



CITY OF BLACK DIAMOND PLANNING COMMISSION AGENDA December 7, 2021

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

Zoom link to join meeting:

<https://zoom.us/j/4254157187?pwd=RE9OV0VoU1RFc3psSHdjem9mMk9hdz09>

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

Meeting ID: 425 415 7187

Password: PC

Telephone dial in options:

+1 253 215 8782 US (Tacoma)

+1 206 337 9723 US (Seattle)

Meeting ID: 425 415 7187

Password: 941820 (phone in only)

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

APPROVAL OF MINUTES:

- 1) Regular Planning Commission Meeting on October 12, 2021 *and* Regular Planning Commission Meeting on November 9, 2021.

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

PUBLIC HEARING: None

STUDY/WORK SESSION: None

UNFINISHED BUSINESS:

- 2) Introduction of Planning Commissioners (Term: 1/1/2022 – 12/31/2025)
- 3) PROS Plan Overview

NEW BUSINESS:

- 4) Rules & Procedures for Planning Commission

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

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

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

ADJOURN:



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
October 12, 2021, 6:00 PM
Zoom Virtual Meeting

1) FLAG SALUTE, CALL TO ORDER, and ROLL CALL:

Chair Olson called the meeting to order at 6:00 p.m.

Present: Chair/Commissioner John Olson
Commissioner Richard La Conte
Commissioner Steve Jensen
Commissioner Knut Syversen
Commissioner Pam McCain
Commissioner Felicia Wheatfall
Commissioner Dave Ambur

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist

2) APPROVAL OF MINUTES

Regular Meeting of September 7, 2021 and Special Meeting of September 21, 2021

- ❖ The Regular Meeting Minutes of September 7, 2021 were adopted under unanimous consent.
- ❖ The Special Meeting Minutes of September 21, 2021 were adopted under unanimous consent.

3) PUBLIC COMMENTS -

- ❖ Kristen Bryant from Bellevue
- ❖ Gary Kohl from Black Diamond

4) PUBLIC HEARINGS –

a) Amendments to Comprehensive Plan Appendix 7 (Transportation) to Reflect an Alternative SE Loop Connector Route.

Chair Olson opened the Public Hearing at 6:08 p.m. regarding the topic “Amendments to Comprehensive Plan Appendix 7 (Transportation) to Reflect an Alternative SE Loop Connector Route.” Director Davis asked if

he wanted her to ~~do give~~ her presentation ~~after before~~ the public hearing ~~then opened, as~~ ~~because she thought~~ it might make more sense to do it prior to the hearing. Chair ~~Olsen Olson agreed and then decided to~~ turned the floor over to Director Davis to give a brief presentation by sharing her screen. After Director Davis concluded, she turned it over to Justin Wortman with Oakpoint to give a presentation. Oakpoint felt that there has been some confusion amongst the citizens and wanted to clarify some of those items. Chair Olson opened the Public Comments portion of the Public Hearing at 6:29 p.m. "Amendments to Comprehensive Plan Appendix 7 (Transportation) to Reflect an Alternative SE Loop Connector Route" and called upon the person who signed up to speak which was Larry Banchemo.

- ❖ Larry Banchemo from Black Diamond – His property is where the wall is being shown on the Powerpoint presentation. If the alternate route is done, he's wondering what happens at the intersection at State Route 169 and Railroad Ave., if it's abandoned, what happens, do the walls never get built?
- ❖ Gary Kohl from Black Diamond-He states that the use of Lawson St. as a vehicle traffic pass thru for the proposed Lawson Hills Development instead of the South Connector is not worth considering, the effect on existing properties is too high. Mr. Kohl stated that going up Lawson hill it will affect 60 home/properties, and not 16 as the developer has stated before. Furthermore, he says these properties along with the properties on Hwy. 169 around the Cenex, Auto Shop, and School will be affected greatly with access to their properties and parking. The value of these properties will all be affected. He says there's already too much traffic through the middle of Black Diamond and the S. Connector is the only one that should be considered.
- ❖ Commission Ambur ~~made a point of order asking for asked for~~ Commissioner McCain to recuse herself from this Public Hearing ~~due to a conflict with Section 7 of the Planning Commission Rules and Procedures.~~ Chair Olson asked why he felt she should recuse herself and Commission Ambur stated that she owns investment property. Chair Olson read the rules and ~~decided found the point of order Not well-taken as~~ Commissioner McCain did not have a "direct and substantial personal or financial interest" that it didn't apply to this situation with Commissioner McCain.
- ❖ Kristen Bryant from Bellevue – Ms. Bryant stated that there isn't enough time to read the packets to have them put out 5 days prior to the meeting especially with them being more than 100 pages. Ms. Bryant stated that the developer mentioned environmental issues on Lawson Hill. She said if this developer can't mitigate environmental issues, then they have no reason building up there. They mention planting a few trees

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but don't seem to mind running thousands of cars through there and she just finds it very disingenuous. Suggestions of how the developer should be handling business.

