including utility locates. Coordinate with City staff to provide utility potholing to determine utility depths. Incorporate findings into the plans.

Assumptions:

- *RH2 will coordinate with a surveyor that the City hires directly.*
- *Survey to include full ROW and RH2 delineated wetland/stream boundaries within 300 feet of the proposed water main alignment.*
- *Survey to include 300 feet east and west of alignment at connection points and creek crossings.*

Provided by the City:

- Markings of existing utilities.

RH2 Deliverables:

- Field survey formatted for AutoCAD 2021.

Task 3 – Prepare Preliminary Construction Drawings

Objective: Prepare 90-percent construction drawings that illustrate the proposed water main, and restoration improvements to the City's water system.

Approach:

- 3.1 Design the City's proposed water main improvements. *Plans will be provided at 1-inch equals 20 feet horizontal scale and 1-inch equals 5 feet vertical scale.*
- 3.2 Develop details of temporary testing configurations and final configurations of connections to the City's existing water system.
- 3.3 Develop design criteria for dewatering, trench backfill, and cathodic protection and prepare necessary details.
- 3.4 Prepare and provide standard construction details.
- 3.5 Develop notes on the plans as necessary to clarify the proposed improvements, including cover sheet and general construction notes.
- 3.6 Perform one (1) site visit with City staff to confirm details of the preliminary alignment and roadway restoration requirements.
- 3.7 Prepare a Traffic Control Plan.
- 3.8 Deliver review plan sets and attend three (3) design coordination meetings with City staff to review and obtain staff comments: one (1) meeting at 30-percent design completion; one (1) meeting at 60-percent design completion; and one (1) meeting at 90-percent design completion.

3.9 Perform internal quality assurance/quality control (QA/QC) review of the design plan sets at the 60-percent and 90-percent design completion phases.

Assumptions:

- *It is assumed that easement negotiations or acquisitions will not be necessary.*
- *Temporary services for water may be required.*

Provided by City:

- Attendance at a site visit with RH2 staff to confirm details of preliminary alignment and road restoration requirements.
- Attendance at meetings for 30-, 60-, and 90-percent design completion.

RH2 Deliverables:

- Six (6) sets of half-size plans for City review: two (2) for 30-percent design completion; two (2) for 60-percent design completion; and two (2) for 90-percent design completion.

Task 4 – Prepare Specifications and Bid Quantities

Objective: Prepare technical specifications and construction contract documents necessary to solicit competitive bids for construction.

Approach:

- 4.1 Prepare specifications using RH2's standard technical specifications and submit 60-percent complete and 90-percent complete technical specifications to City for review.
- 4.2 Update the City's standard construction contract documents to include language specific to the bidder qualification requirements and submit 60-percent complete and 90-percent complete construction contract documents to City for review.
- 4.3 Prepare an Engineer's Estimate of probable construction cost at 30-percent, 60-percent and 90-percent design and submit to City for review.

Assumptions:

- *Specifications will follow Washington State Department of Transportation (WSDOT) format with RH2 Amendments.*
- *Specifications, contract documents, and probable construction costs will be submitted with the design plans. The City will review these documents, attend review meetings, and provide comments to these documents at the same intervals as noted in Task 3. No additional meeting will be necessary for this task.*

Provided by City:

- Standard construction contract documents.

RH2 Deliverables:

- One (1) electronic copy of sample specifications (from a similar project) at 30-percent submittal.
- One (1) electronic copy of Engineer's Estimate of probable construction cost for the water main replacements and creek crossing at 30-, 60-, and 90-percent design.
- One (1) hard copy set of technical specifications and construction contract documents for City review at 60-percent and 90-percent design.

Task 5 – Permitting Assistance

Objective: Assist the City in obtaining necessary permit approvals for the project.

Approach:

- 5.1 Review existing environmental background maps, reports, and information available for the project site. Meet with the project team regarding anticipated improvements, permitting pathways, stakeholders, etc. Compile information, as relevant, to inform permit application/report preparation.
- 5.2 Contact and discuss improvements with the agencies with jurisdiction over the project (e.g., City Planning Department, Washington Department of Fish and Wildlife (WDFW), etc.). Apply for and attend one (1) pre-application meeting with the City to present and discuss the project and confirm anticipated permit processes. Arrange and attend up to one (1) onsite meeting with WDFW and/or other interested agency staff. Record meeting minutes for use in permit application/report preparation.
- 5.3 Prepare for and perform critical areas site investigation to delineate the ordinary high-water mark (OHWM) of Ginder and Mud Creeks in proximity to the proposed improvements. Identify, delineate, and rate associated wetlands present in proximity to the project site. Assess and document existing environmental conditions of the site. Complete data forms and data post-processing following site investigations. Provide field map to Parametrix for survey of critical areas boundaries and test pits marked as part of this subtask.
- 5.4 Prepare a Critical Areas Report (CAR) to summarize results of site investigations, anticipated project impacts, and restoration for project impacts to the buffer(s) of Ginder and/or Mud Creeks. Provide preliminary report along with local permit submittals and refine for final design, as needed.
- 5.5 Prepare a State Environmental Policy Act (SEPA) checklist. Provide draft Checklist for City review and finalize. Provide to the City's Planning Department for review and processing.
- 5.6 Assist the City in preparing documentation for National Environmental Policy Act (NEPA) compliance for the project. The City has received American Rescue Plan Act of 2021 (ARPA) funds through the US Department of the Treasury. *Requirements associated with ARPA NEPA compliance are still being defined; therefore, this Scope of Work assumes documentation needs*

for NEPA will be like Drinking and Clean Water State Revolving Fund requirements. NEPA compliance is anticipated to include the following documentation/reviews.

- a) Section 106 of the National Historic Preservation Act (NHPA): Subcontract with an archaeologist to prepare a Cultural Resources Survey (CRS). Provide the CRS to affected tribes and the Washington Department of Archaeology and Historic Preservation (DAHP) for review/concurrence on the determination of effect. *It is assumed no historic properties or archaeological properties will be adversely affected by the project.*
 - b) Endangered Species Act (ESA): Prepare a No Effect letter to document project improvements and impacts to ESA-listed fish and wildlife species. *It is assumed no impacts to ESA-listed species or critical habitats will occur, despite crossings of and work in buffers of Ginder and Mud Creeks. Design to avoid, minimize, and mitigate for work in these areas will alleviate potential impacts to no effect level.*
 - c) Prepare any additional NEPA documentation required for ARPA funds usage. *This subtask is included to capture additional, as-yet-defined requirements for environmental documentation and NEPA compliance; up to 20 hours of RH2 effort is assumed.*
- 5.7 Coordinate with the US Army Corps of Engineers (USACE) regarding Section 404 compliance. If USACE consultation dictates, prepare Joint Aquatic Resources Permit Application (JARPA) and associated USACE drawings for submittal to the USACE. Correspond with USACE staff to facilitate issuance of Section 404 approval. *It is assumed Section 404 approval may be waived because of the crossing technique used for the proposed water main or, if required, will be issued as a Nationwide Permit by the USACE.*
- 5.8 Prepare an application for a Hydraulic Project Approval (HPA) through WDFW. Submit online via WDFW APPS portal.
- 5.9 Prepare an application for a ROW Permit through the City Public Works Department. Coordinate with WSDOT on its proposed intent for the creek crossing improvement for the roundabout design. *It is assumed ROW permit approval will be needed through the City.*

Assumptions:

- *The City shall be the permit applicant, with RH2 acting as its agent for coordination/submittals. The City shall lead local permit submittals; RH2 will submit state and federal permits. The City will pay all permit fees. Agency acceptance of the permit submittals is beyond the control of RH2 and the City, and no date is warranted or implied for Agency response or permit approval.*
- *Critical areas investigations will identify, delineate, and characterize wetland/stream resources within 300 feet of the proposed water main alignment in accordance with Black Diamond Municipal Code (BDMC) 19.10.130.D.4.*
- *The level of effort included in critical areas reporting and related state/federal permits assumes that wetland/stream impacts will be avoided altogether. Impacts to wetland/stream buffers would be temporary to install the water main; therefore, restoration of impacted to*

vegetated buffers is provided in this Scope of Work. Compensatory mitigation will not be needed, nor is it included in this Scope of Work. If project design dictates otherwise, this effort will be captured in an amendment to this Scope of Work.

- *The City will be the lead agency for, process, and publish SEPA for the project.*
- *WSDOT ROW Franchise and/or Crossing Permit will not be required as the City has jurisdiction utility replacement in the alignment's SR 169 ROW.*

Provided by City:

- Environmental and permitting background information, as applicable to facilitate RH2 project understanding and background knowledge.
- Rights of entry and access to the project site for critical areas investigations.
- Submittal of local permit applications and payment of permit application fees.

RH2 Deliverables:

- Field-flagged OHWM and/or wetland boundaries for habitat associated with Ginder and Mud Creeks in proximity to the proposed water main alignment.
- Electronic copies of preliminary and final CAR, SEPA Checklist, CRS, ESA No Effect Letter, NEPA documentation, JARPA and USACE Section 404 application package, HPA application, and ROW Permit for City (PDF).

Task 6 – Inter-Agency and Stakeholder Coordination

Objective: Attend coordination meetings with other agencies and stakeholders and incorporate future SR 169 improvement considerations into the design. Agencies and stakeholders may include but are not limited to Black Diamond Public Works, Black Diamond Master Development Review Team (MDRT), WSDOT, Tacoma Public Utilities (TPU), and Muckleshoot Indian Tribe. Assist the City in public/stakeholder coordination and easement procurement, as needed.

Approach:

- 6.1 Provide the City with plans and figures to convey the scope of this project to stakeholders and property owners that may be affected, including supportive drawings and simple conceptual plans.
- 6.2 Assist City staff with project information mailings to inform the stakeholders about the project.
- 6.3 Provide up to twenty (20) hours of RH2's staff time to support City personnel during the easement procurement process.
- 6.4 Prepare for and attend inter-agency and stakeholder coordination meetings. Record meeting minutes, as needed for design and permitting efforts. *This subtask assumes up to 40 hours of coordination time by RH2 staff.*

Assumptions:

- *The City is responsible for and will coordinate with other agencies and stakeholders for coordination meetings.*
- *The City will negotiate private easements, as necessary.*
- *RH2 will provide services identified in this task to the level of effort identified in the Fee Estimate. If additional effort is requested, a scope amendment will be mutually determined by the City and RH2.*

Provided by City:

- Coordination with agencies and stakeholders.
- Easement negotiations, if necessary.
- Coordination with the public.

RH2 Deliverables:

- Attendance at meetings with agencies and stakeholders.
- Attendance at meetings with stakeholders, as requested.

Task 7 – Bid-Ready Plans, Specifications, and Construction Contract Documents

Objective: Finalize construction plans and specifications for bidding.

Approach:

- 7.1 Perform a detailed in-house QA/QC engineering review of the construction design plans and specifications for quality and conformance to project requirements and City standards.
- 7.2 Prepare and submit 99-percent plans, specifications, and construction contract documents to the City for final review or for City's signature.
- 7.3 Revise plans, specifications, and construction contract documents per the in-house review and City input, if any. *It is assumed the revisions to the 99-percent documents, if any, will be minor.*
- 7.4 Finalize the Engineer's Estimate of probable construction cost based on the bid-ready design plans.
- 7.5 Prepare bid-ready plans, specifications, and construction contract documents for bidding.

Provided by City:

- Review comments and information to prepare bid-ready plans, specifications, and construction contract documents.

RH2 Deliverables:

- One (1) hard copy and one (1) electronic set of 99-percent plans, specifications, and construction contract documents for City review.

- One (1) hard copy and one (1) electronic set bid-ready set of plans, specifications, and construction contract documents for City signature.
- Five (5) hard copy sets of bid documents: two (2) sets for City use and bidding purposes; and three (3) sets for RH2 files and staff use during bidding. *Plans will be shown at 1-inch equals 20 feet on 11-inch by 17-inch sheets. It is assumed that plan sets will consist of fifteen (15) sheets maximum.*
- One (1) electronic copy of the construction contract documents and plan set in PDF format. *Plans will be shown at 1-inch equals 20 feet on 22-inch by 34-inch sheets.*

Task 8 – Services During Bidding and Award

Objective: Provide engineering services during the bidding and award phase of the project.

Approach:

- 8.1 Prepare the bid advertisement for newspapers. *The City will submit the advertisement to newspapers.*
- 8.2 Respond to bidder inquiries received and tabulated by the City. Prepare up to two (2) addenda. *The City will distribute the addenda.*

Assumptions:

- *It is assumed that the City will tabulate the bid results and handle construction contract execution. It is assumed that the City will provide construction plan sets to the contractor for use during the construction phase of the project.*

Provided by City:

- Submittal and payment of fees for advertisement.
- Distribution of addenda.
- Bid tabulation and recommendation of award.

RH2 Deliverables:

- Bid advertisement in electronic PDF format for City use.
- Up to two (2) addenda in electronic format (PDF).

Task 9 – Project Management Services

Objective: Manage RH2's project team and maintain frequent client communications. Maintain project schedules and prepare monthly invoices and budget status summaries.

Approach:

- 9.1 Provide direction, coordination, and oversight to the RH2 project team. Organize, manage, and coordinate technical disciplines as described herein, and document and retain information generated during the execution of the project.

9.2 Prepare monthly invoices and budget status summaries.

9.3 Communicate with the City regarding project progress, invoicing, and schedule.

RH2 Deliverables:

- Project team and resource management.
- Monthly invoices with progress reporting.
- Communication with City.

Task 10 – Management Reserve

Objective: Provide additional services as requested by the City.

Approach:

10.1 Provide additional services for the project as requested and authorized by the City. RH2 shall submit a budget estimate for supplemental services as they are requested by the City. The City shall provide written authorization to proceed with the supplemental services.

RH2 Deliverables:

- Budget estimate for supplemental services.
- Other deliverables as requested by the City under an authorization for supplemental services.

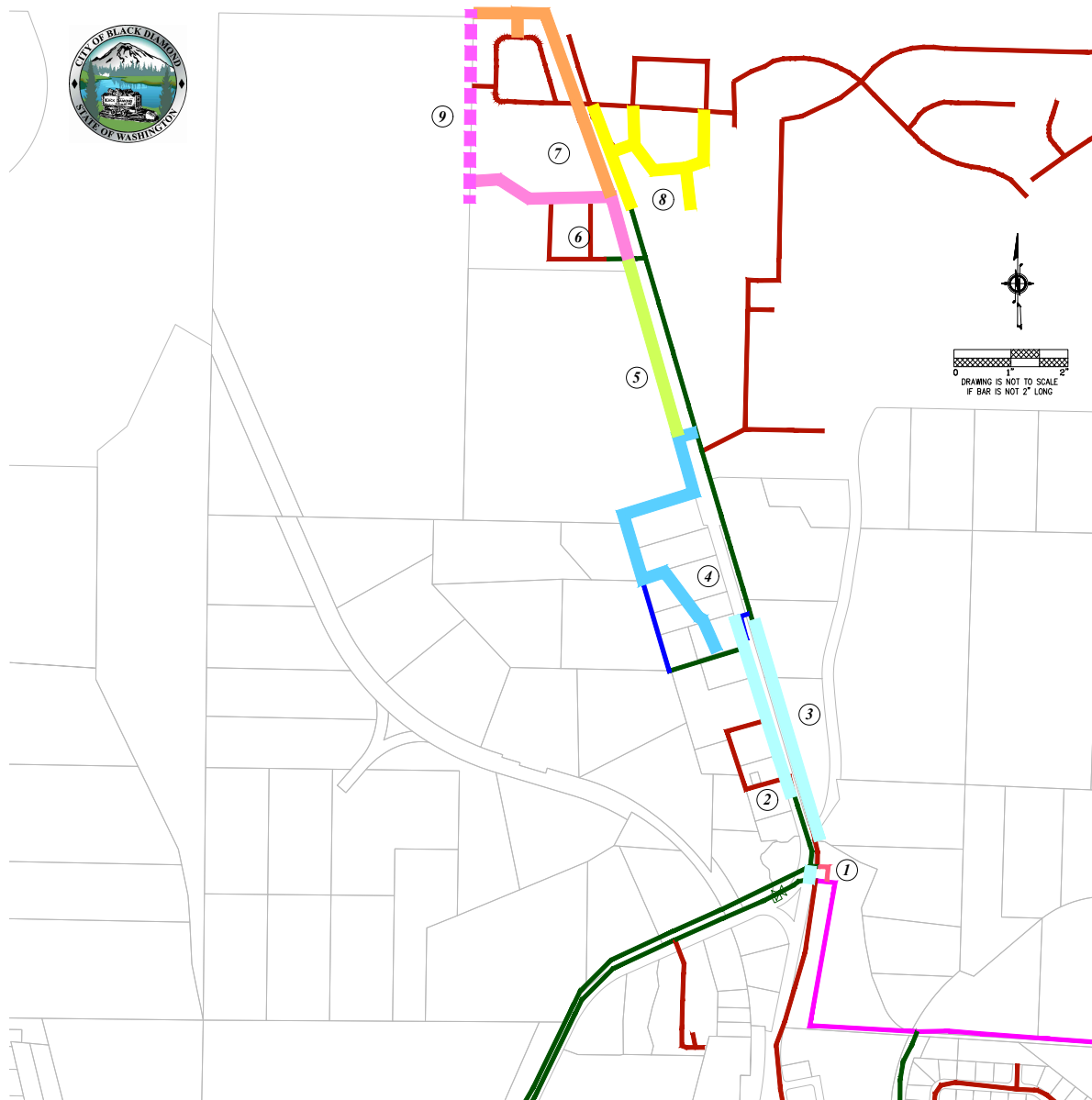
EXHIBIT B**Fee Estimate****City of Black Diamond****State Route 169 Water Main Improvements****Nov-21**

Description		Total Hours	Total Labor	Total Subconsultant	Total Expense	Total Cost
Classification						
Task 1	Subsurface Investigation and Preliminary Design	90	\$ 18,890	\$ 20,700	\$ 813	\$ 40,403
1.1	Confirm the proposed connection points	4	\$ 784	-	\$ 62	\$ 846
1.2	Coordinate with subsurface (coring) subconsultant and City staff and attend potholes	30	\$ 6,682	\$ 20,700	\$ 308	\$ 27,690
1.3	Perform visual observation	8	\$ 1,568	-	\$ 75	\$ 1,643
1.4	Perform soil corrosivity evaluation	8	\$ 2,008	-	\$ 52	\$ 2,060
1.5	Prepare preliminary design technical memorandum	32	\$ 6,220	-	\$ 212	\$ 6,432
1.6	Attend one (1) meeting with City staff	8	\$ 1,628	-	\$ 104	\$ 1,732
Task 2	Design Survey and Subconsultant Coordination	28	\$ 5,233	\$ 34,500	\$ 502	\$ 40,235
2.1	Coordinate with Parametrix	4	\$ 844	\$ 34,500	\$ 51	\$ 35,395
2.2	Format survey data	10	\$ 1,735	-	\$ 210	\$ 1,945
2.3	Perform site visit to verify survey	10	\$ 1,810	-	\$ 191	\$ 2,001
2.4	Coordinate with surveyor for additional survey	4	\$ 844	-	\$ 51	\$ 895
Task 3	Prepare Preliminary Construction Drawings	180	\$ 33,726	\$ -	\$ 3,679	\$ 37,405
3.1	Design the City's water main improvements	60	\$ 10,380	-	\$ 1,248	\$ 11,628
3.2	Develop details of temporary testing configurations	12	\$ 2,142	-	\$ 244	\$ 2,386
3.3	Develop design criteria and details for dewatering and cathodic protection	18	\$ 3,699	-	\$ 283	\$ 3,982
3.4	Prepare and provide standard details	10	\$ 1,735	-	\$ 235	\$ 1,970
3.5	Develop cover sheet and general notes	12	\$ 2,142	-	\$ 244	\$ 2,386
3.6	Perform one (1) site visit	8	\$ 1,448	-	\$ 178	\$ 1,626
3.7	Prepare a Traffic Control Plan	12	\$ 2,142	-	\$ 244	\$ 2,386
3.8	Deliver review plan sets and attend three (3) meetings	36	\$ 7,026	-	\$ 775	\$ 7,801
3.9	Perform internal QA/QC	12	\$ 3,012	-	\$ 226	\$ 3,238
Task 4	Prepare Specifications and Bid Quantities	65	\$ 11,409	\$ -	\$ 641	\$ 12,050
4.1	Prepare specifications	24	\$ 4,196	-	\$ 154	\$ 4,350
4.2	Update the City's construction contract documents	20	\$ 3,412	-	\$ 131	\$ 3,543
4.3	Prepare Engineer's Estimate of probable construction cost	21	\$ 3,801	-	\$ 356	\$ 4,157
Task 5	Permitting Assistance	322	\$ 57,774	\$ 4,025	\$ 4,146	\$ 65,945
5.1	Review background data and reports	12	\$ 2,202	-	\$ 115	\$ 2,317
5.2	Agency coordination, meetings, and pre-application	24	\$ 4,314	-	\$ 296	\$ 4,610
5.3	Perform critical areas site investigation	50	\$ 9,320	-	\$ 461	\$ 9,781
5.4	Prepare preliminary CAR and refine for final design	60	\$ 10,696	-	\$ 475	\$ 11,171
5.5	Prepare SEPA and submit to City	24	\$ 4,172	-	\$ 191	\$ 4,363
5.6	Prepare NEPA documentation	70	\$ 12,482	\$ 4,025	\$ 658	\$ 17,165
5.7	Coordinate with USACE and prepare and submit Section 404 permit	48	\$ 8,254	-	\$ 633	\$ 8,887
5.8	Prepare HPA application and submit to WDFW	14	\$ 2,504	-	\$ 150	\$ 2,654
5.9	Prepare City ROW permit application and WSDOT coordination	20	\$ 3,830	-	\$ 1,165	\$ 4,995
Task 6	Inter-Agency and Stakeholder Coordination	72	\$ 14,178	\$ -	\$ 1,112	\$ 15,290
6.1	Provide City with plans and figures	10	\$ 1,810	-	\$ 183	\$ 1,993
6.2	Assist City staff with project information	6	\$ 1,146	-	\$ 84	\$ 1,230
6.3	Provide assistance during easement procurement process	16	\$ 3,136	-	\$ 217	\$ 3,353
6.4	Prepare for and attend inter-agency and stakeholder coordination meetings	40	\$ 8,086	-	\$ 629	\$ 8,715
Task 7	Bid Ready Plans, Specifications, and Construction Contract Documents	72	\$ 12,546	\$ -	\$ 2,314	\$ 14,860
7.1	Perform detailed in-house QA/QC	8	\$ 2,008	-	\$ 105	\$ 2,113
7.2	Prepare and submit 99-percent plans, specifications, and documents	30	\$ 4,862	-	\$ 190	\$ 5,052
7.3	Revise plans, specifications, and documents per review comments	10	\$ 1,571	-	\$ 1,012	\$ 2,583
7.4	Finalize the Engineer's Estimate	6	\$ 1,071	-	\$ 124	\$ 1,195
7.5	Prepare bid-ready plans, specifications, and documents for bidding	18	\$ 3,034	-	\$ 884	\$ 3,918
Task 8	Services During Bidding and Award	21	\$ 3,685	\$ -	\$ 240	\$ 3,925
8.1	Prepare bid advertisement for newspapers	4	\$ 642	-	\$ 30	\$ 672
8.2	Respond to bidder inquiries and prepare addenda	17	\$ 3,043	-	\$ 209	\$ 3,252
Task 9	Project Management Services	24	\$ 4,576	\$ -	\$ 309	\$ 4,885
9.1	Provide direction, coordination, and oversight to the RH2 project team	10	\$ 2,110	-	\$ 155	\$ 2,265
9.2	Prepare monthly invoices and budget status summaries	9	\$ 1,411	-	\$ 83	\$ 1,494
9.3	Communicate with the City regarding project progress, invoicing, and schedule	5	\$ 1,055	-	\$ 71	\$ 1,126
Task 10	Management Reserve	-	\$ -	\$ -	\$ 15,000	\$ 15,000
10.1	Provide additional services	-	\$ -	\$ -	\$ 15,000	\$ 15,000
PROJECT TOTAL		874	\$ 162,017	\$ 59,225	\$ 28,758	\$ 250,000

EXHIBIT C
RH2 ENGINEERING, INC.
2022 SCHEDULE OF RATES AND CHARGES

RATE LIST	RATE	UNIT
Professional I	\$149	\$/hr
Professional II	\$166	\$/hr
Professional III	\$179	\$/hr
Professional IV	\$196	\$/hr
Professional V	\$211	\$/hr
Professional VI	\$224	\$/hr
Professional VII	\$240	\$/hr
Professional VIII	\$251	\$/hr
Professional IX	\$251	\$/hr
Control Specialist I	\$137	\$/hr
Control Specialist II	\$149	\$/hr
Control Specialist III	\$164	\$/hr
Control Specialist IV	\$177	\$/hr
Control Specialist V	\$190	\$/hr
Control Specialist VI	\$204	\$/hr
Control Specialist VII	\$217	\$/hr
Control Specialist VIII	\$228	\$/hr
Technician I	\$114	\$/hr
Technician II	\$125	\$/hr
Technician III	\$142	\$/hr
Technician IV	\$152	\$/hr
Technician V	\$167	\$/hr
Technician VI	\$183	\$/hr
Technician VII	\$199	\$/hr
Technician VIII	\$209	\$/hr
Administrative I	\$74	\$/hr
Administrative II	\$89	\$/hr
Administrative III	\$105	\$/hr
Administrative IV	\$125	\$/hr
Administrative V	\$143	\$/hr
CAD/GIS System	\$27.50	\$/hr
CAD Plots - Half Size	\$2.50	price per plot
CAD Plots - Full Size	\$10.00	price per plot
CAD Plots - Large	\$25.00	price per plot
Copies (bw) 8.5" X 11"	\$0.09	price per copy
Copies (bw) 8.5" X 14"	\$0.14	price per copy
Copies (bw) 11" X 17"	\$0.20	price per copy
Copies (color) 8.5" X 11"	\$0.90	price per copy
Copies (color) 8.5" X 14"	\$1.20	price per copy
Copies (color) 11" X 17"	\$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	\$0.560	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Rates listed are adjusted annually.



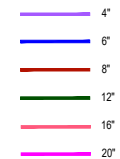
BLACK DIAMOND WATER - SR 169 IMPROVEMENTS

1" = 300'

Exhibit D

LEGEND

PIPE SIZE



SR 169 IMPROVEMENTS

ID	DESCRIPTION	LENGTH
1	ROBERTS DRIVE CROSSING	50
2	WEST SIDE SR 169 (ROUNDBOUTS)	800
3	EAST SIDE SR 169 (ROUNDBOUTS)	1,000
4	BLACK DIAMOND RETAIL SOUTH	1,700
5	BLACK DIAMOND COMMERCIAL MIXED USE FRONTAGE	1,100
6	DIAMOND SQUARE	1,100
7	NORTH END CITY LIMITS	1,450
8	FOOTHILLS COMMERCIAL	1,100
9	OAK POINTE	1,100
TOTAL		9,200

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT: Resolution Authorizing the Mayor to execute the South County Area Transportation Board Agreement	Agenda Date: December 2, 2021 AB21-093	
	Mayor Carol Benson	X
	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	
	Public Works – Scott Hanis	
Cost Impact (see also Fiscal Note):	Court – Stephanie Metcalf	
Fund Source:		
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution and Agreement		
SUMMARY STATEMENT: The City of Black Diamond has been a member of the South County Area Transportation Board) SCATBd since 2009. The current agreement is expiring at the end of the year and a new agreement needs to be entered in to. The purpose of the agreement is to recognize SCATBd as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state and federal transportation decisions. This agreement shall remain in effect until December 31, 2023, provided that unless terminated earlier in accordance with Section 9.0, this agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2024, and ending no later than December 31, 2025.		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to approve Resolution No. 21-1461, authorizing the Mayor to execute the South County Area Transportation Board Agreement.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

RESOLUTION NO. 21-1461

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, WASHINGTON AUTHORIZING THE
MAYOR TO EXECUTE THE SOUTH COUNTY AREA
TRANSPORTATION BOARD AGREEMENT**

WHEREAS, the City of Black Diamond has been member of the South County Area Transportation Board (SCATBd) since 2009; and

WHEREAS, the current agreement will expire on December 31, 2021; and

WHEREAS, we recognize that multi-jurisdictional transportation planning and coordinated transportation plans benefit our citizens; and

WHEREAS, the purpose of this agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state and federal transportation decisions; and

WHEREAS, the agreement shall remain in effect until December 31, 2023, unless terminated and shall automatically extend upon the same terms or conditions for another term commencing January 1, 2024 and ending no later than December 31, 2025;

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

Section 1. The Mayor is hereby authorized to execute the South County Area Transportation Board Agreement substantially in the form attached hereto as Exhibit A.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF DECEMBER, 2021.

CITY OF BLACK DIAMOND:

Rebecca Olness, Mayor

Attest:

Brenda L. Martinez, City Clerk

South County Area Transportation Board Agreement

Parties to Agreement

City of Algona
City of Auburn
City of Black Diamond
City of Burien
City of Covington
City of Des Moines
City of Enumclaw
City of Federal Way
City of Kent
City of Maple Valley
City of Milton
City of Normandy Park
City of Pacific
City of Renton
City of SeaTac
City of Tukwila
Muckleshoot Indian Tribe
King County

Transmitted to parties for approval and signature on_____.

THIS AGREEMENT is made and entered into by and among the CITY OF ALGONA, hereafter called “Algona”; the CITY OF AUBURN, hereafter called “Auburn”; the CITY OF BLACK DIAMOND, hereafter called “Black Diamond”; the CITY OF BURIEN, hereafter called “Burien”; the CITY OF COVINGTON, hereafter called “Covington”; the CITY OF DES MOINES, hereafter called “Des Moines”; the CITY OF ENUMCLAW, hereafter called “Enumclaw”; the CITY OF FEDERAL WAY, hereafter called “Federal Way”; the CITY OF KENT, hereafter called “Kent”; the CITY OF MAPLE VALLEY, hereafter called “Maple Valley”; the CITY OF MILTON, hereafter called “Milton”; the CITY OF NORMANDY PARK, hereafter called “Normandy Park”; the CITY OF PACIFIC, hereafter called “Pacific”; the CITY OF RENTON, hereafter called “Renton”; the CITY OF SEATAC, hereafter called “SeaTac”; the CITY OF TUKWILA, hereafter called “Tukwila”; the MUCKLESHOOT INDIAN TRIBE; and KING COUNTY, a legal subdivision of the State of Washington, hereafter called “King County” as members of the South County Area Transportation Board.

WHEREAS, the parties to this agreement recognize that multi-jurisdictional transportation planning and coordinated transportation plans benefit their citizens; and

WHEREAS, the South County Area Transportation Board has served as the central forum for information sharing, consensus building, and coordination to develop recommendations for transportation policies, projects and programs for the south King County area;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1.0 Purpose of this Agreement

The purpose of this Agreement is to recognize the South County Area Transportation Board as the transportation board for the south King County area to share information, build consensus, and provide advice on plans, programs, policies and priorities for countywide, regional, state and federal transportation decisions.

2.0 Members and Voting

Members shall have full voting rights, limited voting rights or shall be non-voting members, as follows:

2.1 Members with Full Voting Rights: Only jurisdictions which are signatories to this agreement shall have full voting rights on all of the following issues before the South County Area Transportation Board, unless otherwise noted, including:

1. Administrative issues, such as additional members and use of dues.
2. Recommendations to Sound Transit on policies and capital and service plans and implementation.
3. Recommendations to King County on Metro Transit planning, development and implementation of products and services.
4. Identification of projects for the regional competition, if prescribed by the process approved by the King County caucus of the Transportation Policy Board.
5. Recommendations to WSDOT on policies, programs and projects.
6. Recommendations to the PSRC on plans, policies, programs and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
7. Input to the State Legislature and committees and commissions established by the Legislature on transportation policy, budget and priorities and legislative proposals and studies.
8. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

2.2 Members with Limited Voting Rights: The South County Area Transportation Board may add members with limited voting rights on the issues such as those listed below by unanimous vote of the parties to this agreement in attendance at a regular meeting.

1. Recommendations to WSDOT on policies, programs and projects.
2. Recommendations to the PSRC on plans, policies, programs and projects such as Transportation 2040 updates and regional funding policies, strategies or programs.
3. Input to the State Legislature and committees and commissions established by the Legislature on transportation policy, budget and priorities and legislative proposals and studies.
4. Recommendations to the federal delegation on federal legislation including reauthorization and funding priorities and other transportation-related programs.

2.2(a) Such members and voting rights, if any, shall be listed in operating procedures to be adopted by the South County Area Transportation Board.

2.3 Non-Voting Members: The South County Area Transportation Board may add non-voting members by unanimous vote of the parties to this agreement in attendance at a regular meeting. The South County Area Transportation Board may remove non-voting members by a unanimous vote of the parties to the agreement at a regular meeting.

2.3(a) Such members shall be included in operating procedures to be adopted by the South County Area Transportation Board.

3.0 Representation and Conduct

3.1 Representation of city and county members shall be as follows:

Full Voting Members	Number of Representatives
City of Algona	1
City of Auburn	1
City of Black Diamond	1
City of Burien	1
City of Covington	1
City of Des Moines	1
City of Enumclaw	1
City of Federal Way	1
City of Kent	1
City of Maple Valley	1
City of Milton	1
City of Normandy Park	1
City of Pacific	1
City of Renton	1
City of SeaTac	1
City of Tukwila	1
Muckleshoot Indian Tribe	1
King County	3

3.2 Elected officials shall be appointed to the South County Area Transportation Board by their cities and counties for a one-year term. King County representation shall be a maximum of two Councilmembers and the King County Executive.

3.3 Each city or county participating member may appoint an alternate for a one-year term. Designated alternates may vote in place of designated voting representatives in the absence of the designated representative.

4.0 Operating Procedures

4.1 The South County Area Transportation Board shall adopt operating procedures to specify limited voting members and non-voting members, if any, dues for limited and non-voting members, if any, and operational issues such as election of officers, formation of subcommittees and rules of order. A chair and vice-chair shall be elected per the operating procedures and shall be responsible for setting meeting agenda, running meetings and any other activities identified in the operating procedures.

5.0 Lead Agency

5.1 King County will be the Lead Agency for receipt and disbursement of funds collected through annual dues, and general administrative and program support for the South County Area Transportation Board. King County assumes wage and benefit costs of its staff performing Lead Agency responsibilities to the extent that King County appropriates such funds. The Lead Agency, in its sole discretion, shall determine the level of staffing available based upon funding.

5.2 Lead Agency responsibilities may be limited to: maintaining the South County Area Transportation Board membership rosters and distribution lists; arranging for Board meetings, including

scheduling, agendas and rooms; collecting, administering and disbursing Board dues; providing Board meeting support to the chair and vice chair; attending Board meetings; and preparing Board meeting summaries.

6.0 Financing and Cost Sharing Guidelines

6.1 Yearly Dues: The South County Area Transportation Board members shall pay a minimum of \$100.00 per full voting representatives in annual dues to remain members in good standing. The Lead Agency will bill annually at the end of each year, and dues are to be paid within ninety days after receipt of the invoice. Members not in good standing shall lose voting rights until the required dues are paid. Additional dues above \$100.00, and any dues required by limited or non-voting members, will be determined by the South County Area Transportation Board as prescribed in the operating procedures. Revenue from dues shall be used for special events, public education, or other expenses authorized by the South County Area Transportation Board. The designated Lead Agency shall not be required to pay yearly dues.

6.2 Annual Review of Financing: The South County Area Transportation Board shall determine by June 30 of each year whether additional annual dues above \$100.00 per voting representatives will be required of the South County Area Transportation Board member jurisdictions for the following year.

6.3 Additional financial contributions: If additional financial contributions beyond an increase in dues are determined to be necessary, costs shall be shared among all voting members, with an option for King County to recuse itself from further financial obligations. Recused members may not vote on determining the additional financial contribution or uses for the additional funds.

6.4 Modification to Agreement Required: If additional funds are determined to be necessary, a modification to this agreement specifying cost-sharing, purpose, scope of work, administration, collection and disbursement of funds and other details is required in order to obligate a member jurisdiction to funding participation.

7.0 Withdrawal of a Party from this Agreement

Each party, for its convenience and without cause or for any reason whatsoever, may withdraw from participation in this Agreement by providing written notice, sent certified mail, return receipt required, to the chair of the South County Area Transportation Board at least thirty (30) days in advance of the effective date of the withdrawal. A withdrawing party shall not be entitled to a refund of any payments to the South County Area Transportation Board and shall pay any dues required to be paid under this Agreement for costs which had been obligated prior to the effective date of the withdrawal. All obligations other than dues cease upon withdrawal.

Each party's funding to perform its obligations under the Agreement, beyond the current appropriation year, is conditional upon appropriation by the party's governing body of sufficient funds. Should such an appropriation not be approved for a future year, a party may exercise its right to withdraw from the Agreement.

8.0 Duration

This Agreement shall take effect upon being duly adopted by the governing bodies of all parties and executed by the authorized representatives of all parties. This Agreement shall remain in effect until December 31, 2023, provided that unless terminated earlier in accordance with Section 9.0, this

Agreement shall be automatically extended upon the same terms or conditions for another term commencing January 1, 2024, and ending no later than December 31, 2025.

9.0 Termination

All parties to this Agreement must agree to terminate this Agreement in order for such termination to be effective. If all parties desire to terminate this Agreement, they shall execute a Statement of Termination. Upon termination, no party shall be required to make any additional contributions. Any remaining funds shall be refunded to the parties to this Agreement according to Section 11.0.

10.0 Real and Personal Property

The acquisition of real property is not anticipated under this Agreement. Any personal property acquired pursuant to this Agreement shall be held by the Lead Agency. In the event this Agreement expires or is terminated in accordance with Section 8.0 or 9.0, any personal property other than cash shall remain with the Lead Agency.

11.0 Return of Funds

At such time as this Agreement expires without being extended or revised, or is terminated in accordance with Section 9.0, any unexpended and uncommitted funds shall be distributed proportionately to those parties to this Agreement at the time of termination based on each party's percentage share of the total balance at the time of termination.

12.0 Filing

This Agreement shall be filed with the King County Department of Records and Elections.

13.0 Legal Relations

13.1 The parties shall comply with all applicable state and federal laws and regulations.

13.2 This Agreement is solely for the benefit of the parties hereto and gives no right to any other party. No joint venture or partnership is formed as a result of this Agreement. No employees or agents of one party or any of its contractors or subcontractors shall be deemed, or represent themselves to be, employees of any other party.

13.3 Each party shall defend, indemnify and hold harmless the other party and all of its officials, employees, principals and agents from all claims, demands, suits, actions, and liability of any kind whatsoever which arise out of, are connected with, or are incident to any negligent acts of the first party, its contractor, and/or employees, agents, and representatives in performing the first party's obligations under this Agreement. The parties agree that their obligations under this paragraph extend to claims made against one party by the other party's own employees. For this purpose, the parties, by mutual negotiation, hereby waive any immunity that, as respects the other party only, would otherwise be available against such claims under the industrial insurance provisions of RCW Title 51. In the event either party incurs attorney's fees, costs or other legal expenses to enforce the provisions of this section, against the other party, all such fees, costs and expenses shall be recoverable by the prevailing party.

13.4 The provisions of this Section shall survive and remain applicable to each of the parties notwithstanding any termination or expiration of this Agreement and notwithstanding a party's withdrawal from this Agreement.

14.0 Entirety and Modifications

14.1 This Agreement merges and supersedes all prior negotiations, representations and agreements between the parties relating to the subject matter hereof and constitutes the entire agreement between the parties.

14.2 This Agreement may be modified or extended only by written instrument signed by all the parties hereto.

15.0 Counterparts

The signature pages of this Agreement may be executed in any number of counterparts, each of which shall be an original. For purposes of this Agreement, a duly authorized electronic signature constitutes an original signature.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed and delivered by its duly authorized officer or representative as of the date set forth below its signature.

City of Algona By: _____ Date: _____	City of Auburn By: _____ Date: _____	City of Black Diamond By: _____ Date: _____
City of Burien By: _____ Date: _____	City of Covington By: _____ Date: _____	City of Des Moines By: _____ Date: _____
City of Federal Way By: _____ Date: _____	City of Kent By: _____ Date: _____	City of Maple Valley By: _____ Date: _____
City of Normandy Park By: _____ Date: _____	City of Pacific By: _____ Date: _____	City of Renton By: _____ Date: _____
City of SeaTac By: _____ Date: _____	City of Tukwila By: _____ Date: _____	Muckleshoot Indian Tribe By: _____ Date: _____
King County By: _____ Date: _____	City of Enumclaw By: _____ Date: _____	City of Milton By: _____ Date: _____

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021	AB21-088
Ordinance adopting the 2020 City of Black Diamond Comprehensive Plan Update	Mayor Carol Benson	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Development – Mona Davis	X
	Finance – May Miller	
	MDRT/Econ Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note):	Public Works – Scott Hanis	
Fund Source: N/A	Court Administrator – Stephanie Metcalf	
Timeline: Update was required by PSRC for full certification of 2019 Comprehensive Plan		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Proposed Ordinance – 2020 Comprehensive Plan Update		
SUMMARY STATEMENT:		
The City updated the 2009 Comp Plan with the 2015-2035 Comprehensive Plan adopted in May, 2019 by Ordinance 19-1121. The Puget Sound Regional Council (PSRC) partially certified the 2019 Comprehensive Plan with recommended conditions. The 2020 Comprehensive Plan update served to receive full certification by PSRC.		
The Planning/Community Development Committee, Planning Commission, and Council have reviewed the draft Plan. The Planning Commission held a duly noticed public hearing on December 1, 2020 and has made a recommendation to the City Council. Council held a work study on November 8, 2021 to consider the proposed 2020 updates and the Planning Commission's recommendation. At the work study, Director Davis noted her concern with one of the plan changes proposed by the previous Director, which was included in the Planning Commission recommendation. Specifically, Director Davis advised that removing residential mixed-use as a permitted use in the Community Commercial zone could significantly limit the City's ability to plan for and accommodate affordable housing needs. Council expressed support for holding an additional public hearing on the proposed amendments before taking action. Council will hold a public hearing on the recommended draft on December 2, 2021.		
Staff recommends the Council adopt the 2020 Comprehensive Plan Update forwarded by the Planning Commission, with the exception of the change that would prohibit residential mixed-use development within the Community Commercial zone. Staff believes continuing to allow residential uses as part of a mixed-use development in the Community Commercial zone would be important for meeting affordable housing goals.		
FISCAL NOTE (Finance Department):		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		

RECOMMENDED ACTION: **MOTION to adopt Ordinance No. 21-1169, adopting a the proposed Comprehensive Plan Update for 2020 as forwarded by the Planning Commission, but without the change to residential mixed-use in the Community Commercial zone.**

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 2, 2021		

ORDINANCE NO. 21-1169

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON, ADOPTING
A 2020 COMPREHENSIVE PLAN UPDATE; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, in August 1996, the City of Black Diamond adopted a Comprehensive Plan in conformance with the Washington State Growth Management Act; and

WHEREAS, the 1996 Comprehensive Plan was repealed and replaced in 2009; and

WHEREAS, RCW 36.70A.130 requires jurisdictions to periodically review and update their comprehensive plans; and

WHEREAS, the City Council adopted its 2015 periodic update to the Comprehensive Plan in May 2019; and

WHEREAS, the Puget Sound Regional Council (PSRC) partially certified the City's Comprehensive Plan in January 2020, specifying four conditions necessary to obtain full certification; and

WHEREAS, City staff worked with PSRC to develop additional Comprehensive Plan amendments to satisfy the PSRC's conditions for full certification; and

WHEREAS, on August 6, 2020, the City Council adopted Resolution 20-1371 approving a final docket of potential Comprehensive Plan updates in 2020, consisting of items needed (i) to obtain full certification from PSRC and (ii) to restore items that were inadvertently omitted or altered during formatting of the approved Comprehensive Plan adopted in 2019;

WHEREAS, the City Planning Commission and City Council conducted numerous joint work sessions to review staff's proposed revisions to the Comprehensive Plan for the 2020 update cycle; and

WHEREAS, the City Planning Commission held meetings and conducted a public hearing on the proposed 2020 Comprehensive Plan Update on December 1, 2020, and then voted on December 8, 2020 to recommend adoption by the City Council; and

WHEREAS, the proposed 2020 Comprehensive Plan Update was sent to the Washington State Department of Commerce and other agencies for 60-day review as required by the GMA pursuant to RCW 36.70A.106, and no written comments were received; and

WHEREAS, Exhibit A attached hereto is a true and correct copy of the proposed 2020 Comprehensive Plan Update as sent to the Department of Commerce and as recommended for adoption by the Planning Commission;

WHEREAS, on May 26, 2021, a SEPA Determination of Nonsignificance (DNS) was issued in compliance with WAC 197-11-340, and that SEPA DNS was upheld on appeal to the City's hearing examiner in a decision dated November 4, 2021; and

WHEREAS, on November 8, 2021, the City Council held a special meeting and work session to review and discuss the proposed 2020 Comprehensive Plan updates as recommended by the Planning Commission; and

WHEREAS, during the November 8, 2021 work session, staff raised concerns about one of the changes in the Planning Commission's December 8, 2020 recommendations—specifically, the changes to Section 5.13 (Commercial Goals and Policies) that would prohibit residential mixed-use development in areas zoned Community Commercial. Staff's concern was that such a change could significantly limit the City's ability to plan for and accommodate the affordable housing needs of current and future Black Diamond residents; and

WHEREAS, the City Council finds that retaining the ability to site mixed-use residential development in Community Commercial zones is an important means to serve the City's goals of providing an appropriate mix of affordable housing to residents, particularly along SR 169 where public transportation and commercial services are most likely to be available; and

WHEREAS, on December 2, 2021, the City Council conducted a duly noticed public hearing on the proposed 2020 Comprehensive Plan Update;

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

Section 1. Pursuant to RCW 36.70A.130, the 2015-2035 City of Black Diamond Comprehensive Plan, as adopted on May 2, 2019 by Ordinance No. 19-1121, is hereby amended as recommended by the Planning Commission and shown in Exhibit A attached hereto, except as specified in Section 2 below.

Section 2. The 2020 Comprehensive Plan amendments shown in Exhibit A hereto are adopted except for the proposed changes to Section 5.13 of the Land Use chapter. The Council desires to retain residential mixed-use development as a permitted use in Community Commercial zones. Accordingly, the proposed new text shown in highlighted and underlined text, including the changes to LU Goal 10 and new Policy LU-50, shall not be added to the Comprehensive Plan.

Section 3. The Mayor is requested to instruct City staff to revise and publish the Comprehensive Plan as hereby amended.

Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Section 4. If any portion of this Ordinance, or its application to any person or circumstance, is determined by final order of a court of competent jurisdiction to be invalid, pre-empted, or otherwise unenforceable for any reason, such determination shall not affect the validity or enforceability of the remaining provisions hereof or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 2ND DAY OF DECEMBER, 2021.

Mayor Carol Benson

ATTEST:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

David Linehan, City Attorney

Filed with the City Clerk:
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Department of Commerce

Notice of Intent to Adopt Amendment / Notice of Adoption Cover Sheet

Pursuant to RCW 36.70A.106, the following jurisdiction provides the following required state agency notice.

