



CITY OF BLACK DIAMOND
March 7, 2019 Regular Business Meeting Agenda
25510 Lawson St., Black Diamond, Washington

7:00 P.M. – CALL TO ORDER, FLAG SALUTE, ROLL CALL

AGENDA REVIEW AND APPROVAL:

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS:

Fire Department – New Rescue Tools

CONSENT AGENDA:

- 1) Claim Checks** – March 7, 2019 – Check No. 47233 through 47292 in the amount of \$201,566.76
- 2) Minutes** – Special Council Meeting of February 7, 2019, Council Meeting of February 21, 2019
- 3) AB19-015** – Resolution No. 19-1297 Granting Approval of the Final Plat for the Ten Trails
(F/K/A “The Villages”) Phase 2C Division 2

Mr. Williamson

PUBLIC COMMENTS: Persons wishing to address the City Council regarding items of new business are encouraged to do so at this time. When recognized by the Mayor, please come to the podium and clearly state your name. Please limit your comments to 3 minutes. If you desire a formal agenda placement, please contact the City Clerk at 360-886-5700. Thank you for attending.

PUBLIC HEARINGS:

- 4) AB19-016** – Proposed Ordinance Regarding Code Revisions to Chapter 18.50, Accessory Uses and Structures, and Chapter 18.56, Accessory Dwelling Units

Ms. Kincaid

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 5) AB19-017** – Ordinance No. 19-1118 Extending School Speed Zone Along SR 169

Attorney Linehan

DEPARTMENT REPORTS:

MAYOR’S REPORT:

COUNCIL REPORTS:

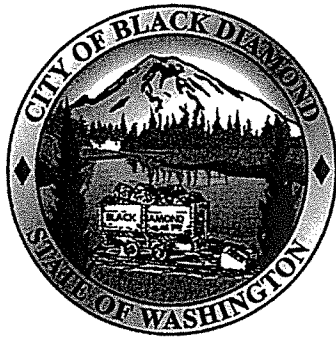
- Councilmember Deady
- Councilmember Oglesbee
- Councilmember Edelman
- Councilmember Stout
- Councilmember Wisnoski

ATTORNEY REPORT:

PUBLIC COMMENTS:

EXECUTIVE SESSION: To Discuss with Legal Counsel Potential Litigation Pursuant to RCW 42.30.110(1)(i)

ADJOURNMENT:

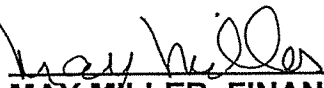


CERTIFICATION

Date: March 7th, 2019 Council Meeting

Check No.'s/EFT	Batch Name	Check/EFT Date	Amount
47233 – 47290	February – 3 rd Feb Batch for 03/07 Council	03/08/2019	\$ 197,604.36
47291 – 47292	March – 1 st Mar Batch for 03/07 Council	03/08/2019	\$ 3,962.40
		TOTAL	\$ 201,566.76

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER THE PENALTY OF PERJURY, THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED AND OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF BLACK DIAMOND, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.


MAY MILLER, FINANCE DIRECTOR

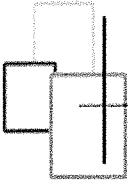
2.28.2019
DATE

COUNCILMEMBERS

CAROL BENSON, MAYOR

DATE

DATE



Register

Fiscal: 2019

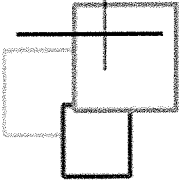
Deposit Period: 2019 - March, 2019 - February

Check Period: 2019 - March - 1st Mar Batch for 03/07 Council, 2019 - February - 3rd Feb Batch for 03/07 Council

Number	Name	Print Date	Amount
Check			
47233	AAdvanced Services	3/8/2019	\$2,000.00
47234	Amazon Capital Services, Inc.	3/8/2019	\$267.25
47235	Art Gamblin Motors	3/8/2019	\$497.62
47236	Beatriz Jordan	3/8/2019	\$240.00
47237	BHC Consultants, LLC	3/8/2019	\$210.00
47238	Black Diamond Auto Parts	3/8/2019	\$200.83
47239	Builders Exchange of WA Inc	3/8/2019	\$86.70
47240	CenturyLink (AZ)	3/8/2019	\$33.03
47241	CenturyLink (WA)	3/8/2019	\$1,008.98
47242	CHS/Cenex	3/8/2019	\$2,707.57
47243	City of Renton/EHD	3/8/2019	\$187.00
47244	Clair Kintanar	3/8/2019	\$120.00
47245	Columbia Ford, Inc	3/8/2019	\$67,476.84
47246	Comcast	3/8/2019	\$240.63
47247	Conner Homes at Ten Trails LLC	3/8/2019	\$374.88
47248	Cummins Sales and Service	3/8/2019	\$6,626.07
47249	DD Printing Solutions	3/8/2019	\$1,135.79
47250	Department of Health	3/8/2019	\$1,644.95
47251	Ferguson Waterworks #3011	3/8/2019	\$211.85
47252	Financial Consultants International Inc	3/8/2019	\$130.68
47253	Firestone Complete Auto Care	3/8/2019	\$912.55
47254	Francotyp-Postalia, Inc.	3/8/2019	\$130.32
47255	Fugate Ford	3/8/2019	\$120.18
47256	Home Depot Credit Service	3/8/2019	\$545.95
47257	HWA GeoSciences Inc.	3/8/2019	\$6,675.00
47258	Johnsons Home & Garden	3/8/2019	\$827.20
47259	King County Finance	3/8/2019	\$1,168.00
47260	King County Finance - I-Net	3/8/2019	\$375.00
47261	King County Finance - Mental Health	3/8/2019	\$287.37
47262	King County Radio Comm Services	3/8/2019	\$1,609.45
47263	Law Office of Krista White Swain	3/8/2019	\$3,600.00
47264	Les Schwab Tire Ctr - MV	3/8/2019	\$47.25
47265	Motion and Flow Control Products, Inc.	3/8/2019	\$228.76
47266	Motorola Solutions Inc.	3/8/2019	\$14,176.46
47267	Northstar Chemical Inc.	3/8/2019	\$3,035.79
47268	Office Products Nationwide	3/8/2019	\$52.15

47269	Orkin Commercial Services	3/8/2019	\$120.50
47270	Palmer Coking Coal Company, LLP	3/8/2019	\$763.46
47271	Parametrix, Inc.	3/8/2019	\$13,088.59
47272	Perteet Inc.	3/8/2019	\$1,185.00
47273	Reano Construction & Logging Inc.	3/8/2019	\$4,887.00
47274	RH2 Engineering Inc.	3/8/2019	\$11,021.93
47275	Secure Pacific Corporation	3/8/2019	\$557.23
47276	South Correctional Entity	3/8/2019	\$1,080.00
47277	State Auditor's Office	3/8/2019	\$470.47
47278	Summit Law Group, PLLC	3/8/2019	\$1,650.00
47279	Tri-Tech Forensics, Inc.	3/8/2019	\$42.25
47280	TRM Wood Products Co. Inc.	3/8/2019	\$26.95
47281	Utilities Underground Location Center	3/8/2019	\$183.26
47282	Valley Communications Center	3/8/2019	\$12,055.80
47283	Varius Inc.	3/8/2019	\$27,209.60
47284	Verizon Wireless	3/8/2019	\$1,594.20
47285	Voice of The Valley	3/8/2019	\$100.00
47286	Washington State Dept. of Corrections	3/8/2019	\$90.00
47287	Washington State Patrol	3/8/2019	\$67.50
47288	Washington Workwear Stores, Inc.	3/8/2019	\$156.37
47289	Water Management Laboratories, Inc.	3/8/2019	\$89.00
47290	Yakima County Department of Corrections	3/8/2019	\$1,973.15
47291	ADT Security Services (PA)	3/8/2019	\$96.13
47292	Sorci Family LLC	3/8/2019	\$3,866.27
	Total		\$201,566.76

Voucher Directory with Transaction Date



Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
AAAdvanced Services					
47233	BLD18-0146 AA	2/25/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	CD Refund: Demo Deposit				
	001-000-240-345-89-99-10		Demo-Deposit		\$1,000.00
	Total BLD18-0146 AA				\$1,000.00
47233	BLD18-0220 AA	2/25/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	CD Refund: Demo Deposit				
	001-000-240-345-89-99-10		Demo-Deposit		\$1,000.00
	Total BLD18-0220 AA				\$1,000.00
	Total 47233				\$2,000.00
Total AAAdvanced Services					
Amazon Capital Services, Inc.					
47234	19KJ-7HKC-4K7C	2/4/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	IT Purchases				
	310-000-011-594-18-64-00		General Government Technology		\$50.90
	Cell Phone Upgrade Parts				
	Total 19KJ-7HKC-4K7C				\$50.90
47234	1KDD-CJ4Y-J1HT	2/5/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	IT Purchases				
	310-000-011-594-18-64-00		General Government Technology		\$216.35
	IT Wiring Tool				
	Total 1KDD-CJ4Y-J1HT				\$216.35
	Total 47234				\$267.25
Total Amazon Capital Services, Inc.					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Art Gamblin Motors					
47235	660269	12/12/2018	2019 - February - 3rd Feb Batch for 03/07 Council		
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint		\$497.62
		First Time Receiving			
Total 47235	Total 660269				\$497.62
Total Art Gamblin Motors					
Beatriz Jordan					
47236	1297 BJ	1/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		001-000-120-512-50-41-04	Court Interpreter		\$120.00
Total 1297 BJ					\$120.00
47236	3122 BJ	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		001-000-120-512-50-41-04	Court Interpreter		\$120.00
Total 3122 BJ					\$120.00
Total 47236					\$240.00
Total Beatriz Jordan					
BHC Consultants, LLC					
47237	0010664	2/11/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		01/01-01/25 Bldg Insp Services	Prof Sys.Perm. Extra consultant Exp		\$210.00
		001-000-240-558-51-41-01			\$210.00
Total 0010664					\$210.00
Total 47237					\$210.00
Total BHC Consultants, LLC					
Black Diamond Auto Parts					
47238	435426	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		101-000-000-544-90-48-02	PW Clearing- Shared Veh/Equip Maint		\$200.83
Total 435426					\$200.83
Total 47238	Total 435426				\$200.83
Total Black Diamond Auto Parts					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
Builders Exchange of WA Inc					
47239	1061310	2/7/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Publish Projects Online			
		320-000-020-595-30-63-00		Roberts Dr Rehab-Roadway Const	\$16.47
		320-000-020-595-50-63-01		Roberts Dr Rehab-Bridge Const	\$19.94
		320-000-020-595-61-63-00		Robert Drive Sidewalk Cost	\$50.29
		Total 1061310			\$86.70
Total 47239					\$86.70
Total Builders Exchange of WA Inc					
CenturyLink (AZ)					
47240	1461900745	2/1/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		01/12-02/11 Services			
		001-000-254-518-20-42-00		Facilities-Telephones	\$33.03
		Facilities-Old City Hall Main Line # 360-886-2560			
Total 1461900745					\$33.03
Total 47240					\$33.03
Total CenturyLink (AZ)					
CenturyLink (WA)					
47241	021119 CL	2/11/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		001-000-120-512-50-42-00		Telephone/DSL	\$49.64
		360-886-2456 160B: PD/CT Security Line			
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$70.51
		360-886-2862 596B: Police-Line 2			
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$182.95
		253-631-1012 182B: Police-Main Line			
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$68.29
		360-886-2901 325B: Police-Fax			
		001-000-270-576-80-42-00		Telephone/DSL/Radios	\$5.19
		360-886-2523 656B: PW Shop Allocation			
		001-000-280-536-20-42-00		Telephone, DSL & Radios	\$2.60
		360-886-2523 656B: PW Shop Allocation			
		101-000-000-543-50-47-00		Electric/Gas	\$28.56
		360-886-2523 656B: PW Shop Allocation			
		401-000-000-534-80-42-00		Telephone/DSL/Radios	\$31.16
		360-886-2523 656B: PW Shop Allocation			

