



**CITY OF BLACK DIAMOND
PLANNING COMMISSION AGENDA
August 6, 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 July 9, 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:

- 2) **Adding Amendments for Daycare**

a. Deliberation and possible action taken on "Adding Amendments for Daycare".

STUDY/WORK SESSION:

UNFINISHED BUSINESS:

NEW BUSINESS:

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURNMENT:



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
July 09, 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

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

APPROVAL OF MINUTES:

1) Regular Planning Commission Meeting of June 11, 2024 -

There were no changes to the June 11, 2024, minutes and they were approved as presented.

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

There were no changes to the June 25, 2024, minutes and they were approved as presented.

PUBLIC COMMENT -

Bernie O'Donnell of Black Diamond spoke to the Commissioners.
Geoff Bowie of Black Diamond spoke to the Commissioners.
Megan Nelson, attorney for Oakpointe spoke to the Commissioners.
Gary Jones of Black Diamond spoke to the Commissioners.
Renee Mix of Black Diamond spoke to the Commissioners.
Gary Kohl of Black Diamond spoke to the Commissioners.

Kristen Bryant of Bellevue spoke to the Commissioners.
Bill Bryant of Black Diamond spoke to the Commissioners.

PUBLIC HEARING - None

STUDY/WORK SESSION - None

UNFINISHED BUSINESS –

3) Zoning Designations and “Limited” zones – Director Davis introduced Nicole Stickney with AHBL who spoke and gave highlights as follows:

- Background
- Discussion
- Proposed New FLUM Classifications/Zones
 - Proposed future land uses
 - Proposed zones
 - Other proposed changes to maps
 - Related documents

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

4) Comments and Responses Matrix for 2024 Comprehensive Plan – Director Davis spoke a bit and then turned it over to Nicole from AHBL who went over the highlights from the following items:

- Internal Comments
- External Comments

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

NEW BUSINESS –

5) Code Amendment – Daycares – Director Davis gave a brief history about the topic and then turned the meeting over to the city’s Jr. Planner, Jill Kuzaro who went over the highlights of the following items:

- Proposed Code Amendments
- 18.20.010 Zoning Matrix
- Chapter 18.36 – Neighborhood Center – NC

- Chapter 18.38 Community Commercial District – CC
- Staff Recommendation
- Public Hearing to be on the 8/6 Agenda

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

COMMUNITY DEVELOPMENT DEPARTMENT REPORT -

Director Davis reported on the following items:

- Appreciative of all the comments from the public.
- The maximum dollar amount was adopted from school impact fees.
- Any comments that want to be made on the Comprehensive Plan and on the record should be emailed to Director Davis.
- The city is looking to use local photos in the Comprehensive Plan so if you have any that you would like to submit, email them to Director Davis.
- Parametrix is still working on the Transportation element, hoping for the 8/21 meeting. Once completed, the Comprehensive Plan will be rolled out.
- Hopeful to have the Draft of the Sign Code completed sometime in August.
- On 7/18 at the City Council Work Session, PSE will be giving an overview on BESS.
- On 8/8 there will be a Joint study session with City Council on middle housing.
- There will be no special meeting on 7/23.
- Special events coming up:
 - Miner's Day
 - Tough Mudder
 - Ten Trails hometown BBQ & Brewfest
 - Labor Days.
- New permit tech starting 8/1.

PUBLIC COMMENTS –

Carolyn Carol of Black Diamond spoke to Commissioners
 Keith Carol of Black Diamond spoke to Commissioners
 Renee Mix of Black Diamond spoke to Commissioners
 Jake Kapsandy of Black Diamond spoke to Commissioners

ADJOURNMENT -

Commissioner Olson moved to adjourn, **second** Commissioner McCain **Vote**, motion **passed** 7 - 0. Meeting adjourned at 8:03 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

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Meeting Date: August 6, 2024
To: Planning Commissioners
Staff Contact: Jill Kuzaro, Assistant Planner
Subject: Childcare/Daycare - Minor Code Amendment Title 18

Dear Commissioners,

At our previous meeting on July 9th Mona and I presented you with a proposal to amend Title 18 in order to allow childcare establishments as a permitted use in our Community Commercial (CC) and Neighborhood Center (NC) zones. During the meeting we discussed the definition of childcare establishments and what types of businesses fall into the categories of childcare, daycare, and nursery schools as these uses are referenced in the Zoning Use Matrix found in BDMC 18.20.010. We determined that we would like to include “preschools”. We are proposing to change the title of the use in the Zoning Matrix to “childcare establishments” and in the definition of a childcare establishment to add “preschools”. The changes have been added in red below:

Proposed Code Amendments:

Chapter 18 – Zoning

18.20.010 – Zoning Matrix

Use	R4	R6	MDR8	NC	CC	TC	B/IP	I	PUB
Childcare establishments	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 establishments

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 establishments

Chapter 18.100 – Definitions

18.100.224 – Childcare establishment.

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, [preschools](#) and daycare centers and can occur in the home of the provider or at a commercial location.

**Staff Recommendation**

Staff recommends approving the proposed code amendments to revise Sections 18.20.010, 18.36.020, 18.38.020, and 18.100.224 to allow childcare establishments as a permitted use in Neighborhood Center (NC) and Community Commercial (CC) zones as well as adding preschools to the definition of childcare establishments in these sections.