



CITY OF BLACK DIAMOND PLANNING COMMISSION AGENDA

July 9, 2024

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 June 11, 2024
- 2) Planning Commission Meeting of June 25, 2024

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

PUBLIC HEARINGS:

STUDY/WORK SESSION:

UNFINISHED BUSINESS:

- 3) Zoning Designations and "Limited" zones
- 4) Comments and Responses Matrix for 2024 Comprehensive Plan

NEW BUSINESS:

- 5) Code Amendment – Daycares

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURNMENT:



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
June 11, 2024, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

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

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

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

APPROVAL OF MINUTES:

1) Regular Planning Commission Meeting of May 7, 2024 -

There were no changes to the May 7, 2024, minutes and they were approved as presented.

2) Special Planning Commission Meeting of May 21, 2024 -

There were no changes to the May 21, 2024, minutes and they were approved as presented.

PUBLIC COMMENT -

Kristen Bryant, Bellevue
Bill Bryant, Black Diamond
Mario Sorci, Black Diamond
Geoff Bowie, Black Diamond
Gary Kohl, Black Diamond

PUBLIC HEARING - None
STUDY/WORK SESSION -

- 3) Zoning and Future Land Use Map (FLUM) Study Session** – Director Davis introduced Nicole Stickney from AHBL who gave a high-level review of both the Zoning and Future Land Use Maps (FLUM).

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

UNFINISHED BUSINESS –

- 4) Open House Recap** – Ms. Stickney continued her recap reviewing the following items from the Open House:

- Summary
- What We Heard
 - FLUM and Zoning Map
 - Miscellaneous
 - Board Comment
 - Comment Card

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

- 5) Middle Housing Policies Memo** – Ms. Stickney went over the highlights of the following items:

- Background
- Comprehensive Plan Periodic Update – Status
- Analysis
 - Part One: Comprehensive Plan Policies
 - Part Two: Review of South King County Affordable Housing Preservation Strategies
 - Part Three: Review of Commerce’s Middle Housing Model Ordinance User Guide
 - Part Four: Review the City’s Housing Action Plan

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

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT -

Director Davis reported on the following items:

- The workplan that was given out a couple of months ago is being revised and should be ready for the next meeting. She recapped what has been done up to this date and listed the items that still needing to be completed.
- 8/8 Joint Council study session
- Sign Code will be discussed at the next meeting. A Public Hearing will be scheduled in the near future, anticipating August.
- Up to date documents are available on the website for complete transparency.
- Planning Commission to do the work on the elements of the Comprehensive Plan and then give a recommendation to City Council for review and approval.
- The last element of the Comprehensive Plan for the Planning Commission to work on is the Transportation element.
- The deadline for adoption of the Comprehensive Plan is at the end of the year. There are more Public Hearings to be scheduled to receive input from the citizens.
- Items that still need to be dialed down this year are marijuana regulations, BESS, and minor code amendments (childcare facilities).
- AHBL has created a matrix for all the public comments.
- Two new developments on Roberts Dr. are scheduled to come in the near future.
- A grant has been received to improve Ginder Creek. The PROS Plan which was adopted in 2022 will guide the decisions made for improvements.
- Community Development is operating on reduced staffing right now. There is a vacancy for a Senior Planner as well as a Permit Tech.

PUBLIC COMMENTS –

Mario Sorci, Black Diamond
Kristen Bryant, Bellevue
Gary Kohl, Black Diamond
Geoff Bowie, Black Diamond

ADJOURNMENT -

Commissioner Syversen moved to adjourn, **second** Commissioner McCain **Vote**, motion **passed** 7 - 0. Meeting adjourned at 8:00 p.m.

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

ATTEST:

Carol Morgan, Chairperson

Carina Thornquist, Planning
Commission Secretary



CITY OF BLACK DIAMOND
PLANNING COMMISSION SPECIAL MEETING MINUTES
JUNE 25, 2024, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chair Morgan called the meeting to order at 6:01 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Steve Jensen
Commissioner Knut Syversen
Commissioner Darcey Peterson
Commissioner John Olson via Zoom
Chair/Commissioner Carol Morgan

Excused: Commissioner Pam McCain

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

APPROVAL OF MINUTES: None

PUBLIC COMMENT - None

PUBLIC HEARING - None

STUDY/WORK SESSION – None

Chair Morgan stated that she had been asked by a citizen what happens to public comments that are submitted. She asked Director Davis if she could elaborate how both written and verbal public comments are handled. Director Davis reported that Mr. Love has been compiling a matrix which will be brought to the July 9th meeting.

UNFINISHED BUSINESS –

1) **Continued Review of Draft Sign Code** – Director Davis introduced Andrew Love with AHBL who proceeded to review the highlights below of the sign code:

- Type 4 signs
- Maximum sign area for wall and awning signs
 - Making a change to reduce the number of options (10% and 15%)

- New discussion topics
 - Window signage
 - Food truck signage
- Next steps

Extensive back and forth discussion between the Commissioners, Director Davis, and Mr. Love took place.

NEW BUSINESS - None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT - None

PUBLIC COMMENTS – None

ADJOURNMENT -

Commissioner Jensen moved to adjourn, **second** Commissioner Peterson **Vote**, motion **passed 6** - 0. Meeting adjourned at 7:18 p.m.

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

ATTEST:

Carol Morgan, Chairperson

Carina Thornquist, Planning
Commission Secretary

PROJECT MEMO



TO: Mona Davis
FROM: Nicole Stickney, AICP
Tacoma - (253) 383-2422

DATE: July 2, 2024
PROJECT NO.: 2220914.30
PROJECT NAME: Black Diamond 2024 Comprehensive Plan Update

SUBJECT: Task 3.1 – Proposed New Land Uses and Zones

As part of our Task 3.1 work deliverables, we have prepared this memorandum to accompany the initial drafts of the proposed Future Land Use Map (FLUM) and the proposed Zoning Map. Andrew will ensure this summary is added to the City's Comprehensive Plan project webpage.

Background

During the April 30, 2024 Open House event, one of the main objectives was to share initial, proposed drafts of the FLUM and Zoning Map. We have also displayed this information online in a format that allows viewers to slide between “before” and “after” maps for an easy comparison at <https://engage.ahbl.com/BD2024/BD-map-comparison>

Figure 1 below displays what the comparison looks like when first viewing, and then one can slide the vertical bar left and right to reveal the unofficial existing maps and the unofficial proposed maps. These were also shared with the parties of record through email.

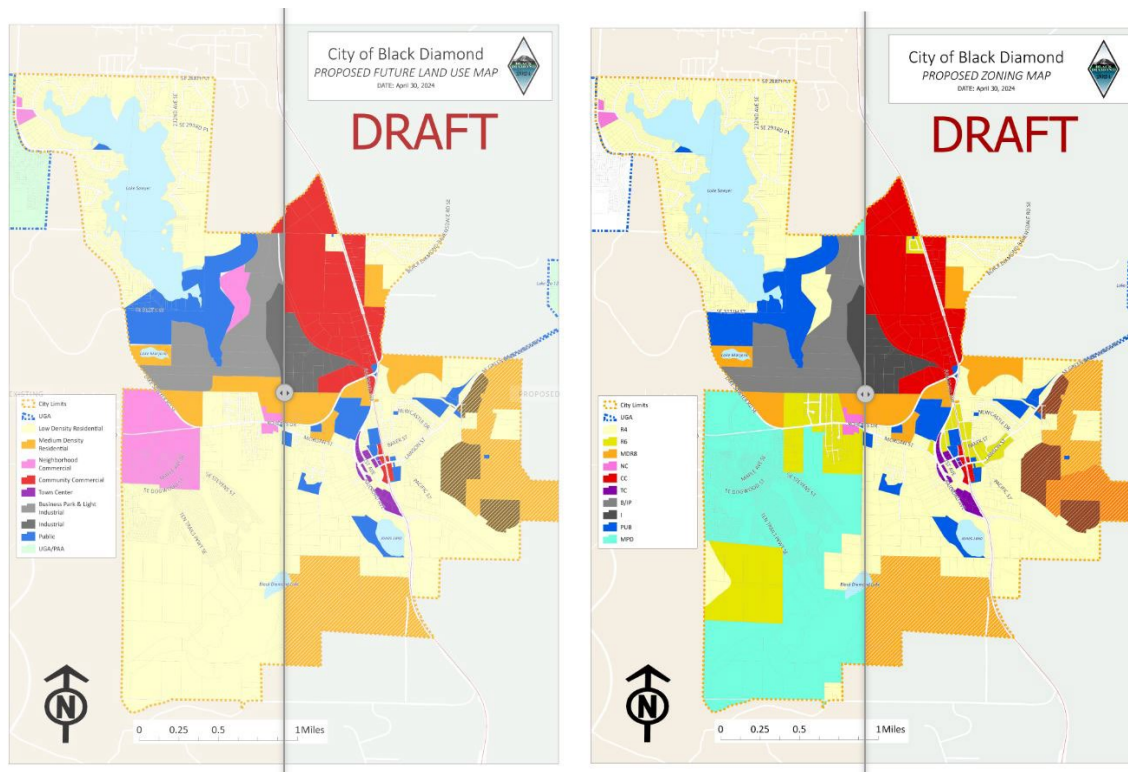


Figure 1. Map Comparisons



The proposed updates include additional future land uses and zones to accommodate the approved Ten Trails¹ and Lawson Hills master planned developments (MPDs), correcting previous scrivener's errors, and reconciling areas with disjointed future land uses and zones.

Discussion

The City is positioned to far exceed 2044 growth targets set out by the King County Growth Management Planning Council (GMPC) and the Puget Sound Regional Council (PSRC). This is an unusual situation which has been documented by the City² through Res. 21-1407.

As discussed in the initial draft Housing Element, the GMPC's 2044 target for the City is **4,742** total housing units (comprised of a baseline supply of 1,842 units plus 2,900 additional units)³, and the PSRC forecasted households which would equate to **4,567** total housing units. However, these growth targets do not account for the vested Ten Trails and Lawson Hills master planned developments (MPDs). At full build-out, the two approved MDPs are expected to result in the construction of **6,050** housing units in the MPDs alone, far exceeding both targets.

PSRC has directed the City to avoid actions which could further perpetuate exceeding these targets, beyond which is already legally entitled for development via the vesting process. For this reason, it is important to provide zoning designations that can accommodate the Ten Trails and Lawson Hill MPDs for build-out (because the City is bound to the prior agreements) but in a way that would not entitle the developer (or successive landowner) to additional density outside of what was agreed upon in the development agreements following expiration of the agreements and/or vested development approvals.

There are already 1,838 dwelling units⁴ that have been constructed or formally entitled as a part of implementing the development agreements of the MPDs. The proposed future land use designations and zones have been crafted to ensure that constructed areas of the MPD do not become nonconforming with the zoning regulations that will apply once the existing development agreements have expired.

To that end, it is apparent that the residents of the MPDs and other areas of the City would benefit by introducing new land use classifications and zoning districts to accommodate the medium- and high-density development that has occurred and also to accommodate future development in the MPD areas where projects will be vested to the development standards and densities approved by the MPD. This approach achieves many things, including protecting the significant infrastructure investments already made to accommodate approved development intensities and ensures the growing number of dwelling units in the MPDs are conforming to code.

¹ References to "Ten Trails" within this plat application can be used interchangeably with "The Villages." The applicant has re-branded The Villages Master Planned Development as "Ten Trails," however the approved Master Planned Development Permit for The Villages (PLN09-0017) has not been amended to officially refer to the Master Planned Development as "Ten Trails."

² Available online at: https://www.blackdiamondwa.gov/sites/g/files/vyhlif10496/f/pages/res_no_21-1407.pdf

³ In the recent weeks it has come to our attention that King County has identified that there *may* be a "reconciliation" process for growth targets that would occur after Periodic Updates are due; we recommend this opportunity be closely monitored.

⁴ This dwelling unit count is accurate as of May 13, 2024 per MDRT



For those portions of the MPDs, which would be the location of the remaining 4,212 dwelling units not yet constructed or entitled, we are proposing the introduction of limited zones (marked with the “-L” suffix).

1. Limited zones would not differ in development standards or uses from the corresponding zones, except that the total number of dwelling units within these areas cannot exceed what was allowed in the development agreements. This is to ensure that creative site planning would not result in additional dwelling units beyond the limits of the approved development agreements and is consistent with the City's prior commitments made under Res. 21-1407.
2. Limited zones would be used to designate the maximum number of dwelling units allowed under the development agreements based on the land capacity analysis of the remaining property. However, the limited zones would require the application of transferred development rights (TDRs) in order to achieve the densities allowed under the MPD development agreements.
3. The limited zones can be thought of as a “limited overlay zone,” where the permitted residential uses and densities are tied to the anticipated residential densities established in the Ten Trails and Lawson Hills development agreements and the overall cap on dwelling units described therein.

Proposed New FLUM Classifications / Zones

The unofficial, initial draft FLUM includes the following proposed future land uses:

Table 1. Proposed Future Land Uses

Proposed Future Land Use	Abbreviation
Medium Density Residential – Limited	MDR-L
High Density Residential	HDR
High Density Residential – Limited	HDR-L

The unofficial, initial draft Zoning Map includes the following proposed zones:

Table 2. Proposed Zoning Districts

Proposed Zone	Abbreviation
Medium Density Residential – Limited (8 dwelling units per acre (du/ac))	MDR8-L
Medium Density Residential (12 du/ac)	MDR12
Medium Density Residential – Limited (12 du/ac)	MDR12-L
High Density Residential (18 du/ac)	HDR18
High Density Residential – Limited (18 du/ac)	HDR18-L
High Density Residential (30 du/ac)	HDR30
High Density Residential – Limited (30 du/ac)	HDR30-L



Other Proposed Changes to Maps

Additional proposed changes to the FLUM and/or Zoning Map are meant to:

- Where necessary, reconcile the various proposed amendments to the Comprehensive Plan that the City received in the years 2020, 2021, 2022, and 2023. These potential changes were analyzed in the past and also discussed in the Land Use Workshop in August 2023.
- Correct scrivener's errors, for example in 2019 a large swath of residential area southwest of Lake Sawyer was erroneously given a future land use of public and we have proposed reverting to the proper future land use (low density residential/LDR).

Related Documents

Accompanying this memorandum is a summary of the April 30, 2024 Open House event, where the initial draft FLUM and Zoning Maps were introduced in a public setting. The Open House summary is already on the website and has been presented in front of the Planning Commission. Some of the other workshop summaries may be of interest to the public, in particular, the summary of the August 2023 Land Use Strategies Workshop. The Land Use Workshop summary is currently available under "Meeting and Presentation Materials" on the City's Comprehensive Plan webpage.

NS/al

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

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Black Diamond Comprehensive Plan Update
Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
1	11/29/2023	Commissioner Peterson	PC	LU	Page 5-4	Initial Draft	The Map. I understand that work is still being done on all the maps, but regardless, this map itself is confusing. What are we trying to show? Can whatever it is, be highlighted in some way? Can some of the “noise” be removed from the map?	Thank you for your comment. This map is meant to show all of the historic mines around the Black Diamond area. We will add a caption to provide more context; however, we cannot edit it because it is a historical image.
2	11/29/2023	Commissioner Peterson	PC	LU	Page 5-5	Initial Draft	The sentence... “A large part of land in the City currently either undeveloped or underdeveloped (not developed...” This is an odd sentence to read. Is it missing an ending to the sentence? Or maybe just an “is” after City.	Yes, thank you. We have fixed the sentence and checked for other errors.
3	11/29/2023	Commissioner Peterson	PC	LU	Page 5-6	Initial Draft	The sentence ... “All told, new agencies report the Oakpointe....” What or who are the new agencies? I am confused by the term, but I may be missing something.	We believe this should have read "All told, sources indicate that..." We have since removed this reference, because with annual inflation it is hard to know how much the master developer will end up investing into the city's improvements.
4	11/29/2023	Commissioner Peterson	PC	LU	Page 5-13	Initial Draft	The Map. The municipal water source land is shown on the map but is not labeled. Also, can this map show the 467 acres that were annexed in 1996 and the 50 acres of “In-City Forest”? Maybe that was on purpose, its just nice to have a visual with the text on this page.	Thank you for your comment. You offer some great suggestions. We will incorporate a revised or different map that is clearer.
5	11/29/2023	Commissioner Peterson	PC	LU	Page 5-14	Initial Draft	The sentence... “The central tenant in transferring development rights is to establish the great public benefit by....” The word “great” is odd here. We don’t qualify any of the other goals or plans as great or not great. Maybe it was to say the “greater.” I think the fact that we call it a public benefit states clearly that it is a good goal.	Thank you for your comment. Yes, it was supposed to be greater. We have fixed this error and checked for other errors.
6	11/29/2023	Commissioner Peterson	PC	LU	Page 5-16	Initial Draft	The sentence... “Review of Multifamily and Commercial development proposals should include design review.” Is this a “should” or a must? Is it a requirement that new development has to have a design review?	Thank you for your comment. As of the writing of this response, commercial and multifamily projects are required to meet design guidelines. We may need to adjust this policy. In the future, reviews of multifamily housing cannot be more restrictive than for single-family housing.

