



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING AGENDA
March 8, 2016 6:00 PM
25510 Lawson Street, Black Diamond, Washington

- 1) FLAG SALUTE
- 2) CALL TO ORDER, ROLL CALL
- 3) PUBLIC COMMENTS
- 4) INTRODUCTION OF NEW COMMISSIONERS
- 5) APPROVAL OF MINUTES: Regular Meetings January 12 and February 9, 2016
- 6) APPOINTMENT OF OFFICERS
- 7) PUBLIC COMMENTS
- 8) ADJOURN



**CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
January 12, 2016 7:00 PM**

CALL TO ORDER

Chair Pam McCain called the meeting to order at 7:00 pm.

ROLL CALL

Present: Commissioners Senecal, McCain (Chair), Ambur and Davis
Absent: N/A
Staff: Barbara Kincaid, Community Development Director, Andy Williamson, MDRT/Economic Development Director, and Meri Jane Bohn, Deputy City Clerk

APPROVAL OF MINUTES

A MOTION WAS MADE BY COMMISSIONER SENECA AND SECONDED BY COMMISSIONER WEBER TO ACCEPT THE MINUTES OF THE OCTOBER 6TH 2015 PLANNING COMMISSION MEETING MINUTES. MOTION PASSED 4-0.

INTRODUCTION OF NEW PLANNING COMMISSIONER

New Commissioner - Dave Ambur, Position #6 has been in Black Diamond since 1997. He lives out by Lake Twelve and was involved with the original development agreement. He has a commercial recycling company here since the late 80's. He is interested how the development of the City of Black Diamond is going.

APPOINTMENT OF OFFICERS

Commissioner Chair McCain asked to move the Appointment of Officers to the next month's meeting. Commissioner Davis was in agreement with the motion to move the Appointment of Officers as long as everyone is still here and will continue serving on Planning Commission. **A MOTION WAS MADE BY COMMISSIONER DAVIS AND SECONDED BY COMMISSIONER AMBUR TO MOVE APPOINTMENT OF OFFICERS TO FEBRUARY 9, 2016 MEETING. MOTION PASSED 4-0.**

WORK SESSION

Director Kincaid sent out notice as required for Planning Commission vacancies. She thought by now the interviews would have been done so they are a bit behind. However, the city code is going back to council to get more definite sections so they are not inconsistent with each other. Once this is done they can move forward.

Director Kincaid passed out binders to Planning Commissioners for a running record while Planning Commission workshops through each meeting on the City's Comprehensive Plan update. She also explained the chapters and their meaning. There is a survey for Public Participation available on the website.

Director Kincaid shared a video on City Comprehensive Plan information.

GMA (Growth Management Act) Overview

Director Kincaid stated this is a very complicated process with tons of puzzle pieces that somehow have to all fit together and be consistent. GMA which is the Growth Management Act has 14 goals at the State level that the City has to meet & support. These are all mandatory elements that are required and are all equal steps that have to be accounted for. The City was supposed to have the plan adopted by June 2015 so we are behind and unfortunately did not get an extension. The City is missing out on Grant opportunities because this is not completed.

Director Kincaid said the reviewing of the Comp Plan will be a couple chapters at a time at each meeting until it's complete and we have a full draft document. The next step would be Public Hearing time, then recommendation to Council who adopts it. She is shooting for July 2016 time frame to have this complete by Planning Commission. Meetings of the Planning Commission may need to start doubling up monthly to get through the plan before our July deadline.

Changes and Formatting

Director Kincaid stated the first thing you will notice is a total different document and format from the 2009 version. It was rewritten to be more useable, but a little bit hard to see what was old and what is new. The first chapter name changed to "Introduction", as the old one was "Overview". It was asked by the Commissioners if the changes could be highlighted to see the old and new changes. Director Kincaid said it's a completely different format but tried to change colors on what was changed or moved around.

Director Kincaid said the History section was condensed. Pages 2-3 in the Introduction chapter are shortened up a bit. Pages 4-9 are all new adding the framework, context and functions. One big change included the Puget Sound Regional Council (PSRC) vision which is required on page 9. It was asked if the portion that is being looked at right now has been approved and developed by staff in coordination with the consultant. Director Kincaid stated yes the consultant produced a draft and staff worked with it and the city's standing committees before bringing it out for discussion.

The vision 2040 for Puget Sound Regional Council (PSRC) is written on page 9. The City must send them a copy of the draft for their review. The question was asked if the Commissioners should review the PSRC rules. Director Kincaid said not to spend too much time on that because PSRC will provide the city comments on the draft plan to make sure it is consistent with their vision.