1. Jurisdiction Name:	City of Black Diamond
2. Select Submittal Type: Select the Type of Submittal listed. (Select One Only)	☒ 60-Day Notice of Intent to Adopt Amendment. ☐ Request of Expedited Review / Notice of Intent to Adopt Amendment. ☐ Supplemental Submittal for existing Notice of Intent to Adopt Amendment. ☐ Notice of Final Adoption of Amendment.
3. Amendment Type: Select Type of Amendment listed. (Select One Only)	☒ Comprehensive Plan Amendment. ☐ Development Regulation Amendment. ☐ Critical Areas Ordinance Amendment. ☐ Combined Comprehensive and Development Regulation Amendments. ☐ Countywide Planning Policy .
4. Description Enter a brief description of the amendment. Begin your description with "Proposed" or "Adopted", based on the type of Amendment you are submitting. Examples: <i>"Proposed comprehensive plan amendment for the GMA periodic update."</i> or <i>"Adopted Ordinance 123, adoption amendment to the sign code."</i> (Maximum 400 characters).	Proposed annual amendment to the City of Black Diamond Comprehensive Plan. The proposed text amendments are necessary to achieve full certification of the City's periodic update (adopted in 2019) by the Puget Sound Regional Council.



Department of Commerce

5. Is this action part of your 8-year periodic update required under RCW 36.70A.130 of the Growth Management Act (GMA)?	☐ Yes ☒ No
6. Proposed Dates: Enter the anticipated public hearing date(s) for your Planning Commission/Planning Board or for your Council/Commission.	Planning Commission: PC held hearing on Dec 1, 2020 City Council: Anticipated date for Council Hearing/Action is Feb 18, 2021 Proposed / Date of Adoption: Feb 18, 2021
7. Contact Information:	
A. Prefix/Salutation: <i>(Examples: "Mr.", "Ms.", or "The Honorable" (elected official))</i>	Ms.
B. Name:	Mona David
C. Title:	Community Development Director
D. Email:	mdavis@blackdiamondwa.gov
E. Work Phone:	360-851-4528
F. Cell/Mobile Phone: <i>(optional)</i>	
Consultant Information:	
G. Is this person a consultant?	☐ Yes
H. Consulting Firm name?	
8. Would you like Commerce to contact you for Technical Assistance regarding this submitted amendment?	☐ Yes

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please email the reviewteam@commerce.wa.gov



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Questions? Call the review team at (509) 725-3066.

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CHAPTER 3. PARKS, RECREATION, TRAILS AND OPEN SPACE

3.1 Introduction

The City's parks, recreation, trails and open space areas are a vital component of the health and wellbeing of the community. Access to these places contribute to Black Diamond's physical, mental and environmental health as they support the City's economic vitality and provide valuable fish, wildlife and vegetation habitat. Conservation and enhancement of ecological resources within the City is a key concept in this Comprehensive Plan.

City residents and visitors enjoy access to a system of citywide and regional parks, trails, and open space areas. The City parks, recreation, trails and open space system comprises about 5% of the total city land area and includes a range of uses from conservancy to active play areas. Lake Sawyer, the fourth largest natural lake in King County, offers public access for boating, water skiing, swimming and fishing.

Other agencies, such as King County and Washington State Parks, also provide significant recreational and open space opportunities for Black Diamond residents. All in all, Black Diamond and other public and private agencies have amassed an impressive amount of open space acreage. Much of it encompasses and preserves valuable streams, wetlands, and habitat conservation areas. Almost every type of park, trail and open space experience is within or very near the City's boundaries.

3.2 Planning Framework

Regulatory Setting and Relationship to Other Plans:

Growth Management Act (GMA)

Cities planning under Washington State's Growth Management Act (GMA) are required to include a parks and recreation element in their comprehensive plan. RCW 36.70A.070(8) of the GMA states that the parks and recreation element must implement and be consistent with the parks and recreation facilities identified in the Capital Facilities Element. The element must also include three components:

- Estimates of park and recreation demand for at least a 10-year period.
- An evaluation of facilities and service needs.
- An evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

This Element meets these directives. The Parks, Recreation, Trails and Open Space Appendix provides an inventory and evaluation of demand and facility and service needs.

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Americans with Disabilities Act (ADA)

The ADA was signed into law in 1990 and it is an important piece of legislation that ensures physical accessibility for people with disabilities. The City of Black Diamond is committed to providing equal access under Title II of the ADA for its parks, recreational and trails system.

Kommentar [BK1]:

Kommentar [BK2]: Added ADA language that was inadvertently deleted during formatting of updated CP document.

Washington Recreation and Conservation Office (RCO)

The RCO is a significant source of grant funding for parks and recreation in the State of Washington. The RCO oversees parks and recreation planning throughout the state and through its grant program and ongoing planning activities, the RCO seeks to enhance and maintain statewide opportunities for recreation and protect the best of the state's wildlands and threatened and endangered species.

The RCO program provides leadership, funding and technical assistance to help communities plan for and implement parks and recreation projects. These projects may include trails, playfields, and other park facilities. In addition, the program helps to protect and restore the state's important habitat and biological heritage through open space protection and conservation.

Countywide Planning Policies

The King County Countywide Planning Policies (CWPPS) require the identification and protection of local open space in comprehensive plans. The Community Character and Open Space chapter of the King County Comprehensive Plan includes a requirement that all jurisdictions shall identify, establish and protect recreational open space and environmentally sensitive areas (King County, 2012). This requirement encourages policies that establish and contribute to the protection and stewardship of open space lands and green corridors.

3.3 Parks, Recreation, Trails, and Opens Space Concepts

The Black Diamond Parks, Recreation, Trails, and Open Space Element highlights the following Vision Goals:

- ❖ **Natural Environment Vision Goal 1:** Retain the City's natural environment and scenic beauty.
- ❖ **Land Use Vision Goal 1:** Establish a pattern of development that maintains and enhances a safe and healthy quality of life within the community.
- ❖ **Capital Facility Vision Goal 1:** Ensure that public facilities and services are available to support future development.
- ❖ **Parks, Recreation, Trails, and Open Space Vision Goal 1:** Support the stewardship of natural resources and amenities throughout the community in the form of parks, trails, open space, and recreation.
- ❖ **Economic Development Vision Goal 1:** Encourage job creation by making the community a better place to live, work, play, and do business.

Black Diamond is committed to the continued provision of accessible and well-maintained facilities and services for current and future residents and to promote environmental conservation and education for

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publicly owned natural open space areas. The City endeavors to provide a system of parks, trails and recreational facilities that are located within easy reach of every resident and which meets the community's diverse recreational needs. The City will most likely continue to face the challenges of meeting the needs of a diverse range of age groups and interests, but it will work to strategically and creatively deal with these demands.

To meet the community's park and recreational needs, the City will have to focus on existing gaps in its parks and recreational system and resolve to meet future needs as it grows over the next 20 years. Meeting current and future needs includes having a full variety of park types, such as neighborhood and Community parks as well as enough recreational facilities to support the City's population. Trails are an important feature of the open space system. Trails provide people with valuable links and nonmotorized transportation between neighborhoods, parks, schools, and other public facilities, and commercial areas. By developing its trail system, the City will improve social interactions, health, and mobility for its residents.

These needs can be met through the strategic location of new parks, trails and recreational facilities and by maintaining and upgrading existing facilities. Adherence to adopted Levels of Service (LOS) standards assures that the City is serious about meeting its citywide parks and recreational needs, as will an ongoing dialog with city staff and legislators regarding system wide capital improvements and funding levels. LOS standards will guide the type and location of the new parks and facilities needed and enable the City to require new development to pay its proportionate share of such facilities.

Planning for and maintaining a network of open space areas and green corridors in and around Black Diamond as it develops is critical for the City to achieve desirable land use and development patterns over time. The intent of this is to enhance and protect the overall appearance and character of the city; to retain its sense of place, design and character. Connected open space areas and green corridors serve many important functions including recreation, fish and wildlife habitat and the connection of individual features that comprise a natural system (e.g. wetlands linked by a stream in a watershed). They help connect people with nature and provide numerous economic, health, and educational benefits as well as allowing spaces where the City's residents can play and rest. Black Diamond open space and green corridors are composed of parks and other publicly owned land, along with sensitive areas and their buffers.

Black Diamond continues to look for ways to improve its parks, recreation, trails, and opens space system. Coordination with other agencies and service providers is necessary for ensuring efficiencies in the utilization of park and recreational facilities and services. The City's network of open space, green corridors and trails needs to have connectivity with the broader, regional network to optimize system wide recreational, social, and environmental functionality.

3.4 Financing

The City's Capital Improvement Program (CIP) and Capital Facilities Plan contain capital project needs and funding sources for park projects. The parks, recreation, trails, and open space projects included in the City's CIP are the result of the overall strategic park planning efforts that include adopted LOS standards. Capital project financing comes from a variety of sources including current operating funds,

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Real Estate Excise Tax (REET), reserve funds, grants, private sector support, and voter-approved general obligation bonds. Additional funding sources such as park impact fees, user/concession fees, special use agreements, public-private partnerships, service contracts, and joint development ventures should be explored to ensure the City's financial capacity to meet its parks and recreational needs. In considering various park and recreation revenue sources as described above, funding sources should generally be matched to specific needs in order to take advantage of each fund's specific possibilities.

Specific funding strategies may include park and recreation program services user fees and general fund resources for facility maintenance, operation, minor construction, and facility development. Capital improvements can be funded through the general fund, real estate excise taxes, park impact fees, or other funding sources as described above.

3.5 Parks, Recreation, Trails, and Open Space Goals and Policies

- ❖ **PRTO Goal 1:** Support the stewardship of natural resources and amenities throughout the community in the form of parks, trails, and open space.
- ❖ **PRTP Goal 2:** Develop an interconnected system of local and regional parks, trails and open space.
- ❖ **Policy PRTO-1:** Include a variety of active, passive, developed, natural parks, trails and open spaces that are accessible to all residents.
- ❖ **Policy PRTO-2:** Black Diamond's natural beauty and ecology shall be represented in the parks, recreation, trails and open space system.
- ❖ **Policy PRTO-3:** Provide a citywide system of recreational facilities that are attractive, safe, functional, assessable and accessible to all segments of the population.
- ❖ **Policy PRTO-4:** Continue development of a trail system which shall connect the City's historic district, neighborhoods, Jones Lake, and Morganville with an integrated King County regional trail system, the Lake Sawyer park sites, and a state trail system along the Green River.
- ❖ **Policy PRTO-5:** Budgeting for repair and maintenance of existing park and recreational facilities shall be a priority.
- ❖ **Policy PRTO-6:** Development of new parks, trails and open space areas within the City shall involve:
 - Strategic planning to identify need, location, partnerships and funding opportunities,

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- Obtaining land by purchase or dedication,
- Emphasizing accessibility, recreational and environmental benefits, connectivity for nonmotorized transportation, and highlighting the historical aspects of the town's character, and
- Ensuring adequate maintenance and operational funding prior to development of new parks or recreational facilities.

❖ **Policy PRTO-7:** Maintain an up-to-date Parks Plan.

❖ **Policy PRTO-8:** Coordinate with property owners, neighboring cities, school districts, King County and Washington State Parks in the planning and provision of recreational activities and facilities.

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CHAPTER 4. NATURAL ENVIRONMENT

4.1 Introduction

This Natural Environment chapter is the framework for protecting the natural resources of the City. Black Diamond has an abundance of natural resources. The forests, fields, lakes, streams and natural drainage systems provide rich habitat for fish and wildlife unlike any other city in King County. The City's extensive natural beauty and intricate ecosystems form the basis of our natural resource and open space network that is integral to enjoying a high quality of life.

4.2 Planning Framework

Washington's Growth Management Act (GMA) requires cities and counties to designate critical (or sensitive) areas, which GMA defines as wetlands; critical aquifer recharge areas (CARAs); fish and wildlife habitat conservation areas; frequently flooded areas; and geologically hazardous areas. According to the GMA, critical areas must be protected using the "best available science" for designating, preserving, and mitigating for impacts when critical areas are affected by development.

The goals and policies in this chapter provide for the protection, preservation, and maintenance of sensitive areas to provide open space for the enjoyment of City residents; furnish habitat for fish, wildlife, flora and fauna; improve water quality; and reduce the risk to residents of flooding and geologic hazards. The City's sensitive areas ordinance (Black Diamond Municipal Code Chapter 19.10) regulates land use and development consistent with this Chapter. Maps illustrating the general area and distribution of the City's Sensitive Areas may be found in Appendix 3.

4.3 Natural Environment General Goals and Policies

❖ **NE Goal 1:** Designate and protect the City's sensitive areas.

- **Policy NE-1:** Use best available techniques to preserve and enhance the functions and values of sensitive areas through policies, regulation programs, and incentives.
- **Policy NE-2:** Actively engage with King Conservation District to develop a stewardship program to encourage private landowners to manage their land in ways that support the preservation of sensitive areas and associated buffers.
- **Policy NE-3:** Encourage the use of creative and appropriate site design and housing types to balance environmental protection and achievable density.
- **Policy NE-4:** Encourage clustering and density transfers for both commercial and residential development to retain natural features, habitat, and sensitive areas as open space.

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- **Policy NE-5:** Coordinate with adjacent jurisdictions and tribes to identify, protect, and develop enhancement plans and actions for habitat networks and wetlands that cross jurisdictional lines.

4.4 Wetlands Goals and Policies

Wetlands are areas that are inundated through ground or surface waters, either permanently or seasonally, such that they are able to support vegetation typically adapted to saturated soils. Wetlands perform many ecological functions, including flood control, reductions of erosion and siltation, water storage, groundwater recharge, water quality maintenance, nutrient absorption, and supplying fish and wildlife habitat. Additionally, wetlands provide opportunities for open space enjoyment, research and scientific study, and outdoor education, and are economic resources for hunting, fishing, and recreation.

❖ **NE Goal 2:** Protect wetlands as ecosystems, and essential elements of watersheds.

- **Policy NE-6:** Conserve areas of native vegetation that connect wetland systems, through regulations, incentives and non-regulatory means.
- **Policy NE-7:** Ensure wetlands can fulfill their natural functions as recipients of floodwaters and as habitat for wildlife through the sensitive areas ordinance.
- **Policy NE-8:** Prevent fragmentation of habitat areas and enhance biodiversity through development review procedures.

4.5 Fish and Wildlife Conservation Areas Goals and Policies

Fish and wildlife habitat conservation areas are lands meant for maintaining populations of species in suitable habitats within their natural geographic distribution so that the habitat available is sufficient to support viable populations over the long term. Fish and wildlife areas are fundamental to the quality of life of the Black Diamond community. Healthy systems that sustain fish and wildlife habitat provide ecosystem services that include clean and abundant water, protection from flooding and climate extremes, and recreational opportunities, and are sources of aesthetic and educational values.

❖ **NE Goal 3:** Promote preservation of fish and wildlife habitat corridors.

- **Policy NE-8:** Avoid disturbance to valuable fish and wildlife habitat through the proper location, design, construction, and management of new development.
- **Policy NE-9:** Minimize disruption of areas in current use by endangered wildlife species or by unique wildlife populations.

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- **Policy NE-10:** Protect and preserve habitats for species which have been identified as endangered, threatened, or sensitive by the State or federal government.
- **Policy NE-11:** Implement salmon habitat protection and restoration priorities identified in the Water Resource Inventory Area (WRIA) 9 plans.
- **Policy NE-12:** Minimize habitat fragmentation by linking wildlife habitats via corridors. Connect wildlife habitats with each other within the City and the region to achieve a continuous network.
- **Policy NE-13:** Coordinate land use planning and management of fish and wildlife resources with adjacent jurisdictions and Tribes.
- **Policy NE-14:** Maintain a long-term management strategy to prevent the spread of noxious weeds and manage these weeds where they are present in the City.
- **Policy NE-15:** Implement the Shoreline Master Program Restoration Plan.

4.6 Geologically Hazardous Areas Goals and Policies

The City of Black Diamond contains areas that are susceptible to the geologic hazards of erosion, sliding, earthquakes, or other geologic events such as differential settlement. In addition, portions of the Black Diamond area are subject to the hazards caused by geological events to areas of coal extraction, known as coal mine hazards. All these types of hazards pose a threat to health and safety of the Black Diamond community when incompatible development is sited in areas of significant hazards.

❖ **NE Goal 4:** Avoid and/or minimize potential impacts to life and property from geologic hazards such that the site is rendered as safe as one not containing such hazard.

- **Policy NE-16:** Permit and condition development in geologic hazard areas when it is demonstrated that potential hazards will be stabilized through engineering or structural solutions.
- **Policy NE-17:** Minimize areas of vegetation loss and grading disturbance to protect water quality and prevent erosion, when developing on moderate and highly erodible soils.

4.7 Critical Aquifer Recharge Areas (CARA) Goals and Policies

The City is located within the South King County groundwater management area. The groundwater management plan for South King County identifies the western and northwestern portions of the City as having

the potential to serve as aquifer recharge areas but offer little contaminant removal ability, leaving groundwater susceptible to contamination. The King County Comprehensive Plan mapped these areas as “Areas Highly Susceptible to Ground Water Contamination” (Figure 4-1). As shown on the figure, the map is

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intended for informational purposes only and is not specific enough to be integrated into City regulations.

❖ **NE Goal 5:** Protect the quality and quantity of groundwater used for public water supplies.

- **Policy NE-18:** Encourage the reduction of the use of pesticides and chemical fertilizers to the extent feasible and identify alternatives that minimize risk to human health and the environment.
- **Policy NE-19:** Reduce the rate of expansion of impervious surface in the City consistent with local, state, and federal regulations.
- **Policy NE-20:** Improve programs and management strategies designed to prevent and reduce contamination of street runoff and other sources of stormwater.
- **Policy NE-21:** Use LID (Low Impact Development) techniques to manage stormwater runoff.

Kommentar [BK1]: This policy was inadvertently deleted during final formatting of the adopted Plan.

All subsequent policies have been renumbered with the addition of this policy.

4.8 Frequently Flooded Areas Goals and Policies

Frequently flooded areas are floodplains and other areas that are subject to flooding. They typically include areas within the 100-year floodplain, which is designated by the Federal Emergency Management Agency (FEMA). Frequently flooded areas are generally flat and low-lying and are adjacent to rivers or streams that flood during storm events. These areas perform important hydrologic functions and may present a risk to persons and property from the movement of large volumes of water and debris downstream during storm events.

❖ **NE Goal 6:** Reduce flood related financial and public safety impacts.

- **Policy NE-22:** Minimize the alteration of natural surface water features by man or wildlife that retain or carry floodwaters and prevent land alterations that would increase potential flooding.
- **Policy NE-23:** Seek to meet or exceed regulatory standards for floodplain development as these standards are updated for consistency with relevant local, state, and federal requirements including those related to the Endangered Species Act.

4.9 Climate Change

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❖ **NE Goal 7:** Recognize the value of ongoing preparation and planning climate change impacts by participating in and supporting local and regional efforts to reduce greenhouse gas emissions and prepare for climate change impacts.

- **Policy NE-24:** Reduce greenhouse gases through energy conservation, urban forests, and a reduction in vehicle emissions.
- **Policy NE-25:** Encourage the innovation of renewable energy resources.
- **Policy NE-26:** Promote energy conservation and maximize energy efficiency with programs and educational initiatives aimed to “reduce, re-use, and recycle” at individual and community-wide levels.
- **Policy NE-27:** Support the use of renewable resources and improvements in energy efficiency for new and existing development.

4.10 Air Quality

Because of its geographic and climatic characteristics, the City experiences prevailing winds, long summer days, and temperatures higher than those experienced in coastal areas of King County. Although there are no air quality monitoring stations in the planning area, southeast King County has a higher concentration of ozone pollution than the rest of the county.

❖ **NE Goal 8:** Identify and reduce or eliminate sources of air pollution.

- **Policy NE-28:** Adopt local land use planning and development control procedures designed to avoid and mitigate adverse cumulative air quality impacts prior to project approval and construction.
- **Policy NE-29:** Discourage using wood as a source of heat for residential development in low-lying areas susceptible to pollution accumulations.
- **Policy NE-30:** Conform to the federal and state clean air acts.

4.11 Water Quality

The City’s policies regarding water quality recognize the importance of groundwater and surface waters as a resource and a critical source of drinking water, especially in rural areas. Groundwater is also used for industrial purposes, to generate power, and to irrigate farmland. A finite amount of precipitation is available to replenish local water resources and most of this occurs during the fall and winter. The precipitation that reaches the ground replenishes groundwater and provides base flow for streams, wetlands, and rivers during the dry months of spring and summer. The base flows sustain fish, wildlife, and their habitats, and recreational values.

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❖ **NE Goal 9:** Ensure the long-term protection of the quality and quantity of groundwater resources within the City.

- **Policy NE-31:** The City recognizes the need for aquifer protection and will continue to coordinate planning efforts with King County in maintaining the management plan for South King County ground water through the South King County Ground Water Advisory Committee.
- **Policy NE-32:** Adopt stormwater regulations consistent with Ecology's Surface Water Management Manual for Western Washington (2012 or as revised).
- **Policy NE-33:** Require the installation of temporary erosion control measures before construction begins and, after the completion of construction, and their maintenance through the stabilization of the site to control the quantity of sediment entering surface water.
- **Policy NE-34:** The City should encourage and practice low impact development approaches for managing stormwater to protect water quality by controlling pollutants and minimizing flooding and erosion.

4.12 Native Vegetation

The City's native vegetation policies address the value of protecting native vegetation and enhancing Black Diamond by planting native vegetation. It helps stabilize the environment's ecological balance by helping to cool and purify the air, generating oxygen, absorbing carbon, slowing and absorbing stormwater runoff, stabilizing slopes, reducing erosion, masking noise, containing glare, and conserving energy. Native vegetation enhances the community's appearance, identity, and natural beauty while providing habitat for fish and wildlife.

Along waterways, wetlands and lakes, native vegetation provides many important functions: it shades the water, thus reducing its temperature in the summer, and it slows stormwater, thus reducing its erosive forces and stabilizing steep slopes. Native vegetation is the basis of the food web that supports local fish and wildlife, and it provides habitat elements for their survival.

Clearing and grading native vegetation for development can affect the community negatively because it can increase stormwater runoff by removing the vegetation and organic soils that absorb rainwater. Excessive erosion can be very damaging to water quality on adjacent and downstream water bodies, including those that support salmon and other fish. Requirements for clearing and grading and for preserving and replanting native vegetation help prevent these negative impacts by minimizing runoff and erosion.

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❖ **NE Goal 10:** Preserve trees and native vegetation to protect habitat and ecological functions.

- **Policy NE-35:** Require protection of significant trees and limit unnecessary disturbance of vegetation during all phases of development and require mitigation as needed, including replacement for trees removed during development.
- **Policy NE-36:** 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.
- **Policy NE-37:** Preserve native vegetation within streams, wetlands, and their associated buffers.
- **Policy NE-38:** Plant suitable native vegetation within degraded stream, wetland, and lake buffers. Encourage planting suitable native trees and native vegetation within steep slopes.
- **Policy NE-39:** Encourage removal of noxious and invasive species as a significant threat to native ecosystems.
- **Policy NE 40:** Require native vegetation that supports wildlife instead of non-native plant species and eliminate the use of invasive species when landscaping new developments.
- **Policy NE 41:** Monitor compliance with the City's Tree Preservation Ordinance to maintain rural character.

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CHAPTER 5. LAND USE

5.1 Introduction

The land use element is central to the City of Black Diamond comprehensive plan and is intended to influence or alter development patterns over time. Decisions about the types and locations of land uses will determine where people live, shop, work, and play. The land use designations included in the element

are meant to positively affect the quality of life in Black Diamond by determining the patterns and location of land uses and reducing the environmental impacts of future development and redevelopment. The land use element should be sensitive to the natural environment and physical constraints of land, while accommodating anticipated future growth and including community involvement in the comprehensive plan process.

5.2 Planning Framework

The Growth Management Act (GMA) requires a land use element to address the following items:

- ❖ The proposed general distribution, location, and extent of land uses;
- ❖ population densities, building intensities and estimates of future population growth over the next 20 years;
- ❖ provision of open space;
- ❖ protection of critical (sensitive) areas and public land;
- ❖ protection of the quality and quantity of groundwater used for public water supplies;
- ❖ review of drainage, flooding, stormwater runoff in the area and nearby jurisdictions, including guidance for corrective actions to mitigate or cleanse discharges that pollute waters of the state; and
- ❖ planning approaches to physical activity;

This chapter addresses all the above except for sensitive areas which are discussed in Chapter 4, Natural Environment, water quality, stormwater runoff, flooding, and the provision of land for public purposes which are discussed in Chapter 8, Capital Facilities.

The community's vision is to guide and manage growth in a manner that promotes the City's natural beauty, friendly and community based small town atmosphere, and economic viability. This land use element supports the vision by providing a means to achieve and maintain desirable land use balances and development patterns over time.

5.3 General Land Use Goals and Policies

Black Diamond's overall land use concept is a shared desire to develop as a balanced community like traditional small towns that retain their distinctive local identity. A balanced, traditional small town means that the City will provide a variety of housing types, retail goods and services, and employment opportunities in proximity to one another. As the City grows, it is committed to protecting its sensitive

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areas, Treasured Places (e.g., historic structures and sites), and to retain the open spaces as key elements around which other land uses will be organized.

- ❖ **LU Goal 1:** Establish a pattern of development that maintains and enhances a safe and healthy quality of life within the community.
- ❖ **LU Goal 2:** Provide physical accessibility throughout the City.
 - **Policy LU-1:** Provide adequate land balance with a diversity of places to live, shop, work, and recreate.
 - **Policy LU-2:** Create an open space system that frames and separates distinct areas of development within City limits and urban growth areas (UGAs)/potential annexation areas (PAAs).
 - **Policy LU-3:** Explore new and existing funding sources to provide public services, amenities, and infrastructure.
 - **Policy LU-5:** Promote the health and well-being of Black Diamond residents by incorporating the importance of recreational facilities and opportunities for physical activity into development proposals.
 - **Policy LU-5:** Explore regulatory and financial incentives to encourage and support development that meets higher performing energy efficiency and environmental standards.
 - **Policy LU-6:** New developments should be designed to incorporate features to encourage alternative travel modes, such as biking, walking, and transit.

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Transfer of Development Rights (TDR) Program

The City's TDR Program was established as part of the Black Diamond Urban Growth Area Agreement (BDUGAA) and the Black Diamond Opens Space Agreement (BDOSPA). The TDR Program is central to the MPD Development Agreement for providing density bonuses to appropriate development sites while at the same time removing development rights from areas that have been determined to be of a greater public benefit as open space, parks, or community facilities. The TDR Program map shown in the Land Use Appendix in designates sending and receiving areas. TDR receiving areas are shown as an overlay on the Future Land Use Map, Figure 5-2.

Treasured Places

Treasured Places are part of the City's Transfer of Development Rights (TDR) Program. Treasured places are sites that offer outstanding environmental, resource or recreational value and/or provide significant public benefit by preserving or defining the character of the City. Treasured Place status is granted from City Council on property upon request. To qualify, the property must offer a unique public benefit using the following evaluation criteria:

- The property is a significant land resource that supports multiple environmental, resource or recreational purposes.
- The property offers educational or recreational value.
- The size of the property is of such size that the preservation of its environmental, resource or recreational values contribute to the character of the city.
- The property's open space value is substantially threatened due to encroaching, incompatible development patterns.
- The lands designated as treasured places become TDR "sending sites".

5.4 Community Character and Design Goals and Policies

Community character relates to the types of land uses and overall function, look and feel of different parts of the City. Character and design relate to key design elements, mixtures of uses, and the related activities and intensities of development. These are expressions of the relationship between the natural and built environment. The land use designations in this chapter define the intended character and function of the respective area. The City's "traditional" zoning approach must be implemented in a manner that achieves the intent of these small-town "character designations".

The community has expressed its strong desire that the City preserves forested areas and open spaces, views of Mt. Rainier, treasured places (e.g. historic and cultural places and structures), and a strong sense of community. The City will apply these fundamental principles to retain its small-town character:

- Retain the natural setting.
- Identify and protect treasured places and landmarks.
- Provide a mixture of uses and continuity of form.
- Encourage small scale residential, commercial, and mixed used development.

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- Implement Design Guidelines
- Recognize that the City is integrally connected to the larger region.
- Provide public spaces for social interaction, neighborliness, community, and civic life.

❖ **LU Goal 3:** Preserve the urban forest, significant trees, open spaces, views of Mt. Rainier, Treasured Places (e.g. historic and cultural places and structure), that are part of the community's identity.

- **Policy LU-7:** Use development regulations such as the Lighting/Dark Sky Ordinance to enhance and protect the overall appearance and character of the City.
- **Policy LU-8:** Retain a sense of place by protecting the community's important natural features and Treasured Places and support the City's Tree Preservation Program.
- **Policy LU-9:** Use building design, zoning regulations, and design standards to promote the development of buildings of a character and scale appropriate to the site and foster building variety while providing for designs that reflect the distinctive local character, historical character, and natural features.
- **Policy LU-10:** Develop incentives for infill development, redevelopment, and reuse of existing buildings and sites, provided that they enhance the existing character of the areas around them.
- **Policy LU-11:** Continue to rely on, evaluate, and enhance the City's Transfer of Development Rights (TDR) Program as an innovative technique to focus growth outside sensitive areas.
- **Policy LU-12:** Major entrances into the City will be given symbolic markers and landscaping to create a gateway effect around SR 169 and Roberts Drive.

5.6 Historic Preservation Goals and Policies

Maintaining the City's distinct historical settlement pattern as it grows, requires the retention of important historical elements. Historical resources make significant contributions to a sense of community and its quality of life and are sources of pride.

Historical downtowns and neighborhoods have invigorated local economies and these assets should be broadly interpreted to include structures, landmarks, sites, and views.

Design guidelines have been developed for areas of historical character. The intent is to ensure that the renovation and alteration of existing structures, as well as the construction of new buildings, are done in

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a manner that maintains the character of the district and improves its economic viability. Design guidelines for commercial and residential structures in historical areas were developed that address topics such as exterior building design and materials, setbacks from the street, and signage, sidewalks, building bulk, site design, and materials.

❖ **LU Goal 4:** Preserve historic resources to maintain the character of the City’s core historic fabric.

- **Policy LU-13:** Provide reasonable flexibility in applying development requirements and building codes to promote the preservation and rehabilitation of historically and culturally valuable buildings and sites.
- **Policy LU-14:** Explore alternatives to the demolition or inappropriate exterior modification of structures and sites that are historically significant or otherwise deemed eligible for state, or national registers to accommodate private or public-sector development proposals.
- **Policy LU-15:** Promote Old Town as the City’s primary historical component with the use of design standards.
- **Policy LU-16:** Encourage land uses and development that retain and enhance significant historical resources and sustain historical community character.
- **Policy LU-17:** Protect views of Mt. Rainier as the City develops and grows by using innovative and flexible development standards such as ability to alter setbacks and require changes in building size and shape to preserve view corridors.
- **Policy LU-18:** Partner with county, state and tribal agencies to ensure preservation of archaeologically significant sites.

Future Land Use Designations

The following describes each of the City’s future land use designations and the goals policies for implementing them. This coupled with the Future Land Use Map in Figure 5-2 provides the framework for organizing and directing land uses in Black Diamond. When densities are referred to in this chapter, they are expressed in the number of units per net acre of land, which is the total area within a parcel boundary excluding sensitive areas and buffers. Geologically hazardous areas are not subtracted as part of calculating net density.

5.7 Master Planned Development (MPD) Overlay

An overlay is a tool that is placed or laid “over” a base land use designation and establishes regulations that are in addition to those of the “underlying” zoning designation. The intent of the MPD overlay is to tailor criteria and implementing regulations for lands that have been proposed for an MPD. The MPD overlay is intended to take advantage of opportunities to create a clustered mix of residential,

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commercial, or civic uses along with open spaces and public facilities, on large sites in appropriate locations. These sites typically consist of large parcels in common ownership where a master plan will be developed to guide unified development over a period of many years.

The MPD overlay is applied to areas that are intended to allow a mix of those land uses and residential densities as depicted on the Future Land Use Map, Figure 5-2. Areas with an MPD overlay designation are intended to develop only after approval of an MPD permit pursuant to Black Diamond Municipal Code. An MPD may include residential and commercial uses clustered around private and community open space, supported by adequate services and facilities. As part of the process of approving an MPD, a specific development plan or site plan shall be prepared and will specify the residential and nonresidential uses, densities and intensities, phasing of development, and specific development standards that apply to the site. Some MPD sites may also be designated as TDR receiving areas.

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.
- Existing or planned public facilities are adequate to support the planned development density.
- The area is not predominated by environmentally sensitive areas, and/or the development plan contains standards that will allow development while providing appropriate protection to the environmentally sensitive areas. The level of protection must be equal or better than that provided by the City's environmentally sensitive area policies and regulations.
- There is either a need for or benefits that will clearly derive from providing flexibility in zoning that cannot be provided by other mechanisms.
- The parcels are at least 80 contiguous acres in area and in single or unified ownership ~~or is subject to a pre-annexation agreement that requires an MPD for the parcel.~~
- The development plan requires flexibility to meet the requirements of an MPD.
- The MPD will provide public benefits, in the form of preservation or enhancement of physical characteristics, conservation of resources, provision of employment, improvement of the City's fiscal performance, provision of adequate facilities, and other public benefits identified by the City.

Kommentar [BK1]: New added language shown in underline text.

Kommentar [BK2]: New added language in underline text. Deleted language in strikethrough format.

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- At least 50% of the MPD site is devoted to open space uses, which may include recreational amenities.
- Adequate mitigation, consistent with Black Diamond Municipal Code and state and federal codes for adverse impacts on the community, neighborhood, and environment is provided.
- MPD densities are urban (min 4 dwelling units per acre).

MPD Goals and Policies

❖ **LU Goal 5:** Provide for alternative, innovative forms of development that preserve open space and promote a balanced mix of housing, employment, civic and recreational activities.

- **Policy LU-19:** Provide significant opportunities for public involvement when considering an MPD proposal
- **Policy LU-20:** Require innovative site design and use of progressive techniques to provide for environmentally sustainable development. This will include the use of “low impact” engineering techniques and the employment of “green infrastructure and construction” as feasible.

5.8 Transfer of Development Rights (TDR) Receiving Area Overlay

The TDR Receiving Areas Overlay is applied to lands that, pursuant to City policies, annexation agreements, or other legal instruments of records, are identified as areas that are suitable to receive development density bonuses through the TDR Program. Properties to which the TDR Receiving Area Overlay is applied should be those identified through the City’s TDR program, as codified in the Black Diamond Municipal Code. The TDR Receiving Areas are intended to develop at urban densities only after the transfer of development rights. General criteria for designating TDR Receiving Areas includes the following:

- Existing or planned public facilities are adequate to support the planned development density.
- The area is not predominated by environmentally sensitive areas, and/or the development plan contains standards that will allow development while providing appropriate protection to the environmentally sensitive areas.
- The level of protection must be equal or better than that provided by the City’s environmentally sensitive area policies and regulations.
- There is either a need for, or benefits will clearly derive from providing flexibility in zoning that cannot be provided by other mechanisms.

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5.9 Gateway Corridor Overlay

The purpose of the gateway corridor overlay is to provide standards to protect the scenic character of the city's gateways along the SR 169 corridor, with its commanding views of Mount Rainier and other attractive natural features and also along the Auburn-Black Diamond Road to provide a positive transition from the adjacent rural unincorporated area.

The Gateway Corridor Overlay is applied to the following areas:

- Within two hundred feet of the State Route 169 right of way, commencing at the city's northern most boundary to the north side of the Roberts Drive intersection; and
- Within two hundred feet of the Auburn Black Diamond Road from the western city limits eastward to its first intersection with an arterial street.

5.10 Urban Reserve Goals and Policies

Under the provisions of the GMA, counties must identify Urban Growth Areas (UGAs) around existing cities within the County to accommodate planned growth. A UGA defines the area around the city that is available for its expansion during the 20-year planning period.

The UGA defines the limit within which the full range of urban services will be provided. Urban services typically refer to sanitary sewer and public water. GMA discourages the provision of urban services beyond UGA boundaries. Growth is first directed into areas already urbanized and that have existing public facility and service capacities. The purpose is to promote more compact urban development within, and adjacent to, existing urban areas in order to insure efficient utilization of land resources and to facilitate economic provision of urban services.

The King County designated UGA encompasses all cities located within the county. The boundary of the UGA is established by the County in consultation with the cities through consideration of land use demand projections, identification of critical and resource lands, and determination of areas already characterized by urban growth.

Potential Annexation Areas (PAAs) are areas adjacent to incorporated areas, within the King County designated UGA that have not yet been annexed to a city. As part of development of the Countywide Planning Policies (CPPs), King County and the cities throughout the county collaborated in determining each jurisdiction's most logical boundaries for long-term delivery of urban governmental services. The PAAs developed by the cities are included in the King County CPPs.

As of 2016, Black Diamond's PAAs include two areas totaling approximately 390 acres that have been identified as appropriate for future annexation. The PAAs are shown on the Future Land Use Map as "UGA/PAA". These two areas are the Lake 12 annexation area including a portion of SE Green River Gorge Road and West Lake Sawyer Annexation Area located west of Lake Sawyer along the Covington-Sawyer road, including Kentlake High School.

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The Urban Reserve designation recognizes Planned Annexation Areas (PAAs) that will not be considered for annexation until a plan for extending the required utilities is developed and financed. The Urban reserve designation allows for single-family residential uses, their accessory uses and public and semipublic uses that meet appropriate development standards.

❖ **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.**

Kommentar [BK3]: New added language in underline text.

❖ **LU Goal 7: Annexation may only occur in areas that can be serviced by adequate public facilities, utilities, and services**

Kommentar [BK4]: Numbering – old LU Goal 6 becomes 7.

- **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.
- **Policy LU-22:** Give priority to infill development within the city limits and existing urbanized unincorporated areas.
- **Policy LU-23:** Urban development within a Potential Annexation Area will not occur without annexation. unless there is an interlocal agreement with King County defining land use, zoning, annexation phasing, urban services, street and other design standards and impact mitigation requirements.
- **Policy LU-24:** Consider only annexations that are within the PAA. Annexations shall be phased to coincide with the ability of the City, public services districts and utility providers serving the area to provide a full range of urban services to areas to be annexed.
- **Policy LU-25:** Approval of the annexation of the Lake 12 Area shall include permanent public access to the lake.
- **Policy LU-26:** Prior to annexing the Lake 12 Area, a traffic study shall be completed to determine the appropriate city road standards that apply to all public roads within the annexation area.
- **Policy LU-27:** Development in the Urban Reserve designation shall not be allowed until plans for public water, sewer, and other services are available and planned for with adequate funding mechanisms. Such plans shall be developed prior to or concurrent with annexation.

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5.11 Residential Goals and Policies

Low Density Residential (LDR)

The Low Density Residential (LDR) designation provides primarily for single-family residential neighborhoods on lands suitable for residential development. This designation is intended to foster stable and attractive residential neighborhoods. It should be applied to both existing developed neighborhoods and areas intended for future development. Some of these areas are also designated as TDR receiving areas and are potentially eligible for additional density. Increased density in the LDR designation would only be possible within an approved MPD area with a transfer of development rights from a designated sending area. Residential densities may range from a base density of 4 units per acre to 6 units per acre with the acquisition of TDRs.

LDR Designation Criteria

Properties designated Low Density Residential should generally reflect all the following criteria:

- Existing or planned public facilities are adequate to support residential development at this density.
- The area is free of significant amounts of environmentally sensitive areas, excluding aquifer recharge areas.
- If the area is undeveloped, it is proximate to a neighborhood of single-family dwellings or is well suited to that use and is not suited to more intense residential development.
- The area is identified for Low Density Residential (LDR) development as part of an MPD.

Medium Density Residential (MDR)

The Medium Density Residential Development designation provides for stable and attractive residential neighborhoods of small lot, single-family homes, or attached single- and multi-family residences on lands suitable for these residential intensities. Medium Density Residential areas should be located near commercial services, employment, and arterial roads, and may also be in mixed-use developments. The base residential density in these areas is 8 units per acre. Increased density may be approved up to 12 units per acre with the acquisition of TDRs.

MDR Designation Criteria

Properties designated Medium Density Residential (MDR) should reflect all the following criteria:

- Existing or planned public facilities are adequate to support residential development at this density.
- The area is free of significant amounts of environmentally sensitive areas.
- The area fronts an arterial.
- The area is developed and consists of a mix of attached and detached housing types. A residential neighborhood that is primarily single family with a strip of multifamily housing along an arterial does not meet this criterion.

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- Medium density housing can be developed to be compatible with existing development.
 - The area is identified as a receiving site for density under the TDR program.
- ❖ **LU Goal 7:** Protect and enhance the viability, livability, and affordability of residential neighborhoods while integrating multifamily development and higher residential densities where appropriate.
- **Policy LU-28:** Promote a variety of housing types to provide homes for all income levels and all family sizes on a mix of small and large lots.
 - **Policy LU-29:** Residential development patterns must allow for efficient provision of public services and utilities.
 - **Policy LU-30:** Promote developments to achieve maximum zoned density through clustering to create compact new communities surrounded by open space.
 - **Policy LU-31:** Allow multi-family residential in identified areas or when integrated as part of a MPD.
 - **Policy LU-32:** Use the MPD process to review all proposals on sites larger than 80 acres.

5.12 Industrial, Light Industrial/Business Park Goals and Policies

Industrial (I)

The Industrial (I) designation is intended to provide for industrial enterprises that manufacture and distribute goods for regional, national, or worldwide markets, and that supply jobs and a tax base for the economic growth and stability of the community and region. The industrial zone will accommodate changing industrial technology and facility siting requirements under performance standards that protect nearby properties and environmentally sensitive areas and will protect industrial uses by prohibiting intrusion by non-industrial uses except those that are considered accessory to industrial enterprises. Uses will provide appropriate opportunities for manufacturing, warehousing and distribution, including outside manufacturing and mineral resource processing, where continuing operations do not harm surface and groundwater resources.

Light Industrial/Business Park (LI/BP)

The Light Industrial/Business Park (LI/BP) designation encourages manufacturing activities and manufacturing-related businesses with attractively designed and efficiently used areas for research and development and advanced technology manufacturing. To protect the community and the natural environment, allowed uses are those that do not create significant hazards or negative impacts. The allowed uses and site regulations in the light industrial/business park zone will provide appropriate

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opportunities for manufacturing, advanced technology manufacturing, research and development, light industrial uses, wholesale businesses and essential public facilities, located in a campus-type setting. Corporate and general offices will also be allowed. Limited commercial and retail service activities that support the employees of the immediate area may also be found in this designation. Uses that require significant amounts of storage (both indoors and outdoors) of materials and equipment may be allowed after being subject to screening requirements and an evaluation of compatibility with adjacent uses.

❖ **LU Goal 8:** Provide sufficient opportunities for industrial and business park development sites within the community.

- **Policy LU-33:** Provide local employment opportunities that support the City as a sustainable community.
- **Policy LU-34:** Create an aggressive economic development strategy, with the cooperation of the City, County and business and property owners.
- **Policy LU-35:** Ensure that all Industrial, Light Industrial and Business Park development is consistent with all appropriate environmental standards.
- **Policy LU-36:** Ensure that zoning regulations are sufficiently flexible to accommodate changing industrial needs.
- **Policy LU-37:** Ensure that all Industrial, Light Industrial and Business Park development is functionally and aesthetically compatible with surrounding uses.
- **Policy LU-38:** Recognize that Light Industrial and Business Park uses can be compatible with other less-intensive uses where appropriate performance standards are established.
- **Policy LU-39:** Require Industrial/Light Industrial and Business Park areas to be functionally and aesthetically compatible with existing uses and to buffer impact generating uses from other uses, and site them carefully to minimize environmental impacts.
- **Policy LU-40:** Within areas approved for mineral extraction, require site reclamation and restoration pursuant to state mining laws, local environmental, and land use regulations.
- **Policy LU-41:** Protect industrial lands from encroachment by incompatible uses and development on adjacent lands. Proposed conversions of industrial and employment

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lands to non-employment lands should be discouraged unless there is no net loss of employment within the City.

5.13 Commercial Goals and Policies

Town Center Commercial (TC)

The Town Center (TC) designation recognizes and continues the pattern of development found in the historic “Old Town” center as a community focal point. Black Diamond’s town center as reflected by the Town Center designation is the social and cultural heart of the community and its character should be protected and enhanced. Mixed uses in this area should be encouraged. The Town Center designation is intended to be applied to the historic Old Town center.

Community Commercial (CC)

Larger, community-scale centers outside of the Town Center are intended to meet the community’s growing needs, serve the needs of the surrounding area, and accommodate commercial uses that require larger sites, involve significant areas of outdoor product display or storage, or are oriented to the needs of the motoring public. Community Commercial areas will allow retail, restaurants, motels/inns, professional offices, entertainment and cultural uses, public and semi-public uses. Community Commercial areas may also include land-intensive commercial activities such as automotive sales, lumberyards, and other activities that include outdoor product display and/or storage.

Community Commercial areas should be located along major arterial routes, such as SR 169 to serve the broader community with a wider range of goods and services. Access to the arterial should be limited to combine access points to commercial developments, preferable that being an intersecting public street. Interconnectivity for both vehicles and pedestrians should be provided between sites. Sufficient land within the City should be designated to allow for development of uses that provide significant employment opportunities and potential of sales tax generation. To that end, the Community Commercial designation is not intended to be a mixed-use area and residential development should not be allowed.

Kommentar [BK5]: New added language in underline text format.

Neighborhood Commercial (NC)

Areas designated Neighborhood Commercial (NC) are intended to provide smaller scale neighborhood centers with convenience goods and services, while protecting neighborhood character. They are also intended to help reduce automobile trip lengths and frequency and to allow for non-motorized mobility.

Neighborhood Commercial areas will emphasize limited retail and service businesses that serve neighborhood pockets. Uses will include restaurants, food stores, day care centers, dry cleaning, personal care and medical and dental services, and similar services. Small B&B’s up to eight units will also be allowed in the NC designation. The design and scale of these areas, and the size, location and design of parking areas, must be compatible with the surrounding the neighborhoods. Pedestrian and (future) transit access will be encouraged by providing shared parking and buildings sited near sidewalks.

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This designation provides for a mix of uses, including residential development, on a single site ranging in size from three to a maximum of ten-acres. Development sites should be located in areas capable of being served by transit when available and capable of connecting to existing or planned pedestrian walkways or bikeways. Existing or planned public facilities must be adequate to support the intended scale of development.

Commercial goals and policies are as follows:

- ❖ **LU Goal 9:** Ensure that opportunities for convenient and concentrated commercial development are provided to support both the local and regional market.

- ❖ **LU Goal 10:** Encourage the concept of mixed-use development in the TC and NC Designations to create diverse and self-sufficient neighborhoods.

Kommentar [BK6]: New added language in underline format.

- **Policy LU-42:** Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.
- **Policy LU-43:** Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.
- **Policy LU-44:** Encourage well-planned, coordinated commercial development within the SR 169 area and discourage strip retail development through the use of design standards.
- **Policy LU-45:** Prioritize funding of infrastructure and community enhancement projects in the Town Center to encourage redevelopment and investment in this area.
- **Policy LU-46:** The Town Center area shall be pedestrian oriented and include a mix of parks, residential, civic, retail, commercial, office, entertainment, services, and hospitality services (inns and meeting centers).
- **Policy LU-47:** Parking in Community Commercial areas should be located to the sides and rear of buildings.
- **Policy LU-48:** Require cross-access between sites to reduce the number of driveways along arterial streets. Pedestrian connections between sites should also be provided.
- **Policy LU-49:** Promote a compatible mix of land uses that create a diversified environment that mixes shopping, employment, recreation, and residential opportunities where appropriate.

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- **Policy LU-49:** Promote quality in the design and construction of development through the use of design guidelines to maintain or enhance community character.
- **Policy LU-50:** Discourage the conversion of Community Commercial designated areas to uses that do not create jobs or ongoing sales tax revenue for the city.