Black Diamond Comprehensive Plan Update

Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
7	11/29/2023	Commissioner Peterson	PC	LU	Page 5-16	Initial Draft	The term “middle housing” do we define this anywhere? My understanding is that it is not different from the duplexes, triplexes, fourplexes, and townhomes described in the paragraph above. (Except that it goes all the way to sixplexes in HB 1110.)	Black Diamond is a "tier 3" city and only has to accommodate a certain amount of middle housing options. We added a definition for "middle housing."
8	11/29/2023	Commissioner Peterson	PC	LU	Page 5-18	Initial Draft	The sentence... “New infill development will identify... identify.” I think the last word in the sentence is identity.	Yes, thank you. We fixed the sentence and checked for other errors.
9	11/29/2023	Commissioner Peterson	PC	LU	Pages 5-19 & 5-20	Initial Draft	The term “Less intensive areas” this term is used twice, but I find it a bit confusing. Does this mean the same thing as less “dense” areas?	Thank you for pointing this out. In this case, it wasn't necessarily tied to density, but ideally industrial zones would not be adjacent to any residential development and Community Commercial would not be adjacent to low density residential. We edited these sentences to make it clearer.
10	11/29/2023	Commissioner Peterson	PC	LU	Page 5-26	Initial Draft	The term “Urban Reserve” – Is this an actual land use category? Do we define this somewhere? I don’t see it anywhere in section 5.5.	Thank you for your comment. This was a term previously used in the 2019 plan to refer to the Planned Annexation Areas. Since the other policies under goal 6 address the same things, we have removed this redundant policy.
11	11/29/2023	Commissioner Peterson	PC	LU	NA	Initial Draft	In general, the goals are really good. I do like the idea that one of the Planning Commissioners brought up at the last meeting regarding the WUI interface. I know the EPA has defensible space standards that can help mitigate wildfire risk. Considering that Black Diamond is in the middle of a lot of green space, maybe we need to consider incorporating some of those.	Thank you for your comment. We added policy LU2-5 and a section dedicated to the Wildlife Urban Interface. We do want to be careful not to jump to adopting any blanket policies before understanding implications. For example, the tree retention and landscaping chapters may need significant revisions which are outside the scope of this comprehensive plan update.
12	12/22/2023	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.1	Initial Draft	Locate new police facilities (and equipment within a 5-minute response time from new facilities) <u>that will correct current deficiencies and serve future growth and our community.</u>	Thank you for your comment. We have updated this policy with a minor change in language that points out "existing community" and "future growth" for clarity.
13	12/22/2023	Chief Jamey Kiblinger	Police	CFU	Police Protection	Initial Draft	Change second paragraph to, "The police department currently is staffed with 13 commissioned police officers, one records manager, and one police clerk. Core services include responding to calls for service, proactive patrol, traffic enforcement, marine services, records, evidence, crime prevention, narcotics, and criminal investigation."	Thank you for your comment. We have updated this language with your revision.

Black Diamond Comprehensive Plan Update
Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
14	12/22/2023	Chief Jamey Kiblinger	Police	CFU	Police Protection	Initial Draft	Change third paragraph to, "The police department responds to calls 24 hours per day, seven days per week, through requests for service via contracted dispatch with Valley Communications. The police fleet consists of 15 patrol cars, one administrative vehicle (Currently lent to the city for use), one marine boat, and one marine Zodiac-style inflatable."	Thank you for your comment. We have updated this language with your revision.
15	12/22/2023	Chief Jamey Kiblinger	Police	CFU	Police Protection	Initial Draft	For the table of key projects, the boat replacement and radio replacement can be taken off since we received both last year. In replacement, a "Secured facility," "Car Replacement," and "Hiring to meet LOS" can be put in.	Thank you for your comment. We have removed both items and added secured facility and car replacement.
16	12/26/2023	Chief Dawn Judkins	Fire	CFU	NA	Initial Draft	There is some wording in some of the paragraphs that seems like it needs some adjusting but I'm not sure of the source. Is the Ad Hoc Committee referring to the City's and Mountain View's Ad Hoc Committee?	Thank you for your comment. We are not aware of any Ad Hoc Committee and have removed this paragraph from the draft.
17	12/26/2023	Chief Dawn Judkins	Fire	CFU	NA	Initial Draft	<i>Multiple requested text revisions in track changes.</i>	Thank you for your comments. We have incorporated all suggested changes.
18	12/26/2023	Chief Dawn Judkins	Fire	CFU	NA	Initial Draft	I think there is some updates that can be made pertaining to response times. And I'd like to see the source of the data used. I can see if we have a copy of the Ad Hoc Committee binder from Chief Smith. You can present it and I'll look for the info later this week. When is the City Council review of the plan? And yes, we have 6 volunteers left. I heard one just got hired though, so it may be only 5 soon.	Thank you for your comment. We removed any erroneous data and fixed the number of volunteers.
19	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.2	Initial Draft	((Develop service level indicators to determine sustainable levels of police-staffing)) <u>Continually monitor performance objectives as it relates to staffing needs and projections.</u>	Thank you for your comment. We have updated this policy with your revision.
20	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.3	Initial Draft	Strive to ((provide a minimum of 1.7)) <u>achieve a range of 2</u> officers per 1,000 population-based economies of scale and service level indicators.	Thank you for your comment. We have updated this policy to 2 officers per 1,000 but did not include "a range of."
21	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.4	Initial Draft	We are not currently included in this goal: <i>Develop and maintain standard procedures for street numbering and naming conventions to minimize emergency response times.</i>	Thank you for your comment. This policy has been removed due to the current process. Community Development is responsible for assigning addresses according to King County standards.

Black Diamond Comprehensive Plan Update Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
22	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.5	Initial Draft	We are not currently included in this goal: <i>Apply CPTED (Crime Prevention Through Environmental Design) principles during the development review process to promote public safety.</i>	Thank you for your comment. We will share your comments with Community Development. The goal is to implement policies like this within the next 20 years.
23	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.6	Initial Draft	Continue to participate in Community Oriented Policing ((Services (COPS))) principles to support community partnerships and develop localized problem-solving techniques.	Thank you for your comment. We have updated this policy with your revision.
24	1/2/2024	Chief Jamey Kiblinger	Police	CFU	Policy CFU-6.7	Initial Draft	Continue to provide regular boat patrols of Lake Sawyer and surrounding shoreline, investigate water related accidents, <u>respond to complaints, enforce boating regulations</u> , provide emergency medical aid, and educate the public about safe boating practices.	Thank you for your comment. We have updated this policy with your revision.
25	2/20/2024	Scott Hanis	Director	CFU	Water Page 8-6	Initial Draft	We're updating the CIP as part of our Water Comp Plan. We'll probably have that draft finalized in the next month or so.	Thank you for your comment. We checked back in early May 2024 with you and we understand that is still forthcoming and so we will continue to monitor for that.
26	2/20/2024	Scott Hanis	Director	CFU	Stormwater Page 8-6	Initial Draft	We update our SWMP Plan annually. It's attached.	I changed "in 2023" to "annually."
27	2/20/2024	Scott Hanis	Director	CFU	Stormwater Page 8-7 – First paragraph	Initial Draft	We don't have a decant facility. We don't have a Stormwater Operations and Maintenance Manual. We do have a document called Maintenance Standards for Drainage Facilities and we've adopted the Ecology Stormwater Manual.	We changed the name of Black Diamond's document on page 8-7 and removed the reference to a street sweeping decant facility that appeared in an early draft.
28	2/20/2024	Scott Hanis	Director	CFU	Sewer Page 8-8	Initial Draft	– Our updated Sewer Plan is close to adoption. We'll have a CIP I can send your way for that as well.	We replaced 2012 with 2024; however, we are still waiting for adoption as of May 15, 2024.
29	2/20/2024	Scott Hanis	Director	CFU	Police Page 8-10	Initial Draft	The boat replacement has already occurred.	Thank you. This has been updated.
30	2/20/2024	Scott Hanis	Director	CFU	Telecommunications Page 8-15	Initial Draft	We also have Wave/Astound broadband.	We have incorporated Astound/Wave.
31	2/20/2024	Scott Hanis	Director	CFU	Solid Waste Page 8-15	Initial Draft	We don't have a contract for garbage, recycling, etc. This may impact the second policy of section 8.7 on page 8-26 as well.	We edited the language to not refer to a contract.
32	3/1/2024	Commissioner McCain	PC	CFU	NA	Initial Draft	A Good deal of material has been merged in 8.3 than before. I believe this is a good idea to reduce redundancy...	Thank you for your comment.

Black Diamond Comprehensive Plan Update

Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
33	3/1/2024	Commissioner McCain	PC	CFU	Policy CFU-4.2	Initial Draft	[This policy] talks about requiring failing septic systems connect to sanitary sewer located within 300 feet. The King County Health Department requirement is 200 feet. I believe with the natural water systems in Black Diamond consisting of creeks, streams and natural lakes, the 200 foot requirement is appropriate.	The Black Diamond policy is consistent with that of the Soos Creek District. There are multiple sewer districts serving Black Diamond.
34	3/1/2024	Commissioner McCain	PC	CFU	NA	Initial Draft	With the housing shortage in King County being critical, looking to serve new areas with sanitary sewer is a great idea.	Thank you - we will share your comment with Public Works.
35	3/1/2024	Commissioner McCain	PC	CFU	Page 8-25	Initial Draft	Require school district mitigation fees be set by the districts only.	The school impact fees are set by the school district, but it is ultimately up to City Council to adopt this amount. This is typically done on an annual basis.
36	3/1/2024	Commissioner McCain	PC	CFU	Page 8-26	Initial Draft	I believe if we pass the marijuana ordinances, we must be able to act swiftly to mitigate the additional police needs.	Thank you for your comment. As of spring 2024, the Police Department is fully staffed, but the Police could adjust their level-of-service standards in the future if needed.
37	3/1/2024	Commissioner McCain	PC	CFU	Page 8-28	Initial Draft	We need to be open minded to merge with a regional fire district when offered.	Thank you for your comment. We hope you participate in the public process if that is ever proposed.
38	3/1/2024	Commissioner McCain	PC	LU	Policy LU3-4	Initial Draft	Please give examples of kinds of "incentives" for infill development.	There is information available on this topic from the Municipal Research and Services Center of Washington (MRSC) webpage at https://mrsc.org/explore-topics/planning/zoning/infill-development Perhaps the City Planning Commission or City Council can study and consider these examples when implementing the Comprehensive Plan.
39	3/1/2024	Commissioner McCain	PC	LU	Policy LU4-4	Initial Draft	Who will determine "historically significant" significant buildings and sites? The National Registry already does this. I do think a Black Diamond arbitrary board would be problematic.	The City currently tracks structures/properties that are a Black Diamond Landmark (through King County), on the State Register, and/or on the National Register.
40	3/1/2024	Commissioner McCain	PC	LU	Page 5-25	Initial Draft	We could reference the PSRC here identifying that we are a small piece of a regional plan.	Thank you for your comment. We do reference PSRC and VISION2050 under LU Goal 12.

Black Diamond Comprehensive Plan Update
Comment Response Matrix (Internal Comments)

Updated July 1, 2024

#	Date Received	Name	Dept	Element	Section	Version	Comment	Response
41	3/1/2024	Commissioner McCain	PC	LU	Page 5-27	Initial Draft	What and when with penalties for NON-COMPLIANCE please. WE should have some say in this issue even though mines operate under a Federal permit.	The State of Washington Dept. of Natural Resources website at https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals/surface-mining-and-reclamation contains useful information about the Surface Mine Reclamation Program (SMRP) which was created in 1971 after the legislature created the Surface Mining Act. The SMRP makes sure that all lands and waters within the state are protected and reclaimed after mining is complete. It also provides consistent regulation of both permitted and unpermitted surface mines statewide. The SMRP monitors surface mines and issue reclamation permits. Monitoring for compliance is usually performed by on-site inspection. Aerial photography is frequently used as well to document mining activity.
42	3/1/2024	Commissioner McCain	PC	LU	Page 5-28	Initial Draft	Why is "foster" a better word? I believe we do enough to encourage public participation.....	This one is just some minor wordsmithing to avoid repeated words.
43	3/1/2024	Commissioner McCain	PC	LU	NA	Initial Draft	Wow, lot's of re-write here but making the document better. I liked the pictures in the history portion.	Thank you for your comment. We intend to keep the historic pictures in the final draft.
44	3/1/2024	Commissioner McCain	PC	NA	NA	Initial Draft	We should look for a consistent page identifying system.	Thank you for your comment. The final draft will compile all elements, and it will have a standard numbering system (e.g., 1, 2, 3).
45	3/1/2024	Commissioner McCain	PC	NE	Page NE-1	Initial Draft	I like the fact that this new draft includes a reference to the Shoreline Management Plan	Thank you for your comment. We will make sure to keep this section for the final draft.
46	3/1/2024	Commissioner McCain	PC	NE	Page NE-6	Initial Draft	I would like to make sure policy does NOT eliminate fossil fuels and natural gas from being considered an "energy efficient" part of the building system.	Thank you for your comment. The policies do not specifically target fossil fuels/natural gas.

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47	3/1/2024	Commissioner McCain	PC	NE	Policy NE-34	Initial Draft	I understand burning wood can contribute to air quality issues in some areas. There are some people dependent on wood burning as their major source of heat (and a lot of these people are seniors and low-income) and current wood stoves are built with catalytic systems that process a portion of the discharged smoke....we need to offer them subsidies if we are entering into a policy to "limit or eliminate" wood burning as their major source of heat.	Thank you for your comment. The policy as stated uses the word "discourage" to allow for flexibility. We are not proposing any legislation which would eliminate existing wood-burning stoves or fireplaces.
48	3/1/2024	Commissioner McCain	PC	NE	Page NE-7	Initial Draft	I wouldn't mind limited "regulatory support" to electric vehicle charging stations. New science has introduced difficulties with electric vehicle popularity.	Thank you for your comment; however, since the City currently lacks options for EV charging we propose keeping this policy.
49	3/1/2024	Commissioner McCain	PC	NE	Policy NE-38	Initial Draft	The City currently has unpaved streets in the City limits and certainly these "gravel roads" have no stormwater containment at all. I think the City needs to add stormwater systems to all public roads in Morganville and the base of Lawson where surface water is a huge problem. We have some serious catching up to do!	Thank you for your comment. Stormwater is addressed thorough LIDs of individual lots and when frontage improvements are required per development standards.
50	3/1/2024	Commissioner McCain	PC	PROS	Policy 3.1.d	Initial Draft	How will we pay for the ADA transition plans at existing parks?	Thank you for your comment. This is a valid concern but does not appear to be in the current CIP, so this is more aspirational and the city does not have any funding lined up. We will share your comment with Public Works. The PROS Element effectively adopts the same goals, objectives, and strategies of the PROS Plan. This change fulfills previous docket items #2021-05 and #2022-19, which was to update the PROS Element of the Comprehensive Plan to incorporate relevant components of the PROS Plan, as suggested by city staff and recommended by the Planning Commission.