Puget Sound Regional Council has been taken into consideration with the consultant to get to this point. One of the first things staff and the consultant did was sit down and go through check lists and mark off areas where we have been deficient in our plan. The City has added a lot of information for the reader to understand how to relate to implementation and development land use. Pages 10-15 are all new; the City added the Implementation, a bit about Public Involvement, along with Amendment Process and Schedule. Anybody can petition to make a Comp plan amendment and it explains how they could do that and what the schedule is. The schedule is very important because it can only be done on a one time yearly basis, and has to be submitted the first 3 months of the year. A docket needs to be published and maintained so

transparency is there along with all the changes that the Planning Commission has submitted for the year.

The Growth Management Act is mandatory which the state act says city/county needs to look over the Comp plans to make sure if changes need to be made so these don't become "shelf" documents. Our next required periodic update is in 8 years which this will have to be looked at. The state law changed since our consensus data was from 2010. We need to have policies to increase physical activity, pedestrian and bicycle component, protect the ground water/drinking water quality and quantity for ground water, identify public lands and open space corridors, consistency with storm water management under the National Stormwater Discharge Plan, housing policy, inventories need updated, stronger policy of Takings, essential public facilities sighting such as jails, garbage dumps, waste water treatment plants and our funding and finance plans.

Commissioner Ambur asked if there are any specific formulas that state policies have for housing diversity or who gets to decide this. Director Kincaid said no there is no deciding factor, local governments are required to adopt policies to provide for a diverse housing stock.

Commissioner Chair McCain asked if Maple Valley has gone thru the Comp plan update. She said some of their information could be helpful or useful for our city to consider as we could have some cohesiveness with our neighbors. Director Kincaid said that both Maple Valley and Covington were working on theirs; she thinks they are in the Hearing process but not done yet. Commissioner Ambur asked if it is required for all the little Puget Sound Cities to get together. Director Kincaid said it is not a requirement on this. The requirement comes from the county thru the county wide policies. There is a board where counties and cities all sit at the table and approve allocations for the city.

Introduction: vision statement and general goals

Director Kincaid asked if there are any general comments or questions that the Planning Commissioners would like to discuss at this time about the Introduction, vision statement and general goals chapter.

Commissioner Senecal said he thought it was a good introduction reading through once. Commissioner Ambur said it was alright but feels the word "vibrant" is not the correct description of Black Diamond and is a far reach. He feels another word such as sleepy or small town is more what fits the opening sentence.

Commissioner Chair McCain stated sometimes we forget that we are only 30 miles from Seattle and that is the goal to get the city more vibrant and achieve that for the future. She is okay with using the word vibrant but glad they talked about it.

Commissioner Senecal said it is not out of line for a vision statement. Commissioner Senecal said there is another word "picturesque" that is used a couple lines down that he likes.

Chair Commissioner McCain said we will be using this plan for the next eight years and the city could be vibrant by then. That may be a very well suited term even four years from now.

Commissioner Chair McCain asked what multi-modal is under transportation on page one of seven. Director Kincaid said it is forms the transportation network and not only includes cars but other forms of transportation such as bikes, pedestrians and buses. Cities that have taken that multi-modal step instead of counting car trips add in the bus trips and bike trips to make it concurrent to operate the roadway longer before it needs improvement.

Commissioner Senecal said he is dismayed about how far Seattle has pushed cars off the street. After reading some of this it seems that is the idea of their plan of solving transportation issues on Hwy 169 as well to get people on buses. He asked if we will be squeezed into that same mold because we have to meet the county and state region guidelines, then not give us money for it. Director Kincaid said she hopes that is not the case, as Washington State is supposed to be a bottoms-up planning state.

Commissioner Chair McCain said we have the level of service and we can plan all we want but the state is really who holds the key. She feels that will be a very interesting point of discussion.

Commissioner Ambur doesn't feel the city can plan on new people using bicycles and buses. In reality people are not going to use the transportation formula that the state wants for multi-modal. The bus that comes through town right now is fairly empty.

Director Kincaid said some focus will need to be job growth around our city/area in the future and also multi-modal has to be figured out to the best of our ability but we don't have to do it right now.

Director Kincaid said the vision statement was developed in 1996 and was not changed in the 2009 update. In the 2016 update the only thing we have changed is the date 2025 was changed to 2035 in the vision statement. We made one other change that was redundant. The vision statement is pretty much the same as 1996 with the two small changes.

