



**CITY OF BLACK DIAMOND  
PLANNING COMMISSION AGENDA  
November 07, 2023  
Council Chambers, 25510 Lawson St., Black Diamond**

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

**Zoom link to join meeting:**

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

Meeting ID: 425 415 7187

Password: PC

**Telephone dial in options:**

+1 206 337 9723 US (Seattle)

+1 253 215 8782 US (Tacoma)

Meeting ID: 425 415 7187

Password: 941820

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

**APPROVAL OF MINUTES:**

- 1) Planning Commission Meeting of October 10, 2023

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

**PUBLIC HEARINGS:** None

**STUDY/WORK SESSION:** None

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

- 2) Presentation from AHBL – Land Use Element Draft for 2024 Comprehensive Plan Update

**COMMUNITY DEVELOPMENT DEPARTMENT REPORT:**

**PUBLIC COMMENTS:**

**ADJOURNMENT:**



CITY OF BLACK DIAMOND  
PLANNING COMMISSION MEETING MINUTES  
October 10, 2023, 6:00 PM

**CALL TO ORDER, FLAG SALUTE, ROLL CALL**

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

**Present:** Commissioner Kelley Sauskojus  
Commissioner Steve Jensen  
Commissioner Knut Syversen  
Commissioner Pam McCain  
Commissioner Darcey Peterson  
Commissioner Carol Morgan  
Chair/Commissioner John Olson

**Staff:** Community Development Director, Mona Davis  
Deputy City Clerk, Carina Thornquist  
IT Staff, Jake Kapsandy  
Contract Planner, Andrew Love

**APPROVAL OF MINUTES:**

**1) Regular Planning Commission Meeting of September 12, 2023**

There were no changes to the September 12, 2023, minutes and they were approved as presented.

**PUBLIC COMMENT** - None

**PUBLIC HEARING** - None

**STUDY/WORK SESSION** - None

**UNFINISHED BUSINESS** - None

**NEW BUSINESS:**

Director Davis introduced the City's contract planner, Andrew Love who is from AHBL. Mr. Love gave a PowerPoint presentation regarding the survey results and what steps will come next.

## COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

Director Davis reported on the following items:

- Land Use Element/Appendix coming to the November meeting since AHBL needed additional time to prepare.
- Public Works will be bringing the Comprehensive Sewer System Plan along with a Public Hearing at the November meeting.
- Thank you to those who showed up at the Multimodal Transportation Workshop on 9/26.
- A lot of commercial projects are in for review.
- An uptick in code enforcement cases around nuisance violations.
- Palmer Rezones are scheduled for public hearings on 11/6.
- City Council will be holding a Public Hearing on 10/19 regarding the marijuana regulations.
- Working on comprehensive plan amendment for the School District's Capital Facilities Plan and new school impact fees to take to City Council next month.
- Name tags will be ordered for the Commissioners.
- Commissioner Jensen has agreed to stay on for one more term. The Mayor will confirm Commissioner Jensen's reappointment with the Council likely next month.

**PUBLIC COMMENTS** - None

## ADJOURNMENT:

Commissioner McCain **moved** to adjourn, **second** Commissioner Syversen. **Vote**, motion **passed** 7 - 0. Meeting adjourned at 6:33 p.m.

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

ATTEST:

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John Olson, Chairperson

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Planning Commission Secretary

# PROJECT MEMO



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|                 |                                                |                      |                                     |
|-----------------|------------------------------------------------|----------------------|-------------------------------------|
| <b>TO:</b>      | Mona Davis                                     | <b>DATE:</b>         | October 27, 2023                    |
| <b>FROM:</b>    | Nicole Stickney<br>Tri-Cities - (509) 380-5883 | <b>PROJECT NO.:</b>  | 2220914.30                          |
|                 |                                                | <b>PROJECT NAME:</b> | Black Diamond 2024 Comp Plan Update |
| <b>SUBJECT:</b> | Task 3 – Land Use Element Draft Update         |                      |                                     |

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As a part of Task 3: Draft Comprehensive Plan Update, the AHBL consultant team has worked to update the Land Use Element of the Comprehensive Plan, following guidance and requirements from the Growth Management Act, the Department of Commerce, and the Puget Sound Regional Council. Staff has also considered the City's own history, goals, recent developments, and recommendations. In addition, we are using feedback gained from the various public meetings that have been held to date and feedback from the City survey to generate suggested changes.

We are providing this initial draft for review and consideration by the Planning Commission. We recommend that the Planning Commission be provided with this memo and the draft (labeled "DRAFT FOR INITIAL PLANNING COMMISSION REVIEW") for their November 2023 meeting, and request any feedback from the Planning Commission members be routed back within 2 to 3 weeks of that meeting.

**Please note that we still working to develop mapping products, and the city's 2019 Future Land Use Map (FLUM) is included in this draft as a placeholder. The Future Land Use Map will be updated, to be reviewed in upcoming meetings and following staff work to apply zoning to the MPD areas.**

The following list summarizes the updates or changes we propose, as prepared in the document:

- Incorporated language from the former "Land Use Appendix" into the Land Use Element, to provide a more cohesive discussion and potentially improve the way the goals and policies are presented and understood within the context of Black Diamond's unique history and existing development agreements. Many sections were re-organized or re-configured to eliminate redundancy and improve readability.
- Updated language throughout the Element to expand on analysis and discussion, and to help with clarity and flow, including grammar and spelling edits.
- Added the City's vision statement.
- Corrected text shown in Section 5.3 (formerly Section 5.2) by removing a statement "protection of critical (sensitive areas)...." because the protection measures are addressed elsewhere (in the Natural Environment Element, not in the land use element).
- Added discussion about unique constraints in Black Diamond that are unique and distinguish it from other cities (not near transit hubs, vast network of valuable environmentally sensitive areas and open space plus local concerns about exceeding growth targets due to previously approved MPD development) and a policy related to the recently suggested comprehensive plan amendments (Item # 2023-01 part 5).
- Added / edited/ relocated discussion on the following topics, from the Appendix:
  - Black Diamond's Urban Growth Area and Potential Annexation Areas, including the Black Diamond Urban Growth Areas Agreement (BDUGAA).
  - The city's designated open space areas and transfer of development rights (TDR) program to provide context and background.



- Added additional information to the discussion of the Master Planned Developments (MPDs) to increase understanding.
- Compiled all goals and policies in to one section for improved organization while removing redundant, conflicting, or irrelevant goals and policies.
- Added and edited goals and policies addressing Department of Commerce update requirements (“the checklist”).
- Added proposed policies to support implementation the city’s Heritage Tree program (BD 19.30.110), “rural by design” principles (found in BDMC 18.86 and 18.88), options for development agreements (BDMC 18.66) and environmental performance standard requirements for projects that have pollutants (BDMC 18.78).
- Developed more specificity regarding the City’s goals and policies related to cultural and historic preservation (in response to feedback and requests from citizens).
- Enhanced the discussion of the Future Land Use Map and added a statement of how “undesigned lands” (for instance a vacated or abandoned right-of-way) should be handled (relates to Item # 2023-01 part 4). A citizen proposal brought up a concern about these situations and suggested that undesigned land remain as undesigned. However, leaving a parcel unclassified would deny economic use of the property (and perhaps those surrounding it) perhaps leading to a legal challenge.
- Removed the phrase “The area is identified as a receiving site for density under the TDR program” from the criteria for designating properties as MDR.
- The paragraph that began “small towns have distinguishing features and landmarks....” is now deleted.
- New section added: “Master Planned Developments (Ten Trails and Lawson Hills)” with text.
- New section added: “Criteria for Future Land Use Designations” which features text relocated to this section about criteria for the Low Density Residential designation and the Medium Density Residential designations (from the Land Use Element) plus includes proposed new text with recommended criteria for the remaining designations.

Overview of proposed changes to Land Use Goals and Policies (see the document for specific edits):

1. We have relocated all the goals and policies to the end of the Element. In this way, they will be read / reviewed together as a whole. The overall structure of the document makes more sense with this organization, particularly since the Land Use Policies are numbered sequentially (and without reference to the Goal that they fall under).
2. Under LU Goal 2 “Provide physical accessibility throughout the city” we struck out “Provide adequate land balance with a diversity of places to live, shop, work, and recreate” because it doesn’t relate to the goal very well, and it is very similar to *LU Goal 10: Encourage the concept of mixed-use development to create diverse and self-sufficient neighborhoods*. We also deleted the policy “Explore new and existing funding source...” and the policy “Explore regulator and financial incentives...” because they do not relate to the goal that they were listed beneath, and because the concepts will be further identified in the Capital Facilities / Utilities or Natural Environment Elements, respectively. The second and third policies (Policy LU2-2 and LU2-3) about opportunities for physical activity and encouraging non-motorized transportation relates to a GMA requirement and therefore should be kept. Finally, we added a new proposed policy (labeled LU2-4): *Work with developers to encourage the construction of complete streets, commercial*



nodes, and residential development areas that complement one another and provide effective interaction for activities and uses.