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51	3/1/2024	Commissioner McCain	PC	PROS	Policy 3.2.a	Initial Draft	How will we acquire unmaintained HOA assn parks? How will we acquire and work within the liability insurances HOA's should have for the benefit of homeowner's who use them. Will citizen's have any permission to use forthcoming the City's maintenance?	Thank you for your comment. The PROS Element effectively adopts the same goals, objectives, and strategies of the PROS Plan. This change fulfills previous docket items #2021-05 and #2022-19, which was to update the PROS Element of the Comprehensive Plan to incorporate relevant components of the PROS Plan, as suggested by city staff and recommended by the Planning Commission. Currently, the HOA parks are not restricted to HOA members.
52	3/1/2024	Commissioner McCain	PC	PROS	Policy 5.1.a	Initial Draft	Who will create and maintain the Parks and Rec webpage?	Thank you for your comment. This is a policy carried over from the PROS Plan per previous docket items #2021-05 and #2022-19. Currently it is maintained by the Public Works Department.
53	3/8/2024	Vice Chair Olson	PC	PROS	Page PR-1	Initial Draft	Land Area Percentage: The 2019 plan mentions that parks, recreation, trails, and open space comprise about 5% of the total city land area, while the 2023 update mentions approximately 4%. This slight discrepancy could indicate changes in land use or corrections in data calculations. This is a little perplexing. I would think this number would be higher if we counted the PROS/trails in Ten Trails. Does this number only reflect public parks and not those owned and operated by the HOA? Andy...doesn't it seem appropriate to include the open space and trails in the MPDs in this number even though they're not owned and maintained by the city? They're still part of the city.	Thank you for your comment. We used the 176 acre figure from the 2021 PROS Plan, which is roughly 4%. Page 4 of PROS Plan: <i>Additional parklands are available to the public within city limits and are maintained by various homeowners associations, such as Ten Trails or Lawson Hills. Additional park and recreation opportunities that are not maintained by the City are described in Chapter 6: A System Assessment.</i> Page 9 of PROS Plan: <i>The City requires residential developers to meet a minimum ratio of homes to parks, activities, and open spaces. Development agreements increase access to private parks for homeowners' association members but are not designated as public parks. Subdivisions have parks that are privately operated with funding by the homeowner's association. City staff support maintaining development agreements.</i>

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54	3/8/2024	Vice Chair Olson	PC	PROS	Page PR-1	Initial Draft	Can you address the discrepancy in the reported percentages of city land area dedicated to parks, recreation, trails, and open space (4% vs. 5%). Ensure the data is accurate and reflects the current status of land use to provide a clear understanding of the city's commitment to open spaces. [See also comment #54].	Thank you for your comment. We used the 176 acre figure from the 2021 PROS Plan, which is roughly 4%. Page 4 of PROS Plan: <i>Additional parklands are available to the public within city limits and are maintained by various homeowners associations, such as Ten Trails or Lawson Hills. Additional park and recreation opportunities that are not maintained by the City are described in Chapter 6: A System Assessment.</i> Page 79 of PROS Plan: <i>The City requires residential developers to meet a minimum ratio of homes to parks, activities, and open spaces. Development agreements increase access to private parks for homeowners’ association members but are not designated as public parks. Subdivisions have parks that are privately operated with funding by the homeowner’s association. City staff support maintaining development agreements.</i>
55	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	Financing and Funding Strategies: The 2023 draft offers a more detailed discussion on financing, including specific strategies for funding parks and recreation projects, such as utilizing park impact fees, grants, and public-private partnerships. It reflects a more comprehensive approach to securing and maximizing financial resources for parks and recreational needs. I think we need to look into park impact fees. We have enough new builds being proposed outside the MPDs that this is making more sense.	Thank you for your comment. The draft element does talk about park impact fees in on pages 3-4 and 3-5 in addition to policy 1.1.e. The PROS Plan also has information on park impact fees on page 78. It would be up to the Council to implement one. From PROS Plan: <i>Setting fee schedules for impact fees is a complex process typically involving rate studies. Generally, impact fees do not recover the full cost of a new facility since these fees must be directly and proportionately related to impacts associated with new development.</i>

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56	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	Financing and Funding Strategies: Given the importance of securing funding for the plan's initiatives, should we consider expanding the section on financing to include recent examples of successful funding applications, updates on available grants, or innovative funding mechanisms that have emerged since the last plan. This doesn't seem too appropriate for the comp plan in my opinion, but not sure. We certainly have received funding to make most of our park improvements (to the gym, the skatepark, Ginder Creek design, museum park).	Thank you for your comment. While outlining finance mechanisms is certainly important, we want to make sure the Comprehensive Plan does not limit the city to certain measures. Grants and funding opportunities can change, so it is important to keep funding opportunities more broad. The PROS Plan does go into more detail about funding, particularly Chapter 8.
57	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	Incorporate Technology and Innovation: Consider how technology and innovation can enhance parks, recreation, trails, and open spaces. This might include smart park initiatives, digital wayfinding systems, or interactive educational installations that engage the community with the natural environment in new ways. I see this as a funding issue right now and the city doesn't have the money to implement this right now. Other than social media or website updates, I'm not sure how we'd apply this quite yet.	Thank you for your comment. We do not see parks-related technology (like interactive trail counters or digital wayfinding) as being feasible within the next 20 years, as the parks budget is extremely low and staff capacity is focused on maintenance of existing parks and obtaining funds for projects already established in the PROS Plan and CIP. Further, the PROS Element effectively adopts the same goals, objectives, and strategies of the PROS Plan. This change fulfills previous docket items #2021-05 and #2022-19, which was to update the PROS Element of the Comprehensive Plan to incorporate relevant components of the PROS Plan, as suggested by city staff and recommended by the Planning Commission. This could be addressed in a future update or amendment.

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58	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	Strengthen Community Engagement and Feedback Mechanisms: Although the draft outlines goals for public involvement, further elaboration on how the city plans to engage diverse community groups, collect feedback, and adapt plans based on resident input could enhance the document. Detailing specific engagement strategies, such as digital platforms or community workshops, would be valuable. Thinking on this...maybe specific community engagement themes at Town Hall meetings with City Council? Of course, we have the participation at city events during the summer where we could focus on community outreach.	Thank you for your comment. The PROS Element effectively adopts the same goals, objectives, and strategies of the PROS Plan. This change fulfills previous docket items #2021-05 and #2022-19, which was to update the PROS Element of the Comprehensive Plan to incorporate relevant components of the PROS Plan, as suggested by city staff and recommended by the Planning Commission. Additional information on public engagement for parks specifically is addressed in the PROS Plan. The Comprehensive Plan will address this in the Introduction and Public Engagement Appendix.
59	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	Linkages to Broader City Goals: Strengthen the connections between the parks, recreation, trails, and open space element and broader city goals, such as economic development, transportation, and housing. Demonstrating how these elements interconnect can provide a more holistic approach to city planning. Some examples could be: [see bulleted comments]	Thank you for your comment. The Introduction will talk about the relationship between elements.
60	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Highlight how parks and recreational facilities can contribute to local economic development through tourism, hosting events, and attracting businesses that value quality of life for their employees.	Thank you for your comment. We will add some additional information in the PROS Element on these topics.
61	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Discuss strategies for leveraging parks and recreation areas to support local businesses (e.g., pop-up markets in parks, partnerships for event sponsorships).	The PROS Element effectively adopts the same goals, objectives, and strategies of the PROS Plan. This change fulfills previous docket items #2021-05 and #2022-19, which was to update the PROS Element of the Comprehensive Plan to incorporate relevant components of the PROS Plan, as suggested by city staff and recommended by the Planning Commission. Instead, we will look to incorporate an additional policy in the Economic Development Element.

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62	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Detail how the development of trails and greenways can complement the city's transportation plan by providing safe, non-motorized travel options for residents, reducing traffic congestion, and promoting healthy lifestyles.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards.
63	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Include plans for integrating bike-share programs and electric vehicle (EV) charging stations at major parks to encourage sustainable transportation options. I think we're too small for the bike-share programs, but I know there are grants out there for EV charging stations. Scott...do we have any future plans to incorporate these into our parks (gym, skatepark, Lake Sawyer Regional)?	Please see Policy NE-8.4 (previously NE-36): <i>Provide regulatory support for electric transportation methods (i.e., electric vehicle charging stations).</i> We want to avoid redundant policies where possible. This may be further addressed in a future Climate Element, which is outside the scope of this update.
64	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Explain how access to quality parks and recreation areas can increase property values and enhance community appeal, encouraging responsible residential development.	Thank you for your comment. This is already addressed in the PROS Plan. The Introduction will talk about the relationship between elements.
65	3/8/2024	Vice Chair Olson	PC	PROS	NA	Initial Draft	· Propose guidelines or incentives for new housing developments to include green spaces, community gardens, or links to existing trail systems, fostering a sense of community and connection to nature.	Please see Chapter 18.72 and Section 17.15.020 BDMC.
66	3/11/2024	Vice Chair Olson	PC	NE	NA	Initial Draft	I don't have as many comments on this section. Overall, the evolution from the 2019 to the 2024 document seems to reflect a deepening and broadening of the city's commitment to environmental stewardship, incorporating more nuanced policies that consider social equity and leveraging new strategies for sustainable development. Further enhancement of these strategies, particularly through actionable metrics and community involvement, could strengthen the plan's effectiveness.	Thank you for your comment. We have included Policy NE-1.6 (previously NE-6) to address some of these concerns. The Introduction and Public Engagement Appendix will contain more information on how we engaged the public. Equity is addressed more in the Housing Element.
67	3/11/2024	Vice Chair Olson	PC	NE	NA	Initial Draft	Enhanced Public Engagement: Increased emphasis on engaging the public in environmental stewardship, perhaps through educational programs or participatory conservation projects, could foster a stronger community commitment to the plan's goals. (Black Diamond Museum? I recently saw that they do informational meetings, etc)	Thank you for your comment. Once the plan is complete, the city can work towards implementation, perhaps with a focus on priorities of City Council and Planning Commission. Some of these could include the policies listed under Goal NE-1.

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68	3/11/2024	Vice Chair Olson	PC	NE	NA	Initial Draft	Innovative Technologies and Practices: Encouraging the adoption of innovative environmental technologies and sustainable practices in development could be more explicitly stated, including green building standards, renewable energy incentives, and water-sensitive urban design.	Thank you for your comment. We attempted to address this with Policy NE-1.3 (previously NE-3) and Policy NE-1.8 (previously NE-8).
69	3/11/2024	Vice Chair Olson	PC	NE	NA	Initial Draft	Monitoring and Evaluation: Introducing a section on monitoring and evaluation mechanisms for assessing the effectiveness of the policies and goals outlined could provide accountability and allow for adjustments over time to ensure objectives are met.	Thank you for your comment. This is a great idea for implementing the plan as a whole, not just the Natural Environment Element. Additionally new state legislation was passed which now requires the city to submit an implementation progress report in five years (See RCW 36.70A.130(9)).

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1	3/30/2023	Kick Off	Anonymous	NA	CFU	NA	If upgrades are needed due to growth, the developers should be contracted to pay the bulk of the cost, and they should not be let off the hook by feckless city administrators. We already need a school, sports fields, and a new fire station that have yet to be built or even planned. There are developers eager to build more developments without promised facilities.	Comment noted. Thank you.
2	3/30/2023	Kick Off	Bernie O'Donnell	GP	CFU	NA	Public Utilities Infrastructure. We didn't have a station dedicated to this in the kickoff event. Just because we cannot see the infrastructure below ground doesn't mean it isn't essential. Our utilities should be a significant discussion item in upcoming comprehensive plan meetings, including a discussion on future needs for sewer, storm drain, water inter-ties, redundancies, existing deficiencies, and future expansions needed, including electrification and alternative energy, and smart technologies.	Thank you for your comment. These topics are addressed in the Comprehensive Plan, and we welcome any specific feedback on the city's systems.
3	3/30/2023	Kick Off	Bernie O'Donnell	GP	CFU	NA	City Services and Public Facilities: We are deficient in our ability to meet the growing needs of our City and lack adequate facilities for police, fire, municipal court, planning and development, and city administration. Our City services cannot meet the needs of a growing city of 10-20,000 when we occupy spaces from a time when we were a population of 3,000. We are better able to serve the public when our public employees have reasonable facilities to work within, and employee morale and retention will benefit all in the long run.	Thank you for your comment. We attempted to address this in our Capital Facilities and Utilities Element.
4	3/30/2023	Kick Off	Derek Meek	GP	CFU	NA	City buildings should have solar microgrids.	Thank you for your comment. The city monitors grant opportunities for programs to support ideas such as this one.
5	3/30/2023	Kick Off	Derek Meek	GP	CFU	NA	Large parking areas should have solar power shades.	Thank you for your comment. The city will be required to add a Climate Element in the years to come. We hope you share this comment when we are underway with that process.
6	3/30/2023	Kick Off	Derek Meek	GP	CFU	NA	Streetlights should be fully shielded and motion [detected] for dark skies.	Thank you for your comment. The comprehensive plan does not go into this level of detail, but we will relay this with Public Works. The city does have a lighting/dark skies ordinance, BDMC Chapter 18.70, but motion-detected streetlights are not required at this time.
7	3/30/2023	Kick Off	Geoff Bowie	GP	CFU	NA	Recent new development along Highway 169 has not paid for their water system/pipe costs. These lax standards and free water system “discounts” attract construction to SR169 that was not accounted for in the current 2019 Comp Plan.	Comment noted. Thank you.

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8	3/30/2023	Kick Off	Geoff Bowie	GP	CFU	NA	Early in the Comprehensive Plan process Sanitary Sewer maximum capacity needs to be established by K.C. Metro. The City should not continue to allow temporary flawed work arounds just to gain Sanitary Sewer System capacity to the detriment of the [City's] Sewer System rate payers/customers. Figure out how much it will cost and what risks (earthquakes, other failures) to expand the sewer system to serve all those areas. Provide several alternatives showing what the differences will be with land use scenarios that generate less or more need for sewer. This planning step is our responsibility. Just because KC Metro will provide sewer capacity if there is funding for it, does not mean we don't need to understand the volume and cost, and coordinate with neighbors. The Comprehensive Plan is the time to do that. A comprehensive Sanitary Sewer Plan needs to be completed for the benefit of the entire City. The update to our Water System Comprehensive Plan that benefits the City and [its] customers/rate payers needs to be completed. We cannot keep sending more storm water down our creeks to the detriment of Lake Sawyer. The existing [deficiencies] in the privately owned Lake Sawyer fish ladder needs to be corrected to provide for more habitat in our waters. Mud Lake Creek and Ginder Creek co-mingling with Roberts Drive roadside storm drainage was and is poor planning.	Comment noted. We attempted to address this in our Capital Facilities and Utilities Element.
9	3/30/2023	Kick Off	Geoff Bowie	GP	CFU	NA	The City Council needs to revisit school district impact fees with E.S.D. No. 216, the voters of the school district are not going to support the construction of multiple new schools in the City of Black Diamond just so developers can leave town with more cash. What happened to the Rural By Design vision of the City of Black Diamond.	Comment noted. Thank you.
10	3/30/2023	Kick Off	Pamela Burridge	GP	CFU	NA	We need improved infrastructure in “Old Black Diamond.”	Every two years, the city adopts a Capital Improvement Plan following a public hearing. We encourage you to come speak on behalf of projects you feel are important during the next update.
11	3/30/2023	Kick Off	Sherrie Jones	GP	CFU	NA	Charge developers the full cost of their new infrastructure, including the cost of planning for it. Growth so far has brought an increase in taxes and fees with reduced levels of service. How much are we going to pay for: A new city hall? A new police station? Public Works buildings and equipment? How much would we need these facilities if we were not adding so much new housing/development?	Comment noted. Thank you.
12	3/30/2023	Kick Off	Sherrie Jones	GP	CFU	NA	The Comprehensive Plan should quantify our forecast future water needs with different land use scenarios. It should also address how the old water piping in the city will be replaced and who will pay for it, and what the city will do if there are failures or issues in the water system.	Comment noted. Thank you.
13	3/30/2023	Kick Off	Sherrie Jones	GP	CFU	NA	The Comprehensive Plan should include requirements that the city collect bonds from developers for the above and other capital needs that new development creates. The city should spend the bonds if the developer does not meet the promised timeline.	Comment noted. Thank you.
14	3/30/2023	Kick Off	William Bryant	GP	CFU	NA	Charge developers the full cost of planning and new infrastructure. Who is paying for the new watermain projects going on now on SR169? We have no evidence that more growth will not do what growth so far has done: increase taxes and fees, with reduced service for fire protection, schools, etc.	Comment noted. Thank you.