Commissioner Ambur said maybe there needs to be a definition of a small town atmosphere. He would like to know exactly what the city is shooting for when they state small town atmosphere.

Commissioner Senecal said the sentence could possibly be extended to include what the small town atmosphere is.

Commissioner Ambur said the city does not want row houses that are mirrors of each other, rather individuality with a homey feel. Chair Commissioner McCain said building for efficiency and esthetically pleasing would be good much like how Renton Highlands has done.

Director Kincaid said aesthetics value could support a small town atmosphere. The city does have design standards in the housing to try and maintain the small town feel. The Planning Commission needs to integrate more of those design standards into this document. How does the city define the vision statement? Commissioner Senecal asked if there is a rural by design definition and could we change our statement to rural or relaxed atmosphere?

Commissioner Ambur said whatever is decided, the Planning Commission still needs to come up with a vision of what we are looking at. How are we defining relaxed?

Director Kincaid said it is important whatever we do in the future that we don't lose the historic stuff and make sure it is preserved. Our service standards need to be upheld and not to allow our new development degrade our level of service. The city needs to support a healthy balance of housing and jobs which we don't currently have.

Commissioner Chair McCain said having the regional park people come in and talk about the use of the regional park could be a very important element here. The open space that has been set aside by the master plan is more space than what any close city has ever set aside. Director Kincaid said that 30-40 percent of the city is designated as open space.

Commissioner Senecal asked if it is the Planning Commissioners business to talk about the small town historical parts via land use. Director Kincaid said we do that in density, where and what density is allowed and also design standards.

Commissioner Chair McCain asked if there is a specific direction to have us go for next month's meeting. Director Kincaid said the homework would be look at how the plan interacts with the vision goals. We will be talking about the guiding principles and elements of demographics of the population at the next meeting and keep building. If we have time at the next meeting we will be doing housing also.

Commissioner Ambur asked do you want us to come back with goals at the next meeting. Director Kincaid said we need to narrow down the vision goals which each chapter is going to have specific goals and policies. We will need to make them work or change them so they can work. Whatever comes to mind please bring ideas with you to the next meeting. Commissioner Chair McCain feels comfortable that these goals have been looked at by other larger groups.

PUBLIC COMMENTS

None

Commissioner Chair McCain stated she was emailed the State Sanctions Planning Commission Workshops schedule of meetings. If anyone would like to attend she has the schedule.

ADJOURN

A MOTION WAS MADE BY COMMISSIONER AMBUR AND SECONDED BY COMMISSIONER DAVIS TO ADJOURN. THIS MOTION WAS VOTED ON BY THE COMMISSION AND PASSED 4-0. THE MEETING ADJOURNED AT 8:37 P.M.

Minutes respectively prepared by: Meri Jane Bohn, Deputy City Clerk

ATTEST:

Pam McCain, Chairperson

Planning Commission Secretary



**CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
February 9, 2016 7:00 PM**

CALL TO ORDER

Chair Pam McCain called the meeting to order at 7:00 pm.

ROLL CALL

Present: Commissioners Senecal, McCain (Chair), Ambur and Davis
Absent: N/A
Staff: Barbara Kincaid, Community Development Director, and Brenda L. Martinez,
City Clerk

PUBLIC COMMENT

None

APPOINTMENT OF OFFICERS

Chair McCain asked to move the Appointment of Officers to the next month's meeting as new planning commission appointments will be before the City Council at their February 18th meeting.

A motion was made by Commission Davis and seconded by Commission Ambur to postpone the appointment of officers at the March 8, 2016 meeting. Motion passed with all voting in favor (4-0).

APPROVAL OF MINUTES -

There were no minutes for approval at this meeting. Community Development Director Kincaid reported that minutes from the January 12, 2016 meeting will be ready and adopted at the March meeting of the Planning Commission.

WORK SESSION:

Changes to Black Diamond Municipal Code Chapter 2.24 regarding Planning Commission Qualifications

Community Development Director Kincaid reported that the Black Diamond City Council at their February 4, 2015 regular business meeting adopted changes to the code which pertains to the qualifications of Planning Commission members. She noted all planning commission members now need to be residents of the City or business owners in the City.

NEW BUSINESS

Planning Commission Rules of Procedure

Community Development Director Kincaid discussed the rules of procedures for the Planning Commission. She reported there being an initiative from a Commissioner to change the start time of the Planning Commission meetings from 7:00 p.m. to 6:00 p.m. She noted the discussion tonight is to see if Commissioners want to make this change.