3. We have proposed a re-write of LU Goal 3 in order to state the concept more broadly: Use a variety of techniques to leverage the City's environmental and cultural resources and enhance the community character. We retooled the policy calling to "ingrate all known significant natural areas...into the open space overlay" to be more reasonably written, and to eliminate a reference to an "open space overlay" which is not discussed anywhere else in the plan. Next, we have proposed that one policy be deleted for repetitive language. We have relocated a policy relating the view of Mount Rainier (with some edits) from LU Goal 4 to this one. Additionally, the policy "Encourage the preservation and protection of open space..." was moved up to this goal from another LU Goal which is proposed to be deleted, to streamline this portion. The same goes for "regularly review the Black Diamond Area Open Space Protection Agreement..."
4. For LU Goal 4 we have proposed that a policy (about views of Mount Rainier) be moved from here to LU Goal 3. We also added a proposed policy about the City's Heritage tree program and the implementation of that code. We also incorporated some text edits to the policies listed as LU4-3 and LU4-4 in order to incorporate proposed language from two previously docketed proposals (In the first case, a citizen asked the city to add LU Policy which would state "The city encourages land use and zoning that preserves our historic neighborhood character and historic buildings," which we are tracking as Item #2023-01 and in the second case it was suggested that discussion related to partnerships for preservation of archeologically significant sites to also relate to historically significant sites, which is Item #2022-16.)
5. LU Goal 5: We added the phrase "or development agreement" to LU5-1 so that there would be a link between the Comprehensive Plan and the city's zoning code; development agreements per BDMC 18.66 should have a basis in the goals/ policies. Next we added "Plan adequate commercial and industrial land use to provide a sufficient tax base to support City services and facilities, facilitate job growth, and foster the introduction of service and retail businesses to support local needs" as a policy. This is a concept that already appears in an older version of the Comprehensive Plan, and it appears to make sense written out as a policy to support Goal 5. A policy about innovative site design is removed from LU Goal 5, as it fits in the Natural Environmental element better.
6. LU Goal 6: Policy LU6-1 regarding growth monitoring is an important policy to maintain GMA compliance. We expanded the policy which is now numbered as LU6-4 to additionally have: "Future Annexation of undeveloped lands within the Potential Annexation Areas (PAAs) will not occur until the City's growth is aligned with Countywide growth targets & the regional growth strategy" which relates to a previous proposal for a Comp Plan Amendment.
7. LU Goal 7: We recommend deleting "Allow multi-family residential in identified areas or when integrated as part of a MPD" as it seems to be unnecessary and this would be better suited as a development regulation rather than a policy. Furthermore, we suggest the removal of the policy about using an MPD process for proposals on sites larger than 80 acres, as the policy isn't necessary.
8. LU Goals 8, 9 and 10: We suggest eliminating a policy about creating an "aggressive" economic development strategy from Goal 8, and instead this can be considered (and perhaps rephrased) in the Economic Development Element. Likewise, two policies relating to "compatibility" can be removed as the policies are redundant with other policies. We have added "Protect the public health and general welfare, implement environmental pollution control standards, and minimize the effects of contaminants by applying environmental performance standards" which seemed to be missing from this part (There are Environmental Performance Standards at BDMC 18.78). For LU Goal 9, which formerly lacked a policy, we have added "Discourage the conversion of commercially designated areas to uses that do not create jobs or ongoing sales tax revenue for the City" which we understand was supposed to be added to the Comprehensive Plan in 2020 but somehow slipped out of the final adopted version. Goal 10 has two proposed deletions: first, take out "Parking in Community Commercial areas should be located to the



sides and rear of buildings” which is too specific for a Comprehensive Plan and is already covered in the design guidelines for commercially zoned areas; next remove “promote quality in the design and construction of development through the use of design guidelines to maintain or enhance community character” which is a good thing to do but this is duplicative of language included elsewhere and doesn’t directly address mixed use development but of course is broader.

9. LU Goal 12 has three new proposed policies shown, the first of which (regarding potential annexation areas) was intended to be added in 2020. All are rather straight-forward.
10. LU Goal 13 is shown as proposed for deletion. This concept is covered in the city’s Natural Environment Element as well as in the city’s Parks plan. The policies that were listed under the that goal are addressed elsewhere in the plan (mostly the Natural Environment Element) or were re-located to other goals in the LU Element. The exception is the policy stating “plan for and retain a natural vegetation buffer around the perimeter of the City adjacent to unincorporated Rural-designated land...” which appears to be an outdated concept (and not necessary in light of the protective measures already in place for protected open space areas) which we propose to be deleted.

NS/cs

c: Scott Hanis, Andy Williamson – City of Black Diamond  
Wayne Carlson, Andrew Love – AHBL

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# CHAPTER 5: LAND USE

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## 5.1. Introduction

### Purpose and Intent

This Land Use Element is the central component to the City of Black Diamond comprehensive plan and is intended to influence development patterns over time. In this element, goals and policies are set forth to influence and guide the use of lands within the city and a Future Land Use Map specifically directs the types and locations of land uses (See **Section 5.6**). In doing so, the City determines through this plan where people live, shop, work, and recreate while also setting aside space which will remain undeveloped or protected.

As seen in Chapter 1 (Introduction) of this plan, the Black Diamond Vision Statement is supplemented with several overarching Vision Goals. The Land Use Vision Goal directs the more specific goals and policies seen at the end of this element. These goals and policies provide a means to achieve and maintain a balance of desirable land uses and development patterns over time.

### Organization and Key Components

This Element is organized into several sections (Section 5.2 Land Use History, Section 5.3 Planning Framework, Section 5.4 Development Concepts, Section 5.5 Criteria for *Future Land Use Map* Designations) and culminates with a set of *Land Use Goals and Policies*, together with the *Future Land Use Map* (also referred to as the “FLUM” which is a guiding policy document). The FLUM depicts certain land use designations, which are described in detail in Section 5.5. The FLUM is a tool used to organize and direct development to occur in ideal locations while reducing the environmental impacts of development to increase the quality of life in the City. In this way, the future build out in the City for growth can be accommodated in a manner that is sensitive to the natural environment and physical constraints of land, while protecting private property rights.

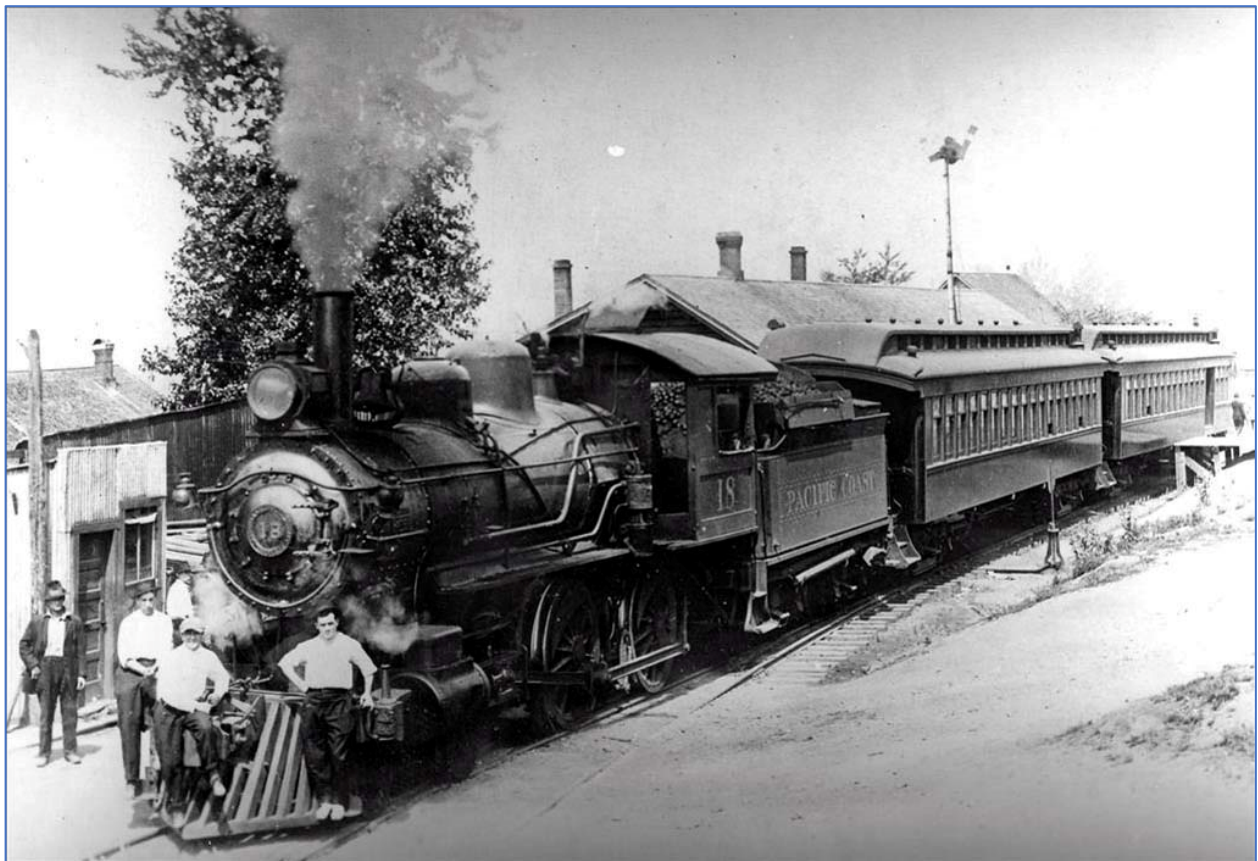
### **LAND USE VISION GOAL:**

*Establish a pattern of development that maintains and enhances a safe and healthy quality of life within the community, from children to seniors*

## 5.2. Land Use History

The community historically served as a rural center in southeast King County since its settlement in the 1880's. Over its history, the community has transitioned from one of the earliest and largest towns and employment centers outside Seattle to a local center for resource activities (primarily mineral extraction); then to its current character as a somewhat economically dormant bedroom community for emerging nearby employment centers; and now to a city poised to experience substantial growth over

the next several decades as southeast King County continues to urbanize, and as opportunities for development of large parcels of land within the City materialize.