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
		401-000-000-534-80-42-00		Telephone/DSL/Radios	\$293.91
		360-886-7235 830B: Water Reservoir			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$61.22
		360-886-8146 712B: Old Lawson Pump Station			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$48.55
		360-886-0474 006B: Ridge Sewer Pump Station			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$49.64
		360-886-0537 580B: Diamond Glen Sewer			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$54.44
		360-886-2835 784B: Morganville Pump Station			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$31.16
		360-886-2523 656B: PW Shop Allocation			
		410-000-000-531-10-42-00		Telephone/DSL/Radios	\$31.16
		360-886-2523 656B: PW Shop Allocation			
		Total 021119 CL			\$1,008.98
		Total 47241			\$1,008.98
Total CenturyLink (WA)					\$1,008.98
CHS/Cenex					
	47242	128275 013119	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Jan 2019 PD Fuel			
		001-000-210-521-10-32-00		PD-Fuel	\$2,707.57
		Total 128275 013119			\$2,707.57
Total CHS/Cenex					\$2,707.57
City of Renton/EHD					
	47243	020719 EHD	2/7/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		01/01-01/31 Services			
		001-000-211-523-60-49-01		Electronic Home Monitor Costs	\$187.00
		Total 020719 EHD			\$187.00
Total City of Renton/EHD					\$187.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
Clair Kintanar					
47244	021319 CK	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Pro Tem Judge			
		001-000-120-512-50-41-02		Protem Judge	\$120.00
		2 hrs			
	Total 021319 CK				\$120.00
Total 47244					\$120.00
Total Clair Kintanar					\$120.00
Columbia Ford, Inc					
47245	3-K434 E183	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		2019 Ford K8A			
		510-000-300-594-10-00-00		Police Vehicle	\$33,738.42
	Total 3-K434 E183				\$33,738.42
47245	3-K435 E184	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		2019 Ford K8A			
		510-000-300-594-10-00-00		Police Vehicle	\$33,738.42
	Total 3-K435 E184				\$33,738.42
Total 47245					\$67,476.84
Total Columbia Ford, Inc					\$67,476.84
Comcast					
47246	0106172 021019	2/10/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		02/17-03/16			
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$3.29
		Police Cable TV Act 8498 34 014 0106172			
	Total 0106172 021019				\$3.29
47246	0122286 021219	2/12/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		02/22-03/21			
		001-000-120-512-50-42-00		Telephone/DSL	\$237.34

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name	
		Title			

Court Phone Act 8498 34 014 0122286

Total 47246	Total 0122286 021219				\$237.34
Total Comcast					\$240.63
Conner Homes at Ten Trails LLC					\$240.63
47247	021519 Lot 36	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	Water Refund: Acct 4635.14				
	401-000-000-343-40-00-01		Water Charges		\$128.06
	New Owner Effective 02/01/2019				
Total 021519 Lot 36					\$128.06
47247	021519 Lot 38	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	Water Refund: Acct 4635.7				
	401-000-000-343-40-00-01		Water Charges		\$122.54
	New Owner Effective 02/01/2019				
Total 021519 Lot 38					\$122.54
47247	021519 Lot 43	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	Water Refund: Acct 4635.6				
	401-000-000-343-40-00-01		Water Charges		\$124.28
	New Owner Effective 02/01/2019				
Total 021519 Lot 43					\$124.28
Total 47247					\$374.88
Total Conner Homes at Ten Trails LLC					\$374.88
Cummins Sales and Service					
47248	01-24298	2/22/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
	401-000-000-534-80-48-02		Water System Rep & Mtc-Ext/Int		\$6,626.07
Total 01-24298					\$6,626.07
Total 47248					\$6,626.07
Total Cummins Sales and Service					\$6,626.07

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	

DD Printing Solutions

47249	1685	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Utility Bill Envelopes			
		401-000-000-534-80-49-04	Printing		\$220.21
		407-000-000-535-80-49-03	Printing		\$220.21
		410-000-000-531-10-49-03	Printing		\$38.29
	Total 1685				\$478.71
47249	1686	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		PD Envelopes			
		001-000-210-521-10-49-03	PD-Printing		\$217.67
	Total 1686				\$217.67
47249	1687	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		CD Envelopes			
		001-000-240-558-51-31-00	Office & Operating Supplies		\$217.67
	Total 1687				\$217.67
47249	1688	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		CH Envelopes			
		001-000-180-518-50-31-00	Office Supplies City Hall		\$221.74
	Total 1688				\$221.74
	Total 47249				\$1,135.79
	Total DD Printing Solutions				\$1,135.79
	Department of Health				
47250	07220 7 2019	1/28/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		2019 Operating Fees			
		401-000-000-534-80-49-05	Permit-Health Dept		\$1,644.95
	Total 07220 7 2019				\$1,644.95
	Total 47250				\$1,644.95
	Total Department of Health				\$1,644.95

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name	Amount
				Title	

Ferguson Waterworks #3011

47251	0728795	1/24/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Handheld Battery			
		401-000-000-534-80-31-01		Water Operating Supplies	\$211.85
Total 47251	Total 0728795				\$211.85
Total Ferguson Waterworks #3011					\$211.85

Financial Consultants International Inc

47252	16395	2/22/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		001-000-210-521-10-48-01		PD-Vehicle Maintenance & Repair	\$130.68
Total 47252	Total 16395				\$130.68
Total Financial Consultants International Inc					\$130.68

Firestone Complete Auto Care

47253	67878	1/14/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		2016 Ram 3500			
		101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$499.71
Total 47253	Total 67878				\$499.71
47253	67912	1/16/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		2016 Ram 3500			
		101-000-000-544-90-48-02		PW Clearing- Shared Veh/Equip Maint	\$412.84
Total 47253	Total 67912				\$412.84
Total Firestone Complete Auto Care					\$912.55

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Francotyp-Postalia, Inc.					
47254	RI103968396	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		02/14-05/13 Postage Machine Rental			
		001-000-180-518-50-45-01	Postage Meter Rental & Maint.		\$130.32
	Total RI103968396				\$130.32
Total 47254					\$130.32
Total Francotyp-Postalia, Inc.					\$130.32
Fugate Ford					
47255	428485	1/29/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Police Interceptor K8A			
		001-000-210-521-10-48-01	PD-Vehicle Maintenance & Repair		\$60.09
		Unit 3			\$60.09
	Total 428485				\$60.09
47255	428803	1/17/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Police Interceptor K8A			
		001-000-210-521-10-48-01	PD-Vehicle Maintenance & Repair		\$60.09
		Unit 4			\$60.09
	Total 428803				\$60.09
Total 47255					\$60.09
Total Fugate Ford					\$120.18
Home Depot Credit Service					
47256	6051823	2/6/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		CD			
		001-000-240-558-51-31-00	Office & Operating Supplies		\$102.91
		Office Heater			\$102.91
	Total 6051823				\$102.91
47256	7611220	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Gym			
		001-000-270-575-51-31-00	Gym Operating Supplies		\$130.90
	Total 7611220				\$130.90

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	

47256	8570623	PW	2/14/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		101-000-000-544-90-31-00		PW Clearing Acct-Supplies	\$209.53
	Total 8570623				\$209.53
47256	8570624	CD/PW/MDRT	2/14/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-248-518-20-31-00		MDRT Bldg. Supplies	\$41.04
		001-000-254-518-20-31-00		Facilities Operating Supplies	\$61.57
	Total 8570624				\$102.61
	Total 47256				\$545.95
	Total Home Depot Credit Service				\$545.95
	HWA GeoSciences Inc.				
47257	29053	Services through 01/31	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-05		MDRT Geotech	\$2,395.00
		100-12 Phase 2A Peer Review			\$2,395.00
	Total 29053				
47257	29054	Services through 01/31	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-05		MDRT Geotech	\$750.00
		100-14 Trail Corridor Gallery Review			\$750.00
	Total 29054				
47257	29055	Services through 01/31	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-05		MDRT Geotech	\$3,530.00
		100-15 2D Peer Review			\$3,530.00
	Total 29055				\$6,675.00
	Total 47257				\$6,675.00
	Total HWA GeoSciences Inc.				

Vendor		Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
			Account Number		Name Title	

Johnsons Home & Garden

47258	433244	1/24/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		401-000-000-534-80-31-01	Water Operating Supplies			\$18.72
	Total 433244					\$18.72
47258	433468	2/1/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		401-000-000-534-80-31-01	Water Operating Supplies			\$32.66
	Total 433468					\$32.66
47258	433469	2/1/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		401-000-000-534-80-48-02	Water System Rep & Mtc-Ext/Int			\$3.26
	Total 433469					\$3.26
47258	433508	2/4/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		Winter Storm				
		101-000-000-542-66-31-00	Sand & Salt - Snow & Ice			\$252.82
	Total 433508					\$252.82
47258	433538	2/5/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		401-000-000-534-80-31-01	Water Operating Supplies			\$115.27
	Total 433538					\$115.27
47258	433608	2/7/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		Winter Storm				
		101-000-000-542-66-31-00	Sand & Salt - Snow & Ice			\$138.83
	Total 433608					\$138.83
47258	433615	2/7/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		Winter Storm				
		101-000-000-542-66-31-00	Sand & Salt - Snow & Ice			\$92.60
	Total 433615					\$92.60
47258	433669	2/8/2019	2019 - February - 3rd Feb Batch for 03/07 Council			
		101-000-000-542-30-31-04	Uniforms & Safety Supplies			\$119.85
	Total 433669					\$119.85

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
	47258	433751	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Winter Storm		
			401-000-000-534-80-35-00	Small Tools & Safety Equip	\$53.19
			53.19		
	Total 47258				\$53.19
	Total 433751				\$827.20
	Total Johnsons Home & Garden				\$827.20
	King County Finance				
	47259	5002772	2/1/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Recording		
			320-000-020-595-30-63-00	Roberts Dr Rehab-Roadway Const	\$25.50
			320-000-020-595-61-63-00	Robert Drive Sidewalk Cost	\$76.50
			408-000-003-535-80-41-00	Sewer Lagoon Preservation	\$424.00
	Total 5002772				\$526.00
	47259	96748-96749	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			113814/RSD Black Diamond Dsc Trfc		
			101-000-000-542-64-48-01	Traffic Signal Maintenance	\$642.00
	Total 47259				\$642.00
	Total King County Finance				\$1,168.00
	King County Finance - I-Net				
	47260	11007774	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Jan 2019 Services		
			001-000-214-521-20-42-01	Police Comm KC I-Net	\$375.00
	Total 47260				\$375.00
	Total King County Finance - I-Net				\$375.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
King County Finance - Mental Health					
	47261	2113369	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		4th Quarter 2018			
		001-000-182-566-00-49-01		KC Mental Health	\$287.37
	Total 2113369				\$287.37
Total King County Finance - Mental Health					
King County Radio Comm Services					
	47262	14268	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Jan 2019 Services			
		001-000-214-521-20-41-03		K/C 800 Mhz Radio Costs	\$1,609.45
	Total 14268				\$1,609.45
Total King County Radio Comm Services					
Law Office of Krista White Swain					
	47263	022519 KWS	2/25/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Feb 2019 Services			
		001-000-120-512-50-41-00		Court Judge	\$3,600.00
	Total 022519 KWS				\$3,600.00
Total Law Office of Krista White Swain					
Les Schwab Tire Ctr - MV					
	47264	39800355535	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-210-521-10-48-01		PD-Vehicle Maintenance & Repair	\$28.79
	Total 39800355535				\$28.79
	47264	39800357832	2/25/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		2017 Ford Explorer			
		001-000-210-521-10-48-01		PD-Vehicle Maintenance & Repair	\$18.46

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	

Unit 4

Total 39800357832
 Total 47264
 Total Les Schwab Tire Ctr - MV
 \$18.46
 \$47.25
 \$47.25

Motion and Flow Control Products, Inc.
 47265 2/15/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 7223998 001-000-181-518-30-48-01 Facility share of shop costs
 Wash Rack
 \$228.76
 Total 7223998
 Total 47265
 Total Motion and Flow Control Products, Inc.
 \$228.76
 \$228.76
 \$228.76

Motorola Solutions Inc.
 47266 2/8/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 39973 001-000-216-521-10-49-07 Spillman Records Maintenance
 Total 39973
 Total 47266
 Total Motorola Solutions Inc.
 \$14,176.46
 \$14,176.46
 \$14,176.46

Northstar Chemical Inc.
 47267 2/18/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 139601 401-000-000-534-80-31-03 Caustic
 Total 139601
 Total 47267
 Total Northstar Chemical Inc.
 \$3,035.79
 \$3,035.79
 \$3,035.79

