



CITY OF BLACK DIAMOND  
PLANNING COMMISSION MEETING AGENDA  
May 6, 2014 7:00 PM  
25510 Lawson Street, Black Diamond, Washington

- 1) CALL TO ORDER, ROLL CALL
- 2) APPROVAL OF MINUTES –April 22, 2014
- 3) PUBLIC COMMENTS: Individuals wishing to address the Planning Commission regarding any item not on this meeting’s agenda may do so at this time.
- 4) WORKSESSION ON DRAFT PUBLIC PARTICIPATION PROGRAM
- 5) UNFINISHED BUSINESS
- 6) DEPARTMENT REPORT
- 7) PUBLIC COMMENTS
- 8) ADJOURN



CITY OF BLACK DIAMOND  
PLANNING COMMISSION  
25510 Lawson Street, Black Diamond, Washington

**MEMORANDUM**

Date: April 30, 2014  
To: Planning Commission  
From: Stacey Welsh, Community Development Director  
Re: Worksession on the Draft Public Participation Program

Under RCW 36.70A.035, the City is required to adopt a public participation program to address the adoption of comprehensive plan amendments and development regulations.

It is important that the City have a clear program for public participation that applies to all comprehensive plan amendments and demonstrates compliance with the Growth Management Act's requirements for public participation and involvement in the comprehensive plan and development regulation adoption/amendment process.

The City Attorney has prepared a draft public participation program that complies with the Growth Management Act requirements. If the Commission, and ultimately the City Council, wants to make changes to the draft program, note that the amount of notice and public participation in the program for comprehensive plan and development regulation amendments cannot be reduced.

It would be best to adopt one program for this purpose, and use it for all comprehensive plan and development regulation amendments. In the City Code, currently there are code provisions addressing notice and public participation throughout Chapter 16.30, rather than one section addressing all the public participation requirements.

One solution is to amend/repeal these sections of the city code and instead adopt the proposed public participation program. The program does not have to be codified. Instead, it could be stated in the adopting ordinance that the public participation program will be an exhibit to the City's Comprehensive Plan. Alternatively, there is no problem if the City wants to codify the basic requirements of the public participation program.

At this time, staff is asking the Commission to review the program materials and provide staff with any questions you have.

Next steps

Staff recommends the item be reviewed at another worksession and then proceed to public hearing.

Attachments: Draft Public Participation Program, RCW 36.70A.035, City Code Ch. 16.30.

**DRAFT**

City of Black Diamond

**GROWTH MANAGEMENT ACT (GMA)  
PUBLIC PARTICIPATION PROGRAM  
HANDBOOK**

## Introduction

Citizen participation is an important element of the Growth Management Act (GMA). Public participation is one of the Planning Goals outlined in RCW 36.70A and that goal states that jurisdictions shall "...encourage the involvement of citizens in the planning process." The comprehensive plan development and amendment process, as well as the development and amendment of implementation regulations should be a "bottom up" effort, involving early and continuous public participation [RCW 36.70A.140 and WAC 365-195-600]. The City's program has citizen involvement meeting the legal public notification requirements found in chapter 35A.63 RCW – Planning and Zoning in Code Cities, chapter 36.70A - Growth Management Act, chapter 43.21C RCW -- State Environmental Policy Act, and supplements chapter 42.30 RCW -- the Open Public Meetings Act, and chapter 42.56 RCW the Public Records Act. The City's methods and basic framework for achieving an interactive dialogue between local decision makers, City staff, and the public will be formed through this handbook and will apply throughout the local planning process leading to adoption of the comprehensive plan, development regulations to implement the plan, and legislative amendments to both.

The City's Community Development Department will oversee the public involvement in the local GMA planning process, but it is the City Council that decides on the direction and content of policy documents or regulations that they find to be in the community's best interest. The text that follows is intended to guide and form the basis for public participation programs related to GMA and the City's local planning process. The City intends to comply with these guidelines as appropriate to a situation. However, it should be noted that legitimate deviations from the guidelines may be warranted, given specific circumstances. The GMA, specifically RCW 36.70A.140, states that "... errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed."