*Figure 1: Pacific Coast Railroad passenger train, Black Diamond depot, ca. 1920 Courtesy Pacific Northwest Railroad Archives (Accessed via <https://www.historylink.org/File/21373>)*

Black Diamond, originally a “company town,” was the center of a large Pacific Coast Coal Company land holding that included other small communities such as Franklin, Newcastle, and Burnett. The local ownership covered portions of the area lying generally between the existing northerly City limits (including Lake 12) and the present SE Green Valley Road (excluding Northern Pacific Railroad land) and

between a line extending southerly from the west shore of Lake Sawyer and the Green River Gorge and included a large area south of the Green River around Isabel Lake, Deep Lake, and Fish Lake.

Between the late 1930s and early 1950s, coal mining declined and the Pacific Coast Coal lands were sold to local residents, Palmer Coking Coal Company, and other large landholders.



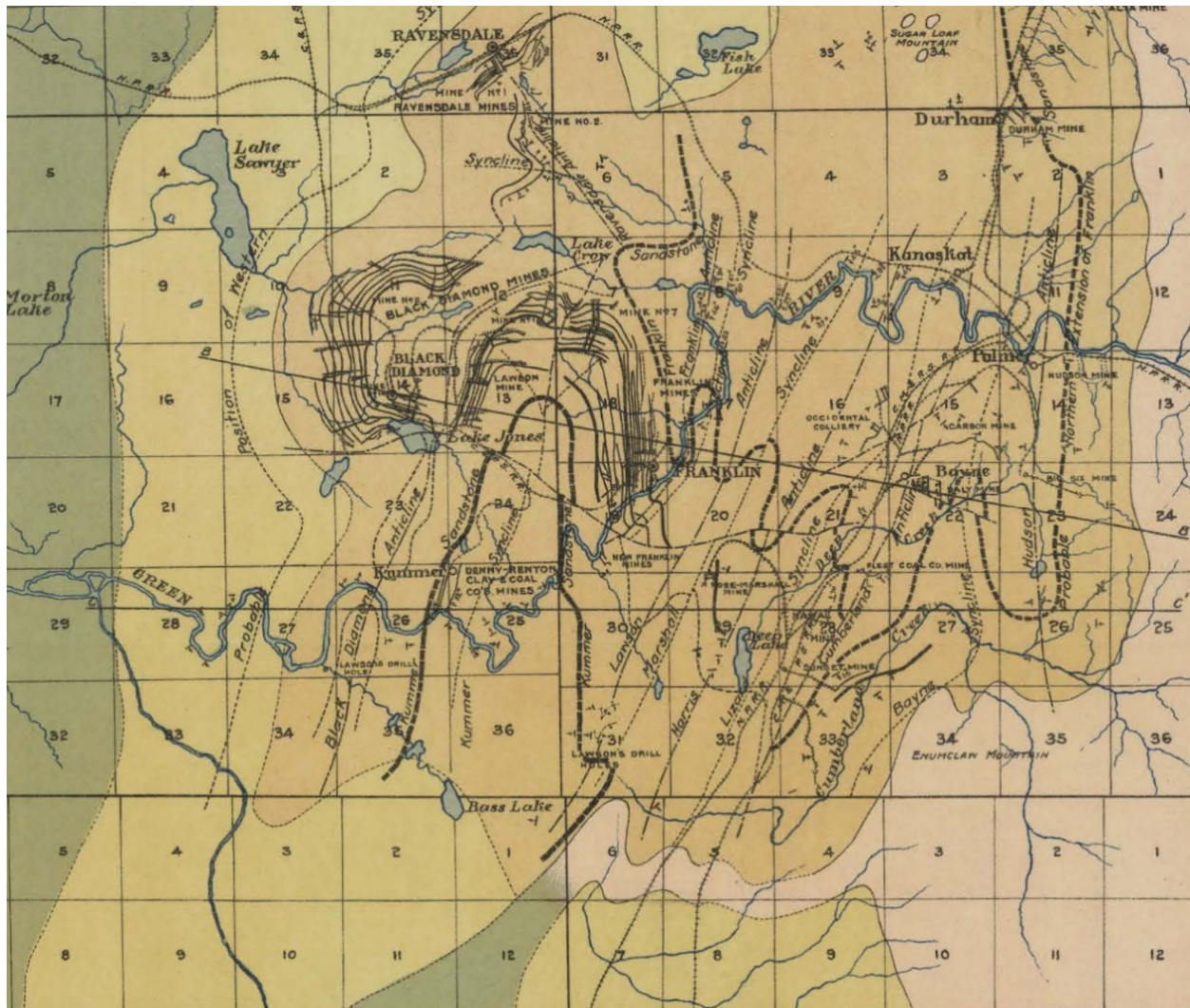
*Figure 2: Miners' houses, Lawson Mine, Black Diamond, February 19, 1902 Photo by Curtis & Romans, Courtesy Washington State Historical Society (1943.42.1049) Accessed via <https://www.historylink.org/File/21373>*

### **Establishment of a City**

After a period of being part of unincorporated King County, voters chose to incorporate in 1959. The 1959 City boundaries encompassed the original Black Diamond townsite and Morganville Addition, as well as adjacent lands owned by Palmer Coking Coal Company, Burlington Northern Railroad, the Banchemo family, and a variety of other small and medium size ownership interests.

### **Comprehensive Planning and Annexations**

The City prepared its first comprehensive plan in 1980. That plan proposed future annexation of additional Palmer Coking Coal Company lands to the northwest and east, as well as a small parcel to the southwest. Subsequent annexations completed by 1985 added Palmer Coking Coal Company land to the northwest and southwest.



*Caption Needed (portion of a map from The Coal Fields of King County by George Watkin Evans, Washington Geological Survey, State of Washington 1912)*

In 1994 (which was a few years after the state's landmark Growth Management Act legislation was passed), the City annexed 783 acres<sup>1</sup> at the southwest edge of the City. The land was owned by Black Diamond Associates, Plum Creek Timber (successor to Burlington Northern Railroad land), Palmer Coking Coal Company, and the Berklid family. The annexation added 15 people to the city's population count, in 7 housing units.

The City completed its first Growth Management Act (GMA) compliant comprehensive plan in 1996. That same year, the City negotiated a Potential Annexation Area (PAA) with King County and nearby property owners that was formalized in the Black Diamond Urban Growth Area Agreement (BDUGAA).

<sup>1</sup> Ordinance 515 and 517

In 1998, the City annexed an additional 786 acres to the northwest, surrounding (and including) Lake Sawyer. This annexation<sup>2</sup> added 1,480 residents (in 624 housing units) to the City, increasing the population by 82.6% in one year.<sup>3</sup>

In December 2005, the City completed annexation of its West Annexation Areas<sup>4</sup> totaling approximately 345 acres.<sup>5</sup> This did not result in any population growth. Next, in 2009, the City annexed the South Annexation Area (250 acres), and the East Annexation Area (50 acres)<sup>6</sup>.

As of 2024, the remaining land within the City's PAA includes:

- Lake 12 Annexation Area: Approximately 160 acres northeast of City limits including a section of the Green River Gorge Road connecting the Lake 12 Annexation Area to the City limits.
- West Lake Sawyer Annexation Area: Approximately 230 acres adjacent to City limits, located west of Lake Sawyer along the Covington-Sawyer road and including Kentlake High School.

The rolling topography and variety of open pastures and meadows, lakes, wetlands and forested areas in the City reinforce the dispersed spatial pattern of development. The City is surrounded, or “framed,” by large blocks of second and third growth forest stands in various stages of growth. The mixture of clustered development areas that are integrated with large undeveloped areas and open space gives the City its unique atmosphere. A large part of land in the City currently either undeveloped or underdeveloped (not developed at the full potential allowed by existing zoning). Significant forested areas, creeks and lakes occur in the City, some of which are identified and regulated as environmentally sensitive areas.

### **Master Planned Developments (Ten Trails and Lawson Hills)**

Around the same time that the BDUGAA was established (2005) the city leaders contemplated a future vision and goals for Black Diamond, looking to attain efficiencies for infrastructure investments and preserve open space while creating opportunities for the expansion of housing and jobs in the City. To do so, the City Council adopted a Master Planned Development (MPD) ordinance<sup>7</sup>.

The City Council subsequently approved two MPDs in 2010, the Villages<sup>8</sup> (now known as Ten Trails) and Lawson Hills<sup>9</sup>. The MPD approvals, including the Environmental Impact Statement (EIS) for both permits,

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<sup>2</sup> Ordinance 622

<sup>3</sup> Washington State Office of Financial Management. Annexations Approved by OFM 1/1/1990 through 12/31/1999.

<sup>4</sup> Ordinances 05-803, 05-804 and 05-805

<sup>5</sup> Washington State Office of Financial Management. Annexations Approved by OFM 1/1/2000 through 8/31/2006.

<sup>6</sup> Ordinances 09-931 and 09-932

<sup>7</sup> Chapter 18.98 BDMC

<sup>8</sup> Black Diamond Ord. 11-970 authorizing the Villages MPD was passed on December 12, 2011.

<sup>9</sup> Black Diamond Ord. 11-971 authorizing the Lawson Hills MPD was passed on December 12, 2011.

were appealed<sup>10</sup> but later upheld by the City’s Hearing Examiner on April 15, 2010. The City and the MPD proponents subsequently entered into Development Agreements (DAs) in December 2011 in accordance with state law and the City’s Municipal Code.

The agreements set out that each of the two MPDs are vested for 15 years from the time of their approval (and subject to consideration and approval by the City Council the vested rights may be extended out for an additional five years).