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Office Products Nationwide					
	47268	1025945-0	2/25/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			001-000-120-512-50-31-00	Operating Supplies	\$52.15
			Crt Office Supplies		
	Total 47268	Total 1025945-0			\$52.15
Total Office Products Nationwide					
Orkin Commercial Services					
	47269	174618413	9/17/2018	2019 - February - 3rd Feb Batch for 03/07 Council	
			Sep 2018 Services: Invoice Lost		
			001-000-248-518-20-49-01	MDRT Bldg Custodial Costs	\$31.33
			001-000-254-518-20-49-01	Facilities Bldg.Custodial & Maint.	\$89.17
	Total 47269	Total 174618413			\$120.50
Total Orkin Commercial Services					
Palmer Coking Coal Company, LLP					
	47270	7024	2/6/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Winter Storm		
			101-000-000-542-66-31-00	Sand & Salt - Snow & Ice	\$763.46
	Total 7024	Total 47270			\$763.46
Total Palmer Coking Coal Company, LLP					
Parametrix, Inc.					
	47271	05546	11/6/2018	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services from 09/30/18-10/27/18		
			001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$4,590.00
			Task: 05-PP1A Divisions 3-5 & 8		
	Total 05546	Total 47271			\$4,590.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
	47271	07833	2/12/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services through 02/02/19		
			001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$3,781.25
			Task: 06-Ten Trails Ph2 C Div 2		\$3,781.25
		Total 07833			
	47271	07974	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services from 01/01/19-02/02/19		
			001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$2,803.22
			Task: 05-SR 169 RBT-PUB18-0028		\$2,803.22
		Total 07974			
	47271	07975	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services from 01/01/19-02/02/19		
			001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$812.15
			Task: 10-Commercial Building Site (PLN17-0053)		\$812.15
		Total 07975			
	47271	07977	2/15/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services from 01/01/19-02/02/19		
			001-000-257-558-70-41-03	MDRT Traffic Engineering-Parametrix	\$1,101.97
			Task: 13-Roberts Drive Engineering Support		\$1,101.97
		Total 07977			
	Total 47271				
Total Parametrix, Inc.					\$13,088.59
Perteet Inc.					\$13,088.59
	47272	20160294.001-5	2/5/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Services from 01/01/19-01/27/19		
			001-000-257-558-70-41-04	MDRT Environmental Consultant-Perteet	\$1,185.00
			PUB15-0032		\$1,185.00
		Total 20160294.001-5			\$1,185.00
	Total 47272				
Total Perteet Inc.					\$1,185.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	

Reano Construction & Logging Inc.

47273 2093 2/6/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 Winter Storm
 101-000-000-542-70-48-01 Roadside Maint and tree removal
 Total 2093 \$2,172.00
 \$2,172.00

47273 2094 2/6/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 Winter Storm
 101-000-000-542-70-48-01 Roadside Maint and tree removal
 Total 2094 \$2,715.00
 \$2,715.00
 \$4,887.00
 \$4,887.00

Total Reano Construction & Logging Inc.

RH2 Engineering Inc.

47274 72347 2/11/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 Services through 01/27/19
 402-000-003-594-34-63-06 Springs Water Project
 Ph.1 - Conveyance System Upgrade
 Total 72347 \$11,021.93
 \$11,021.93
 \$11,021.93
 \$11,021.93

Total RH2 Engineering Inc.

Secure Pacific Corporation

47275 206233 2/1/2019 2019 - February - 3rd Feb Batch for 03/07 Council
 Feb-Mar Security Services
 001-000-120-512-50-49-05 Security
 Court Security
 001-000-212-521-50-49-05 Security
 Police Security
 Total 206233 \$185.72
 \$185.72
 \$371.51
 \$557.23
 \$557.23
 \$557.23

Total Secure Pacific Corporation

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
South Correctional Entity					
	47276	3597	2/10/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Jan 2019 Inmate Days			
		001-000-211-523-60-49-00		Jail Costs	\$1,080.00
		6 days			
	Total 3597				\$1,080.00
	Total 47276				\$1,080.00
	Total South Correctional Entity				\$1,080.00
	State Auditor's Office				\$1,080.00
	47277	L129493	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-140-514-23-41-01		State Auditor Services	\$117.62
		101-000-000-543-30-41-02		State Auditor Services	\$28.23
		401-000-000-534-80-41-03		State Auditor Services	\$108.21
		407-000-000-535-80-41-07		State Auditor Services	\$108.21
		410-000-000-531-10-41-02		State Auditor Services	\$108.20
	Total L129493				\$470.47
	Total 47277				\$470.47
	Total State Auditor's Office				\$470.47
	Summit Law Group, PLLC				\$470.47
	47278	101094	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Services through 01/31			
		001-000-150-515-41-41-02		Legal Services -Employment	\$55.00
	Total 101094				\$55.00
	47278	101095	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		Services through 01/31			
		001-000-150-515-41-41-08		Legal Svcs-Union Contracts	\$1,595.00
	Total 101095				\$1,595.00
	Total 47278				\$1,650.00
	Total Summit Law Group, PLLC				\$1,650.00

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Tri-Tech Forensics, Inc.					
	47279	157398	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			001-000-210-521-10-31-00	PD-Operating Supplies	\$42.25
		Total 157398			\$42.25
Total Tri-Tech Forensics, Inc.					\$42.25
TRM Wood Products Co. Inc.					
	47280	371267	2/1/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			401-000-000-534-80-48-02	Water System Rep & Mtc-Ext/Int	\$26.95
		Total 371267			\$26.95
Total TRM Wood Products Co. Inc.					\$26.95
Utilities Underground Location Center					
	47281	9010129	1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Jan 2019 Locates		
			401-000-000-534-80-41-08	Locating Service	\$183.26
			119 Locates		\$183.26
		Total 9010129			\$183.26
Total Utilities Underground Location Center					
Valley Communications Center					
	47282	0023487	2/10/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
			Jan 2019 911 Calls		
			001-000-214-521-20-41-00	Valley Comm - Dispatch Service	\$12,055.80
			284Calls		\$12,055.80
		Total 0023487			\$12,055.80
Total 47282					
Total Valley Communications Center					

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name Title	
Varius Inc.					
47283	1092 V	2019 MDRT Services	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-02		MDRT Civil Engineering	\$18,400.00
	Total 1092 V	TA5-Pre Plat 2A			\$18,400.00
47283	1093 V	2019 MDRT Services	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-02		MDRT Civil Engineering	\$2,760.00
	Total 1093 V	TA10-Gen'l Engineering Serv.			\$2,760.00
47283	1094 V	2019 MDRT Services	2/20/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-257-558-70-41-02		MDRT Civil Engineering	\$6,049.60
	Total 1094 V	TA14-Ten Trails Ph2 Plat D			\$6,049.60
Total 47283					\$27,209.60
Total Varius Inc.					
Verizon Wireless					
47284	9823915176	Jan 11 - Feb 10 Services	2/10/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
		001-000-145-518-80-42-00		Communications	\$68.75
		001-000-214-521-20-42-00		Police Tele/web/DSL/Air Cards	\$550.00
		001-000-240-558-51-42-00		Telephone	\$167.51
		001-000-246-558-70-42-01		Telephones	\$216.26
		001-000-254-518-20-42-00		Facilities-Telephones	\$68.75
		001-000-270-576-80-42-00		Telephone/DSL/Radios	\$20.93
		PW/Facilities			

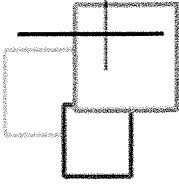
Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void
		Account Number		Name Title	Amount
		001-000-280-536-20-42-00		Telephone, DSL & Radios	\$10.46
		PW/Facilities			
		101-000-000-542-30-42-01		Telephone/DSL/Radios	\$115.04
		PW/Facilities			
		401-000-000-534-80-42-00		Telephone/DSL/Radios	\$125.50
		PW/Facilities			
		407-000-000-535-80-42-00		Telephone/DSL/Radios	\$125.50
		PW/Facilities			
		410-000-000-531-10-42-00		Telephone/DSL/Radios	\$125.50
		PW/Facilities			
	Total 9823915176				
Total 47284					\$1,594.20
Total Verizon Wireless					\$1,594.20
Voice of The Valley					\$1,594.20
47285	21110		1/29/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
	Total 21110			Advertising	\$100.00
Total 47285					\$100.00
Total Voice of The Valley					\$100.00
Washington State Dept. of Corrections					\$100.00
47286	0119.1-19-KCWC-HQ		1/31/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
	Jan 2019 Worker Days				
	001-000-211-523-60-49-04			Work Crew Costs-State Exp	\$90.00
	6 days				
Total 0119.1-19-KCWC-HQ					\$90.00
Total 47286					\$90.00
Total Washington State Dept. of Corrections					\$90.00
Washington State Patrol					\$90.00
47287	119005101		2/6/2019	2019 - February - 3rd Feb Batch for 03/07 Council	
	633-000-000-589-90-00-06			Due to WSP-FBI Fingerprinting-Background	\$67.50
Total 119005101					\$67.50
Total 47287					\$67.50
Total Washington State Patrol					\$67.50

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number	Name	Title	
Washington Workwear Stores, Inc.					
47288	4044	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		001-000-270-576-80-31-07	Uniforms		\$6.25
		001-000-280-536-20-31-04	Uniforms		\$3.13
		101-000-000-542-30-31-04	Uniforms & Safety Supplies		\$34.40
		401-000-000-534-80-31-05	Uniforms		\$37.53
		407-000-000-535-80-31-04	Uniform Allowance		\$37.53
		410-000-000-531-10-31-04	Uniforms and Safety Supplies		\$37.53
	Total 4044				\$156.37
	Total 47288				\$156.37
Total Washington Workwear Stores, Inc.					
Water Management Laboratories, Inc.					
47289	173280	1/24/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$47.00
	Total 173280				\$47.00
47289	173503	2/5/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$21.00
	Total 173503				\$21.00
47289	173769	2/13/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		401-000-000-534-80-41-02	Water Testing and Sampling		\$21.00
	Total 173769				\$21.00
	Total 47289				\$89.00
Total Water Management Laboratories, Inc.					
Yakima County Department of Corrections					
47290	021019 YCDC	2/10/2019	2019 - February - 3rd Feb Batch for 03/07 Council		
		Jan 2019 Inmate Days			
		001-000-211-523-60-49-00	Jail Costs		\$1,973.15

Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description	Void Amount
		Account Number		Name	
			31 days	Title	

Total 021019 YCDC
 Total 47290
 Total Yakima County Department of Corrections
 Vendor Count 58
 Grand Total \$197,604.36

Voucher Directory with Transaction Date



Vendor	Transaction Number	Transaction Reference	Invoice Date	Fiscal Description Name Title	Void Amount
ADT Security Services (PA)					
47291	689543921	Mar 2019 Security Services	2/14/2019	2019 - March - 1st Mar Batch for 03/07 Council	
		001-000-254-518-20-49-00		Facilities Security	\$46.14
	Total 689543921				\$46.14
47291	689805794	Mar 2019 Security Services	2/13/2019	2019 - March - 1st Mar Batch for 03/07 Council	
		001-000-270-576-80-49-02		Security	\$0.99
		001-000-280-536-20-49-02		Security	\$2.00
		101-000-000-543-50-49-03		Security	\$11.00
		401-000-000-534-80-49-07		Security	\$12.00
		407-000-000-535-80-49-05		Security	\$12.00
		410-000-000-531-10-49-04		Security	\$49.99
	Total 689805794				\$96.13
Total 47291					
Total ADT Security Services (PA)					
Sorci Family LLC					
47292	023119 SFLLC	Mar 2019 Rent	2/28/2019	2019 - March - 1st Mar Batch for 03/07 Council	
		001-000-248-518-20-45-02		MDRT Property Rental Cost	\$668.80
		001-000-254-518-20-45-02		Facilities-Prop Rental	\$1,002.13
		001-000-254-518-20-45-05		Facilities City Hall Bldg Rental	\$2,195.34
	Total 023119 SFLLC				\$3,866.27
Total 47292					\$3,866.27
Total Sorci Family LLC					
Vendor Count 2					\$3,962.40
Grand Total					\$3,962.40

BLACK DIAMOND CITY COUNCIL MINUTES
Special Council Meeting of February 7, 2019
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Benson called the regular meeting to order at 6:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Oglesbee, Edelman, Stout, and Wisnoski.

ABSENT: None

Staff present: Barbara Kincaid, Community Development Director; Andrew Williamson, MDRT/Ec Dev Director; and Brenda L. Martinez, City Clerk.

Mayor Benson welcomed everyone and announced that tonight's work session was on code revisions to Chapters 18.50 and 18.56. She then turned the meeting over to Community Development Kincaid.