# Public Participation Program

## 1. Communication and Information

The City will develop, implement, and maintain communication programs and information services for the purpose of involving the broadest cross-section of the community in the planning process. To ensure the overall success of the GMA planning process, The City will take steps to involve the public in a meaningful manner. To accomplish that, there are several things that must occur. First, the public should understand the basic concepts of GMA, the local planning process, and how their own participation can affect local plans and regulations. Secondly, the public needs to know how and when to get involved. And finally, they need to understand how their input is used. The City will inform the public through various techniques including, but not limited to, the following:

- Produce and make available through the City's website, at City Hall, and at public workshops and hearings, this Public Participation Program Handbook, and Ordinance \_\_\_\_\_ (on the subject of comprehensive plan and legislative development regulation adoption/amendment), notices to public meetings and public hearings regarding the comprehensive plan development and amendment process, application forms for amendments to the comprehensive plan and development regulations, etc.;
- Design, display, and distribute other printed and visual material as needed to inform the public about the local planning process and engage them in relevant discussion;
- Provide public legal notices for upcoming special workshops and hearings in our official City newspaper, and through the City's website site, at least \_\_\_ week prior to the meeting/hearing date;
- Post agendas for regular meetings on the City's website at least 1 day prior to the meeting;
- Post agendas for special meetings on the City's website, at the \_\_\_\_\_ public library, at the \_\_\_\_\_, and at the \_\_\_\_\_, as required by RCW 42.30.080 (at least 24 hours prior to the time of the meeting);
- Compile, on an ongoing basis, a list of parties interested in GMA and local planning issues. Names should come from meeting and hearing sign-in sheets, written correspondence, and known community groups, as well as specific requests to be included. The list should be used for mailing of public notices as appropriate;
- Issue press releases, public service announcements, and media packets as appropriate to inform the public about GMA issues, local planning activities, availability of documents, or meeting and hearing dates;
- Record regular and special meetings, and make audio tapes available for public review;
- Written findings of fact and/or minutes for all public hearings shall be available.

## 2. Availability of Proposals and Alternatives

The City will maintain documents so that they are readily available to distribute in a timely fashion to all who want to review them. Documents that contain or describe proposed plans, policies, maps, regulations, or the amendment of those should be readily available. Supporting documents such as reports, analyses, recommendations, or environmental reviews should also be easily accessible. Documents must be available for review in advance of opportunities for public discussion or testimony.

The City will take the following steps to ensure that pertinent documents are available in a timely manner to those who want or need them. Proposals or alternatives should be available at least 5 days prior to a public hearing or 1 day prior to a public workshop or meeting scheduled for discussion or a decision. When scheduled for discussion or decision, proposals or alternatives should be available as follows:

- Through the City's website or by e-mail upon request;
- Hard copies will be available for review or reproduction at the City Hall or, as appropriate, through other agencies;
- Hearing and workshop notices should state the availability and location of documents describing proposals and alternatives or other supporting documents under consideration.

The public participation requirements shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, government agencies, businesses, and organizations of proposed amendments to the comprehensive plan and development regulations. The City shall provide notice as described in Section 3 below. In addition, the City may provide additional notice as follows:

- Posting the property for site-specific proposals;
- Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;
- Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and
- Publishing notice in agency newsletters or sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas.

## 3. Public Meetings, Workshops, and Hearings

The City will provide public notice of public workshops and hearings to ensure that the community is made aware of the opportunities to become involved in the planning process. At a minimum, the requirements of chapter 35A.63 RCW, chapter 36.70A RCW, chapter 43.21C RCW and Ordinance \_\_\_\_\_ (pertaining to public hearings and notification), will always be met. However, the City may go beyond the legal minimums to ensure the public is aware of meetings or hearings and of their opportunity to be involved in local planning efforts.

- Public meetings, workshops, open houses, and design forums are opportunities for open discussion between the public, staff, and decision-makers that do not normally involve public testimony.
- Public hearings are more formalized, legal proceedings where public testimony is presented to a decision-maker for consideration. The result of a public hearing generally consists of an official recommendation in the case of the Planning Commission or a legislative decision by the City Council.

The following guidelines provide direction regarding the number, location, and notification of meetings, workshops, and hearings relative to the local GMA planning process.

- At least one public hearing will be conducted prior to making either a recommendation or an official decision on a comprehensive plan, a development regulation implementing the plan, or an amendment to either;
- As appropriate, given the specific proposal, public workshops should be hosted prior to the public hearing(s) as a means to involve and educate the public and solicit their opinions, reactions, or suggestions. The number of workshops should be based upon the specific circumstances of the case;
- The public shall also have the opportunity to attend regular or special meetings to observe and aid in discussion topics.