Kommentar [BK7]: New added language in underline format.

5.14 Public Land Goals and Policies

The Public designation identifies properties under public ownership, whether by the City or other governmental entities that are either currently used or intended for uses such as public utilities, parks, libraries, community centers, or elementary schools. This includes the City's watershed, which is located approximately 1.5 miles southeast of the City limits and is otherwise surrounded by unincorporated King County. Lands falling within the Public category should be those intended to remain within public ownership and management for long periods.

- ❖ **LU Goal 11:** Ensure compatibility between land providing necessary services to the community and surrounding land uses.
- **Policy LU-50:** Public uses should respect the neighborhood and district context in which they are proposed by adherence to the City's design guidelines and zoning code.
- **Policy LU-51:** Public buildings and spaces should be designed to be compatible with Black Diamond's unique architectural heritage and qualities.
- **Policy LU-52:** Public buildings and spaces should fulfill their role as gathering areas and community resources.

5.15 Regional Coordination Goals and Policies

The City recognizes that coordination with neighboring cities, counties, and tribal government is a requirement for sustainable growth and prosperity. The GMA mandates regional coordination and Black Diamond shares planning and growth management responsibilities with King County and the Puget Sound Regional Council (PSRC). In addition to the regional coordination of comprehensive plan policies and allocation of population and employment growth targets, the GMA requires that city and county development regulations identify a process to review the siting of "essential public facilities". These are large scale land uses that provide regional benefits and include airports, state educational facilities, state or regional transportation facilities, state and local correction facilities, solid waste handling facilities, and inpatient facilities (e.g. substance abuse, mental health, group home, and secure community transition facilities).

- ❖ **LU Goal 12:** Coordinate land use and development actions with government agencies, adjacent jurisdictions, and tribes as appropriate.

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- **Policy LU-53:** Use the countywide planning policies and PSRC Vision 2040 as a basis for regional coordination and land use decisions.
- **Policy LU-54:** Monitor implementation of the comprehensive plan for changed conditions in the City's anticipated growth, consistent with the City's vision, GMA requirements, countywide planning policies, and PSRC Vision 2040 and make amendments, as necessary.
- **Policy LU-55:** Coordinate with other governmental jurisdictions to site, when necessary, essential public facilities that are typically difficult to site and which are necessary to meet the needs of the regions present and future growth.
- **Policy LU-56:** Conduct appropriate public review and hearing processes, including environmental impact assessments and statements where appropriate, to ensure regional input on the siting of certain development activities.
- **Policy LU-57:** Ensure that essential public facilities sited in the City are consistent with the goals, objectives, and policies of the City's comprehensive plan.

5.16 Open Space Area Protection

A key implementing agreement of the Black Diamond Urban Growth Area Agreement, which provided for the City to expand through the annexation of approximately 467 acres in 1996, is the Black Diamond Area Open Space Agreement (BDOSA). This agreement was signed by King County, Black Diamond, the Plum Creek Timber Co. and the Cascade Land Conservancy in 2005. This agreement identified open space lands around the City for permanent preservation, see Figure 5-1. Open space is essential to the quality of life in Black Diamond. The City identifies the following areas as open space:

- All known environmentally sensitive areas, as regulated by the City.
 - Lands adjoining the Rock Creek, Ginder Creek, Lawson Creek, Ravensdale Creek, and other riparian corridors.
 - The following lakes: Jones Lake, Black Diamond Lake, Frog Lake, Lake Marjorie (Oak Lake), Lake Sawyer, and the land perimeters of those lakes when not subdivided.
 - All existing and proposed public parks and open spaces.
 - King County- and City-identified wildlife habitat corridors.
 - All City, County, and State Parks and trails.
- ❖ **LU Goal 13:** Preserve existing open space areas and continue to develop an open space network that offers opportunities for outdoor recreation and enjoyment and the provision of important ecological functions that contribute to the community's aesthetic beauty and character.

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- **Policy LU-58:** Create an open space system and map overlay for the primary unifying component of the comprehensive plan.
- **Policy LU-59:** Integrate all known significant natural areas (wetlands, streams, steep slopes, geologic hazards, and flood hazard areas) into the open space overlay.
- **Policy LU-60:** Protect and enhance the dominant natural features and open space structures, including gateways, viewpoints, and view corridors that characterizes the City.
- **Policy LU-61:** Protect the City's historical sites and structures by connection to the open space system.
- **Policy LU-62:** Plan for and retain a natural vegetation buffer around the perimeter of the City adjacent to unincorporated Rural-designated land. The buffer may vary in width based upon sensitive areas and other constraints. Once established by development, this buffer is to be permanent. Development adjacent to the buffer is encouraged to combine other open space features with the Urban-Rural buffer.
- **Policy LU-63:** Encourage the preservation and protection of open space through a variety of approaches, including but not limited to, TDR, open space tax incentives, cluster development, public land acquisition, conservation easements, and other public and private initiatives.
- **Policy LU-64:** Encourage the development of a stewardship plan for parks, recreation, trails, and open space. A stewardship plan would identify techniques and ways to maintain and enhance the active and passive open space areas (that lie outside the protected environmentally sensitive areas). The stewardship plan may rely on community involvement to implement the plan.
- **Policy LU-65:** Regularly review the Black Diamond Area Open Space Protection Agreement approved in 2005 to ensure that development is complying with this Agreement.

5.17 Shoreline Management

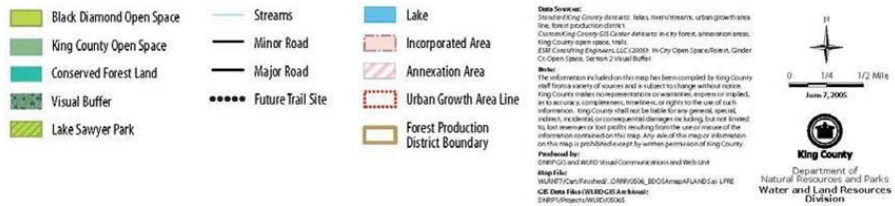
In 2014, the City updated its Shoreline Master Program (SMP) in accordance with WAC 173-26 and with a grant from the Department of Ecology. A map of shoreline jurisdiction is shown in the Land Use Appendix. Pursuant to RCW 36.70A.480, the Goals and Policies set forth in the City's Shoreline Master Program, including any future amendments, are hereby adopted and incorporated by reference into the Black Diamond Comprehensive Plan.

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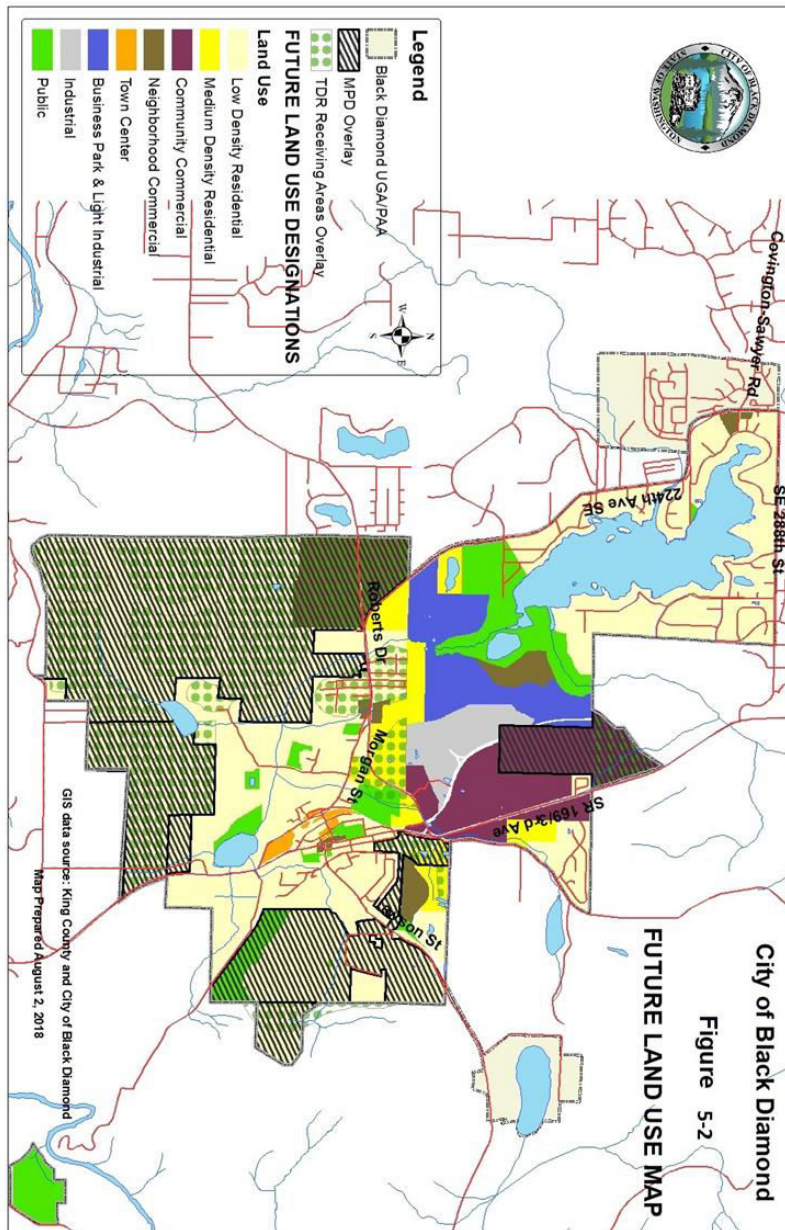
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5.18 Future Land Use Map



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CHAPTER 7. TRANSPORTATION

7.1 Introduction

The City of Black Diamond's (City's) transportation system is essential to its ability to move people and goods efficiently throughout the city and to provide connectivity between Black Diamond and the greater Puget Sound region. As with many communities, the City's development pattern, natural features and transportation system are inextricably linked. As a small community of predominantly rural character, the transportation network within Black Diamond is reflective of the original settlement pattern, varied topography, and gradual growth up to the present. As accounted for in this Comprehensive Plan update, significant amounts of new residential and commercial development are forecasted within the Lawson Hills and The Villages master planned developments (MPDs). This chapter of the comprehensive plan, also called the comprehensive transportation plan, identifies the policies and strategies for maintaining a safe, efficient, and effective transportation system that will serve both current and future needs for the City of Black Diamond. This chapter is supported by the Transportation Technical Appendix attached to this Plan, which summarizes the data analysis completed to support the comprehensive transportation plan.

7.2 Planning Framework and Consistency Statements

The Growth Management Act (GMA) (RCW 36.70A) includes planning requirements that link transportation directly to land use decisions and fiscal planning. The comprehensive transportation plan is structured within the context of these GMA requirements. Comprehensive Plans are required at a minimum to include the following elements for transportation:

- Inventory of local and state facilities and services
- Land use assumptions for estimating travel.
- Traffic forecasts for at least ten years based on adopted land use plan.
- Level of service (LOS) standard for local arterials, state facilities and transit routes.
- Estimated traffic impacts and needs to meet current and future demands.
- Action plan to show compliance with level of service standards
- Pedestrian and bicycle component.
- Multiyear finance plan that identifies funding resources for action plan.

The GMA also requires coordination and consistency among planning efforts where there are "common borders or related regional issues" (RCW 36.70A.100). The Act also requires countywide and multicounty planning policies to serve as frameworks for ensuring consistency among local comprehensive plans (RCW 36.70A.210). The City's comprehensive transportation plan has been prepared consistent with State GMA requirements.

In addition, the Regional Transportation Planning Organization legislation, which was adopted with the GMA, mandates that regional agencies, Puget Sound Regional Council (PSRC) in this case, certify that the transportation elements in local comprehensive plans are consistent with regional transportation plans (RCW 47.80.023). PSRC is tasked with reviewing local agency comprehensive plans to ensure that

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regional and local planning efforts are coordinated, and adopted regional policies and provisions are addressed. Most notably this includes Vision 2040, the region's strategy for addressing anticipated growth of population and employment through 2040. Transportation 2040 is the region's long-range transportation plan that outlines the investments and strategies needed to keep the region moving as growth occurs. Regional population and employment forecasts provided by PSRC that include city approved growth projections were used to estimate future transportation needs. The City's comprehensive transportation plan has been prepared consistent with PSRC's Vision 2040 and Transportation 2040 regional planning initiatives.

PSRC requirements for Comprehensive Plans include the following major elements for transportation:

- Include transportation system management and demand management programs and strategies.
- Use land development tools and practices that support alternatives to driving alone, including walking, biking, and transit use.
- Include complete street provisions and improve local street patterns for walking and biking.
- Avoid new or expanded facilities in rural areas.
- Design transportation facilities to fit the community in which they are located.
- Use urban design principles when developing and operating transportation facilities in cities and urban areas.
- Incorporate environmental factors into transportation decision-making, including attention to human health and safety.
- Identify stable and predictable funding sources for maintaining and preserving existing transportation facilities and services.

King County requirements are generally consistent with those of the GMA and PSRC. One exception is that the County requires each local jurisdiction to establish mode-split goals for non-single-occupancy vehicle travel to all significant employment centers.

Need for the Comprehensive Transportation Plan

In 1996, the City completed its first comprehensive transportation plan which was updated in 2001 and 2009. This update provides a revised look at the existing transportation system; addresses changes in legislative requirements; reflects changes in economic conditions; evaluates current needs; and reviews the adequacy of the planned transportation improvements with consideration of the Master Plan Developments to meet future travel needs and conditions. Consistent with the regional update cycle, the City's comprehensive transportation plan is being updated to:

- **Determine Existing Transportation Deficiencies.** An inventory of the transportation system identifies the existing needs of the Black Diamond community. Some existing transportation deficiencies, including several on State Route (SR) 169, can be attributed to growth in other jurisdictions. These deficiencies 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.

Kommentar [BK1]: New added language in underline format.

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- **Meet GMA Requirements.** The City is required by the GMA to develop a comprehensive plan including a transportation chapter that includes a list of future system improvements to meet identified future needs and a multi-year financing plan.
- **Qualify for Funding.** State and Federal agencies require local governments to have a comprehensive transportation plan that demonstrates the community's vision of its future. The City's population has been steadily growing since 1996 and is anticipated to exceed 5,000 by 2021, which will provide expanded opportunities to pursue additional grant funds.
- **Plan for the City.** Both public and private sectors can use the comprehensive transportation plan when making decisions about the transportation system.

Kommentar [BK2]: New added language in underline format.

7.3 Elements of the Transportation Chapter

This Chapter of the Comprehensive Plan, with the information provided in the technical appendix, includes the following key elements:

- **Transportation Policies.** A list of policies the City will focus on to develop and maintain an efficient transportation system;
- **Transportation Improvement Program.** A list of transportation improvements to mitigate traffic congestion;
- **Funding Strategy.** A plan for funding the improvements and a contingency plan with additional funding sources; and
- **Concurrency Management System.** A monitoring system the City will use to make sure the transportation network will be able to accommodate development as it occurs.

7.4 Transportation Policies

The policies contained in this chapter are designed to guide development of the City's transportation system to serve development allowed under the land use chapter and adopted zoning. These policies are intended to guide the actions of the City, as well as private decisions related to individual developments.

Design, Construction, and Maintenance

The following policies guide the design, construction, operation, and maintenance of the City's transportation system. An underlying objective is to develop a multi-modal transportation system to serve all existing and future land uses. The policies address design and construction standards of transportation facilities to accommodate all types of transportation safely and efficiently. Level of service standards, maintenance standards, and the need for Transportation Demand Management strategies are also addressed.

- ❖ **Policy T-1 Roadway Design Policy:** The City will ensure adequate and safe access to property via a system of primarily public and limited private roads by:

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- Utilizing the functional classification system for existing and planned roadways to determine the level of mobility for all travel modes, level of access, and use.
 - Establishing a range of transportation standards and criteria to ensure roadways are designed in a manner that fits within the context of the built or natural environment, and consistent with the intended functional classification.
 - Implementing urban design principles in transportation programs and projects within the locally designated Town Center, Old Town.
 - Ensuring all roadway designs are coordinated with King County, Washington State, the Federal Highway Administration, and Metro Transit to achieve compatible design criteria, where applicable. The standards will also comply with federal and state design criteria.
 - Investigating the allowance of “low impact development” designs that minimize pavement width and emphasize the use of landscaping, and natural stormwater infrastructure treatment methods.
- ❖ **Policy T-2 Intersection Design Policy:** Intersection design should prioritize safety and efficiency for active and motorized modes of travel thus the roundabout is the preferred intersection control type for all new intersections when the mainline is an arterial or collector. Alternative intersection control types may be selected if roundabouts are determined to be unfeasible or inappropriate by the City engineer based on evaluation of the following considerations:
- Safety for each mode of intersection users (e.g. pedestrians, bicyclists, motorists);
 - Adequacy of right of way and/or availability of additional right of way;
 - Environmental risks that could result in significant adverse environmental impact or substantially increase project costs; and
 - Physical context of project site including visual, natural and cultural setting.
- ❖ **Policy T-3 Connectivity Policy:** Improve local roadway features, and patterns in a manner that enhances walking, bicycling, and transit use through improved connectivity.
- The City of Black Diamond recognizes that increasing connections throughout the city not only reduces vehicle miles of travel and therefore, pollution and traffic congestion, but also increases the sense of unity in the community. Therefore, the City will limit the use of cul-de-sacs, dead end roads, loops, and other street layouts that form barriers to travel. Where roadway connectivity is impractical, pedestrian and bicycle access ways should be provided.
 - The City will encourage the use of trails and other connections that provide ease of travel at mid-block locations, between neighborhoods, and to key destinations. Private streets should generally only be allowed to serve a limited number of lots/dwelling units and/or only in unique circumstances. Private streets should not detract from overall motorized and non-motorized circulation.

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- ❖ **Policy T-4 Level of Service (LOS) Standard Policy:** Monitor and adjust LOS standards that promote the optimal movement of people and goods. Ensure that new development does not degrade transportation facilities below adopted standards.
 - The adopted standard shall be LOS D for intersections along SR 169 and LOS C for all other arterial and collector roadways, and transit routes within the Black Diamond city limits. The LOS shall be based upon the Highway Capacity Manual and methodology detailed in the Transportation Element Support Appendix.
 - Assess transportation LOS standards for potential inclusion of pedestrian, bicycle, and transit.
- ❖ **Policy T-5 Maintenance Policy:** Maintain the City's transportation system at a level with a goal of achieving and maintaining a Transportation Improvement Board (TIB) average pavement rating of 70 to 80 and that seeks to use sustainable processes and materials.
 - The City will establish programs and schedules, such as a pavement overlay program, for the level and frequency of maintenance on its roadways, bikeways, and sidewalks.
- ❖ **Policy T-6 Driveway Spacing Policy:** Limit and provide driveway access to the road network in a manner consistent with the function and purpose of each roadway.
 - The City will seek consolidation of access points to state highways, arterials, and major collectors. This will complement the highway and arterial system, reduce interference with traffic flows on arterials, and discourage through traffic on local roads.
 - New roadways or redeveloping properties must comply with the spacing standards to the extent practical, as determined by the city. As the opportunity arises through redevelopment, roadways not complying with these standards could improve with strategies such as shared access points, access restrictions (through the use of a median or channelization islands), or closure of unnecessary access points, as feasible.
- ❖ **Policy T-7 Local Access Policy:** Implement standards to limit the number of access points for each lot that may be served before a second point of access is required. Limit the length of dead-end streets by either distance or number of lots served. Safe and convenient access requires multiple routes of ingress and egress. This is important for both residential convenience as well as for fire and police protection. A standard should be developed that balances unique topographic characteristics, future development plans, and the need for providing adequate access.
- ❖ **Policy T-8 Transportation Demand Management (TDM) Policy:** Transportation demand management (TDM) helps people use the transportation system more efficiently through education, incentives, products, and programs that remove barriers to non-drive alone modes such as transit, carpool, vanpool, walking, biking, and teleworking. TDM activities help get the most out of transportation investments. TDM implementers seek to accomplish a primary objective: connect all people with travel options that optimize the transportation system's

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capacity. TDM activities produce wide-ranging benefits to individuals and the transportation system—saving people time and money and reducing traffic congestion, vehicle emissions, and fuel consumption while supporting physical activity and enhanced safety. TDM activities make existing transportation investments perform better, extend the life of existing infrastructure, and can improve outcomes for new investments. TDM is typically implemented through programs administered by employers, major institutions, local jurisdictions, transportation management agencies, transit agencies and other transportation agencies and providers. Examples of TDM actions include:

- Encouraging employers to provide information and promote the use of transit, carpools, or vanpools; promoting reduced employee travel during the daily peak travel periods through flexible work schedules and programs to allow employees to work part- or fulltime at home or at an alternate work site closer to home; and encouraging employers to provide TDM measures in the work place through such programs as preferential parking for High Occupancy Vehicles (HOVs), improved access for transit vehicles, and employee incentives for sharing rides.
- Establishing mode-split goals for non-single-occupancy vehicle travel to all significant employment centers in the City.
- Managing parking by including incentives for rideshare vehicle parking.
- Promoting reduced parking requirements for new construction.
- Promoting investments in walking and cycling infrastructure.

❖ **Policy T-9 Transportation System Management Policy:** Transportation System Management (TSM) is an approach to mitigating congestion and improving traffic operations through better management and operation of existing transportation facilities rather than expanding capacity.

TSM techniques are designed to improve traffic flow, air quality, and movement of vehicles and goods, as well as enhance system accessibility and safety using low-cost but effective strategies such as:

- Intersection and signal improvements
- Roadway bottleneck removal programs
- Data collection to monitor system performance
- Special events management strategies

The City of Black Diamond will encourage management of the transportation system by:

- Maintaining the existing transportation system assets;

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- Supporting use of HOVs, including buses, carpools, and vanpool programs through both private programs and the direction of Metro Transit;
- Implementing roadway connectivity, and access spacing standards;
- Investing in pedestrian, bicycle, and transit facilities; and
- Coordinating with WSDOT or other affected agencies to determine if communications or other ITS infrastructure should be addressed as part of roadway design/construction. Identifying opportunities to improve travel reliability and safety with TSM solutions.

❖ **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.
- Provide for transit user needs beyond basic provision of service (e.g., by providing sidewalk and bicycle connections, bus pads, benches, shelters) to encourage higher levels of use.
- Continue to provide sidewalk, bike lane, and multi-use path infill along existing roadways.
- Implement the Black Diamond Trails Plan.
- Encourage development of a network of off-road facilities for non-motorized travel in connection with new development and to identify potential off-street bicycle routes (Class I) for cyclists wherever sufficient public demand and space can be made available.
- Ensure that the transportation system provides equitable access to underserved and vulnerable populations and is friendly and accommodating to travelers of all ages.
- Explore options to improve the walkability of the narrow streets lacking sidewalks typical of older portions of the City, including key sidewalk extensions, connections to trails, context-appropriate wayfinding signage, shared auto and pedestrian street policies and road improvements.
- Explore options to upgrade the physical environment of older existing neighborhoods to improve safety for pedestrians and bicyclists through reduced vehicular speed, warning signage, sidewalk widening at intersections, adding shoulders, improved paving, vegetation trimming to improve visibility and walkability to provide a safe and appealing walking environment.

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In lieu of physical upgrades, the City may, with the assistance of the City traffic engineer designated certain streets as shared vehicle and pedestrian facilities. As part of the designation process, the City traffic engineer will examine speeds, signage, and road improvements and adopt standards and ordinances to establish and facilitate reasonable accommodation for pedestrians.

❖ **Policy T-11 Safe Routes to School Policy:** Safe and desirable walking and bicycling routes shall connect schools to residential, recreational, and commercial areas throughout the City of Black Diamond to encourage families to walk or ride to school. To implement this policy, the City shall:

- Work with local school districts to develop appropriate route plans in compliance with WAC 392-151-025.
- Seek funding to support pedestrian improvements through the State of Washington's Safe Routes to School Program.
- Consider such factors as crash history, safety concerns and current or potential nonmotorized access when prioritizing non-motorized access to schools.

❖ **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:

- Improving safety at locations with known safety issues.
- Minimizing conflict points (Location within intersection or roadway where two or more road users may share the same space at the same time resulting in potential collision) and improve safety of high accident locations.
- Expanding the sidewalk, bike lane, and multi-use path network in the city.
- Periodically reviewing and improving messaging for the travelling public.
- Reducing the amount of collisions involving pedestrians and cyclists.
- Improving personal security (e.g., street lighting).
- Identifying transportation improvements along emergency response routes.
- Maintaining prevention and recovery strategies that are coordinated locally and regionally under the Regional Transportation Recovery Plan.

❖ **Policy T-13 Parking Policy:** The parking needs of the City will be balanced by:

- Encouraging the construction of additional parking in the historic "Old Town" area of Black Diamond, both within the public right-of-way and in off-street lots.
- Promoting the addition of parking spaces in the "Old Town", possibly to include the use of a Local Improvement District (LID) to fund these parking improvements.
- Identifying available areas to provide parking facilities for weekend bicyclists.

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- Continued discouragement of on-street parking along the SR 169 corridor.
- Encouragement of adequate, but not excessive on-street parking on commercial and residential streets where it can be safely accommodated through both minimum and maximum parking allowances and monitoring of parking utilization.
- Development of an off-street parking plan for Old Town to address provision of shared parking, a park-and-ride for City residents, and visitor parking to serve bicyclists who come to the City to ride on weekends.

Road Character Right of Way

Policies contained in this subsection promote the unique characteristics of Black Diamond and address issues regarding land use development emphasizing desired locations for development throughout the city. These policies also address the City's view on right-of-way issues.

❖ **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. Minimize obtrusive signs through provisions in the zoning code;
- Limiting the number of traffic signals within Black Diamond by considering the use of roundabouts as the first solution where appropriate;
- Implementing road standards and development guidelines consistent with LOS standards, to minimize paving widths; preserve desirable trees and vegetation through minimized right-of-way clearing; and allow creative designs;
- Implementing separate road standards for the older, historic areas within the city that are specific to individual street geometries, with the goal of not causing undue disruption to existing neighborhoods;
- Identifying transportation investments that support mixed-use and pedestrian friendly development;
- Prioritizing transportation investments that serve the locally designated Town Center, Old Town; and
- Exploring all viable multi-modal transportation improvement alternatives to single occupant vehicle 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:

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- Aligning and locating transportation facilities away from environmentally sensitive areas;
- Encouraging Low Impact Development (LID) in the design of transportation infrastructure where practical;
- Mitigating unavoidable environmental impacts;
- Provide opportunity for expressing concerns and comments of interested parties, and;
- Establish policies to minimize the use of de-icers or salt on roadways to protect the environment.

❖ **Policy T-16 Right-of-Way Policy:** Retain existing transportation system rights-of-way, and identify, acquire, and protect rights-of-way for future roadway and bikeway facilities. The policies provided in this Transportation Element will be used by the City to identify current and future transportation system needs. The City will identify specific transportation corridors and protect needed rights-of-way as soon as possible. Some methods used to acquire and preserve rights-of-way include:

- Requiring dedication of rights-of-way as a condition for development when the need for such rights-of-way is linked to the development and to support the City's economic development goals;
- Requesting donations of rights-of-way to the public;
- Purchasing rights-of-way by paying fair market value when donations and/or required dedications are not possible;
- Acquiring development rights and easements from property owners;
- Protecting rights-of-way from encroachment by structures, substantial landscaping, or other obstruction is also encouraged by the City. Protection methods may include minimum setback requirements for property improvements and development of guidelines regarding installation and maintenance of landscaping within the public right of-way and;
- Developing criteria and process for the vacation of public rights-of-way consistent with City goals and policies.

❖ **Policy T-17 Road Dedication Policy:** Road dedications shall be allowable on a limited basis consistent with the City's goals to increase the connectivity of the City's roadway network pursuant to the following provisions:

- Connector streets need to be public.
- New publicly-dedicated roadways must comply with City street standards.

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❖ **Policy T-18 Private Road Policy:** Private roads are discouraged and shall be allowable only if the following conditions are met:

- Private roads may provide local residential access, with no connections to the existing or future public street system.
- Private roads shall meet all applicable public road standards, including right-of-way widths.
- A financial analysis shall be performed to determine the amount of funding needed to maintain the road annually including funding to repave the road every 25 years.
- Private roads must be privately maintained through recognized Homeowner's Associations (HOAs). The developer shall establish a street maintenance covenant with each home served by the road establishing the HOA and regular periodic contributions for maintenance and funds to be set aside for future major rehabilitation. The form of the HOA and covenant shall be approved by the City Attorney.
- Internal circulation streets are private roads located within the boundaries of a commercial or multifamily development accessed directly from a public street. Internal circulation private streets shall meet the public local access street pavement section requirements and provide safe pedestrian connections.

Funding, Concurrency, and Impact Mitigation

The City faces the challenge of making the best use of the limited funds available to finance transportation projects. Issues addressed by these policies include concurrency, identifying favorable funding sources, and deciding impact mitigation assessments.

As described in Appendix 7, SR 169 serves as the primary north-south roadway connecting communities in southeast King County and northeast Pierce County to each other as well as the larger transportation network. SR 169 experiences high traffic volumes during peak periods as drivers from Bonney Lake, Buckley, and Enumclaw pass through Black Diamond in the morning to access major job centers to the north and return southbound in the evening. These volumes contribute to existing transportation deficiencies at intersections on SR 169 in Black Diamond, for which the City is legally obligated to address, however no mechanisms are in place to secure funding for improvements.

❖ **Policy T-19 Concurrency Policy:** Ensure that transportation improvements or strategies are constructed or financed concurrent with development, including roadway, pedestrian, bicycle, and transit facilities. This also includes coordinating the City's concurrency program with plans of other transportation agencies. While the City has the authority to adopted LOS standards for local roadways, the LOS for SR 169 is established by WSDOT. The City cannot accept a lower LOS for SR 169 as a mechanism to address concurrency. The most significant adopted policy of meeting concurrency standards is accomplished by the two major MPD Development Agreements that require the developer to implement any and all of the capacity adding projects

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in the City's comprehensive plan to maintain the City's level of service standards. To monitor these commitments, the City's Concurrency Management System includes the following:

Kommentar [BK3]: New added language in underline format.

- Assessing and determining compliance with the adopted level of service standards;
- Identifying facility deficiencies (e.g., sidewalk, bike lanes, multi-use paths and transit); and,
- Making appropriate revisions to the Six-Year TIP, including prioritization of improvements on SR 169, as the City cannot modify the adopted LOS for that facility.

In addition, the City could explore other means to improve LOS, such as the implementation of plans and programs that reduce reliance on single occupancy vehicle travel (e.g. transportation demand management).

❖ **Policy T-20 Funding Sources Policy:** Secure adequate long-term funding sources for transportation through all feasible and available methods. These methods may include:

- Adopting a Transportation Impact Fee (TIF) to fund capacity improvements that maintain adopted LOS standards for roadways;

Kommentar [BK4]: New added language in underline format.

- Taking advantage of state funds, such as the Transportation Improvement Account (TIA), and the Public Works Trust Fund (PWTF);
- Encouraging Washington State Department of Transportation (WSDOT) improvements on the state highway system;
- Encouraging the use of LIDs by property owners to upgrade roads to meet City road standards;
- Requiring impact mitigation and/or SEPA mitigation fees for projects as guided by this Plan. Impact mitigation payments and/or seeking voluntary contributions from developers may also be pursued;
- Promoting the use of Transportation Benefit Districts and Capital Facility Districts;
- Exploring the potential of assessing user fees to support maintenance and preservation of the transportation system; and

- Seeking funding from federal agencies and all other available grant sources. Once Black Diamond's population exceeds 5,000 (anticipated by 2021; to be confirmed by the 2020 United States Census), the City will be eligible to pursue grant funding available only to cities of that size. The grant programs available to large cities are generally bigger in overall size and the typical awards for funded projects are greater than those for small cities. This expands the City's opportunities to secure significant funding for large infrastructure projects.

Kommentar [BK5]: New added language in underline format.

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❖ **Policy T-21 Alternative Level of Service Policy:** Pedestrian and transit friendly development shall be encouraged within the locally designated Town Center, Old Town, and by allowing less restrictive LOS standards for roadways. If the adopted LOS standard cannot be maintained and expected funding for improvements to meet future transportation needs is found to be inadequate, then the City shall:

- Consider the impacts of land use on trip generation to reduce the travel demand placed on the 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); or
- Reduce the LOS standard for the system or portions of the system to give the City more time to fund the needed transportation improvements.

❖ **Policy T-22 Financial Impact Mitigation Policy:** Require developers to contribute their fair share towards the transportation improvements required to meet the LOS standards. Impact mitigation efforts may include:

- Requiring developers who are subject to an approved development agreement with the City to continue fulfilling all mitigation requirements imposed therein;
- Requiring developers who are not subject to an approved development agreement or for whom an approved development agreement has expired, to assist in providing additional funding through an adopted program, such as a TIF, transportation facilities, and/or services in proportion to the impacts and needs generated by development;
- Encouraging developers to design projects that generate less vehicular traffic; and
- Requiring developers at the beginning and mid-point of each phase of the MPD project to monitor traffic generation and distribution to determine if traffic impacts of MPD development are occurring as projected.

Kommentar [BK6]: New added language in underline format.

Coordination and Consistency Policies

The policies contained in this subsection address such issues as multi-agency planning and coordination, consistency of transportation improvement programs and designs among jurisdictions, and cooperation among agencies that fund, build and operate the transportation system within Black Diamond.

❖ **Policy T-23 Traffic Impact Analysis Policy:** Require that a Traffic Impact Analysis (TIA) be prepared for new developments. The City will require a TIA for new developments that are proposed in the city limits of Black Diamond that generate ten (10) or more vehicle trips in the PM peak hour or are otherwise determined to have the potential for an adverse impact upon the City's transportation system. The study should include site access points, arterial and collector roadways and intersections of arterials and collectors that are impacted by 10 or more

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PM peak hour trips and may not be limited to intersections located within the city. The TIA should also identify gaps in the sidewalk, bike lane, and multi-use path networks, review the collision history of study area roadways (i.e., to identify safety issues, and traffic-related fatalities, serious injury, and pedestrian and bicyclist involved collisions), and evaluate roadway connectivity, and access spacing compliance for the study area. The TIA shall be prepared by the City's traffic engineer and will be accepted after approval by the City.

❖ **Policy T-24 Intergovernmental Agency Coordination Policy:** Coordinate planning, construction, and operations of transportation facilities and projects with other governmental agencies. This policy supports and complements the transportation functions of Washington State, King County, neighboring cities, PSRC, Metro Transit, and other entities responsible for transportation facilities and services within the city. Explore establishment of a coalition of cities with the purpose of developing transportation solutions and their associated funding mechanisms to provide for safer and more efficient travel along the SR 169 corridor. Efforts of the coalition could include studying forecast anticipated deficiencies resulting from growth in all affected jurisdictions, identifying solutions, and developing an intergovernmental strategy to pursue state and/or joint grant funding and equitably distribute developer-provided funds to all affected jurisdictions.

Kommentar [BK7]: New added language in underline format.

❖ **Policy T-25 Multi-modal Coordination Policy:** Coordinate planning and operation of efficient and varied means of transportation for the City of Black Diamond's transportation system. This will be accomplished by:

- Encouraging King County Metro Transit, as the provider of transit service in the Black Diamond urban area, to evaluate expanding regular fixed transit service within Black Diamond.
- Continued coordination between the City of Black Diamond and King County Metro Transit to provide transit connections between Black Diamond and other parts of King County.
- Supporting development of regional park-and-ride lot facilities by King County Metro Transit and WSDOT. The City encourages such lots on sites promoting compatible land uses and along primary travel corridors for travel between Black Diamond and other urbanized areas in King and Pierce counties.

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Appendix 7 TRANSPORTATION APPENDIX

Introduction

This Technical Appendix summarizes the data analysis completed to support the update of the City of Black Diamond's (City's) Transportation Element (Chapter 7) and includes information pertaining to:

- Transportation level of service, including definitions, relationship to concurrency, standards, and methodology;
- The City's existing transportation system, including operating conditions, availability of other modes of transportation, and the functional classification system;
- State, regional, and local transportation plans and improvements;
- Actions needed to meet the level of service standard;
- Travel forecasts used to estimate future traffic volumes based on future growth identified in the City's Land Use Element; and
- Existing and future roadway conditions and recommended transportation improvements.

Level of Service

A level of service (LOS) standard measures the performance of an existing transportation system and the adequacy of the planned future improvements. Additionally, LOS standards establish the basis for the concurrency requirements in the GMA. Agencies are required to "adopt and enforce ordinances which prohibit development approval if the development causes the LOS on a transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with development." (RCW 36.70A.070 (6)(b)). Therefore, setting the LOS standard is an essential component of regulating development.

Definitions

Conflict Point: Location within intersection or roadway where two or more road users may share the same space at the same time resulting in potential collision. Collisions may involve any mode or road user or users including vehicles, bicycles, and pedestrians.

LOS is both a qualitative and quantitative measure of roadway operations. LOS, as established by the *Highway Capacity Manual* uses an "A" to "F" scale to define the operation of roadways and intersections for motor vehicles as follows:

LOS A. Primarily free flow traffic operations at desired travel speeds. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delays at signalized intersections are minimal.

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LOS B. Reasonably unimpeded traffic flow operations at average travel speeds. The ability to maneuver within the traffic stream is only slightly restricted and control delays at signalized intersections are not significant.

LOS C. Stable traffic flow operations. However, ability to maneuver and change lanes may be more restricted than in LOS B, and longer queues, adverse signal coordination, or both may contribute to lower than average travel speeds.

LOS D. Small increases in traffic flow may cause substantial increases in approach delays and, hence decreases in speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes or some combination of these factors.

LOS E. Significant delays in traffic flow operations and lower operating speeds. Conditions are caused by some combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.

LOS F. Traffic flow operations at extremely low speeds. Intersection congestion is likely at critical signalized intersections, with high delays, high volumes, and extensive queuing.

Level of Service and Concurrency

The concurrency provisions of the GMA require that local governments permit development only if adequate public facilities are or can be guaranteed to be available within six years to support the new development.

The GMA requires each local jurisdiction to identify future facility and service needs based on its LOS standards. To ensure that future development will not cause the City's transportation system performance to fall below the adopted LOS standard, the jurisdiction must do one or a combination of the following: modifying the land use element, limiting or "phasing" development, requiring appropriate mitigation, or changing the adopted standard.

Level of Service Methodology

The City has established specific methods to calculate the LOS for evaluating the performance of the roadway intersections and transit service and facilities. This section describes those methods.

Intersection Level of Service

For signalized and unsignalized intersections, and roundabouts, the LOS is calculated using the procedures described in the latest edition of the *Highway Capacity Manual* (2010 edition). At signalized and all-way stop-controlled intersections, and roundabouts, the LOS is based on the weighted average delays for all movements, whereas the LOS for two-way stop-controlled intersections is defined by the weighted average delay for the worst movement.

State Highway Level of Service

1998 amendments to the GMA require local jurisdictions to address state-owned transportation facilities, as well as local transportation system needs in their comprehensive plans. Highways of statewide significance (HSS) are designated by the Washington State Department of

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Transportation (WSDOT) for interstate and principal arterials that are essential to connectivity between major communities.

WSDOT adopted LOS standards for HSS facilities is LOS D for urban areas (RCW 47.06.140). The LOS target is established for comprehensive plans and for reviewing developer impacts along urban HSS facilities.

WSDOT also analyzes “screen lines” for deficiencies along state routes using a standard of 70% of the posted speed. This screen line analysis allows WSDOT to identify the “most congested” locations along its HSS facilities. A speed of approximately 70% of the posted speed equates to conditions where a highway achieves the maximum throughput of vehicles.

In 2007, the WSDOT added SR 169 to the list of HSS facilities. The State’s *2007- 2026 Highway System Plan* indicates that SR 169 is expected to operate below the 70% speed threshold (termed ‘operating less than efficiently’) during peak hours in 2030.

Transit Level of Service

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.

Level of Service Standards

Based on the City Council’s recommendations, this plan identifies a LOS standard of LOS D for intersections along State Route (SR) 169 consistent with WSDOT’s standard for urban HSS facilities and LOS C for all other arterials and collectors throughout the city. Setting different LOS standards for specific areas is a common practice that accounts for the function and use of the roadways into the acceptable operating conditions.

The City also recognizes how intersection control (i.e., traffic signals, roundabouts, and stop signs) defines LOS. For two-way and one-way stop-controlled intersections, the LOS is defined by the amount of time vehicles are waiting at the stop sign.

Although a substantial volume of traffic can proceed through the intersection without any delays, a small volume at the stop sign can incur delays that would exceed LOS C or LOS D. To avoid mitigation that would only serve a small volume of traffic, the City allows two-way and one-way stop-controlled intersections to operate worse than the adopted LOS standard (see Table 0-1).

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Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-1. Existing Level of Service (2015)

Signalized Intersections	Level of Service
Baker St & SR-169	D
Lawson St & SR-169	D
Ravensdale Road & SR-169	D
Roberts Drive & SR-169	D
Morgan St & Roberts Drive	C
216 th Ave SE & SE 288 th St	C
Jones Lake Road & SR-169	D

However, the City requires that these instances be thoroughly analyzed from the operational and safety perspectives and the City will individually evaluate these situations to determine when mitigation is appropriate.

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.

Kommentar [BK1]: New language added -shown in underline format.

Existing Transportation System

The City forms the southeastern edge of King County's urban area. The traffic circulation system within the city is basically the intersection of east west county roads with SR169 through the city, reflective of the original settlement pattern, natural barriers (Lake Sawyer and the Rock Creek Wetland), and lack of substantial growth up to the present. The area's road system consists of a state highway (SR 169), the City's arterials, collectors, and local access roads. Because the grid system is incomplete, many local access roadways are, in effect, long cul-de-sacs. Local access roads are also often narrow by current standards. Although the narrow widths and lack of locations for vehicles to turn-around are a problem for emergency services, the smaller area devoted to roads contributes significantly to the existing rural character of the community and reduces storm water impacts.

The city is bisected by SR 169, a north-south highway of statewide significance, providing both regional access from Renton to Enumclaw and cities in northeast Pierce County, and local access. With the limited arterial network in the surrounding area, SR 169 serves as the primary conduit connecting communities to the larger state roadway network, including major facilities such as SR 18 and I-405. As a result, SR 169 is the main roadway for drivers from cities to the south, including Bonney Lake, Buckley, and Enumclaw, to access major job centers to the north, experiencing high traffic volumes during the morning and evening peak periods. These volumes contribute to existing transportation deficiencies at

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SR 169 intersections in Black Diamond. The City is legally obligated to address these deficiencies in order to maintain the adopted LOS standard for the roadway, however no permanent mechanisms are in place to secure funding from private developments outside the City. This routeSR 169 is also known as 3rd Avenue within Black Diamond.

Kommentar [BK2]: New language added – shown in underline format (both red and blue text).

Kommentar [BK3]: New language added in underline format. Struck words “This route” as shown in strikethrough.

Along the city’s northern boundary, SE 288th Street is an east-west arterial that becomes a City of Maple Valley Street east of Black Diamond. The Roberts Drive arterial provides local east-west access west of SR 169 as well as a link from Black Diamond to the City of Auburn and the Green River Valley employment centers to the west. The Lawson Street/Green River Gorge Road is an east-west arterial providing local access east of SR 169 as well as access to the rural areas and communities to the east.

The Black Diamond/Ravensdale Road is a north-south arterial linking Black Diamond and Ravensdale and providing a secondary link to SR 516 (Kent-Kangley Road) and a link to Issaquah and SR 18 bypassing Maple Valley. The SE Lake Sawyer Road is a north-south arterial that forms the City’s western boundary and provides a connection to SR 516.

Existing Roadway and Intersection Characteristics

SR 169, within the planning area, is a two-lane principal arterial that generally divides the city into east and west sections. SR 169 serves an area extending between the cities of Renton and Enumclaw, providing both regional connections (to SR 18, SR 516 and Interstate 405, SR 410 and local access.

Posted speed limits along SR 169 vary depending on the amount of development adjacent to the highway. Areas immediately outside the city limits are posted at 50 miles per hour (mph). Within the city limits, legal speeds are reduced to 35 mph from the north City limits to 1st Ave, except for a school zone with a reduced speed of 20 mph between Baker St to Lawson St. The speed limit returns to 50 mph from 1st Ave to the southern city limits. All cross-streets intersecting with SR 169 are controlled by stop signs.

SE 288th Street is a two-lane road that runs east-west. The road is a minor arterial that changes to SE 291st Street as it approaches SR 169. The road serves City residents north of Lake Sawyer and also serves as the only access for Maple Valley residents living north of SE 288th Street and south of the Burlington Northern Railroad line. SE 288th (turns into 291st) Street is stop sign controlled at SR 169 and 216th Avenue SE on the west end. At all other intersections, the cross-street traffic is stop sign-controlled. The posted speed is 35 mph.

Roberts Drive (Auburn-Black Diamond Road west of city limits) provides access to the City of Auburn and is a two-lane minor arterial. The roadway branches into two facilities near Covington Creek allowing access to the City of Kent (Kent-Black Diamond Road) and Auburn (Auburn Black Diamond Road).

All cross-streets intersecting Roberts Drive are stop sign-controlled. Roberts Drive is controlled by a stop sign at its intersection with SR 169. Posted speeds are generally 40 mph outside the city limits and 25 to 35 mph once inside the city.

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Green Valley Road is a two-lane minor arterial that connects SR 169 and Auburn. This street is classified by King County as a collector. The roadway is posted for a maximum speed of 40 mph, but operating speed is constrained to 10 to 15 mph in certain areas due to its curvilinear horizontal alignment with steep grades. Green Valley Road is stop-controlled at SR 169. It should be noted that the annexation of property adjacent to Green Valley Road in 1995 included a condition that direct transportation access would not occur from the annexed area onto Green Valley Road.

Lake Sawyer Road/224th Avenue SE/216th Avenue SE is a two-lane generally north/south minor arterial that provides access to a predominantly residential area west of Lake Sawyer. The street generally parallels SR 169 between Roberts Drive and SR 516. There are traffic signals at the intersections of 216th Avenue SE/SR 516, 216th Avenue SE/Covington-Sawyer Road, and SE 296th Street/219th Avenue SE. All other cross-street traffic intersections along Lake Sawyer/216th Avenue SE are stop sign-controlled. Posted speeds vary between 35 mph and 45 mph.

Covington-Sawyer Road is a two-lane minor arterial that connects with 216th Avenue SE on the western border of the city. It provides access to the City of Covington, SR 18 and SR 516.

Morgan Street is a two-lane east west collector from Roberts Drive to Railroad Avenue/ Jones Road. Railroad Avenue extends Morgan Street as a two-lane collector from Morgan Street southeasterly to SR 169.

Functionally, Morgan Street and Railroad Avenue provide alternative connections between Roberts Drive and SR 169, through the downtown area by either Baker Street or Railroad Ave. and Jones Lake Road. The intersection of Morgan Street and Roberts Drive is stop sign-controlled on the minor approach (Morgan Street). Jones Lake Road is controlled by stop sign at its intersection with SR 169. The posted speed limit on Morgan Street is 25 mph.

Lawson Street is an east/west minor arterial with its western terminus at SR 169 and continuing east and northeast out of the city. Near the outskirts of the city, the roadway changes to Green River Gorge Road. The arterial provides access between SR 169 and residential developments in the city and rural areas east of the city. The posted speed limit along this route is 25 mph within the city limits. Near Mud Lake, the speed limit increases to 45 mph. Lawson Street is stop controlled at its intersection with 3rd Avenue (SR 169).