- **Ten Trails** (formerly known as The Villages) covers a total of 1,196 acres in the southwestern part of the City. The MPD development agreement allows for a maximum of 4,800 low-, medium-, and high-density residential units, with up to 750,000 square feet of retail, commercial, and light industrial uses, as well as schools, parks, and open space. Of the total project site, 42 percent will be open space.
- **Lawson Hills** covers 371 acres in the eastern portion of the City, in addition to a triangle-shaped property near SR 169. This development is allowed a maximum of 1,250 low-, medium-, and high-density residential units, with up to 190,000 square feet of destination and neighborhood retail, 200,000 square feet of office space, as well as schools, parks, and open space. Of the total project site, 37 percent will be open space.

#### **MPD Development Status:**

*As of September 2023, lots for nearly 1,400 units had been created through the final platting process (with lots for another 350+ units in the pipeline for approval with either a pending preliminary plat or passed that stage and in construction).*

The developer of the MPDs is Oakpointe, who has been charging forward to build out the communities and keep up with a healthy market for the delivery of new homes. In mid 2023 the developers broke ground on a fire station in Lawson Hills. All told, new agencies report that Oakpointe will spend around \$75 Million on regional transportation infrastructure improvements<sup>11</sup> to support the projects. At build out, the housing split is anticipated to be roughly 80 percent single family development and 20 percent multi-family development. Space for schools and other community facilities have been contemplated.

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<sup>10</sup> An active community group called Friends of Black Diamond (formally known as Black Diamond Trees, Roads, Environment, Engagement Team (BDTREE)) continues to appeal multiple phases of Ten Trails and Lawson Hills development.

<sup>11</sup> At Ten Trails, it’s 500 down, 4300 to go; by Alex Bruell, The Courier-Herald; August 16, 2021 Accessed at <https://www.courierherald.com/news/at-ten-trails-its-500-down-4300-to-go/>

Unless extended, the development agreements for these communities will expire prior to the time that the City will be due to perform another periodic update (the next update will be due by June 30, 2034 per RCW 36.70A.130). As such, the City should take action, via an annual Comprehensive Plan Amendment process in or around the year 2029, to update this document with information about what becomes vested and the planning implications that will result, and policy adjustments that may follow.

## 5.3. Planning Framework

### Regulatory Context

The Growth Management Act (GMA, Revised Code of Washington [RCW] 36.70A.110) requires counties and cities to accommodate 20 years of growth based on the Office of Financial Management (OFM) growth forecasts. Black Diamond is required to have sufficient land to accommodate its growth targets for a twenty-year period (2024 through 2044).

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 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 increase physical activity.

This chapter addresses all the above except for the protection of groundwater, which is discussed in Chapter 4 (Natural Environment), and water quality, stormwater runoff, and flooding which are discussed in Chapter 8 (Capital Facilities and Utilities). In addition, the protection of critical areas (sensitive environmental areas) is addressed in the Natural Environment section.

The GMA also requires countywide and regional coordination.

- The King County **Growth Management Planning Council** (GMPC) is the formal organization that develops and implements countywide policies for King County and for all the cities within it. Through countywide coordination, the GMPC establishes urban growth area (UGA) boundaries and addresses how population projections are aligned with city-specific growth targets for planning purposes. These factors are integrated

into a set of countywide planning policies (CPPs), creating a coordinated countywide land use system<sup>12</sup>.

- Black Diamond is located within the greater Puget Sound Regional Metropolitan area (comprising King, Snohomish, Pierce, and Kitsap counties). The ***Puget Sound Regional Council*** (PSRC) is the organization responsible for regional planning in the area. The PSRC’s mission is to plan for regional transportation<sup>13</sup>, growth management and economic development. The GMPC countywide planning policies, growth projections and targets implement the PSRC’s larger regional growth strategies. This Comprehensive Plan must be consistent with the PSRC regional plans. The current regional plan is known as VISION 2050.

### **Historic Growth Trends and Patterns**

The City’s distinguishing characteristics include its history as a coal mining town and traditions associated with that history; views of Mount Rainier; and the geography of natural features that define the southern and western edges of the original townsite.

The City’s present land use pattern primarily reflects development of the original company town within the Black Diamond townsite and Morganville settlements. Similar to other historic areas, Black Diamond initially developed as a compact community. The Pacific Coast Coal Company built few buildings other than a church. The company allowed the miners to build their own modest houses at the center of town, on land not expected to be used for mining operations. Those businesses locating in town were able to do so because they did not need large amounts of land. Since travel was difficult before the automobile, businesses and residences were conveniently located near each other to facilitate errands and business. As with other older towns, new development often filled in undeveloped parcels or extended the existing pattern.

From the 1960s through the 2010s residential and commercial growth in the city has been more linear, generally following the major road corridors. The exceptions are a large mobile-home park on the north edge of the City and the Lake Sawyer neighborhood (which reflects a more recent development pattern centered on the lake). Existing residences (outside of the MPD areas) are not concentrated in a single area of the City but are loosely grouped in four general areas. Similarly, commercial development is dispersed into three areas, rather than concentrated into one “central business district.”

### **Modern Growing Pains and Growth Targets**

Black Diamond has many unique constraints that distinguish it from other cities in King County and the greater metropolitan area. First, Black Diamond lacks proximity to transit hubs which can exacerbate future traffic congestion and does not help to reduce greenhouse gas emissions. Next, due

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<sup>12</sup> The King County CPPs used for this Comprehensive Plan were per King County Council Ordinance No. 19384 (December 2021) as amended via ordinance No. 19660 (August 2023)

<sup>13</sup> The PSRC is the Metropolitan Planning Organization (MPO) for the region; MPOs were introduced by the Federal-Aid Highway Act of 1962 and today the MPOs serve an important role in planning, coordinating between governments, and providing a conduit for federal funding, particularly for highways and transit

consideration must be made for a vast network of valuable environmentally sensitive areas and open space. The last issue, and enormous point of contention for some community members, is that the City is positioned to far exceed King County's growth targets. The Puget Sound Regional Council has directed the City to avoid further exceeding these targets, beyond that which is already legally entitled for development via the vesting process.

Despite these growing pains, Black Diamond continues to be an amazing place to live, work, and play, and the community is transforming in many positive ways. In the process of developing and then updating the comprehensive plan, the community has consistently expressed a strong desire that the City should preserve trees and open spaces, views of Mount Rainier, historical buildings, and its strong sense of community and small-town spirit.

Looking forward, on-going coordination with neighboring cities, counties, and tribal governments is necessary to ensure future 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).

### **Open Space**

Open space is essential to the quality of life in Black Diamond. The City defines open space as "an area or portion of land, either landscaped or predominantly unimproved, which is used to meet human recreational or spatial needs or to protect the natural environment" (BDMC 18.100.530). Thus, while the name may imply the area is undeveloped, that may not be the case in every situation.

In the Black Diamond area, the natural setting is not just an accent, but is intended to be integrated with the built environment. The City is committed to protecting its sensitive areas as the basis of the open space network. Open space occurs in many forms, from wetlands to open meadows, forests, stream corridors, parks, school yards, and even cemeteries. The retention of open space forms the skeletal framework that helps to define the City's neighborhoods. Retention of sensitive areas and other existing open spaces will be the key to ensuring sufficient open space in the future.

The City identifies the following areas as open space:

- 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 (also known as 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.

## **Community Character**

Community character relates to the overall function, look, and feel of different parts of the City. The maintenance or establishment of such can be achieved through land use designation decisions, the implementation of development regulations outlined in the Black Diamond Municipal Code, applying design guidelines, and through other techniques. 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" but must also do so in a balanced way so that racism or other discrimination is not perpetuated.

The community has expressed its strong desire that the City preserves forested areas and open spaces, views of Mount Rainier, treasured places (e.g., historic and cultural places and structures), and a strong sense of community. The City will generally 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;
- Implement Design Guidelines;
- Recognize that the City is integrally connected to the larger region; and
- Provide public spaces for broad social interaction, neighborliness, community, and civic life.

The city's community character can also be preserved or enhanced with a focus on pedestrian scale and orientation as development occurs. Walking was once the dominant mode of travel in Black Diamond. Regardless of how a person arrived (be it by horse, carriage, or train) one could walk in town between various destinations. Both the network of streets and scale of buildings in the downtown area reflect this pedestrian orientation. Commercial structures were located close to the street to attract walk-in customers. Typically, downtown commercial districts featured amenities including benches and small parks for pedestrians.

Portions of Black Diamond have a relatively fine network of streets that function as a pedestrian system, but lack sidewalks, benches, and other pedestrian oriented amenities. The newer commercial areas north of Old Town do not function well as pedestrian areas and improvements to the pedestrian network are necessary to maintain the City's sense of community and small-town character.

## **Historic Preservation**

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 can

have invigorated local economies and these assets should be broadly interpreted to include structures, landmarks, sites, and views.

Design guidelines were initially developed in 2009, and some of those relate to areas of traditional building design. The intent is to ensure that the renovation and alteration of existing structures, as well as the construction of new buildings, are done in a manner that maintains the unique quality of the district and improves its economic viability. Design guidelines for commercial and residential structures in historical areas address topics such as exterior building design and materials, setbacks from the street, signage, sidewalks, building bulk, site design, and building materials.