WORK SESSION:

- 1) Review Revisions to Chapters 18.50, Accessory Uses and Structures, and 18.56, Accessory Dwelling Units

Community Development Director Kincaid discussed the history of how the code revisions came about. She explained the proposed sample language and the key areas they will be discussing tonight where she needs direction from Council. She also shared this will be a high-level discussion as she will come back with the code changes and a public hearing will be held at an upcoming Council meeting.

She commented on the Planning Commission's recommendation and noted the major proposed changes to Chapter 18.50 includes:

- Language to require a primary structure or use is established before the accessory structure or use.
- Added provision for visual compatibility with surrounding structures.
- Added how to measure for height.
- Eliminated language that limited height to the height of the principle use structure.
- Included a more comprehensive list of types of accessory uses and structures in residential zones.

- Made commercial and industrial zones consistent with those allowed in residential zones for mixed use developments and linked them to applicable design guidelines.

Major proposed changes to Chapter 18.56 include:

- An Intent statement to describe the goals for ADUs.
- Refined definitions to include and describe the different types of ADUs.
- Removal of provisions for owner or family member to occupy one of the dwelling units on property containing an ADU.
- Streamlined and clarified performance standards for better flow.
- Removal of the prohibition on placing ADU on nonconforming lot size because if they can meet the dimensional standards for setbacks in the zoning district, they should be allowed to have an ADU.
- Increase in the number allowed ADUs from one to three.
- Increase in the size of a detached ADU from 800 to 1,000 sq. ft.
- Made the utility connection language consistent with utility code chapter.
- Eliminated requirement for design and appearance to match the primary dwelling unit.
- Required compliance with applicable design standards.

Following discussion on the above changes there was consensus to:

- Not have the owner occupancy requirement.
- Allow two (2) ADUs; one attached and one detached.
- No consensus on the visual compatibility element.

In closing, Director Kincaid noted she will be making the changes that were noted tonight and will be scheduling a public hearing for the March 7th Council meeting.

ADJOURNMENT:

Councilmember Edelman **moved** to adjourn the meeting; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (5-0).

The meeting ended at 6:55 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

BLACK DIAMOND CITY COUNCIL MINUTES
Council Meeting of February 21, 2019
Council Chamber, 25510 Lawson Street, Black Diamond, Washington

CALL TO ORDER, FLAG SALUTE:

Mayor Pro-Tem Deady called the regular meeting to order at 7:00 p.m. and led us all in the Flag Salute.

ROLL CALL:

PRESENT: Councilmembers Deady, Oglesbee, Edelman, Stout, and Wisnoski.

ABSENT: Mayor Benson

Staff present: Barbara Kincaid, Community Development Director; Dan Dal Santo, Utilities Superintendent; Andrew Williamson, MDRT/Ec Dev Director; Chief Smith; Deanna Humphreys, Police Clerk; Debbie McGraw, Police Records Coordinator; Stephanie Metcalf Court Administrator; Kevin Esping, Facilities Manager, Jamey Kiblinger, Police Chief; and Brenda L. Martinez, City Clerk.

AGENDA REVIEW AND APPROVAL:

Councilmember Oglesbee **moved** to approve the agenda; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (5-0).

APPOINTMENTS, ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS: None

CONSENT AGENDA:

Councilmember Edelman **moved** to adopt the Consent Agenda; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (5-0). The Consent Agenda was approved as follows:

- 1) **Claim Checks** – February 21, 2019 – Check No. 47195 through 47232 in the amount of \$530,834.09
- 2) **Payroll** – January 31, 2019 – Check No. 19722 through 19738 (void 19724) in the amount of \$342,308.57
- 3) **Minutes** – Council Meeting of February 7, 2019

PUBLIC COMMENTS:

Brittany, Black Diamond spoke to Council

Weston Butts, Black Diamond spoke to Council.

Kristen Bryant, Bellevue spoke to Council.

PUBLIC HEARINGS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

4) AB19-014 – Ordinance No. 19-1117 Amending the 2019 Salary Schedule

City Clerk Martinez discussed this agenda item with Council.

There was Council discussion

Councilmember Edelman **moved** to adopt Ordinance No. 19-1117 amending the 2019 Salary Schedule as adopted by Ordinance No. 19-1116 to reflect the addition of new positions for the re-organization of the Administrative and Community Development Departments; **second** Councilmember Wisnoski. Motion **passed** with all voting in favor (5-0).

DEPARTMENT REPORTS:

Emergency Management – Emergency Management Director Esping updated Council on the recent snow storm event and noted that no emergency was declared for Black Diamond, however they were close due to the water and generator incident. He noted keeping in contact with other cities and the EOC during the storm. He commented that the Public Works crew did a great job during the storm. He shared that he is working with the Community Center on using that facility in the future for emergencies.

Community Development – Community Development Director Kincaid discussed the Shoreline Management Program update. She shared that the first open house on the update was held last night and there were roughly a dozen citizens in attendance. The next public open house will be on March 15. She discussed the process for this update being pretty standard as they use a checklist provided by Ecology and what it would be moving forward. She noted the February 14th work session on the Comprehensive Plan update being cancelled and the need to move forward with Council to discuss what the adoption process will look like. She stated this topic will be rescheduled soon. She reported the accessory dwelling work session is scheduled for a special meeting on March 7 with the public hearing scheduled for the regular meeting that night and will come before Council for consideration at the March 21, 2019 regular business meeting.

Public Works – Utilities Superintendent Dal Santo discussed the Public Works department role during the storm event. He discussed the generator at the water having a catastrophic failure which required a lot of their time. The crew worked many 11 hour days and the

estimate in damage is roughly \$20K. He shared he has some great pictures from the storm and will be sharing them at a future meeting.

Fire – Chief Smith noted the department being really busy. Since the last Council meeting there were 32 incidents which equates to 1.6 incidents per day during that cycle. He shared they are still waiting for the call box to come in for the Station on Baker Street. An Ad Hoc Committee meeting is scheduled for March 19 and the Volunteer graduation is March 16. He discussed doing a presentation at an upcoming Council meeting regarding new fire apparatus and a jaws of life demonstration.

MAYOR’S REPORT: None

COUNCIL REPORTS:

Councilmember Stout reported attending a Finance Committee meeting, Council work session where they discussed items on the agenda.

Councilmember Wisnoski reported attending the work session and working from home due to the storm.

Councilmember Deady reported attending the work session, Finance Committee meeting, SCATBd where they talked about Hwy 410 and the 30 year plan for this road.

Councilmember Oglesbee reported attending the work session and having fun in the snow.

Councilmember Edelman reported that today is the City’s 60th Birthday. She noted attending the work session and the Shoreline Master Program open house.

Councilmember Deady shared why Mr. Butts came to the meeting today to talk about the possible future location of City Hall on his property. She discussed her opinion why City Hall should not be located at Ten Trails and the need to find a more central location. There was discussion on the process and the Mayor and staff doing their due diligence first.

ATTORNEY REPORT: None

PUBLIC COMMENTS:

Mira Hoke – Black Diamond spoke to Council.

Stephanie Metcalf – Maple Valley spoke to Council.

Deanna Humphreys – Black Diamond spoke to Council.

EXECUTIVE SESSION: None

ADJOURNMENT:

Councilmember Wisnoski **moved** to adjourn the meeting; **second** Councilmember Oglesbee. Motion **passed** with all voting in favor (5-0).

The meeting ended at 7:44 p.m.

ATTEST:

Carol Benson, Mayor

Brenda L. Martinez, City Clerk

DRAFT

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT: Authorizing the Mayor to execute the City's written final plat approval for The Villages MPD, Ten Trails Phase 2C – Divisions 2 Final Plat	Agenda Date: March 7, 2019	
	AB19-015	
	Mayor – Carol Benson	
	City Administrator –	
	City Attorney – David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	X
	Police – Chief Kiblinger	
Cost Impact (see also Fiscal Note): None	Public Works – Seth Boettcher	
Fund Source: n/a	Court – Stephanie Metcalf	
Timeline:		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Proposed Resolution; Staff Report; Plat Map; Performance and Maintenance Bonds (exhibit within Staff Report).		
SUMMARY STATEMENT: <p>The Villages (also referred to as “Ten Trails”) Phase 2C – Divisions 2 is a 92-lot plat that was granted Preliminary Approval under City File Number PLN13-0027. The plat is located within The Villages Master Planned Development Phase 2C and is zoned Master Planned Development (MPD). The owners, Oakpointe / CCD Black Diamond LLC, have completed the preliminary plat requirements and now are requesting final plat approval. Staff has worked with the applicants to ensure preliminary requirements have been met. Staff's written findings and recommendation for approval are documented in a Staff Report for City Council's review. If the Council determines that the final plat conforms to all terms of the preliminary plat approval set forth by the Hearing Examiner and that adequate bonds have been posted, then by resolution, it shall accept staff's written findings and authorize the Mayor to execute the final plat approval by entering the City's written approval on the face of the plat.</p>		
FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		
RECOMMENDED ACTION: MOTION to adopt a Resolution No. 19-1297 approving the final plat for Ten Trails Phase 2C Divisions 2 (PLN18-0084); setting forth supportive findings and fixing a time when the final plat shall become effective.		
RECORD OF COUNCIL ACTION		
<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
March 7, 2019		

RESOLUTION NO. 19-1297

A RESOLUTION OF THE CITY OF BLACK DIAMOND, WASHINGTON, GRANTING APPROVAL OF THE FINAL PLAT FOR THE TEN TRAILS (F/K/A “THE VILLAGES”) PHASE 2C DIVISION 2

WHEREAS, on September 20, 2010, the City Council adopted Ordinance No. 10-946 approving a Master Planned Development (“MPD”) permit for applicant CCD Black Diamond Partners LLC’s (“Oakpointe”), f/k/a Yarrow Bay, to develop of a master planned community known as “The Villages”; and

WHEREAS, on December 12, 2011, the City Council adopted Ordinance No. 11-970 approving The Villages Development Agreement (“DA”) with Oakpointe setting forth extensively negotiated requirements and agreed conditions governing commercial and residential development activity within The Villages MPD; and

WHEREAS, on January 28, 2015, the City’s Hearing Examiner conditionally granted Preliminary Plat Approval for the subdivision known as Phase 2C of The Villages MPD, and Oakpointe has since changed the name of The Villages MPD to “Ten Trails”; and

WHEREAS, Oakpointe has applied for final plat approval (File No. PLN18-0084) for the Ten Trails Phase 2C Division 2; and

WHEREAS, under the DA, Oakpointe’s application for final plat approval of Ten Trails Phase 2C Division 2 is vested to the Black Diamond Municipal Code in effect as of the date of the DA, which is attached as Exhibit E to the DA (“Vested Code”); and

WHEREAS, City staff and members of the Master Developer Review Team (“MDRT”) have reviewed the proposed final plat for Phase 2C Division 2 for compliance with all provisions of state law and the Vested Code, as well as all conditions imposed by the applicable MPD permit, the DA, the Hearing Examiner’s Preliminary Plat Approval and decision in the related SEPA appeal, and the MPD Framework Design Standards and Guidelines (collectively, “Conditions of Approval”), and have prepared and provided to the City Council a Staff Report summarizing their findings in detail; and

WHEREAS, City staff and members of the MDRT, based on their review of the final plat application, recommend approval of the Phase 2C Division 2 final plat, subject to Oakpointe’s submission of adequate security to ensure the completion of the remaining work; and

WHEREAS, City staff and members of the MDRT have reviewed and approved the bonds guaranteeing completion and maintenance of the infrastructure improvements required by the Conditions of Approval; and

WHEREAS, section 17.20.060.B of the Vested Code requires the City Council to review the Staff Report and proposed final plat to assure its conformance to all Conditions of Approval and that the required bonds, if applicable, have been posted, and further requires the City Council, by resolution, to make written findings to that effect and thereupon to authorize the Mayor to execute the City Council's approval in writing on the face of the final plat; and

WHEREAS, RCW 58.17.140 and Vested Code section 17.20.060 require that the City Council approve, disapprove, or return the final plat for modification within a limited time period, unless the applicant consents to a longer time; and

WHEREAS, RCW 58.17.195 prohibits the approval of any subdivision unless the City makes a formal, written finding of fact that the proposed subdivision conforms to applicable zoning ordinances and other land-use controls;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Final Plat Approval. The City Council finds, based on its review of the Staff Report and proposed plat, that all Conditions of Approval have been satisfied, or where they have not yet been satisfied, that adequate security has been or will be posted to ensure the full and prompt completion of all required improvements that have not yet been completed. Further, the City Council finds that the proposed subdivision conforms to applicable zoning ordinances and land-use controls of the City. Accordingly, the final plat for Ten Trails Phase 2C Division 2 is hereby approved on condition that Oakpointe provides bonds, in a form and amount acceptable to the City, guaranteeing completion of all infrastructure improvements required by the Conditions of Approval that have not yet been completed.