Black Diamond-Ravensdale Road is a two-lane minor arterial linking Black Diamond and Ravensdale and serves as a secondary connection between Kent-Kangley Road and SR 169 and provides a connection to the Issaquah/Hobart Road. The posted speed limit along this road is 45 mph within the city limits. Cross-street traffic along Black Diamond-Ravensdale Road is stop controlled.

Baker Street (between SR 169 and Railroad Avenue/Morgan Street) is a two-lane arterial collector located in the downtown area of the city that also provides connection to all points

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west. The roadway provides access to the post office and school; it has a posted speed limit of 25 mph. It is stop sign controlled at SR 169 and Railroad Avenue/Morgan Street.

All remaining roadways in the city are local roads with two-lane cross-sections. Most local roadways have posted 25 mph speed limits.

Existing Roadway Volumes and Travel Conditions

Figure 7-1 depicts the City's road network and associated 2015 traffic volumes, which are based on PM peak period turning movement counts collected at each of the 10 intersections within the city and included in the City's concurrency program. These traffic counts were supplemented with available traffic data for SR 169 provided by WSDOT. These PM peak hour volumes were used to evaluate the existing LOS for each intersection, which is summarized in Table 0-2.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-2. Existing Level of Service (2015)

Signalized Intersections	Level of Service	Delay (seconds)
SE 296th St/216th Ave SE/SE Covington-Sawyer Rd	B	16
219th Ave SE/SE 296th St/Lake Sawyer Rd SE	B	13
Unsignalized Intersections	Level of Service	Delay (seconds)
216th Ave/SE 288th St	D	25
SE Auburn-Black Diamond Rd/Lake Sawyer Rd SE	B	13
SR 169/SE Black Diamond-Ravensdale Rd	F	75
SR 169/Roberts Drive	E	43
Morgan St/SE Auburn-Black Diamond Rd	B	11
SR 169/Baker St	C	20
SR 169/Lawson Rd	C	16
SR 169/Jones Lake Rd	B	13

Note: intersections shown in bold do not meet LOS standards

Consistent with the City's adopted LOS standards established in this plan, intersections must operate at LOS D or better along SR 169 or LOS C or better for all other locations. The majority of intersections within the city operate at an acceptable LOS; however, three intersections currently operate below their respective standards: 216th Avenue/SE 288th Street, SE Black Diamond Ravensdale Road/SR 169 Roberts Drive/SR 169, and Roberts Drive/SR 169. For Black Diamond Ravensdale Road/SR 169, the primary contributor to the delay is the westbound left movements from the minor street, while for Roberts Drive/SR 169 the primary contributor is the eastbound left movements.

Other Modes

Rail Service

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Presently, there are no railroads located within the city limits. Rail lines that historically provided service from Seattle through Renton to the city have been decommissioned. The last coal trains left Black Diamond in 1969. The old rail line passed through town in a north-south direction paralleling Railroad Avenue.

Public Transportation Service

The City currently has a low population density and is distant from major Puget Sound urban employment centers. Public transportation service is available but is limited. Current transit service in the City is provided by King County Metro routes 143 and 907. Route 143 provides Monday-Friday peak-period fixed-route connections along SR 169 between Black Diamond and downtown Seattle through Maple Valley and Renton,. Metro's Demand Area Response Transit (DART) route 907 provides hourly all-day connection to Renton Monday to Friday, with service connections available at the Renton Transit Center. DART uses smaller transit vehicles with the flexibility to perform a limited number of off-route deviations upon request within the area south of Roberts Drive, east of Morgan Street, north of Baker Street, and west of 3rd Avenue. DART also travels to Enumclaw between Black Diamond and Enumclaw.

Table 0-3 summarizes existing transit services in the city. Route 143 provides 15 to 20-minute service during commute hours with service to and from Black Diamond to downtown Seattle in the morning and from downtown Seattle to Black Diamond in the evening. DART Route 907 provides 60 -minute service during off-peak hours.

Table 0-3. Summary of Existing Transit Service

Route	Beginning Location	Ending Location	Headway Range (minutes)	Start	End	Trips
143	Downtown Seattle	Black Diamond** (via Renton)	15-20	3:59 PM	7:07 PM	6
143	Black Diamond**	Downtown Seattle (via Renton)	15-20	5:20 AM	8:34 PM	6
DART 907	Renton TC	Black Diamond*	60	8:45 AM	4:30 PM	8
DART 907	Black Diamond*	Renton TC	60	7:50 AM	5:33 PM	10

*Service to Black Diamond at 3rd Avenue & Baker Street.

**First and last run to/from Black Diamond starts and ends at Renton Transit Center (TC) and does not serve downtown Seattle (Departs Renton at 6:11AM and departs Black Diamond at 7:08PM).

A park and ride lot located at the Masonic Lodge at 3rd Avenue/Baker Street provides 30 parking spaces for weekday parking for transit users. There are two other facilities in Maple Valley; the Maple Valley Park and Ride is located at SE 231st Street/SR 169 approximately 6.6 miles to the north of the Black Diamond Park and Ride and provides 122 spaces and the Maple Valley Town Square Park and Ride is located 4.1 miles north and provides 97 spaces.

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The existing transit service meets the City's defined LOS criteria. However, in the future, additional service as well as provisions for bus pullouts, bus stops, and park and ride lots will become necessary, as the population increases.

Metro has an active Community Connections (formerly alternative service) project in Black Diamond - the Black Diamond-Enumclaw Community Ride (part of the South East King County Community Connections project). The project is currently in a two-year performance measurement phase, approaching the end of year one and Metro is currently examining the service for potential service modifications.

Surface Freight Transportation

There are no freight terminal facilities located in the city. However, truck operations related to mineral extraction, logging, and landfill commonly use the road network, primarily on SR 169.

Pedestrian Facilities

There are somewhat limited sidewalk facilities along the arterial and collector road network within the city. While adopted City road construction standards now require sidewalks on all new roads, many of the roads in areas of town that were developed prior to the 1980s were constructed to rural standards with gravel shoulders or no shoulder at all. Existing pedestrian facilities are illustrated on several subdivisions developed in the last 20 years were developed with sidewalks including: King County Housing Project (Rainier View), Ridge at Black Diamond, Diamond Glen, Morgan Creek, Eagle Creek, Lawson Hills Estates.

Bicycle Facilities

No formal bicycle network exists within the city. Bicyclists currently use the existing roadways as informal routes, although there are no markings or signs to support the street usage for bicycles. City residents have voiced a desire to include bicycle facilities within the transportation environment. Recently the City has widened the westbound lane of Roberts Drive to provide for a 14-foot-wide shared bike lane on Roberts Drive from Bruckners Way to just past the library.

Trail Facilities

The city has an adopted 2011 Trails Plan that outlines strategies to expand the local trail system. There are currently two multipurpose King County trails that are in the planning and engineering phases to provide combined hike, bike, and horse trail opportunities in the area. The Cedar to Green River Trail is a 3.7-mile multipurpose trail following an abandoned railroad corridor north of Maple Valley to SE Kent-Kangley Road. The next two phases of the Cedar Green trail will extend through Black Diamond along Ravensdale Creek, through the City's Lake Sawyer Regional Park and then south along the western city limits to the top of the Green River Gorge where it will connect with 218th Ave SE as access to the Green River, ending at the Flaming Geyser Park. The Cedar River Trail is a paved 17.3-mile multipurpose trail following an abandoned railroad corridor from Lake Washington in downtown Renton to Landburg Park on Summit Landsburg Road.

Shoreline/Water Transportation

There are no navigable waterways for freight or passenger transportation in the Black Diamond area. The region's primary river, Green River, is mainly used for recreational purposes.

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Aviation Transportation

The nearest major airport facility is SeaTac International Airport located approximately 22 miles to the west. The City does not have a local airport; however, a privately-owned field with a runway length of 1,500 feet is located along Roberts Drive west of SR 169.

Nearby public-use airports include Kent's Crest Airpark (6 miles), the Auburn Municipal Airport (14 miles) and the Renton Municipal Airport (18 miles). Seaplanes land and take off from lake Sawyer, one resident moors a private seaplane during high water in summer months.

Parking Facilities

On-street parking is presently provided informally throughout the city in conjunction with the local street network. Parking is restricted on SR 169. Additional public parking is currently needed, particularly in Old Town, and near the SR 169 corridor for weekend bicyclists driving to the city to ride, and for weekday commuters who wish to use transit.

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*
- Morgan Street
- Baker Street (west of SR 169)
- South Connector*
- Railroad Avenue (Jones Lake Road)
- Lake Sawyer Extension* a

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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.

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Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-4. Functional Classification System Definition of Roadway Functions

*Speed limit in fully developed areas

Classification	Function	Continuity	Spacing (miles)	Direct Land Access	Minimum Intersection Spacing	Speed Limit (mph)	Parking	Comments
Principal Arterial	Primary – Intercommunity and intrametro area traffic movement Secondary – land access	Required	1/2 in CD; 1 in urban residential; 1-5 in suburban and fringe	Limited – major generators only	1/2 mile	35-45*	Prohibited	
Minor Arterial	Primary – Intercommunity and intrametro area traffic movement Secondary – land access	Required	1/8 – 1/2 in CBD; 1/2 – 1 in urban; 1-3 in suburban and urban fringe	Restricted – some movements may be prohibited; number and spacing of driveways controlled	1/4 mile	30-35	Generally Prohibited	Backbone of the street system
Collector	Primary – Collect/distribute traffic between local roads and arterial system; Secondary – land access; Tertiary – interneighborhood traffic movement	Desirable	Not less than 1/4 mile from higher classified arterials	Safety controls; limited regulation	300 feet	25-30	Limited	Through traffic should be discouraged
Local	Land Access	None	As needed	Safety controls only	300 feet	25	Permitted	Through traffic should be discouraged

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-5. Road Classifications and Development Standards

Classification	Minimum Right-of-Way (feet)	Minimum Paved Width (feet)	Additional Design Standards
Principal Arterial	60-100	38-62	Sidewalk, extra lane width for bicycles, planting strip
Minor Arterial	54 (2 lane) 66 (3 lane)	30 (2 lane) 40 (3 lane)	Sidewalk, extra lane width for bicycles, planting strip
Collector Road	60-72	28 (2 lane) 40 (3 lane)	Sidewalk, extra lane width for bicycles, planting strip
Local Access (Industrial)	50	28	Sidewalk, planting strip
Local Access (Commercial)	60-68	36	Sidewalk
Local Access (Residential)	48-60	22-32	Sidewalk, planting strip

Source: 2009 City of Black Diamond Engineering and Design Standards

Current Transportation Plans and Improvements

The City is working to identify the near-term improvements that address transportation needs for its community.

Planned Roadway Improvements

The current planned roadway improvements consist of projects programmed by WSDOT, King County, and the City.

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 ~~WSDOT has jurisdiction over SR 169 through the city and establishes the LOS standard for the roadway.~~ Within the city, WSDOT has proposed minor widening to allow for a two-way left turn lane north of the historic core of the city and a truck climbing lane south of Green Valley Road. For purposes of this plan, the City is assuming a 3-lane section for SR 169

~~through the old town area and through the north commercial area, with potential widening at intersections to accommodate turn lanes. The City is also planning long term for further widening (4 or 5 lanes north of Roberts Drive to the City's future north connector and is seeking additional right of way through dedication upon major development or redevelopment where the right of way width is less than 100 feet.~~ 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.

Kommentar [BK4]: New language added and existing language deleted. Both shown in underline/strikethrough format.

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.

Kommentar [BK5]: New language added in underline (blue and red text). Strike through is proposed for deletion.

King County

King County has identified two future improvements in the North Enumclaw/ Ravensdale Planning Area, which includes Black Diamond (detail is in the County's *2016 Transportation Needs Report*). The County's list of improvements in or around the city is shown in **Table 0-6**.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-6. King County Identified Black Diamond Area Facility Improvement Needs

Project #	Project Action	Location	Priority	Cost
NM-5051	Provide non-motorized facility	Black Diamond-Ravensdale Rd SE: from SR 169 to 276th Ave SE	High	\$2,480,000
RC-142	Reconstruction of existing 1.3-mile roadway segment	SE Green Valley Rd from 243 rd Ave SE to SR 169	High	\$2,140,000

Source: 2016 King County Transportation Needs Report

City of Black Diamond

Table 0-7 identifies the critical future road network to fill in the street grid and provide alternative east west as well as north south corridors. Lake Sawyer, Ravensdale Creek, and the Rock Creek Wetland prevent other connections and extensions of a grid system. The City has identified several road improvements shown in Figure 7-5.

The City maintains a Six-year Transportation Improvement Program (TIP). The Six-year program proposes improvements to existing substandard roads and includes repairing and overlaying existing roadways, paving gravel roadways, constructing sidewalks, and widening roadways. At the time that the Six-year Transportation Improvement Program was adopted only the capacity adding projects that the City was going to be participating in were included. So in addition to the projects identified in the 6-year TIP there are capacity adding projects that are planned for the

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Master Planned Developer to construct as identified in Table 0-9. If needed, the projects included in the TIP could be reprioritized to address those on SR 169 first, as the City cannot modify the adopted LOS standard as a mechanism to maintain concurrency.

Kommentar [BK6]: New added language shown as underline text.

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Table 0-7 6-Year Transportation Improvement Plan (TIP) 2021-2026

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
1	2021	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	2021	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	2021	Covington Creek Bridge	N/A	N/A	Replace culverts at Covington Creek with a bridge	N/A	\$ 2,002,000	King County Flood Control District Funds
4	2021	Morganville South Improvements	N/A	N/A	Overlay of Union Dr., Morgan Dr., and Alpine Dr.; pedestrian safety improvements		\$ 94,000	CDBG Grant for water main replacement
5	2021	Rock Creek Bridge Rehab	N/A	N/A	Sealing and painting underside of the bridge	N/A	\$ 75,000	Local City Funds
6	2021	Morgan Creek Neighborhood Roads Preservation	N/A	N/A	Seal Coat or chip seal	1.19	\$ 75,000	Local City Funds
7	2022 to 2025	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
8	2022	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

Kommentar [BK7]:
TIP and replaced with (adopted) one.

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9	2022	Downtown Public Parking	N/A	N/A	Develop additional public parking in the downtown area of Baker St. and Railroad Ave.	N/A	\$ 145,000	Local City Funds/Grants
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Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
10	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
11	2022	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
12	2023	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
13	2023	232nd Ave./Pl. SE Overlay	Pavement change at 29615	End of Public Road (302nd)	Asphalt patching and overlay	0.44	\$ 150,000	Grant/ TIB, Local City Funds
14	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 between Baker and Lawson	0.21	\$ 700,000	Grant/ TIB, Local City Funds, Developer frontage improvements
15	2024	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
16	2024	4th Avenue Overlay	Park St.	James St.	Patching and overlay, including some widening; includes sections of Baker St., Park St., and James St. between 3rd & 4th	0.21	\$ 75,000	Grant/ TIB, Local City Funds

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17	2024	5th Avenue & 6th Avenue Loop	N/A	N/A	Widening and overlay local access streets. Includes 5th, 6th, Baker, and Hammond	0.36	\$ 125,000	Grant/ TIB, Local City Funds
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Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
18	2025	Lawson Street Overlay	S.R. 169	Newcastle Dr.	Surface grinding, select panel replacement, shoulder widening, asphalt overlay	0.36	\$ 160,000	Grant/ TIB, Local City Funds
19	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
20	2025	Diamond Glen Neighborhood Improvements	N/A	N/A	Patching, crack sealing, and overlay	0.25	\$ 130,000	Grant/ TIB, Local City Funds
21	2025	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	2025	Downtown Pedestrian & Bicycle Link	James St.	Jones Lake Rd.	Sidewalk extensions and bike lanes	0.88	\$ 440,000	Grant Funds
23	2026	Lawson Connector/ Lawson Parkway	SR 169	Lawson St.	New 36' wide minor arterial connection to SR 169 with pedestrian facilities, bike lanes, and street lighting	0.60	\$ 3,200,000	Developer
24	2026	Lawson/ Botts Drive Intersection Improvements	N/A	N/A	Intersection controls for new intersection, include stop controls	N/A	\$ 500,000	Developer
25	2026	216th Ave. SE Overlay	SE 288th St.	SE 296th St.	Patch and overlay	0.41	\$ 165,000	Grant/ TIB, Local City Funds
				South to new commercial and multi	New minor arterial connection to SR 169 with			

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26	2026	North Connector	169	family housing	roundabout	0.25	\$ 1,000,000	Developer Funded
27	2026	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	Grant/ TIB, Local City Funds
28	2026	Morgan Street & Roberts Drive	N/A	N/A	New signal	N/A	\$ 350,000	Grant, Developer Mitigation

Rank	Year	Improvement	From	To	Type of Improvement	Length in Miles	Estimated Cost	Funding
29	2026	Baker Street & SR 169 Intersection Signal	N/A	N/A	New signal to facilitate turning movements and pedestrian crossing	N/A	\$ 650,000	Grant, Developer Mitigation
30	2026	Rainier View Overlay	Baker St.	SR 169	Patch and overlay in the Rainier View Senior Housing Neighborhood	0.41	\$ 150,000	Grant/ TIB, CDBG Grant, Local City Funds
TOTAL ALL PROJECTS							\$ 25,291,000	

FUTURE PROJECTS FOR CONSIDERATION

Rank	Year	Improvement	From	To	Type of Improvement	in Miles	Cost	Funding
31	--	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.

Actions Needed to Meet Level of Service Standard

Two intersections operate below their respective LOS standards under existing conditions: SE Black Diamond-Ravensdale Road/SR 169 and Roberts Drive/SR 169. Intersection control (e.g., a roundabout or traffic signal), additional turn lanes and roadway widening improvements would be needed at these locations to meet acceptable LOS standards. These actions are included in the 2015-2021 improvements as shown on Figure 7-5. The design and permitting of these intersections is already underway required to be constructed by the City's Development agreement with the Master Planned Developer in the City.

Travel Forecasts

The City of Black Diamond's existing travel demand models were updated to reflect the current and future level of development to be in place by the year 2035 both within the City and the Puget Sound Regional Council (PSRC) planning area. The land use data was obtained from PSRC and refined with city staff input to account for the approved Master Plan Developments (Lawson Hills and The Villages) and other development potential. The travel forecasts were based on the following land use projections:

- year 2014 - 4,361 population, 1,627 households and 561 jobs
- year 2035 – 19,262 population, 7,674 households and 3,709 jobs

The existing travel demand models were also updated to reflect the current and future transportation investments programed to be in place by the year 2035 both within the City and the Puget Sound Regional Council (PSRC) planning area.

Future Land Use and Transportation Concepts

The City intends for the Black Diamond Comprehensive Plan Transportation and Land Use Elements to work together for a safe and interconnected system to support housing, economic development, and recreational opportunities while minimizing environmental and social impacts consistent with Puget Sound Regional Council's forecasts and vision.

Regional traffic growth on SR 169 will likely continue as long as vehicular capacity is available on that route. Similar conditions would be expected on other arterials that facilitate regional traffic. The need for planned transportation improvements will depend on the location, density and timing of the area where development occurs but could also be influenced by development outside the City that adds volume to SR 169. The construction of the needed and planned capacity adding transportation improvement projects will occur as required by the City's Development Agreement with the Master Planned Developer and periodic traffic monitoring and modeling dictates. Black Diamond may also explore options to coordinate with other SR 169 cities to identify corridor-wide solutions and the implementation of plans and programs that reduce reliance on single occupancy vehicle travel.

Kommentar [BK8]: New added language in underline text.

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.

Forecast Horizons

The TIP is linked to the City's planned land uses and the anticipated traffic volumes. There are two forecast horizons presented in the comprehensive transportation plan:

- Short-Term: 2015 to 2021
- Long-Term: 2022 to 2035

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, 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.

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.

Intersection Control Requirements

Although the construction of new collector roads and connecting arterials will help distribute traffic, key intersections will warrant traffic control and intersection improvements to meet the City's LOS standards in the future. The City identified roundabout-controlled intersection improvement as the preferred solution to address the increasing turning movements at intersections. Where it is shown that the traffic movements cannot be handled and or the site conditions will not allow for a roundabout, signalization of the intersection can be considered. The necessity for and location of intersection improvements would be established at the time development occurs. The City will look to avoid locating signals in its historic downtown area.

Many intersection control improvements are expected and warranted during the 20-year planning period. The improvement for roads and intersections will be implemented incrementally with developments as traffic volumes increase.

Roadway Conditions – 2021

This plan anticipates future conditions for the year 2021 to derive the Six-year TIP. The analysis includes the roadway projects identified in the Six-Year 2015-2021 TIP (dependent on growth-driven traffic demand) plus additional improvements identified in the Master Plan Development needed to ensure that the roadway system meets the City's adopted LOS standards.

2015 to 2021 Recommendations

Development and increasing traffic from neighboring jurisdictions will increase traffic volumes throughout the city. Figure 7-5 and Table 0-9 list the 2015 to 2021 recommended actions. The transportation improvements recommended are expected to meet the projected travel needs throughout the city.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-8. Transportation Capacity Adding Projects (2015-2021)

Project References		Project Description	General Timing	Funding Source
Project Number & Name from 2009 comp plan (new projects in <i>italics</i>)	AKA			
A1, Annexation Road,	The Villages MPD Community Connector	Minor arterial from Lake Sawyer Road SE across Roberts Drive to south end of Phase 1A, Villages MPD; individual phases described below.	Expected within 6 years	MPD Developer
A2, Lake Sawyer Extension Road	Ring Road	A road with a single lane in each direction with bike lanes, rain gardens/landscaping, and a sidewalk on each side.	Expected within 6 years	MPD Developer
<i>Reconstruction of Roberts Drive from west City limits to 236th Ave SE</i>	Frontage Improvements on SE Auburn -Black Diamond Road (Roberts Drive)	Overlay and widening with sidewalks, bike lanes, street lights, landscaping, storm water infiltration	Expected within 6 years. Partially completed in 2017	MPD Developer
SE Auburn Black Diamond Road (Roberts Drive) / Annexation Road	Intersection of Community Connector and SE Auburn Black Diamond Road	Single lane roundabout.	Expected Fall 2018.	MPD Developer
SE Auburn Black Diamond Road/ Lake Sawyer Road / Lake Sawyer Extension	Intersection Improvement at SE Auburn Black Diamond Road and Ring Road	Single lane roundabout	COMPLETE in 2017	MPD Developer
SR 169 / Roberts Drive / Lawson Connector	Intersection improvement at SR 169 / Roberts Drive / Lawson Connector (or Parkway)	Roundabout improvement with pedestrian improvements	Expected within 6 years	MPD Developer and City grant funds
SR 169 / SE Black Diamond – Ravensdale Road	Intersection Improvement at SR 169 / Pipeline Road / Black Diamond Ravensdale Road	Roundabout improvement with pedestrian improvements	Expected within 6 years	MPD and City grant funds
SE 288 th Street / 216 th Avenue SE		Re-channelize south leg of intersection to provide refuge/merge area for westbound left-turning vehicles	1 COMPLETED	MPD Developer
<i>Roberts Drive Improvements</i>		Road widening for shared bike lane,	Expected	MPD, grant and

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from 236 th Ave SE to Bruckners Way		sidewalks and streetlights extending pedestrian facilities across Black Diamond and linkage to the r	within 6 years	City funds
SR 169 from BD Ravensdale Road to James Street	Sidewalk link from Old Town to north commercial	Provide sidewalks and bike lane facilities from BD Ravensdale Road to James Street	Expected within 6 years	Grant and City funds
Ginder Creek Trail linking Roberts Drive to Morgan Street		Construct a gravel surface trail for access to City open space and shorter access to the library.	Expected within 6 years	Grant and City Funds
Later phase of A1 above.	Extend The Villages MPD Community Connector	New road with bike lanes and meandering paths/walkways . Constructed in phases as necessary to provide access to each Phase 2 plat that takes access from the Community Connector.	Expected within 6 years	MPD Developer
A3, Lawson Connector	Lawson Parkway	New road linking Lawson Hills MPD to State Route 169 with pedestrian facilities, bike lanes and streetlights.	Expected within 6 years	MPD Developer
Lawson Street Sidewalks Phase 2	Frontage Improvements along Lawson Street	Sidewalks on Lawson Street 6 th Ave to Botts Drive	Expected within 6 years	MPD, grant and City funds
Intersection Improvement at Lawson Parkway/Lawson Street/ Botts Drive		Stop control will be provided when intersection is constructed. Additional improvements may be needed in the future.	Expected within 6 years	MPD developer
A5, North Connector, phase 1		Minor arterial serving north commercial area with roundabout access to SR 169.	Expected within 6 years	MPD Developer

Note: The projects above identify needed facilities within the City if the project growth takes place during the 13-year period. New capacity adding projects will be the responsibility of the project's developer to design and construct to meet the demands of the new growth within the City according to the Development Agreement with the City or through the City's SEPA process. The City's role is monitoring, review and collecting a proportionate share of mitigation fees from infill development for affected intersections. New development will also be responsible for providing on-site roads, trails, sidewalks and circulation, which is not identified in the TIP

Roadway Conditions - 2035

The traffic volumes anticipated for the year 2035 are depicted in Figure 7-7. The City expects that additional arterial roads will be needed in the planning area. SR 169 and Roberts Drive will continue to carry the largest volumes of traffic. The Morgan Street and the Railroad Avenue connection between Roberts Drive and SR 169 would serve as a prominent collector road.

2022 to 2035 Recommendations

Future transportation recommendations for the 2022 to 2035-time horizon (dependent on growth-driven traffic demand) are shown in Table 0-8 and Figure 7-6. The program improves existing facilities, provides connections to “fill-in” the existing system, and constructs new facilities to meet the projected travel needs throughout the city.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-9. Transportation Capacity Adding Projects (2022-2035)

Project References		Project Description	General Timing	Costs & Funding Source
Project Number & Name from 2009 comp plan (new projects in <i>italics</i>)	AKA			
Intersection Improvement at Roberts Drive / Morgan Street and maybe future North Connector		Roundabout	Within 7 to 20 years	\$11,600,000 MPD Developer
Intersection Improvement at SE 288 th St/ 216 th Ave SE		Roundabout or signal	Within 7 to 20 years	MPD Developer
A6, Pipeline Road		Construct New City minor arterial roadway from Lake Sawyer Road. SE to SR 169 with roundabout improvement on Lake Sawyer Road SE.	Within 7 to 20 years	MPD Developer
Intersection Improvement at Covington Sawyer Rd. and 216 th Ave SE		New signal and re-channel adding turn lanes and possibly through lanes or roundabout	Within 7 to 20 years	MPD Developer
A5: North Connector phase 2		Connect new city minor arterial , North connector to the pipeline road.	Within 7 to 20 years	MPD Developer
A5, North Connector phase 3		Extend North Connector from the pipeline road to Roberts Drive.	Within 7 to 20 years	Future Developers
SR 169 Roundabout improvements at Roberts Drive / Lawson Parkway		Roundabout improvements which could include slip lanes or upgrade to a two-lane roundabout	Within 7 to 20 years	Future Developers
Intersection Improvement at Roberts Drive / Morgan Street and maybe future North Connector		Roundabout	Within 7 to 20 years	MPD Developer
SR 169 Roundabout improvements at BD Ravensdale Road / Pipeline Rd.		Roundabout improvements which could include slip lanes or upgrade to a two-lane roundabout	Within 7 to 20 years	Future Developers
A8, South Connector	South Connector	A new east west collector in south Black	Within 7 to 20	\$7,560,000

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		Diamond connecting SR 169 to southwest Black Diamond	years	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
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
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	
North South Connector & Roberts Drive		Roundabout or maybe a signal.	Within 7 to 20 years	\$630,000
North South Connector & Morgan Street		Roundabout or signal	Within 7 to 20 years	\$630,000

Note: The projects above identify needed facilities within the City if the project growth takes place during the 13-year period. New capacity adding projects will be the responsibility of the project's developer to design and construct to meet the demands of the new growth within the City according to the Development Agreement with the City or through the City's SEPA process. The City's role is monitoring, review and collecting a proportionate share of mitigation fees from infill development for affected intersections. New development will also be responsible for providing on-site roads, trails, sidewalks and circulation, which is not identified in the TIP.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-10. Master Developer Funded Transportation Projects

Note: Funding and implementation responsibility for the projects listed are the responsibility of the Master Developer. These projects may be listed in the future TIP.

The Villages MPD		Project Description	Construction Threshold	
Project Name	Alternative Name		Phase 1	Phase 2
The Villages MPD Community Connector		1 lane road connecting Black Diamond Road including bike lanes, meandering path and roundabout	Division 1A of Plat 1A	Occupancy of 726th DU in Phase 1A
Ring Road				
Frontage Improvements on SE Auburn - Black Diamond Road				
Source: Black Diamond Memorandum dated August 27, 2012 From Andy Williams, Steve Pilcher RE: Approval of Regional Facilities Implementation Schedule for Phase 1A, The Villages MPD				

Lawson Hills MPD		Project Description	Construction Threshold	
Project Name	Alternative Name		Phase 1	Phase 2
Source: Black Diamond Revision/Correction Submittal Form Dated January 1, 2014, Permit #PLN13-0027 (2C)				

Level of Service–2035

With the listed improvements for 2021 to 2035, the City's arterial and collector road system all roadways and intersections would operate within an acceptable LOS except for 216th Ave SE / SE Covington Sawyer Rd. Table 0-10 indicates the intersection LOS operations within the City for 2035. With the intersection improvements described in Table 0-10, two intersections would not meet the City's LOS C standard. The 216 Avenue SE/SE Covington-Sawyer Road intersection would operate at LOS F and the 216th Avenue/SE 288th Street intersection would operate at LOS F. The traffic volume growth at these locations appears to be primarily from regional growth outside Black Diamond. It is recommended that the City coordinate with King County, City of Covington and Maple Valley to improve connectivity outside the City of Black Diamond to assist with this problem.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-10. Future Intersection Level of Service Summary (2035)

Signalized Intersections	Level of Service	Delay (seconds)
216 th Ave SE/SE Covington-Sawyer Rd	F	176
219 th Avenue SE/SE 296 th St	A	8
Roundabouts	Level of Service	Delay (seconds)
216 th Avenue SE/SE 288 th Street	F	96
Roberts Drive/Lake Sawyer Road Extension	A	8
SR 169/SE Black Diamond-Ravensdale Road	C	16
SR 169/Roberts Drive/Lawson Connector	A	9
Roberts Drive/Morgan Street	A	8
SR 169/Baker St	A	6
SR 169/Lawson Rd	A	6
SR 169/Jones Lake Rd	A	8

Public Transportation

Metro is expected to continue the one existing transit route into the 2021 horizon year depending on ridership levels and available funding. Service frequency may be increased, however, depending upon demand in the City and Maple Valley and Enumclaw areas. By the 2035 forecast year, additional park-and-ride facilities and transit service may be needed along SR 169. Other transit facilities may be necessary to serve new residential and employment within the City, specifically growth in the Master Plan Developments. Subject to available funding, the likely locations would be along Roberts Drive or Lake Sawyer Road. The City MPD's Development Agreement identifies a park and ride facility within walking distance of the highest density portion of the Master Planned Development.

Pedestrian and Bicycle Facilities

Sidewalks, walkways, and bicycle paths are integral parts of road design, as they are typically located within the roadway right-of-way. Sidewalks should be located on roads providing access to downtown areas, schools, parks, shopping centers, office buildings, and along transit routes. Enhanced sidewalk design standards should be applied by the City to address areas with high pedestrian activity, to increase pedestrian comfort and to allow for street plantings.

Bicycle lanes or paths are especially useful where bicycle traffic is high; such as near parks, schools, and other bicycle traffic generators. Bicycles can sometimes be accommodated without a bicycle lane on low volume local or collector roads. The City's standard of wider shared auto and bicycle lanes on arterials and collectors in time should address the need for continuous linked facilities for bicycles.

Bicycles are not appropriate on sidewalks designed for pedestrians. In low volume areas where bicycles and pedestrians share the sidewalk, an 8 to 10-foot-wide path is needed. In areas with high bicycle traffic volumes, a separate 5-foot bicycle path is needed.

Although there is not a system of bicycle paths or lanes in Black Diamond, the City recognizes the importance of pedestrian and bicycle facilities for recreation and commuter uses. The trail system is a major component of the City's proposed non-motorized transportation system. The Black Diamond Trails Plan proposes several expansions to the local trail system with multipurpose trails, off-road hiking trails, off-road mountain biking trails and horse trails. The City's Trail Plan may need to be updated to insure adequate local connections to the major Regional Cedar to Green King County multi-purpose trail that is currently in preliminary design.

Recommendations

The City has added to the sidewalk system significantly in recent years. However, north south linkages and connections to the future regional trail will be needed. Figure 7-2 shows the current extent of the sidewalk system. The City road construction standards require sidewalks on all new roads. It is recommended that sidewalks, walkways, or trails be constructed with or along all new or reconstructed collectors, minor arterials and on most local access roads as appropriate within City limits.

The City is planning for sidewalks and trails throughout new developed areas but not through older subdivisions with narrow existing rights of ways. In the old portions of the City developed prior to the 1980s, the right of way widths are narrow and the narrow roads serve small pockets of development and carry very little traffic. The citizens in these areas walk on or along the existing roads sharing the roadways with vehicles. It is recommended that the City consider formalizing this vehicle and pedestrian shared facility practice with the assistance of a traffic engineer examining speeds, signage and road improvements and adopting standards and ordinances to establish and facilitate this reasonable accommodation for pedestrians. Reconstruction of existing local access roads are very difficult to fund, particularly if sidewalks are included. The older neighborhoods would benefit from reconstruction of the roadways within the existing right of way and roadbed as City funding would be greatly extended bringing reinvestment to these neighborhoods much quicker.

New roadways will include bike lane provisions along arterial and collector facilities in the City. It is recommended that bike lanes or widened lanes for shared use be constructed along existing arterial and collector roadways in the future when they are scheduled for rehabilitation or reconstruction. For example, the City is requiring the Lawson Hills and Villages to include a network of trails as a condition of the developer agreement. City has also added network of sidewalks through SEPA mitigation and Rock Creek pedestrian bridge will link old town and new town. A new trail is being constructed in 2018 along Morgan Drive

As stated in the transportation policies (T-9), the City encourages the development of a network of off-road facilities for non-motorized travel. The City should seek these facilities in connection with new development and should attempt to identify potential off-street bicycle routes (Class I) for cyclists wherever sufficient public demand and space can be made available.

The recommended non-motorized facilities in this plan will have a positive impact on the transportation system. The plan's support for bicycle facilities would also help encourage alternatives for shorter length trips.

Transportation Demand Management Strategies

Transportation Demand Management is a term encompassing a broad range of measures designed to promote alternatives to the single-occupant vehicle (SOV). By promoting these alternatives, mobility can be maintained without expanding the capacity of the road network.

TDM strategies such as those addressed in Policy T-8 generally include increased public transportation service and ride-sharing programs. The City's website includes links to Metro to help facilitate increased use of public transportation.

Transportation Systems Management (TSM) strategies, such as improved signal coordination and timing are related to TDM as alternative methods of improving transportation performance without building new roadways. TSM is the subject of Policy T-9.

Commute Trip Reduction

Washington State's Commute Trip Reduction Law (RCW 70.94.521) requires all employers with more than 100 full-time employees in counties with populations greater than 150,000 (including King County) to implement a commuter trip reduction (CTR) plan. Although presently there are no employers within the City that employ more than 100 employees at a single work site, anticipated employment growth may necessitate a CTR program in the future.

As one way to support CTR goals, the City signed a franchise agreement with a high-speed internet provider (Wave. MPD) to fund Wi-Fi at public locations including school sites, fire stations, etc.

Reducing congestion includes strategies to reduce demands on the transportation system. Some elements of a CTR plan include:

- provision of preferential parking or reduced parking charges, or both for high-occupancy vehicles (HOVs) and institution of paid parking for single occupant vehicles;

- provision of commuter ride matching services to facilitate employee ridesharing for commute trips;
- provision for subsidies for transit passes or employee use of HOVs;
- vehicles for carpooling and van pooling;
- permitting flexible work schedules to facilities employer's use of transit, carpools, and van pools;
- cooperation with transportation providers to provide additional service to the work site;
- provision for bicycle parking facilities, lockers, changing areas, showers for employees who bicycle or walk to work;
- establishment of a program to permit employees to work part or full time at home or at an alternative work site closer to their homes (telecommuting). To facilitate telecommuting, Black Diamond signed a franchise agreement with the internet provider Wave for high speed internet service. Developer agreements required Lawson Hills and the Villages to commit to bringing employment to Black Diamond and commercial development to improve the jobs housing balance and reduce the need for long distance commutes and fund high speed internet at public school sites, fire stations. Etc.;
- establishment of a program of alternative work schedules such as compressed work week (4-day work week); and
- employer-guaranteed ride home for employees who use alternative transportation modes. This program allows employees to use a company vehicle or provides a taxi reimbursement if there is a family emergency or they are required to work outside their normal work hours.

Land Use Policy

A city's ability to regulate land use is the most effective way available to manage travel demand. Land use plans and the planning and zoning sections of city codes are the principal instruments for implementing land use policy. Some examples of land use policy instruments are discussed below:

Zoning and Land Use Designation

Zoning and land use designation of individual parcels are very important in determining traffic impacts. In general, retail (particularly fast-food and convenience stores) generates the most traffic per employee or square foot of development. On the other hand, if there is inadequate commercial zoning compared to housing, residents will have to travel out of town for needed services. A balanced approach will best minimize traffic impacts. Conversely, industrial developments (such as heavy manufacturing and warehousing) generally have lower traffic impacts. Most other commercial activities (offices, medical, etc.) and residential areas fall somewhere in between these extremes.

The City of Black Diamond sits at the edge of the King County Urban Growth Area. Large housing developments are occurring on large parcels of land. The City is requiring public space and forested land to remain. Limits are being created for on-site parking at commercial developments and the amount of on-street parking required in residential and commercial neighborhoods.

Promoting Business

Even though the City of Black Diamond is small it has funded a Business Development Director and continues to seek bringing more employers to Black Diamond so that residents will have more opportunity to live and work in Black Diamond

Standards for Transportation Facilities

City codes may also regulate the number and location of driveways, the required minimum (and in some cases, maximum) number of parking spaces, the number and convenience of bicycle parking spaces, and sidewalk requirements. These requirements can provide for good design that can maximize the efficiency of the roadway system and can promote use of single occupancy vehicle and commute alternatives.

Parking Management

The City of Black Diamond seeks to provide adequate, but not excessive on-street and off-street parking through both minimum and maximum parking allowances. The City will monitor utilization of parking over time and update appropriate codes as needed.

Funding Strategy

The Comprehensive Transportation Plan recognizes the planning and improvement programming process as ongoing and provides a basis for initiating the funding strategy. A funding analysis is included that examines the available sources to pay for the recommended improvements and new roadways. This analysis recommends those strategies which would be most beneficial for the City to pursue when identifying funding for the improvements outlined in the Six-Year TIP.

During the TIP process each year, the City confirms the construction costs of the recommended improvements and new roadways and matches the appropriate funding strategy to construct the planned improvements. The TIP review also allows the City to reevaluate the need and timing for additional improvements.

Proposed Six-Year Financing Plan

The City is required to create a 6-year financing plan for both transportation and capital facilities, however whereas the City of Black Diamond has required that the Master Planned Developer design, permit and construct all of the capacity adding projects in the City's transportation plan as needed to meet the City's adopted level of service, the city needs only to monitor the LOS and enforce the Development Agreement with each implementing plat within the Master Planned Development.

The Six-Year TIP is the result of an interactive process that balances the goals of all comprehensive plan elements. Financial planning for transportation uses the same process as the financial planning for capital facilities; however, the timing and funding for transportation is restricted by the concurrency requirement and the binding nature of LOS standards. PSRC will also be looking for reassessment strategy if the City's capital funding falls short.

In the unique situation in Black Diamond, concurrency was addressed through the review and permitting process for the Master Planned Developments, therefore if the Master Planned Developer does not keep up with the capacity adding projects in order to meet the City's adopted level of service, MPD implementation will be halted. The City's strategy to tie concurrency

directly to THE major developer within the City should give the City a step ahead of most communities that struggle to keep up with maintaining concurrency requirements.

Costs

The costs associated with the city's transportations costs include the following:

- maintenance and operation of the existing and proposed system;
- costs for designing and constructing new and/or expanded facilities;
- general costs associated with administering, planning, and overhead.

Costs associated with the transportation environment in the City include the cost of maintaining the existing City transportation facilities (roads, etc.); upgrading or expanding the vehicular road network, expanding the pedestrian system; and, providing bicycle facilities, system control (signage, markings, etc.), as well as transportation system planning and design. Although the City is not fiscally responsible for the costs associated transportation improvements required by new development, the City is responsible to ensure that capacity adding projects are constructed concurrent with MPD development, and is collecting proportionate share of SEPA mitigation from non MPD projects to ensure equity to the development community

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.

Strategies

To provide a more consistent strategy for funding roadway improvements, the City shifted the implementation responsibility of the capacity adding project to the Master Planned Developer creating a direct link between development and maintaining concurrency.

Historically, the City has relied on Real Estate Excise Tax, grants and frontage improvements from land developers to construct roadway improvements. Then in 2015 at the approval of the Villages Master Planned Development and Lawson Hill Master Planned Development, the City signed a binding development agreement that requires that the developer design, permit and construct as needed to maintain the City's level of service any and all of the planned improvements and new road connections. This puts the City in a unique position of just having to review, monitor and collect a proportionate share from other non MPD development in the City. Many other city's struggle to stay ahead because of the burden of financing existing deficiencies, pass through trips and the growth in background trips which are all unfunded.

Kommentar [BK9]: New added language shown as underlined text.

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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.

Kommentar [BK10]: New added language in underline text.

As required by GMA, the City also funds transportation improvements through the City's Concurrency Management System, discussed below in section 7.9.2.

Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-11. Summary of Possible Local Funding Sources for Transportation Improvements

Comments	Potential of Revenue Generation	Realistic Acceptance	Comments
Local Motor Vehicle Fuel Tax ⁽¹⁻⁵⁾	Good	In-place	Funds distributed on a per capita basis
Transportation Benefit District ⁽¹⁻⁵⁾	Good	In-place but could be raised	
Local option Sales Tax ⁽¹⁻⁵⁾	Good	Difficult	Requires County implementation
Impact Fees; ^(3, 5)	Good but small amount of the total growth funding needed. Would help local equity.	Good	Allows equitable funding of system improvements; some resistance by development community
Developer Contributions ^(3, 4, 5)	Good	In-place	Development may support facilities that provide direct access; not likely to fund general system needs
Local Improvement Districts ⁽⁴⁾	Good	Difficult	Good for local access assessments for specific needs (e.g. sidewalks in commercial area); not good for mitigating through volumes
Bond Financing ⁽¹⁻⁵⁾	Good	Moderate	Contrary to “pay-as-you-go” policy; may be little public acceptance if considered region wide bond measure. Limited by City’s bond rating.
State and Federal Grants ⁽²⁻⁵⁾	Good in the small City Program; Will become more competitive once over \$5000 pop.	Fair	City has had some success in obtaining funds. Once the City has their comprehensive plan approved they will also be eligible for more grants including Federal.
Capital Facilities District ^(2, 5)	Good	Difficult	Would require approval by Council
Potential use of funds: ¹ Operations & Maintenance , ² Capital Projects, ³ Capacity adding projects (traffic mitigation) ⁴ Road improvement, ⁵ Safety			

Plan Administration

Funding Matrix

Table 0-12 presents the recommended improvements, their estimated cost, and the timeframe in which they would be constructed, along with a suggested funding source. Future detail for each project will be developed as part of the annual TIP process. This section summarizes concurrency for the City to use in administering the comprehensive transportation plan.

Concurrency

Legislative Requirement

The GMA requires that each city and county incorporate a Concurrency Management System (CMS) into their comprehensive plan transportation element. A CMS is a policy to determine whether adequate public facilities are available to serve new developments.

“Local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a transportation facility to decline below standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.” (RCW 36.70A.070) The city of Black Diamond adopted a robust concurrency ordinance meeting these requirements on December 2015 by Ordinance 15-1070.

The term “concurrent with the development” is defined to mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within 6 years of development.

The City’s primary strategy to maintain traffic concurrency is: by the authority of the MPD Development Agreement, the City has placed the construction responsibility of the necessary capacity adding projects on the MPD developer and directly linked the future progress of the development maintaining the traffic LOS.

Other strategies that could be used in order to maintain compliance with concurrency include:

- Increasing roadway capacity or adopting transportation system management (TSM) strategies to accommodate the increase in demand use to development; and
- Adopting TDM strategies, such as increased transit access and rideshare programs, to offset the increase in demand.
- Often it is a combination of improvements and strategies that create the most effective CMS.
- 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.

Kommentar [BK11]: New added language in underline text.

CMS Implementation

The GMA also requires cities to formalize a CMS into a process that shows measurable results. The City established a position on concurrency in a Concurrency Policy (T-19), codified in Black

Diamond's adopted Concurrency Management Ordinance, Chapter 11.11 of the Black Diamond Municipal Code. The City's CMS program is further defined below.

LOS standards and providing adequate funding

The City recommends the following LOS standards:

- Roadway. LOS D for all intersections along SR 169 and LOS C for all other arterials and collectors within the City. The City will evaluate stop-controlled intersections on an individual basis when the LOS standard is exceeded.
- Transit. LOS standard is expressed in terms of a goal to monitor existing transit facilities and to improve transit operations as demand dictates.
- Other. LOS standard is expressed in terms of a goal to provide pedestrian and bicycle facilities throughout the City.