### **Urban Growth Area (UGA) and Potential Annexation Areas (PAAs)**

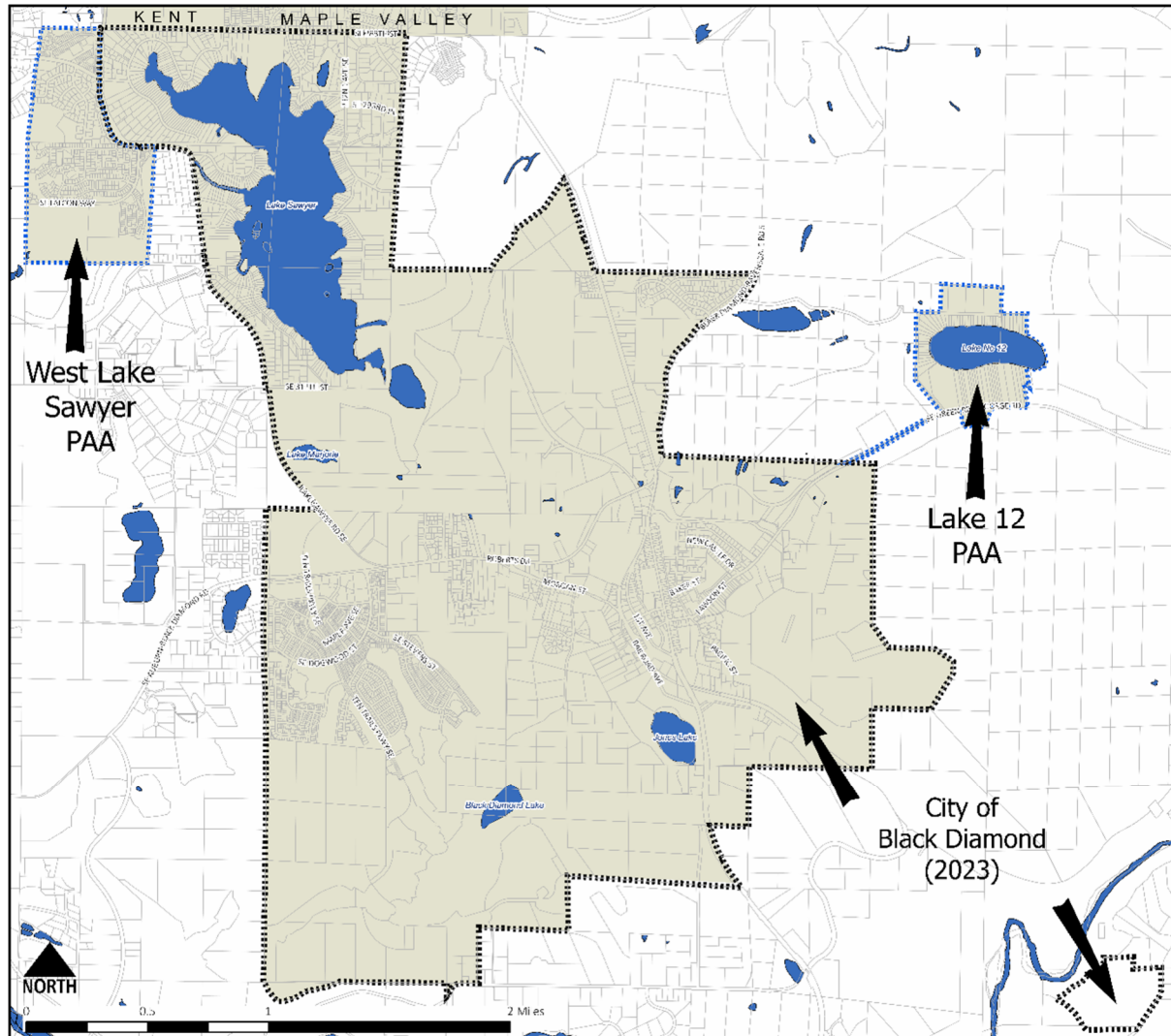
The GMA requires counties to identify Urban Growth Areas (UGAs) which encircle city boundaries and may additionally extend outward beyond existing city limits, to accommodate planned growth. Only land contained within a UGA is available for city expansion during the 20-year planning period of this comprehensive plan.

Furthermore, a UGA defines the geographical area within a full range of urban services (typically, sanitary sewer and public water) may be provided. GMA discourages the provision of urban services beyond UGA boundaries and specifically prohibits the extension of sewer except in certain limited circumstances. Accordingly, growth is first directed into areas already urbanized and that have existing public facility and service capacities. The purpose is to promote compact urban development within, and adjacent to, existing urban areas to ensure efficient utilization of land resources and to facilitate economic provision of urban services (thus avoiding “urban sprawl”).

The boundaries of the UGAs, including the Black Diamond UGA, were established by King County long ago 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 within the UGA that have not yet been annexed to a city. As part of development of the Countywide Planning Policies (CPPs), representatives from King County and the cities within it collaborated in determining each jurisdiction’s most logical boundaries for long-term delivery of urban governmental services. The PAAs developed by the cities are listed in the King County CPPs. Black Diamond has two PAAs: the Lake 12 PAA (which is approximately 160 acres and includes a portion of SE Green River Gorge Road) and the West Lake Sawyer PAA (approximately 230 acres located west of Lake Sawyer along the Covington-Sawyer road, including Kentlake High School).

There is a large parcel of land (approximately 58 acres in size) which is included in the City limits but is not within the Urban Growth Area. The land is city-owned (and used for a municipal water source) and located on the opposite side of the Green River from the remainder of the city, and fronts the Enumclaw Franklin Road.



### **Black Diamond Urban Growth Area Agreement (BDUGAA)**

The BDUGAA is a multi-party agreement from 1996 between the City of Black Diamond, King County, and two major landowners the Palmer Coking Coal Company, and the Plum Creek Timber Company. The agreement was negotiated to facilitate the expansion of the UGA (and the subsequent change to the City's municipal boundary) as contemplated under the GMA and as identified in the agencies' respective comprehensive plans. King County Ordinance No. 12065 (together with the relevant County Wide Planning Policies) specified that up to 915 acres were to be designated for future urban development and the remaining acreage is designated for Open Space or Natural Resource Use.

As a result of the annexation of approximately 467 acres that resulted from the BDUGAA in 1996, open space was conserved within the new Urban Development Areas, within significant areas identified in the City, and in identified areas in the County adjacent to the City. The BDUGAA specifies methods of development, including development standards and the provision of public utilities (water, sewer, storm, roads, etc.).

The BDUGAA also identifies about 50 acres of “In-City Forest” land along Old Lawson Road for the City of Black Diamond to potentially purchase and preserve as forested open space.

### **Black Diamond Area Open Space Protection Agreement (Open Space Agreement)**

A key implementation measure of the BDUGAA is the Black Diamond Area Open Space Protection Agreement (Open Space Agreement) which was signed by Black Diamond, King County, the Plum Creek Timber Company, and the Cascade Land Conservancy in 2005. This agreement identified open space lands in and around the City for permanent preservation.

### **Transfer of Development Rights Program**

The City’s Transfer of Development Rights Program (TDR Program) was introduced when the BDUGAA was established and relates to the Black Diamond Area Open Space Protection Agreement (Open Space Agreement). The TDR Program establishes the framework for the MPD Development Agreements, providing density bonuses to selected development sites while removing development rights from areas that have been established for current or future open space, parks, or community facilities. The central tenant in transferring development rights is to establish the great public benefit by exchanging development rights between disparate locations. The TDR Program map shown in the Land Use Appendix depicts the “sending” and “receiving” areas under the TDR Program.

**Treasured Places** are a 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. The City Council grants Treasured Place status to a specific 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.”

### **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, in Section 5.7. 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 MPDs in the City of Black Diamond: Ten Trails and Lawson Hills (**as described in Section 5.2**).

If a full buildout of the Ten Trails and Lawson Hills MPDs occurs the city will have a volume of housing units exceeding the currently adopted Countywide adopted growth targets resulting in a mismatch with the regional growth strategy. Given these circumstances, no new MPDs should be approved in order to ensure the City's future growth doesn't outpace countywide and regional growth projections.

## 5.4. Development Concepts

### Residential Development Concept

The existing pattern of distinct residential neighborhoods should be continued and expanded. While existing neighborhoods may experience some infill, much of the City's new residential growth will occur on larger tracts, physically separated from the existing neighborhoods. Whether infill or new development, residential units should be clustered in neighborhoods separated by elements of the open space system. Clustering guarantees permanent open space and helps to preserve environmental amenities such as creeks, wetlands, and significant stands of trees that give the City part of its appeal. Within developed areas, a more diverse housing stock will be encouraged to provide housing for a more diverse population, including various types and densities of attached and detached units.

Opportunities for attached units, such as duplexes and townhouses, should be available within single-family areas. Multifamily residential units should be developed with a general scale and building pattern consistent with the existing character of the City, shaped by design guidelines. New multifamily development may occur in the form of duplexes, triplexes, fourplexes, townhomes (row houses), and units above commercial structures (in mixed-use areas). Review of multifamily and commercial development proposals should include design review. Higher density multi-unit structures should be encouraged to locate close to retail and service uses, in mixed use areas or as components of MPDs. Consistent with state law, manufactured housing is treated the same as site-built housing with respect to the zoning code.

The City has taken a number of steps to implement its vision for residential development. These steps include adoption of a TDR program; adoption of an MPD ordinance (codified at BDMC Chapter 18.98), design standards and guidelines (BDMC Chapter 18.74); and an ordinance allowing Residential Cluster Development (BDMC Chapter 18.86). The city must additionally ensure provisions are made for "middle housing." Additional residential development tools that may be considered include incentives to encourage clustering and provision of open space and parks.