A variety of notification techniques should be used to advertise meetings and hearings. The following list, while not exhaustive, represents those that the City will generally employ. Ultimately, the specifics of the proposal may dictate the best technique or combination of techniques to be used. Additional advertising methods may be identified and used as warranted by the circumstances.

- Legal notices as required by applicable statutes.
- Articles in the local newspaper(s).
- Posting on the City's website.
- Mailings to the compiled list of interested parties.
- Media releases.
- Notices in community or neighborhood newsletters as appropriate or available.
- Public workshops or hearings should be advertised at least one week before the scheduled date.
- Agendas for regularly scheduled and special meetings shall be posted on the City's website, at City Hall and the public library, and the \_\_\_\_\_, at least 24 hours prior to the meeting, as appropriate.
- Working subgroup meetings may deviate from the above techniques due to the unique circumstances associated with their function. These include the rapid, high volume, recurring meetings of technical committees, subcommittees, or work groups which focus their efforts on specific issues or limited supporting tasks (as

opposed to meetings of a quorum of the Planning Commission or City Council in which they consider complete draft plans, regulations, or amendment proposals meant to result in a formal recommendation of official decision).

#### 4. Opportunity for Open Discussion

The City will ensure that public meetings allow for an open discussion of the relevant issues and that hearings allow for appropriate public testimony. When public meetings, workshops, or hearings are conducted, The City will ensure that those who choose to participate in the planning process have the opportunity to actually take part and have their opinions heard. To ensure participation opportunities, the following actions will be implemented:

- Establish an agenda that clearly defines the purpose of the meeting or hearing, the items to be considered, and actions that may be taken. If available early, the agenda should be included or summarized in the notice(s);
- The scheduled date, time, and place should be convenient so as to encourage the greatest number of people to attend;
- A clearly identifiable facilitator or chair will conduct the meeting or hearing in an orderly fashion to ensure that all attendees have an opportunity to discuss issues, offer comments, or provide testimony;
- The facilitator or chair should provide introductory remarks outlining the purpose of the meeting or hearing and describing how the attendees can best participate and how their input may be used;
- As appropriate, City staff may provide a brief overview of any documents or proposals to be considered;
- All persons desiring to participate should be allowed to do so. However, specific factors, such as the purpose of the meeting, size of attendance, time factors, or other opportunities to participate, may suggest some appropriate constraints to be applied. Rules of order for the meeting or hearing should be set forth clearly by the chair or facilitator;
- All attendees will be encouraged to identify themselves on sign-in sheets;
- All meetings and hearings should be tape recorded;
- Written findings, decision, and minutes should be prepared and available as soon as possible following a hearing;
- Special arrangements for meetings or hearings will be made under the provisions of the Americans with Disabilities Act (ADA) with advance notice;
- If the City Council chooses to consider a change to an amendment to the comprehensive plan or development regulation, and the change is proposed after the opportunity for review and comment has passed under the City's procedures, an opportunity for public review and comment on the proposed change shall be provided before the City Council votes on the proposed change (all as required by RCW 36.70A.035(2)).



- As set forth in RCW 36.70A.035(2)(b), an additional opportunity for public review and comment is not required if:
  - An environmental impact statement has been prepared under Chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;
  - The proposed change is within the scope of the alternatives available for public comment;
  - The proposed change only corrects typographical errors, corrects cross- references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;
  - The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or
  - The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.

## 5. Opportunity for Written Comments

The City will encourage submission of written comments or written testimony throughout the planning process. In many instances, detailed, technical, or personal comments can be best expressed and understood in written format. The following steps should be taken to encourage written comments:

- As appropriate, notices for meetings, workshops, and hearings should include the name and address of the person(s) to whom written comments should be sent, along with the deadline for submitting comments;
- Persons speaking or testifying should be encouraged to concisely express their comments verbally and provide specific details in written format;
- The deadline for submitting written comments, if allowed subsequent to a meeting or hearing, should be clearly announced by the facilitator or chair;
- Comment sheets for written public input should be available at all workshops with the deadline for submitting the completed sheets to City Hall noted;
- Innovative techniques, as appropriate to a specific planning task, should be developed and implemented to solicit and document the public's concerns, suggestions, or visions for the community. Techniques may include, but are not limited to, surveys, interactive displays, or the innovative use of electronic communication technologies.