Section 2. Authorization. Upon Oakpointe's provision of the bond(s) described in Section 1, the Mayor is authorized to sign the final plat for Ten Trails Phase 2C Division 2, signifying the Council's approval.

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**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND,
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 7TH DAY OF
MARCH 2019.**

CITY OF BLACK DIAMOND:

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk



CITY OF BLACK DIAMOND

P.O. Box 599
24301 Roberts Drive
Black Diamond, WA 98010

Phone: (360) 886-5700
Fax: (360) 886-2592
www.ci.blackdiamond.wa.us

February 27, 2019

STAFF REPORT – PLN18-0084 Ten Trails Phase 2 Plat C – Division 2 Final Plat

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Administrative Note: References to "Ten Trails" within this final plat application can be used interchangeably with "The Villages." The applicant has re-branded The Villages Master Planned Development as "Ten Trails," however the approved Master Planned Development Permit for The Villages (City File Number PLN09-0017) has not been amended to officially refer to the Master Planned Development as "Ten Trails."

Section I: Application Information

Staff Report Date: February 27, 2019

Name of Subdivision: Ten Trails Phase 2 Plat C – Division 2 (Two)

Number of Lots: 92 lots for residential development

Location: Unaddressed King County Parcel Number 857601-1130

Zoning: Master Planned Development (MPD)

Comprehensive Plan Designation: Low-Density Residential with Master Planned Development Overlay

Land Owner / Applicant: CCD Black Diamond Partners LLC, d/b/a Oakpointe, c/o: Colin Lund

Preliminary Plat Approval: The Villages Preliminary Plat Phase 2 Plat C was approved by the City's Hearing Examiner on 01/28/2015 under City File Number PLN13-0027, subject to ninety-three (93) conditions of approval. Compliance with the preliminary plat conditions of approval is detailed in Section IV – Project Analysis of this Staff Report.

Final Plat Application: The City initially received an application for final plat approval on December 13, 2018. The City reviewed the initial submittal and issued a corrections letter on February 11, 2019. The applicant submitted revised/corrected information at the request of the City on February 13, 2019 and February 27, 2019.

Section II: Summary of Request

This application is for the final platting of Division 2 of Preliminary Plat 2C, which was approved on January 28, 2015. Division 2 contains the following:

- A total of 92 lots and 10 tracts
 - Tract uses include landscape, utility, access, pedestrian access, sensitive area/buffer, and open space. For individual tract uses, refer to the Tract Areas table on Sheet 3 of the final plat.
 - Lot 130 is intended to accommodate the future Phase 2 Plat E subdivision, which is currently under preliminary plat review under City File Number PLN18-0076. The total area of Lot 130 is 277,616 square feet (6.37 acres).
- All 92 lots are designated for single-family residential development
 - Residential lot sizes (excluding Lot 130) range from 4,000 square feet (0.09 acres) to 11,777 square feet (0.27 acres). The average residential lot size (excluding Lot 130) is 5,046 square feet (0.12 acres).

Section III: Process

The applicant is required to receive preliminary plat approval prior to submittal and approval of a final plat. The Villages Phase 2C Preliminary Plat was approved by the City’s Hearing Examiner on January 28, 2015 subject to ninety-three (93) conditions. The applicant filed a complete final plat application on December 13, 2018 for review by the City. The applicant submitted revised/corrected information at the request of the City on February 13, 2019 and February 27, 2019. The final plat was reviewed by City Staff and MDRT consultants for compliance with applicable preliminary plat approval conditions (see Section IV – Project Analysis below). This Staff Report provides written findings related to the Phase 2C – Division 2 final plat application and a recommendation to the City Council for final plat approval.

It is the City Council’s responsibility to make a final determination on the final plat based on the conditions of preliminary plat approval and applicable laws and regulations. This Staff Report serves to provide Staff’s review of the final plat application and findings regarding compliance with applicable conditions of associated permits, including the preliminary plat approval. If the final plat application complies with all applicable conditions and regulations, the City Council is required to enter written findings to that effect and authorize the Mayor to execute the City’s written approval on the face of the plat (BDMC 17.20.060.B and RCW 58.17.170). Final Plat approval is a Type 6 – City Council Decision (Black Diamond Municipal Code 18.08.030). The Code defines Type 6 decisions as quasi-judicial or other decisions that are made by the City Council following a recommendation by staff (BDMC 18.08.090).

Section IV: Project Analysis

- RCW 58.17.170(1), regarding written approval of Final Plat Applications:

“When the legislative body of the city, town, or county, or such other agency as authorized by RCW 58.17.100, finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that said subdivision meets the requirements of this chapter, other applicable state laws, and any local ordinances adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat. The original of said final plat shall be filed for record with the county auditor. One reproducible copy shall be furnished to the city, town, or county engineer. One paper copy shall be filed with the county assessor. Paper copies shall be provided to such other agencies as may be required by ordinance.”

- BDMC Chapter 17, regarding the City’s Subdivision Ordinance:

The applicant submitted a preliminary plat application in compliance with the provisions of Black Diamond Municipal Code Chapter 17.12 under City File Number PLN13-0027. The application was approved by the Hearing Examiner on January 28, 2015 with ninety-three (93) conditions of approval. This final plat application complies with the applicable conditions of approval established by the preliminary plat (refer to the Compliance with Associated Conditions of Approval – The Villages Phase 2C Preliminary Plat Conditions of Approval (PLN13-0027) below).

The applicant has submitted final plat drawings in compliance with the provisions of Black Diamond Municipal Code Section 17.20 under this City File Number, PLN18-0084. The submitted final plat drawings include all required contents and standards (as established by

BDMC 17.20.020), required surveys and monumentation (as established by BDMC 17.20.030), required certificates (as established by BDMC 17.20.040), and required improvements/bonds (as established by BDMC 17.20.050). Bonds are provided as Exhibit A of this Staff Report.

In summary, the final plat meets all standards established by the City’s Subdivision Ordinance. Written approval from the designated Public Works Director, Surveyor, and Fire Chief are provided as Exhibit B of this Staff Report.

- BDMC 17.20.060, regarding the City’s process for final plat review and decision:

“Final plats shall be approved, disapproved or returned to the applicant for modification or correction within sixty days from the date of filing thereof unless the applicant consents to and extension of such time period.”

This section of the vested Black Diamond Municipal Code further provides for Staff Review and findings (BDMC 17.20.060.A.), followed by a City Council decision on the final plat (BDMC 17.20.060.B). Specifically:

“The city council shall review the findings of the public works director or designee and review the proposed final plat to assure that there is conformance with all terms of the preliminary plat approval and, where applicable, MPD approval, the MPD development agreement, and MPD design standards. If the council determines that the final plat conforms with these requirements, and adequate bonds, if applicable, have been posted, then, by resolution, it shall enter written findings to that effect, and shall authorize the mayor to execute the city’s written approval on the face of the plat.”

Pursuant to BDMC 17.08.010, the public works director is defined as the “person, firm, or corporation appointed or authorized (including contractual authorization) by the mayor of the city to carry out the duties of the public works director as prescribed by the chapter.”

- Compliance with Associated Conditions of Approval

- SEPA Environmental Review Mitigation Measures (PLN13-0028)

The following SEPA Mitigation Measures, as implemented by Mitigated Determination of Non-Significance (MDNS) of the environmental review associated with the Phase 2C Preliminary Plat environmental review (completed under City File Number PLN13-0028), are not applicable to this final plat application:

SEPA Mitigation Measures #6, 8, and 9.

The following SEPA Mitigation Measures (written verbatim) have been completed or bonded for to the satisfaction of the City’s Master Development Review Team, Community Development Department, and Public Works Department:

SEPA Mitigation Measure #1: Prior to issuance of a clearing/ grading permit for any portion of the plat, the tree plan required by Chapter 19.30 BDMC shall delineate root protection zones for all significant trees retained, relocated, or planted for the division under the plan.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A Level II Tree Plan was approved for the Phase 2C Preliminary Plat under City File Number PLN15-0020.*

SEPA Mitigation Measure #2: Pursuant to BDMC 19.10.220.D, wetland buffer boundaries adjacent to land within this plat shall be permanently delineated by split-rail fencing and identification signs, as approved by the City.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Wetland buffer boundaries within and adjacent to the Phase 2C – Division 2 final plat have been delineated by split-rail fencing and identification signs (Exhibit C).*

SEPA Mitigation Measure #3: Wetlands and all required wetland buffers shall be defined as separate tracts in the final plat (BDMC 19.10.150.B).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Tract AB contains Wetland E1 and its associated buffer. Wetland E1 is bisected by Tract AC, as was approved in the Phase 2C Preliminary Plat application. The remainder of Wetland E1, along with Wetlands E7, E8, and E10, are contained in Tract AD.*

SEPA Mitigation Measure #4: To ensure compliance with BDMC Ch. 19.10, subsequent review of development activities in the future development tracts adjacent to wetlands E7, E8 and E10 is required.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Applications for development activities adjacent to sensitive areas, including Wetlands E7, E8, and E10, will be reviewed for compliance with BDMC 19.10 at the time of submittal to the City. Development adjacent to Wetlands E7, E8, and E10 will occur in association with the future subdivision and platting of Lot 130 as part of Phase 2 Plat E.*

SEPA Mitigation Measure #5: Pursuant to BDMC 19.10.220.B.3:

- A. Trail alignments within wetland buffers shall be field located by the applicant and observed by a representative of the City, to avoid clearing of significant trees. Downed woody debris that is removed for the trail must be placed in naturalistic locations, similar to what exists on the site for ground contact, instead of making slash piles, and culverts must be provided when the trail bisects surface or groundwater drainages.
- B. Trail alignments within wetland buffers shall be combined with the infiltration trenches, wherever feasible, subject to final design work to be reviewed by the City.
- C. The portion of the proposed soft surface trail shown on the plans bisecting Wetland E1 shall be eliminated.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval.*

- A. *Trail alignments proposed by the applicant within wetland buffers were walked with the MDRT Planner to ensure significant tree retention. Non-significant trees identified for removal in association with the trail*

alignment were placed in naturalistic locations within the buffer to retain ecological and habitat value.