- ❖ Melissa Foss from Black Diamond-Ms. Foss is a home owner on Lawson and property records show that she has access from the back of her house which she does not. So if she loses access from the front of the house, what is she supposed to do? She would like for more research to be done to make sure
- ❖ Larry Banchemo from Black Diamond-Mr. Banchemo stated that his family has been in Black Diamond-family farm has been in 120 years and they walk to the barn, the road will go right through the middle of their property. They own property on all 4 corners that will be affected.
- ❖ Tony Anthony Banchemo from Tacoma-Mr. Banchemo owns property for 120 years and is against these roads going in. He would look for the City to look at the alternative route.
- ❖ Mario Banchemo from Seattle-Mr. Banchemo whose family who has owned property for over 100 years and is against this Amendment to the Comprehensive Plan. As Planning Commissioners it's their responsibility to find alternatives.
- ❖ Lori Banchemo -Ms. Banchemo would like for an alternative so it doesn't destroy any more of their farm.
- ❖ Gary Davis from Black Diamond – Mr. Davis said his family has had property here since the 50's. He said it just doesn't seem right how this whole thing is being handled.

After asking three times if there were any additional speakers and hearing/seeing no one, Chair Olson closed the Public at 6:52 p.m.

Chair Olson asked the Commissioners if they had any questions for Director Davis. After Director Davis answered all of their questions, extensive back and forth discussion took place between the Commissioners and Director Davis. Andy Williamson who is the City's MDRT/Economic Development Director assisted in clarifying several past items. On October 26th, the Commission will go over everything from the last couple of months and vote on them and make a recommendation on each docket item individually to go to City Council. There has been a Public Hearing on each one of them.

5) **STUDY/WORK SESSION** - None

6) **UNFINISHED BUSINESS** - None

7) **NEW BUSINESS** - None

8) **COMMUNITY DEVELOPMENT DEPARTMENT REPORT** -

Director Davis reported on October 26th meeting. There was a public meeting on October 5th for Open Space and Recreation and had a good turn out. They got great feedback on the PROS plan and Ms. Davis hopes to bring a plan at Nov. meeting. There is a little pocket park next to the museum that was built from a grant received from the Port of Seattle for a Covid Compliance Areas with a few tables, sanitation station, garbage can. Ther is a QR code at the skate park to raise money to build it

9) PUBLIC COMMENTS -

- ❖ Henry Kneis from Black Diamond
- ❖ Kristen Bryant from Bellevue
- ❖ Kelly Syskojus from Black Diamond

With no other persons requesting to speak, Chair Olson closed the Public Comments at 7:55 p.m.

10) ADJOURNMENT -

Commissioner Ambur **Motioned** to adjorn the meeting. **Second** Commissioner Syverson. **Vote**, Motion **passed 7-0**.

The meeting ended at 7:57 p.m.

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

ATTEST:

John Olson, Chairperson

Planning Commission Secretary



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
November 9, 2021, 6:00 PM
Zoom Virtual Meeting

FLAG SALUTE, CALL TO ORDER, and ROLL CALL:

Chair Olson called the meeting to order at 6:00 p.m.

Present: Chair/Commissioner John Olson
Commissioner Richard La Conte
Commissioner Jensen
Commissioner Syversen
Commissioner Pam McCain
Commissioner Dave Ambur
Excused: Commissioner Felicia Wheatfall
Staff: Community Development Director, Mona Davis
Sr. Planner, Joey Portmann
Deputy City Clerk, Carina Thornquist
City Attorney, David Linehan

APPROVAL OF MINUTES -

Special Meeting of October 26, 2021 – Commissioner McCain **Motioned** to accept the October 26, 2021 Minutes of the Special Meeting **Second** Commissioner Syversen, Vote, Motion Passed 6-0.

PUBLIC COMMENTS –

Kristen Bryant from Bellevue

PUBLIC HEARINGS - None

STUDY/WORK SESSION - None

UNFINISHED BUSINESS –

Chair Olson turned it over to the Director Davis who gave a brief overview from the previous meeting of where the presentation left off and mentioned that Joey Portmann will be running the PowerPoint presentation.

Scrivener's Error #2a & #2b

Scrivener's Error #2a - Parcels: 0421069087, 0421069106

Staff Recommendation: the FLUM be amended to designate these parcels as Public.

Suggested Motion: Motion to approve and recommend amending the FLUM to designate the parcels as Public, per the 2009 FLUM, and keep the property unzoned and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned** by confirming utilization of staff's "Suggested Motion", **Second** Commissioner Ambur.