## 6. Consideration of and Response to Public Comments

The City will consider relevant public comments and public testimony in the decision-making process. Various methods for informing and involving the public, providing public notice of proposals, and soliciting public opinion or comments have been established above. Many of those represent the initial steps for bringing public comments into the decision-making process. Other guidelines set the stage for decision-makers to consider those comments. (For example, tape recording meetings or hearings and soliciting written comments allow decision-makers the opportunity to review and consider relevant information in detail before a decision is actually made.)

Additional steps will be taken so that comments and recommendations from the public are reviewed by the decision-makers for relevancy. Those would include the following:

- Time should be reserved subsequent to the close of a hearing or comment deadline and prior to an actual decision so that the decision maker(s) can adequately review all relevant material or comments. Reconvening a hearing for the purpose of addressing comments is an option that the decision maker(s) may use on a case-by-case basis;
- Substantive comments pertaining to studies, analyses, or reports, along with necessary responses, should be included in the published document itself (such as occurs in the SEPA process of developing a Draft Environmental Impact Statement (EIS) and then a Final EIS with comments and responses);
- The record (such as tape recordings, written comments or testimony, documents, summaries, etc.) will be compiled and maintained by the City. That record will be made available to the decision maker(s) for their consideration and review prior to a decision. Relevant comments or testimony should be addressed through the findings-of-fact portion of the decision maker's written decision or recommendation.

## **RCW 36.70A.035**

### **Public participation — Notice provisions.**

(1) The public participation requirements of this chapter shall include notice procedures that are reasonably calculated to provide notice to property owners and other affected and interested individuals, tribes, government agencies, businesses, school districts, and organizations of proposed amendments to comprehensive plans and development regulation. Examples of reasonable notice provisions include:

(a) Posting the property for site-specific proposals;

(b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located or that will be affected by the proposal;

(c) Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;

(d) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and

(e) Publishing notice in agency newsletters or sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas.

(2)(a) Except as otherwise provided in (b) of this subsection, if the legislative body for a county or city chooses to consider a change to an amendment to a comprehensive plan or development regulation, and the change is proposed after the opportunity for review and comment has passed under the county's or city's procedures, an opportunity for review and comment on the proposed change shall be provided before the local legislative body votes on the proposed change.

(b) An additional opportunity for public review and comment is not required under (a) of this subsection if:

(i) An environmental impact statement has been prepared under chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;

(ii) The proposed change is within the scope of the alternatives available for public comment;

(iii) The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;

(iv) The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or

(v) The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.

(3) This section is prospective in effect and does not apply to a comprehensive plan, development regulation, or amendment adopted before July 27, 1997.

[1999 c 315 § 708; 1997 c 429 § 9.]

**Chapter 16.20**

**CONFORMANCE**

**Sections:**

**16.20.010 Conformance and consistency.**

**16.20.010 Conformance and consistency.**

The zoning code and other development regulations contained and/or referenced within the municipal code shall be interpreted and implemented in a manner consistent with the intent of the comprehensive plan. Capital budget decisions shall be consistent with the comprehensive plan.  
(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**Chapter 16.30**

**ADOPTION AND AMENDMENT PROCEDURES**

**Sections:**

- 16.30.010 Applicability.**
- 16.30.020 Public hearing required by the planning commission—Notice required.**
- 16.30.030 Adoption required by city council.**
- 16.30.040 Adoption of comprehensive plan.**
- 16.30.050 Adoption and amendment of future land use map.**
- 16.30.060 When amendments may be adopted.**
- 16.30.070 Proposals for amendments.**
- 16.30.080 Decision criteria for privately-initiated plan amendment proposals.**
- 16.30.090 Periodic assessment of comprehensive plan amendment needs.**
- 16.30.100 Docketing.**
- 16.30.110 Amendments considered under emergency situation.**
- 16.30.120 Provisions for amendment transmittal and reporting to state.**
- 16.30.130 Appeals to the adoption or amendment of a comprehensive plan.**

**16.30.010 Applicability.**

This section shall apply to the adoption of amendments or additional elements to the comprehensive plan.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.020 Public hearing required by the planning commission—Notice required.**

A. When proposed adoption of the comprehensive plan, adoption of successive parts thereof,

or an amendment to the comprehensive plan is under consideration, the planning commission shall hold at least one public hearing thereon, and notice of such hearing shall be given prior to the planning commission making a recommendation for city council adoption. The notice shall be given pursuant to Section 18.08.125 of this code.