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Table Fehler! Kein Text mit angegebener Formatvorlage im Dokument.-12. Transportation Improvement Project – Cost Estimates													
	From	To	Length (miles)	Total Project Cost	2016	2017	2018	2019	2020	2021	2022-2034	Type of Improvement	Potential Funding
New Roads													
Annexation Road	Lk Sawyer Rd	Across Roberts Drive south to A2	0.70	\$ 2,900,000		\$ 2,900,000						New street grid capacity	Development
Pipeline Road	SR-169	Lake Sawyer /Black Diamond	1.50	\$ 11,600,000							\$ 11,600,000	New roadway construction	Development
North Connector	SR-169	South to a new neighborhood	0.25	\$ 1,000,000					\$ 1,000,000			New minor arterial connection to SR-169 with signal	Development
Lake Sawyer Road Extension	Lk Sawyer Rd	Annexation Rd	0.50	\$ 1,800,000		\$ 1,800,000						New street grid capacity	Development
Lawson Connector	SR-169	Lawson Street	0.60	\$ 3,200,000			\$ 3,200,000					Construct 36' wide minor arterial roadway	Development
South Connector	Annexation Rd	SR-169	1.50	\$ 7,560,000							\$ 7,560,000	Construct 36' wide minor arterial roadway	Development
Overlays													
General Streets Improvement				\$ 30000 / year	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000		Short overlays, chip sealing, crack sealing, patch work, addressing minor safety problems	
232nd Avenue SE	SE 288th St	End of Road	0.77	\$ 100,000		\$ 100,000						Chip seal	Grant/Local/Development
Roberts Drive Rehabilitation Phase 2	City Hall	King County Library	0.23	\$ 200,000			\$ 200,000					Grind, patch, replace panels, crack sealing, shoulder reinforcement	Grant/Local
Jones Lake Road	SR-169	Railroad Ave	0.29	\$ 122,000		\$ 122,000						Patching and overlay existing roadway	Grant/Local
288th/224th/216th Chip Seal	SE 312th St	Covington-Sawyer Road	1.46	\$ 129,000		\$ 129,000						Patching and chip sealing existing roadway	Grant/Local
Morgan Creek Neighborhood Roads Preservation			1.19	\$ 97,000				\$ 97,000				Seal coat on existing roadway	Local

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								0						
Minor Road Improvements														
Roberts Drive Rehabilitation Phase 1	Bruckners Way	City Hall	0.28	\$ 100,000		\$ 100,000						Leveling, overlay, sidewalks, pedestrian lighting and roadway widening	Grant/Local/Development	
Roberts Drive Rehabilitation Phase 3	King County Library	SR-169	0.56	\$ 1,700,000					\$ 1,700,000			Widen and overlay, sidewalk, street lighting and stormwater improvements	Grant/Local	
Sidewalk Extensions & Bike Lanes				\$ 400,000						\$ 400,000		Sidewalk extensions and roadway widening to add bike lanes	Grant	
Traffic Controls														
SR-169/Roberts Drive				\$ 7,777,000				\$ 7,777,000				Roundabout or Signal	Grant/Development	
Ravensdale/SR-169 interim intersection				\$ 700,000				\$ 700,000				Roundabout or Signal	Grant/Development	
Ravensdale/SR-169				\$ 8,000,000						\$ 8,000,000		Roundabout or Signal	Grant/Development	
216th Ave SE/ SE 288th St				\$ 1,400,000							\$ 1,400,000	Roundabout or Signal	Grant/Development	
Roberts Drive/Lake Sawyer Rd				\$ 1,000,000					\$ 1,000,000			Roundabout	Development	
Roberts Drive/Annexation Rd				\$ 1,000,000						\$ 1,000,000		Roundabout	Development	
Lake Sawyer Ext/Annexation Rd				\$ 205,600							\$ 205,600	Roundabout	Development	
Sidewalk														
King County Housing ADA Improvements (1st Ave)	Baker St	Approx. 250' south of Baker St.	0.10	\$ 155,000	\$ 155,000							Install new sidewalk and curb ramps	Grant	
Lawson St. Sidewalk phase 2	6th Ave.	Newcastle Dr.	0.19	\$ 356,000			\$ 76,000	\$ 280,000				Install new 5-foot sidewalk on north side	Grant/Development	
Commission Sidewalk	Railroad Ave.	Commission St. behind Museum	0.04	\$ 150,000		\$ 150,000						Install sidewalk, ADA improvements	Grant/Local	
Grant/Local TOTALS														
				\$ 1,831,600	\$ 185,000	\$ 5,331,000	\$ 3,506,000	\$ 8,884,000	\$ 3,730,000	\$ 9,430,000	\$ 20,765,600			

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.

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Monitoring/Analyzing Available Transportation Capacity

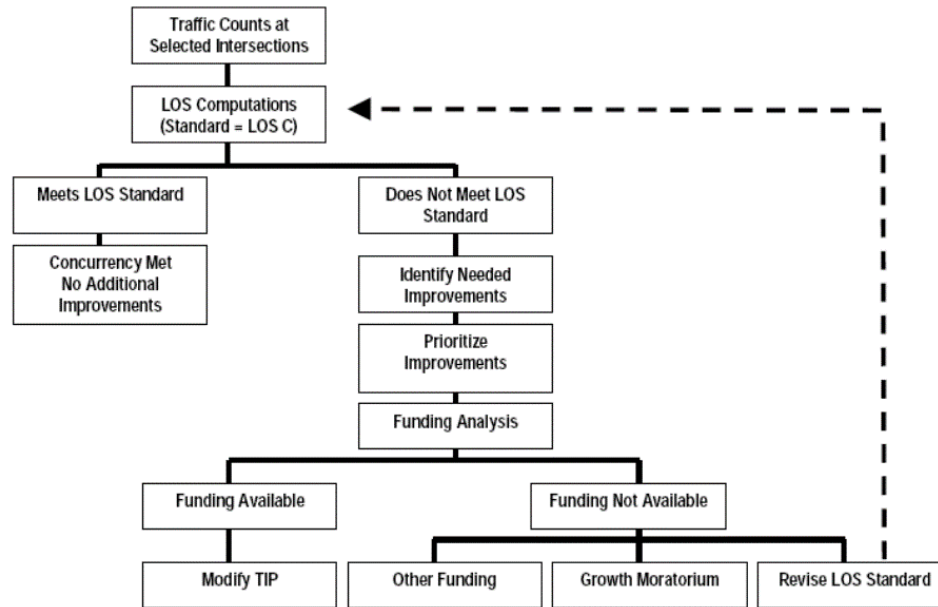
The City requires a Traffic Impact Analysis (TIA) for developments that impact the transportation system. A TIA is a specialized study of the impacts a development will have on the surrounding transportation system. It is specifically concerned with the generation, distribution, assignment, and accessibility of traffic to and from the development, and the impact of development traffic on the adjacent roadway system. The City's guidelines for TIAs are similar to those of other communities in western Washington regarding when a TIA is required for a development and the scope of work needed to effectively analyze the impacts of site generated traffic. Generally, if a development adds 10 or more vehicles in the PM peak hour a TIA is required. If deemed necessary by the City, the TIA may also address transit and other modes for impact assessment. The City uses the adopted LOS standards as guidelines for assessing concurrency and mitigation.

A system to monitor concurrency was developed and is illustrated in Figure O-1. As noted in the chart, there are four options for the City to consider:

- **Future Considerations.** In the future as the MPD development agreements near expiration the City will need to begin to look for other funding sources and strategies to meet the future traffic needs post MPD development. Look for other funding sources, such as dedicating the second 1/4 of 1 percent of the Real Estate Excise Tax for street projects.
- **Reassess LOS standards.** GMA allows a community to change LOS standards annually. Any changes to LOS standards should be done in connection with annual TIP reviews.
- **Reassess Land Use.** GMA requires that if the funding for capital improvements (such as roads) cannot be met, the land use or levels of development within the plan should be re-assessed.
- **Growth Moratorium.** Per GMA requirements. If funding cannot be met, and the LOS standard unchangeable, then GMA requires development to be stopped until either issue can be resolved.

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.

Figure 7-0 Concurrency Management System

Transportation Plan

The Black Diamond Comprehensive Transportation Plan emphasizes that the transportation system should be designed to provide safe and efficient multi-modal circulation consistent with the City's vision as an active, beautiful and friendly community based on a rich historic heritage and exceptional natural setting, with a small-town atmosphere. This circulation network will facilitate the transportation needs of retail, industrial/Business Park, office, tourist and local cottage industries as well as city residents including a system of trails, bikeways and greenbelts connecting housing, shopping and employment with nearby regional parks and recreational facilities.

The City plans to continue developing its transportation network as a grid system. The Plan will use a grid of similar smaller roads as well as linking existing and planned neighborhoods to accommodate future growth. Street construction standards are to be used to reinforce the transportation goals and policies.

The plan's policy guidance includes using the existing transportation system efficiently and encouraging transportation alternatives, such as transit, HOV use, and pedestrian and bicycle

facilities. Cooperation between affected jurisdictions (the City, State of Washington, King County and the Puget Sound Regional Council) in planning for state highways and county roads is also supported by City policies. The presence of both state and county roads as the primary arterial system requires coordination with King County and Washington State in the planning of these roads.

Alternative Modes

The Comprehensive Plan identifies that a comprehensive network of non-motorized facilities, including trails, sidewalks, and bicycle facilities needs to be developed. These facilities would enhance non-motorized mobility options and reduce automobile dependency. Similarly, an off-street parking plan for Old Town, a park-and-ride for City residents, and visitor parking to serve bicyclists who come to the City to ride on weekends are identified as desired elements of the plan.

The Lawson Hills and Villages Master Planned Developments will both include extensive new trail networks. Lawson Hills will add 4.5 miles of internal multi-purpose trails, sidewalks and forest paths. The Villages will add 12 more miles of trails including connections to off-site locations.

Funding Strategies

To provide for the necessary transportation facilities, the plan identifies an ongoing program of transportation facility planning and private MPD development funded projects by the authority of a development agreement, developer contributions, and public funds. The plan identifies that development should cover the cost of the impact of development on transportation system.

Transportation Improvement Program

Road improvement projects for existing deficiencies are identified for the short term (2010 to 2016) as required by GMA. New roads are identified for both the short-term and the long-term (2017 to 2022) for better circulation for vehicles. The road system identified in the attached map figures forms the basis for the long-term motorized transportation improvements. Non-motorized transportation improvements will be identified in the City's update to the trails plan.

The improvements proposed for the short and long term are intended to mitigate the impacts of anticipated traffic growth. Construction of additional roads identified in the proposed Arterial and Collector System Plan will serve to divert and spread traffic flows.

Transportation and Land Use Element Coordination

The Black Diamond Comprehensive Plan Transportation and Land Use Elements are intended to work together to maintain the City's unique character in the face of increasing regional traffic. Surrounding King County land uses and other regional land use patterns may produce adverse effects on City traffic. Land use patterns that perpetuate automobile dependency would be expected to increase traffic in the City. It should be noted that an isolated change of land uses within the City may not, by itself, be expected to produce improved City-wide mobility.

Transportation Facilities and LOS Standards Coordination

Intergovernmental coordination is essential for the cost-effective provision of transportation services. The City does not possess the resources nor is it fiscally responsible for addressing all

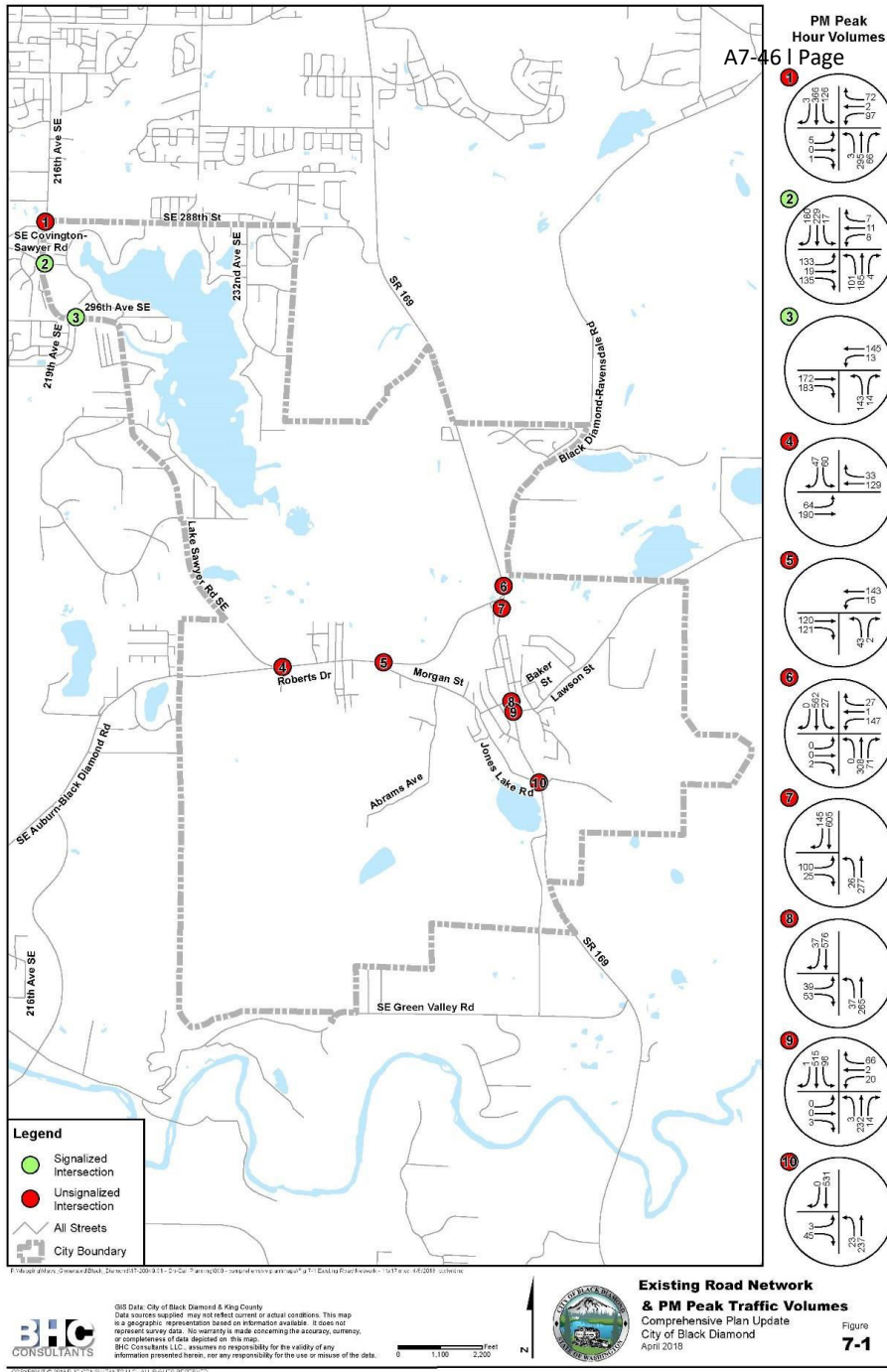
the of the transportation circulation system needs that might be identified through transportation planning. The City has reviewed the plans of the County and State Department of Transportation and has assessed the impact of their plan on the transportation facilities in the City. The LOS standards and proposed transportation improvements to be adopted by this element are not inconsistent with the LOS standards or plans of other jurisdictions. In addition, the City is committed to actively seek financial resources necessary to achieve the goals of the Comprehensive Transportation Plan. The City is an active participant (Mayor Benson has been the chair for two years) in the South County Area Transportation Board, SCATB, that serves as a South King County forum for information sharing, consensus building, and coordinating in order to resolve transportation issues and promote transportation programs that benefit the south King County area. Additionally, the City of Black Diamond joined SEAL-TC, South East Area Legislative Transportation Coalition which was formed by Covington, Maple Valley and Black Diamond chamber of commerce. This Coalition has a mission to improve access to, from and through our communities by way of public-private collaboration, legislative advocacy and commitment to our region.

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.

Kommentar [BK12]: New added language in underline text.

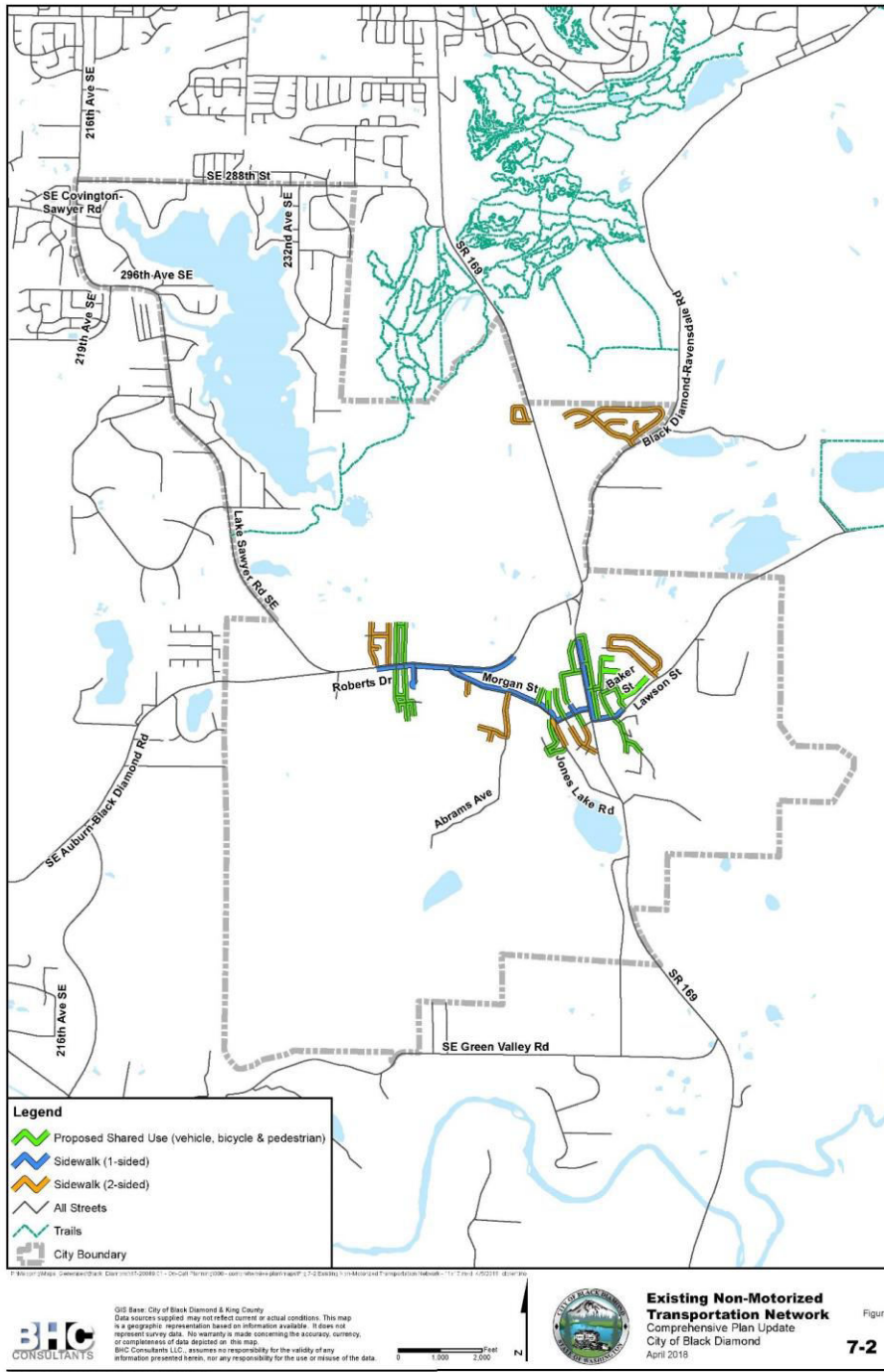
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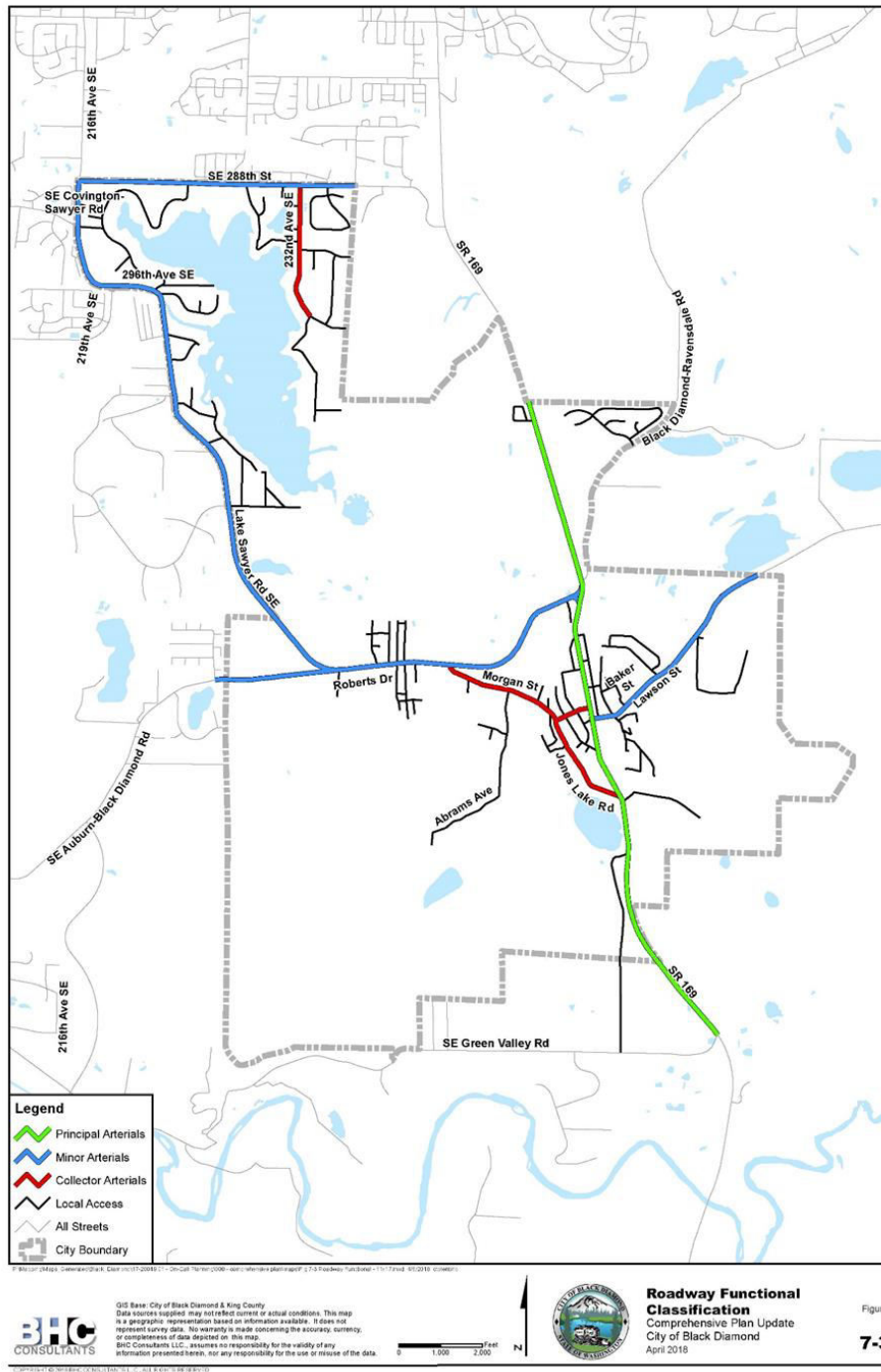


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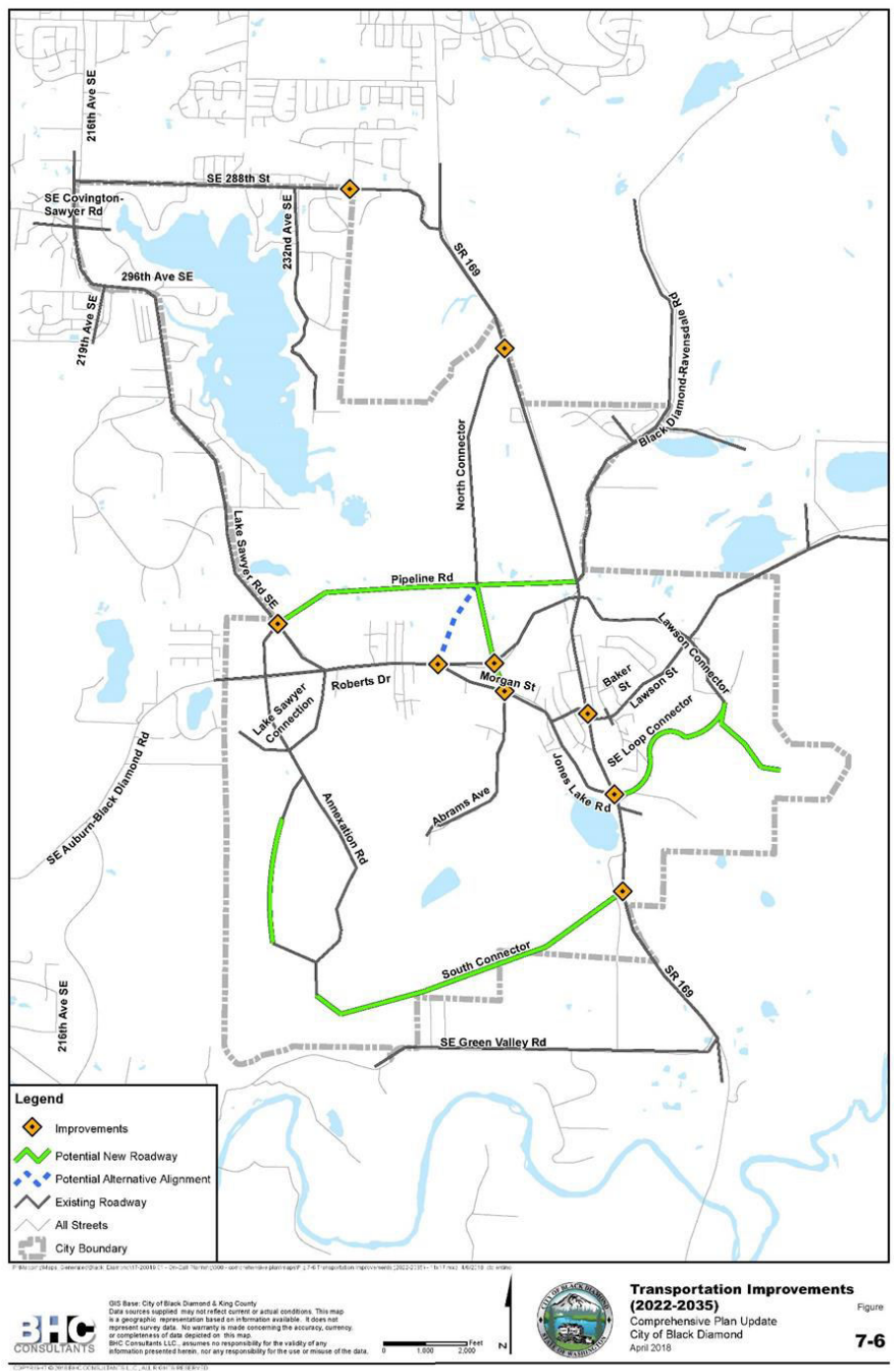


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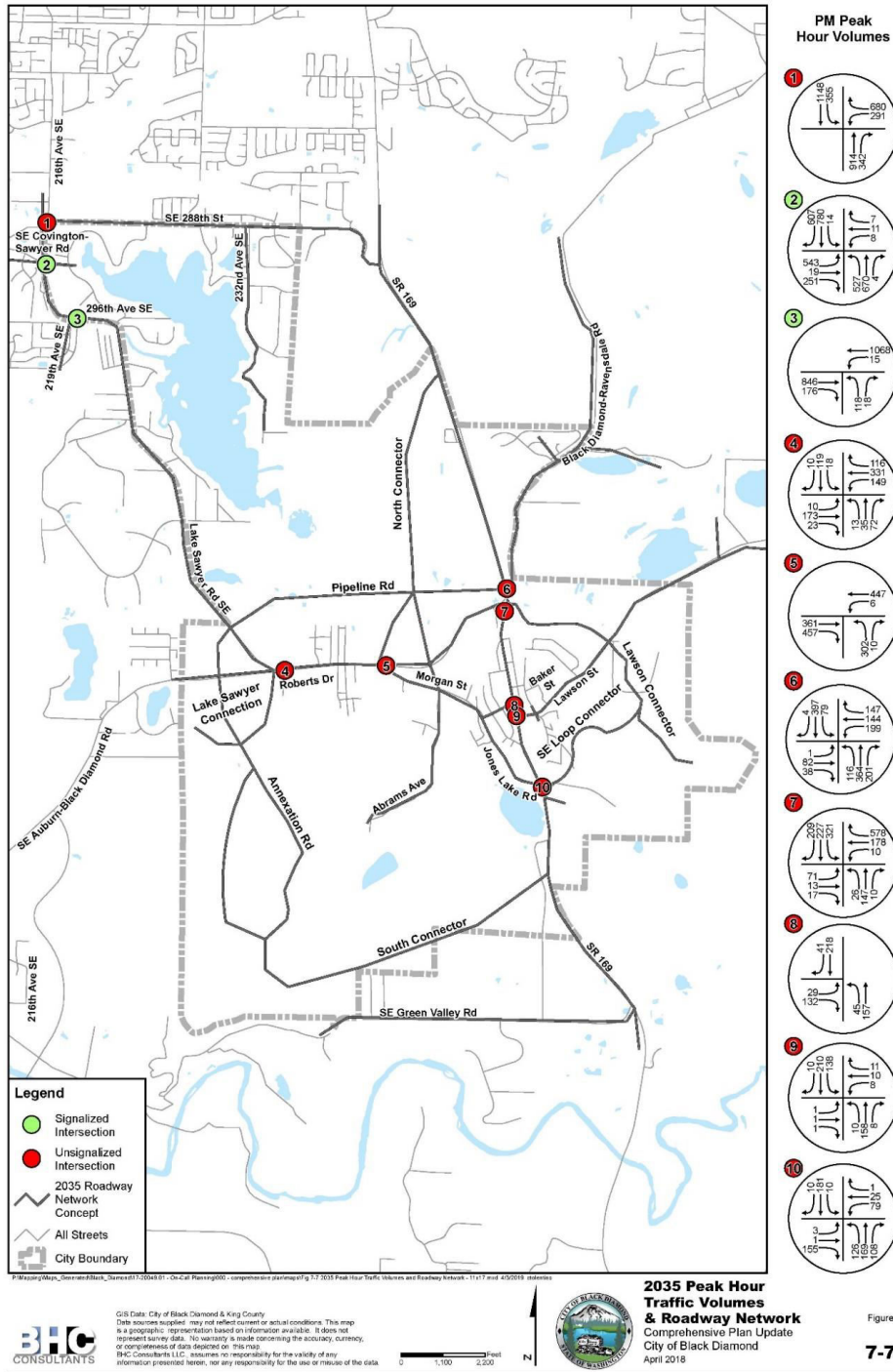
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The following is a summary of the proposed 2020 annual amendments to the City of Black Diamond Comprehensive Plan. A recommendation for these proposed amendments was made by the Planning Commission on December 8, 2020 following a Public Hearing held on December 1, 2020.

1. Amendment to Chapter 3, *Parks, Recreation, Trails and Open Space*. A paragraph was added in Section 3.2, Planning Framework to recognize the American with Disabilities Act (ADA). This paragraph was inadvertently deleted during the final formatting of the May 2019 adopted Comprehensive Plan and would be added back into the document as part of these amendments. The ADA language is shown below in highlighted underline text.

3.2 Planning Framework

Regulatory Setting and Relationship to Other Plans:

Growth Management Act (GMA)

Cities planning under Washington State's Growth Management Act (GMA) are required to include a parks and recreation element in their comprehensive plan. RCW 36.70A.070 (8) of the GMA states that the parks and recreation element must implement and be consistent with the parks and recreation facilities identified in the Capital Facilities Element. The element must also include three components:

- Estimates of park and recreation demand for at least a 10-year period.
- An evaluation of facilities and service needs.
- An evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

This Element meets these directives. The Parks, Recreation, Trails and Open Space Appendix provides an inventory and evaluation of demand and facility and service needs.

Americans with Disabilities Act (ADA)

The ADA was signed into law in 1990 and it is an important piece of legislation that ensures physical accessibility for people with disabilities. The City of Black Diamond is committed to providing equal access under Title II of the ADA for its parks, recreational and trails system.

Washington Recreation and Conservation Office (RCO)

The RCO is a significant source of grant funding for parks and recreation in the State of Washington. The RCO oversees parks and recreation planning throughout the state and through its grant program and ongoing planning activities, the RCO seeks to enhance and maintain statewide opportunities for recreation and protect the best of the state's wildlands and threatened and endangered species.

The RCO program provides leadership, funding and technical assistance to help communities plan for and implement parks and recreation projects. These projects may include trails, playfields, and other park facilities. In addition, the program helps to protect and restore the state's important habitat and biological heritage through open space protection and conservation.

2. Amendment to Chapter 4, *Natural Environment*. Policy NE-21 was also inadvertently deleted from the adopted 2019 Comprehensive Plan during final formatting and would be added back into the Plan as shown below in highlighted, underlined text.

4.7 Critical Aquifer Recharge Areas (CARA) Goals and Policies

The City is located within the South King County groundwater management area. The groundwater management plan for South King County identifies the western and northwestern portions of the City as having the potential to serve as aquifer recharge areas but offer little contaminant removal ability, leaving groundwater susceptible to contamination. The King County Comprehensive Plan mapped these areas as “Areas Highly Susceptible to Ground Water Contamination” (Figure 4-1). As shown on the figure, the map is intended for informational purposes only and is not specific enough to be integrated into City regulations.

❖ **NE Goal 5:** Protect the quality and quantity of groundwater used for public water supplies.

- **Policy NE-18:** Encourage the reduction of the use of pesticides and chemical fertilizers to the extent feasible and identify alternatives that minimize risk to human health and the environment.
- **Policy NE-19:** Reduce the rate of expansion of impervious surface in the City consistent with local, state, and federal regulations.
- **Policy NE-20:** Improve programs and management strategies designed to prevent and reduce contamination of street runoff and other sources of stormwater.
- **Policy NE-21:** Use LID (Low Impact Development) techniques to manage stormwater runoff pursuant to Title 14 of the Black Diamond Municipal Code and Stormwater Management Manual for Western Washington (SMMWW).

-
3. Amendments to Chapter 5, *Land Use*. Proposed amendments include:

- a. Text revision to Section 5.7 regarding the Master Planned Development (MPD) Overlay to add a new paragraph and revised criteria language,
- b. Text revision to Section 5.10 regarding Urban Reserve Goals and Policies to add a new goal, LU Goal 6 to limit annexation in the City’s remaining Potential Annexation Areas (PAA’s) until the City’s growth projections are aligned with the County and Regional growth targets/models. Previous LU Goal 6 would become LU Goal 7.
- c. Text revision to Section 5.13 for Commercial Goals and Policies. The revised text is intended to clarify that the Community Commercial (CC) is not intended to develop as a ~~mixed-use~~mixed-use area and should not allow for residential development.

These amendments are in response to community input and comments received from the Puget Sound Regional Council (PSRC) Certification Report received on the City's 2019 updated Comprehensive Plan. The revisions are intended to work toward aligning future growth in the City with the countywide targets and regional goals and policies. Also, the City needs to develop a more robust tax base and must protect its commercial core along SR 169 from converting to residential uses. Revised text is shown in each amended section below in highlighted and underline/cross through text.

5.7 Master Planned Development (MPD) Overlay

An overlay is a tool that is placed or laid "over" a base land use designation and establishes regulations that are in addition to those of the "underlying" zoning designation. The intent of the MPD overlay is to tailor criteria and implementing regulations for lands that have been proposed for an MPD. The MPD overlay is intended to take advantage of opportunities to create a clustered mix of residential, commercial, or civic uses along with open spaces and public facilities, on large sites in appropriate locations. These sites typically consist of large parcels in common ownership where a master plan will be developed to guide unified development over a period of many years.

The MPD overlay is applied to areas that are intended to allow a mix of those land uses and residential densities as depicted on the Future Land Use Map, Figure 5-2. Areas with an MPD overlay designation are intended to develop only after approval of an MPD permit pursuant to Black Diamond Municipal Code. An MPD may include residential and commercial uses clustered around private and community open space, supported by adequate services and facilities. As part of the process of approving an MPD, a specific development plan or site plan shall be prepared and will specify the residential and nonresidential uses, densities and intensities, phasing of development, and specific development standards that apply to the site. Some MPD sites may also be designated as TDR receiving areas.

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.
- Existing or planned public facilities are adequate to support the planned development density.
- The area is not predominated by environmentally sensitive areas, and/or the development plan contains standards that will allow development while providing appropriate protection to the environmentally sensitive areas. The level of protection must be equal or better than that provided by the City's environmentally sensitive area policies and regulations.
- There is either a need for or benefits that will clearly derive from providing flexibility in zoning that cannot be provided by other mechanisms.
- The parcels are at least 80 contiguous acres in area and in single or unified ownership or is subject to a pre-annexation agreement that requires an MPD for the parcel.
- The development plan requires flexibility to meet the requirements of an MPD.

- The MPD will provide public benefits, in the form of preservation or enhancement of physical characteristics, conservation of resources, provision of employment, improvement of the City's fiscal performance, provision of adequate facilities, and other public benefits identified by the City.
- At least 50% of the MPD site is devoted to open space uses, which may include recreational amenities.
- Adequate mitigation, consistent with Black Diamond Municipal Code and state and federal codes for adverse impacts on the community, neighborhood, and environment is provided.
- MPD densities are urban (min 4 dwelling units per acre).

5.10 Urban Reserve Goals and Policies

Under the provisions of the GMA, counties must identify Urban Growth Areas (UGAs) around existing cities within the County to accommodate planned growth. A UGA defines the area around the city that is available for its expansion during the 20-year planning period.

The UGA defines the limit within which the full range of urban services will be provided. Urban services typically refer to sanitary sewer and public water. GMA discourages the provision of urban services beyond UGA boundaries. Growth is first directed into areas already urbanized and that have existing public facility and service capacities. The purpose is to promote more compact urban development within, and adjacent to, existing urban areas in order to ~~insure~~ensure efficient utilization of land resources and to facilitate economic provision of urban services.

The King County designated UGA encompasses all cities located within the county. The boundary of the UGA is established by the County in consultation with the cities through consideration of land use demand projections, identification of critical and resource lands, and determination of areas already characterized by urban growth.

Potential Annexation Areas (PAAs) are areas adjacent to incorporated areas, within the King County designated UGA that have not yet been annexed to a city. As part of development of the Countywide Planning Policies (CPPs), King County and the cities throughout the county collaborated in determining each jurisdiction's most logical boundaries for long-term delivery of urban governmental services. The PAAs developed by the cities are included in the King County CPPs.

As of 2016, Black Diamond's PAAs include two areas totaling approximately 390 acres that have been identified as appropriate for future annexation. The PAAs are shown on the Future Land Use Map as "UGA/PAA". These two areas are the Lake 12 annexation area including a portion of SE Green River Gorge Road and West Lake Sawyer Annexation Area located west of Lake Sawyer along the Covington– Sawyer ~~R~~oad, including Kentlake High School.

The Urban Reserve designation recognizes Planned Annexation Areas (PAAs) that will not be considered for annexation until a plan for extending the required utilities is developed and financed. The Urban reserve designation allows for single-family residential uses, their accessory uses and public and semipublic uses that meet appropriate development standards.

~~❖ LU Goal 6:~~ **GOAL: Future annexation of the Potential Annexation Areas (PAAs) will not occur until the City's growth is aligned with countywide growth targets and the regional growth strategy.**

~~❖ LU Goal 6 7:~~ **Annexation may only occur in areas that can be serviced by adequate public facilities, utilities, and services.**

- **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.

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- **Policy LU-22:** Give priority to infill development within the city limits and existing urbanized unincorporated areas.
- **Policy LU-23:** Urban development within a Potential Annexation Area will not occur without annexation. Unless there is an interlocal agreement with King County defining land use, zoning, annexation phasing, urban services, street and other design standards and impact mitigation requirements.
- **Policy LU-24:** Consider only annexations that are within the PAA. Annexations shall be phased to coincide with the ability of the City, public services districts and utility providers serving the area to provide a full range of urban services to areas to be annexed.
- **Policy LU-25:** Approval of the annexation of the Lake 12 Area shall include permanent public access to the lake.
- **Policy LU-26:** Prior to annexing the Lake 12 Area, a traffic study shall be completed to determine the appropriate city road standards that apply to all public roads within the annexation area.
- **Policy LU-27:** Development in the Urban Reserve designation shall not be allowed until plans for public water, sewer, and other services are available and planned for with adequate funding mechanisms. Such plans shall be developed prior to or concurrent with annexation.

5.13 Commercial Goals and Policies

Community Commercial (CC)

Larger, community-scale centers outside of the Town Center are intended to meet the community's growing needs, serve the needs of the surrounding area, and accommodate commercial uses that require larger sites, involve significant areas of outdoor product display or storage, or are oriented to the needs of the motoring public. Community Commercial areas will allow retail, restaurants, motels/inns, professional offices, entertainment and cultural uses, public and semi-public uses. Community Commercial areas may also include land-intensive commercial activities such as automotive sales, lumberyards, and other activities that include outdoor product display and/or storage.

Community Commercial areas should be located along major arterial routes, such as SR 169 to serve the broader community with a wider range of goods and services. Access to the arterial should be limited to combine access points to commercial developments, preferable that being an intersecting public street. Interconnectivity for both vehicles and pedestrians should be provided between sites. Sufficient land within the City should be designated to allow for development of uses that provide significant employment opportunities and potential of sales tax generation. ~~To that end, the Community Commercial designation is not intended to be a mixed-use area and residential development shall not be allowed.~~

Commercial goals and policies are as follows:

- ❖ **LU Goal 9:** Ensure that opportunities for convenient and concentrated commercial development are provided to support both the local and regional market.
- ❖ **LU Goal 10:** Encourage the concept of mixed-use development ~~in the Town Center and NC commercial zoning designations~~ to create diverse and self-sufficient neighborhoods.

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- **Policy LU-42:** Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.
- **Policy LU-43:** Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.
- **Policy LU-44:** Encourage well-planned, coordinated commercial development within the SR 169 area and discourage strip retail development through the use of design standards.
- **Policy LU-45:** Prioritize funding of infrastructure and community enhancement projects in the Town Center to encourage redevelopment and investment in this area.
- **Policy LU-46:** The Town Center area shall be pedestrian oriented and include a mix of parks, residential, civic, retail, commercial, office, entertainment, services, and hospitality services (inns and meeting centers).
- **Policy LU-47:** Parking in Community Commercial areas should be located to the sides and rear of buildings.
- **Policy LU-48:** Require cross-access between sites to reduce the number of driveways along arterial streets. Pedestrian connections between sites should also be provided.
- **Policy LU-49:** Promote a compatible mix of land uses that create a diversified environment that mixes shopping, employment, recreation, and residential opportunities where appropriate.
- **Policy LU-49:** Promote quality in the design and construction of development through the use of design guidelines to maintain or enhance community character.
- **Policy LU-50:** Discourage the conversion of Community Commercial designated areas to uses that do not create jobs or ongoing sales tax revenue for the city.

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4. Amendments to Chapter 7, *Transportation*. Several areas of revised text are proposed in the Transportation Element. These amendments are to address comments in the PSRC Certification Report regarding information that was inaccurate or missing in the 2019 Comprehensive Plan or to build in more robust contingency measures for funding transportation infrastructure. New and revised language is shown in highlighted, underlined/strikethrough format.

Section 7.2. Planning Framework and Consistency Statements

Need for the Comprehensive Transportation Plan

In 1996, the City completed its first comprehensive transportation plan which was updated in 2001 and 2009. This update provides a revised look at the existing transportation system; addresses changes in legislative requirements; reflects changes in economic conditions; evaluates current needs; and reviews the adequacy of the planned transportation improvements with consideration of the Master Plan Developments to meet future travel needs and conditions. Consistent with the regional update cycle, the City's comprehensive transportation plan is being updated to:

- **Determine Existing Transportation Deficiencies.** An inventory of the transportation system identifies the existing needs of the Black Diamond community. Some existing transportation deficiencies, including several on State Route (SR) 169, can be attributed to growth in other jurisdictions. These deficiencies 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.
- **Meet GMA Requirements.** The City is required by the GMA to develop a comprehensive plan including a transportation chapter that includes a list of future system improvements to meet identified future needs and a multi-year financing plan.
- **Qualify for Funding.** State and Federal agencies require local governments to have a comprehensive transportation plan that demonstrates the community's vision of its future. The City's population has been steadily growing since 1996 and is anticipated to exceed 5,000 by 2021, which will provide expanded opportunities to pursue additional grant funds.
- **Plan for the City.** Both public and private sectors can use the comprehensive transportation plan when making decisions about the transportation system.

Section 7.4, Transportation Policies

Funding, Concurrency, and Impact Mitigation

The City faces the challenge of making the best use of the limited funds available to finance transportation projects. Issues addressed by these policies include concurrency, identifying favorable funding sources, and deciding impact mitigation assessments.

As described in Appendix 7, SR 169 serves as the primary north-south roadway connecting communities in southeast King County and northeast Pierce County to each other as well as the larger transportation network. SR 169 experiences high traffic volumes during peak periods as drivers from Bonney Lake, Buckley, and Enumclaw pass through Black Diamond in the morning to access major job centers to the north and return southbound in the evening. These volumes contribute to existing transportation deficiencies at intersections on SR 169 in Black Diamond, for which the City is legally obligated to address, however no mechanisms are in place to secure funding for improvements.

- ❖ **Policy T-19 Concurrency Policy:** Ensure that transportation improvements or strategies are constructed or financed concurrent with development, including roadway, pedestrian, bicycle, and transit facilities. This also includes coordinating the City's concurrency program with plans of other transportation agencies. While the City has the authority to adopted LOS standards for local roadways, the LOS for SR 169 is established by WSDOT. The City cannot accept a lower LOS for SR 169 as a mechanism to address concurrency. The most significant adopted policy of meeting concurrency standards is accomplished by the two major MPD Development Agreements that require the developer to implement any and all of the capacity adding projects in the City's comprehensive plan to maintain the City's level of service standards. To monitor these commitments, the City's Concurrency Management System includes the following:

- Assessing and determining compliance with the adopted level of service standards;
- Identifying facility deficiencies (e.g., sidewalk, bike lanes, multi-use paths and transit); and,
- Making appropriate revisions to the Six-Year TIP, including prioritization of improvements on SR 169, as the City cannot modify the adopted LOS for that facility.

In addition, the City could explore other means to improve LOS, such as the implementation of plans and programs that reduce reliance on single occupancy vehicle travel (e.g. transportation demand management).

- ❖ **Policy T-20 Funding Sources Policy:** Secure adequate long-term funding sources for transportation through all feasible and available methods. These methods may include:

- **Adopting a Transportation Impact Fee (TIF) to fund capacity improvements that maintain adopted LOS standards for roadways;**

- Taking advantage of state funds, such as the Transportation Improvement Account (TIA), and the Public Works Trust Fund (PWTF);
- Encouraging Washington State Department of Transportation (WSDOT) improvements on the state highway system;
- Encouraging the use of LIDs by property owners to upgrade roads to meet City road standards;
- Requiring impact mitigation and/or SEPA mitigation fees for projects as guided by this Plan. Impact mitigation payments and/or seeking voluntary contributions from developers may also be pursued;
- Promoting the use of Transportation Benefit Districts and Capital Facility Districts;
- Exploring the potential of assessing user fees to support maintenance and preservation of the transportation system; and

- **Seeking funding from federal agencies and all other available grant sources. Once Black Diamond's population exceeds 5,000 (anticipated by 2021; to be confirmed by the 2020 United States Census), the City will be eligible to pursue grant funding available only to cities of that size. The grant programs available to large cities are generally bigger in overall size and the typical awards for funded projects are greater than those for small cities. This expands the City's opportunities to secure significant funding for large infrastructure projects.**

- ❖ **Policy T-22 Financial Impact Mitigation Policy:** Require developers to contribute their fair share towards the transportation improvements required to meet the LOS standards. Impact mitigation efforts may include:

- Requiring developers who are subject to an approved development agreement with the City to continue fulfilling all mitigation requirements imposed therein;
- Requiring developers who are not subject to an approved development agreement **or for whom an approved development agreement has expired**, to assist in providing additional **funding through an adopted program, such as a TIF**, transportation facilities, and **/or** services in proportion to the impacts and needs generated by development;
- Encouraging developers to design projects that generate less vehicular traffic; and
- Requiring developers at the beginning and mid-point of each phase of the MPD project to monitor traffic generation and distribution to determine if traffic impacts of MPD development are occurring as projected.

Coordination and Consistency Policies

The policies contained in this subsection address such issues as multi-agency planning and coordination, consistency of transportation improvement programs and designs among jurisdictions, and cooperation among agencies that fund, build and operate the transportation system within Black Diamond.

- ❖ **Policy T-24 Intergovernmental Agency Coordination Policy:** Coordinate planning, construction, and operations of transportation facilities and projects with other governmental agencies. This policy supports and complements the transportation functions of Washington State, King County, neighboring cities, PSRC, Metro Transit, and other entities responsible for transportation facilities and services within the city. Explore establishment of a coalition of cities with the purpose of developing transportation solutions and their associated funding mechanisms to provide for safer and more efficient travel along the SR 169 corridor. Efforts of the coalition could include studying forecast anticipated deficiencies resulting from growth in all affected jurisdictions, identifying solutions, and developing an intergovernmental strategy to pursue state and/or joint grant funding and equitably distribute developer-provided funds to all affected jurisdictions.