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED: 6 - 0

Scrivener's Error #2b - Parcels: 1021069058, 1021069122, 1021069067, 1021069027, 1021069117, 4391600160, 1021069094, 1021069057, 1021069056, 1021069092, 1021069066, 1021069055, 1021069025, 1021069120, 1021069090, 7570700010, 1021069116, 1021069083, 1021069049, 1021069022, 1021069123, 1021069121, 1021069028, 1021069119, 1021069118, 1021069074, 1021069050, 1021069024

Staff Recommendation: the parcels be designated on the FLUM as Low Density Residential to be consistent with the zoning map.

Suggested Motion: Motion to approve and recommend to amending the FLUM to designate the parcels as Low Density Residential, per the 2009 FLUM, and maintain the R4 zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned** to approve and recommend to amending the FLUM to designate the parcels as Low Density Residential, per the 2009 FLUM, and maintain the R4 zoning and to authorize staff to forward this

recommendation to City Council on behalf of the Planning Commission, **Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED: 6 - 0

Scrivener's Error #3 – Parcels: 1321069012

Staff Recommendation: removing the Master Planned Development (MPD) overlay from the parcel, as the development agreement does not show this area as being part of the MPD.

Back and forth discussion took place between Commissioners, Director Davis and Mr. Portmann.

Suggested Motion: Motion to approve and recommend removal of the FLUM Master Planned Development overlay from the parcel and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned** by confirming utilization of staff's "Suggested Motion", **Second** Commissioner Jensen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED: 6 – 0

Undesignated #1 - #5

Undesignated #1 – Parcel 1021069016

Staff Recommendation: designating and zoning the parcel consistent with the surrounding parcels – FLUM: Business Park & Light Industrial and Zoning: Business/Industrial Park.

Extensive back and forth discussion took place between Commissioners, Director Davis, and Mr. Portmann. City Attorney Linehan gave further clarification as well.

Suggested Motion: Motion to approve and recommend designating the parcel Business Park and Light Industrial and zoning the parcel Business Industrial Park and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned** to approve and recommend designating the parcel Business Park and Light Industrial and zoning the parcel Business Industrial Park and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Jensen

Roll Call Vote:

- Commissioner LaConte - no
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED: 5 - 1

Undesignated #2 – Parcel 1121069017

Staff Recommendation: designating and zoning the parcel consistent with the surrounding parcels – FLUM: Community Commercial and Zoning: Community Commercial.

Suggested Motion: Motion to approve and recommend to designating and zoning the parcel Community Commercial and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned** to approve and recommend to designating and zoning the parcel Business Park Industrial and authorize staff to forward this

recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – no
Commissioner Syversen - yes
Commissioner McCain – no
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

TIE - MOTION FAILED: 3 - 3

Commissioner McCain **Motioned** to approve and recommend to designating and zoning the parcel Community Commercial and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission, **Second** Commissioner Jensen

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – no
Commissioner Olson – yes

MOTION PASSED: 4 - 2

Undesignated #3 – Parcel 1121069024

Staff Recommendation: designating and zoning the parcel consistent with the surrounding parcels – FLUM: Industrial and Zoning: Industrial.

Suggested Motion: Motion to approve and recommend to designating and zoning the parcel Industrial and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Jensen **Motioned** to approve and recommend to designating and zoning the parcel Industrial and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner McCain

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 5 - 1

Undesignated #4 – Parcel 1221069038

Staff Recommendation: designating and zoning the parcel consistent with the surrounding parcels – FLUM: Low Density Residential and Zoning: Single Family Residential (R4).

Suggested Motion: Motion to approve and recommend to designating the parcel Low Density Residential and zoning the parcel R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned** to approve and recommend to designating the parcel Low Density Residential and zoning the parcel R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner McCain

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 5 - 1

Undesignated #5 – Parcel 1321069017

Staff Recommendation: designating and zoning the parcel consistent with the surrounding parcels – FLUM: Low Density Residential and Zoning: Single Family Residential (R4).

Suggested Motion: Motion to approve and recommend to designating the parcel Low Density Residential and zoning the parcel R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Jensen **Motioned** to approve and recommend to designating the parcel Low Density Residential and zoning the parcel R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner McCain.

Roll Call Vote:

- Commissioner LaConte - no
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED 5 - 1

Zoning Map Scrivener's Error - Parcels: 0421069018, 0421069040, 0421069021, 0421069022, 0421069026, 0421069023, 0421069024, 0421069014
Staff Recommendation: correcting the zoning map to show the parcels as R4, consistent with the 2009 and 2019 FLUM.

Back and forth discussion took place between Commissioners, Director Davis and Mr. Portmann.

Suggested Motion: Motion to approve and recommend zoning the Lake Sawyer parcels R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned** to approve and recommend zoning the Lake Sawyer parcels R4 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Jensen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 6 - 0

Split Zoned Parcels #1 - Parcels: 2221069054, 2221069056, 2221069008, 2221069009

Staff Recommendation: no changes to be made.

Suggested Motion: Motion to approve and recommend maintaining the split zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Jensen **Motioned** to approve and recommend maintaining the split zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Syversen.