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15	3/30/2023	Kick Off	Pamela Burridge	GP	Eco Dev	NA	We must develop commercial enterprises to serve our growing community. Ten Trails is a beautiful and highly desired part of Black Diamond.	Thank you for your comment. The updated draft Economic Development Element includes an economic profile of the city and goals, policies, and objectives to attract commercial development.
16	3/30/2023	Kick Off	Anonymous	NA	Housing	NA	Neighborhoods that are built should be mixed and have single-family homes, condos, and apartments. This growth needs to be controlled to avoid Black Diamond becoming a bedroom community and people driving long distances to work and shop.	Thank you for your comment. The Comprehensive Plan has a section dedicated on allowing affordable housing at mixed densities to come to Black Diamond so the local employment base can afford to live in the city. The Economic Development Element goes into more detail on economic growth within the city limits.
17	3/30/2023	Kick Off	Geoff Bowie	GP	Housing	NA	The OakPointe MPDs need to be held to their agreement before we add any more housing. We should probably remove some housing from our Future Land Use Map given our growth projections and the problems we’ve had making the developer follow their agreement for the first 1,000 OakPointe units. Why add a lot of houses if people can’t have the infrastructure they need? Perhaps we need to consider a moratorium on new growth until the City can get a handle on growth.	Thank you for your comment. The city is not interesting in entering into another moratorium. This would also go against mandates from the State, Region, and County to allow middle housing and affordable housing, including permanent supportive housing and emergency housing.
18	3/30/2023	Kick Off	Jaime Huffman	GP	Housing	NA	I have concerns about how much Black Diamond is growing. We moved out here to be away from the cities and it seems like the plan is for Black Diamond to put in so much new housing that we become another “commuterville” like Maple Valley which is not what I want. Plus, the traffic is already getting bad, and schools are getting crowded. Adding even more house and people will just make the problems even worse.	Thank you for your comment. The City is required to grow according to the GMA, regional, and King County policies.
19	3/30/2023	Kick Off	Kelley Sauskojus	GP	Housing	NA	Need to prioritize affordable housing.	Thank you for your comment. We have incorporated a wide array of policies and information addressing this topic.
20	3/30/2023	Kick Off	Pamela Burridge	GP	Housing	NA	We do need more affordable housing in Black Diamond. I believe the City should incentivize property owners on oversized infill properties to develop, and the City should allow cluster zoning where reasonable.	Thank you for your comment. Between the City's recently adopted Housing Action Plan and the draft Housing Element, we are working to look at implementation measures that address a variety of topics including the ones you bring up.
21	3/30/2023	Kick Off	Sherrie Jones	GP	Housing	NA	Hold developers like Ten Trails accountable to their agreement before allowing even more housing. So far the Ten Trails developer has added over 1,000 housing units to our small town (that had only about 1,500 houses before), but they have failed to build required intersections, sports fields, [and a] fire station. The agreement requires that Ten Trails include a balance of affordable housing. How is this being enforced?	Thank you for your comment. The development agreement does not require affordable housing. Oakpointe has already implemented parts of the development agreement and continues to do so.
22	3/30/2023	Kick Off	William Bryant	GP	Housing	NA	The 1996 expansion of the city limits required the developer to build a balanced share of “affordable housing.” Now I have heard rumors that the city needs to add a lot of additional dense housing outside of the MPD to have “affordable housing.” We are already adding 6,000 houses to a town of 1,500 houses. It is far too much because we are in the foothills, very far from the big city. Developer Oakpointe is not being held to its development agreement commitments and other new development is getting permitted with very weak standards (on parks, environment, government facilities). No more housing, we need to prove we can handle what we already have and fix the problems first.	Thank you for your comment. The development agreements do not mandate affordable housing for particular income bands. We address some of these other challenges and opportunities within the draft Comprehensive Plan elements, particularly the draft Land Use and Housing elements.
23	3/30/2023	Kick Off	Anonymous	NA	Land Use	NA	You could plan for development [through] the 169 corridor by 76 gas station. One mile area could use appropriate businesses that attract shoppers like Leavenworth. Also could use commercial/industrial park in gravel pit area. Every city needs some.	Thank you for your comment. We worked to consider changes which would spur economic activity.

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24	3/30/2023	Kick Off	Anonymous	NA	Land Use	NA	Once an area is developed, there is no chance of getting that open space/woods back. Therefore development should be planned carefully and the developers should not be allowed to dictate zoning changes and overbuilding.	Thank you for your comment. This process is about planning ahead.
25	3/30/2023	Kick Off	Anonymous	NA	Land Use	NA	No hurry to develop – save some land for future.	Comment noted. Thank you.
26	3/30/2023	Kick Off	Anonymous	NA	Land Use	NA	And what about the in-city forest? Are we going to save it? Or is some developer going to come along and cut it down for more development?	Comment noted. Thank you.
27	3/30/2023	Kick Off	Bernie O'Donnell	GP	Land Use	NA	Other Large Open Spaces: We are fortunate to have large chunks of undeveloped areas that once served coal mining operations (the gravel pit area for example). Those spaces designated as light industrial, manufacturing, or other industrial uses should remain large spaces zoned for future similar uses that rely on large contiguous spaces for major manufacturing or light industrial activities. If we give in to rezoning to housing or mixed-use commercial, we will fall into the trap of so many other growing suburbs that simply have no independent economy, lack family wage jobs, or are self-sufficient municipalities, rather we will become another strip mall retail bedroom community amongst a sea of suburbia. A missed opportunity that can be avoided with a comp plan that reflects the need to preserve our ability to attract economic drivers through quality jobs and diverse industries outside of retail.	Thank you for your comment. The Economic Development Element addresses the supply and demand of those land uses. Many of those who currently work within the city cannot afford to live here and travel from outside city limits. We are also mandated to accommodate many housing types at different levels of affordability.
28	3/30/2023	Kick Off	Derek Meek	GP	Land Use	NA	Bad zoning pattern that forces car [dependency].	Thank you for your comment. We are directed by state and PSRC to reevaluate zoning based on these factors. More work will be done with the Climate Element.
29	3/30/2023	Kick Off	Geoff Bowie	GP	Land Use	NA	[Recent development on 169] seem to have bad design standards, putting in sprawling parking lots and garish signs and cutting down the evergreen trees that should have welcomed people to Black Diamond. The “gateway corridor” requirements must be [sufficient] to protect “small-town rural by design.” These lax standards [...] attract construction to SR169 that was not accounted for in the current 2019 Comp Plan.	Thank you for your comment. City staff have worked hard to better implement the tree retention and gateway corridor requirements. The areas of the Black Diamond Municipal Code that talk about "Rural by Design" by Randall Arendt are limited to Chapter 18.86 (Residential Cluster Development) and Chapter 18.98 (Master Planned Development). Even so, the code already requires open space and landscaping during development in the gateway corridor, and some of the requirements are to increase walkability, which most if not all historic town centers have. While the city desires an attractive entrance with pedestrian friendly features, ultimately it is a State Highway and some of the businesses are auto-oriented (including areas of parking). The city is working to update its Sign Code which is outside the scope of this project.
30	3/30/2023	Kick Off	Geoff Bowie	GP	Land Use	NA	The 2019 Comp Plan expected retail as part of the Ten Trails Master Plan. Now we have 1,000 new households in Ten Trails that were supposed to be able to walk to restaurants/shops, but that will never happen unless we downzone SR169 and other commercial and take action to make sure that taxpayers do not subsidize development on SR169. Our prior really smart attorney told the City Council that secondary areas and the market may [encourage] new development and those areas that have been stagnant can be down zoned.	Thank you for your comment. The city is looking at opportunities to refine the zoning and future land use maps during this public process. Also, the updated comprehensive plan analyzes the city's ability to meet current and future growth and also includes an economic profile of the city.
31	3/30/2023	Kick Off	Geoff Bowie	GP	Land Use	NA	The Mayor, City Council, City Attorney, City Staff and the MPD developer have violated the B.D.U.G.A.A. [Black Diamond Urban Growth Area Agreement] by allowing the In City Forest Agreement to expire and not be implemented.	Comment noted. Thank you.

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32	3/30/2023	Kick Off	Geoff Bowie	GP	Land Use	NA	Keep our “light industrial” zoning and remove office or high-traffic zoning options for the “light industrial” land use. Do not change zoning to housing just because some developer wants to make money right now. Where are the jobs going to be [to] help the City to survive. The City is just chasing one time building permit fees and real estate excise taxes. We need [to] provide areas of the city for businesses in our long-term future; we can't predict what businesses might make sense in 20 years.	Thank you for your comment. Zoning changes are typically done after public hearing for a site-specific process. Further, you are encouraged to come to the public hearing(s) when we address potential changes to zoning and land use maps prior to consideration and adoption of the comprehensive plan update. Come and voice your concerns.
33	3/30/2023	Kick Off	Kelley Sauskojus	GP	Land Use	NA	Need to prioritize low density development. There is not [enough] infrastructure for what is already being built. More high and medium density will exponentially damage quality of life.	Comment noted. Thank you.
34	3/30/2023	Kick Off	Renee Mix	GP	Land Use	NA	Multiple times over the past several years, I and others have commented in opposition to the proposed re-zones of large areas to commercial (the Butt property) and to Medium Density Residential at 8+ houses per acre (the Palmer Coking Coal properties). These rezones would make these problems worse. Both proposals greatly increase the amount of near-term development. In contrast, leaving the property zoned "light industrial" will slow the pace of growth because there is no realistic scenario where they will fully build out as office space in the next 15 years. Instead, we would be keeping properties for the types of business that can use light industrial zoning. Another option would be to zone them mineral extraction or forestry to match their current use. Please remove the increased development capacity from the Comprehensive Plan Future Land Use Map and the Zoning Map.	Thank you for your comment. The rezones fall outside of the Comprehensive Plan Update, but we can elaborate. After careful analysis, both City staff and the City's Hearing Examiner recommended approval of Rezones 1 and 2. City Council passed an Ordinance approving Rezones 1 and 2 and denying Rezone 3. Rezones 1 and 2 are officially zoned MDR8 and the Rezone 3 property is still zoned B/IP. Mineral Extraction or Forestry zones do not exist in Black Diamond, and there is no plan to add those zones. The city is looking at opportunities to refine the zoning and future land use maps during this public process. Also, the updated comprehensive plan analyzes the city's ability to meet current and future growth and also includes an economic profile of the city to ensure the city has enough light industrial land.
35	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	To update our long-range 20-year Comprehensive Plan, please provide, early in the process, detailed evidence-based financial forecasts for a range of land uses and growth forecasts. Otherwise, how the public and city council decide what the right mix is to add or maintain our parks (and other needs)?	Comment noted. Thank you.
36	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	The developers need to build bypass roads, and the city should limit development along these bypass roads. The developers of Ten Trails planned carefully to avoid pass-through-traffic at their new houses. So, they should not be allowed to put the burden of pass-through traffic on other city residents including neighborhoods on Lawson St, 3rd Ave, Roberts Dr, 288th St, Lake Sawyer Rd, and Morgan St.	Comment noted. Thank you.
37	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	No more dense developments while Ten Trails’ developer is not being held accountable to their legal requirements. (If we can't manage that project, we are not ready for more).	Comment noted. Thank you.
38	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	Land use/zoning for “light industrial” or other business that produces limited traffic need to be zoned carefully. Any development added to the sensitive areas needs more extensive impact studies and mitigations.	Thank you for your comment. The city is looking at opportunities to refine the zoning and future land use maps during this public process. Also, the updated comprehensive plan analyzes the city's ability to meet current and future growth and also includes an economic profile of the city to ensure the city has enough light industrial land.
39	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	One of the things that swayed me to move to Black Diamond was the retail space going in at Ten Trails. How exciting if we had something to make Black Diamond a destination, for example like Leavenworth, Downtown Snohomish, or even Enumclaw. Black Diamond wants to celebrate its historical background, so is there anything “cool” about Black Diamond to make people want to stop and “take a look around” that could also bring additional tax revenue?	Thank you for your comment. The updated draft Economic Development Element includes an economic profile of the city and goals, policies, and objectives to attract commercial development and celebrate its sense of place.