Commission Ambur stated this could be tight for him; however he does not have an objection to this change.

Chair McCain noted the Planning Commission has a lot of work in front of them and this change is to help get to the end goal of completing that work. She also suggested that the Commission could do this as a trial period and then change it back should it not work.

A motion was made by Councilmember Ambur and seconded by Councilmember Senecal to change the Planning Commission Rules of Procedure to reflect a 6:00 p.m. start time. Motion passed with all voting in favor (4-0).

PUBLIC COMMENTS

None

ADJOURNMENT

A motion was made by Commissioner Ambur and seconded by Commissioner Davis to adjourn the meeting. Motion passed with all voting in favor (4-0). The meeting adjourned at 7:09:40 p.m.

Minutes respectively prepared by: Brenda L. Martinez, City Clerk

ATTEST:

Pam McCain, Chairperson

Planning Commission Secretary

RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

The following Rules and Procedures are adopted by the City of Black Diamond Planning Commission to facilitate the performance of its duties and functions as empowered in Chapter 2.24, Black Diamond Municipal Code.

Section 1. Meetings

- A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00 p.m. in the City Council Chambers. Regular City Council meetings are held on the first and third Thursday of each month.
- B. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.
- C. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair or Secretary provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.
- D. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.

- E. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.
- F. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of present Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The term of office of each officer shall run until the subsequent election.
- D. Vacancies. A vacancy of the office of the Chair caused by his or her resignation shall be filled by the Vice-Chair. A vacancy of the office of Vice-Chair or any other office of the Planning Commission shall be replaced by majority vote of the Planning Commission at the next regular scheduled meeting after the vacancy occurs.
- E. Duties of Officers. The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations. Unless otherwise stated, the Chair's vote shall be considered to be affirmative for the motion.

Vice-Chair: During the absence of the Chair or upon request of the Chair, the Vice-Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.

City Council Liaison: The Chair shall act as a liaison between the Planning Commission and the City Council and other City entities. The Chair may appoint an alternate liaison as needed.

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall keep and retain a record of all meetings of the Commission and its committees.

Section 4. Quorum

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A quorum must be in attendance in order to conduct a meeting, to transact any business or to render a recommendation. Every motion of the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Absence of Members

In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Commission may request the Mayor to ask for his or her resignation. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting or by the end of the next business day following the meeting.

Section 6. Vacancies

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Secretary shall immediately notify the City Clerk and request the Mayor to appoint a replacement at the earliest possible time.

Section 7. Disqualification

No member of the Planning Commission should participate in any discussion or vote on any matter in which the member has a direct and substantial personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the matter is disposed. The minutes shall show that the member left the room and abstained on any vote.

Section 8. Conduct of meetings

- A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission, while permitting the orderly and timely completion of Planning Commission business.

- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. Executive sessions. Executive sessions can only be held in accordance with the State Open Public Meetings Act.
- D. Public comment. On specific agenda items, other than public hearings, the Chair may allow comments from the audience with the consent of the Commission. Audience members must be recognized by the Chair in order to speak.

Section 9. Order of Business

An agenda shall be prepared by the Secretary for each meeting and will generally consist of the following order of business:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda. The Chair may limit comment to no more than 3 minutes per speaker and no more than three speakers on any one topic.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. Report of the Community Development Department.
- H. Public comments from the audience, limited to 3 minutes per speaker.
- I. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Section 10. Rules of Procedures for Public Hearings

Periodically, the Planning Commission conducts public hearings on various issues as required by ordinance. The following procedures shall be used for conducting all public hearings:

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.
- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission.

- Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
 - H. Based upon the testimony, the Commission may ask questions of staff.
 - I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
 - J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
 - K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
 - L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, Commission members need to clarify whether they are speaking as individual citizens or as a member of the Commission. If speaking as a member of the Commission, only the official, voted recommendation of the Commission should be discussed, provided that, a member can speak on behalf of a minority opinion for which the Commission has agreed it may be officially communicated.

Section 12. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 13. Validity

If any portion of these rules and procedures are found to be invalid, that part or parts will not invalidate the remainder of the rules.

INITIALLY ADOPTED by the Planning Commission March 10, 2009.
AMENDED FEBRUARY 9, 2016.

Chair

Vice-Chair

Attest:

Barbara Kincaid, Community Development Director