Roll Call Vote: Commissioner LaConte - yes
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – yes
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 6 - 0

Split Zoned Parcels #2 - Parcels: 1521069052

Staff Recommendation: maintaining the 2019 FLUM and current split zoning designations until further analysis can be done.

Suggested Motion: Motion to approve and recommend maintaining the split designation and zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Syversen **Motioned** to approve and recommend maintaining the split designation and zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner McCain.

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED 6 - 0

Split Zoned Parcel #3 - Parcel: 1521069023

Staff Recommendation: maintaining the 2019 FLUM and current split zoning designations until further analysis can be done.

Suggested Motion: Motion to approve and recommend maintaining the split designation and zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner McCain **Motioned** to approve and recommend maintaining the split designation and zoning and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Syversen.

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED 6 - 0

TDR Layer

Staff Recommendation: Remove TDR Layer from FLUM map and have a separate TDR map in the Comp Plan.

Suggested Motion: Motion to approve and recommend removal of the TDR layer from the FLUM map and create separate TDR map and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

City Attorney Linehan reported that the city does have a Council approved and adopted TDR map.

Commissioner Ambur **Motioned** to approve and recommend removal of the TDR layer from the FLUM map and create separate TDR map and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission. **Second** Commissioner Syversen.

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED 6 - 0

Marijuana Businesses Policy - Repeal city prohibitions on marijuana businesses and update the land use chapter as needed to facilitate appropriate siting. Staff Recommendation: adding a policy to Chapter 5 Land Use, Section 5.13 Commercial Goals and Policies that states: “Policy LU-50: Analyze the siting of marijuana retail businesses to ensure they are permitted in the appropriate zoning district and to limit impacts on the surrounding community.”

Suggested Motion: Motion to approve and recommend to add Policy LU-50 to the comprehensive plan as written and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned** to approve and recommend to add Policy LU-50 to the comprehensive plan as written and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission, **Second** Commissioner Syversen

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – yes
Commissioner Syversen - yes
Commissioner McCain – no
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – yes

MOTION PASSED 4 - 2

Ecological Inventory Policy - “Conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory.”

Staff Recommendation: adding a policy to Chapter 4 Natural Environment, section 4.3 that states: “Policy NE-6: Conduct an ecological inventory of the natural areas within the City to aid in identifying and protecting all sensitive areas.”

Suggested Motion: Motion to approve and recommend adding Policy NE-6 to the comprehensive plan as written and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Chair Olson questioned the verbiage that was being voted upon today from what the Planning Commission actually agreed upon. Extensive back and forth discussion took place between Commissioners and Director Davis. City Attorney Linehan gave further clarification as well.

Commissioner Syversen **Motioned** to approve and recommend adding Policy NE-6 to the comprehensive plan as written and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission, **Second** Commissioner Ambur .

Roll Call Vote: Commissioner LaConte - no
Commissioner Jensen – no
Commissioner Syversen - yes
Commissioner McCain – no
Commissioner Wheatfall - absent and not voting
Commissioner Ambur – yes
Commissioner Olson – no

MOTION FAILED 2 - 4

Moving Economic Development Policy - Delete policy ED-4.5 from the Economic Development Chapter or move it to the Transportation Chapter.

Staff Recommendation: Staff recommends moving Policy ED-4.5 from Chapter 9 (Economic Development) to Chapter 7 (Transportation) as Policy T-26 beneath the *Coordination and Consistency Policies* section.

Suggested Motion: Motion to approve and recommend to move the Policy ED-4.5 to the transportation chapter of comprehensive plan as Policy T-26 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission.

Commissioner Ambur **Motioned** to approve and recommend to move the Policy ED-4.5 to the transportation chapter of comprehensive plan as Policy T-26 and to authorize staff to forward this recommendation to City Council on behalf of the Planning Commission, **Second** Commissioner Syversen

Roll Call Vote:

- Commissioner LaConte - yes
- Commissioner Jensen – yes
- Commissioner Syversen - yes
- Commissioner McCain – yes
- Commissioner Wheatfall - absent and not voting
- Commissioner Ambur – yes
- Commissioner Olson – yes

MOTION PASSED 6 - 0

Director Davis reminded everyone that the original plan was to get through the docket items and get a recommendation from the Planning Commission to take to the City Council. However, the Docket SEPA threshold determination was appealed so it won't make the deadline for this year, hoping for the first half of next year.

2020 Comp Plan Amendments will be going forward to the City Council on December 2nd after a work session on November 8th. Council agreed with most of the changes except for putting Residential back into the Community Commercial but there will be a Public Hearing to get feedback from the citizens.

Chair Olson noted that he feels in the future it would be good practice to have the Chair present the Planning Commission's recommendations to the City Council.

