

**BLACK DIAMOND  
PLANNING COMMISSION  
MINUTES OF SEPTEMBER 20, 2011 MEETING**

**CALL TO ORDER**

Chairman Bob Kaye called the meeting to order at 7:03 p.m. with the introduction of the role and duties of the Planning Commission.

**ROLL CALL**

Present: Commissioners Bob Kaye, Ron Taylor, Greg Thesenvitz, Darryl Buss, Sheri Roth  
Absent: Keith Watson and Pam Thurmond (both excused)  
Staff: Community Development Director Steve Pilcher, Economic Development Director Andy Williamson and Associate Planner Stacey Borland

**PUBLIC COMMENTS**

Cindy Proctor distributed an item related to the Comprehensive Plan. Ms. Proctor discussed the public participation plan, public notice, provided input on several proposed comprehensive plan map changes and discussed the Master Planned Developments (MPDs).

Cindy Wheeler addressed proposed comprehensive plan amendment CPT-11-01, stating that the item was discussed before and she did not feel it is ready to move forward. Mrs. Wheeler also shared her concerns about public involvement.

Sheila Hoefig stated her concerns about parks plan amendments, including a dancehall component.

Mr. Pilcher and Commissioner Kaye responded to items addressed during public comment, including the upcoming public hearing on the proposed changes to the Comprehensive Plan. The Commission discussed the upcoming public hearing including various means through which notice could be provided.

**APPROVAL OF MINUTES**

**Moved by Commissioner Taylor, seconded by Commissioner Thesenvitz, to approve the minutes of the September 6, 2011 meeting as written. Passed 5-0.**

**CONTINUED WORKSESSION ON 2011 COMPREHENSIVE PLAN AMENDMENTS**

Mr. Pilcher discussed CPT-11-08 (Transportation concurrency standard for SR-169), a privately initiated amendment submitted by Peter Rimbo on behalf of the Citizens Technical Team. Mr. Rimbo was present and explained the proposal. Mr. Rimbo discussed concurrency and levels of service (LOS) in general and SR-169 as a highway of statewide significance. He discussed King County concurrency, travelsheds and Chapter 7 of the City of Black Diamond Comprehensive Plan. He shared information regarding the Hearing Examiner's recommendation on the MPDs and how it relates to the proposed comprehensive plan amendment. He stated that the Comprehensive Plan currently does not allow Black Diamond to have control over SR-169.

Mr. Rimbo and Mr. Pilcher responded to questions from the Commission. Mr. Pilcher explained that a city can choose a LOS for a road and discussed the concept of concurrency and the history of the Central Puget Sound Growth Management Hearings Board 4 dwelling units/acre decision.

Mr. Rimbo continued discussing his proposed language. He explained King County road improvements, road safety as a priority and the different tiers of roads. He presented a King County map "Draft Tiered Services Level Road Services Division", which is available for review on the King County Department of Transportation website. Mr. Rimbo also submitted written materials in support of his amendment.

Mr. Pilcher discussed CPT-11-02 (Residential densities: "net" or "gross" acreage). Mr. Williamson was in attendance to discuss the history of the Transfer of Development Rights (TDR) program and respond to questions from the Commission. There was discussion on the use of the program within the city, cluster zoning, the use of TDRs within the MPDs and the Black Diamond Urban Growth Area Agreement (BDUGAA).

Mr. Pilcher discussed CPT-11-09 (Relation of Comp Plan to King County Countywide Planning Policies), CPT-11-10 (Private facilities in the UGA) and CPT-11-11 (Sole source aquifers), which are privately initiated amendments submitted by Save Black Diamond. Kristen Bryant and Brian Derdowski were in attendance on behalf of Save Black Diamond to explain the proposals.

Mr. Derdowski discussed countywide planning policies and the Growth Management Planning Council. He stated that concurrence is good policy. There was discussion amongst the Commission and Mr. Derdowski about whether there has already been a determination of consistency made about the Comprehensive Plan and whether this amendment was necessary or if the concept could be accomplished somewhere else in the Plan. Mr. Derdowski explained that the purpose of the amendment is to have full compliance, not just with the purpose and intent as is stated in the Plan now.

For CPT-11-10, Mr. Derdowski stated that growth should pay for growth and that a loophole exists in the existing language. He observed that the use of eminent domain and creative public financing can be used to displace others for economic reasons. He recommended that the Commission adopt this proposal with little investigation. He noted that power lines are an example this situation within the MPDs. There was further discussion about possible future amendments the Comprehensive Plan.

On CPT-11-11, Mr. Derdowski discussed the City's use of water rights for future development. He expressed concern about groundwater and the connection to mine areas. He noted that the City may meet the test for federal designation of a sole source aquifer. He explained that no federal money can be used for roads if it will affect an aquifer. He stated that Save Black Diamond could request the federal designation but it would be better for the request to come from the City. Mr. Derdowski encouraged the Commission to take more time to analyze the proposal. There was discussion about when water from the Tacoma Pipeline will be needed to serve the City. Further information will be forthcoming in the city staff report on this matter.

The Commission discussed their availability for the next meeting date, which will be October 18<sup>th</sup>. The Commission wanted all amendment items discussed at the meeting to go forward to the public hearing.

Commissioner Taylor discussed CPT-11-05 (Capital Facilities Plan: fire services). He noted that CF-20 is redundant and the need to tie to LOS and reference NFPA as the city grows. He observed that night time coverage stations cannot be considered first responders. He stated that staffing levels in CF-17 should be tied to NFPA standards. He explained that Black Diamond has

a half time fire station with apparatus and needs staff. He clarified that both new development and the existing need within the city triggers the need for additional fire stations.

The Commission discussed the next steps in the process. The Commission decided that there was no need for an additional study session before the public hearing on October 18<sup>th</sup>.

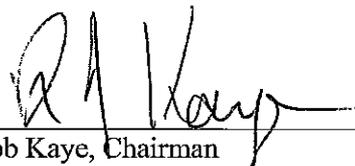
**DEPARTMENT REPORT**

An announcement was made regarding the upcoming Joint Planning Commission Meeting between the cities of Black Diamond, Covington, and Maple Valley to be held on October 6<sup>th</sup> at 6:30 pm in Covington.

**ADJOURNMENT**

Moved by Commissioner Thesenvitz, seconded by Commissioner Taylor, to adjourn. Passed 5-0.  
**The meeting adjourned at 9:40 p.m.**

Minutes prepared by: Stacey Borland, Associate Planner 

  
Bob Kaye, Chairman

ATTEST:  
  
Planning Commission Secretary