B. As an alternative to these noticing procedures if the number of owners to whom notice would be sent is greater than two hundred for any individual proposal, the city may choose to provide notice at least fifteen calendar days prior to the hearing by placing a display advertisement that fills at least one-fourth of a page in a newspaper of general circulation in the city and in the newspaper that has been designated as the official newspaper of the city.

C. For all privately-initiated amendment requests, it shall be the responsibility of the applicant to bear the full cost of providing required notice.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

#### **16.30.030 Adoption required by city council.**

The comprehensive plan or an amendment to the comprehensive plan requires adoption by the city council by ordinance. The city council shall not adopt a comprehensive plan amendment or addition without first conducting a public hearing and considering a report by the planning commission. In addition, amendments to the future land use plan map will generally require a change in zoning of specific properties; said changes shall be considered concurrently with a plan amendment request by the planning commission and city council and shall not require the payment of additional fees.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

#### **16.30.040 Adoption of comprehensive plan.**

There is adopted by reference a comprehensive plan, which shall be on file with the community development department and city clerk, which shall be known as the City of Black Diamond comprehensive plan. This comprehensive plan may

be amplified, augmented and amended pursuant to the provisions in this title, but as a minimum, shall consist of:

1. The City of Black Diamond comprehensive plan (2009), which includes the following:

- a. Overview chapter;
- b. Urban growth area chapter;
- c. Population and employment character chapter;
- d. Natural environment element;
- e. Land use element;
- f. Housing element;
- g. Transportation element;
- h. Capital facilities plan element;

2. Comprehensive parks, open space and recreation plan (2008);

3. City of Black Diamond comprehensive sewer system plan;

4. City of Black Diamond water system comprehensive plan; and

5. City of Black Diamond comprehensive storm drainage plan.

6. The Enumclaw school district capital facilities plan, which is adopted as a sub-element of the capital facilities plan element of the comprehensive plan.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

#### **16.30.050 Adoption and amendment of future land use map.**

A. The city shall create and maintain a map known, cited, and referenced as the City of Black Diamond future land use map. This map shall depict the location and boundaries of various land use classifications, references and other land use information and shall be an official document adopted by reference as part of the comprehensive plan.

B. A true and correct copy of the future land use map shall be kept in the office of the community development department, and shall be revised to reflect all comprehensive plan land use map amendments within thirty days of enactment of

said amendments. The future land use map shall contain the date of initial adoption and the date of each subsequent revision.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.060 When amendments may be adopted.**

A. Except for the products of city-initiated planning programs, all amendments to the comprehensive plan shall be considered concurrently in order to assess their cumulative impact and no more frequently than once each calendar year except in the event of an emergency, as defined in Section 16.30.110. The city council shall consider proposed amendments concurrently and act on them just prior to, or concurrently with, the city's budget, or its modification, in the last quarter of each year.

B. Additions of new elements as the result of a city-initiated planning program or the adoption or amendment of a shoreline master program under RCW 90.58 may occur at any time during the calendar year, provided the element must be consistent with the general framework and intent of the comprehensive plan.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.070 Proposals for amendments.**

A. A proposed amendment to the comprehensive plan may be submitted by any individual, organization, corporation or partnership, general or special purpose government, or entity of any kind; provided, that if the proposal involves specific real property, the property owner must provide written consent to the proposal.

B. The city council or the planning commission may be resolution initiate a planning program or any type of amendment to the comprehensive plan, regardless of whether site-specific or area-wide in scope.

C. Except for city-initiated planning programs or individual amendments, all proposed amendments to the comprehensive plan shall be submitted to the planning commission in writing on a form as required by the community development department, together with required filing

fees. An environmental checklist shall also be submitted if required. A proposed amendment request shall include the following information:

1. Name, address and phone number of the applicant and contact person, if any;

2. If the amendment concerns specific real property, both a general and legal description of the property;

3. A description of the plan amendment being requested;

4. Statements addressing the purpose of the amendment and why the amendment is being requested, including addressing the criteria listed in Section 16.30.090.