-
5. Amendments to the Appendix 7, *Transportation Appendix*. These amendments are to address comments in the PSRC Certification Report regarding information that was inaccurate or missing in the 2019 Comprehensive Plan or to build in more robust contingency measures for funding transportation infrastructure. New and revised language is shown in highlighted, underlined/strikethrough format.

Existing Transportation System

The City forms the southeastern edge of King County's urban area. The traffic circulation system within the city is basically the intersection of east west county roads with SR169 through the city, reflective of the original settlement pattern, natural barriers (Lake Sawyer and the Rock Creek Wetland), and lack of substantial growth up to the present. The area's road system consists of a state highway (SR 169), the City's arterials, collectors, and local access roads. Because the grid system is incomplete, many local access roadways are, in effect, long cul-de-sacs. Local access roads are also often narrow by current standards. Although the narrow widths and lack of locations for vehicles to turn-around are a problem for emergency services, the smaller area devoted to roads contributes significantly to the existing rural character of the community and reduces storm water impacts.

The city is bisected by SR 169, a north-south highway of statewide significance providing both regional access from Renton to Enumclaw and cities in northeast Pierce County, and local access. With the limited arterial network in the surrounding area, SR 169 serves as the primary conduit connecting communities to the larger state roadway network, including major facilities such as SR 18 and I-405. As a result, SR 169 is the main roadway for drivers from cities to the south, including Bonney Lake, Buckley, and Enumclaw, to access major job centers to the north, experiencing high traffic volumes during the morning and evening peak periods. These volumes contribute to existing transportation deficiencies at SR 169 intersections in Black Diamond. The City is legally obligated to address these deficiencies in order to maintain the adopted LOS standard for the roadway, however no permanent mechanisms are in place to secure funding from private developments outside the City. This route SR 169 is also known as 3rd Avenue within Black Diamond.

Planned Roadway Improvements

The current planned roadway improvements consist of projects programmed by WSDOT, King County, and the City.

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 WSDOT has jurisdiction over SR 169 through the city and establishes the LOS standard for the roadway. Within the city, WSDOT has proposed minor widening to allow for a two-way left turn lane north of the historic core of the city and a truck climbing lane south of Green Valley Road. For purposes of this plan, the City is assuming a 3-lane section for SR-169 through the old town area and through the north commercial area, with potential widening at intersections to accommodate turn lanes. The City is also planning long-term for further widening (4 or 5 lanes north of Roberts Drive to the City's future north connector and is seeking additional right of way through dedication upon major development or redevelopment where the right of way width is less than 100 feet. 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.

City of Black Diamond

Table 0-7 identifies the critical future road network to fill in the street grid and provide alternative east west as well as north south corridors. Lake Sawyer, Ravensdale Creek, and the Rock Creek Wetland prevent other connections and extensions of a grid system. The City has identified several road improvements shown in Figure 7-5.

The City maintains a Six-year Transportation Improvement Program (TIP). The Six-year program proposes improvements to existing substandard roads and includes repairing and overlaying existing roadways, paving gravel roadways, constructing sidewalks, and widening roadways. At the time that the Six-year Transportation Improvement Program was adopted only the capacity adding projects that the City was going to be participating in were included. ~~So in addition to the projects identified in the 6-year TIP, there are capacity adding projects that are planned for the Master Planned Developer to construct as identified in Error! Reference source not found. Table 0-9. If needed, the projects included in the TIP could be reprioritized to address those on SR 169 first, as the City cannot modify the adopted LOS standard as a mechanism to maintain concurrency.~~

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Future Land Use and Transportation Concepts

The City intends for the Black Diamond Comprehensive Plan Transportation and Land Use Elements to work together for a safe and interconnected system to support housing, economic development, and

recreational opportunities while minimizing environmental and social impacts consistent with Puget Sound Regional Council's forecasts and vision.

Regional traffic growth on SR 169 will likely continue as long as vehicular capacity is available on that route. Similar conditions would be expected on other arterials that facilitate regional traffic. The need for planned transportation improvements will depend on the location, density and timing of the area where development occurs but could also be influenced by development outside the City that adds volume to SR 169. The construction of the needed and planned capacity adding transportation improvement projects will occur as required by the City's Development Agreement with the Master Planned Developer and periodic traffic monitoring and modeling dictates. Black Diamond may also explore options to coordinate with other SR 169 cities to identify corridor-wide solutions and the implementation of plans and programs that reduce reliance on single occupancy vehicle travel.

Funding Sources

A number of financial strategies are available to the City to finance the transportation improvements identified in the comprehensive transportation plan. Error! Reference source not found. 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.

Strategies

To provide a more consistent strategy for funding roadway improvements, the City shifted the implementation responsibility of the capacity adding project to the Master Planned Developer creating a direct link between developments and maintaining concurrency.

Historically, the City has relied on Real Estate Excise Tax, grants and frontage improvements from land developers to construct roadway improvements. Then in 2015 at the approval of the Villages Master Planned Development and Lawson Hill Master Planned Development, the City signed a binding development agreement that requires that the developer design, permit and construct as needed to maintain the City's level of service any and all of the planned improvements and new road connections. This puts the City in a unique position of just having to review, monitor and collect a proportionate share from other non MPD development in the City. Many other city's struggle to stay ahead because of the burden of financing existing deficiencies, pass through trips and the growth in background trips which are all unfunded.

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.

Transportation Facilities and LOS Standards Coordination

Intergovernmental coordination is essential for the cost-effective provision of transportation services. The City does not possess the resources nor is it fiscally responsible for addressing all the of the transportation circulation system needs that might be identified through transportation planning. The City has reviewed the plans of the County and State Department of Transportation and has assessed the impact of their plan on the transportation facilities in the City. The LOS standards and proposed transportation improvements

to be adopted by this element are not inconsistent with the LOS standards or plans of other jurisdictions. In addition, the City is committed to actively seek financial resources necessary to achieve the goals of the Comprehensive Transportation Plan. The City is an active participant (Mayor Benson has been the chair for two years) in the South County Area Transportation Board, SCATB, that serves as a South King County forum for information sharing, consensus building, and coordinating in order to resolve transportation issues and promote transportation programs that benefit the south King County area. Additionally, the City of Black Diamond joined SEAL-TC, South East Area Legislative Transportation Coalition which was formed by Covington, Maple Valley and Black Diamond chamber of commerce. This Coalition has a mission to improve access to, from and through our communities by way of public-private collaboration, legislative advocacy and commitment to our region.

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.

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021	AB21-089
Resolution amending the City Fee Schedule and add the new Utility Rate Schedule effective January 1, 2022	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Mona Davis	
	Finance – May Miller	X
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact – neutral-	Public Works – Scott Hanis	
Fund Source: --	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair Administrator		
Attachments: Resolution; 2022 Fee Schedule with Utility Rates		
SUMMARY STATEMENT: The City updates its fee schedule from time to time. The last update was adopted on December 19, 2019 under Resolution 19-1329. New and updated rates have been incorporated into the 2022 Fee Schedule to better reflect the billing rates to recover costs for various permits. On December 5, 2019, the City Council adopted Ordinance No. 19-1133 to update its utility billing structure. One of the changes involved the removal of the City's utility billing rates from the municipal code, shifting them to a new Utility Rate Schedule that can be amended by resolution at the Council's discretion without having to update the code book. The new Utility Rate Schedule is set to take effect on January 1, 2022 and needs to be incorporated into the City's adopted fee schedule. FISCAL NOTE (Finance Department): This change will implement the King County Metro Sewer Rate Increase for 2022 and noted the Invoice Cloud payment maximum increase from \$200 to \$400 per payment at the rate of \$3.00 per transaction.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The fee updates were discussed with Planning & Community Development, Finance, and Public Works committees.		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 21-1458 amending the City's Fee Schedule and to include the new 2022 Utility Rate Schedule.		

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 2, 2021		

2022 FEE SCHEDULE



Adopted by Council

12/2/2021

Effective

1/1/2022

Resolution No.

21-XXXX

City of Black Diamond 2022 FEE Schedule

Table of Contents – By Line

	Line
Police.....	1
Passports.....	32
Business Licenses.....	57
Utilities.....	75
Parks.....	93
Cemetery.....	104
Miscellaneous Fees.....	117
City Staff Rates.....	141
Signs/Trees/Fireworks.....	179
Street Fees.....	194
Clear & Grade Civil PW.....	205
Public Works Civil.....	224
Planning / Land Use.....	235
Building Permit Fees.....	295
Mechanical Permits.....	328
Plumbing Permits.....	375
Other Permits.....	395
Fire Permits.....	402
Water	417
Sewer.....	434
Stormwater.....	443
Other Inspections and Fees.....	448
Utility Rate Schedule (2022)	Last Page

	Fee Title	Description	Fee
1		POLICE	
2	Fingerprinting	Non-Resident	\$15
3		Resident	\$10
4	Electronic Monitoring-Police		\$15 day
5	Hook-up Fee	One Time Application Fee (Non-Refundable)	\$25
6	Equipment Deposit	Refundable	Per Contract
7	Concealed Pistol License		
8	Original	Original License	per State Law
9	Renewal	Valid License Renewal	\$32
10	Late	Within 90 Days After Expiration	\$42
11	Replacement		\$10
12	Process Service	Civil and Court	\$25
13	Mileage for process service		Current IRS Rate
14	False Alarm Responses		
15		First Occurrence	None
16		Second Occurrence Per Year	\$50
17		Third or More Per Year	\$75
18	Discovery --copies	No Charge for One Copy of Documents Provided In Compliance With Defense Requests On Municipal Court Cases.	None
19	Traffic School Fee	Equal to amount of unscheduled traffic as set forth in IRLJ 6.2, plus statutory costs and assessments. All assessments and other costs that are required by statute or rule to be added to the base penalty.	
20	Police Reports	Per Case Reports	\$.15/page
21	Off-Duty Rates	Minimum 3-hour rate applies.	\$95/hr., including vehicle, except for command level staff or

	higher, who will bill at their actual rates.		
22	Photographs		
23	Copies	Each	\$0.15
24	CD Reproduction	Each	\$1.50
25	Firearms Dealer Fee	Annual - Set by US Govt	\$125
26	Firearms Clearance Letter	For Foreign Countries	\$15
27	Local Record Clearance Letter	In-House Records Check	\$15
28	Staff Redaction Time for Body Worn Camera Recordings	Time spent redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body word camera recording. The City will charge all requestors requesting body-worn camera footage except those listed in RCW 42.56.240(e)(i). These charges are based on the average per-minute salary of the City employee responsible for video redaction.	\$0.77/min.
29	Work Crew	Screening fee (non-refundable)	\$25
30		Per Day, State Fee	\$15
31	Work Release	Per Day, Payable in Advance	Per Contract
32	PASSPORTS		
33	Passport fee check is made payable to the US Department of State. The execution fee check is made payable to the City of Black Diamond	**Other conditions and restrictions may apply. See City Clerk's office for more details.	
34	Passport Book		
35	Passport Fee**	Age 16 and over	\$110
36	Execution Fee		\$35
37			Total \$145
38	Passport Fee**	Under age 16	\$80
39	Execution Fee		\$35
40			Total \$115
41	Passport Card		
42	Passport Fee**	Age 16 and over	\$30

43	Execution Fee		\$35
44	Total \$65		
45	Passport Fee**	Under age 16	\$15
46	Execution Fee		\$35
47	Total \$50		
48	Passport & Card		
49	Passport Fee**	Age 16 and over	\$140
50	Execution Fee		\$35
51	Passport Fee**	Under age 16	\$95
52	Execution Fee		\$35
53	Expediting Fee (Book only)		\$60
54	File Search Fee		\$150
55	Overnight Delivery Return Fee		\$15.89
56	Overnight Delivery Fee to Agency.	Current US Postal Rate	
57	BUSINESS LICENSES		
58	Regular Business License	Annual	Initial fee \$70 renewal \$60
59	Regular Business License Annual partial	Pro-rate: 50% fee reduction after June 30.	\$35
60	Utility Business license	Annual	\$60
61	Penalty Late Renewal Payment	Feb. 1-28	\$10
62		Mar. 1-31	\$20
63		Apr. 1-30	\$30
64		May 1 and after	double renewal fee, collections
65	Temporary Business License (30 days)	per 30-day license, maximum of 2 per year	\$15
66	Duplicate Business License	per copy	\$10/copy
67	Relocation/Reissue	Business moves locations	\$10
68	Business Inspection Fee	As needed - per inspections	\$75
69	Specialty Licenses		
70	Solicitors and mobile vendors	Annual	\$70

71		Temporary (30 day)	\$50
72	Adult Entertainment	Per establishment	\$1,000
73		Operator license (per establishment)	\$100
74		Employee's license	\$50
75	UTILITIES		
76	Meter Testing Charge	One hour	\$76
77	Lifeline Utility Relief Rate	City Water, Sewer and Stormwater only (excluding KC Metro)	50%
78	Delinquency Notice		\$10
79	Door Hanger w/Shut Off/Turn On	During Working Hours 8-5	\$45
80	Customer Requested Turn Off	After Working Hours	\$175
81	Meter Rental/Water Purchase	Collect Deposit, Rental fee, and Water Purchase	Deposit \$1,000
82		Base Rental Fee Plus Double the Current Water Rate	Rental per day \$25
83		Base Rental Fee Plus Double the Current Water Rate	Rental per week \$100
84	See BDMC 13.04.280	Base Rental Fee Plus Double the Current Water Rate	Rental, per month \$250
85	Non-Account Water Purchase		Double out of city rates
86	Emergency Repair	Working hours-if prior locate	Time and Materials
87		Working hours-if no locate requested	3 x Time and Materials
88		After hours, if prior locate	1 1/2 Time and Materials
89	For each lawn sprinkler system on any one meter including back flow protection devices thereof.		\$12
90	For each backflow protective device other than atmospheric type vacuum breakers:		
91		2-inch (51mm) diameter and smaller	\$12
92		over 2-inch (51mm) diameter	\$23
93	PARKS		

94	Park Use		\$250
95	Deposit required for events over 150 people – amount set by size/length of event (\$500-\$10,000)		Actual cost \$10 per person over 50 people
96	Gym Rental	Drop In, Over 18	\$3 per person
97		Sports or Special Events	\$30 per hour
98		Contract Events	Per Contract
99	Parking fee at boat launch	Per vehicle	\$5
100	Annual parking pass - Lake Sawyer	Per vehicle (non-transferable)	\$60
101	Annual parking pass - Lake Sawyer	Per vehicle for senior citizens 65 years and older	\$35
102	Annual parking pass - Lake Sawyer	Per vehicle for persons with a valid State of Washington Disable Vehicle Permit	\$35
103	Lost parking pass replacement or change in vehicle		\$10
104	CEMETERY		
105	Casket Burial	Coordination, Excavation; Liner and Installation; Casket Placement; Backfill and compaction; Landscaping	\$1,500
106	Tent For Service In The Rain	Set Up The Tent, Take Down, Dry in the Warehouse	200
107	Vault		Actual cost
108	Saturday Service Fee	Additional Charge to be Added to Burial Costs	\$1,000
109	Placement of Cremated Remains	Site Measurements, Location Records, Excavation and Restoration	\$200
110	Saturday Placement of Remains		\$600
111	Plot	Per Plot	\$1,500
112	Niche Purchase		\$600
113	Niche Remain Placement	Open/Close; Secure and Record	\$200
114	Headstone Placement	Excavation and Setting According to Cemetery Standards. Normal up to 44" x 20" (880 sq. in.)	\$250
115	Headstone Placement- Large	Larger than 44"x20" (example 45"x21") 45x21=945 sq. in. 945- 880=65 65 sq. in. x \$.50=\$32.50	\$.50 Per Square Inch In Excess of 880 Sq. In.

116	Exhumation		\$5,000 or Actual Contract Cost Whichever Is Greater
117	MISCELLANEOUS FEES		
118	Photocopying	Materials copied on the copier on legal, letter or ledger size paper (includes packet material, ordinances, resolutions, minutes, contracts, etc.	\$.15/page
119	Duplication Audio Tapes/CDs	Per tape/CD	\$1.50
120	CD or DVD Disk	Per disk	\$1.50
121	Transcription Preparation	Staff Time	Actual cost
122		Deposit	\$300
123	City Clerk Certification of Documents	Per page	\$1
124	King Co. Recording Fee	Per page, pass through King County fees	Actual cost from King County
125	Return check fee/NSF Fee		\$35
126	Public Notice Boards (BDMC 18.08)		Actual Cost
127	Newspaper Advertising		Actual Cost
128	Liquor Use Permit		\$25
129	Maps & Plans		
130	-	Oversized 18x 24 or larger (Black and White)	\$5
131		Color	\$7
132		11 x 17	\$3
133	Code/Comprehensive Planning Documents Reproduction		
134	Zoning Code		Actual Cost
135	Comprehensive Plan		Actual Cost
136	Water Comprehensive Plan		Actual Cost
137	Sewer Comprehensive Plan		Actual Cost
138	Engineering Design and Construction Standards/Guidelines		\$100
139		Each Section	\$10
140	Municipal Code		Actual Cost

141	CITY STAFF RATES	
142	All rates are per hour	
143	City Administrator	\$94
144	Assistant City Administrator/City Clerk/Human Resources Manager	\$84
145	Deputy City Clerk	\$51
146	Finance Director	\$81
147	Deputy Finance Director	\$60
148	Senior Accountant	\$54
149	Community Development Director/Natural Resources Director	\$81
150	Permit Technician Supervisor	\$54
151	Permit Technician	\$47
152	Economic Development Director	\$78
153	Building Official/Code Official	per contract
154	Building Plans Examiner	per contract
155	Fire Plan Checks/ Inspector Fees Res 08-554	\$56
156	Public Works Director	\$81
157	Public Works Administrative Assistant	
158	Capital Project/Program Manager	\$68
159	Utilities Supervisor	\$76
160	Utility Operator	\$48
161	Utility Worker	\$45
162	Seasonal Worker	\$22
163	Facilities Coordinator	\$52
164	Police Chief	\$89
165	Police Commander	\$84
166	Police Officer with vehicle	\$85
167	Senior Planner	\$68

168	Information Services		per contract
169	MDRT Inspector/ Construction Superintendent		\$78
170	MDRT Senior Planner		\$68
171	Clerical Staff		\$31
172	Engineer		per contract
173	City Attorney		per contract
174	Landscape Architect		per contract
175	Consultant Planner		per contract
176	Other Consultants/Contract.	\$1,000 Deposit	Actual cost
177	Hearing Examiner	Hearing Fee	\$225/hr
178		Actual Costs	Actual Cost
179	SIGNS/TREES/FIREWORKS		
180	Wall Sign electric		\$225
181	Wall Sign, non-electric		\$205
182	Ground, non-electric		\$245
183	Ground electric		\$265
184	All signs less than 25 sf		\$407
185	Change of sign, all sizes		\$413
186	Street Signs Charge	Sign Post	Actual Cost
187		Installation	\$138
188	Tree Permit	Level 1 application fee	\$267
189		Level 2 application fee	\$487
190		Exemption Review	\$110
191	Fireworks Display	Plan review and inspection fee	per contract
192	Temporary Fireworks Stand	Permit fee	\$100
193		Removal bond-refundable	\$750
194	STREET FEES		
195	Public Works-Streets		
196	Right-of-Way Use Permit	Base Amount PW Fee	60

197	2 inspections and 1/2-hour City Review	\$263
198	Right-of-Way Extra Inspection 1 hour minimum	\$138
199	Right-of-Way Extra City Staff Review 1 hour minimum	\$138
200	Failure to call for inspection	\$50
201	Right of Way - Work Without a Permit	Double Permit Fee
202	Street Cleaning	Actual cost
203	Right-of-Way Vacations Processing Application Fees	\$1,000
204	ULID or LID City Costs	Actual cost
205	CLEAR & GRADE CIVIL PW	
206	a. The Clearing and Grading permit shall be calculated by adding applicable amounts from Clearing and Grading Fee Tables.	
207	Covers Civil Construction Permit Inspections	
208	Clearing Fee (ac)	Fee
209	Min	Max
210	-	1
211	1	10
212	10	40
213	40	120
214	120	
215	Grading Fee Table	
216	Grading Volume (cy)	Fee
217	Min	Max
218	0	100
219	101	1,000
220	1,001	10,000
221	10,001	100,000
222	100,001	
223	b. Plan revision fee	\$138 plus hourly fee
224	PUBLIC WORKS CIVIL	

225	PW	As-Built Review Fee	\$210
226	Plan Change Request	Amending an approved permitted civil plan set	\$200
227	Standards Deviation	Engineering Alternative Methods Request (per item)	\$263
228	Civil Plan	Engineering Plan Review Fee	\$4000 base fee + \$400 /sheet for first 10 sheets; \$350/sheet for next 5 sheets; \$200/sheet for 16+ sheets
229	Stormwater Tech Report Review	Review of stormwater tech report	\$5,000
230	Geotechnical Report Review Minor		\$3,650
231	Geotechnical Report Major		\$6,000
232		PW Admin and clerical Fee	\$1439
233		PW Inspection Fee	3% of total infrastructure construction cost public and private
234	Driveway (standalone)	Expansion and new	\$250
235	PLANNING/LAND USE		
236	Postage		Actual cost
237	Preliminary Plat CD	Base Application Fee	\$2388
238	<i>See Residential Land Development Below CD</i>	Plus Per Lot Charge	\$100
239		PW Public Works-Per Lot Charge	
240		CD Plat Alteration or Vacation	\$1,812
241		Time Extension - 1 year	\$1,050
242	Final Plat CD	Base Application Fee	\$4,238
243		PW Engineering Review Per Lot Charge	\$100
244	Binding Site Plan CD	Base Application Fee	\$2,918
245		PW Engineering Review	\$1,945
246	Preliminary Short Plat CD Duplicate for PW	Base Application Fee	\$1,944
247		CD Short Plat Revision	\$1,944

248	Final Short Plat CD	Application Fee	\$1,040
249		PW Engineering Final Review	\$100/lot
250	Lot Line Adjustment CD	Residential application fee	\$1,019
251		PW Engineering Final Review	\$152
252	Lot Line Elimination CD	Application Fee	\$442
253		PW Engineering Final Review	\$152
254	Master Plan Development	Application Fee	\$26, 250
255		Per Acre charge	\$100
256	Development Agreement	Application Fee	\$1,575
257		Staff Review Time	Staff hours
258	Annexation		\$10,000 deposit, cost
259	Postage		Actual Cost
260	Conditional Use Permit	Application Fee	\$2,918
261		PW Engineering Review	\$500
262	Conditional Use Permit - Administrative	Application Fee	\$1,459
263	Variance	Single Family Lot	\$1,944
264		All Others	\$2,384
265	Variance - Administrative	Application Fee	\$1,504
266	Accessory Dwelling Unit	Application Fee	\$1,064
267	Shoreline Exemption	Application Fee	\$487
268	Shoreline Substantial Development	Application Fee	\$2,824
269	Shoreline Variance Fee	Application Fee	\$2,824
270	Shoreline Conditional Use	Application Fee	\$2,824
271	Site Plan Review	Application Fee	\$2,824
272	Comprehensive Plan Amendment	Application Fee	\$2,734
273	Text Amendment, Title 16-19	Application Fee	\$2,734
274	Rezone	Application Fee	\$2,734
275	SEPA Checklist		\$597

276	Additional Reports	For Each Additional Study	\$267
277	In the review of a land-use permit application, including but not limited to environmental (SEPA) review, the City may determine that such review requires the retention of professional consultant services. In addition to the above development fees that an applicant is required to submit, the applicant shall also be responsible for reimbursing the City for the cost of professional consultant services if the City determines that such services are necessary to complete its review of the application submittal. The City may also require the applicant to deposit an amount with the City, which is estimated, at the discretion of the Community Development Director, to be sufficient to cover anticipated costs of retaining professional consultant services and ensure reimbursement to the City for such costs.		
278	Environmental Impact Statement	Per consultant contract	Contract
279	Appeal of Administrative Decision, SEPA Decision, and/or Notice of Violation Fee (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
280	Temporary Use Permit	After fee is paid the City's actual costs will be charged	\$532
281	Transfer Development Rights	Application Fee	\$525
282		per development credit	\$50
283	Treasured Place Status		\$263
284	Reasonable Use Exception	Application Fee	\$487
285	Sensitive Areas Permit	Application Fee	\$1,147
286	Sensitive Area Utility Exception	Application Fee	\$1,050
287	Formal Code Interpretation / Lot Status	Application Fee	\$487
288	Pre-Application Meeting	1 hour meeting/review	\$267
289		Additional Meetings	Staff time
290	Hearing Examiner	Hearing Fee	\$1,800
291		Plus Examiner Costs	Actual Cost
292	Public Notice Boards	Per BDMC 18.08	Actual Cost
293	BDMC 2.62.012 may require the posting of a deposit and payment of actual city costs for certain permits.		
294	Late Fee (If not paid within 30 days of invoicing)	Per Month	\$25
295	BUILDING PERMIT FEES		

296	General		
297	Total Project Valuation		
298	\$1.00 to \$500		\$35
299	\$501 to \$2,000		\$35 for first \$500 plus \$7 for each additional \$100 or fraction thereof up to and including \$2,000
300	\$2,001 to \$25,000		\$140 for first \$2,000 plus \$17 per each additional \$1,000 or fraction thereof up to and including \$25,000
301	\$25,001 to \$50,000		\$531 for the first \$25,000 plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000.
302	\$50,001 to \$100,000		\$881 for the first \$50,000 plus \$13 for each additional \$1,000 or fraction thereof, to and including \$100,000.
303	\$100,001 to \$500,000		\$1,531 for first \$100,000 plus \$13 per each additional \$1,000 or fraction thereof up to and including \$500,000
304	\$500,001 to \$1,000,000		\$6,731 for first \$500,000 plus \$9 per each additional \$1,000 or fraction thereof up to and including \$1,000,000.
305	\$1,000,000 and Up		\$11,231 for the first \$1,000,000 plus \$9 per each additional \$1,000 or fraction thereof.
306	Building Plan Check Fee	Based on project valuation per IBC 2018 Section 109	65% of permit fee, see above
307	Other Inspections and Fees		\$138 Per Hour
308	Change of Use w/o a TI	Permit fee and deposit	\$200 deposit, Actual cost
309	Re-Roof permit Residential	Permit fee	\$138

310	Re-Roof permit Commercial/MF	Permit fee and plan check	Based on valuation, see Building Permit section
311	Miscellaneous Permit	Permit fee	\$100 deposit and actual cost
312	Investigation Fee- work w/o a permit	Permit fee	Double required permit fees
313	Temporary Certificate of Occupancy	Per 30-day TCO	\$263
314	Permit Extension	180-day extension	\$50
315	Application Extension	90-day extension	\$50
316	Consultant/Peer Review	Consultant fees	per contract
317	Coal Mine Hazard Report Review		\$138
318	Inspections outside of normal business hours		\$172
319	Re-Inspection fees		\$138
320	Inspections for which no fee is specifically indicated		\$138 per hour, minimum charge, one hour
321	Additional plan review due to additions or revisions to plans		\$130 per hour, minimum charge, one hour
322	Additional plan review due to Deferred Submittals		\$130 per hour, minimum charge, one hour
323	For use of outside consultants for plan checking and inspections or both		Actual cost
324	Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, equipment, hourly wage and fringe benefits of the employees involved.		Actuals
325	Registered Plan Submittal Fees		
326	Base Plan	No permit fee assessed	Plan review fee based on valuation
327	Site Specific Plan(s)		Permit fee + plan check fee of 30% building permit fee
328	MECHANICAL PERMIT		
329	New Single-Family Residence - Permit		\$200
330	Commercial Mechanical Permit Plan Review		65% of mechanical valuation fee
331	Commercial Mechanical Valuation Table \$1 - \$500 \$141 \$501 - \$2000 \$141 for first \$501, plus \$3 for each additional \$500 up to \$2000 \$2,001 - \$25,000 \$186 for first \$2001, plus \$11 for each additional \$1000 up to \$25,000 \$25,001 - \$50,000 \$439 for first \$25,001 plus \$10 for each additional up to \$100,000 \$50,000 - \$100,000 \$689 for first \$50,001 plus \$8 for each additional up to \$100,000 \$100,000 \$1089 for first \$100,001 plus \$17 for each additional thereof		

332	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table.	\$14
333	Permit Issuance and Heaters	
334	1. For issuing a mechanical permit associated with a building permit	\$50
335	2. For issuing a mechanical permit not associated with a current building permit	\$138
336	3. Technology Fee-PLM/MEC	\$45
337	Unit Fee Schedule (Note: the following do not include permit issuing fee)	
338	1. Furnaces	
339	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 btu/h (29.3kW)	\$25
340	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)	\$25
341	For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater	\$26
342	2. Appliance Vents	
343	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$23
344	3. Repairs or Additions	
345	For the repair of, the alternation of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$17
346	4. Compressors and Absorption Systems	
347	For the installation or relocation of each Residential compressor to and including 3 horsepower (10.6kW) or each absorption system to and including 1,000,000 BTU/h	\$22
348	For the installation or relocation of each Residential compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7kW) or each absorption system over 500,000 btu/h (293.1kW) to and including 1,000,000 btu/h (293.1kW).	\$36
349	For the installation or relocation of each Commercial compressor over 15 horsepower (105kW) to and including 20 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$51

350	For the installation or relocation of each Commercial compressor over 30 horsepower (105kW) to and including 50 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$73
351	For the installation or relocation of each Commercial compressor over 50 horsepower (176kW), or each absorption system over 1,750,000 btu/h (512.9kW)	\$120
352	5. Air Handlers	
353	For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	\$15
354	For each air-handling unit over 10,000 cfm (4719 L/s)	\$26
355	6. Evaporative Cooler - Commercial	
356	For each evaporative cooler other than a portable type.	\$15
357	7. Ventilation and Exhaust	
358	For each ventilation fan connected to a single duct	\$12
359	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$15
360	For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood.	\$15
361	8. Incinerators	
362	For the installation or relocation of each domestic-type incinerator	\$26
363	For the installation or relocation of each commercial or industrial type incinerator	\$30
364	9. Gas Piping	
365	Gas piping systems 1-5 outlets	\$15
366	For each additional gas outlet over 5	\$6
367	Hazardous process piping system (HPP)	
368	1-4 outlets	\$10
369	each outlet over 5	\$6
370	10. Miscellaneous	
371	Other Inspections and Fees	
372	1. Inspections outside of normal business hours, per hour (minimum charge 2 hours)	\$240
373	2. Inspections for which no fee is specifically indicated, per hour (minimum charge one hour)	\$138

374	3. Revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	\$130
375	PLUMBING PERMIT	
376	Permit Issuance	
377	New Single-Family Residence - Permit	\$200
378	1. For issuing a plumbing permit associated with a building permit	\$38
379	2. For issuing a plumbing permit not associated with a current building permit	\$100
380	Commercial Plumbing Valuation Table	
	\$1 - \$500	\$141
	\$501 - \$2000	\$141 for first \$501 plus \$3 for each additional \$500 up to \$2000
	\$2,001 - \$25,000	\$186 for first \$2001 plus \$11 for each additional \$1000 up to \$25,000
	\$25,001 - \$50,000	\$439 for first \$25,001 plus \$10 for each additional \$1000 up to \$100,000
	\$50,001 - \$100,000	\$689 for the first \$50,001 plus \$8 for each additional \$100 up to \$100,000
	\$100,000	\$1,089 for the first \$100,001 plus \$17 for each additional \$1000 thereof
381	Unit Fee Schedule (Note the following do not include permit-issuing fee)	
382	1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and back flow protection thereof.	\$12
383	2. For each building sewer and each trailer park sewer	\$23
384	3. For each water heater and/or vent	\$10
385	4. For each industrial waste pretreatment interceptor including its trap and vent except kitchen-type grease interceptors functioning as fixture traps.	\$25
386	5. For each installation, alteration or repair or water piping and/or water treatment, each	\$25
387	6. For each repair or alteration of a drainage or vent piping, each fixture	\$12
388	7. For atmospheric-type vacuum breakers not included in item 9:	
389	1 to 5	\$10
390	over 5, each	\$6
391	9. For initial installation and testing for a reclaimed water system	\$40
392	10. For each annual cross-connection testing of a reclaimed water system (excluding initial test)	\$40
393	11. For each medical gas piping system service one to five inlet(s) for a specific gas	\$75
394	12. For each additional medical gas inlet(s)/outlet(s)	\$10
395	OTHER	
396	Inspections outside of normal business hours	\$240

397	Re-inspection fee		\$138
398	Inspections for which no fee is specifically indicated		\$138
399	Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour)		\$130
400	Demo-SFR out building etc.	Permit fee and deposit	\$120 permit, \$1000 deposit
401	Relocation Permit		\$250
402	FIRE PERMIT		
403	Commercial Building Permit	Plan review and inspection fee	per contract
404	Multi-family Building Permit	Plan review and inspection fee	per contract
405	Single-family Building Permit	Plan review and inspection fee	per contract
406	Annual Code Enforcement Inspection		per contract
407	Final and correction inspections		per contract
408	Fire Permit	Base fee	\$105
409	Fire Sprinkler/Alarm Sys. Rev	Plan review and inspection fee	per contract
410	Fuel/Oil Tank Decommission/Remove	Base permit fee	\$138
411		Plan review and inspection fee	per contract
412	Residential LPG Tanks	Base Permit Fee	\$126
413		Tank Under 125 gal.	\$46
414		126-500 gal.	\$74
415		501 and up, additional	\$100
416		Each 500 gal additional	\$126
417	PUBLIC WORKS-WATER		
418	Water Connection Fee	Per BDMC 13.04.295	
419	Drop In Meter Charges		
420		City Installed	Cost of meter + \$500
421	5/8-3/4" meter	City Installed	Cost of meter+ \$500
422	1" meter	City Installed	Cost of meter + \$500
423	1 1/2"	City Installed	Cost of meter + \$500
424	Cross Connection Control	Per Occurrence	\$138
425	In-Fill Lots Installation of Water Service Charges	Homeowner Incurs ALL Costs, Plus	Deposit \$1,000

	Deposit per BDMC 13.040.050		
426	Water Service Line Review/Inspection Fee		\$138
427	Unauthorized connection fine	No Meter Present or Bypassing	\$1,200
428	Back Flow Device Inspection		\$138
429	Water Investigation Needs Report	Residential (Not required for lots within approved city subdivisions and short plats)	\$105
430		Multi-Family, Commercial, Industrial, Public	\$210
431	Hydraulic Model for Water System	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual cost
432		Deposit	\$500
433	Water Equipment and Parts		Actual cost
434	SEWER		
435	Grease Interceptor	Per Occurrence	\$138
436	Reinsertion Fee	Per Occurrence	\$138
437	Sewer Connection Fee		Per BDMC 13.20.080
438	Sewer Investigation Certificates	Residential	\$138
439		Multi-Family, Commercial, Industrial, Public	\$300
440	Side Sewer Review/Inspection		\$138
441	Sewer Video Inspection		\$138 labor & admin + \$30 camera fee
442	Engineered Hydraulic Flows to Sewer System	Deposit Cost	Deposit \$1,000
443	STORMWATER		
444	Stormwater Drainage	Plan Review-per single family lot	\$138
445		Inspection per single family lot	\$138
446	Oil Water Separator	Per Occurrence	\$138
447	Commercial Storm Water System Inspections	Per Inspection	\$138
448	OTHER		

449	Public Works Final Inspection-- Building Permit	Inspect meter, sewer clean out, driveway, stormwater, damage to public sidewalks, removal of TESC etc.	\$238
450	Deviation of Public Works Standards	Application Fee	\$300
451	Traffic Engr. Review Fees	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual Cost
452		Deposit	As Per BDMC
453	Review of Resubmitted/Reinspection	Per Occurrence	\$138
454	Inspections Outside Business Hours		Time + Expense
455	Equipment Fee w/o Operator	City Dump Truck	\$75/hour
456		City Vehicle	\$50/hour
457		City Backhoe	\$75/hour
458		Miscellaneous Small Utility Equipment	\$30/hour
459		Shoulder Mower	\$75/hour
460		Riding Mower	\$30/hour
461		Parts	Actual Cost
462	Temporary Erosion Sediment Control	Inspection \$500 deposit	Per Inspection \$138



CITY OF BLACK DIAMOND UTILITY RATES & INFORMATION 2022

The City of Black Diamond services water, sewer, and stormwater utilities. Water meters are read approximately 1 week prior to the end of each month. Bills containing water, sewer, and stormwater charges are combined and sent out on the first day of the following month.

Water

For Single Family Residential Customers, the water rate is determined by the size of the water meter plus water consumption. Water consumption is measured in volume based on one hundred cubic feet.

Meter size	Base Monthly Charge	Lifeline Discount
5/8" and 3/4"	\$35.63	50% = (\$17.82)
1"	\$45.05	50% = (\$22.53)
1 1/2"	\$48.59	
2"	\$84.80	
3"	\$102.89	
4"	\$193.22	
6"	\$499.96	

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, as well Commercial Customers with multiple units with a single water meter, each permitted unit will be charged a base monthly charge. Along with this monthly charge, each unit will receive a full water consumption allotment.

Water Consumption	Rate per 100 cu. ft.	Lifeline Discount per cu. Ft.
0 – 600	\$2.76	50% = (\$1.38)
601 – 1,200	\$3.17	50% = (\$1.59)
Over 1,200	\$3.65	50% = (\$1.83)

2022 Utility Rates (Base Bill, No Consumption):			
(2020 rate comparison)			
Water:	\$ 35.63	\$ 35.63	\$ 0.00
City Sewer:	\$ 25.00	\$ 25.00	\$ 0.00
King Co. Sewer:	\$ 49.27	\$ 47.37	\$ 1.90
Stormwater:	\$ 19.50	\$ 19.50	\$ 0.00
Total:	\$129.40	\$127.50	\$ 1.90

Black Diamond Sewer

Sanitary Sewer Utility operates and maintains the City's sewer collection lines and pump stations.

Sewer Type	Base Monthly Charge	Lifeline Discount
Residential Sewer	\$25.00	50% = (\$12.50)
Commercial Sewer	\$25.00	(No Discount)

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, each permitted unit will be charged a base monthly charge. Commercial Customers will receive an additional \$11.50 per unit charge for multiple units attached to a single meter.

King County Sewer (Metro)

King County charges each agency a monthly amount for providing wastewater treatment. That amount is based on King County's monthly sewer rate and the number of customers served by the local agency. In turn, the local agencies pass along those charges to the residences, businesses, and industries in their wastewater collection system.

Sewer Type	Monthly Charge	Lifeline Discount
King County	\$49.27	(No Discount)

*King County applies an additional \$49.27 flat charge to Residential customers for each additional dwelling unit, such as a mobile home or apartment unit.
*King County applies an additional consumption charge to Commercial customers for all usage exceeding 750 cubic feet at \$8.05 per 100 cu. ft.

Stormwater

Stormwater rate will be billed monthly to each parcel of improved property within the City. The rate is based on service charges for the stormwater and surface water management utility. Some properties are billed directly through King County, while others are billed through the City of Black Diamond. If you do not see "Stormwater" on your utility bill, the charge is included in your property tax from King County, shown as "Surface Water".

	Monthly charge	Lifeline Discount
Single Family Residential Customers are 1 ERU	\$19.50 per ERU	50% = (\$9.75) per ERU
Multiple Residential Customers up to 4 ERUs	\$19.50 per ERU	50% = (\$9.75) per ERU*
Commercial and Multiple Residential Customers (above 4 ERUs) number of ERUs are based on actual impervious surface - (exempting gravel)		

*Lifeline Discounts for Multiple Residential Customers will be calculated on a case-by-case basis.

Other Charges

• Account Setup Fee: \$5.00 • Delinquency Notice: \$10.00 • Shut Off Notice plus Fee: \$45 • NSF Check Penalty: \$35.00

Payments

The City of Black Diamond accepts the following payment methods:

- Cash is only accepted in person at City Hall.
- Checks and money orders are accepted in person, by mail or by our drop box.
- Debit/Credit Cards & ACH/EFT payments are accepted (in person* excluding Visa), by phone at (844) 286-1781 or online at www.blackdiamondwa.gov. **
** For Utility Bills, there is third party convenience fee of \$3.00 with a maximum transaction amount of \$400.00 that will be charged for all debit/credit card transactions, or a \$0.95 flat fee for ACH/EFT (Automated Clearing House/Electronic Funds Transfer) payments.

After Hours Drop Box

You can make your payment after hours in our drop box located at the City of Black Diamond, 24301 Roberts Drive, in front of the Community Development building. Payments placed in the drop box will be posted the next business day. Please DO NOT place cash in the drop box.

CITY OF BLACK DIAMOND

2019 FEE SCHEDULE



Adopted by Council
12/19/2019
Resolution No.
19-1329

City of Black Diamond FEE Schedule

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	Fee Title	Description	Fee
	POLICE		
1	Fingerprinting	Non-Resident	\$15
2		Resident	\$10
3	Electronic Monitoring-Police		\$15 day
4	Hook-up Fee	One Time Application Fee (Non Refundable)	\$25
5	Equipment Deposit	Refundable	Per Contract
6	Concealed Pistol License		
7	Original	Original License	per State Law
8	Renewal	Valid License Renewal	\$32
9	Late	Within 90 Days After Expiration	\$42
10	Replacement		\$10
11	Process Service	Civil and Court	\$25
12	Mileage for process service		Current IRS Rate
13	False Alarm Responses		
14		First Occurrence	None
15		Second Occurrence Per Year	\$50
16		Third or More Per Year	\$75
17	Discovery --copies	No Charge for One Copy of Documents Provided In	None

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		Compliance With Defense Requests On Municipal Court Cases.	
<u>18</u>	Traffic Safety School	Per Class— Not to exceed amount of infraction	Ord 16-1071
<u>19</u>	<u>Traffic School Fee</u>	<u>Equal to amount of unscheduled traffic as set forth in IRLJ 6.2, plus statutory costs and assessments. All assessments and other costs that are required by statute or rule to be added to the base penalty.</u>	
<u>20</u>	<u>Police Reports</u>	<u>Per Case Reports</u>	<u>\$.15/page</u>
<u>21</u>	<u>Off-Duty Rates</u>	<u>Minimum 3-hour rate applies.</u>	<u>\$95/hr, including vehicle, except for command level staff or higher, who will bill at their actual rates.</u>
<u>22</u>	<u>Photographs</u>		
<u>23</u>	Copies	Each	\$0.15
<u>24</u>	<u>CD Reproduction</u>	Each	\$1.50
<u>25</u>	<u>Firearms Dealer Fee</u>	Annual - Set by US Govt	\$125
<u>26</u>	<u>Firearms Clearance Letter</u>	For Foreign Countries	\$15
<u>27</u>	<u>Local Record Clearance Letter</u>	In-House Records Check	\$15
<u>28</u>	<u>Staff Redaction Time for Body Worn Camera Recordings</u>	<u>Time spent redacting, altering, distorting, pixelating, suppressing, or otherwise</u>	<u>\$0.77/min.</u>

Commented [MD1]: Police chief asked this line item to be removed

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[obscuring any portion of a body worn camera recording. The City will charge all requestors requesting body-worn camera footage except those listed in RCW 42.56.240\(e\)\(i\). These charges are based on the average per-minute salary of the City employee responsible for video redaction.](#)

29.	Work Crew	Screening fee (non-refundable)	\$25	Deleted: 6
30.		Per Day, State Fee	\$15	Deleted: 27
31.	Work Release	Per Day, Payable in Advance	Per Contract	Deleted: 28
32.	PASSPORTS			Deleted: 29
33.	Passport fee check is made payable to the US Department of State. The execution fee check is made payable to the City of Black Diamond		**Other conditions and restrictions may apply. See City Clerk's office for more details.	Deleted: 0
34.	Passport Book			Deleted: 1
35.	Passport Fee**	Age 16 and over	\$110	Deleted: 2
36.	Execution Fee		\$35	Deleted: 3
37.			Total \$145	Deleted: 4
38.	Passport Fee**	Under age 16	\$80	Deleted: 5
39.	Execution Fee		\$35	Deleted: 6
40.			Total \$115	Deleted: 37
41.	Passport Card			Deleted: 38

42.	Passport Fee**	Age 16 and over	\$30	Deleted: 39
43.	Execution Fee		\$35	Deleted: 0
44.			Total \$65	Deleted: 1
45.	Passport Fee**	Under age 16	\$15	Deleted: 2
46.	Execution Fee		\$35	Deleted: 3
47.			Total \$50	Deleted: 4
48.	Passport & Card			Deleted: 5
49.	Passport Fee**	Age 16 and over	\$140	Deleted: 6
50.	Execution Fee		\$35	Deleted: 47
51.	Passport Fee**	Under age 16	\$95	Deleted: 48
52.	Execution Fee		\$35	Deleted: 49
53.	Expediting Fee (Book only)		\$60	Deleted: 0
54.	File Search Fee		\$150	Deleted: 1
55.	Overnight Delivery Return Fee		\$15.89	Deleted: 2
56.	Overnight Delivery Fee to Agency.	Current US Postal Rate		Deleted: 3
57.	BUSINESS LICENSES			Deleted: 4
58.	Regular Business License	Annual	Initial fee \$70 renewal \$60	Deleted: 5
59.	Regular Business License Annual partial	Pro-rate: 50% fee reduction after June 30.	\$35	Deleted: 6
60.	Utility Business license	Annual	\$60	Deleted: 57
61.	Penalty Late Renewal Payment	Feb. 1-28	\$10	Deleted: 58
62.		Mar. 1-31	\$20	Deleted: 59
63.		Apr. 1-30	\$30	Deleted: 0
64.		May 1 and after	double renewal fee, collections	Deleted: 1

65	Temporary Business License (30 days)	per 30 day license, maximum of 2 per year	\$15	Deleted: 2
66	Duplicate Business License	per copy	\$10/copy	Deleted: 3
67	Relocation/Reissue	Business moves locations	\$10	Deleted: 4
68	Business Inspection Fee	As needed - per inspections	\$75	Deleted: 5
69	Specialty Licenses			Deleted:
70	Solicitors and mobile vendors	Annual	\$70	Deleted: 6
71		Temporary (30 day)	\$50	Deleted: 67
72	Adult Entertainment	Per establishment	\$1,000	Deleted: 68
73		Operator license (per establishment)	\$100	Deleted: 69
74		Employees license	\$50	Deleted: 0
75	UTILITIES			Deleted: 1
76	Meter Testing Charge	One hour	\$76	Deleted: 2
74	Customer Requested Turn Off	After Business Hours, 2-hour minimum	\$175	Deleted: 3
77	Lifeline Utility Relief Rate	City Water, Sewer and Stormwater only (excluding KC Metro)	50%	Deleted: 5
78	Delinquency Notice		\$10	Deleted: 6
79	Door Hanger w/Shut Off/Turn On	During Working Hours 8-5	\$45	Deleted: 7
78	Customer Requested Turn Off	After Working Hours	\$75-175	Formatted: Font: 12 pt
79	-	Holidays	100	Formatted: Not Strikethrough
80	Meter Rental/Water Purchase	Collect Deposit, Rental fee, and Water Purchase	Deposit \$1,000	

81		Base Rental Fee Plus Double the Current Water Rate	Rental per day \$25
82		Base Rental Fee Plus Double the Current Water Rate	Rental per week \$100
83	See BDMC 13.04.280	Base Rental Fee Plus Double the Current Water Rate	Rental, per month \$250
84	Non Account Water Purchase		Double out of city rates
85	Emergency Repair	<u>Working hours</u> -if prior locate	Time and Materials
86		Working hours-if no locate requested	3 x Time and Materials
87		After hours, if prior locate	1 1/2 Time and Materials
88	-	After hours, no locate	3 times 1 1/2 Time and Materials
89	-	Holidays	Double Time to above rates
90	PARKS		
91	Park Use / Special Event Permit	Fee	\$100 \$250
92	Deposit required for events over 150 people - amount set by size/length of event (\$500- \$10,000)		
			Actual cost <u>\$10 per person over 50 people</u>
93	Gym Rental	Drop In Over 18	\$3 per person
94		Sports or Special Events	\$30 per hour
95		Contract Events	Per Contract
96	Parking fee at boat launch	Per vehicle	\$5