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

Director Davis stated that three (3) of the Commissioners terms are expiring on December 31, 2021. Applications have been received and the Mayor and the Director will be holding Zoom interviews Monday, November 15th. Mayor Benson will make recommendations and appointments on December 2nd at City Council followed by

introductions at the December 7th Planning Commission meeting. Director Davis is planning on bringing a draft of the PROS plan in December. She thanked the Commissioners for putting in all the extra time and effort this past year. She reminded Chair Olson that he will need to put together a written recommendation to the City Council.

PUBLIC COMMENTS –

Hearing no one wanting to speak during the public comments section, Commissioner Jensen wanted to thank Ms. Davis for the approach in directing the public who would like to get in touch with the Commissioners. Instead of giving out their personal email addresses, all the comments should be directed to the general Planning Commissioners email at the city and then the Director will forward them to the appropriate person.

Kristen Bryant from Bellevue (had technical issues having her hand raised)

ADJOURNMENT –

Commissioner McCain **Motioned** to adjourn the meeting. **Second** Commissioner Syversen. **Vote, Motion passed 6-0.**

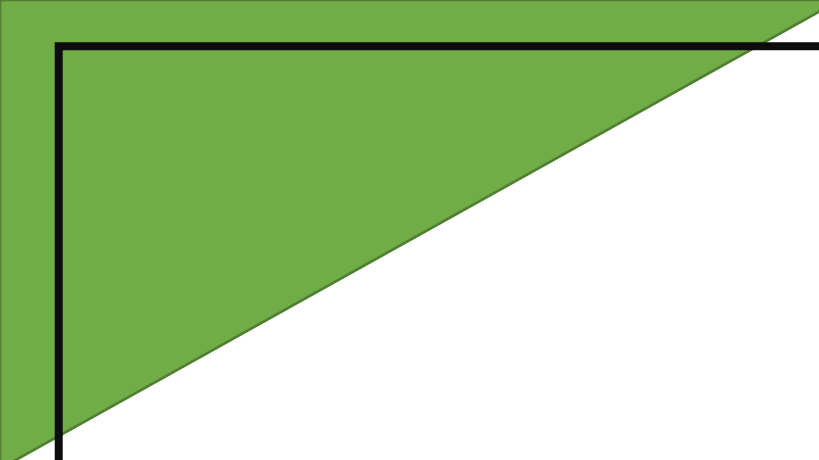
The meeting ended at 7:43 p.m.

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

ATTEST:

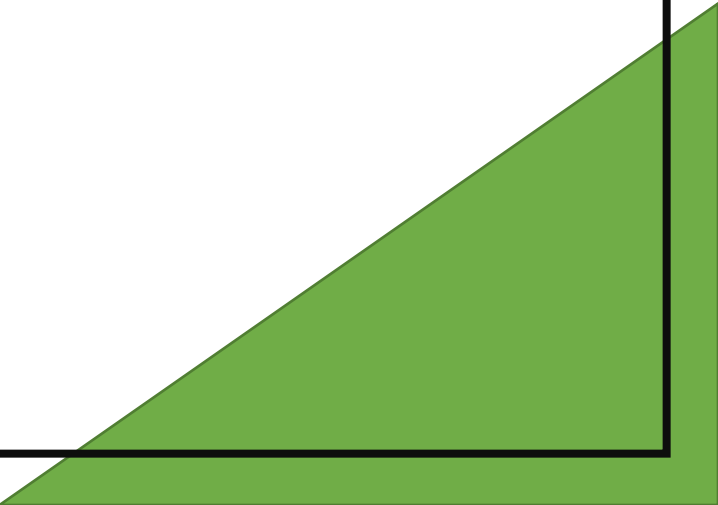
John Olson, Chairperson
Secretary

Planning Commission



Black Diamond Parks, Recreation, and Open Space (PROS) Plan Progress Meeting

December 7, 2021



What is a PROS Plan?

Planning for Future Needs

- 9% Population Growth (annually)
- Evaluate Level of Service
- Grant Eligibility
- Relationship to 2024 Comp Plan