D. The community development department shall broadly disseminate information regarding the annual amendment process and identify a general time period when amendments will be solicited; however, a request will be accepted at any time. Those amendment requests received after the established general time period will not be considered in that year's amendment process unless an emergency exists as defined in Section 16.30.110. If an amendment request received after the established general time period is not considered in that year's amendment process, it will be considered in the next year. Proposed plan amendments consisting of changes to the capital facilities plan (CFP) element will generally be accepted later than other proposed amendments because of the CFP's relationship to the city budget or its modification.

E. The planning commission shall consider an assessment and recommendation on all proposed amendment requests from the community development department and shall make and forward a recommendation on each to the city council.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.080 Decision criteria for privately-initiated plan amendment proposals.**

A. In consideration that the comprehensive plan was developed and adopted after significant

study and public participation, the principles, goals, objectives and policies contained therein shall be granted substantial weight when considering any proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request fully complies with subsections (1) and (2) and/or (3) of this section as follows:

1. The proposed change will further and be consistent with the goals, objectives and policies of the comprehensive plan;

2. If the request is to change the land use designation of a specific property on the future land use map, the applicant must demonstrate either of the following:

a. The existing land use designation was clearly made in error or due to an oversight;

b. There has been a change in conditions since the plan was adopted/last amended;

3. Any of the criteria listed in Section 16.30.100.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.090 Periodic assessment of comprehensive plan amendment needs.**

A. The director will monitor the comprehensive plan and regulatory procedures that implement the plan, and may add potential changes to the docket as specified in 16.30.100. This assessment shall be based on, but not limited to:

1. Whether growth and development are occurring at a faster or slower rate than envisioned in the plan;

2. Whether the capacity to provide adequate services is diminished or increased;

3. The availability of land to meet demand;

4. Assumptions upon which the plan is based are found to be invalid;

5. The effect of the plan on land values and housing is contrary to the plan goals;

6. A determination that sufficient change or lack of change in circumstances dictate the need for a recommended amendment; or

7. A determination that inconsistency may exist between the comprehensive plan and Chapter 36.70A RCW, the Countywide Planning Policies for King County, and Vision 2040: Growth and Transportation Strategy for the Central Puget Sound Region.

B. A major reassessment of the comprehensive plan shall occur at least every ten years from the date of initial adoption of the plan.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.100 Docketing.**

A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan which are not site-specific may be submitted by any individual, organization or general or special purpose government and shall be coordinated by the director. The director shall create appropriate forms for such submittals that require the submittal to address the criteria outlined in subsection C of this section. The director shall maintain a list of all submittals; this list shall be known as the "docket" and shall be the official method of tracking all known requested changes or additions to the comprehensive plan that are not site-specific. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.

B. Annually, the director shall review such suggestions with the planning commission, which may choose to initiate formal consideration as part of the amendment process.

C. Proposed amendments on the docket may be considered appropriate for action if the following criteria are met:

1. A proposed comprehensive plan text amendment addresses a matter appropriate for inclusion in the plan;

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the plan;

3. The proposal addresses the interests and changed needs of the entire city as identified in the plan;

4. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the mayor;

5. The proposal can be reasonably reviewed and evaluated, given existing staff and budget resources; and

6. The proposal has not been voted on by the city council in the last three years. This time limit may be waived if it is demonstrated that a) the proposal addresses an obvious technical error in the existing plan or b) a change in circumstances justifies the need for the proposed amendment.

D. Any item on the docket that is not determined to be appropriate for action may be proposed pursuant to section 16.30.070, provided it is timely and properly filed.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.110 Amendments considered under emergency situation.**

The planning commission and city council may consider amendments to the comprehensive plan at any time during a calendar year as a result of an emergency situation in which property or human safety is in jeopardy, or to resolve an appeal of the comprehensive plan filed with the Central Puget Sound growth management hearings board or superior court or as required to comply with any court order or change in the law.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.120 Provisions for amendment transmittal and reporting to state.**

The community development department shall notify and transmit copies of all proposed plan amendments and development regulations to the Washington State Department of Community, Trade and Economic Development and designated state agencies at least sixty days prior to adoption as consistent with Chapter 36.70A RCW, as currently enacted or hereafter amended.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)

**16.30.130 Appeals to the adoption or amendment of a comprehensive plan.**

All appeals to the adoption of the comprehensive plan or an amendment thereto shall be filed with and processed by the Central Puget Sound growth management hearings board in accordance with the provisions of Chapter 36.70A RCW, as currently enacted or hereafter amended.

(Ord. No. 912, § 2 (Exh. A), 6-18-2009)