- B. Infiltration trenches have been placed adjacent to trails within the trail alignment to the maximum feasible extent. This was reviewed in association with final engineering review under City File Number PUB16-0020 for the final plat.*
- C. The trail alignment proposed in the preliminary plat bisecting Wetland E1 has been eliminated from the plans.*

SEPA Mitigation Measure #7: Compliance with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvements details, dated January 28, 2014 and approved on June 13, 2014, is required.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for in association with the development of Phase 2C – Division 2.*

SEPA Mitigation Measure #10: During final engineering review of the plat, an update to the preliminary draining analysis shall be conducted by the proponent and submitted to the City for review, to account for any subtle design changes from the preliminary plat design to the final engineering construction drawings.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The applicant submitted an updated version of the Phase 2 Plat C Drainage Report, dated April 4, 2016. The updated report was approved in association with the final engineering review and approval (City File Number PUB16-0020).*

○ The Villages Phase 2C Preliminary Plat Conditions of Approval (PLN13-0027)

The following Phase 2C Preliminary Plat conditions of approval, as required by the Hearing Examiner's approval of the preliminary plat application, are not applicable to this final plat application:

Preliminary Plat conditions of approval #7, 13, 19, 20, 21, 22, 23, 38, 48, 49, 60, 71, 72, 75, 81, 82, and 92

The following Phase 2C Preliminary Plat conditions of approval (written verbatim) have been completed or bonded to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

Preliminary Plat Condition #1: All on-site public utilities (water, sewer, and stormwater pipes and facilities) and streets necessary to serve PP2C must be completed or bonded prior to final plat approval. Maintenance responsibility assigned to private property owners are to be indicated on the plat for PP2C. These conditions will be reviewed at the final plat stage.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A completion bond has been provided by the applicant for remaining work to be completed in association with this condition (Exhibit A). Public maintenance responsibilities for water and sewer pipelines within dedicated easements or rights of way are indicated as Note #1 of City of Black Diamond Conditions on Sheet 3 of the final plat.*

Preliminary Plat Condition #2: Prior to final plat approval of Plat 2C, the Applicant shall submit Covenants, Conditions and Restrictions (CCRs) for such division for review and approval by the Designated Official as defined in The Villages MPD Development Agreement. The Designated Official's review and approval shall be limited to the CCRs compliance with (i) the Conditions of Approval of The Villages MPD Permit (Black Diamond Ord. No. 10-946); (ii) the provisions of The Villages MPD Development Agreement dated December 12, 2011 (Black Diamond Ord. No. 11-970); and (iii) the inclusion of the specific items described, in general, below. The City Attorney shall approve the CCR as to form. Provided, if CCRs have already been submitted and approved by the Designated Official that bind a certain plat division, this condition shall be deemed satisfied for purposes of such division. The CCRs shall contain:

- a. A covenant stating the property owners' or HOA's specific responsibilities for stormwater facility maintenance (including rain gardens) and which will be included on the face of the plat and recorded against each lot in the subdivision.
- b. A covenant stating the property owners' or HOA's specific responsibilities for maintaining and ensuring public access to the public trail and parks tracts within PP2C. Covenant to include maintenance of pet waste stations.
- c. A covenant stating the property owners' or HOA's specific responsibilities for maintaining and protecting the sensitive areas within designated tracts.
- d. A statement that all alleys shall be privately owned and maintained by the applicant and/or the owners of property in the plat.
- e. A statement that the applicant or future Homeowners Association shall be required to maintain all street side landscaping, (pursuant to MPD Permit condition of approval No. 23).
- f. A statement of the property owners' or HOA's specific responsibilities, if any, for maintaining signage prohibiting parking on private streets and any enforcement responsibilities.
- g. An integrated pest management system to limit the use of fertilizers, herbicides and pesticides within twenty-five feet of the buffer of wetlands E7, E8, and E10, within fifty feet of

the buffer of wetland E1 and within one hundred feet of the buffer of wetland TOS.

- h. Restrictions on roof types (no galvanized, copper, etc.) and roof treatments (no chemical moss killers, etc.) that are known to adversely impact water quality of runoff.
- i. A prohibition on exterior light intrusion into, or direct lighting of, the buffer areas.
- j. A provision allowing the use of green technologies such as solar panels.
- k. The property owners' or HOA shall comply with the General Principles and Site Planning A(3) of the Design Guidelines for Master Development, which requires restoration of pre-development hydrology conditions and the use of native species for landscaping.
- l. The following two paragraphs related to street maintenance:
 - i. Master Developer agrees to maintain all private streets, alleys and autocourts serving 20 units or less as constructed in accordance with each approved implementing project, for a period of three years from final plat recording or other implementing approval, unless otherwise agreed upon by the City and the Master Developer (or applicable Homeowners' Association), the Master Developer's street maintenance obligation, as set forth herein, shall automatically renew for an additional two year period, and continue every two years thereafter. The Master Developer, in its sole discretion, may elect to transfer the private street maintenance obligation to a homeowners' association or other acceptable entity following its initial three year obligation. The Master Developer's failure to adequately maintain private streets in accordance with this agreement will result in result in written notice from the City to the Master Developer requiring compliance. If a private street is not maintained in a manner adequate to maintain safe passage, in the reasonable determination of the Designated Official within ten (10) days of delivery of the written notice the City may perform the required maintenance with the reasonable costs associated therewith charged to the Master Developer. In the event of an emergency, the applicable notice period shall be reduced to twenty---four (24) hours and the City may provide notice via a phone call to the Master Developer's designated representative.
 - ii. Pursuant to Condition of Approval No. 22 of the MPD Permit Approval, if the Master Developer fails to perform such maintenance as required herein and, as a result, the City performs such required maintenance, the City's total costs arising from its

performance of the maintenance shall be paid by the Master Developer or Homeowners' Association, as applicable within thirty (30) days of the date of invoicing by the City. Any costs not paid within thirty (30) days of invoicing by the City shall be delinquent, shall have added to them a penalty of ten (10) percent plus interest accruing at the rate of twelve (12) percent per annum from the date of delinquency until paid. Delinquent costs, penalties added thereto and the interest on such costs and penalties shall be a lien against all property within the Implementing Project in which the private street, alley or autocourt is located, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The applicant has submitted CC&Rs meeting the requirements of items a – l listed above. The CC&Rs have been reviewed and approved by the City Attorney (Exhibit D). These CC&Rs became binding on the area within Plat 2C Division 2 by a supplemental declaration recorded under King County Recording No. 20171227000507, which annexed Tract B of Plat 2C Division 1 to the Ten Trails Residential CC&Rs.

Preliminary Plat Condition #3: In order to ensure compliance with The Villages MPD Condition of Approval No. 156, the Master Developer's annual Total Funding Obligation for a given year shall be equal to or greater than the Net Annual General Fund Deficit for such year (as set forth in Table 2 of the Villages PP2C Fiscal Impact Analysis dated April 28, 2014 and approved June 16, 2014), provided a deficit is shown in such table, until a new fiscal analysis is prepared and approved by the City's Designated Official pursuant to the terms of The Villages MPD Development Agreement Section 13.6, which shall be no later than the earlier of (1) June 16, 2019; (2) prior to the start of the next phase of The Villages and/or Lawson Hills MPDs; or (3) during Annual Review if the Master Developer elects to have a new targeted fiscal analysis prepared in its sole discretion for the next calendar year. At such time, the Master Developer's annual Total Funding Obligation to ensure compliance with Condition of Approval No. 156 shall be re-evaluated. No implementing permits or building permits shall be issued by the City of Black Diamond for PP2C of The Villages MPD if the Master Developer fails to make an annual Total Funding Obligation payment as described herein within the calendar year the deficit is created as part of the Annual Review. All capitalized terms not otherwise defined in this condition shall be as defined in the MPD Funding Agreement (Exhibit "N" of The Villages MPD Development Agreement).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All funding obligation payments have been paid by the Master Developer.*

Preliminary Plat Condition #4: All easements assigned to private property owners shall be shown on the face of the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Easement language is included in the Dedications section on Sheet 1 and within the Easement Provisions section on Sheet 2.*

Preliminary Plat Condition #5: Compliance with the terms and conditions of the Detailed Implementation Schedule for Phase 2 Regional Infrastructure Improvements (Exhibit 29, dated January 28, 2014 and approved on June 13, 2014) is required. This condition will be enforced during utility permit approval. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for through the development of Phase 2C – Division 2. Additionally, the requirement to construct infrastructure improvements is identified by note #11 of the Conditions for Final Plat section on Sheet 4.*

Preliminary Plat Condition #6: All stormwater management for quality and quantity shall comply with the 2005 Stormwater Management Manual for Western Washington (SWMMWW).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Stormwater management within the final plat has been designed to be compliant with the 2005 SWMMWW and has been approved in association with final engineering review (City File Number PUB16-0020).*

Preliminary Plat Condition #8: The stormwater design for the PP2C plat must not modify the predevelopment hydrology for the adjacent receiving wetlands. The approved stormwater deviation triggers the applicable requirements for development within the Lake Sawyer drainage basin and the phosphorus monitoring requirements in Exhibit “O” of the Development Agreement. Storm drainage design for PP2C shall utilize an HSPF based continuous runoff model (such as WWHM). For drainage facility design receiving runoff from drainage basins 320 acres and larger in total area, a calibrated model should be considered. [Note: Part this is a condition of approval of the Stormwater Deviation Determination and required by DA Section 7.4.3.]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Supporting documentation submitted in conjunction with final engineering approval (PUB16-0020) was submitted and approved in compliance with the HSPF modeling requirement. In addition, a monitoring program was required as a condition of approval that will monitor, and adjust as necessary, the stormwater discharged to adjacent wetlands in order to meet the intent of this condition. Further, Phase 2C – Division 2 does not trigger the applicable*

conditions for discharge to the Lake Sawyer drainage basin since pollution-generating surfaces do not drain to this basin.

Preliminary Plat Condition #9: The HOA or Master Developer must obtain a franchise for private stormwater systems that are in rights-of-way. This condition will be enforced during utility permit review.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no private stormwater systems within public rights of way, so obtaining a franchise is not necessary.*

Preliminary Plat Condition #10: Maintaining the private stormwater drainage system in PP2C will be the financial responsibility of the applicant, and/or an HOA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This requirement is listed in paragraph 2 of the Easement Provisions on Sheet 2.*

Preliminary Plat Condition #11: As a condition of the City's approval of the first utility permit, the applicant shall provide sufficient information for the City to ensure that MPD permit conditions of approval Nos. 67, 68, 70, 73, 75, 77, 79, 81, 82, and 85 (Exhibit 14) have been satisfied. Prior to the approval of the first utility permit that allows construction of impervious surfaces that will drain to Lake Sawyer, the applicant shall comply with MPD Condition Nos. 81 and 85 including: establishing a pre-construction baseline phosphorus load from the project prior to the construction of impervious surfaces; identifying any AKART opportunities related to phosphorus reduction, including monitoring capabilities in the stormwater utility system; and a program for approval of an end-of-water-year comparison of actual and base-load phosphorus discharge, after impervious surfaces have been constructed. (These items may not be deferred through surety.) This condition must be satisfied before the City will issue the first utility permit that allows impervious surface construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. MPD Permit Conditions 67, 68, 70, 73, 75, 77, 79, 81, 82, and 85 have been enforced during the review of utility permits associated with site development activities of the Phase 2C preliminary plat. Pre-construction baseline phosphorous levels were provided to the City after years of monitoring by the applicant in a report titled "The Villages and Lawson Hills Master Planned Developments, 2011-2014 Stormwater and Baseline Monitoring," which was approved by the City on 11/23/2015 (Exhibit E).*

Preliminary Plat Condition #12: The applicant shall submit for review and approval the phosphorus baseline monitoring referenced in the Development Agreement, Exhibit O, of which the most recent update is Exhibit 13c. The City shall not approve any permits allowing construction of any impervious surfaces until the monitoring

report is submitted and approved. This condition will be enforced with utility permits.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Pre-construction baseline phosphorous levels were provided to the City after years of monitoring by the applicant in a report titled “The Villages and Lawson Hills Master Planned Developments, 2011-2014 Stormwater and Baseline Monitoring,” which was approved by the City on 11/23/2015 (Exhibit E).*

Preliminary Plat Condition #14: As the first subdivision in Phase 2, PP2C must comply with the conditions of the current NPDES permits (issued to the City by the Washington State Department of Ecology) in effect on November 8, 2013.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The conditions of the Construction Stormwater General Permit issued by the Department of Ecology (Permit Number WAR302881) have been implemented and enforced during site development activities.*

Preliminary Plat Condition #15: Prior to the approval of the final plat for PP2C, all off-site transportation improvements required in Preliminary Plat 1A necessary to provide service to PP2C (including Roberts Road frontage improvements, Willow Drive and Villages Parkway, and the applicable off-site Phase 2 Implementation Projects), must be completed and accepted by the City or bonded with an appropriate surety.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All Phase 1A – Division 1 transportation improvements providing service to Phase 2C (Divisions 1 and 2), including the Roberts Road frontage improvements, Willow Drive, Villages Parkway, and Phase 2 Implementation Projects, have either been completed or bonded for in association with the Phase 1A – Division 1 final plat approval (City File Number PLN17-0049) or have been bonded for in association with this final plat application (Exhibit A).*

Preliminary Plat Condition #16: The transportation facilities in PP2C shall comply with the terms and conditions set forth in the Traffic Impact Study prepared by Transpo Group dated December 19, 2013. (Exhibit 24) The terms and conditions include, but are not limited to, provision of three, two-lane public roadways with on-street parking, curb bulb-outs at 13 intersections and at two mid-block locations (page 5 of the Traffic Impact Study), four private alleys and three woonerfs. Roads A, B, and C shall be dedicated to the City following their acceptance by the City.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Compliance with the Traffic Impact Study prepared for PP2C was reviewed in association with final engineering review and approval (City File Number PUB16-0020).*

Preliminary Plat Condition #17: All alleys and woonerfs in PP2C will be private and maintained by the applicant or future Homeowners’ Association.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the ownership and maintenance responsibilities for alleys/access tracts are granted and conveyed to the Ten Trails Residential Owners Association. Additionally, this requirement, and provisions for maintenance in the event that the Residential Owners Association fails to maintain these tracts, is listed as Note #6 in the City of Black Diamond Conditions section of Sheet 3.*