### Overall Commercial and Mixed-Use Development Concept

In mixed-use areas, commercial and business activities may be combined with residential uses, and possibly some very limited light industrial activities, in a complementary land use pattern. For example, personal and professional services may serve adjacent businesses and residences. Mixed-use areas should have convenient pedestrian connections and close proximity to encourage walking between activities (generally less than one half mile).

### Industrial, Light Industrial/Business Park Development Concept

Industrial and Light Industrial/Business Park development is an important part of the community. The opportunity for local employment and an increased tax base can improve the quality of life for residents.

The City will seek to attract new light industrial, manufacturing, office and other businesses to the City as a means to achieve its vision for growth and prosperity.

Light Industrial/Business Park areas are targeted to have distribution, assembly, storage, repair, and warehousing uses. Limited retail uses and services intended to serve employees of the area may also locate within the Light Industrial/Business Park areas. Special attention should be given to: critical areas protection, landscaping to enhance the building or site, circulation and transit access, service access design, screening of loading docks and mechanical equipment, connection to arterial streets, pedestrian and bicycle linkages, architectural control, parking, and utility needs.

Industrial and Light Industrial/Business Park uses may be proximate to, but should be separated from, commercial uses, to avoid land use conflicts. Circulation plans for adjacent industrial and commercial areas should separate truck traffic from shopping traffic. Certain areas along new principal arterials are suitable for Industrial and Light Industrial/Business Park uses. The existing industrial area is also well situated, but if this area does not develop over the long-term, and a demand for other employment areas can be documented, the City should consider making changes to the assigned land use classification.

## Mineral Extraction Concept

The City was historically oriented to resource extraction activities. Coal mining was the initial resource base, and sand and gravel mining and forestry have also played roles.

Currently, The Palmer Coking Coal Co. operates the Morgan Kame Terrace Mine (DNR permit number 12494) in an area that covers approximately 203 acres, where sand and gravel for construction is extracted to a depth of 75 feet.

Based on estimates of the gravel resources, permitted mining is expected to continue until approximately 2025. Black Diamond acknowledges the presence of existing mining operations and mineral resources in areas for potential future mining and intends to maintain the ability of property owners to access these valuable resources. The City will use its development regulations and a conditional use process to review applications for mineral extraction consistent with the protection of the environment and the goals and policies of the Comprehensive Plan.

## Historic Preservation Concept

Black Diamond's historical settlement pattern gives the City a unique identity that is distinct from the more recently urbanized areas in east King County. To maintain this distinct character, while at the same time permitting infill development, important historical elements must be retained as the community grows.

Historical elements are resources that contribute substantially to a sense of community, quality of life, and source of pride. They are also assets that can invigorate the local economy by sparking new

business, generating additional tax revenue, and creating new jobs. Black Diamond's historical assets will be broadly interpreted to include structures, landmarks, sites, and views.

New infill development will identify and preserve, wherever possible, existing structures, vegetation, or views that are visually important to the community identify. Incentives for doing so will be included in development regulations such as zoning, subdivision, and building codes.

## In-City Forest Concept

In the past, the area surrounding Black Diamond, including limited areas near the former Palmer Coking Coal Company and Plum Creek ownerships within the City limits, were considered suitable for commercial timber production. Forested lands in and around the City now provide significant open space which provides many passive values such as scenic views, open space, wildlife habitat, and separation from adjacent developments. These lands are part of a large network that comprises an open space system for the City and the region. The 1996 BDUGAA identified about 50-acres of "In-City Forest" land along Old Lawson Road for the City of Black Diamond to purchase and preserve as open space.

In-City forests can produce many benefits and help to reduce water and air pollution, manage stormwater runoff, and mitigate for climate change. The City is preserving its In-City Forest Land by using its TDR program to transfer all development rights off the land and placing a permanent conservation easement on the property.

## Open Space Concept

Existing open spaces provide the City with many benefits. The City is "framed" by large blocks of second-growth forests in various stages of regrowth. The separation provided by the open space and views of the natural rolling topography, forests, open pastures/meadows, lakes, and stream are unique assets. The numerous open spaces also provide significant natural functions. Black Diamond will continue to develop and employ mechanisms to encourage open space preservation and require the protection of environmentally sensitive areas.

The City's parks and open spaces are not the same. Active recreational areas with facilities are needed as well as natural open spaces to enjoy as passive areas. The active and passive open space system will be integrated. These areas will be based on existing stream corridors, lakes, and retention of buffers comprised of mature trees in certain areas. The Rock Creek, Ravensdale Creek, Ginder Creek, Mud Lake Creek, and Lawson Creek are the linear components of the system within the City. These areas lie in proximity to the developed areas of the City; they form the village and neighborhood open space network.

## 5.5. Criteria for Future Land Use Map Designations

The Land Use Element describes eight designations that are featured on the city's Future Land Use map. When changes to the Future Land Use map are contemplated, the following criteria must be considered in order to assure consistency with the fundamental objectives and development concepts as described earlier in this plan:

### Residential Land Use Designations

Properties designated **Low Density Residential (LDR)** 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 LDR development as part of an MPD

Properties designated Medium Density Residential (**MDR**) 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.
- The area fronts an arterial.
- Medium density housing can be developed to be compatible with existing development.

### Non- Residential Land Use Designations

Properties designated **Industrial (I)** should generally reflect all the following criteria:

- The land and its location are well-suited to accommodate the primary functions of industrial activity and industrial-related commercial functions.
- The basic infrastructure needed to support industrial uses is planned or already exists.
- Areas are large enough to allow a full range of industrial activities.
- Sufficient separation exists to reduce the possibility of conflicts with development in adjacent, less intensive areas.

The industrial designation is also given on sites used for mining.

Properties designated **Light Industrial / Business Park (LI/ BP)** should generally reflect all the following criteria:

- The land and its location are well-suited to accommodate the primary functions are light industrial activity or office space.

- The basic infrastructure needed to support light industrial and business park uses is planned or already exists.
- Areas are large enough to allow light industrial, office, or business park development.

Properties designated **Town Center Commercial (TC)** should generally reflect all the following criteria:

- Existing or planned public facilities are adequate to support commercial or mixed use development.
- Pedestrian-oriented commercial or mixed use development that is compatible with and easily accessible from surrounding neighborhoods is planned or already exists.
- The area is representative of the City's history as a small mining town.

Properties designated **Community Commercial (CC)** should generally reflect all the following criteria:

- Existing or planned public facilities are adequate to support commercial development.
- Existing or planned uses include more auto-oriented commercial areas that serve a citywide or regional clientele and have easy access to principal arterials or in areas that border industrial zones.
- Sufficient separation exists to reduce the possibility of conflicts with development in adjacent, less intensive areas.

Properties designated **Neighborhood Commercial (NC)** should generally reflect all the following criteria:

- Existing or planned public facilities are adequate to support commercial or mixed use development.
- Pedestrian-oriented commercial or mixed use development that is compatible with and easily accessible from surrounding neighborhoods is planned or already exists.
- The area can serve as a desired transition between development in adjacent areas.

Properties designated **Public (P)** should generally reflect all the following criteria:

- The area contains or is expected to contain a public facility and designating the property as "public" is preferred over other designations.

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.

#### **MPD Overlay Designation Criteria**

- No new MPDs may be established until the buildout of Ten Trails and Lawson Hills (or those development authorizations expire) and until such time as the City's growth projections are within an acceptable range of adopted growth targets consistent with the King County CWPPs and the PSRC regional growth strategy, Vision2050.
- 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 parcel is at least 80 acres in area and in single or unified ownership.
- 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 (minimum 4 dwelling units per acre).

## **5.6. Land Use Goals and Policies**

The following Goals and Policies pertain primarily to Land Use, although many goals and policies throughout this plan are interrelated. The first goal is known as the "Vision Goal" and does not include any policies as it is intended to be an over-arching goal for the city, based on the Vision Statement (as described in the Introduction chapter).

**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.

~~Provide adequate land balance with a diversity of places to live, shop, work, and recreate.~~

**Policy LU2-1:** Create an open space system that links areas of the City together~~frames and separates distinct areas of development within City limits and urban growth areas (UGAs)/potential annexation areas (PAAs).~~

~~Explore new and existing funding sources to provide public services, amenities and infrastructure.~~

**Policy LU2-2:** 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.

~~Explore regulatory and financial incentives to encourage and support development that meets higher performing energy efficiency and environmental standards.~~

**Policy LU2-3:** New developments should ~~be designed to~~ incorporate features to encourage alternative travel modes, such as biking, walking, and transit.

**Policy LU2-4:** Work with developers to encourage the construction of complete streets, commercial nodes, and residential development areas that complement one another and provide effective interaction for activities and uses.

**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.~~ Use a variety of techniques to leverage the City's

*environmental and cultural resources and enhance the community character.*

- Policy LU3-1:** Use development regulations ~~such including as~~ the Lighting/Dark Sky Ordinance to enhance and protect the overall appearance and character of the City.
- Policy LU3-2:** 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 LU3-3:** Use building design, zoning regulations, and design standards, together with signage regulations, 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 LU3-4:** ~~Develop~~ Introduce 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 LU3-5:** Continue to rely on, evaluate, and enhance the City's Transfer of Development Rights (TDR) Program as an innovative technique to ~~focus direct~~ growth outside sensitive areas.
- Policy LU3-6:** Major entrances into the City ~~will be given~~ feature symbolic markers and landscaping to create a gateway effect around SR 169 and Roberts Drive.
- Policy LU3-7:** Protect views of ~~Mt. Mount~~ Rainier and the scenic character of the city's gateways along SR 169 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. and to provide a positive transition from the adjacent rural unincorporated area.
- Policy LU3-8:** Integrate ~~all known~~ significant natural areas (wetlands, streams, steep slopes, geologic hazards, and flood hazard areas) into ~~the open space overlay~~ protected open spaces, where feasible.
- ~~Protect and enhance the dominant natural features and open space structures, including gateways, viewpoints, and view corridors that characterizes the City.~~
- Policy LU3-9:** 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 LU3-10:** Regularly review the Black Diamond Area Open Space Protection Agreement approved in 2005 to ensure that development is complying with this Agreement.