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40	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	Can we put in the new Comprehensive Plan a way to ensure something appropriate gets built, as promised, within our large new housing development (Ten Trails)? Can the Comprehensive Plan add requirements to hold the large developer accountable to promised retail and make it so they can't leave a huge empty lot of nothing but dirt, rocks, and weeds?	Thank you for your comment. No, the Comprehensive Plan cannot change the Development Agreement.
41	3/30/2023	Kick Off	Sherrie Jones	GP	Land Use	NA	The city should not zone for retail on SR169 while [the planned commercial area in] Ten Trails is abandoned.	Comment noted. Thank you.
42	3/30/2023	Kick Off	William Bryant	GP	Land Use	NA	Keep more land use/zoning "light industrial" on SR169 and in the gravel pit area. We should plan long-term to have businesses that produce limited traffic on SR169. Some of SR169's commercial space should be rezoned "low density residential" to match the Diamond Glen neighborhood. We need to make land use/zoning that cause less traffic because we are on the far southeastern edge of our Puget Sound urban area. Coordinate with King County and neighboring cities by remaining small so we don't overburden our roads, schools, and environment.	The city is looking at opportunities to refine the zoning and future land use maps during this public process. Also, the updated comprehensive plan analyzes the city's ability to meet current and future growth and also includes an economic profile of the city to ensure the city has enough light industrial land.
43	3/30/2023	Kick Off	Anonymous	NA	NA	NA	Increase bond to builders. If they go bankrupt and can't complete construction, [it] could cause erosion if [the] builder can't complete [the] project.	Comment noted. Thank you.
44	3/30/2023	Kick Off	Anonymous	NA	NA	NA	Who is benefitting from growth? Developers are not being charged enough. Fees should be higher. Builders are being allowed to pay city fees, but by the time they build, all associated [costs] for infrastructure have increased. Growth is costing the tax payers.	Comment noted. Thank you.
45	3/30/2023	Kick Off	Bernie O'Donnell	NA	NA	NA	General overview statement: The City is at a crossroads and this Comp Plan will be a driving force and roadmap for major decisions for the way our City will function and how spaces will be created within it, and how those spaces (built or unbuilt) will create a sense of place and life for all to enjoy (or endure) depending on how well we all collectively plan. I hope all will focus on the purpose and big picture, and a long-range vision we should all understand, not short sightedness, what's in it for any specific developer or business or landowner, or for a quick bump in sales tax revenue. Rather we need to make sure this plan has buy-in from all and all are coached on the bigger picture purpose of this plan as a roadmap for decades. Annual updates won't readily fix a baseline not done right in the beginning and is not reason to hurry and arrive at marginal decisions. Vision is important to be established early and to serve as a basis for decisions made in future steps of the planning process.	Comment noted. Thank you.
46	3/30/2023	Kick Off	Bernie O'Donnell	NA	NA	NA	A Vision to Consider: our history is in the name of our City but we have done so little to preserve our eclectic, character-rich, diverse heritage as a multi-cultural melting pot of working class and entrepreneurial coal miners and homesteaders. If we don't preserve that history, who will? This comp plan should celebrate and embrace our history and we should build on that as a basis for how we shape our City moving forward. In that sense, we need to clearly designate our historical downtown on the historic registry and ensure it is preserved and enhanced in a responsible manner.	Thank you for your comment. We have incorporated additional information on the city's history in the draft Comprehensive Plan. The city tracks properties on the National, State, and/or County registers.
47	3/30/2023	Kick Off	Bernie O'Donnell	NA	NA	NA	Equity. How is our comp plan creation and the end product embracing equity? How are we ensuring voices historically shut out in the process are heard this time and that we are intentionally helping others to have a voice to be heard at every step in the process?	Thank you for your comment. We are endeavoring to ensure widespread community participation and incorporating new goals and policies relating to this topic.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
48	3/30/2023	Kick Off	Bernie O'Donnell	NA	NA	NA	Thinking outside the Box: Let's encourage the public participation to think differently. What are some new ideas of how we can shape our City as the most desirable City around? Smart technologies, sustainable designs, walkability, alternative energies, accessibility, industry-friendly, open-space focused, view corridors, aging population focus, trails and recreation, alternative lifestyles, all are possibilities to make us unique, and attractive as a great place to live, work, and play.	Thank you for your comment. Several of these themes you will find incorporated in our draft updated document.
49	3/30/2023	Kick Off	Bernie O'Donnell	GP	NA	NA	The Hearth. Where is our City's Hearth? The fireplace hearth was once considered the central gathering place in a home. Perhaps it's around the kitchen Island these days. But where is our City's hearth? We have no town square. We have no centralized gathering hub. The comp plan should address this and focus this need as a visionary fundamental while we still have time and space to create our hearth.	Thank you for your comment. The draft Economic Development Element now identifies several commercial nodes, or "hearths," that are important components of the City's economic and cultural offerings, now and in the future. This includes the Town Center.
50	3/30/2023	Kick Off	Bob Edelman	GP	NA	NA	If the City decides to add a climate element I would like to be involved.	Thank you for your comment. This will be happening in the years to come. We hope you participate at that time as well.
51	3/30/2023	Kick Off	Renee Mix	GP	NA	NA	King County tried to coordinate with the City of Black Diamond by giving Black Diamond a very high target for additional houses: 2,900 households by 2044 (see Appendix A: King County Growth Targets). However, Black Diamond may far exceed that target with 6,000 homes being planned in the near-term by the Ten Trails developer (including their future Lawson Hills MPD). This is too much growth for us to absorb in an area lacking infrastructure. This is too much growth for our foothills location surrounded by rural area. The County has already bent over backwards to accommodate growth in Black Diamond with very high growth targets, but Black Diamond is not coordinating with neighbors. Our schools and King County roads to Black Diamond will be far too crowded. The cost on taxpayers to build more infrastructure will be far too much. We are also too far from hospitals to safely absorb so much growth. The Puget Sound Regional Council advised Black Diamond not to further exceed growth targets [see PSRC Conditional Certification of 2019 Black Diamond Comprehensive Plan].	Thank you for your comment. You are correct in that Black Diamond faces unique constraints compared to other cities in King County. The City is positioned to far exceed King County's growth targets and PSRC's targets do not align with King County nor the growth from the development agreements. King County and PSRC have both been made aware of these discrepancies and our concerns. Ultimately, the city will avoid exceeding these targets beyond that which is already legally entitled for development via the vesting process.
52	3/30/2023	Kick Off	William Bryant	GP	NA	NA	Have you or Black Diamond ever considered leaving historical Black Diamond remain with the same image: open space and single-family lots with buildings having some historic image. Possibility of two to four dwellings per acre. I believe without this there is no history left to what Black Diamond was in the past. This is what draws a lot of people here.	Thank you for your comment. The historic areas of Black Diamond have a nice mixture of services (commercial and public facilities) and houses on small lots with shorter setbacks, whereas what you describe is more characteristic of suburban sprawl. The city is not interested in adding a zone lower than R4.
53	3/30/2023	Kick Off	Anonymous	NA	Natural Env	NA	The wetlands and creeks should be protected with wide buffers and limited building close to these areas. Wildlife such as elk, deer, coyotes, bobcats, etc. use these areas and every effort should be made to allow these animals plenty of room and space. The sensitive areas should be connected so wildlife will not be forced to cross roads and yards to move about.	Thank you for your comment. The City may be updating Chapter 19.10 in the future, but there are already many protections in place. There are sections of this chapter dedicated to wetlands and fish and wildlife conservation areas.
54	3/30/2023	Kick Off	Kelley Sauskojus	GP	Natural Env	NA	The impacts of development are cumulative. This means a small impact at one point is amplified by each additional developed space becoming [a] much larger impact as a whole. It takes very careful deliberate and coordinated planning to mitigate long term damage.	Comment noted. Thank you.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
55	3/30/2023	Kick Off	Pamela Burridge	GP	Natural Env	NA	We are doing a great job monitoring the health and [welfare] of our natural environment spaces.	Comment noted. Thank you.
56	3/30/2023	Kick Off	Renee Mix	GP	Natural Env	NA	As a long-time resident who raised a family in Black Diamond, I enjoy our peaceful location far from the big city. The city should prioritize more natural space to protect wildlife, wetlands, and streams. Requiring more land set aside with development is a way to balance our available land with our growth targets and avoid over-development.	Thank you for your comment. The City may eventually update Chapter 19.30, but this is outside of the scope of this project. There are goals and policies related to wildlife, wetlands, and streams in the draft Natural Environment Element. Chapter 18.72 of the city code addresses minimum landscaped or native vegetation areas in addition to the regulations of Chapter 19.30.
57	3/30/2023	Kick Off	Sherrie Jones	GP	Natural Env	NA	Each developer should be required to provide more conservation of trees and natural space on site. The trees and natural surroundings [are part] of the reasons we moved here, and within a year, mass areas around us, near SR169, etc., have been totally cleared with nothing but stumps and rusted cars left. Did the current Comprehensive Plan analyze these changes? If so, our next Comprehensive Plan needs to do more to protect nature.	Thank you for your comment. The City may eventually update Chapter 19.30, but this is outside of the scope of this project. There are goals and policies related to trees in the draft Natural Environment Element. Further, current city staff work hard to better enforce the tree preservation code compared to previous city staff.
58	3/30/2023	Kick Off	Sherrie Jones	GP	Natural Env	NA	I support a new land use/zoning category near streams and wetlands limited to 1 house per acre. At the end of our street (Morgan and Abrams) there are plans for 55-unit multi-family townhouses on a property butting up against a salmon stream. With the runoff from parking and dense houses, how is this acceptable?	Thank you for your comment. The city is not interested in adding any residential zones below R4 as that would conflict with requirements under the state's Growth Management Act. Further, the city protects environmentally vulnerable or critical / sensitive areas via the sensitive areas code and other sections of code.
59	3/30/2023	Kick Off	William Bryant	GP	Natural Env	NA	More conservation of trees and natural space. We should do more to restore salmon passage. I have seen salmon in our streams, and they need our help.	Thank you for your comment. The City may eventually update Chapter 19.30, but this is outside of the scope of this project. There are goals and policies related to trees, natural space, and wildlife in the draft Natural Environment Element.
60	3/30/2023	Kick Off	Anonymous	NA	PROS	NA	[The] City could buy some land for parks.	Thank you for your comment. The City recently updated its PROS Plan and potential land acquisition is addressed in that document. The 2023-2028 Capital Improvement Plan and annual City Budget may also be of interest to you.
61	3/30/2023	Kick Off	Anonymous	NA	PROS	NA	We could use a family-friendly multiple use park that does not impinge on environmentally sensitive areas.	Comment noted. Thank you.
62	3/30/2023	Kick Off	Anonymous	NA	PROS	NA	We need a connected string of trails connecting the different areas of Black Diamond. These trails should skirt or avoid sensitive environmental areas. The trails should be suer friendly for walkers, runners, and families.	Comment noted. Thank you.
63	3/30/2023	Kick Off	Bernie O'Donnell	GP	PROS	NA	Open Space: Our PROS Plan needs to be a major component of the comp plan more than what may be typical of other comp plans. We are unique in how we are surrounded by vast forests and recreational lands. How it is preserved and adapted over time should not be by chance or circumstance or misguided opportunities that emerge. It should be intentional through the guidelines of the comp plan. We need to recognize non-City open space assets wholistic to City-owned parks and open space, not in a siloed manner so we have a big picture perspective on all parks, recreation and open space so we can ensure City properties complement a bigger picture and vision of a greater area. Any changes to our parks and open spaces should be a heavy lift to modify or rezone for other development uses. Once those natural areas are gone, they are gone for good. Let's focus on enhancing and preserving and expanding and investing in PROS.	Thank you for your comment. The updated PROS Element effectively adopts the same goals, policies, and strategies as the updated PROS Plan.

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64	3/30/2023	Kick Off	Derek Meek	GP	PROS	NA	Ginder Creek needs some interactivity.	Thank you for your comment. Future plans for the Ginder Creek site are addressed in the city's 2023-2028 Capital Improvement Plan.
65	3/30/2023	Kick Off	Derek Meek	GP	PROS	NA	Lake Sawyer and Black Diamond Open Space – bike trails could use signage to help find your way between the two.	Thank you for your comment. Black Diamond Open Space is outside city limits. Improvements to the Lake Sawyer Regional Park are opportunities identified in the PROS Plan. Please refer to the PROS Plan for more information.
66	3/30/2023	Kick Off	Jaime Huffman	GP	PROS	NA	The Eagle Creek Park could use some improvements.	Thank you for your comment. An Eagle Creek Park Redevelopment project is listed in the city's 2023-2028 Capital Improvement Plan and also discussed in the PROS Plan.
67	3/30/2023	Kick Off	Kelley Sauskojus	GP	PROS	NA	Need to have natural areas connected by maintained trails. Example: the trail from the parking area to the park on Lake Sawyer has numerous large trees that are across the trail. Small children, older dogs (or humans) have difficulty getting to the park. Not stroller friendly.	Thank you for your comment. Improvements to the Lake Sawyer Regional Park are opportunities identified in the PROS Plan. Please refer to the PROS Plan for more information. Also active transportation level-of-service will be an added focus to this major Comprehensive Plan update, in part thanks to feedback from the community.
68	3/30/2023	Kick Off	Pamela Burrige	GP	PROS	NA	We have plenty of open space in the city. We need to find the funds to bring utility to the regional park and bring [ADA] access to Lake Sawyer on the south end. The trails are rough and difficult to negotiate for citizens 55+.	Thank you for your comment. The City recently updated the PROS Plan, which enables the City to apply for RCO funding. Funding like this could be used to improve existing parks.
69	3/30/2023	Kick Off	Sherrie Jones	GP	PROS	NA	We need higher standards for our parks and recreation. The existing park at Eagle Creek, for example, needs much better play equipment. It’s dated and needs an accessible bathroom. We need more and bigger parks and activities for our families, especially with more development.	Thank you for your comment. Eagle Creek Park redevelopment is listed in the city's 2023-2028 Capital Improvement Plan and also discussed in the PROS Plan.
70	3/30/2023	Kick Off	Sherrie Jones	GP	PROS	NA	If all this development is helping the city, then why do we lack basic funding to fix the skate park? We are new to the area, moving from Kirkland (after living there 44 years), and our grandson asked, “are we going to be able to have a skate park?!” Two years later, still nothing. It seems that new development is making the city’s financial position worse, not better.	Thank you for your comment. The skate park reconstruction is listed in the 2023-2028 Capital Improvement Plan and is also addressed in the PROS Plan. Construction of this skate park is the number one parks priority.
71	3/30/2023	Kick Off	William Bryant	GP	PROS	NA	We need better parks standards. After living here 80 years, I recently heard that we have “a lot” of park space. Where are all the parks? We need much bigger parks and better playgrounds, and I think our city budget could be adjusted to have these. I support natural space. Don’t develop our forests, wildlife habitat, and wetlands into parks. Make new development contribute more to parks. The parks in Ten Trails are far too small for the size of the new growth.	Thank you for your comment. The City is considering a Parks Impact Fee. City staff works hard to meet the needs of residents and visitors. The City recently updated the PROS Plan, which enables the City to apply for RCO funding. Funding like this could be used to improve existing parks.
72	3/30/2023	Kick Off	Anonymous	NA	Transportation	NA	The residents of Rainier View Senior Park are in dire need of speed bumps etc. to help control the volume of traffic and speeders between Baker and 169 on 1st Ave.	Thank you for your comment. We are sharing this feedback with the Public Works Department.
73	3/30/2023	Kick Off	Anonymous	NA	Transportation	NA	I am not in favor of building or widening a bunch of roads that will divide the community into areas bisected by roads that will be unfriendly to foot traffic. This is still a rural community, and every effort should be made to keep it that way. That’s why people move here. Bus routes could be added as the population grows.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards.

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74	3/30/2023	Kick Off	Bernie O'Donnell	GP	Transportation	NA	Transportation. We need to be visionary about transportation because change is coming. Electrifying our transportation infrastructure will be essential to meeting the transportation systems of tomorrow. We also need to ensure the comp plan looks at pedestrian safety and access and developing a walkable city or walkable neighborhoods. Multi-mode transportation needs to be integrated in all future developments.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
75	3/30/2023	Kick Off	Derek Meek	GP	Transportation	NA	There should be dedicated bicycle roads separated from the car roads to get between areas like Old Downtown, Ten Trails, future City Hall, Lawson Hills, [and] north Lake Sawyer. [Traditional] bikes lanes are car infrastructure pretending to be bike infrastructure.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
76	3/30/2023	Kick Off	Geoff Bowie	GP	Transportation	NA	Add policies and requirements to make sure developers build bypass roads including the Southeast Lawson Connector. Downzone all land along the bypass roads to ensure they don't get filled with more development. Otherwise developers will put 1,000s more cars in the front yards of existing residents so that new residents can benefit.	Thank you for your comment. The comprehensive plan is a policy document that provides the framework for community. From time to time City Council votes to enter Development Agreements that are outside the scope of this project. The draft Transportation Element looks analyzes the ability of the city to meet current and future needs based on housing and employment projections.
77	3/30/2023	Kick Off	Geoff Bowie	GP	Transportation	NA	You're creating a two-tiered city.	Comment noted.
78	3/30/2023	Kick Off	Geoff Bowie	GP	Transportation	NA	Pass-through traffic hurts residents of existing affordable neighborhoods like on Lawson Street.	Comment noted.
79	3/30/2023	Kick Off	Jaime Huffman	GP	Transportation	NA	Adding sidewalks along Roberts Drive and 3rd Ave would be nice so that we could walk to the dentist and other places safely. Also, as I mentioned the traffic is starting to get really bad, especially when turning onto 3rd from Roberts Drive. Hopefully, the roundabout helps when it finally gets built.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
80	3/30/2023	Kick Off	Kelley Sauskojus	GP	Transportation	NA	Need major improvements in pedestrian and bike safety.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
81	3/30/2023	Kick Off	Pamela Burrridge	GP	Transportation	NA	Improving the infrastructure (water, road width, and paving) plus sidewalks in Morganville and Lawson Hills should be first priority.	Comment noted. Thank you.
82	3/30/2023	Kick Off	Pamela Burrridge	GP	Transportation	NA	Transportation will always be a critique! Washington State has only allowed basic traffic improvements during my 40-year lifetime in this area. We will always be behind.	Thank you for your comment. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards so the emphasis is not only on cars. We have taken these topics into account as we have worked to propose changes in the draft update.
83	3/30/2023	Kick Off	Renee Mix	GP	Transportation	NA	Black Diamond should save our residential streets like 3rd Avenue, Lawson Street, Morgan Street, and Roberts Drive. I have walked in these areas for years, and they are peaceful due to the narrow two-lane streets and historic residential homes. We must not widen these streets because that would mean sacrificing existing residents to serve developers. Why should existing (affordable) homes suffer so developers can sell new housing? Let's prioritize keeping these places safe and quiet, and take action to "calm," or slow, the traffic. Slower traffic and pedestrian-friendly streets can also be a great thing for our existing small businesses.	Comment noted. Thank you.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
84	3/30/2023	Kick Off	Renee Mix	GP	Transportation	NA	Let's not let "pass-through" traffic from places like Enumclaw dominate our planning. Developers in our city, especially for the Master Planned Developments (MPDs), also should not be allowed to dominate our city for pass-through traffic. Developers should have to pay for bypass roads. These bypass roads, like the planned "Pipeline Road" parallel to Roberts Drive, and the planned SE Lawson Loop Connector south of Lawson Street, must be required of developers and must be kept free from other development. This is good planning to avoid ruining our existing neighborhood charm and safety.	Comment noted. Thank you.
85	3/30/2023	Kick Off	Renee Mix	GP	Transportation	NA	The city needs more sidewalks and lighting for them. Let's set a very high standard and level of service for pedestrian transportation. We need to retrofit some sidewalks, such as on Morgan Street and 3rd Ave (and elsewhere) that lack a vegetated strip between the sidewalk and vehicles. Currently sidewalks are too close to traffic which makes them less safe. Some of the deep drainage ditches I view as a hazard to cars possibly sliding into them. During the March 30 public session, city staff told me that retrofitting older streets to add sidewalks was too expensive and people "don't want to pay for it." The purpose of the Comprehensive Plan is to determine what people want and how much it will cost, then decide if the community places that value on it. The decision should not already be made, but I got the impression that it is.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
86	3/30/2023	Kick Off	Renee Mix	GP	Transportation	NA	With all the traffic from proposed development like the townhouses near Abrams and Morgan plus the added traffic already from Ten Trails, trying to access SR 169 is a joke. I am told there are traffic plans and agreements, but our next Comprehensive Plan clearly needs to do more to make new development pay for safe intersections sooner.	Thank you for your comment. Planned improvements to intersections are addressed in the draft Transportation Element.
87	3/30/2023	Kick Off	Renee Mix	GP	Transportation	NA	This whole traffic plan seems very poorly planned. I imagine all kinds of promises and grand ideas were given to the City Council to get the approval of the permits for Ten Trails but I'm not seeing anyone from the City enforcing all the promises.	Comment noted. Thank you.
88	3/30/2023	Kick Off	William Bryant	GP	Transportation	NA	We used to be able to walk along the shoulder of Roberts Drive and other streets in town safely without sidewalks. Now, the shoulder of Roberts has gotten rougher with more gravel and uneven rocks since Oakpointe dug it up in 2017 for their watermain. Their construction trucks have also carved ruts into the shoulder. Traffic on Roberts and everywhere else has increased so much that walking is less safe. The Comprehensive Plan needs to make developers contribute money to improvements for walking not just in their development, but along roads throughout the city that get more traffic from developers' new residents and construction. It would be nicer to have a path/trail, not necessarily a sidewalk, along Roberts. There should be plants separating the path from the vehicles.	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.
89	8/2/2023	LU Workshop	NA	GP	PROS	NA	Please keep Lake Sawyer Parks a natural parks space.	Thank you for your comment. While we do not have any immediate plans, Lake Sawyer Regional Park is not expected to remain in its current state indefinitely. There is a Lake Sawyer Park Development Concept Plan dating back to 2008, but this plan identified areas that would stay largely undeveloped.

