



CITY OF BLACK DIAMOND

Physical Address: 24301 Roberts Drive
Mailing Address: PO Box 599
Black Diamond, WA 98010

Phone: (360) 851-4500
Fax: (360) 851-4501
www.ci.blackdiamond.wa.us

Meeting Date: March 8, 2022

To: Planning Commissioners

Staff Contact: Emily Adams, Contract Planner
Mona Davis, Community Development Director

Subject: Definitions Code Amendments

Findings of Fact

The code amendments for the definition chapter can be broken down into three types of amendments, as described below. These amendments help provide a more user-friendly code that is easier for staff to administer, and for the public to understand.

Moved Definitions

Title 18 had definitions throughout different chapters. Part of these proposed code amendments is to move the definitions within the chapters into Title 18, Chapter 18.100 - Definitions. Many of the words defined in certain chapters are used elsewhere in Title 18, so it is important to have all those definitions consolidated in one location for ease of use and to ensure it's clear that the definitions apply to the entire title. An example is the Accessory Dwelling Unit (ADU) definitions. These used to be housed in Chapter 18.54, which deals specifically with ADUs, however ADUs are referenced in various other chapters, and therefore the definitions should exist for Title 18 as a whole, not just a single specific chapter. Some chapters in which the definitions are exclusive to the chapter are not recommended to move, such as adult oriented businesses and wireless facilities.

New Definitions

Multiple new definitions have been added to the Title 18 definitions chapter. These definitions are largely for uses that are listed as permitted/conditional for certain zones but were not previously defined (ex: caretaker's quarters). Having a clear definition of each use makes regulating the use easier for staff and helps applicants to know what exactly is allowed and prevents conflicting interpretations. The definitions of various other cities, and the dictionary definition, were compared/utilized in creating the new definitions.



Revised Definitions

Definitions that are proposed to be revised are done so to provide clarity. The revised definitions help staff administer the code today and provide for longevity of the code by preventing conflicting interpretations today and in the future. For instance, the definition of lot width has proved to be confusing to numerous applicants, the use of “a midway point” is vague and often leads to different interpretations; the revision uses more precise language to help prevent confusion. The code amendments proposed maintain the intent of the original definition but are stated in a more precise and clear way.

Proposed Code Amendments

See attached “Proposed Code Amendments for Definitions in Title 18” document.

Staff Recommendation

Staff recommends approval of the code amendments as proposed.

Public Noticing

Notice was published in the newspaper February 23 and March 2, 2022, and on the city website February 17, 2022 under Public Notices, advertising the public hearing before the Planning Commission.

Process and Appeal

Code amendments are a Type 5, legislative decision made by the City Council. The process includes a public hearing before the Planning Commission, which will make a recommendation to the City Council. There is no administrative appeal of Type 5 decisions, but they may be appealed to the Washington State Growth Management Hearings Board.