



CITY OF BLACK DIAMOND

Interoffice Memorandum

TO: MAYOR BENSON, CITY COUNCIL

FROM: BARB KINCAID, SETH BOETTCHER, ANDY WILLIAMSON

SUBJECT: COMMUNITY DEVELOPMENT, PUBLIC WORKS, AND MASTER DEVELOPMENT REVIEW TEAM PHASE II WORK PLAN UNDER GOVERNOR'S STAY HOME STAY HEALTHY ORDER

DATE: APRIL 14, 2020

Under the Governor's Stay Home and Stay Healthy Order and the Mayor's Compliance Directive to all city staff, the Departments of Community Development (CD), Public Works (PW) and the Master Development Review Team (MDRT) have temporarily halted permitting and planning functions. After much discussion between the Department Directors, Mayor and Legal Counsel, the following limited permitting and planning functions will resume beginning April 15, 2020.

This allowance, to restart limited permitting and planning functions, falls within the Mayor's authority to conduct essential city functions. The Revised Code of Washington (RCW) requires land use and building applications to be processed in a timely manner. Additionally, staff is concerned about mitigating an untenable workload once the Governor's Order is lifted. The restart of limited permitting and planning functions in this Phase II work plan will not result in opening construction activities unless exempted as an emergency or essential project.

PERMITTING FUNCTIONS

Community Development will review and process building plans and applications that were received prior to the closure and will issue building permits with the condition that construction may not begin until after Governor's Order is lifted or amended to allow for such activities. Additional activities that will resume include:

- Conducting final building inspections after receiving final approval from Public Works. The Building Official will have the authority to approve final building permit and issue Certificate of Occupancy (C of O). On a case-by-case basis, he may also issue a Temporary C of O with conditions and criteria for applicant to meet in order receive a permanent C of O. If a Temporary C of O is issued, the deadline for meeting the conditions and criteria necessary to receive a permanent C of O will be tolled until the Governor's Order is lifted or amended to allow ordinary residential construction to resume. These inspections will comply with the Community Development safe work site policies and procedures.

- Conducting limited virtual inspections to carry the process forward as far as possible without jeopardizing health of staff and/or integrity of built structures. The list of inspections that may be done virtually include footing, stem wall, insulation, sheetrock, and water line (meter to the structure).

Public Works will support Community Development in the review/processing of building plans and applications that were received prior to the closure, including building permits issued with the condition that construction may not begin until after Governor’s Order is lifted or amended to allow for such activities. Public Works activities include:

- Inspecting completed buildings for the final Public Works Inspections, this being the last step for the final building inspection for Certificate of Occupancy. These inspections will comply with the Public Works return to work policies.
- Conducting limited inspections to carry the process forward as far as possible without jeopardizing health of staff and/or integrity of built structures. These inspections must be solo outdoor inspections as required or requested by the Community Development Director.

LAND USE APPLICATIONS

Community Development and the Master Development Review Team will review and process Land Use Applications that were received prior to the closure and issue decisions with a condition that site work and/or construction activities may not begin until after the Governor’s Order is lifted or amended to allow for such activities. Land Use Applications include: SEPA, divisions of land (plats, subdivisions, binding site plans), Shoreline, Tree, Conditional Use, Variance, Temporary Use, and Sensitive Area permits, Home Occupations and Accessory Dwelling Units.

Public hearings for appeals or land use decisions will be scheduled in accordance with Black Diamond Municipal Code with the understanding that these proceedings generally should not proceed while the Governor’s Stay Home, Stay Healthy Order remains in effect. If the Governor’s Order is not lifted in time, the hearing may need to be re-scheduled to a later date.

Public Works will support the Community Development Department in the review/processing of Land Use Applications that were received prior to the closure and issue decisions with a condition that site work and/or private infrastructure activities may not begin until after the Governor’s Order is lifted or amended to allow for such activities.

Community Development, the Master Development Review Team and Public Works will work together in support of the preparation of staff reports for public hearings for land use decision or appeals.

PUBLIC INFRASTRUCTURE

Public Works and the Master Development Review Team will provide inspection and oversight of permitted projects that have a major public infrastructure component according to the City of Black Diamond Policy Concerning Construction Work and Inspections During the COVID 19 Emergency as approved by the Mayor on 4/10/2020 (See Attachment A to this memo).