



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: April 12, 2022

To: Planning Commissioners

Staff Contact: Mona Davis – Community Development Director

Subject: Emergency Comprehensive Plan Amendment for School District Capital Facilities Plans

Background

Amendments to the comprehensive plan are permitted to occur once annually. There are some exceptions to this rule, one exception outlined in RCW 36.70A.130.2 includes an exemption that “...*after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists ...*” The City is therefore able to consider these proposed emergency amendments related to each school district’s Capital Facilities Plan (CFP) outside the typical amendment cycle.

Findings of Fact

The City of Black Diamond has four school districts: Auburn, Enumclaw, Kent, and Tahoma. School districts are responsible for developing their own CFP to project student enrollment rates, establish levels of service, inventory current facilities, identify future needs, and establish a budget for meeting those needs. Having the current CFPs of each school district in the comprehensive plan is an important aspect of the city having the authority to collect the school impact fees. School impact fees are collected by the City on each school district’s behalf. The City is experiencing significant growth in its residential population, and the collection of impact fees is an essential component of financing new and expanded capital facilities to meet the needs of each district’s expanding student populations.

These documents are adopted by reference into the City’s Comprehensive Plan in Chapter 8 - Capital Facilities and Utilities, Section 8.8 – Public Schools. The adopted comprehensive plan currently references previous CFPs and needs to be updated to reflect the most current versions.

Proposed Comprehensive Plan Text Amendments

See attachment.

Public Noticing

Notice was published in the newspaper March 30 and April 6, 2022, and on the city website March 30, 2022, under Public Notices, advertising the public hearing before the Planning Commission.

**Environmental Review**

The SEPA Environmental Checklist associated with this non-project action of a comprehensive plan amendment is in process. A determination will be issued and the comment and appeal period complete prior to Council action.

Staff Recommendation

Staff recommends approval of the comprehensive plan amendments as proposed.

Process and Appeal

Comprehensive Plan 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.