Elemental Chapters



ELEMENT 1:
GOALS AND OBJECTIVES



ELEMENT 2:
INVENTORY



ELEMENT 3:
PUBLIC INVOLVEMENT



ELEMENT 4:
DEMAND AND NEEDS
ANALYSIS



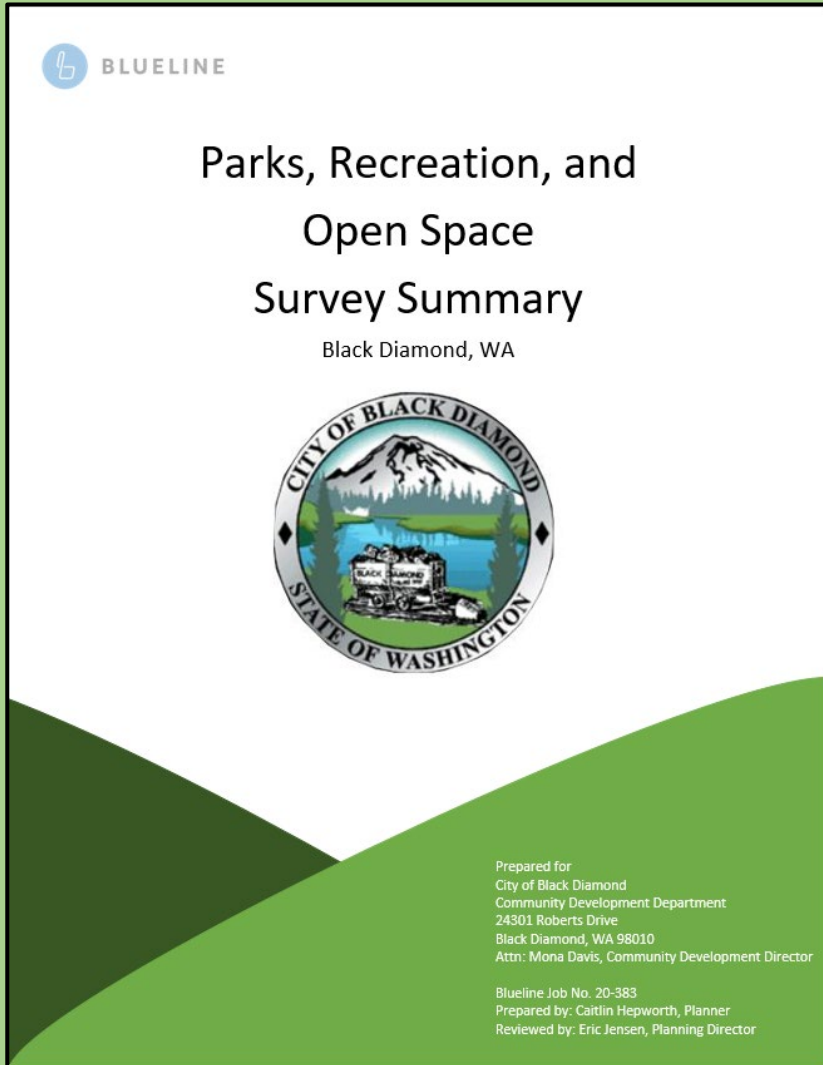
ELEMENT 5:
CAPITAL IMPROVEMENT
PROGRAM



ELEMENT 6:
ADOPTION

What's Been Completed?

Community Surveys



Title page of the community survey summary results.

Youth bubble dot preference survey completed by kids attending Miner's Day event on July 17, 2021.



Public Engagement



Blueline's Chris Petersen facilitating a discussion with local stakeholders and City staff on Sept. 22, 2021.

Members of the public leaving comments for parks and discussing improvements at the public open house on Oct. 5, 2021.



Facilities Assessment

Pothole conditions at the Lake Sawyer Boat Launch parking lot.



A large fallen branch has covered trail access to Ginder Creek Park.