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to be a deposit for damage, and rental for use of the park

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97	Annual parking pass - Lake Sawyer	Per vehicle (non-transferable)	\$60
98	Annual parking pass - Lake Sawyer	Per vehicle for senior citizens 65 years and older	\$35
99	Annual parking pass - Lake Sawyer	Per vehicle for persons with a valid State of Washington Disable Vehicle Permit	\$35
100	Lost parking pass replacement or change in vehicle		\$10
101	CEMETERY		
102	Casket Burial	Coordination, Excavation; Liner and Installation; Casket Placement; Backfill and compaction; Landscaping	\$1,500
103	Tent For Service In The Rain	Set Up The Tent, Take Down, Dry in the Warehouse	200
104	Vault		Actual cost
105	Saturday Service Fee	Additional Charge to be Added to Burial Costs	\$1,000
106	Placement of Cremated Remains	Site Measurements, Location Records, Excavation and Restoration	\$200
107	Saturday Placement of Remains		\$350,600
108	Plot	Per Plot	\$1,500
109	Niche Purchase		\$600

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110	Niche Remain Placement	Open/Close; Secure and Record	\$200
111	Headstone Placement	Excavation and Setting According to Cemetery Standards. Normal up to 44" x 20" (880 sq. in.)	\$100.250
112	Headstone Placement- Large	Larger than 44"x20" (example 45"x21") 45x21=945 sq. in. 945-880=65 65 sq. in. x \$.50=\$32.50	\$.50 Per Square Inch In Excess of 880 Sq. In.
113	Exhumation		\$5,000 or Actual Contract Cost Whichever Is Greater
114	MISCELLANEOUS FEES		
115	Photocopying	Materials copied on the copier on legal, letter or ledger size paper (includes packet material, ordinances, resolutions, minutes, contracts, etc.	\$.15/page
116	Oversized Documents	per page, black & white	Actual Cost
117	-	per page, color	Actual Cost
118	Duplication Audio Tapes/CDs	Per tape/CD	\$1.50
119	CD or DVD Disk	Per disk	\$1.50
120	Transcription Preparation	Staff Time	Actual cost
121		Deposit	\$300

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122	City Clerk Certification of Documents	Per page	\$1
123	King Co. Recording Fee	Per page, pass through King County fees	Actual cost from King County
124	Return check fee/NSF Fee		\$35
125	City of Black Diamond Maps & Plans		
126		Oversized 18x 24 or larger (Black and White)	\$5
127		Color	\$7
128		11 x 17	\$3
129	Code/Comprehensive Planning Documents Reproduction		
130	Zoning Code		Actual Cost
131	Comprehensive Plan		Actual Cost
132	Water Comprehensive Plan		Actual Cost
133	Sewer Comprehensive Plan		Actual Cost
134	Engineering Design and Construction Standards/Guidelines		\$100
135		Each Section	\$10
136	Municipal Code		Actual Cost
137	Public Notice Boards (BDMC 18.08)		Actual Cost
138	Newspaper Advertising		Actual Cost
139	Liquor Use Permit		\$25
140	CITY STAFF RATES		
141		All rates are per hour	

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142	City Administrator	\$94
143	Assistant City Administrator/City Clerk/Human Resources Manager	\$84
144	Deputy City Clerk	\$51
145	Finance Director	\$81
146	Deputy Finance Director	\$60
147	Senior Accountant	\$54
148	Community Development Director/Natural Resources Director	\$81
149	Permit Technician Supervisor	\$54
150	Permit Technician	\$47
151	Economic Development Director	\$78
152	Building Official/Code Official	per contract
153	Building Plans Examiner	per contract
154	Fire Plan Checks/Inspector Fees Res 08-554	\$56
155	Public Works Director	\$81
	Public Works Administrative Assistant	
156	Capital Project/Program Manager	\$68
157	Utilities Supervisor	\$76
158	Utility Operator	\$48
159	Utility Worker	\$45
160	Seasonal Worker	\$22
161	Facilities Coordinator	\$52
162	Police Chief	\$89

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163	Police Commander		\$84
164	Police Officer with vehicle		\$85
165	Senior Planner		\$68
166	Information Services	per contract	
167	MDRT Inspector/Construction Superintendent		78
168	MDRT Senior Planner		\$68
169	Clerical Staff		\$31
170	Engineer	per contract	
171	City Attorney	per contract	
172	Landscape Architect	per contract	
173	Consultant Planner	per contract	
174	Other Consultants/Contract.	\$1,000 Deposit Actual cost	
175	Hearing Examiner	Hearing Fee	\$788 \$225/hr
176		Actual Costs	Actual Cost
177	SIGNS/TREES/FIREWORKS		
178	Wall Sign electric		\$225
179	Wall Sign, non electric		\$205
180	Ground, non electric		\$245
181	Ground electric		\$265
182	All signs less than 25 sf		\$407
183	Change of sign, all sizes		\$413
184	Street Signs Charge	Sign Post	Actual Cost
185		Installation	\$138
186	Tree Permit	Level 1 application fee	\$267

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187		Level 2 application fee	\$487
188		Exemption Review	\$110
189	Fireworks Display	Plan review and inspection fee	per contract
190	Temporary Fireworks Stand	Permit fee	\$100
191		Removal bond-refundable	\$750
192	STREET FEES		
193	Public Works-Streets		
194	Right-of-Way Use Permit	Base Amount CD PW Fee	60
195		2 inspections and 1/2 hour City Review	\$263
196	Right-of-Way Extra Inspection	1 hour minimum	\$138
197	Right-of-Way Extra City Staff Review	1 hour minimum	\$138
198	Failure to call for inspection	Right of Way - W Without a Permi	\$50
		Double Permit Fee	
199	Street Cleaning		Actual cost
200	Right-of-Way Vacations Processing	Application Fees	\$1,000
201	ULID or LID	City Costs	Actual cost
202	CLEAR & GRADE CIVIL PW		
203	a. The Clearing and Grading permit shall be calculated by adding applicable amounts from Clearing and Grading Fee Tables.		
204	Clearing Fee Table	Covers Civil Construction Permit Inspections	

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205	Clearing Fee (ac)		Fee	
206	Min	Max	Min	Max
207	-	1	\$680	\$680
208	1	10	\$680	\$1,112
209	10	40	\$1,112	\$2,702
210	40	120	\$2,702	\$3,352
211	120		\$4,452	
212	Grading Fee Table			
213	Grading Volume (cy)		Fee	
214	Min	Max	Min	Max
215	0-100			No Charge
216	100	1,000	\$432	\$720
217	1,000	10,000	\$720	\$2,160
218	10,000	100,000	\$2,160	\$4,860
219	100,000	Time + Expense		
220	b. Plan revision fee			
221	-	Base fee, each occurrence	-	\$417
222		Plus hourly fee		\$138
223	PUBLIC WORKS CIVIL			
226	PW	As-Built Review Fee	\$210	
	Plan Change Request	Amending an approved permitted civil plan set	\$200	

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3% of total cost of project

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227	Standards Deviation	Engineering Alternative Methods Request (per item)	\$263	
228	Civil Plan-	Engineering Plan Review Fee	\$4000 base fee + \$400 /sheet for first 10 sheets; \$350/sheet for next 5 sheets; \$200/sheet for 16+ sheets	Deleted: \$494 (plus an additional per hour rate if review exceeds 5 hours (Actual cost)
228	Stormwater Tech Report Review	Review of stormwater tech report	\$5,000	
229	Geotechnical Report Review Minor		\$3,650	
230	Geotechnical Report Major		\$6,000	
229	PW	Admin and clerical Fee	\$1439	Deleted: Delete this line
230		PW Inspection Fee	3% of total infrastructure construction cost public and private	Formatted: Left Deleted: Engineering Deleted: Permit Formatted: Not Strikethrough Deleted: \$1,439 Deleted:
231	PLANNING/LAND USE			Deleted: of project
232	Postage		Actual cost	Formatted: Strikethrough
233	Preliminary Plat CD	Base Application Fee	\$2388 (Up to first 20 hours, over plus additional hourly rate)	Commented [SB4]: Moving to fixed rate? Formatted: Strikethrough Formatted: Strikethrough
234	See Residential Land Development Below CD	Plus Per Lot Charge	\$100	
235	PW	Public Works-Per Lot Charge	\$100	Deleted: \$2388 for first 20 hours plus additional hourly rate
236	CD	Plat Alteration or Vacation	\$1,812 (Up to first 36 hours, over plus additional hourly rate)	Formatted: Not Strikethrough Formatted: Strikethrough
237		Time Extension - 1 year	\$1,050	

238	Final Plat CD		Base Application Fee	\$4,238 (Up to the first 36 hours additional hourly rate)	Formatted: Strikethrough
239		PW	Engineering Review Per Lot Charge	\$76 \$100	Formatted: Strikethrough
240	Binding Site Plan CD		Base Application Fee	\$2,918 (Up to first 24 hours additional hourly rate)	Formatted: Strikethrough
241		PW	Engineering Review per acre charge	\$100 \$1945	Formatted: Strikethrough
242	Preliminary Short Plat CD <u>Duplicate for PW</u>		Base Application Fee	\$1,944 (Up to first 16 hours additional hourly rate)	Formatted: Strikethrough, Highlight
243		PW	Per Lot Charge	\$100	Formatted: Strikethrough
244		PW	Engineering Review per lot charge	\$300	Formatted: Strikethrough
245		CD	<u>Modified Short Plat Revision</u>	\$1,944 (Up to first 16 hours additional hourly rate)	Formatted: Strikethrough
246	Final Short Plat CD		Application Fee	\$1,040 (Up to first 8 hours additional hourly rate)	Formatted: Strikethrough
247		PW	Engineering Final Review	\$76 \$100/lot	Formatted: Not Strikethrough
248	Lot Line Adjustment CD		Residential application fee	\$1,019 (Up to first 8 hours additional rate @ actual)	Formatted: Strikethrough
249		PW	Engineering Final Review	\$152	
250	Lot Line Elimination CD		Application Fee	\$442	
251		PW	Engineering Final Review	\$152	
252	Master Plan Development		Application Fee	\$26, 250	
253			Per Acre charge	\$100	

254	Development Agreement	Application Fee	\$1,575	
255		Staff Review Time	Staff hours	
256	Annexation		\$10,000 deposit, cost	
257	Postage		Actual Cost	
258	Conditional Use	Application Fee	\$2,918 (Up to first 24 hours additional cost @ actual)	Formatted: Strikethrough
259		PW Engineering Review	\$304 \$500	Formatted: Not Strikethrough
260	Administrative Conditional Use - Administrative	Application Fee	\$1,459 (Up to first 12 hours additional cost @ actual)	Formatted: Strikethrough Formatted: Strikethrough
261	Variance	Single Family Lot	\$1,944 (Up to first 16 hours)	Formatted: Strikethrough
262		All Others	\$2,384 (Up to first 20 hours additional cost @ actual)	Formatted: Strikethrough
263	Variance - Administrative	Application Fee	\$1,504 (Up to first 12 hours additional cost @ actual)	Formatted: Strikethrough Deleted: Administrative
264	Accessory Dwelling Unit	Application Fee	\$1,064 (Up to first 8 hours additional cost @ actual)	Formatted: Strikethrough
265	Shoreline Exemption	Application Fee	\$487	
266	Shoreline Substantial Development	Application Fee	\$2,824 (Up to first 24 hours additional cost @ actual)	Formatted: Strikethrough
267	Shoreline Variance Fee	Application Fee	\$2,824 (Up to first 24 hours additional hourly rate)	Formatted: Strikethrough Formatted: Strikethrough

268	Shoreline Conditional Use	Application Fee	\$2,824 (Up to first 24 hours additional hourly rate @ actual)	Formatted: Strikethrough
269	Site Plan Review	Application Fee	\$2,824 (Up to first 24 hours additional cost @ actual)	Formatted: Strikethrough
270	Public Works	Engineering Review	\$100 per acre	
271	Comprehensive Plan Amendment	Application Fee	\$2,734 (Up to first 24 hours additional cost @ actual)	Formatted: Strikethrough
272	Text Amendment, Title 16-19	Application Fee	\$2,734 (Up to first 24 hours additional hourly rate)	Formatted: Strikethrough
273	Rezone	Application Fee	\$2,734 (Up to first 24 hours additional cost @ actual)	Formatted: Strikethrough
274	SEPA Checklist		\$597 (Up to first 5 hours additional cost @ actual)	Formatted: Strikethrough
275	Additional Reports	For Each Additional Study	\$267	Formatted: Font: Bold
276	In the review of a land-use permit application, including but not limited to environmental (SEPA) review, the City may determine that such review requires the retention of professional consultant services. In addition to the above development fees that an applicant is required to submit, the applicant shall also be responsible for reimbursing the City for the cost of professional consultant services if the City determines that such services are necessary to complete its review of the application submittal. The City may also require the applicant to deposit an amount with the City which is estimated, at the discretion of the Community Development Director, to be sufficient to cover anticipated costs of retaining professional consultant services and ensure reimbursement to the City for such costs.			Deleted: the retention
				Deleted: the applicant
				Deleted:
277	Environmental Impact Statement	Per consultant contract	Contract	

278	Appeal of Administrative Decision, SEPA Decision, and/or Notice of Violation Fee (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
279	Appeal of SEPA Decision (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
280	Appeal of Notice of Violation Fee (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
281	Temporary Use Permit	After fee is paid the City's actual costs will be charged	\$532
282	Transfer Development Rights	Application Fee	\$525
283		per development credit	\$50
284	Treasured Place Status		\$263
285	Reasonable Use Exception	Application Fee	\$487
286	Sensitive Areas Permit	Application Fee	\$1,147 (Up to first 10 hours additional cost @ actual)
287	Sensitive Area Utility Exception	Application Fee	\$1,050
288	Formal Code Interpretation / Lot Status	Application Fee	\$487 (Up to first 4 hours additional cost @ actual)
289	Pre-Application Meeting	1 hour meeting/review	\$267
290		Additional Meetings	Staff time

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291	Hearing Examiner	Hearing Fee	\$8801,800 (Up to first 8 hours additional cost @ actual)
292		Plus Examiner Costs	Actual Cost
293	Public Notice Boards	Per BDMC 18.08	Actual Cost
294	BDMC 2.62.012 may require the posting of a deposit and payment of actual city costs for certain permits.		
295	Late Fee (If not paid within 30 days of invoicing)	Per Month	\$25

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296	BUILDING PERMIT FEES	
297	General	
298	Total Project Valuation	
299	\$1.00 to \$500	\$35
300	\$501 to \$2,000	\$35 for first \$500. plus \$7 for each additional \$100 or fraction thereof up to and including \$2,000
301	\$2,001 to \$25,000	\$140 for first \$2,000 plus \$17 per each additional \$1,000 or fraction thereof up to and including \$25,000
302	\$25,001 to \$50,000	\$531 for the first \$25,000 plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000.
303	\$50,001 to \$100,000	\$881 for the first \$50,000 plus \$13 for each additional \$1,000 or fraction thereof, to and including \$100,000.

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304	\$100,001 to \$500,000		\$1,531 for first \$100,000 plus \$13 per each additional \$1,000 or fraction thereof up to and including \$500,000
305	\$500,001 to \$1,000,000		\$6,731 for first \$500,000 plus \$9 per each additional \$1,000 or fraction thereof up to and including \$1,000,000.
306	\$1,000,000 and Up		\$11,231 for the first \$1,000,000 plus \$9 per each additional \$1,000 or fraction thereof.
307	Building Plan Check Fee	Based on project valuation per IBC <u>2018</u> Section 109	65% of permit fee, see above
308	Other Inspections and Fees		\$138 Per Hour
309	Change of Use w/o a TI	Permit fee and deposit	\$200 deposit, Actual cost
310	Re-Roof permit Residential	Permit fee	\$138
311	Re-Roof permit Commercial/MF	Permit fee and plan check	Based on valuation, see Building Permit section
312	Miscellaneous Permit	Permit fee	\$100 deposit and actual cost
313	Investigation Fee- work w/o a permit	Permit fee	Double required permit fees

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Commented [CH5]: Need to insert verbiage on Registered Plan submittal fees.

314	Temporary Certificate of Occupancy	Per 30 day TCO	\$263
315	Permit Extension	180 day extension	\$50
316	Application Extension	90 day extension	\$50
317	Consultant/Peer Review	Consultant fees	per contract
318	Coal Mine Hazard Report Review		\$138
319	1- Inspections outside of normal business hours		\$172
320	2- Re-Inspection fees		\$138
321	3- Inspections for which no fee is specifically indicated		\$138 per hour, minimum charge, one hour
322	4- Additional plan review due to additions or revisions to plans		\$130 per hour, minimum charge, one hour
323	5- Additional plan review due to Deferred Submittals		\$130 per hour, minimum charge, one hour
324	6- For use outside consultants for plan checking and inspections or both		Actual cost
325	Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, equipment, hourly wage and fringe benefits of the employees involved.		Actuals
	<u>Registered Plan Submittal Fees</u>		
	<u>Base Plan</u>	<u>No permit fee assessed</u>	<u>Plan review fee based on valuation</u>

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	Site Specific Plan(s)	Permit fee + plan check fee of 30% building permit fee
326	MECHANICAL PERMIT	
327	New Single Family Residence - Permit	\$200
328	Commercial Mechanical Permit Plan Review	65% of mechanical permit valuation fee
329	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table.	\$14
330	Permit Issuance and Heaters	
331	1. For issuing a mechanical permit associated with a building permit	\$50
332	2. For issuing a mechanical permit not associated with a current building permit	\$138
333	3. Technology Fee- PLM/MEC	\$45
334	Unit Fee Schedule (Note: the following do not include permit issuing fee)	
335	1. Furnaces	
336	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 btu/h (29.3kW)	\$25
337	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)	\$25
338	For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater	\$26

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Commented [CH6]: Commercial Mechanical Valuation Table

\$1 - \$500	\$141
\$501 - \$2000	\$141 for first \$501, plus \$3 for each additional \$500 up to \$2000
\$2001 - \$25,000	\$186 for first \$2001, plus \$11 for each additional \$1000 up to \$25,000
\$25,001 - \$50,000	\$439 for first \$25,001 plus \$10 for each additional up to \$100,000
\$50,000 - \$100,00	\$689 for first \$50,001 plus \$8 for each additional up to \$100,000
\$100,000 +	\$1089 for first \$100,001 plus \$17 for each additional thereof.

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339	2. Appliance Vents		
340	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$23	
341	3. Repairs or Additions		
342	For the repair of, the alternation of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$17	
343	4. Compressors and Absorption Systems		Deleted: Boilers,
344	For the installation or relocation of each <u>Residential</u> compressor to and including 3 horsepower (10.6kW) or each absorption system to and including 1,000,000 BTU/h	\$22	Deleted: Deleted: boiler or
345	For the installation or relocation of each <u>Residential</u> compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7kW) or each absorption system over 500,000 btu/h (293.1kW) to and including 1,000,000 btu/h (293.1kW).	\$36	Deleted: boiler or
346	For the installation or relocation of each <u>Commercial</u> compressor over 15 horsepower (105kW) to and including 20 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$51	Deleted: boiler or
347	For the installation or relocation of each <u>Commercial</u> compressor over 30 horsepower (105kW) to and including 50 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$73	Deleted: boiler o Deleted: r
348	For the installation or relocation of each <u>Commercial</u> compressor over 50 horsepower (176kW), or each absorption system over 1,750,000 btu/h (512.9kW)	\$120	Deleted: boiler or
349	5. Air Handlers		

350	For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	\$15
351	For each air-handling unit over 10,000 cfm (4719 L/s)	\$26
352	6. Evaporative Cooler - Commercial	
353	For each evaporative cooler other than a portable type.	\$15
354	7. Ventilation and Exhaust	
355	For each ventilation fan connected to a single duct	\$12
356	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$15
357	For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood.	\$15
358	8. Incinerators	
359	For the installation or relocation of each domestic-type incinerator	\$26
360	For the installation or relocation of each commercial or industrial type incinerator	\$30
361	9. Gas Piping	
362	Gas piping systems 1-5 outlets	\$15
363	For each additional gas outlet over 5	\$6
364	Hazardous process piping system (HPP)	
365	1-4 outlets	\$10
366	each outlet over 5	\$6
367	10. Miscellaneous	
368		

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369			Deleted:
			Deleted: per \$10,000 in project value (graduated)
			Deleted: \$3
370			
371	Other Inspections and Fees		Deleted: The technology fee for permit tracking software costs is assessed for each of the following transactions: building permits, fire permit, sign permit, demolition permit, right-of-way use permit and most land use permits. A technology fee will be assessed at land use application submittal.
372	1. Inspections outside of normal business hours, per hour (minimum charge 2 hours)	\$240	
373	2. Inspections for which no fee is specifically indicated, per hour (minimum charge one hour)	\$138	Deleted: 20 Deleted: -half
374	3. Revisions to plans or to plans for which an initial review has been completed (minimum charge one hour)	\$130	Deleted: 60 Deleted: -half
375	PLUMBING PERMIT		
376	Permit Issuance		
377	New Single Family Residence - Permit	\$200	
378	1. For issuing a plumbing permit associated with a building permit	\$38	
379	2. For issuing a plumbing permit not associated with a current building permit	\$100	Deleted:
380			
381			
382	Unit Fee Schedule (Note the following do not include permit-issuing fee)		
383	1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and back flow protection thereof.	\$12	Commented [CH7]: Commercial Plumbing Valuation Table \$1 - \$500 \$141 \$501 - \$2000 \$141 for first \$501 plus \$3 for each additional \$500 up to \$2000 \$2001 - \$25,000 \$186 for first \$2001 plus \$11 for each additional \$1000 up to \$25,000 \$25,001 - \$50,000 \$439 for first \$25,001 plus \$10 for each additional \$1000 up to \$100,000 \$50,001 - \$100,000 \$689 for the first \$50,001 plus \$8 for each additional \$100 up to \$100,000 \$100,000 + \$1089 for the first \$100,001 plus \$17 for each additional \$1000 thereof Deleted: 3. For issuing each supplemental permit Deleted: \$15 Deleted: 4. Technology Fee - PLM/MEC Deleted: \$45
384	2. For each building sewer and each trailer park sewer	\$23	

385			Deleted: 3. Rainwater systems - per drain (inside building)
			Deleted: \$12
386	4. For each water heater and/or vent	\$10	Deleted: 9
387	5. For each industrial waste pretreatment interceptor including its trap and vent except kitchen-type grease interceptors functioning as fixture traps.	\$25	Deleted: 1
			Deleted: 2
388	6. For each installation, alteration or repair or water piping and/or water treatment, each	\$25	Deleted: 12
389	7. For each repair or alteration of a drainage or vent piping, each fixture	\$12	
390	8. For each lawn sprinkler system on any one meter including back flow protection devices thereof.	\$12	Commented [CH8]: Move this to PW Fees
391	9. For atmospheric-type vacuum breakers not included in item 12:		
392	1 to 5	\$10	
393	over 5, each	\$6	
394	10. For each backflow protective device other than atmospheric type vacuum breakers:		Commented [CH9]: Move this to PW Fees (395-398)
395	2 inch (51mm) diameter and smaller	\$12	
396	over 2 inch (51mm) diameter	\$23	
397	11. For initial installation and testing for a reclaimed water system	\$40	
398	12. For each annual cross-connection testing of a reclaimed water system (excluding initial test)	\$40	
399	13. For each medical gas piping system service one to five inlet(s) for a specific gas	\$75	Deleted: 68
400	14. For each additional medical gas inlet(s)/outlet(s)	\$10	
401	OTHER		

402	1. Inspections outside of normal business hours		\$240	Deleted: 0
403	2. Re-inspection fee		\$138	
404	3. Inspections for which no fee is specifically indicated		\$138	
405	4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour)		\$130	Deleted: 93
406	Demo-SFR out building etc.	Permit fee and deposit	\$120 permit, \$1000 deposit	
407	Relocation Permit		\$250	
408				Deleted: Mobile Home Title Elimination Deleted: Permit fee
409	Driveway (stand alone)	expansion and new	\$250	Deleted: \$138 Commented [CH10]: Move to PW Fees
410	Fuel/Oil Tank Decommission/Remove	Base permit fee	\$138	Commented [CH11]: Move to Fire Fees (410-416)
411		Plan review and inspection fee	per contract	
412	Residential LPG Tanks	Base Permit Fee	\$126	
413		Tank Under 125 gal.	\$46	
414		126-500 gal.	\$74	
415		501 and up, additional	\$100	
416		Each 500 gal additional	\$126	
417	FIRE PERMIT			
418	Commercial Building Permit	Plan review and inspection fee	per contract	

419	Multi-family Building Permit	Plan review and inspection fee	per contract
420	Single-family Building Permit	Plan review and inspection fee	per contract
421	Annual Code Enforcement Inspection		per contract
422	Final and correction inspections		per contract
423	Fire Permit	Base fee	\$105
424	Fire Sprinkler/Alarm Sys. Rev	Plan review and inspection fee	per contract
425	PUBLIC WORKS-WATER		
426	Water Connection Fee	Per BDMC 13.04.295	
427	Drop In Meter Charges		
428	City Installed	Cost of meter + \$500	
429	5/8-3/4" meter	City Installed	Cost of meter + \$500
430	1" meter	City Installed	Cost of meter + \$500
431	1 1/2"	City Installed	Cost of meter + \$500
432	Irrigation 5/8" meter	City Installed	\$500
433	Cross Connection Control	Per Occurrence	\$138
434	In-Fill Lots Installation of Water Service Charges	Homeowner Incurs ALL Costs, Plus Deposit per BDMC 13.040.050	Deposit \$1,000
435	Water Service Line Review/Inspection Fee		\$138
436	Unauthorized connection fine	No Meter Present or Bypassing	\$1,200
437	-	Others	Per BDMC 13.04.295
438	Back Flow Device Inspection		\$138

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439	Water Investigation Needs Report	Residential (Not required for lots within approved city subdivisions and short plats)	\$105
440		Multi-Family, Commercial, Industrial, Public	\$210
441	Hydraulic Model for Water System	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual cost
442		Deposit	\$500
443	Water Equipment and Parts		Actual cost
444	SEWER		
445	Grease Interceptor	Per Occurrence	\$138
446	Reinsertion Fee	Per Occurrence	\$138
447	Sewer Connection Fee		Per BDMC 13.20.080
448	Sewer Investigation Certificates	Residential	\$138
449		Multi-Family, Commercial, Industrial, Public	\$300
450	Side Sewer Review/Inspection		\$138
	<u>Sewer Video Inspection</u>		<u>\$138 labor & admin + \$30 camera fee</u>
451	Engineered Hydraulic Flows to Sewer System	Deposit Cost	Deposit \$1,000
452	STORMWATER		
453	Stormwater Drainage	Plan Review-per single family lot	\$138
454		Inspection per single family lot	\$138

	<u>Oil Water Separator</u>	<u>Per Occurrence</u>	<u>\$138</u>
455	Commercial Storm Water System Inspections	Per Inspection	\$138
456	OTHER		
457	Public Works Final Inspection--Building Permit	<u>Inspect meter, sewer clean out, driveway, stormwater, damage to public sidewalks, removal of TESCetc,</u>	\$138 <u>\$238</u>
458	Deviation of Public Works Standards	Application Fee	\$300
459	Traffic Engr. Review Fees	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual Cost
460		Deposit	\$1,000 <u>As Per BDMC</u>
461	Review of Resubmitted/Reinspection	Per Occurrence	\$138
462	Inspections Outside Business Hours		\$176 <u>Time + Expense</u>
463	Equipment Fee w/o Operator	City Dump Truck	\$75/hour
464		City Vehicle	\$50/hour
465		City Backhoe	\$75/hour
466		Miscellaneous Small Utility Equipment	\$30/hour
467		Shoulder Mower	\$75/hour
468		Riding Mower	\$30/hour
469		Parts	Actual Cost
470	Temporary Erosion Sediment Control	Inspection \$500 deposit	Per Inspection \$138

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CITY OF BLACK DIAMOND

2019 FEE SCHEDULE



Adopted by Council
12/19/2019
Resolution No.
19-1329

City of Black Diamond FEE Schedule

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	Fee Title	Description	Fee
	POLICE		
1	Fingerprinting	Non-Resident	\$15
2		Resident	\$10
3	Electronic Monitoring-Police		\$15 day
4	Hook-up Fee	One Time Application Fee (Non Refundable)	\$25
5	Equipment Deposit	Refundable	Per Contract
6	Concealed Pistol License		
7	Original	Original License	per State Law
8	Renewal	Valid License Renewal	\$32
9	Late	Within 90 Days After Expiration	\$42
10	Replacement		\$10
11	Process Service	Civil and Court	\$25
12	Mileage for process service		Current IRS Rate
13	False Alarm Responses		
14		First Occurrence	None
15		Second Occurrence Per Year	\$50
16		Third or More Per Year	\$75
17	Discovery --copies	No Charge For One Copy of Documents Provided In Compliance With Defense Requests On Municipal Court Cases.	None
18	Traffic Safety School	Per Class - Not to exceed amount of infraction	Ord 16-1071
19	Police Reports	Per Case Reports	\$.15/page
20	Photographs		
21	Copies	Each	\$0.15
22	CD Reproduction	Each	\$1.50
23	Firearms Dealer Fee	Annual - Set by US Govt	\$125
24	Firearms Clearance Letter	For Foreign Countries	\$15
25	Local Record Clearance Letter	In-House Records Check	\$15
26	Work Crew	Screening fee (non-refundable)	\$25
27		Per Day, State Fee	\$15
28	Work Release	Per Day, Payable in Advance	Per Contract

Fee Title		Description	Fee
29	PASSPORTS		
30	Passport fee check is made payable to the US Department of State. The execution fee check is made payable to the City of Black Diamond	**Other conditions and restrictions may apply. See City Clerk's office for more details.	
31	Passport Book		
32	Passport Fee**	Age 16 and over	\$110
33	Execution Fee		\$35
34			Total \$145
35	Passport Fee**	Under age 16	\$80
36	Execution Fee		\$35
37			Total \$115
38	Passport Card		
39	Passport Fee**	Age 16 and over	\$30
40	Execution Fee		\$35
41			Total \$65
42	Passport Fee**	Under age 16	\$15
43	Execution Fee		\$35
44			Total \$50
45	Passport & Card		
46	Passport Fee**	Age 16 and over	\$140
47	Execution Fee		\$35
48	Passport Fee**	Under age 16	\$95
49	Execution Fee		\$35
50	Expediting Fee (Book only)		\$60
51	File Search Fee		\$150
52	Overnight Delivery Return Fee		\$15.89
53	Overnight Delivery Fee to Agency.		Current US Postal Rate
54	BUSINESS LICENSES		
55	Regular Business License	Annual	Initial fee \$70 renewal \$60
56	Regular Business License Annual partial	Pro-rate: 50% fee reduction after June 30.	\$35
57	Utility Business license	Annual	\$60
58	Penalty Late Renewal Payment	Feb. 1-28	\$10
59		Mar. 1-31	\$20

Fee Title		Description	Fee
60		Apr. 1-30	\$30
61		May 1 and after	double renewal fee, collections
62	Temporary Business License (30 days)	per 30 day license, maximum of 2 per year	\$15
63	Duplicate Business License	per copy	\$10/copy
64	Relocation/Reissue	Business moves locations	\$10
65	Business Inspection Fee	As needed - per inspections	\$75
66	Specialty Licenses		
67	Solicitors and mobile vendors	Annual	\$70
68		Temporary (30 day)	\$50
69	Adult Entertainment	Per establishment	\$1,000
70		Operator license (per establishment)	\$100
71		Employees license	\$50
72	UTILITIES		
73	Meter Testing Charge	One hour	\$76
74	Customer Requested Turn Off	After Business Hours, 2 hour minimum	\$175
75	Lifeline Utility Relief Rate	City Water, Sewer and Stormwater only (excluding KC Metro)	50%
76	Delinquency Notice		\$10
77	Door Hanger w/Shut Off/Turn On	During Working Hours 8-5	\$45
78		After Working Hours	\$75
79		Holidays	100
80	Meter Rental/Water Purchase	Collect Deposit, Rental fee, and Water Purchase	Deposit \$1,000
81		Base Rental Fee Plus Double the Current Water Rate	Rental per day \$25
82		Base Rental Fee Plus Double the Current Water Rate	Rental per week \$100
83	See BDMC 13.04.280	Base Rental Fee Plus Double the Current Water Rate	Rental, per month \$250
84	Non Account Water Purchase		Double out of city rates
85	Emergency Repair	Working hours-if prior locate	Time and Materials

Fee Title		Description	Fee
86		Working hours-if no locate	3 times Time and Materials
87		After hours, if prior locate	1 1/2 Time and Materials
88		After hours, no locate	3 times 1 1/2 Time and Materials
89		Holidays	Double Time to above rates
90	PARKS		
91	Park Use / Special Event Permit	Fee	\$100
92	Deposit required for events over 150 people - amount set by size/length of event (\$500-\$10,000)		Actual cost
93	Gym Rental	Drop In Over 18	\$3 per person over 18
94		Sports or Special Events	\$30 per hour
95		Contract Events	Per Contract
96	Parking fee at boat launch	Per vehicle	\$5
97	Annual parking pass - Lake Sawyer	Per vehicle (non-transferable)	\$60
98	Annual parking pass - Lake Sawyer	Per vehicle for senior citizens 65 years and older	\$35
99	Annual parking pass - Lake Sawyer	Per vehicle for persons with a valid State of Washington Disable Vehicle Permit	\$35
100	Lost parking pass replacement or change in vehicle		\$10
101	CEMETERY		
102	Casket Burial	Coordination, Excavation; Liner and Installation; Casket Placement; Backfill and compaction; Landscaping	\$1,500
103	Tent For Service In The Rain	Set Up The Tent, Take Down, Dry in the Warehouse	200
104	Vault		Actual cost
105	Saturday Service Fee	Additional Charge to be Added to Burial Costs	\$1,000
106	Placement of Cremated Remains	Site Measurements, Location Records, Excavation and Restoration	\$200
107	Saturday Placement of Remains		\$350

	Fee Title	Description	Fee
108	Plot	Per Plot	\$1,500
109	Niche Purchase		\$600
110	Niche Remain Placement	Open/Close; Secure and Record	\$200
111	Headstone Placement	Excavation and Setting According to Cemetery Standards. Normal up to 44" x 20" (880 sq. in.)	\$100
112	Headstone Placement-Large	Larger than 44"x20" (example 45"x21") 45x21=945 sq. in. 945-880=65 65 sq. in. x \$.50=\$32.50	\$.50 Per Square Inch In Excess of 880 Sq. In.
113	Exhumation		\$5,000 or Actual Contract Cost Whichever Is Greater
114	MISCELLANEOUS FEES		
115	Photocopying	Materials copied on the copier on legal, letter or ledger size paper (includes packet material, ordinances, resolutions, minutes, contracts, etc.	\$.15/page
116	Oversized Documents	per page, black & white	Actual Cost
117		per page, color	Actual Cost
118	Duplication Audio Tapes/CDs	Per tape/CD	\$1.50
119	CD or DVD Disk	Per disk	\$1.50
120	Transcription Preparation	Staff Time	Actual cost
121		Deposit	\$300
122	City Clerk Certification of Documents	Per page	\$1
123	King Co. Recording Fee	Per page, pass through King County fees	Actual cost from King County
124	Return check fee/NSF Fee		\$35
125	City of Black Diamond Maps		
126		Oversized 18x 24 or larger (Black and White)	\$5
127		Color	\$7
128		11 x 17	\$3
129	Code/Comprehensive Planning Documents Reproduction		
130	Zoning Code		Actual Cost
131	Comprehensive Plan		Actual Cost

	Fee Title	Description	Fee
132	Water Comprehensive Plan		Actual Cost
133	Sewer Comprehensive Plan		Actual Cost
134		Engineering Design and Construction Standards/Guidelines	\$100
135		Each Section	\$10
136	Municipal Code		Actual Cost
137	Public Notice Boards (BDMC 18.08)		Actual Cost
138	Newspaper Advertising		Actual Cost
139	Liquor Use Permit		\$25
140	CITY STAFF RATES		
141		All rates are per hour	
142	City Administrator		\$94
143	Assistant City Administrator/City Clerk/Human Resources Manager		\$84
144	Deputy City Clerk		\$51
145	Finance Director		\$81
146	Deputy Finance Director		\$60
147	Senior Accountant		\$54
148	Community Development Director/Natural Resources Director		\$81
149	Permit Technician Supervisor		\$54
150	Permit Technician		\$47
151	Economic Development Director		\$78
152	Building Official/Code Official		per contract
153	Building Plans Examiner		per contract
154	Fire Plan Checks/Inspector Fees	Res 08-554	\$56
155	Public Works Director		\$81
156	Capital Project/Program Manager		\$68
157	Utilities Supervisor		\$76
158	Utility Operator		\$48
159	Utility Worker		\$45
160	Seasonal Worker		\$22
161	Facilities Coordinator		\$52

	Fee Title	Description	Fee
162	Police Chief		\$89
163	Police Commander		\$84
164	Police Officer with vehicle		\$85
165	Senior Planner		\$68
166	Information Services		per contract
167	MDRT Inspector/Construction Superintendent		78
168	MDRT Senior Planner		\$68
169	Clerical Staff		\$31
170	Engineer		per contract
171	City Attorney		per contract
172	Landscape Architect		per contract
173	Consultant Planner		per contract
174	Other Consultants/Contract.		\$1,000 Deposit Actual cost
175	Hearing Examiner	Hearing Fee	\$788
176		Actual Costs	Actual Cost
177	SIGNS/TREES/FIREWORKS		
178	Wall Sign electric		\$125-\$225
179	Wall Sign, non electric		\$105-\$205
180	Ground, non electric		\$145-\$245
181	Ground electric		\$165-\$265
182	All signs less than 25 sf		\$407
183	Change of sign, all sizes		\$413
184	Street Signs Charge	Sign Post	Actual Cost
185		Installation	\$138
186	Tree Permit	Level 1 application fee	\$267
187		Level 2 application fee	\$487
188		Exemption Review	\$110
189	Fireworks Display	Plan review and inspection fee	per contract
190	Temporary Fireworks Stand	Permit fee	\$100
191		Removal bond-refundable	\$750
192	STREET FEES		

	Fee Title	Description	Fee
193	Public Works-Streets		
194	Right-of-Way Use Permit	Base Amount CD Fee	60
195		2 inspections and 1/2 hour City Review	\$263
196	Right-of-Way Extra Inspection	1 hour minimum	\$138
197	Right-of-Way Extra City Staff Review	1 hour minimum	\$138
198	Failure to call for inspection	Right of Way - Work Without a Permit	
199	Street Cleaning		Actual cost
200	Right-of-Way Vacations Processing	Application Fees	\$1,000
201	ULID or LID	City Costs	Actual cost
202	GRADE AND CLEAR CIVIL PW		
203	a. The Clearing and Grading permit shall be calculated by adding applicable amounts from Clearing and Grading Fee Tables.		
204	Clearing Fee Table		
205	Clearing Fee (ac)		Fee
206	Min	Max	Min
207	-	1	\$680
208	1	10	\$680
209	10	40	\$1,112
210	40	120	\$2,702
211	120		\$4,452
212	Grading Fee Table		
213	Grading Volume (cv)		Fee
214	Min	Max	Min
215	0-100		No Charge
216	100	1,000	\$432
217	1,000	10,000	\$720
218	10,000	100,000	\$2,160
219	100,000		\$4,860
220	b. Plan revision fee		
221		Base fee, each occurrence	\$417
222		Plus hourly fee	\$138

Fee Title		Description	Fee
223	PUBLIC WORKS CIVIL		
224	Infrastructure Civil Permit--PW	Engineering Plan Review Fee	\$494 (plus an additional per hour rate if review exceeds 5 hours, (Actual cost)
225	PW	Construction Permit--Includes Inspection	3% of total cost of project
226	PW	As-Built Review Fee	\$210
227	PW	Engineering Alternative Methods Request (per item)	\$263
228	Civil Plan-Long Plat Projects PW	Engineering Plan Review Fee	\$494 (plus an additional per hour rate if review exceeds 5 hours (Actual cost)
229	PW	Engineering Permit Fee	\$1,439
230	PW	Inspection Fee	3% of total cost of project
231	PLANNING/LAND USE		
232	Postage		Actual cost
233	Preliminary Plat	CD Base Application Fee	\$2388 (Up to first 20 hours, over plus additional hourly rate)
234	<i>See Residential Land Development Below</i>	CD Per Lot Charge	\$100
235	PW	Public Works-Per Lot Charge	\$100
236	CD	Plat Alteration or Vacation	\$1,812 (Up to first 36 hours, over plus additional hourly rate)
237		Time Extension - 1 year	\$1,050
238	Final Plat	CD Base Application Fee	\$4,238 (Up to the first 36 hours additional hourly rate)
239	PW	Engineering Review Per Lot Charge	\$76
240	Binding Site Plan	CD Base Application Fee	\$2,918 (Up to first 24 hours additional hourly rate)
241	PW	Engineering Review-per acre charge	\$100

Fee Title		Description	Fee
242	Preliminary Short Plat	CD Base Application Fee	\$1,944 (Up to first 16 hours additional hourly rate)
243		PW Per Lot Charge	\$100
244		PW Engineering Review-per lot charge	\$300
245		CD Modified Short Plat	\$1,944 (Up to first 16 hours additional hourly rate)
246	Final Short Plat	CD Application Fee	\$1,040 (Up to first 8 hours additional hourly rate)
247		PW Engineering Final Review	\$76
248	Lot Line Adjustment	CD Residential application fee	\$1,019 (Up to first 8 hours additional rate @ actual)
249		PW Engineering Final Review	\$152
250	Lot Line Elimination	CD Application Fee	\$442
251		PW Engineering Final Review	\$152
252	Master Plan Development	Application Fee	\$26, 250
253		Per Acre charge	\$100
254	Development Agreement	Application Fee	\$1,575
255		Staff Review Time	Staff hours
256	Annexation		\$10,000 deposit, cost
257	Postage		Cost
258	Conditional Use	Application Fee	\$2,918 (Up to first 24 hours additional cost @ actual)
259		Engineering Review	\$304
260	Administrative Conditional Use	Application Fee	\$1,459 (Up to first 12 hours additional cost @ actual)
261	Variance	Single Family Lot	\$1,944 (Up to first 16 hours)
262		All Others	\$2,384 (Up to first 20 hours additional cost @ actual)
263	Administrative Variance	Application Fee	\$1,504 (Up to first 12 hours additional cost@actual)

Fee Title		Description	Fee
264	Accessory Dwelling Unit	Application Fee	\$1,064 (Up to first 8 hours additional cost@actual)
265	Shoreline Exemption	Application Fee	\$487
266	Shoreline Substantial Development	Application Fee	\$2,824 (Up to first 24 hours additional cost @ actual)
267	Shoreline Variance Fee	Application Fee	\$2,824 (Up to first 24 hours additional hourly rate)
268	Shoreline Conditional Use	Application Fee	\$2,824 (Up to first 24 hours additional hourly rate @ actual)
269	Site Plan Review	Application Fee	\$2,824 (Up to first 24 hours additional cost @ actual)
270	Public Works	Engineering Review	\$100 per acre
271	Comprehensive Plan Amendment	Application Fee	\$2,734 (Up to first 24 hours additional cost @ actual)
272	Text Amendment, Title 16-19	Application Fee	\$2,734 (Up to first 24 hours additional hourly rate)
273	Rezone	Application Fee	\$2,734 (Up to first 24 hours additional cost @ actual)
274	SEPA Checklist		\$597 (Up to first 5 hours additional cost @ actual)
275		For Each Additional Study	\$267
276	In the review of a land-use permit application, including but not limited to environmental (SEPA) review, the City may determine that such review requires the retention of professional consultant services. In addition to the above development fees that an applicant is required to submit, the applicant shall also be responsible for reimbursing the City for the cost of professional consultant services if the City determines that such services are necessary to complete its review of the application submittal. The City may also require the applicant to deposit an amount with the City which is estimated, at the discretion of the Community Development Director, to be sufficient to cover anticipated costs of retaining professional consultant services and ensure reimbursement to the City for such costs.		
277	Environmental Impact Statement	Per consultant contract	Contract

	Fee Title	Description	Fee
278	Appeal of Administrative Decision (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
279	Appeal of SEPA Decision (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
280	Appeal of Notice of Violation Fee (filing fee is \$487.00, which must be paid before the appeal deadline)	Where the appellant prevails in the appeal, reimbursement may be requested of the City.	\$487
281	Temporary Use Permit	After fee is paid the City's actual costs will be charged	\$532
282	Transfer Development Rights	Application Fee	\$525
283		per development credit	\$50
284	Treasured Place Status		\$263
285	Reasonable Use Exception	Application Fee	\$487
286	Sensitive Areas Permit	Application Fee	\$1,147 (Up to first 10 hours additional cost @ actual)
287	Sensitive Area Utility Exception	Application Fee	\$1,050
288	Formal Code Interpretation	Application Fee	\$487 (Up to first 4 hours additional cost @ actual)
289	Pre-Application Meeting	1 hour meeting/review	\$267
290		Additional Meetings	Staff time
291	Hearing Examiner	Hearing Fee	\$880 (Up to first 8 hours additional cost @ actual)
292		Plus Examiner Costs	Actual Cost
293	Public Notice Boards	Per BDMC 18.08	Actual Cost
294	BDMC 2.62.012 may require the posting of a deposit and payment of actual city costs for certain permits.		
295	Late Fee (If not paid within 30 days of invoicing)	Per Month	\$25

Fee Title		Description	Fee
296	BUILDING PERMIT FEES		
297	General		
298	Total Project Valuation		
299	\$1.00 to \$500		\$35
300	\$501 to \$2,000		\$35 for first \$500. plus \$7 for each additional \$100 or fraction thereof up to and including \$2,000
301	\$2,001 to \$25,000		\$140 for first \$2,000 plus \$17 per each additional \$1,000 or fraction thereof up to and including \$25,000
302	\$25,001 to \$50,000		\$531 for the first \$25,000 plus \$14 for each additional \$1,000 or fraction thereof, to and including \$50,000.
303	\$50,001 to \$100,000		\$881 for the first \$50,000 plus \$13 for each additional \$1,000 or fraction thereof, to and including \$100,000.
304	\$100,001 to \$500,000		\$1,531 for first \$100,000 plus \$13 per each additional \$1,000 or fraction thereof up to and including \$500,000
305	\$500,001 to \$1,000,000		\$6,731 for first \$500,000 plus \$9 per each additional \$1,000 or fraction thereof up to and including \$1,000,000.