Preliminary Plat Condition #18: The applicant or future Homeowners' Association shall be required to maintain all street side landscaping and this shall be a condition on the face of the final plat.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the ownership and maintenance responsibilities for street side landscaping is granted and conveyed to the Ten Trails Residential Owners Association. Additionally, this requirement, and fails to maintain these tracts, is listed as Note #5 in the City of Black Diamond Conditions section of Sheet 3.*

Preliminary Plat Condition #24: The rain gardens in PP2C must be privately owned and maintained by the HOA. [Note: this is a condition of approval of the alternative width configuration for rain gardens.]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Tract Areas Table on Sheet 3 indicates that the Ten Trails Residential Owners Association holds maintenance responsibilities for any rain gardens located within landscape tracts of Phase 2C – Division 2. Additionally, this requirement is listed in paragraph 2 of the Declaration section on Sheet 1.*

Preliminary Plat Condition #25: Master Developer agrees to maintain all private streets, alleys and autocourts serving 20 units or less as constructed in accordance with each approved implementing project, for a period of three years from final plat recording or other implementing approval, unless otherwise agreed upon by the City and the Master Developer (or applicable Homeowners' Association), the Master Developer's street maintenance obligation, as set forth herein, shall automatically renew for an additional two year period, and continue every two years thereafter. The Master Developer, in its sole discretion, may elect to transfer the private street maintenance obligation to a homeowners' association or other acceptable entity following its initial three year obligation. The Master Developer's failure to adequately maintain private streets in accordance with this agreement will result in written notice from the City to the Master Developer requiring compliance. If a private street is not maintained in a manner adequate to maintain safe passage, in the reasonable determination of the Designated Official within ten (10) days of delivery of the written notice the City may perform the required maintenance with the reasonable costs associated therewith charged to the Master Developer. In the event of an emergency, the applicable notice period shall be

reduced to twenty-four (24) hours and the City may provide notice via a phone call to the Master Developer's designated representative.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #1 of the Conditions for Final Plat section on Sheet 4.

Preliminary Plat Condition #26: Pursuant to Condition of Approval No. 22 of the MPD Permit Approval, if the Master Developer fails to perform such maintenance as required herein and, as a result, the City performs such required maintenance, the City's total costs arising from its performance of the maintenance shall be paid by the Master Developer or Homeowners' Association, as applicable within thirty (30) days of the date of invoicing by the City. Any costs not paid within thirty (30) days of invoicing by the City shall be delinquent, shall have added to them a penalty of ten (10) percent plus interest accruing at the rate of twelve (12) percent per annum from the date of delinquency until paid. Delinquent costs, penalties added thereto and the interest on such costs and penalties shall be a lien against all property within the Implementing Project in which the private street, alley or autocourt is located, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended. The following note language shall be added to the face of each recorded plat or binding site plan:

- a. In the event that the Owners' Association/Homeowners' Association fails to perform any maintenance of private street, alley or auto court as required by Section 6.5 of the Villages Development Agreement recorded under recording No. 20120130000655 and, as a result, the City of Black Diamond performs said required maintenance, the lot owners of the plat acknowledge and agree on behalf of themselves and all successors and assigns that, if not paid within thirty (30) days of invoicing by the City, the City's total cost arising from the City's performance of said required private street maintenance plus any penalties and interest thereon as provided by The Villages MPD Development Agreement shall be a lien against all property, including individual lots, within this plat, and said lien may be foreclosed in the same manner provided for the foreclosure of liens for unpaid sewer rates and charges set forth in RCW 35.67.220 – 280, as amended.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #6 of the City of Black Diamond Conditions on Sheet 3.

Preliminary Plat Condition #27: Pursuant to MPD Permit Condition #32, prior to issuance of the Certificate of Occupancy for The Village MPD's 200th

dwelling unit, the applicant shall comply with the Roberts Drive sidewalk and pedestrian connection requirement under Section 11.6 of The Villages Development Agreement, as updated by Condition 30 of the Black Diamond Hearing Examiner's decision for Preliminary Plat 1A, PLN11-0001, dated December 10, 2012. This will be to provide a connecting sidewalk and safe pedestrian connection from the frontage improvements along parcel V13 to the northeast corner of the Guidetti Parcel along Roberts Drive.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #11 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 11.

Preliminary Plat Condition #28: The Master Developer shall comply with Exhibit "Q" of The Villages MPD Development Agreement.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #2 of the Conditions for Final Plat on Sheet 4.

Preliminary Plat Condition #29: The Master Developer shall comply with Exhibit "R" of The Villages MPD Development Agreement.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #3 of the Conditions for Final Plat on Sheet 4.

Preliminary Plat Condition #30: All alleys shall be posted "No Parking" in accordance with the International Fire Code (IFC); and provisions for enforcement of these no parking zones shall be defined and accepted by the Designated Official prior to final plat approval.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #4 of the Conditions for Final Plat on Sheet 4. The CC&Rs contain adequate provisions for enforcement of no-parking zones (Exhibit D).

Preliminary Plat Condition #31: All roads shall maintain a minimum 20 foot unobstructed driving surface per the IFC.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Compliance with this condition was ensured during final engineering review of the final plat application (PUB16-0020).

Preliminary Plat Condition #32: The fire hydrant and water supply system shall meet IFC requirements, and shall be installed prior to the beginning of combustible construction materials being placed on site. Construction materials refers to the lumber (framing) packages and not to a job shack.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Compliance with this condition was ensured during final engineering review of the final plat application (PUB16-0020).

Preliminary Plat Condition #33: At the time of building permit application, structures will be required to either have fire flow available or to have a fire sprinkler system installed to allow for a reduction in required fire flow.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This condition will be reviewed and enforced at the time of individual building permit applications within Phase 2C – Division 2. Additionally, fire flow availability for Phase 2C – Division 2 has been certified in association with engineering review of the final plat (Exhibit F).*

Preliminary Plat Condition #34: As part of compliance with Condition 15, the City will not issue final plat approval for the Preliminary Plat for Phase 2 Plat C until one of the following conditions has occurred:

- a. Phase 1A connecting road (currently named Willow Avenue SE) is constructed by the applicant and accepted by the City, or bonded for construction; or
- b. A road connecting Roberts Drive to Road A of PP2C and meeting the standards and requirements of the BDEDCS and The Villages Development Agreement has been:
 - i. built within the Temporary Access and Utility Easement in Phase 1A (Exhibit 44) and accepted by the City; or
 - ii. bonded for construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Willow Avenue SE has been constructed in association with the Phase 1A – Division 1 final plat approval (City File Number PLN17-0049).*

Preliminary Plat Condition #35: The applicant will conserve the identified open space tracts (Sheet CV4, Exhibit 2) on Preliminary Plat Phase 2 Plat C and ensure that all sensitive areas and buffers are in separate protection tracts pursuant to BDMC 19.10.150(B), for purposes of conveyance or dedication to appropriate entities on the face of the final plat. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All open spaces that are identified in the preliminary plat within the boundaries of this Division 2 final plat have been conserved. Tract AB contains Wetland E1 and its associated buffer. Wetland E1 is bisected by Tract AC, as was approved in the Phase 2C Preliminary Plat application. The remainder of Wetland E1, along with Wetlands E7, E8, and E10, are contained in Tract AD.*

Preliminary Plat Condition #36: The area quantifications and locations describing the buffer averaging proposal identified in the plat drawings and May 14, 2014 letter (Exhibit 30) shall supersede any conflicting information contained in the Sensitive Area Study and Wildlife Analysis (Exhibit 28).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Phase 2C – Division 2 final plat has been designed using the buffer averaging locations in the approved preliminary plat drawings (PLN13-0027).*

Preliminary Plat Condition #37: Clearing and grading activities are prohibited in the buffer areas, inclusive of areas added for the averaging approval, EXCEPT for temporary disturbances that are required for grading and construction as described in the averaging proposal, and EXCEPT for temporary disturbances that are required to install utilities and construct the soft-surface trail, and EXCEPT for areas of existing buffer that will be permanently impacted via conversion to development area in exchange for protected buffer addition area elsewhere. Buffer averaging is limited to those areas shown on The Villages MPD Phase 2 Plat C Preliminary Plat as shown on plat set sheets PP1-PP4 (letter dated June 5, 2014 to BD Villages Partners, LP, Exhibit 30a).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Clearing and grading activities within buffer areas have been limited to construction activities identified in the buffer averaging proposal, including utility installation and construction of the soft-surface trail.*

Preliminary Plat Condition #39: Pursuant to BDMC 19.10.220(B)(3) [and MDNS Mitigation Measures]:

- a. Trail alignments within wetland buffers shall be field located by the applicant and observed by a representative of the City, to avoid clearing of significant trees. Downed woody debris that is removed for the trail must be placed in naturalistic locations, similar to what exists on the site for ground contact, instead of making slash piles, and culverts must be provided when the trail bisects surface or groundwater drainages.
- b. Trail alignments within wetland buffers shall be combined with the infiltration trenches, wherever feasible, subject to final design work to be reviewed by the City.
- c. The portion of the proposed soft surface trail shown on the plans bisecting Wetland E1 shall be eliminated.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval.*

- a. *Trail alignments proposed by the applicant within wetland buffers were walked with the MDRT Planner to ensure significant tree retention. Non-significant trees identified for removal in association with the trail alignment were placed in naturalistic locations within the buffer to retain ecological and habitat value.*
- b. *Infiltration trenches have been placed adjacent to trails within the trail alignment to the maximum feasible extent. This was reviewed in association with final engineering review under City File Number PUB16-0020 for the final plat.*
- c. *The trail alignment proposed in the preliminary plat bisecting Wetland E1 has been eliminated from the plans.*

Preliminary Plat Condition #40: Pursuant to the City of Black Diamond Engineering Design & Construction Standards, Section 1.17, a construction management plan shall be developed by the applicant for review

and approval by the City before the clearing and grading permit is issued. Location of construction fencing to protect wetland buffers at the limits of disturbance shall be shown on all applications for construction permits and installed prior to any work on the site. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A construction management plan and detailed construction sequencing were approved in association with clearing and grading permit issued for Phase 2 Plat C under City File Number PUB15-0032.*

Preliminary Plat Condition #41: The plat will show that pet waste stations will be provided along the trail between the development and the wetlands and maintained by the Master Developer or HOA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #5 of the Conditions for Final Plat on Sheet 4. The installation of pet waste stations along the trail has been bonded for in association with this final plat (Exhibit A).*

Preliminary Plat Condition #42: The applicant shall comply with the Wetland Buffer Vegetation Management Plan for The Villages Phase 2 Plat C (Exhibit 27) including: when clearing adjacent to a wetland buffer, the developer shall conduct monitoring which includes: (i) initial compliance/as-built report of post-development tree density in the wetland and adjacent buffer; (ii) Annual site inspections in the autumn to document that the minimum tree density (20) and weedy/invasive plant coverages are maintained in the wetland and its buffer; (iii) annual reports on the monitoring results to document the tree and invasive species density and general conditions of the wetland and buffer observed. The Vegetation Management Plan shall be updated to address the existence and control of invasive species in the wetland buffers as required by BDMC 19.10.230(F).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Wetland water levels were monitored in June 2017 in association with clearing activities adjacent to wetland buffers. The 2016 baseline monitoring report has been submitted to the City and approved by the City's consulting wetland reviewer, Perteet, Inc. (Exhibit G). Subsequent to the 2016 baseline monitoring, the applicant has provided annual wetland monitoring reports in 2017 and 2018.*

Preliminary Plat Condition #43: All trails proposed to affect wetland buffers shall be confined to the outer edges of buffers consistent with BDMC 19.10.220(B)(3c). Trail design for all proposed trails shall be reviewed against all applicable design standards during clearing and grading permit review.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Trails have been located along the outer edges of wetland buffers and have been constructed pursuant to the trail design standards established by BDMC 19.10.220(B)(3), The Villages Development Agreement Section 9.7, and The*

*Villages Development Agreement Exhibit H: MPD Project Specific Design
Standards and Guidelines.*

Preliminary Plat Condition #44: Pursuant to BDMC 19.10.220(D), wetland buffer boundaries adjacent to lots and other areas within this plat that are readily accessible to people as shown on Exhibit 75 shall be permanently delineated by fencing and identification signs, as approved by the City. Fencing shall be installed prior to final plat. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Wetland buffer boundaries within and adjacent to the Phase 2C – Division 2 final plat have been delineated by split-rail fencing and identification signs (Exhibit C).*