Report Drafting and Design

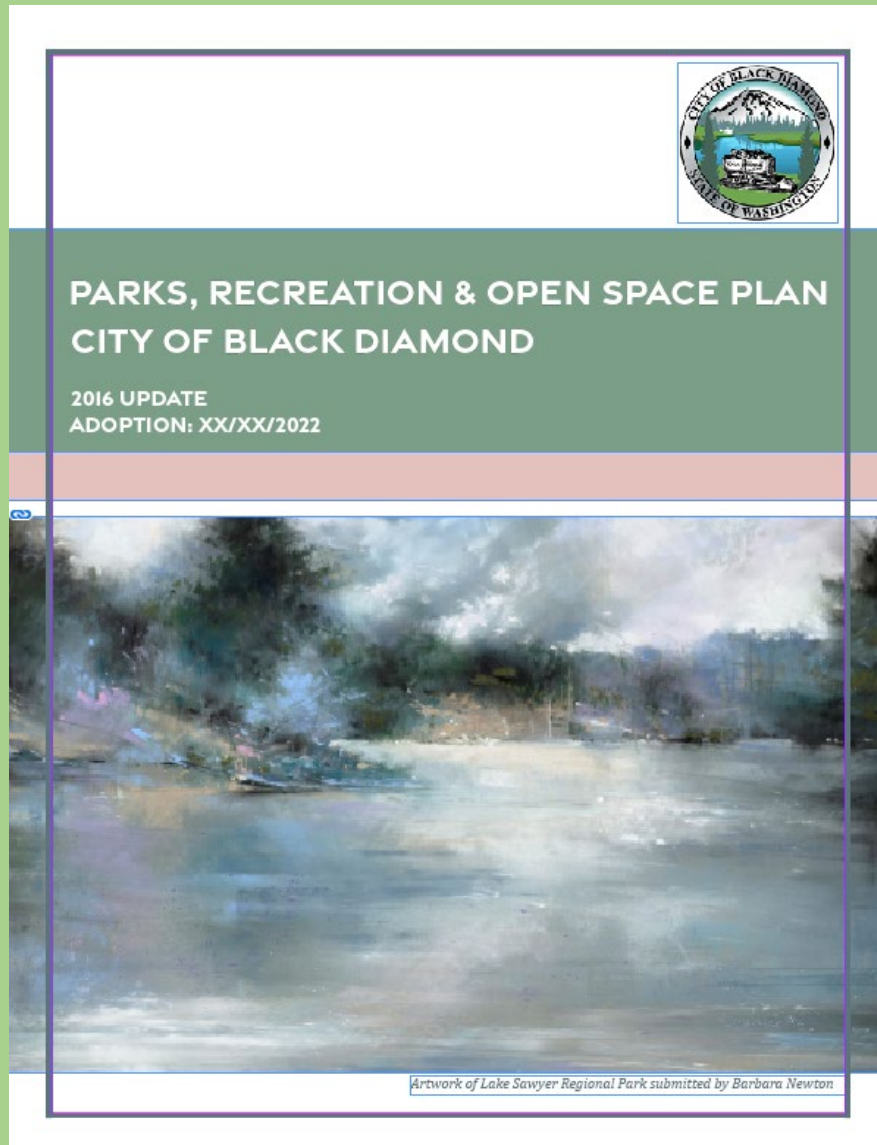
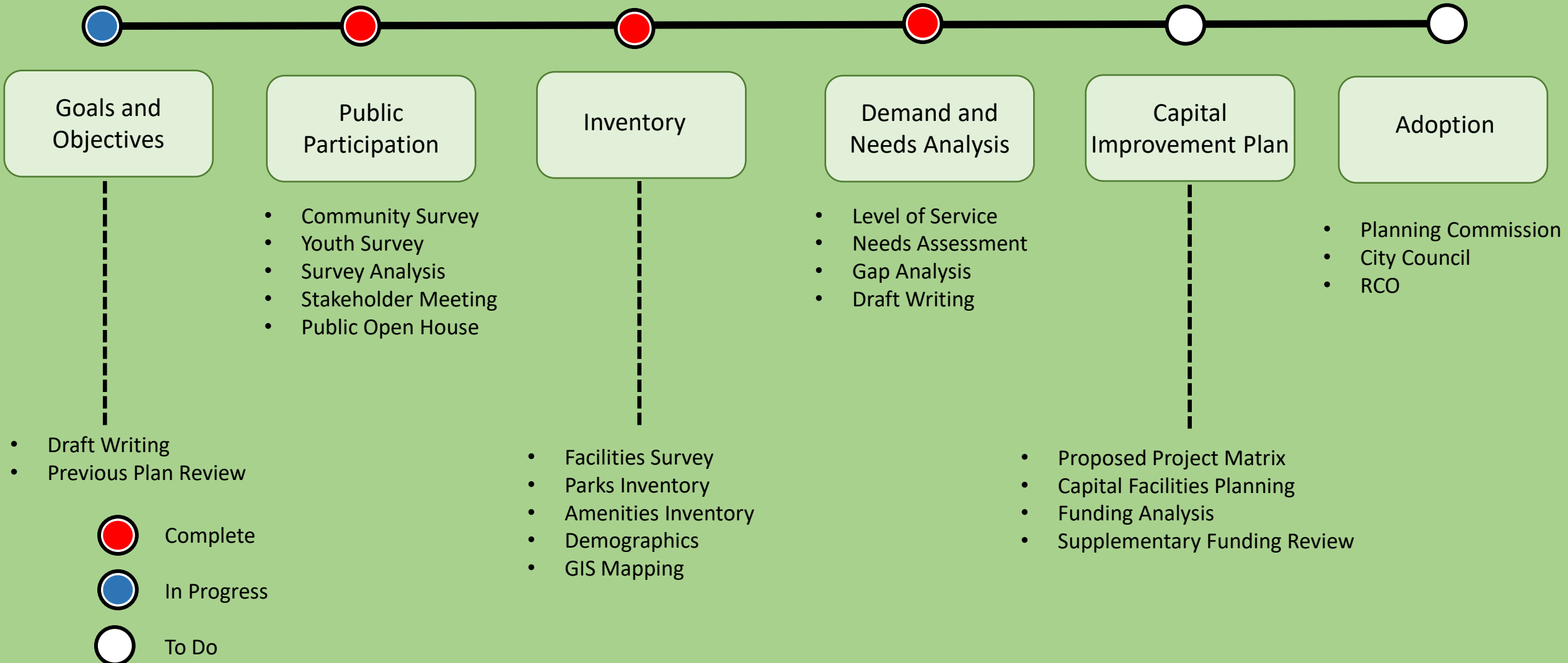


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Appendix J: Facility Assessment Survey	
Appendix K: Bibliography	