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90	1/26/2024	NA	Kelsey Payne	Snoqualmie Tribe	Natural Env	NA	I am reaching out on behalf of the Snoqualmie Tribe to inquire about the progress of the City of Black Diamond's 2024 Comprehensive Plan. Executive Order 21-02, signed into effect on April 7th, 2021, requires that Cities whose boundaries are within the ancestral lands of the Snoqualmie Tribe consult with the Tribe on comprehensive planning, as the plan affects the Tribe's cultural resources. Please send a timeline for your comprehensive planning and any materials that are ready for review.	Steve Moses was on our parties of record list, and we have since added others. We also sent the initial draft Natural Environment Element, Natural Environment Appendix, and accompanying memo that details proposed changes and provided a link to the website where other draft elements are posted. We appreciate any comments received and everyone on the parties of record list will continue to stay updated on the Comprehensive Plan update process.
91	4/23/2024	NA	NA	Soos Creek Water & Sewer District	CFU	Page 8-8, first paragraph	Suggested revision: The City provides local sewage collection services for all of the city except for the area around Lake Sawyer. Soos Creek Water and Sewer District provides sewer service to the northwest area of Lake Sawyer. The rest of the area around Lake Sawyer has no public sewer <u>though it is within the Soos Creek Water & Sewer District Planning Area</u> . This area features individual private on-site wastewater disposal systems (septic tanks and drainfields). ³ <u>These services are depicted in Figure 8.2.</u> Additionally, the last sentence has a footnote that is not represented in the Chapter. Please provide the reference.	Thank you for your comment. We will incorporate your suggested revision. Based on the existing Comprehensive Plan, we are not sure what that footnote was referring to. We will delete it for clarity.
92	4/23/2024	NA	NA	Soos Creek Water & Sewer District	CFU	Page 8-9, Figure	Please add a Figure number and title. Refer to the previous comment above. Additionally, in the Legend, retitle "Soos Creek Sewer" to "Soos Creek Water & Sewer District Sewer Planning Area." It is noted in the Project Memo dated December 22, 2023, from AHBL that the map was a place holder. Please provide updated map.	Thank you for your comment. We will update the map.
93	4/23/2024	NA	NA	Soos Creek Water & Sewer District	CFU Appendix	NA	Please provide this Appendix as it has not been posted to the City's project website nor is it referenced in the Element. We would like to review it to determine if it contains material relevant to the District.	The CFU Element no longer has an accompanying CFU Appendix. The information in that appendix has been incorporated into the CFU Element.
94	5/1/2024	NA	NA	WDFW	CFU	Policy CFU-1.2, Page 8-19 (initial draft)	Initial draft language: Implement construction standards that are environmentally sensitive, safe, and cost effective. Notes: We suggest making Low Impact Development (LID) mandatory for all development adjacent to sensitive waterways. See previous comments.	The City utilizes an adopted Stormwater Manual that addresses when LID measures as required and city staff is trained on the LID principles.
95	5/1/2024	NA	NA	WDFW	CFU	Policy CFU-1.3, Page 8-19 (initial draft)	Suggested revision: Facilitate the development of all utilities at the appropriate LOS to accommodate projected growth and be resilient to climate change. Notes: See comments related to Climate Change - Suggested Policy Page NE-6.	Thank you for your suggested revision and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.
96	5/1/2024	NA	NA	WDFW	CFU	Policy CFU-1.11, Page 8-20 (initial draft)	Suggested revision: Consider impacts to the environment, climate change, and public health, and ((minimize)) <u>avoid</u> these impacts whenever possible while constructing and providing public services and facilities. Notes: We suggest the use of mitigation sequencing (WAC 197-11-768) in this policy, which first states to "avoid."	Thank you for your comment. We will revise this policy to "minimize or avoid."

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97	5/1/2024	NA	NA	WDFW	CFU	Goal CFU-1, Page 8-20 (initial draft)	Suggested policy: <u>Develop and maintain a fund to build green infrastructure projects that help capture, filter, store, and reuse stormwater runoff.</u> Notes: We suggest adding actionable items such as the adjacent policy. The Georgetown Climate Center's Green Infrastructure Toolkit provides funding models and approaches from U.S. municipalities, including Los Angeles County's Safe Clean Water Program and Boulder, Colorado's Greenways Program. Low Impact Development and other green infrastructure techniques can provide a more environmentally friendly and cost-effective ways to manage stormwater.	Thank you for your comment. Perhaps this is something the city can look into during a future update or when grants / technical assistance is available from agencies such as WDFW.
98	5/1/2024	NA	NA	WDFW	CFU	Goal CFU-1, Page 8-20 (initial draft)	Suggested policy: <u>Collaborate with WSDOT, King County, and neighboring jurisdictions to plan and prioritize public and private culvert upgrades to ensure fish passage barrier removal, adequate projected stormwater passage, and continued climate-related adaptations to handle water passage into the future throughout Black Diamond.</u> Notes: It is important to plan and prioritize culvert upgrades to ensure not only fish passage benefits, but adequate projected stormwater passage. We suggest this element (and future amendments to the City of Black Diamond Capital Improvement Plan for 2023-2028) include this goal and incorporate a prioritization list, especially in areas where terrestrial species connectivity can be restored simultaneously (i.e., replacing culverts with wider bridges). See WDFW's "Incorporating Climate Change into the Design of Water Crossing Structures: Final Project Report," as well as WSDOT's "Wildlife Habitat Connectivity Consideration in Fish Barrier Removal Projects." Combining stormwater maintenance (or any maintenance) with multi-benefit goals (such as climate change resiliency and salmon recovery) opens up these projects for diverse funding opportunities (such as the Department of Commerce Salmon Recovery through Local Planning Grant, due June 3rd).	Thank you for your suggested revision and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.
99	5/1/2024	NA	NA	WDFW	CFU	Goal CFU-1, Page 8-20 (initial draft)	Suggested policy: <u>Identify and quantify the ecosystem services benefits of natural systems and include these natural capital assets in cost-benefit assessments for community and development planning.</u> Notes: Healthy ecosystems provide many climate resilience benefits. Protecting or restoring natural assets and the services they provide is often more cost-effective than engineered solutions. Restored wetlands and floodplains can prevent flooding and reduce the need for other types of flood-control infrastructure. Implementation of this policy could include comparing lifetime cost-effectiveness of nature- based versus engineered options for climate response to help identify cost-effective adaptation options. This can help build capacity and support for the adoption of response strategies that help protect and restore ecosystem function and services at risk from climate change. For resources, see FEMA's guide <i>Building Community Resilience with Nature-Based Solutions</i> , as well as software to track these resources from Natural Capital Project. Additionally, see Kitsap County's approach to this through their Kitsap Natural Resource Asset Management Project.	Thank you for your comment. This is beyond our scope at this time.
100	5/1/2024	NA	NA	WDFW	Land Use	Policy LU2-2, Page 5-22	Suggested revision: Promote the health and well-being of Black Diamond residents by incorporating recreational facilities <u>and forested trail</u> opportunities for physical activity into development proposals. Notes: As noted above, "Three out of four residents preferred forested trail areas over passive parks. The community is attracted to the available open space and trails over developed parks," page 46 of the PROS plan. It is important to state the specific needs of Black Diamond's population.	Thank you for your comment. We will edit the proposed policy based on your suggestion with some wordsmithing.

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101	5/1/2024	NA	NA	WDFW	Land Use	Policy LU2-4, Page 5-22	Suggested revision: 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, informed by future climate-related conditions. Notes: All development should take climate-related stressors into consideration to better prepare for the future. Some of these considerations include increased capacity for shade trees, future frequently flooded area projections, and more.	Thank you for your suggested revision and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.
102	5/1/2024	NA	NA	WDFW	Land Use	Policy LU3-2, Page 5-23	Initial draft language: Retain a sense of place by protecting the community’s important natural features and Treasured Places and support the City’s Tree Preservation Program. Notes: I was not able to locate a formal Program on Black Diamond’s website that compared to adjacent jurisdictions’ Tree Management Plans (City of Tacoma, the City of Snoqualmie, the City of Redmond, and the City of Renton). For the value this Land Use Element places on natural forested land within Black Diamond, we strongly recommend creating a formal Plan (refer to comments associated with item 16). We recommend tracking the programs mentioned in this Element (“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”) as well as the city-wide tree re-vegetation program. Having a Plan outlining the progress of these programs would create a clearer picture of how much forested land Black Diamond is preserving, losing, or restoring.	Thank you for your comment. The city no longer has the citywide tree revegetation program. The city could partner with WDFW and/or DNR in the future if there are grant opportunities to fund plans like this.
103	5/1/2024	NA	NA	WDFW	Land Use	Policy LU8-4, Page 5-27	Suggested revision: 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)) <u>avoid</u> environmental impacts. Notes: We suggest the use of mitigation sequencing (WAC 197-11-768) in this policy, which first states to “avoid.” Avoidance is key, as mitigation for impacts can be costly, hard to maintain, and often do not meet no net loss standards (WAC 365-196-830).	Thank you for your comment. We will revise this policy to "minimize or avoid."
104	5/1/2024	NA	NA	WDFW	Land Use	Policy LU12-6, Page 5-29	Suggested revision: Ensure that essential public facilities sited in the City are consistent with the goals, objectives, and policies of the City’s comprehensive plan <u>and take into consideration climate-related stressors such as changes to temperature, rainfall, increased flooding in order to help ensure they function as intended over their planned life cycle.</u> Notes: Given that public facilities represent significant public investments, it is prudent to ensure that facilities are designed and sited to be resilient to climate impacts. We recommend Black Diamond identify climate impacts predicted for their communities and review their capital facilities plans in the context of climate change projections to ensure that planned facilities will be resilient throughout their intended lifespan and make changes as needed. This is a requirement for the Climate Element, as stated by Commerce. We suggest planning for this element in a timely manner.	Thank you for your suggested revision and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.

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105	5/1/2024	NA	NA	WDFW	Land Use	LU Goal 13	Proposed removal: 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. Notes: We highly recommend retaining this goal, which aligns with this Element’s introductory text and other priorities. It is important to state the intent of this goal within the Land Use Element, as forested trails and open space is noted as a top need cited by Black Diamond citizens in the PROS plan. This sentiment cannot be overstated throughout all Comprehensive Plan elements.	In order to maintain a streamlined document are focusing all goals and policies related to parks, recreation, and open space to the PROS Element. Having similar goals in separate areas of the plan does not necessarily make it any more effective.
106	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-3, Page NE-2	Initial draft language: Promote innovative and environmentally sensitive development practices in siting, design, materials selection, construction, and maintenance to balance environmental protection and achievable density. Notes: WDFW suggests specifying the intent to incentivize or develop programs to achieve these goals. We suggest including additional policies, such as: “Develop and maintain a fund to build green infrastructure projects that help capture, filter, store, and reuse stormwater runoff.” The Georgetown Climate Center's Green Infrastructure Toolkit provides funding models and approaches from U.S. municipalities, including Los Angeles County's Safe Clean Water Program and Boulder, Colorado's Greenways Program.	Thank you for your comment. Perhaps these can be looked at during a future update.
107	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-7, Page NE-3	Initial draft language: Support and incentivize environmental stewardship on private and public lands. Notes: We suggest utilizing resources, such as WDFW’s Habitat at Home Program. Homeowners can apply for a certification of their yard as wildlife habitat and receive a sign. Another example for achieving this policy's goals is to make sure folks are aware of Washington state's Open Space Taxation Act, which allows tax breaks for property owners who volunteer to preserve land. See also King County’s Public Benefit Rating System (PBRS). This program encourages voluntary resource conservation on private property. PBRS is best suited for landowners wanting to protect or restore open space resources on their property. There are over 1,450 landowners and 14,200 acres currently participating in this program in the County.	Thank you for your comment. These sound like great implementations measures for our suggested policy NE-7 and already available to property owners. In the future the city could include information on these programs on the city's website for residents.
108	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-8, Page NE-3	Initial draft language: Enforce regulations which preserve natural drainage ways and review development plans to limit impacts on natural drainage ways. Notes: We suggest making Low Impact Development (LID) mandatory for all development adjacent to waterways. This would help Black Diamond address the GMA requirement, “counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries,” RCW 36.70A.172. As the WRIA 9 Salmon Habitat Plan states, “Land development estimates indicate the biggest areas of future development will be in the Middle Green River Sub watershed and along the nearshore. Black Diamond is the city projected to have the greatest increase in housing development in the Middle Green River Sub watershed...” Resources for LID include the Sustainable Development Code website and the VISION 2050 Planning Resources Guidance on Integrating Stormwater Solutions into Comprehensive Plans.	The City of Black Diamond has adopted the 2019 Ecology Stormwater Management Manual for Western Washington (2019 SMMWW). Adoption of this manual, or an equivalent, was required under the Western Washington Phase II Municipal Stormwater Permit (Permit). The Permit requires that LID be the preferred and commonly used method of stormwater management for new and redevelopment projects. The City of Black Diamond requires the use of LID consistent with the feasibility criteria identified in the Permit and implemented through the use of the 2019 SMMWW.