	Fee Title	Description	Fee
306	\$1,000,000 and Up		\$11,231 for the first \$1,000,000 plus \$9 per each additional \$1,000 or fraction thereof.
307	Building Plan Check Fee	Based on project valuation per IBC 2012 Section 109	65% of permit fee, see above
308	Other Inspections and Fees		\$138 Per Hour
309	Change of Use w/o a TI	Permit fee and deposit	\$200 deposit, Actual cost
310	Re-Roof permit Residential	Permit fee	\$138
311	Re-Roof permit Commercial/MF	Permit fee and plan check	Based on valuation, see Building Permit section
312	Miscellaneous Permit	Permit fee	\$100 deposit and actual cost
313	Investigation Fee- work w/o a permit	Permit fee	Double required permit fees
314	Temporary Certificate of Occupancy	Per 30 day TCO	\$263
315	Permit Extension	180 day extension	\$50
316	Application Extension	90 day extension	\$50
317	Consultant/Peer Review	Consultant fees	per contract
318	Coal Mine Hazard Report Review		\$138
319	1. Inspections outside of normal business hours		\$172
320	2. Re-Inspection fees		\$86
321	3. Inspections for which no fee is specifically indicated		\$86 per hour, minimum charge, one hour
322	4. Additional plan review due to additions or revisions to plans		\$86 per hour, minimum charge, one hour
323	5. Additional plan review due to Deferred Submittals		\$86 per hour, minimum charge, one hour
324	6. For use outside consultants for plan checking and inspections or both		Actual cost

	Fee Title	Description	Fee
325	Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, equipment, hourly wage and fringe benefits of the employees involved.		Actuals
326	MECHANICAL PERMIT		
327	New Single Family Residence - Permit		\$200
328	Commercial Mechanical Permit Plan Review	65% of mechanical permit fee	
329	For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table.		\$14
330	Permit Issuance and Heaters		
331	1. For issuing a mechanical permit associated with a building permit		\$50
332	2. For issuing a mechanical permit not associated with a current building permit		\$138
333	3. Technology Fee-PLM/MEC		\$45
334	Unit Fee Schedule (Note: the following do not include permit issuing fee)		
335	1. Furnaces		
336	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance up to and including 100,000 btu/h (29.3kW)		\$20
337	For the installation or relocation of forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW)		\$23
338	For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater		\$26
339	2. Appliance Vents		
340	For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit		\$23
341	3. Repairs or Additions		
342	For the repair of, the alternation of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code		\$17

	Fee Title	Description	Fee
343	4. Boilers, Compressors and Absorption Systems		
344		For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kW) or each absorption system to and including 1,000,000 BTU/h	\$22
345		For the installation or relocation of each boiler or compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7kW) or each absorption system over 500,000 btu/h (293.1kW) to and including 1,000,000 btu/h (293.1kW).	\$36
346		For the installation or relocation of each boiler or compressor over 15 horsepower (105kW) to and including 20 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$51
347		For the installation or relocation of each boiler or compressor over 30 horsepower (105kW) to and including 50 horsepower (176kW) or each absorption system over 1,000,000btu/h (293.1kW) to and including 1,750,000 btu/h (512.9kW).	\$73
348		For the installation or relocation of each boiler or compressor over 50 horsepower (176kW), or each absorption system over 1,750,000 btu/h (512.9kW)	\$120
349	5. Air Handlers		
350		For each air handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto (Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling system, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.	\$15
351		For each air-handling unit over \$10,000 cfm (4719 L/s)	\$26
352	6. Evaporative Cooler		
353		For each evaporative cooler other than a portable type.	\$15
354	7. Ventilation and Exhaust		
355		For each ventilation fan connected to a single duct	\$12
356		For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	\$15
357		For the installation of each hood which is served by a mechanical exhaust, including the ducts for each hood.	\$15
358	8. Incinerators		
359		For the installation or relocation of each domestic-type incinerator	\$26
360		For the installation or relocation of each commercial or industrial type incinerator	\$22

	Fee Title	Description	Fee
361	9. Gas Piping		
362	Gas piping systems 1-5 outlets		\$10
363	For each additional gas outlet over 5		\$6
364	Hazardous process piping system (HPP)		
365		1-4 outlets	\$10
366		each outlet over 5	\$6
367	10. Miscellaneous		
368	Technology Fee	per application	\$45
369		per \$10,000 in project value (graduated)	\$3
370	The technology fee for permit tracking software costs is assessed for each of the following transactions: building permits, fire permit, sign permit, demolition permit, right-of-way use permit and most land use permits. A technology fee will be assessed at land use application submittal.		
371	Other Inspections and Fees		
372	1. Inspections outside of normal business hours, per hour (minimum charge 2 hours)		\$240
373	2. Inspections for which no fee is specifically indicated, per hour (minimum charge one-half hour)		\$120
374	3. Revisions to plans or to plans for which an initial review has been completed (minimum charge one-half hour)		\$60
375	PLUMBING PERMIT		
376	Permit Issuance		
377	New Single Family Residence - Permit		\$200
378	1. For issuing a plumbing permit associated with a building permit		\$38
379	2. For issuing a plumbing permit not associated with a current building permit		\$100
380	3. For issuing each supplemental permit		\$15
381	4. Technology Fee - PLM/MEC		\$45
382	Unit Fee Schedule (Note the following do not include permit-issuing fee)		
383	1. For each additional plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and back flow protection thereof.		\$12

	Fee Title	Description	Fee
384	2. For each building sewer and each trailer park sewer		\$23
385	3. Rainwater systems - per drain (inside building)		\$12
386	4. For each water heater and/or vent		\$9
387	5. For each industrial waste pretreatment interceptor including its trap and vent except kitchen-type grease interceptors functioning as fixture traps.		\$12
388	6. For each installation, alteration or repair of water piping and/or water treatment, each		\$12
389	7. For each repair or alteration of a drainage or vent piping, each fixture		\$12
390	8. For each lawn sprinkler system on any one meter including back flow protection devices thereof.		\$12
391	9. For atmospheric-type vacuum breakers not included in item 12:		
392		1 to 5	\$10
393		over 5, each	\$6
394	10. For each backflow protective device other than atmospheric type vacuum breakers:		
395		2 inch (51mm) diameter and smaller	\$12
396		over 2 inch (51mm) diameter	\$23
397	11. For initial installation and testing for a reclaimed water system		\$40
398	12. For each annual cross-connection testing of a reclaimed water system (excluding initial test)		\$40
399	13. For each medical gas piping system service one to five inlet(s) for a specific gas		\$68
400	14. For each additional medical gas inlet(s)/outlet(s)		\$10
401	OTHER		
402	1. Inspections outside of normal business hours		\$200
403	2. Re-inspection fee		\$138

	Fee Title	Description	Fee
404	3. Inspections for which no fee is specifically indicated		\$138
405	4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour)		\$93
406	Demo-SFR out building etc.	Permit fee and deposit	\$120 permit, \$1000 deposit
407	Relocation Permit		\$250
408	Mobile Home Title Elimination	Permit fee	\$138
409	Driveway (stand alone)	expansion and new	\$250
410	Fuel/Oil Tank Decommission/Remove	Base permit fee	\$138
411		Plan review and inspection fee	per contract
412	Residential LPG Tanks	Base Permit Fee	\$126
413		Tank Under 125 gal.	\$46
414		126-500 gal.	\$74
415		501 and up, additional	\$100
416		Each 500 gal additional	\$126
417	FIRE PERMIT		
418	Commercial Building Permit	Plan review and inspection fee	per contract
419	Multi-family Building Permit	Plan review and inspection fee	per contract
420	Single-family Building Permit	Plan review and inspection fee	per contract
421	Annual Code Enforcement Inspection		per contract
422	Final and correction inspections		per contract
423	Fire Permit	Base fee	\$105
424	Fire Sprinkler/Alarm Sys. Rev	Plan review and inspection fee	per contract

	Fee Title	Description	Fee
425	PUBLIC WORKS-WATER		
426	Water Connection Fee	Per BDMC 13.04.295	
427	Drop In Meter Charges		
428	5/8" meter	City Installed	\$500
429	3/4" meter	City Installed	\$500
430	1" meter	City Installed	\$600
431	1 1/2" meter thru 6" meter	City Installed	meter cost
432	Irrigation 5/8" meter	City Installed	\$500
433	Cross Connection Control	Per Occurrence	\$138
434	In-Fill Lots Installation of Water Service Charges	Homeowner Incurs ALL Costs, Plus Deposit per BDMC 13.040.050	Deposit \$1,000
435	Water Service Line Review/Inspection Fee		\$138
436	Unauthorized connection fine	No Meter Present or Bypassing	\$1,200
437		Others	Per BDMC 13.04.295
438	Back Flow Device Inspection		\$138
439	Water Investigation Needs Report	Residential (Not required for lots within approved city subdivisions and short plats)	\$105
440		Multi-Family, Commercial, Industrial, Public	\$210
441	Hydraulic Model for Water System	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual cost
442		Deposit	\$500
443	Water Equipment and Parts		Actual cost
444	SEWER		
445	Grease Interceptor	Per Occurrence	\$138
446	Reinsertion Fee	Per Occurrence	\$138
447	Sewer Connection Fee		Per BDMC 13.20.080
448	Sewer Investigation Certificates	Residential	\$138
449		Multi-Family, Commercial, Industrial, Public	\$300

	Fee Title	Description	Fee
450	Side Sewer Review/Inspection		\$138
451	Engineered Hydraulic Flows to Sewer System	Deposit Cost	Deposit \$1,000
452	STORMWATER		
453	Stormwater Drainage	Plan Review-per single family lot	\$138
454		Inspection per single family lot	\$138
455	Commercial Storm Water System Inspections	Per Inspection	\$138
456	OTHER		
457	Public Works Final Inspection--Building Permit		\$138
458	Deviation of Public Works Standards	Application Fee	\$300
459	Traffic Engr. Review Fees	Note: Some applications will require the use of outside consultants. See BDMC 2.60.050	Actual Cost
460		Deposit	\$1,000
461	Review of Resubmitted/Reinspection	Per Occurrence	\$138
462	Inspections Outside Business Hours		\$176
463	Equipment Fee w/o Operator	City Dump Truck	\$75/hour
464		City Vehicle	\$50/hour
465		City Backhoe	\$75/hour
466		Miscellaneous Small Utility Equipment	\$30/hour
467		Shoulder Mower	\$75/hour
468		Riding Mower	\$30/hour
469		Parts	Actual Cost
470	Temporary Erosion Sediment Control	Inspection \$500 deposit	Per Inspection \$138



CITY OF BLACK DIAMOND UTILITY RATES & INFORMATION 2020

The City of Black Diamond services water, sewer, and stormwater utilities. Water meters are read approximately 1 week prior to the end of each month. Bills containing water, sewer, and stormwater charges are combined and sent out on the first day of the following month.

Water

For Single Family Residential Customers, the water rate is determined by the size of the water meter plus water consumption. Water consumption is measured in volume based on one hundred cubic feet.

Meter size	Base Monthly Charge	Lifeline Discount
5/8" and 3/4"	\$35.63	50% = (\$17.82)
1"	\$45.05	50% = (\$22.53)
1 1/2"	\$48.59	
2"	\$84.80	
3"	\$102.89	
4"	\$193.22	
6"	\$499.96	

Water Consumption	Rate per 100 cu. ft.	Lifeline Discount per cu. Ft.
0 – 600	\$2.76	50% = (\$1.38)
601 – 1,200	\$3.17	50% = (\$1.59)
Over 1,200	\$3.65	50% = (\$1.83)

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, as well Commercial Customers with multiple units with a single water meter, each permitted unit will be charged a base monthly charge. Along with this monthly charge, each unit will receive a full water consumption allotment.

Black Diamond Sewer

Sanitary Sewer Utility operates and maintains the City's sewer collection lines and pump stations.

Sewer Type	Base Monthly Charge	Lifeline Discount
Residential Sewer	\$25.00	50% = (\$12.50)
Commercial Sewer	\$25.00	(No Discount)

*For Multiple Residential Customers, such as manufactured home parks, apartments or other multi-family residential structures connected to a single meter, each permitted unit will be charged a base monthly charge. Commercial Customers will receive an additional \$11.50 per unit charge for multiple units attached to a single meter.

King County Sewer (Metro)

King County charges each agency a monthly amount for providing wastewater treatment. That amount is based on King County's monthly sewer rate and the number of customers served by the local agency. In turn, the local agencies pass along those charges to the residences, businesses and industries in their wastewater collection system.

Sewer Type	Monthly Charge	Lifeline Discount
King County	\$45.33	(No Discount)

***King County** applies an additional \$45.33 flat charge to Residential customers for each additional dwelling unit, such as a mobile home or apartment unit.
***King County** applies an additional consumption charge to Commercial customers for all usage exceeding 750 cubic feet at \$7.53 per 100 cu. ft.

Stormwater

Stormwater rate will be billed monthly to each parcel of improved property within the City. The rate is based on service charges for the stormwater and surface water management utility. Some properties are billed directly through King County; while others are billed through the City of Black Diamond. If you do not see "Stormwater" on your utility bill, the charge is included in your property tax from King County, shown as "Surface Water".

	Monthly charge	Lifeline Discount
Single Family Residential Customers are 1 ERU	\$19.50 per ERU	50% = (\$9.75) per ERU
Multiple Residential Customers up to 4 ERUs	\$19.50 per ERU	50% = (\$9.75) per ERU*
Commercial and Multiple Residential Customers (above 4 ERUs) number of ERUs are based on actual impervious surface - (exempting gravel)		

*Lifeline Discounts for Multiple Residential Customers will be calculated on a case by case basis.

Other Charges

• **Account Setup Fee:** \$5.00 • **Delinquency Notice:** \$10.00 • **Shut Off Notice plus Fee:** \$45 • **NSF Check Penalty:** \$35.00

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021 AB21-090	
Resolution authorizing the acceptance of grant funds and Judge Krista White Swain to execute a grant agreement between the Washington State Administrative Office of the Courts and Black Diamond Municipal Court for a Therapeutic Court Grant 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	
Cost Impact (see also Fiscal Note):	Police – Chief Kiblinger	
Fund Source: Therapeutic Court Grant from AOC \$90,402.	Public Works – Scott Hanis	
Timeline: 12/2021 – 06/30/2023	Court – Krista White Swain	X
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Resolution, Grant Agreement		
SUMMARY STATEMENT: On October 29, 2021, Black Diamond Municipal Court was chosen to receive grant funds to add Therapeutic Court Services in the amount of \$90, 402.00. The grant is intended to identify individuals before the Black Diamond Municipal Court with substance abuse disorders or other behavioral health needs and engage those individuals with community based therapeutic interventions.		
FISCAL NOTE (Finance Department): The Washington State Administrative Office of the Courts will provide \$90,402.00 in therapeutic court grant funds. The award will be split into two disbursements. The first half, \$45, 201.00 will be disbursed in December 2021. The second half, \$45, 201.00 will be disbursed in July 2022.		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 21-1459, authorizing the acceptance of therapeutic court grant funds from the Administrative Office of the Courts and allow Judge Krista White Swain to execute Grant Agreement GRT22429 with the Washington State Administrative Office of the Courts for a therapeutic court program.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

RESOLUTION NO. 21-1459

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING THE CITY COUNCIL TO ACCEPT GRANT FUNDS AND JUDGE KRISTA WHITE SWAIN TO SIGN THE AGREEMENT WITH THE ADMINISTRATIVE OFFICE OF THE COURTS FOR A THERAPEUTIC COURT GRANT PROGRAM.

WHEREAS, the Black Diamond Municipal Court submitted an application for grant funds with the Administrative Office of the Courts to start a Therapeutic Court Program; and

WHEREAS, the Administrative Office of the Courts awarded Black Diamond Municipal Court with grant funds to be used to identify individuals before Black Diamond Municipal Court with substance use disorders or other behavioral health needs and engage those individuals in community based therapeutic interventions; and

WHEREAS, the grant agreement will start in December 2021 and end June 30, 2023;

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

Section 1. The City Council hereby accepts the Administrative Office of the Court's grant in the amount of \$90,402.00 to implement a therapeutic court program.

Section 2. Judge Krista White Swain is authorized to execute Grant Agreement GRT22429 between the Washington State Administrative Office of the Courts and the Black Diamond Municipal Court for the therapeutic court program.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF DECEMBER, 2021.

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

GRANT AGREEMENT - GRT22429
BETWEEN
WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS
AND
BLACK DIAMOND MUNICIPAL COURT

THIS AGREEMENT (Agreement) is made by and between, **Washington State Administrative Office of the Courts (AOC)** and **Black Diamond Municipal Court**, (Grantee), (collectively as the **Parties** and individually each as a **Party**).

The Parties hereby enter into this Agreement whereby Grantee will perform certain services for, and provide product deliveries to AOC. Grantee is subject to the terms and conditions specified in Attachment A and agrees to the following terms and conditions.

1. SCOPE OF WORK

Grantee must use funding to identify individuals before their court with substance use disorders or other behavioral health needs and engage those individuals with community-based therapeutic interventions within the Contractor's jurisdiction in accordance with the Contractor's grant application, Award Letter (Attachment B), and Statement of Work (Attachment A).

2. TERM AND PERIOD OF PERFORMANCE

This Agreement's period of performance runs from December 1, 2021 through June 30, 2023, unless otherwise terminated (Term). Notwithstanding the foregoing, this Agreement and all its terms and conditions shall remain in full force and effect until all deliverables are completed or otherwise terminated, and this Agreement is terminated and/or completed.

3. COMPENSATION AND PAYMENT

The awarded amount is **\$90,402**. Grantee will use the funds for the following cost categories:

Cost Category	Amount
Personnel salaries & benefits	\$
Staff equipment & training	\$
Treatment services	\$
Other participant services	\$
Total	\$

Grantee may vary the amount in any particular category by up to 10%, but any adjustments

beyond 10% require the explicit written consent of AOC's Project Manager, and in no case may the total amount exceed the amount above.

This amount includes expenses necessary or incidental to performing the items under the Statement of Work, including, but not limited to, travel, lodging and per diem related expenses. Contractor will submit an invoice after the completion and acceptance of each deliverable noted above.

This amount will be disbursed in two allotments, one in December 2021 and the second in July 2022 upon receipt of a properly filled out Form A-19.

4. REPORTING

The Contractor must submit quarterly reports to AOC documenting the progress their therapeutic court program. These reports will provide:

- The number of program participants for the corresponding quarter,
- The services provided to program participants for the corresponding quarter,
- The cost of services provided to program participants for the corresponding quarter,
- Other costs accrued by the Contractor to support the therapeutic court program during the corresponding quarter, and
- Any challenges faced by the Contractor in operating their therapeutic court program during the corresponding quarter.

Reports shall be **emailed to Stephanie Oyer at Stephanie.Oyer@courts.wa.gov** on the following schedule:

Period	Report Due
12/01/21 - 04/16/22	04/31/22
04/17/22 - 09/16/22	09/30/22
09/17/22-02/14/23	02/28/23
02/15/23-06/30/23	07/15/23 (final report)

Failure to submit a report by the due date may adversely affect the Contractor's eligibility for future funding.

5. BILLING PROCEDURES

Contractor will submit properly prepared Form A-19s via email to AOC Financial Services at MSDFinancialServices@courts.wa.gov. Invoices shall be submitted no more than twice during the pendency of the contract. Incorrect or incomplete invoices shall be returned by AOC to Contractor for correction and reissuance, and may result in delays in funding. All Invoices shall provide and itemize, at a minimum, the following:

A. Contract Number **GRT22429**;

- B. Contractor name, address, phone number;
- C. Contractor Federal tax Identification Number;
- D. Description of Services to be provided;
- E. Date(s) Services will be provided;
- F. Total Invoice Price.

Payment will be considered timely if made by the AOC within thirty (30) calendar days of receipt of a properly prepared invoice. Payment shall be sent to the address designated by the Contractor.

The AOC may, in its sole discretion, terminate the contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this contract.

No payments in advance or in anticipation of services or supplies to be provided under this contract shall be made by the AOC.

6. SAFEGUARDING OF INFORMATION

The use or disclosure by the Contractor of any information obtained as a result of performance under this contract concerning the AOC or the Court for any purpose not directly connected with the administration of the AOC's, the Court's or the Contractor's responsibilities with respect to services provided under this contract is prohibited except by written consent of the AOC or the Court.

7. CONFLICT OF INTEREST

Grantee warrants that at the date of execution of this Agreement, no organizational conflict of interest exists or is likely to arise in the performance of its obligations under the Subcontract. Grantee warrants that it shall advise AOC immediately if a conflict of interest arises in the future.

8. PROJECT MANAGEMENT

The Project Manager for each of the parties shall be the contact person for all communications regarding the performance of this Contract.

AOC Project Manager	Contractor Project Manager
Stephanie Oyler PO Box 41170 Olympia, WA 98504-1170 stephanie.oyler@courts.wa.gov 360-890-0901	Stephanie Metcalf Court Administrator 25510 Lawson St Black Diamond, WA 98010 smetcalf@blackdiamondwa.gov 360-851-4490 ext 4

9. ASSIGNMENT

Grantee agrees that none of the deliverables to be furnished under this Agreement shall be

assigned or subcontracted (including to independent consultants) without the prior written permission of AOC.

10. TERMINATION

A. Termination for Default

The AOC may, by written notice, terminate this contract, in whole or in part, for failure of the Contractor to perform any of the obligations or provisions required by the contract. In the event of default, the Contractor shall be liable for damages as authorized by law, including but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time; Provided, that if (i) it is determined for any reason the Contractor was not in default, or (ii) the Contractor's failure to perform is without Contractor's and/or Subcontractor's control, fault, or negligence, the termination shall be deemed to be a Termination for Convenience.

B. Termination for Convenience

Except as otherwise provided in this contract, the AOC may terminate this contract by providing written notice of such termination to the Contractor, specifying the effective date thereof, at least five (5) calendar days prior to such date. If this contract is so terminated, the AOC shall be liable only for payment for services rendered prior to the effective date of termination.

11. DISPUTES

The Parties agree to attempt to resolve any dispute arising under this Agreement first by elevating the matter to appropriate levels of management within each organization. Grantee agrees that pending any decision, appeal or judgment on the settlement of any dispute arising under this Agreement, Grantee shall proceed diligently with the performance of this Agreement.

12. INDEMNIFICATION

The Contractor shall defend, protect, and hold harmless the state of Washington, the AOC, or any employees thereof, from and against all claims, suits or actions arising from the Contractor's acts which are libelous or slanderous, which result in injury to persons or property, which violate a right of confidentiality, or which constitute an infringement of any copyright, patent, trademark or trade name through use or reproduction of material of any kind.

13. FORCE MAJEURE

Neither Contractor nor AOC shall be liable or responsible for delays or failures in performance resulting from events beyond the reasonable control of such party and without fault or negligence of such party. Such events shall include but not be limited to strikes, lockouts, riots, acts of war, epidemics, pandemics, acts of government, fire, power failures, nuclear accidents, earthquakes, unusually severe weather, acts of terrorism, or

other disasters, whether or not similar to the foregoing, and acts or omissions or failure to cooperate of the other party or third parties (except Subcontractors).

14. REPRESENTATION AND CERTIFICATIONS

Grantee shall complete all required Representations and Certifications as they apply to this Agreement, if any. Grantee further agrees that it will provide additional or annual Representations and Certifications as may be requested by AOC in connection with this Agreement, and also agrees to promptly notify AOC of any changes which modify the information contained in any such Representations and Certifications.

15. COMPLIANCE WITH LAWS

Grantee shall comply with all applicable Federal, State, and local laws, executive orders, rules and regulations applicable to its performance under this Agreement.

16. INDEPENDENT CONTRACTORS

Grantee is an independent contractor in relation to AOC with respect to all matters arising under this Agreement. Nothing herein shall be construed to establish a partnership, joint venture, association or employment relationship between the parties. Neither Party shall be deemed to be an agent of the other or to have any authority to bind or create any obligation, express or implied, on behalf of the other.

17. WHOLE AGREEMENT

This Agreement and the SOW attached hereto contain and embody the entire agreement of the Parties hereto and supersede all prior agreements, negotiations and discussions between the Parties hereto. Any representation, inducement or agreement that is not contained in this Agreement shall not be of any force or effect. Except as otherwise expressly provided in this Agreement, this Agreement may not be modified or changed in whole or in part in any manner other than by an instrument in writing duly signed by both Parties hereto.

18. NO PUBLICITY

No news releases, public announcement, Customer(s) names, denial or confirmation of any part of the subject matter of this Agreement or any phase of any program hereunder shall be made without the prior written consent of AOC. The restrictions of this section shall continue in effect upon completion or termination of this Agreement for such period of time as may be mutually agreed upon in writing by the Parties. In the absence of a written established period, no disclosure is authorized.

19. GOVERNING LAW/VENUE

This Agreement will be governed by and construed and enforced in accordance with the laws of Washington without giving effect to the principles of conflict of laws thereunder.

20. EXECUTION IN COUNTERPARTS

This Agreement may be executed in one or more counterparts and each counterpart shall

constitute one and the same Agreement.

21. WAIVER

No Party shall be deemed to have waived any right hereunder unless such waiver is in writing, and the waiver or failure of either Party to exercise in any respect any right provided for herein shall not be a waiver of any further right hereunder.

22. SEVERABILITY

If any portion of this Agreement is held or determined to be invalid or unenforceable, the remaining provisions shall continue in full force and effect as if this Agreement had been executed within the invalid portion eliminated.

23. HEADINGS

Any headings used in this Agreement are for purposes of organization only and have no independent legal significance.

In **WITNESS WHEREOF**, the parties hereto have caused this instrument to be signed as of the day and year below written.

Administrative Office of the Courts

Grantee

Signature
Date

Date _____

Signature
Date

Date _____

Dawn Marie Rubio

Name _____

Name _____

Name

State Court Administrator

Title

Title _____

Title

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021 AB20-091	
Resolution authorizing the Professional Services Agreement for Services Related to Program Coordinator for new Black Diamond Community Court	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): \$2,500 per month	Public Works – Scott Hanis	
Fund Source: FULLY FUNDED BY GRANT	Court – Judge Swain	X
Timeline: 12/15/2021 TO 12/31/2023		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Professional Services Agreement with Somer R. Johnson		
SUMMARY STATEMENT: The Black Diamond Municipal Court has received a grant from the state for \$90,402.00. This amount will cover the costs of initiating and executing the new Black Diamond Community Court. The grant covers two years of services. The largest cost for the community court will be the cost of the Program Coordinator. This person will attend start up meetings with the stakeholders for community court in order to set policies and procedures; attend arraignments for each calendar; meet with participants who have been selected for community court; conduct a risk/needs assessment individualized for each participant; create a plan of action for successful completion of community court; attend resource meetings with each participant and assist each participant in following through and maintaining success with each of the goals set for the participant's case. FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt Resolution No. 20-1460, authorizing the Mayor to execute a Professional Services Agreement with Somer Johnson to provide the services of Program Coordination for the Black Diamond Community Court.		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
December 2, 2021		

RESOLUTION NO. 21-1460

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BLACK DIAMOND, KING COUNTY, WASHINGTON
AUTHORIZING THE USE OF GRANT MONEY TO
CONTRACT WITH A PROGRAM COORDINATOR FOR THE
BLACK DIAMOND COMMUNITY COURT**

WHEREAS, the Black Diamond Municipal Court has received a grant in the amount of \$90,402.00 from the Administrative Office of the Courts, for a therapeutic court; and

WHEREAS, this grant is to cover the funding of the therapeutic court as a pilot project for the years of 2022 and 2023; and

WHEREAS, the monies will be distributed in two separate disbursements; \$45,201.00 in December, 2021; and \$45,201 in July, 2022; and

WHEREAS, the Administrative Office of the Courts has directed that \$73,421.00 of the provided grant money will be for the hiring of personnel to administer and coordinate the therapeutic court; and

WHEREAS, the court requires the expertise of a Program Coordinator for the purpose of facilitating the therapeutic court, including the duties of attending the arraignment hearings, meeting with prospective community court participants, conducting a risk/needs assessment for each individual, preparing a plan of action for each individual, attending the resource room with each participant to connect the participants with providers, assisting each participant in each step of the plan of action for success, and attending court as needed to provide updates on each participant's status in their plan; and

WHEREAS, Somer R. Johnson is a qualified individual, who has worked in the field of substance use treatment and has the capacity, knowledge and connections to provide this service to the court; and

WHEREAS, the court has determined that Ms. Johnson is the best person to provide these services to the court;

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

Section 1. The Mayor is hereby authorized to execute a professional services contract with Somer R. Johnson, with such contract to be of \$2,500 per month, beginning in December, 2021 and to continue to December, 2023, at which time the grant funding will cease.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON,
AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF DECEMBER, 2021.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

CITY OF BLACK DIAMOND PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement") is entered into by and between the following Parties:

CITY OF BLACK DIAMOND, WASHINGTON ("City")

Physical Address: 24301 Roberts Drive

Mailing Address: PO Box 599

Black Diamond, WA 98010

Contact: Carol Benson Phone: 360-851-4500 Fax: 360-851-4501

and

Somer Johnson ("Consultant")

14515 Prairie Ridge Drive E

Bonney Lake, WA 98391

Phone: 253-590-3068; Email: allthingsmindful@yahoo.com

Tax Id No.: _____

for professional services to be rendered in connection with
Black Diamond Community Court ("Project").

TERMS AND CONDITIONS

1. Services by Consultant

1.1 Consultant shall perform the services described in the Scope of Work attached to this Agreement as Exhibit "A." The services performed by Consultant shall not exceed the Scope of Work nor shall the Consultant be entitled to a greater amount of compensation as that provided in this Agreement without the prior written authorization of the City.

1.2 The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to this Agreement.

1.3 This Agreement is effective upon execution by the Parties and shall remain in effect until the work described in Section 1.1 above is complete, unless terminated by written notice in accordance with Section 6, below.

1.4 Consultant represents and warrants that it, its staff to be assigned to the Project, and its subconsultants their staff have the requisite training, skill, and experience necessary to provide the services required by this Agreement and are appropriately accredited and licensed by all

applicable agencies and governmental entities. Services provided by Consultant and its subconsultants under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

2. Schedule of Work

2.1 Consultant shall perform the services described in the Scope of Work, Exhibit “A”, in a timely manner/according to the schedule provided therein. Consultant shall not begin any work under this Agreement until the City has authorized work to proceed.

2.2 Consultant shall assure that it, and its subConsultants, will have adequate staffing at all times in order to complete the Scope of Work in a timely manner. If factors beyond Consultant's control that could not have been reasonably foreseen as of the date of this Agreement cause delay, then the parties will negotiate in good faith to determine whether an extension is appropriate. The Consultant shall provide the City with written notice of any delay, or potential delay, that may trigger the need for a time extension within 3 business days after the Consultant becomes aware of the delay or potential delay.

3. Compensation

☒ FIXED SUM. Compensation for the services provided in the Scope of Work shall be a fixed sum of \$2,500 per month beginning January, 2022 and continue through December, 2023.

☐ TIME AND MATERIALS. The services provided in the Scope of Work shall be compensated on a time and materials basis, with services billed at the hourly rates stated in Exhibit “B”, Schedule of Rates and Charges, attached hereto. Payment to the Consultant for work performed under this Agreement shall not exceed \$_____ without prior written authorization in the form of an amendment to this Agreement approved by both Parties.

4. Payment

4.1 Consultant shall provide monthly invoices, in a format acceptable to the City for work performed to the date of the invoice.

4.2 All invoices shall be paid by City within sixty (60) days of actual receipt by the City of an invoice conforming in all respects to the terms of this Agreement.

4.3 Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Consultant shall make copies available to the City on request.

4.4 If the services rendered do not meet the requirements of the Agreement, Consultant will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement.

5. Discrimination and Compliance with Laws

5.1 Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

5.2 Consultant and its subconsultants shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.

5.3 Any violation of this Section 5 shall be a material breach of this Agreement and grounds for immediate cancellation, termination, or suspension of the Agreement by the City, in whole or in part, and may result in Consultant's ineligibility to conduct further work for the City.

6. Suspension and Termination of Agreement

6.1 The City may terminate this Agreement for public convenience, the Consultant's default, the Consultant's insolvency or bankruptcy, or the Consultant's assignment for the benefit of creditors, at any time prior to completion of the work described in Section 1. Termination shall be effective immediately upon posting or transmission of written notice by the City, or on such date as stated in the City's notice, whichever is later.

6.2 The City reserves the right to terminate or suspend this Agreement at any time, without cause, by giving Consultant notice in writing ten (10) days prior to the termination or suspension date. In the event of termination, all finished or unfinished reports, or other material prepared by Consultant pursuant to this Agreement, shall be submitted to the City. In the event the City terminates this Agreement prior to completion without cause, Consultant may complete such analyses and records as may be necessary to place its files in order. Consultant shall be entitled to compensation for any satisfactory work completed prior to the date of suspension or termination.

6.3 Any notice from the City to Consultant regarding the suspension of this Agreement shall specify the anticipated period of suspension. Any reimbursement for expenses incurred due to the suspension shall be limited to Consultant's reasonable expenses and shall be subject to verification. Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

7. Standard of Care

Consultant represents and warrants that it has the requisite training, skill, and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services Consultant provides under

this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances. Consultant understands and agrees that the services rendered pursuant to this Agreement are for the sole exclusive benefit of the City and that no third party shall have authority to authorize, approve, direct or control any of the services rendered to the City pursuant to this Agreement.

8. Ownership of Work Product

8.1 Ownership of the originals of any reports, data, studies, surveys, charts, maps, drawings, specifications, figures, photographs, memoranda, and any other documents which are developed, compiled, or produced as a result of this Agreement, whether or not completed, shall be vested in the City and shall be submitted to the City upon completion or termination of this Agreement. Any reuse of these materials by the City for projects or purposes other than those that fall within the scope of this Agreement, without written concurrence by Consultant, will be at the sole risk of the City.

8.2 The documents prepared under this Agreement shall become the property of the City upon completion of the work. The City agrees to hold harmless and indemnify Consultant against all claims made against Consultant for damage or injury, including defense costs, arising out of the City's reuse of such documents beyond the use for which they were originally intended without the written authorization of Consultant.

9. Indemnification/Hold Harmless

9.1 Consultant shall indemnify, and hold the City, its officers, employees, agents, and volunteers harmless from all claims, injuries, damages, losses, or suits (including all legal costs and attorney fees) arising out of or in connection with the acts, errors, or omissions of Consultant or its sub-consultants in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. If a court of competent jurisdiction determines that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City (including its officers, officials, employees, agents, and volunteers), the Consultant's liability hereunder shall be only to the extent of the Consultant's own negligence.

9.2 The City's inspection or acceptance of any of the Consultant's work when completed shall not be grounds to avoid any of these covenants of indemnification.

9.3 IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER. THE CONSULTANT'S WAIVER OF IMMUNITY UNDER THE PROVISIONS OF THIS SECTION

DOES NOT INCLUDE, OR EXTEND TO, ANY CLAIMS BY THE CONSULTANT'S EMPLOYEES DIRECTLY AGAINST THE CONSULTANT.

9.4 The provisions of this Section 9 shall survive the expiration or termination of this Agreement.

10. Insurance

10.1 Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

10.2 Consultant shall procure and maintain insurance of the types described below:

- a. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
- b. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

10.3 Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:

- a. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
- b. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

10.4 Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

- a. The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
- b. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.

- c. The City will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the City will not waive its right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the City, or any self-insurance, or insurance pool coverage maintained by the City.
- d. If any coverage is written on a "claims made" basis, then a minimum of three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

10.5. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

10.6. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

11. Assigning or Subcontracting

11.1 Consultant shall not assign, transfer, subcontract, or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld at the sole discretion of the City.

12. Independent Contractor

12.1 Consultant and its subconsultants are, and shall be at all times during the term of this Agreement, independent contractors. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives, or sub-consultants of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

12.2 The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents, and sub-consultants in the performance of the work hereunder and shall utilize all protection necessary for that purpose. All work shall be done at Consultant's

17.1 No officer, employee, or agent of the City, nor any member of the immediate family of any such officer, employee or agent, shall have any personal financial interest, direct or indirect, in this Contract, either in fact or in appearance. The Consultant shall comply with all federal, state, and City conflict of interest laws, statutes and regulations. The Consultant represents that the Consultant presently has no interest and shall not acquire any interest, direct or indirect, in the project to which this Contract pertains which would conflict in any manner or degree with the performance of the Consultant's services and obligations hereunder. The Consultant further covenants that, in performance of this Contract, no person having any such interest shall be employed by the Consultant. The contractor's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from the project applicant or any affiliate or agent of the project applicant.

17.2 The Contractor warrants and represents that the Contractor has not, nor has any other member, employee, representative, agent or officer of the Contractor, entered into or offered to enter into any combination, collusion or agreement with any person or entity to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of this Contract other than the consideration offered pursuant to the terms and conditions hereof.

ACKNOWLEDGED AND AGREED TO BY:

CITY OF BLACK DIAMOND	CONSULTANT
By: _____ Carol Benson Its: Mayor Date: _____ Attest: By: _____ Brenda L. Martinez City Clerk	By: _____ Printed Name: <u>Somer Johnson</u> _____ Its: <u>Program consultant</u> _____ Date: <u>11/22/2021</u> _____ Approved as to form: By: _____ City Attorney

EXHIBIT A

SCOPE OF WORK

The Program Coordinator for the Black Diamond Municipal Court will be under the direct supervision of the Court Administrator. The program coordinator will be responsible for assisting and engaging participants of Community Court through the entire process of their court case including assisting with intakes, needs assessment, service planning and linking with community providers, and attending appointments and court appearances.

The program coordinator will be responsible for data collection to assist in establishing grant performance metrics. Normal attention to detail is required to prevent errors. Employees in these positions have a great deal of contact with indigent defendants, public defenders, community organizations, and court, police, legal and other city employees. Work is performed in court, in an office setting and in the community.

Program Coordinator Duties:

- Assist and encourage indigent defendants charged with misdemeanors and gross misdemeanors in gaining access to drug and alcohol, mental health, medical, educational, housing, social and other services.
- Meet with defendants and public defenders to assist with intake assessments, determine service needs, develop a plan of action and provide monitoring of participants.
- Assist participants in attending all appointments and court appearances.
- Coordinate and assist entry of participants into various treatment facilities and/or substance abuse educational programs as needed.
- Refer participants to appropriate community organizations and assist participants in scheduling appointments and obtaining services.
- Facilitate and organize onsite group sessions and programs.
- Provide outreach services to locate missing participants and help to re-engage them with the program.
- Collaborate with other community resources to maintain and develop positive working relationships.
- Maintain an accurate and complete case files for each client.
- Maintain accurate electronic and paper records of participants information and enter data into approved database as directed, in a timely manner.
- Case management may include psychosocial histories and assistance in developing recommendations concerning pretrial release, sentencing, and post-sentencing options. Case management does not include direct delivery of medical, clinical or other direct services.
- Assist with developing and attaining program goals and objectives through effective program planning and implementation.
- Develop and maintain program standards and administer program within legal requirements.

- Perform accurate and complete data collection to assist in establishing grant performance metrics.
- Maintain confidentiality and professional ethical standards required by state and federal statutes.
- Attend trainings, meetings, staffing sessions, and court hearings as required.
- Provide written weekly progress reports for staff meetings including participant's compliance with and violations of sentence conditions.
- Facilitate graduation acknowledgement.
- Establish and maintain cooperative and effective working relationships with those contacted in the performance of work.
- Safely drive vehicle to off-site appointments and meetings and in the performance of related job duties.
- Maintain regular, reliable and punctual attendance.
- Perform other duties as assigned.

The Program Coordinator will appear at each arraignment calendar to assist in screening participants of the Black Diamond Community Court program. Once screened into the program, the coordinator will then complete an extensive risk/needs assessment and prepare a program plan for each participant in conjunction with the prosecuting attorney.

The Program Coordinator will also appear at each Resource Room Meeting, currently via zoom, on each Thursday after arraignment to assist in connecting the participants with their treatment providers. These meetings are currently held from 12:30 to 1:30 pm.

EXHIBIT B
SCHEDULE OF RATES AND CHARGES

CITY COUNCIL AGENDA BILL

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

ITEM INFORMATION		
SUBJECT:	Agenda Date: December 2, 2021 AB21-092	
Ordinance amending the 2021 Budget Ordinance 20-1154 to add excess revenues and grants received during 2021 and their related expenditures in excess of estimates.	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res – Mona Davis	
	Finance – May Miller	X
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): \$6,153,562	Public Works – Seth Boettcher	
Fund Source: --Various	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: ☒ Mayor ☐ Two Councilmembers ☐ Committee Chair ☐ City Administrator		
Attachments: Ordinance; Exhibit A & Detailed Budget Adjustment		
SUMMARY STATEMENT:		
Washington State law RCW 35A.120 allows budget amendments for funds or grants received in excess of estimates during the fiscal year. The 2021 budget amendment ordinance needs to be approved to cover the additional operating revenues and expenditures before December 31, 2021 to avoid exceeding expenditure budgets. The 2021 Budget Ordinance Amendment totals \$6,153,562. Most of the Ordinance is due to Capital Projects approved by Council Resolutions during 2021. Also the Ordinance adopts the Revenue received from the ARPA COVID Rescue Recovery received in 2021 and the expenditures for the Black Diamond Community Center to administer the Rent and Utility payments for our residents that had suffered hardships, and also to add the transfer to the 3rd Avenue Water replacement from the ARPA funds to increase the total from the 2022 adopted amount of \$850,000 to \$1,100,000 per the December 2, 2021 Resolution. This includes next portion of the budget change is primarily for capital projects or grants received during 2021 that were not previously expected or exceeded the previous revenue estimates. Most of those capital projects have been already approved in the listed Resolution form, but now need authorized budgets. The last portion of the budget cover other items approved by council such as the \$10,000 approved for Foothills Mental Health, new Body Camera Services for Police, Campus Capital costs approved by council, Lake Sawyer Weed Control Grant, Skate Park design, The Covington Creek Bridge Project of \$2,293,500 funded by King County Flood District, additional funds for Morganville S Water CBDG Project, and finally funds for the N. Commercial Loop Project using		

water

The final part of the 2021 Budget amendment added additional 2021 Revenue that covered some additional operating costs in the General Fund, Street Fund, Water Fund, Sewer Fund and Stormwater Fund. Examples of the increase costs were for State Audit, Insurance, Overtime, costs of vacation pay for retiring employees, Supplies, tools, and training for staff as well as utility tax for the Utility funds based on increased revenue.

All additional costs are covered by grants, or increased revenues due to the increased sales tax from building material for new homes, increased REET tax due to increased number of home sales or increased utility revenues due to the increased number of new customers.

FISCAL NOTE (Finance Department): The \$6,153,556 Budget Amendment Ordinance needs to be adopted before 12/31/2021 to cover the unanticipated revenues and expenditures for 2021

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: The Finance Committee reviewed the 2021 budget amendment Ordinance at their November 23, 2021 committee meeting.

RECOMMENDED ACTION: **MOTION to approve Ordinance No. 21-1170 adopting the 2021 Budget Amendment.**

RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
December 2, 2021		

ORDINANCE NO. 21-1170

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING THE BUDGET FOR CALENDAR YEAR 2020 AS ADOPTED BY ORDINANCE 20-1154 FOR MEANS OF APPROPRIATIONS, ADJUSTMENTS AND TRANSFERS WITHIN VARIOUS FUNDS IN ACCOUNTS IN THE 2021 BUDGET

WHEREAS, RCW 35A.33.120(4) allows budget amendments to be authorized by ordinance for funds received in excess of estimated Revenues during the fiscal year if those amounts exceed the amounts set forth in Ordinance No. 20-1154; and

WHEREAS, it is necessary to adjust those accounts and/or funds by means of appropriation adjustments and transfers for the 2021 Budget;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 3 of Ordinance 20-1154 is hereby amended with the following additions:

Fund	Name	Revenue	Expenditures
Fund 001	General Fund	462,402	462,402
Fund 101	Street Fund	42,000	42,000
Fund 111	ARPA COVID Fund	767,305	767,305
Fund 401	Water Fund	1,297,500	1,297,500
Fund 407	Sewer Fund	304,655	304,655
Fund 410	Stormwater Fund	46,000	46,000
Fund 310	Gen Govt Capital Fund	705,200	705,200
Fund 320	Street & PW Cpt. Fund	2,528,500	2,528,500
		\$6,153,562	\$6,153,562

Section 2. This Ordinance shall be in full force and effect five days after its passage, approval, posting and publication in summary form as provided by law.

Introduced on 2nd day of December 2021.

Passed by a majority of the City Council at a Regular Council meeting held on the 2nd day of December 2021.

Mayor Carol Benson

Attest:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

David Linehan, City Attorney

Published:

Posted:

Effective Date:

City of Black Diamond, Washington

2021 Budget worksheet

A. Estimated Expenditures by Fund

Fund #	Fund Title	Ordinance	C/O Capt Prj	Ordinance	Total Adj. Budget
		20-1154	RCW 35A.150	21-XXXX	
		Budget		Budget Adjustment	
		2021			2021
Fund 001	General Fund	13,776,247		462,402	14,238,649
Fund 101	Street Fund	559,343		42,000	601,343
Fund 107	Fire Impact Fee Fund	1,387,726			1,387,726
Fund 108	Trans. Benefit District Fund	126,909			126,909
Fund 109	Traffic Mitigation Fees Fund	201,539			201,539
Fund 110	School Impact Fee Fund	3,000,000			3,000,000
Fund 111	ARPA COVID Releif Fund			767,305	767,305
Fund 401	Water Fund	7,796,457	2,325,980	1,297,500	11,419,937
Fund 407	Sewer Fund	1,850,900	1,263	304,655	2,156,818
Fund 410	Stormwater Fund	1,437,697	39,710	46,000	1,523,407
Fund 310	Gen Govt Captial Fund	1,607,247	1,102,952	705,200	3,415,399
Fund 320	Street & PW Fund	1,265,000	525,383	2,528,500	4,318,883
Fund 322	PW Capital Retainage Fund	102,000	(102,000)		-
Fund 510	Internal Service Fund	532,463	44,982		577,445
		\$ 33,643,528	\$ 3,938,270	\$ 6,153,562	43,735,360

Budget Change Detail Worksheet -December 2021

				REVENUE	EXPENSES	Approved Resolution
				Rev Bud Change	Exp Bud Change	
1	General Fund					
2	Sales Tax increase Revenue over budget	243,344				
3	Rainier Foothills Mental Health		10,000			Res 21-1416
4	Emergency Shelter-Eagles Lodge		30,000			
5	Court Trerapeudic Grant	90,402				
6	Court TrerapeudicProgram Costs		90,402			
7	State Legislatvie Reform assistance	23,656				
8	Police New Body Camers Service		16,000			Res 21-1438
9	Police-Jail,Jail Medical & Language costs		30,000			
10	Adm Fee-Impact Fee Revenue	50,000				
11	Finance State Audit Costs		25,000			
12	Tech-Net m./Social Media, I net, Adobe,Drop box		40,000			
13	Legal Fees-Lawsuit Koler		40,000			Res 21-1421
14	Other Legal Fes increases		40,000			
15	Hearing Examiner Costs		10,000			
16	CD Port of Seattle Grant	5,000				Res 21-1433
17	CD Mini Park Downtown		7,500			Res 21-1433
18	CD-Parks Skateboard Grant Application costs		3,500			
19	COVID-PPE,Legal, Tech & Council ZOOM Mtgs		70,000			
20	AWC Lia, Bldg, Vehicle Insurance deposit	50,000				
21	AWC Lia, Bldg, Vehicle Insurance remittance		50,000			
22	Total General Fund Budget Change	462,402	462,402			
23						
24	ARPA Fiscal Rec. Fund	767,305				Res 21-1162
25	Comm Ctr Covid-2021 portion -Rent & Util Adm		100,000			Res 21-1443
26	Trf to 3rd Ave Wtr Prj, Incr fr 850,000 to 1,100,000		250,000			2-Dec-21
27	Carry over 2021 Bal to 2022		417,305			
28	Total ARPA Budget Change	767,305	767,305			
29						
30	Street Fund					
31	Gas Tax & Multimodal & Permit Revenue	42,000				
32	Supplies, Tools, Training, Reti Vac & OT Pay		30,000			
33	Replace Street Pole		12,000			Res 21-1435
34	Total Street Fund Budget Change	42,000	42,000			