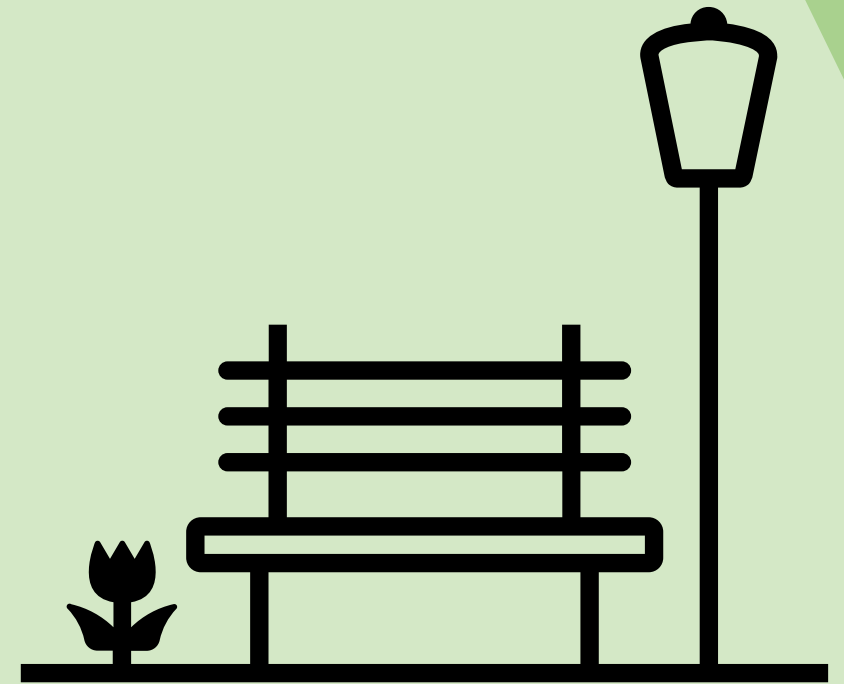
Where are we in the Process?

PROS Plan Update Timeline



What Are the Next Steps to Adopt in 2022?

- Operations and Maintenance Strategies
- Confirm CIP projects
- Estimate CIP Costs
- Determine Goals and Policies
- Identify Budget Constraints and Opportunities
- Distribute a Draft



RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

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

Section 1. Meetings

- A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00p.m. in the City Council Chambers. Meetings may also be conducted via video conference when appropriate. Regular City Council meetings are held on the first and third Thursday of each month.
- B. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.
- C. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair and Secretary/Community Development Director, or designee, provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.
- D. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.
- E. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.
- F. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

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

Chair:

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

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

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

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall keep and retain a record of all meetings of the Commission and its committees.

Section 4. Quorum

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

Section 5. Absence of Members

In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Commission may request the Mayor to ask for his or her resignation. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting or by the end of the next business day following the meeting.

Section 6. Vacancies

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

Section 7. Disqualification

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

Section 8. Conduct of meetings

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

while permitting the orderly and timely completion of Planning Commission business.

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

Section 9. Order of Business

An agenda shall be prepared by the Secretary for each meeting and will generally consist of the following order of business:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. New Business
- H. Report of the Community Development Department.
- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. Adjournment.

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

Section 10. Rules of Procedures for Public Hearings

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

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.

- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission. Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
- H. Based upon the testimony, the Commission may ask questions of staff.
- I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
- J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
- K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
- L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

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

B) When communicating with City Council, Commission members should clarify when they are speaking on behalf of the Commission. Only the Chair or a designee of the Chair is permitted to speak on the Commissions behalf. Only the official vote on any recommendation of the Commission should be discussed. If members do not state they are speaking on behalf of the commission, it will be deemed they are speaking as individual citizens.

~~In communicating with the City Council or members of the public, Commission members need to clarify whether they are speaking as individual citizens or as a member of the Commission. If speaking as a member of the Commission, only the official, voted recommendation of the Commission should be discussed, provided that, a member can speak on behalf of a minority opinion for which the Commission has agreed it may be officially communicated.~~

C) Individual members of the Commission may participate in discussions with interested parties directly affected by issues under consideration by the Commission. Such meetings, emails, or other form of contact should be disclosed at the next scheduled meeting of the Commission. The intent of such disclosures in a public setting is to preserve the integrity of the Commission's process and provide a record and notice to other individuals who may also be affected or interested.

D) If a Commissioner receives a request to meet/discuss but prefers not to do so,

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he/she may suggest the requesting parties to express their comments and concerns through the normal procedures, i.e., providing testimony at public hearings and/or providing comments to staff.

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Section 12. Amending the Rules of Procedure

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

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Section 13. Validity

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

INITIALLY ADOPTED by the Planning Commission March 10, 2009.
AMENDED FEBRUARY 21, 2012.
AMENDED APRIL 6, 2021

John Olson, Chair

Pam McCain, Vice-Chair

Attest:

Mona Davis, Community Development Director