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109	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-13, Page NE-4	Suggested revision: ((Minimize)) <u>Avoid</u> disruption of areas in current use by endangered wildlife species or by unique wildlife populations. <u>If avoidance is infeasible, ensure proper mitigation sequencing is followed.</u> Notes: We suggest the use of mitigation sequencing (WAC 197-11-768) in this policy, which first states to “avoid.” Avoidance is key, as mitigation for impacts can be costly, hard to maintain, and often do not meet no net loss standards (WAC 365-196-830).	Thank you for your comment. Mitigation sequencing is addressed in BDMC Section 19.10.050 and is applied as applicable.
110	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-15, Page NE-4	Suggested revision: Implement salmon habitat protection and restoration priorities identified in the Water Resource Inventory Area (WRIA) 9 plans <u>through partner collaboration.</u> Notes: We appreciate the inclusion of local salmon recovery plans within this element. We suggest including collaboration as part of this policy, as watershed-wide recovery can only be successful if collaboration occurs across jurisdictional boundaries. Please see the following salmon recovery funding opportunity: Salmon Recovery through Local Planning Grant, due June 3rd. Black Diamond has a significant responsibility in restoring and protecting salmon habitat. As the WRIA 9 Salmon Habitat Plan states, “the Middle Green River mainstem retains some of the best spawning and rearing habitat left in the watershed.” If not done already, we suggest Black Diamond follow the WRIA 9 Salmon Habitat Plan’s suggestion to take on a steward role for the Middle Green (Soos) area in collaboration with Covington and Maple Valley (page 7-9). This section of the Plan also states, “Stewards could be provided by re-allocation of existing staff (e.g., Black Diamond, Covington, and Maple Valley could each allocate 0.3 share of an existing employee’s time to stewardship tasks) or jointly funding a steward position(s) at the sub watershed/ WRIA level through an interlocal agreement. The stewards could be provided under contract by King Conservation District, King County, a city, or a nonprofit organization.”	Thank you for your comment. We will incorporate your suggested revision.
111	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-16, Page NE-4	Suggested revision: Minimize habitat fragmentation by linking wildlife habitats, <u>parks, and open spaces</u> via corridors. Connect wildlife habitats with each other within the City and the region to achieve a continuous network <u>for the benefit of wildlife movement and recreational opportunities.</u> Notes: Parks and open spaces are often some of the only areas within highly built environments for wildlife habitat to persist. It is important to not only plan for these spaces, but plan for the connection and linkage of these spaces to provide multi-benefit options, such as recreational trail opportunities as well as habitat corridor linkages. For information on implementing wildlife habitat attributes in all public spaces, see WDFW’s Habitat at Home resource as well as WDFW’s guidance document in relation to managing for biodiversity in developing areas.	Thank you for your suggested revision and comment. We will incorporate your suggested revision.

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112	5/1/2024	NA	NA	WDFW	Natural Env	Goal 3, Page NE-4	Suggested policy: <u>Designate and protect habitat corridor connections as critical areas both locally and regionally. Minimize potential disruption of these sites through appropriate setbacks, buffers, limits on grading, impervious surfaces, storm water treatment, and similar regulatory measures.</u> Notes: We suggest incorporating habitat corridors within this section, one such important corridor being Riparian Management Zones (RMZs). RMZs should be designated and protected as a critical areas and replace outdated ‘stream buffer’ terminology. These areas “are disproportionately important, relative to area, for aquatic species (e.g., salmon) and terrestrial wildlife,” as stated in WDFW’s Riparian Ecosystems, Volume 2: Management Recommendations and supported by WDFW’s BAS. Please see WDFW’s RMR checklist to compare Black Diamond’s current critical area ordinance to agency priorities.	Thank you for your suggested policy and comments. The city's Sensitive Areas Ordinance is due to be updated in the future, and this suggested approach can be considered at that time.
113	5/1/2024	NA	NA	WDFW	Natural Env	Goal 5, Page NE-5	Suggested policy: <u>Restrict or prevent mining and other substantial excavation activities in areas with identified Priority Habitats and Species nearby or downstream, or below the water table, or where extracting materials would diminish essential soil resources vital for storing, filtering, or conveying groundwater.</u> Notes: This policy was taken and modified from the suggested policies listed in the WRIA 9 Salmon Habitat Plan update. This policy is specifically crucial for Black Diamond, as stated in the original Plan, “Howard Hanson Dam completely blocks large woody debris and sediment (gravel) from the Upper Green from reaching the Middle Green and beyond. As a result, there is a gravel deficit because winter flows flush sediments downstream of Howard Hanson Dam with no replenishment from the Upper Green. This has resulted in channel incision (downcutting) and subsequent armoring (removal of smaller sediments leaving bare rock or large boulders). Lack of sediment has a significant effect on spawning in the river downstream,” page 9-5. Additionally, we suggest WDFW’s Priority Habitats and Species program be mentioned here.	Thank you for your comment. There are existing mining activities within the city that are already subject to issued permits. City regulations and requirements including but not limited to BDMC 19.10.300 through .340 would be applied to any future proposed mining or excavation activities as applicable.
114	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-25, Page NE-6	Suggested revision: ((Minimize)) <u>Avoid the alteration of natural surface water features ((by man or wildlife)) that retain or carry floodwaters, and prevent new development from being sited in areas of flooding concern ((land alterations that would increase potential flooding)).</u> Notes: Dams, levees, revetments, and residential and agricultural land use along the mainstem in this sub watershed have changed the natural flow regime, reduced channel complexity, reduced side channels that capture flood water, and reduced or degraded riparian habitat functions that capture storm water. We suggest Black Diamond clearly state the intent to reconnect floodplains, increase channel complexity, and avoid new development in areas that historically flood in order to plan for a future that works with natural environmental hazards instead of against them.	Thank you for your comment. Mitigation sequencing is addressed in BDMC Section 19.10.050 and is applied as applicable.
115	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-26, Page NE-6	Initial draft language: Seek to meet or exceed regulatory standards for floodplain development as these standards are updated for consistency with relevant local, state, and federal requirements including those related to the Endangered Species Act. Notes: We appreciate the inclusion of this policy and recommend going beyond the FEMA 100-year flood minimums, as FEMA minimums do not take climate change projections into account. For example, King County regulations place ‘Flood Protection Elevations’ three feet above base flood elevation.	Thank you for your comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.

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116	5/1/2024	NA	NA	WDFW	Natural Env	Climate Change Policy NE-31, Page NE-6	Proposed revision: Encourage energy-efficient homes, buildings, and building systems, <u>and explore natural techniques for achieving these goals, such as the retention of large trees that offer cooling benefits to buildings, “cool” roofs covered with light colors or reflective pigments that help direct the sun’s heat, “green” roofs covered with low-maintenance vegetation that help to insulate buildings from solar heat, and more.</u> Notes: We suggest working towards sustainable development code that decreases building utility use and cost while simultaneously increasing the capacity for climate resiliency. The Sustainable Development Code website is a great resource in outlining how to remove code barriers, create incentives, and fill regulatory gaps in pursuit of this goal. Additionally, it is mandatory that schools are built to LEED standards, and with the help of Washington Sustainable Schools Protocol: Criteria for High-Performance Schools, additional public or private infrastructure can be modeled after this example. See the LEED rating system for further resources aimed at all building types.	Thank you for your suggested revision and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.
117	5/1/2024	NA	NA	WDFW	Natural Env	Climate Change, Page NE-6	Suggested policy: <u>Consider future climate conditions during siting and design of capital facilities, including changes to temperature, rainfall, and flooding potential to help ensure they function as intended over their planned life cycle.</u> Notes: Given that capital facilities represent significant public investments, it is prudent to ensure that facilities are designed and sited to be resilient to climate impacts. We suggest Black Diamond identify climate impacts predicted for your communities and review your capital facilities plans in the context of climate change projections to ensure that planned facilities will be resilient throughout their intended lifespan and make changes as needed. For resources in relation to climate mapping, see UW’s webtool – Climate Mapping for a Resilient Washington.	Thank you for your suggested policy and comment. Black Diamond is required to adopt a Climate Element by 2029. We encourage you to make these policies during that process, which would warrant additional studies at that time.
118	5/1/2024	NA	NA	WDFW	Natural Env	Goal 8, Page NE-7	We suggest incorporating a tree related goal or policy in this section, highlighting the clean air benefits they provide, such as “ <u>Manage tree canopy and forests (including parks, greenbelts and urban forests) to decrease air quality risks.</u> ”	Thank you for your comment. We will incorporate your suggested policy.
119	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-38, Page NE-8	Initial draft language: Adopt Maintain and enforce stormwater regulations consistent with Ecology’s Surface Water Management Manual for Western Washington (2012 or as revised). Notes: We suggest supplementing Ecology’s Surface Water Management Manual for Western Washington (2012 or as revised) with Best Available Science specific to Black Diamond in order to actively pursue salmon recovery goals. See comments for Policy NE-8.	Thank you for your comments. The city's Sensitive Areas Ordinance is due to be updated in the future, which will include a review of Best Available Science.
120	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-40, Page NE-8	Suggested revision: The City ((should)) <u>shall</u> encourage and practice low impact development approaches for managing stormwater to protect water quality by controlling pollutants and minimizing flooding and erosion. Notes: We suggest adding an actionable policy that supports the adjacent policy’s goals, such as, “<u>Develop and maintain a fund to build green infrastructure projects that help capture, filter, store, and reuse stormwater runoff.</u>” The Georgetown Climate Center's Green Infrastructure Toolkit provides funding models and approaches from U.S. municipalities, including Los Angeles County's Safe Clean Water Program and Boulder, Colorado's Greenways Program. Low Impact Development and other green infrastructure techniques can provide a more environmentally friendly and cost- effective ways to manage stormwater.	Thank you for your comments. We will change "should" to "shall."

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121	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-41, Page NE-8	Initial draft language: Require protection of significant trees and limit unnecessary disturbance of vegetation during all phases of development and require mitigation as needed, including replacement for trees removed during development. Notes: We suggest Black Diamond develop a formal tree canopy management plan (informed by Black Diamond’s Urban Tree Canopy Assessment) in order to track current conditions and benchmark progress towards tree canopy goals. This plan should also measure how well the City’s Tree Preservation Ordinance is functioning in retaining trees on the landscape. It may not be enough to rely on ordinances if there is not a system in place to track cumulative impacts over time. Some examples of Tree Management Plans include the City of Tacoma, the City of Snoqualmie, the City of Redmond, and the City of Renton. The Puget Sound Urban Tree Canopy and Stormwater Management Handbook provides additional guidance.	Thank you for your comment. We could partner with WDFW and/or DNR in the future if there are grant opportunities to fund plans like this.
122	5/1/2024	NA	NA	WDFW	Natural Env	Goal 10, Page NE-9	Suggested policy: <u>When removing hazard trees, consideration for snag creation or leaving the removed downed tree in-place will be given.</u> Notes: WDFW recommends specifically encouraging the creation of snags as opposed to complete removal of hazard trees. Snags provide crucial habitat and are often missing from urban tree stand compositions (see further info on our website). Similarly, decaying logs are also important ecosystem attributes that tend to be missing in urban forest environments.	Thank you for your suggested policy and comments. The city's Sensitive Areas Ordinance is due to be updated in the future, and this suggested approach can be considered at that time.
123	5/1/2024	NA	NA	WDFW	Natural Env	Policy NE-43, Page NE-9	Suggested revision: Preserve native vegetation within streams, wetlands, and their associated buffers <u>to ensure the preservation of the ecosystem services they provide to wildlife and people. Some of these services include pollution filtration, shade to warming streams, floodwater capture, and more.</u> Notes: Healthy ecosystems provide many climate resilience-related benefits. Protecting and restoring natural assets and the services they provide is often more cost-effective than engineered solutions. Restored wetlands and floodplains can prevent flooding and reduce the need for other types of flood-control infrastructure. Implementation of this policy could include comparing lifetime cost- effectiveness of nature-based versus engineered options for climate response to help identify cost-effective adaptation options. This can help build capacity and support for the adoption of response strategies that help protect and restore ecosystem function and services at risk from climate change. For resources, see FEMA’s guide Building Community Resilience with Nature-based Solutions, as well as software to track these resources from Natural Capital Project. Additionally, see Kitsap County’s approach to this through their Kitsap Natural Resource Asset Management Project.	Thank you for your suggested revision and comments. We will incorporate your suggested revision.
124	5/1/2024	NA	NA	WDFW	Natural Env Appendix	NA	In this appendix, there is a map for each category of critical area except for Fish and Wildlife Habitat Conservation Areas. We recommend incorporating this information (WAC 365-190-080). WDFW’s Priority Habitats and Species (PHS) Program provides relevant information on important fish, wildlife, and habitat resources in Washington. The Washington Wildlife Habitat Connectivity Working Group is also a great repository for resources.	The initial draft element was missing that piece. We will furnish an updated map in a future draft

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Comment Response Matrix (External Comments)