### ***LU Goal 4: Preserve historic resources to maintain the character of the City's core historic fabric.***

**Policy LU4-1:** ~~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 LU4-1:** 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 LU4-2:** Promote Old Town as the City's primary historical component with the use of design standards.

**Policy LU4-3:** Encourage land uses and development that retain and enhance significant historical resources and sustain or preserve historical community character and historic buildings.

**Policy LU4-4:** Partner with county, state, and tribal agencies to ensure the preservation of archaeologically and historically significant sites.

**Policy LU4-5:** Implement the City's Heritage tree program to protect trees associated with historic figures, events or properties or having other important value to the community.

### ***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 LU5-1:** Provide significant opportunities for public involvement when considering an MPD proposal or development agreement.

**Policy LU5-2:** Plan adequate commercial and/ or industrial land use to provide a sufficient tax base to support City services and facilities, facilitate job growth, and foster the introduction of service and retail businesses to support local needs.

~~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.~~

***LU Goal 6: Encourage urban growth in areas that can be serviced by adequate public facilities and services and protect natural resources and environmentally sensitive lands.***

**Policy LU6-1:** Monitor growth in conjunction with adopted King County population projections and cooperative planning with the county to anticipate future urban growth area needs. Refer to the population projections and city’s growth demands when contemplating proposed Land Use map amendments.

**Policy LU6-2:** Give priority to infill development within the city limits and existing urbanized unincorporated areas.

**Policy LU6-3:** 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 LU6-4:** 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. Future Annexation of undeveloped lands within the Potential Annexation Areas (PAAs) will not occur until the City’s growth is aligned with Countywide growth targets & the regional growth strategy.

**Policy LU6-5:** Approval of the annexation of the Lake 12 Area shall include permanent public access to the lake.

**Policy LU6-6:** 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 LU6-7:** 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.

***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 LU7-1:** 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 LU7-2:** Residential development patterns must allow for efficient provision of public services and utilities.

**Policy LU7-3:** Promote developments to achieve maximum zoned density through clustering to create compact new communities surrounded by open space and implement "rural by design" principles.

~~Allow multi-family residential in identified areas or when integrated as part of a MPD.~~

~~Use the MPD process to review all proposals on sites larger than 80 acres.~~

***LU Goal 8: Provide sufficient opportunities for industrial and business park development sites within the community.***

**Policy LU8-1:** Provide local employment opportunities that support the City as a sustainable community.

~~Create an aggressive economic development strategy, with the cooperation of the City, County and business and property owners.~~

**Policy LU8-2:** Ensure that all Industrial, Light Industrial, and Business Park development is consistent with all appropriate environmental standards.

**Policy LU8-3:** Ensure that zoning regulations are sufficiently flexible to accommodate changing industrial needs.

~~Ensure that all Industrial, Light Industrial and Business Park development is functionally and aesthetically compatible with surrounding uses.~~

~~Recognize that Light Industrial and Business Park uses can be compatible with other less intensive uses where appropriate performance standards are established.~~

**Policy LU8-4:** 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 LU8-5:** Within areas approved for mineral extraction, require site reclamation and restoration pursuant to state mining laws, local environmental, and land use regulations.

**Policy LU8-6:** Protect industrial lands from encroachment by incompatible uses and development on adjacent lands. Proposed conversions of industrial and employment lands to non-employment lands should be discouraged unless there is no net loss of employment within the City.

**Policy LU8-7:** Protect the public health and general welfare, implement environmental pollution control standards, and minimize the effects of contaminants by applying environmental performance standards .

***LU Goal 9: Ensure that opportunities for convenient and concentrated commercial development are provided to support both the local and regional market.***

**Policy LU9-1:** Discourage the conversion of commercially designated areas to uses that do not create jobs or provide ongoing sales tax revenue for the City.

***LU Goal 10: Encourage the concept of mixed-use development to create diverse and self-sufficient neighborhoods.***

**Policy LU10-1:** Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.

- Policy LU10-2:** Provide day-to-day retail goods and services within walking distance of most residential neighborhoods.
- Policy LU10-3:** Encourage well-planned, coordinated commercial development ~~within the SR 169 area~~ and discourage strip retail development through the use of design standards.
- Policy LU10-4:** Prioritize funding of infrastructure and community enhancement projects in the Town Center to encourage redevelopment and investment in this area.
- Policy LU10-5:** 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).
- ~~Parking in Community Commercial areas should be located to the sides and rear of buildings.~~
- Policy LU10-6:** Require cross-access between sites to reduce the number of driveways along arterial streets. Pedestrian connections between sites should also be provided.
- Policy LU6-7:** Promote a compatible mix of land uses that create a diversified environment that mixes shopping, employment, recreation, and residential opportunities where appropriate.
- ~~Promote quality in the design and construction of development through the use of design guidelines to maintain or enhance community character.~~

***LU Goal 11: ~~Ensure~~Foster compatibility between land providing necessary services to the community and surrounding land uses.***

- Policy LU11-1:** 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 LU11-2:** Public buildings and spaces should be designed to be compatible with Black Diamond's unique architectural heritage and qualities.
- Policy LU11-3:** Public buildings and spaces should fulfill their role as gathering areas and community resources.
- Policy LU11-4:** Encourage property owner and resident participation in the creation of local plans for public improvements, zoning, and other planning concerns.

**Policy LU11-5:** Ensure adequate buffering between incompatible land use types where necessary.

***LU Goal 12: Coordinate land use and development actions with government agencies, adjacent jurisdictions, and tribes as appropriate.***

**Policy LU12-1:** Use the countywide planning policies and PSRC ~~Vision 2040~~ VISION 2050 as a basis for regional coordination and land use decisions.

**Policy LU12-3:** 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~~ VISION 2050 and make amendments as necessary.

**Policy LU12-4:** 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 region's present and future growth.

**Policy LU12-5:** 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 LU12-6:** Ensure that essential public facilities sited in the City are consistent with the goals, objectives, and policies of the City's comprehensive plan.

**Policy LU12-7:** Future annexation of undeveloped land within the Potential Annexation Areas (PAAs) will not occur until the City's growth is aligned with the countywide growth targets and the regional growth strategy.

**Policy LU12-8:** Identify land needed for public purposes early in the planning process.

**Policy LU12-9:** Maintain open communications between the City and the School Districts which serve the community and encourage the location of schools in close proximity to existing or proposed residential areas when feasible, in a manner that is compatible with surrounding development.

~~**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.**~~

~~Create an open space system and map overlay for the primary unifying component of the comprehensive plan.~~

~~Integrate all known significant natural areas (wetlands, streams, steep slopes, geologic hazards, and flood hazard areas) into the open space overlay.~~

~~Protect and enhance the dominant natural features and open space structures, including gateways, viewpoints, and view corridors that characterizes the City.~~

~~Protect the City's historical sites and structures by connection to the open space system.~~

~~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.~~

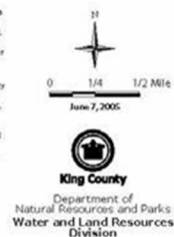
~~Encourage the preservation and protection of open space through a variety of approaches, including but not limited to, TDR, open space tax incentives, cluster development, public land acquisition, conservation easements, and other public and private initiatives.~~

~~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.~~

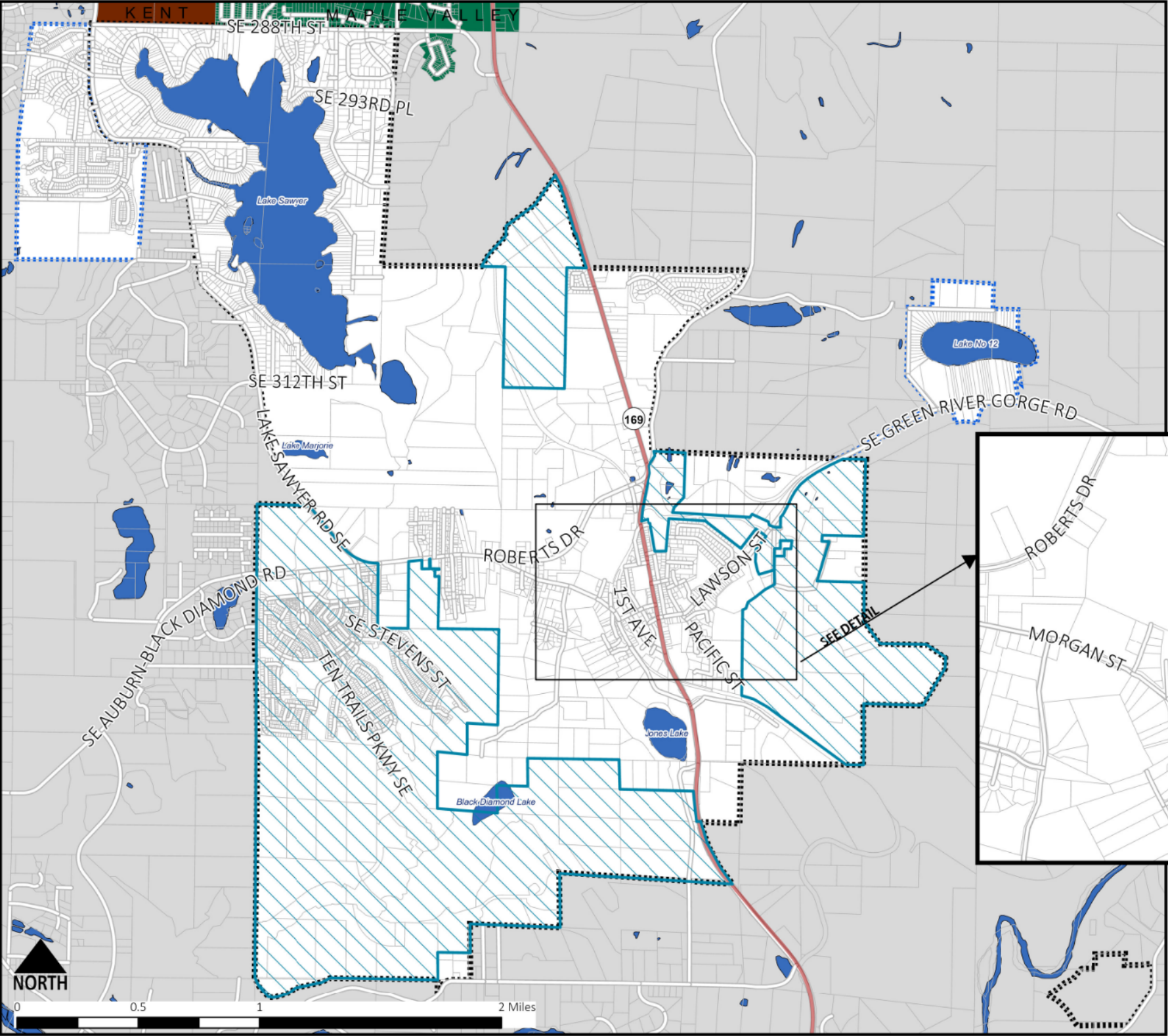
~~Regularly review the Black Diamond Area Open Space Protection Agreement approved in 2005 to ensure that development is complying with this Agreement.~~

## ~~5.7.~~ **5.16 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.~~

[illegible][illegible]

## ~~5.8.~~5.7. Land Use Maps



City of Black Diamond  
Master Planned  
Development (MPD)  
Overlay

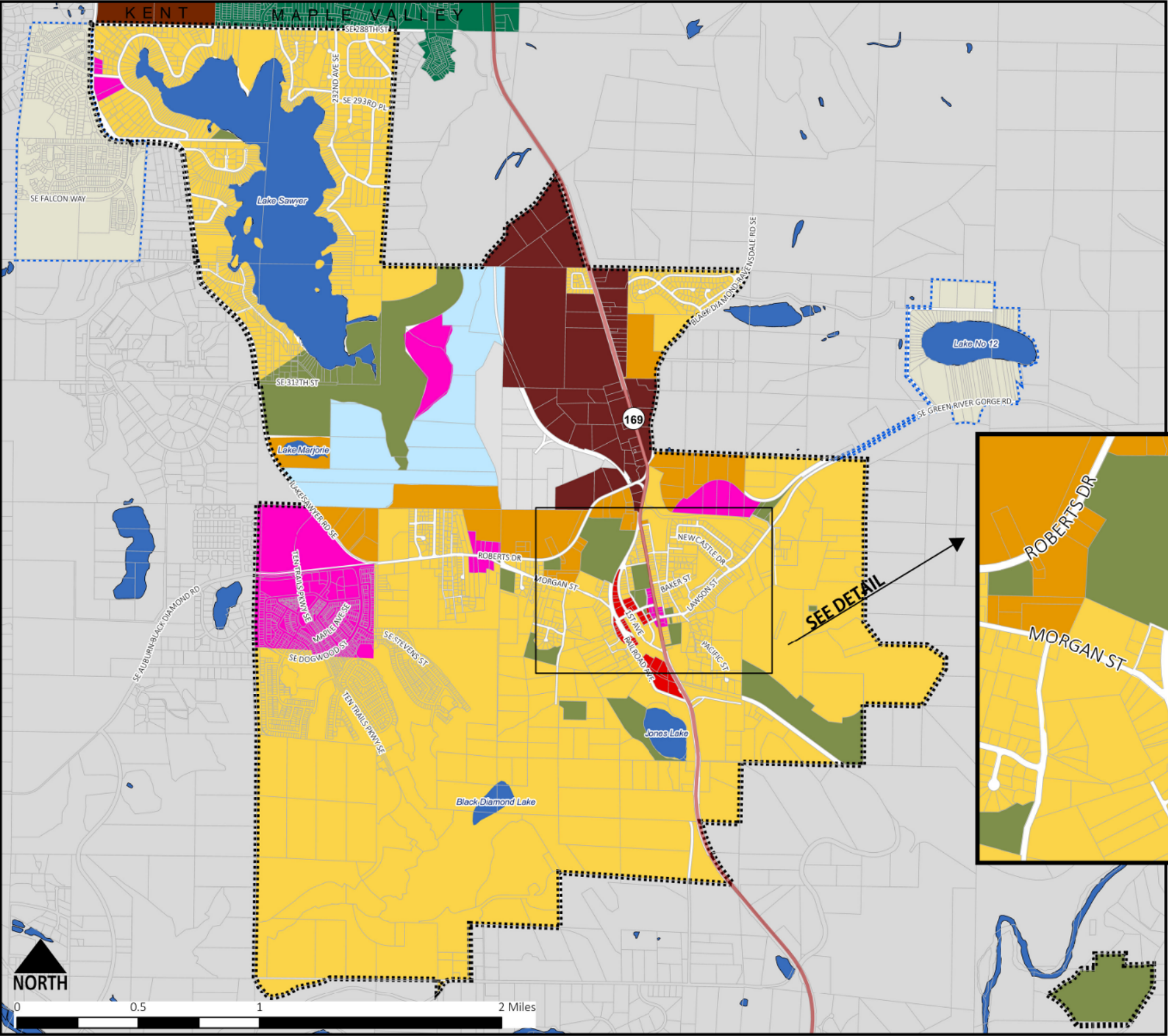
- Urban Growth Area (UGA)
- City Limits - CURRENT 2023
- Parcels
- MPD Overlay



This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

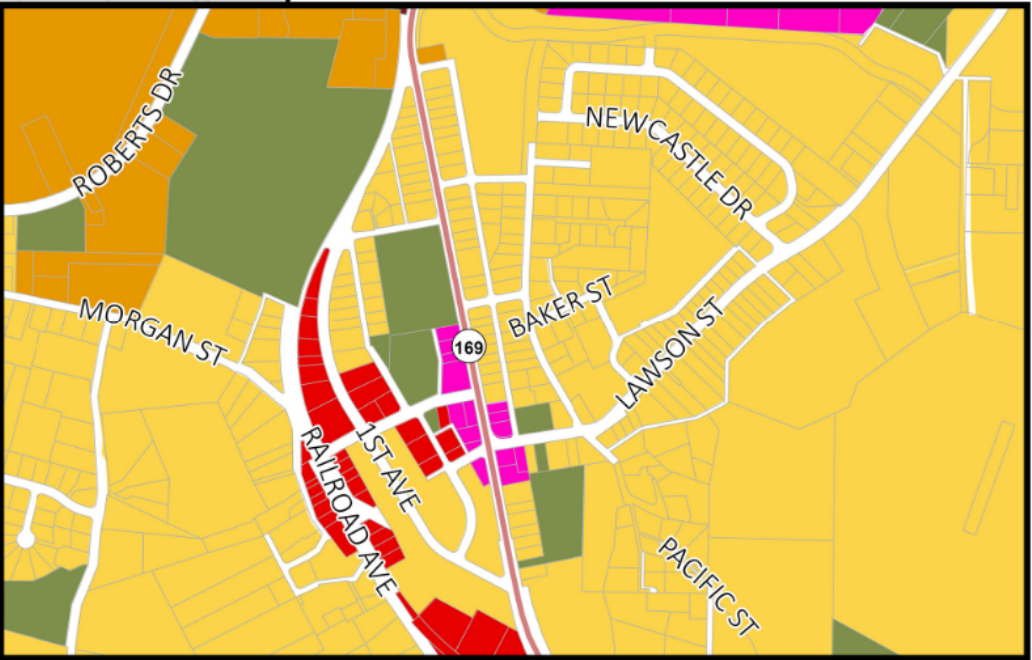
Map prepared June 2023 (with updated parcel data from King County)

Q:\2022\2220914\30\_PLN\GIS\COMP PLAN MAPS\2009 MPD Overlay\2009 MPD Overlay Shapefile\MPD\_Overlay.shp



City of Black Diamond  
2019 FLUM  
(Future Land Use Map)

- |                            |                                  |
|----------------------------|----------------------------------|
| Urban Growth Area (UGA)    | Business Park & Light Industrial |
| City Limits - CURRENT 2023 | Neighborhood Commercial          |
| Parcels                    | Town Center                      |
| UGA/PAA                    | Community Commercial             |
| Low Density Residential    | Industrial                       |
| Medium Density Residential | Public                           |



This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data depicted on this map.

Map prepared June 2023 (with updated parcel data from King County)

This map shows the Land Use classifications as established by City per Ordinance no. 19-1121 (May 2019) ; the 2015-2035 Comprehensive Plan..

Q:\2022\2220914\30\_PLN\GIS\COMP PLAN MAPS\Corrected FLUM Shapefile\2019FLUM\_Corrected.shp