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
125	5/1/2024	NA	NA	WDFW	PROS	Goal 1, Page PR-5 (initial draft)	Suggested policy: <u>When development negatively impacts habitat and impacts cannot be mitigated on-site, participate in off- site mitigation programs aimed at improving and maintaining current open spaces and parks. Off-site mitigation programs should be limited to the same subbasin and be consistent with watershed and salmon recovery plan priorities.</u> Notes: One suggested way to plan for park needs is to utilize projects looking for off-site mitigation opportunities. Mitigation could be sited in open spaces throughout Black Diamond (depending on the criteria that need to be met for specific mitigation projects).	Thank you for your suggested policy and notes. The scope of work for this project included a very light lift on the PROS Element, since the city just adopted an updated PROS Plan in 2022. The goals, objectives, and policies in the draft update are taken directly from the PROS Plan. The city staff is quite small compared to other jurisdictions in King County, and as such the city does not have a formal Parks and Recreation Department.
126	5/1/2024	NA	NA	WDFW	PROS	Goal 1, Page PR-5 (initial draft)	Suggested policy: <u>Pursue and prioritize the acquisition of large, connected patches of undeveloped open space for future parks, recreational trails, and wildlife habitat corridor use.</u> Notes: Black Diamond’s PROS Plan frequently states the need citizens have for more parks. To maintain spaces for future open space needs, the city should pursue the retention of areas already providing informal recreational benefits to the public. Acquisition prioritization could pursue areas in underserved communities, areas incumbered by critical areas, and areas highlighted in Black Diamond’s PROS Plan (such as the Lake Sawyer area - in need of sidewalks/pedestrian access, page 67). Resources include the Trust for Public Lands, the NRPA Safe Routes to Parks Action Framework (which provides professionals with a “how-to” guide to implement Safe Routes to Parks strategies), and the Sustainable Development Code website.	Thank you for your suggested policy and notes. The scope of work for this project included a very light lift on the PROS Element, since the city just adopted an updated PROS Plan in 2022. The goals, objectives, and policies in the draft update are taken directly from the PROS Plan. The city staff is quite small compared to other jurisdictions in King County, and as such the city does not have a formal Parks and Recreation Department.
127	5/1/2024	NA	NA	WDFW	PROS	Goal 1, Page PR-5 (initial draft)	Suggested policy: <u>Pursue the connection and protection of forested trails and open spaces over developed parks by requiring open space set-asides for new development.</u> Notes: Black Diamond’s PROS Plan notes, “Park impact fees are not required for Master-Planned Developments. Instead, the City works with an applicant to prepare a development agreement regulating the park and open space requirements for subdivision projects.” Often times, this results in disconnected parks that don’t suit the needs of Black Diamond’s population. Further in this PROS Plan, “Three out of four residents preferred forested trail areas over passive parks. The community is attracted to the available open space and trails over developed parks,” page 46.	Thank you for your suggested policy and comments. Much of the development in Black Diamond is within the master planned developments (MPDs). Many of these suggested measures align with their respective development agreements.
128	5/1/2024	NA	NA	WDFW	PROS	Objective 2.3, Page PR-6 (initial draft)	Suggested policy: <u>Review parks and grounds maintenance procedures and adopt written Best Management Practices that protect salmon and salmon habitat.</u> Notes: This suggestion is an example policy, taken directly from the WRIA 9 Salmon Habitat Plan (page 3-17).	Thank you for your suggested policy and notes. The scope of work for this project included a very light lift on the PROS Element, since the city just adopted an updated PROS Plan in 2022. The goals, objectives, and policies in the draft update are taken directly from the PROS Plan. The city staff is quite small compared to other jurisdictions in King County, and as such the city does not have a formal Parks and Recreation Department. Your suggestion could be an implementation measure the city pursues in the future.
129	5/4/2024	Open House	Tallie Menzie	GP	Transportation	NA	My son is studying this concept in college [link to a YouTube video "Stroard are Ugly, Expensive, and Dangerous (and they're everywhere)" by Not Just Bikes]. I would love Black Diamond to be mindful of this particularly with transportation and road development. You know how I feel about bike lanes and trails :)	Thank you for your comment. Safety and non-motorized transportation are factoring more heavily in transportation planning. It is our understanding that state and regional agencies are looking to implement non-motorized LOS standards. We have taken these topics into account as we have worked to propose changes in the draft update.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
130	5/6/2024	NA	Lisa Anderson	GP	Transportation	NA	We live off 288th which, as you know, is a border between Maple Valley and Black Diamond. The developments approved by Black Diamond have created significant traffic through and into Maple Valley - and we have only two ways to get out of our immediate surroundings. I will be contacting Maple Valley as well but the two municipalities need to address the dangerous situations at either end of 288th - the traffic now is a steady stream and with no lights, it has become increasingly dangerous. Add to that the number of new teen drivers in families impacted by this, and someone is going to get killed at those intersections. Black Diamond seems to be accepting many new home developments without ensuring adequate infrastructure to leave the area - I am urging both towns to get up to speed on their planning, as it is woefully behind the influx of new homes south of 288th.	Thank you for your comment. The Transportation Element is being updated to address Black Diamond's capacity to handle existing and future traffic based on future land use assumptions. In addition, there are planned improvements for the intersection of 288th Street and 216th Avenue.
131	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(1) Late satellite fire station: no construction contract by 750th unit. Not under construction 1.5 years later at over 1,000 occupied units. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	It is not clear in the comment letter how the Friends of Black Diamond (FOBD) view this as relevant to the Comprehensive Plan Update. This concern has been raised and addressed at multiple public hearings related to the Master Planned Developments (MPDs). The Lawson Hills Fire Station that is referenced has an issued building permit (City File Number BLD21-0111) and is under active construction. The MPD is in compliance with this requirement and as such this topic appears to be irrelevant to the Comprehensive Plan Update.
132	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(2) City athletic fields not paid for or constructed by 800 units. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	It is not clear in the comment letter how the Friends FOBD view this as relevant to the Comprehensive Plan Update. This concern has been raised and addressed at multiple plat applications related to the Ten Trails MPD. As defined in MPD Development Agreements, constructed means “bonded for or substantially completed.” The City’s Master Development Review Team (MDRT) has accepted bonds for the construction of the referenced facilities prior to their associated unit thresholds. Disagreement with the definition of “constructed” through the lens of the Development Agreements does not alter the definition established in the Development Agreements. The MPD is in compliance with this requirement and as such this topic appears to be irrelevant to the Comprehensive Plan Update.
133	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(3) Failure to meet fiscal requirement that development revenue provide sufficient funding for Fire and Police staff to serve growth. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	It is not clear in the comment letter how the FOBD view this as relevant to the Comprehensive Plan Update. As detailed in both MPD Development Agreements Section 13.6 (Fiscal Impacts Analysis), expenses and revenues for general fund departments related to fire (Development Agreements Section 13.6(1)(a)(xi)) and police (Development Agreements Section 13.6(1)(a)(x)) are included in fiscal analysis documents submitted to the City in association with the requirements of the Development Agreements. The timing of the fiscal analysis and evaluation are tied to the first implementing project within each Phase of the MPDs. Each Phase of the MPD has reviewed and approved a fiscal analysis prior to approval of the first implementing project of a Phase. The MPD is in compliance with this requirement and as such this topic appears to be irrelevant to the Comprehensive Plan Update.

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134	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(4) Failure to complete Master Planned Development (MPD) Fiscal Analysis every 5 years and ensure the MPD does not have adverse financial impact. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	It is not clear in the comment letter how the FOBD view this as relevant to the Comprehensive Plan Update. This concern has been raised and addressed at multiple public hearings related to the MPDs. Fiscal analysis requirements from the Development Agreements are addressed in item #3 above, however the referenced Black Diamond Municipal Code (BDMC) sections described in the FOBD’s letter are inaccurate. The requirement established in the referenced BDMC (note that the MPDs are regulated by the BDMC in place at the time of MPD approval) is both prior to commencing a new phase (vested BDMC 18.98.080(A)(3)(b)) and, more specific to the comments raised by FOBD, required within 5 years when a phase requests an extension of the phase (vested BDMC 18.98.080(A)(3)(a)), not every 5 years independent of an extension request of a phase. MDRT has reviewed and approved a fiscal analysis as established in both the vested BDMC and Development Agreements in association with each new phase of the MPD. The MPD is in compliance with this requirement and as a result this topic appears to be irrelevant to the Comprehensive Plan Update.
135	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(5) Fixes for failing SR 169 intersections at Ravensdale Rd. and Roberts Dr. not yet permitted, but City allowing further Ten Trails occupancy in violation of Development Agreement section 11.4. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	Improvements to the SR169 corridor have been approved by the City of Black Diamond and are undergoing active construction. Regarding the timing of the construction, at least one party of FOBD was involved in the SEPA Appeal of the Ten Trails Phase 2 Plat A preliminary plat application, in which the Hearing Examiner heard and decided on this same concern. In the Hearing Examiner’s Decision Upon Reconsideration, the following language was provided as a condition of approval #4 on the preliminary plat application (City File Number PLN18-0008): <i>Compliance with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvement details, dated January 28, 2014 and approved on June 13, 2014, is required. In addition, the 327 ERU trigger for the SR 169/Roberts Drive/Ravensdale Road intersection improvements in the Phase 1A Implementation Schedule shall be re-evaluated applying current master plan development conditions and in consideration of all master plan development potential trip generation, including that of PP2A. As an alternative to the 327 ERU analysis, the Applicant can implement a schedule approved by staff that assures that needed improvements shall be completed within six years of final plat approval of PP2A (which would be final plat approval of the first phase if PP2A is subsequently divided into phases).</i> This condition language was established by the Hearing Examiner specifically in response to this concern. The master developer of the MPD is using the alternative to the 327 ERU analysis as established in the condition language above. The City has approved a construction schedule to ensure that the SR169 improvements (that are currently underway) are completed within 6 years of the approval of the first final plat of PP2A. This concern has been raised and addressed at multiple public hearings following the Phase 2 Plat A plat decision. The MPD is in compliance with this requirement and so this we view this claim as irrelevant to the Comprehensive Plan Update.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
136	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(6) Failure to enforce Affordable Housing “balanced share” commitment in OakPointe Master Planned Developments (MPDs) Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	This concern has been raised and addressed at multiple public hearings related to the MPDs. The Development Agreements for both MPDs have unambiguous language related to the timing of the assessment of affordable housing as the MPDs develop. Section 11.8 of both The Villages MPD Development Agreement and Lawson Hills MPD Development Agreement establish that an analysis of affordable housing city-wide is to be conducted following the completion of each Phase of the MPDs. The Villages (aka Ten Trails) MPD has multiple Phases under active development concurrently, and no Phase has yet been completed. Phases 1, 1A, 1B, and 2 of Ten Trails are all under active entitlement and construction. Upon completion of a Phase, this requirement will be enacted. The MPD is in compliance with this requirement.
137	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(7) OakPointe trying to get out of building Lawson SE Loop Connector road to serve the 1,100 houses planned on Lawson Hill. Instead wants to use residential “small town” Lawson Street as a high-volume pass-through. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	This comment does not have relevancy to the Comprehensive Plan Update process. OakPointe has not submitted any request to the City to modify the Lawson SE Loop Connector. The roadway improvements established in the Lawson Hills Development Agreement (see Lawson Hills Development Agreement Section 11 – Project Phasing) are in place as approved. Pursuant to Lawson Hills Development Agreement Section 6.4.1(B), any secondary access proposal that varies from the identified SE Connector will require a Major Amendment to the MPD Approval. To date, this request has not been made by the master developer. If a request is made to modify the SE Connector from the established requirements of the Lawson Hills Development Agreement, a Major Amendment will be required and processed/reviewed pursuant to vested BDMC 18.98.100 (a process which would be separate and distinct from the current process to update the City’s Comprehensive Plan).
138	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	(8) Failure to enforce 1996 BDUGGA “In-City Forest” and Ord. 971 Open Space protection leaving 50 acres of trees on Lawson Hill unprotected. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	The In-City Forest is identified as required open space acreage pursuant to Table 9-1 of the Lawson Hills MPD Development Agreement. For more details regarding the conservation easement status and specific requirements of the Black Diamond Urban Growth Area Agreement (BDUGAA) related to the In-City Forest, I would defer to the City’s Attorney for more information. Specifically through the lens of the Development Agreements, the 50 acres identified as the In-City Forest is required to be conserved for compliance with open space requirements of the MPD and will be enforced in association with implementing projects for the Lawson Hills MPD.

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#	Date Received	Event	Name	Agency/Gr	Element	Section	Comment	Response
139	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	CONCLUSION It’s time to hold the developer to their agreement. If the city does what it is obligated to do and stops allowing subdivisions or building permits, I think we will all be amazed at how quickly OakPointe will come into compliance/ Right now, OakPointe is splitting their resources toward things like new subdivision applications, and trying to change their Lawson Hills development plan. OakPointe's time should be solely spent figuring out how to come into compliance and stop violating the agreement. All the requirements listed above were in exchange for OakPointe getting a big development approval. The Development Agreement was supposed to ensure that public services needed for growth are provided. For most people, the existence of these services is something that they take for granted. Our state’s growth management laws and other regulations usually work so well that public services and infrastructure are something we no longer tend to worry about. Our environmental protection laws usually work well enough that we don’t have development polluting streams or filling wetlands. Most people in Black Diamond don't realize how precarious these public services have become. They're counting on their city government to make sure growth doesn’t overwhelm services. Here in Black Diamond, many things are getting missed and these are going to cost the community. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	A majority of the concerns in the FOBDD comment letter have limited relevancy to the Comprehensive Plan Update as they are instead focused on the perceived performance of the City’s approved MPDs. As detailed in the FOBDD letter, the desired resolution to these concerns of “the city should stop accepting new subdivision applications” (FOBDD letter page 37) has no applicability to the Comprehensive Plan Update itself. I would recommend to FOBDD that these concerns be raised in the appropriate venue (e.g., plat applications and other public hearings associated with the MPDs).
140	6/10/2024	NA	Friends of Black Diamond	GP	NA	NA	RECOMMENDATIONS While the developer is in violation of the Development Agreement Ordinance, the city should stop accepting new subdivision applications. The City should notify the developer that they must immediately comply, or submit an amendment application regarding each violation and prepare for the public hearing and City Council review in accordance with the Master Planned Development change process as defined by city ordinance. Please see comment letter "Failure to meet Development Requirements" by the Friends of Black Diamond for full comment.	A majority of the concerns in the FOBDD comment letter have limited relevancy to the Comprehensive Plan Update as they are instead focused on the perceived performance of the City’s approved MPDs. As detailed in the FOBDD letter, the desired resolution to these concerns of “the city should stop accepting new subdivision applications” (FOBDD letter page 37) has no applicability to the Comprehensive Plan Update itself. I would recommend to FOBDD that these concerns be raised in the appropriate venue (e.g., plat applications and other public hearings associated with the MPDs).



CITY OF BLACK DIAMOND

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Meeting Date: July 9, 2024

To: Planning Commission

Staff Contact: Mona Davis – Community Development Director

Subject: Childcare/Daycare - Minor Code Amendment Title 18

Findings of Fact

Currently, the Black Diamond Municipal Code (BDMC) regulates where childcare, nursery school, and daycare centers can be located within the City based off of what zone allows the specific land use activities as a permitted use, conditional use, or prohibits the use.

Pursuant to BDMC 18.100.224, a childcare establishment is defined as an establishment licensed by the State of Washington that provides regularly scheduled care for groups of children for periods of less than twenty-four hours. Includes nursery schools and daycare centers and can occur in the home of the provider or at a commercial location.

The zones that currently allow childcare establishments to operate are limited mostly to residential areas with a need for allowances in the Neighborhood and Community Commercial zones. Lack of available locations can adversely affect families in need. The American Planning Association encourages communities to amend zoning ordinances to a wider range of appropriate and safe zoning districts. Expanding the zoning permissions for childcare establishments can have several benefits. It can increase access to childcare services for families, especially in areas where such services are currently scarce or expensive. This can enable parents to work or pursue education more easily, ultimately benefiting the economy and society as a whole. Additionally, diverse zoning can promote community integration and support working parents by providing convenient childcare options near their workplaces or homes. However, it's crucial to consider potential impacts on traffic, noise, and neighborhood character when implementing such changes. Overall, a balanced approach that considers the needs of families, businesses, and communities is essential.

It is recommended that childcare establishments be allowed in a more diverse number of zones.



Proposed Code Amendments

Chapter 18 – Zoning

18.20.010 – Zoning Matrix

Use	R4	R6	MDR8	NC	CC	TC	B/IP	I	PUB
Childcare, including nursery schools and daycare centers	P ¹² /C ¹⁰	P ¹² /C ¹⁰	P ¹² /C ¹⁰	P	P	C	P		

Chapter 18.36 – NEIGHBORHOOD CENTER - NC

18.36.020 - Permitted uses.

A. Retail. Only the following uses are allowed:

1. Supermarket and grocery stores: Limited to not more than forty thousand square feet gross floor area.
2. All other typical neighborhood retail uses: Limited to not more than ten thousand square feet gross area for each individual use, whether in a separate building or combined with other uses in one building, not to exceed one hundred thousand square feet gross floor area in total; and excluding drive-through facilities and automobile fueling stations.

B. Personal services provided primarily to neighborhood residents: Limited to not more than four thousand square feet gross floor area per business.

C. General offices: Limited to not more than four thousand square feet gross floor area per business and excluding drive-through facilities.

D. Entertainment/culture: Limited to not more than five thousand square feet gross floor area or capacity of not more than one hundred patrons per business, whichever is greater, and excluding drive-through facilities.

E. Residential uses in attached structures if included as an element of mixed use site development or on upper floors of a mixed use structure.

F. Utilities, below ground.

G. Existing light manufacturing uses provided no expansion is allowed.

H. Veterinary clinics and pet stores; no boarding of dogs or outdoor kennels allowed.

I. Other or Related Uses:

1. Accessory uses and structures as provided in Chapter 18.50.
2. Temporary uses as provided in Chapter 18.52.

J. Childcare, including nursery schools and daycare centers



Chapter 18.38 – COMMUNITY COMMERCIAL DISTRICT – CC

18.38.020 - Permitted uses.

- A. Retail, including automobile fueling stations and uses involving outdoor product display or storage.
- B. Personal and professional services.
- C. Entertainment/cultural.
- D. Religious institutions.
- E. Drive through facilities, including automobile fueling stations.
- F. Hotels, motels, and other visitor lodging.
- G. Residential, if developed as an element of mixed use site development, either in separate buildings or on the upper floors of a mixed use building; provided that, residential is not allowed at street level within buildings fronting an arterial street.
- H. Veterinary clinics and pet daycare.
- I. Public uses/facilities.
- J. Utilities, below ground.
- K. Other or related uses:
 - 1. Accessory uses and structures as provided [Chapter 18.50](#); and
 - 2. Temporary uses as provided in [Chapter 18.52](#).
- L. Childcare, including nursery schools and daycare centers

Staff Recommendation

The purpose of tonight's meeting is to discuss the proposed minor code amendment regarding childcare and daycare centers to revise Sections 18.20.010, 18.36.020, and 18.38.020. Staff recommends holding a public hearing at the next regular Planning Commission meeting on August 6, 2024.