Preliminary Plat Condition #45: Pursuant to MPD Permit condition of approval No. 124, mast-producing and other native vegetation will be incorporated into the landscaping in areas next to wetlands and buffers.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Landscaped areas adjacent to wetlands and wetland buffers have planting palettes that include mast-producing species such as Cascade Oregon Grape, Red Huckleberry, and Saskatoon.*

Preliminary Plat Condition #46: A revegetation plan will be required in the clearing and grading permit application, to restore or enhance disturbed areas following construction. Restoration of disturbed areas in the wetland buffers shall implement the requirements of the Wetland Buffer Revegetation Plan.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A revegetation plan was submitted in association with the clearing and grading permit associated with Phase 2C site development activities (City File Number PUB15-0032). A subsequent wetland buffer revegetation plan, which implemented the requirements of the Wetland Buffer Revegetation Plan, was approved by the City for the restoration of disturbed areas of the wetland buffer associated with minor utility installation (Exhibit H).*

Preliminary Plat Condition #47: To ensure compliance with BDMC Chapter 19.10, subsequent review of development activities in future development tracts adjacent to Wetlands E7, E8 and E10 is required. [Note: MDNS Mitigation Measure]

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Applications for development activities adjacent to sensitive areas, including Wetlands E7, E8, and E10, will be reviewed for compliance with BDMC 19.10 at the time of submittal to the City. Development adjacent to Wetlands E7, E8, and E10 will occur in association with the future subdivision and platting of Lot 130 in association with Phase 2 Plat E.*

Preliminary Plat Condition #50: The applicant will continue to convene the Phase 1A Noise Review Committee through construction of PP2C.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Noise Review Committee met twice in 2013, once in 2014, once in 2015, once in 2016, once in 2017, and once in 2018. Annual reports of the Noise Review Committee have been provided to the MDRT Department.*

Preliminary Plat Condition #51: All existing sewer mains shall remain in service during utility construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All existing sewer mains remained in service during utility construction for the final plat.*

Preliminary Plat Condition #52: Prior to the issuance of the first building permit for any structure that might discharge wastewater into the utility system, the Master Developer will build the interim sanitary sewer lift station and it shall be complete, operational and accepted by the City. The condition will be applied during building permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The lift station is complete and operational (Exhibit I).*

Preliminary Plat Condition #53: Prior to the approval of the final plat for PP2C, the off-site sewer system in Preliminary Plat 1A must be both completed and accepted by the City or bonded with an appropriate surety approved by the Designated Official.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The off-site sewer system in Phase 1A is complete and operational (Exhibit J).*

Preliminary Plat Condition #54: Sanitary sewer flows shall be discharged to the existing City collection system, unless King County approves direct discharge into the regional King County collection system.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. King County has approved the discharge of wastewater into the County's wastewater collection and treatment system (Exhibit K).*

Preliminary Plat Condition #55: Any sewerage pipelines (whether gravity or force-main) that are designed with excess capacity shall include provisions to minimize potential operational impacts due to the oversizing. This condition will be applied during utility permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no oversized gravity or force mains within Phase 2C.*

Preliminary Plat Condition #56: The applicant and/or DRC shall identify, on the face of each plan set for utility and building permit applications, the following sewage flow information, as applicable: the total building square footage included in that application, the number of fixture units, the Average Dry Weather Flow (ADWF), and the Peak Wet Weather Flow (PWWF) associated with the

improvements in that application. The information must be in tabular form.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #6 of the Conditions for Final Plat on Sheet 4.*

Preliminary Plat Condition #57: All existing water mains shall remain in service during utility construction.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All existing water mains remained in service during utility construction for the final plat.*

Preliminary Plat Condition #58: Prior to the approval of the final plat for PP2C, all off-site water supply and distribution improvements required in Preliminary Plat 1A necessary to provide service to PP2C (including regional mains in Pipeline Road (or Roberts Drive), pipelines in Willows Drive and Villages Parkway, and upgrades to the chlorine disinfection system), must be completed and accepted by the City or bonded with an appropriate surety.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All required improvements within Phase 1A providing service to Phase 2C have been completed or bonded in association with the Phase 1A – Division 1 final plat approval(PLN17-0049).*

Preliminary Plat Condition #59: Prior to approval of the 500th ERU [combined Phase 1A and PP2C], the applicant shall complete a Water Conservation Check-up to identify if the water conservation strategies are compliant with the Development Agreement. This condition will be enforced with building permits.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This requirement is being tracked in association with the issuance of building permits. Additionally, this requirement is outlined in Section 7.2.5 of The Villages Development Agreement.*

Preliminary Plat Condition #61: All water mains must be located within public rights of way or on dedicated utility easements that provide a minimum of 15 feet of unobstructed width for access and maintenance. The easements will be shown on construction drawings and submitted to the City for approval prior to issuance of utility permits.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. All water mains are located within either public rights of way or dedicated easements providing 15 feet of unobstructed width.*

Preliminary Plat Condition #62: The water meters shall be in public rights-of-way or easements and be compatible with the design standards within Exhibit “H” of the DA. Water meters must be accessible to the City’s drive-by meter-reading system.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Water meters are located within either public rights of way or dedicated easements. Compliance with Exhibit H of The Villages Development Agreement will be confirmed at the time of building permit application.*

Preliminary Plat Condition #63: Where possible, 850 zone mains for service to future areas of the project shall be interconnected to the 750 zone to improve service to the PP2C customers and to prevent stagnation of water in unused pipelines. These mains may be isolated from the 750 zone in the future when buildings are constructed in the 850 zone. This condition will be applied during utility permit review and approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This condition was reviewed and satisfied in association with the final engineering plans for Phase 2C, processed under City File Number PUB16-0020.*

Preliminary Plat Condition #64: Pursuant to MPD condition of approval #49, should the applicant desire new water distribution alternatives that are not consistent with the City's Water Comprehensive Plan in effect as of the date of The Villages MPD Permit Approval, the applicant shall be responsible for the cost of updating the plan, if needed.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A 12" 750 pressure zone water main has been installed along Roberts Drive and the Ring Road within Ten Trails, which is consistent with the City's Water Comprehensive Plan. In addition, a second 12" 850 pressure zone water main has been installed in the same location which will tie into the future 850 pressure zone main along the anticipated alignment of the Pipeline Road, as established by the Water Comprehensive Plan.*

Preliminary Plat Condition #65: The parks on tracts 906, 909, 911, and 921 shall be constructed or bonded prior to occupancy or issuance of final inspections for 60% of the dwelling units located within ¼ mile of the tracts in PP2C.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Tracts 906, 909, and 911, as identified in the 2C preliminary plat, are all located within Lot 130. Lot 130 is intended to accommodate the future Phase 2 Plat E subdivision, which is currently under preliminary plat review under City File Number PLN18-0076. Tracts 906, 909, and 911 will be developed into parks in association with the future Phase 2 Plat E subdivision. No Certificates of Occupancy shall be issued for dwelling units exceeding the 60% threshold within ¼ mile of these Tracts until the parks are constructed or bonded for.*

Preliminary Plat Condition #66: The trails shown on PP2C shall be constructed by the Master Developer and maintained by the HOA. The segment of the trail on PP2C that corresponds to the trail shown on Figure 9.2 of the DA must extend to the boundary of PP2C at the future Willow

Avenue SE and through tract 902. All trails will be constructed or bonded prior to final plat approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Trails are located in various Tracts, all of which are granted and conveyed to the Ten Trails Residential Owners Association for maintenance as identified on the Tract Areas Table on Sheet 3. A completion bond has been provided for trails located within this Phase 2C – Division 2 final plat (Exhibit A).*

Preliminary Plat Condition #67: Table 9-5 of the Villages Development Agreement sets triggers for providing recreational facilities. One trigger is at issuance of a building permit for the 800th dwelling unit in any phase of the Villages. The City will not issue certificates of occupancy for more than 799 dwelling units cumulative in all phases of the Villages until the recreation facilities required at the 800 dwelling unit trigger point in Table 9-5 of the Villages Development Agreement are constructed.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. This requirement is being tracked in association with the issuance of building permits. Additionally, this requirement is outlined in Section 9 of The Villages Development Agreement.*

Preliminary Plat Condition #68: The design of the trail shall meet the standards Section 9.7.1 of the DA and the requirements of the Black Diamond Sensitive Areas Ordinance and be shown as part of the clearing and grading, utility, or other engineering plans. In the event of a conflict, the more restrictive standards shall apply.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Trails have been constructed pursuant to the trail design standards established by BDMC 19.10.220(B)(3), The Villages Development Agreement Section 9.7, and The Villages Development Agreement Exhibit H: MPD Project Specific Design Standards and Guidelines.*

Preliminary Plat Condition #69: The pocket parks, common greens, and trails in Preliminary PP2C will be owned and maintained by the homeowners' association (HOA) or Master Developer pursuant to the provisions of Subsection 5.5.7 of the DA.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There are no parks or common greens within the Phase 2C – Division 2 final plat boundary; however there are trails and pedestrian access tracts that are granted and conveyed to the Ten Trails Residential Owners Association for maintenance as identified on the Tract Areas Table on Sheet 3.*

Preliminary Plat Condition #70: Pursuant to MPD Permit condition of approval No. 94, and Section 9.9.3 of the Villages Development Agreement, public access is authorized to all parks and trails in PP2C, unless otherwise determined by the Designated Official for reasons of public safety, welfare and convenience, or for maintenance reasons. The face of the plat shall contain a note to guarantee public access to the parks tracts and tracts containing trails.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language permitting public access to parks and trails within Phase 2C – Division 2 is listed within paragraph 5 of the Dedication section on Sheet 1.*

Preliminary Plat Condition #73: Sheet CV1, the cover sheet of the Preliminary Plat for PP2C, shall have a table that shows the ratio of base density to planned density for Phase 2 and how PP2C units affect the totals for base and planned densities and the TDRs required (if any) for each plat or division within Phase 2.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Preliminary plat sheet CV1 was updated to contain the information required by this condition.*

Preliminary Plat Condition #74: Pursuant to the requirements of Exhibit “H” of The Villages Development Agreement, a note on the final plat shall state: “The same combination of elevation style and floor plan for dwelling units or buildings shall not be placed beside each other. Dwelling units or buildings that make use of the same floor plan and are sited directly across the street from one another shall incorporate a different elevation whenever possible and shall use a different exterior color/material palette. On a limited basis, specific locations within neighborhoods may vary from this requirement.”

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #9 within the City of Black Diamond Conditions section on Sheet 3.*

Preliminary Plat Condition #76: Required street trees will be counted on a block-by-block basis for compliance, whether spaced on-centers or placed in groves. This condition will be reviewed during utility permit application.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Street trees within Phase 2C – Division 2 were approved under City File Number PUB16-0020.*

Preliminary Plat Condition #77: The following mechanisms shall be used in PP2C, where feasible, to integrate Low Impact Development (LID) techniques: reduced roadway widths, infiltration wells, rain gardens, bioswales, media filter strips, reduced driveway lengths, pervious asphalt and concrete, pervious pavers, and installation of pet waste stations in common areas.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Various LID techniques, including reduced roadway widths, potential rain gardens, infiltration trenches, and pet waste stations, have been included in this final plat.*

Preliminary Plat Condition #78: Pursuant to Figure 6.3 of the DA, Bike Route and Future Connection Plan, the applicant shall identify a location on the plat at a point between Tract 901 and Tract 902 on Road A

where a future connection to the north of the boundary of parcels V28 and V29 shall be constructed as development occurs there in the future.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The future connection has been identified and approved in association with the final plat engineering review and Phase 2C road and utility plans (PUB16-0020).*

Preliminary Plat Condition #79: Pursuant to Section 13.4, Fire Mitigation, of the DA, the siting and design of the satellite fire station shall be provided by the applicant and agreed to by the City no later than the time of issuance of a Certificate of Occupancy for the 250th dwelling unit within The Villages (i.e., combined dwelling units on Phase 1A and PP2C).

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition is listed as Note #11 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 11.*

Preliminary Plat Condition #80: Parking is prohibited on any section of roadway that is 20 feet wide or narrower, consistent with IFC standards.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The only roadways that are 20 feet or narrower are alleys, which are required to post “No Parking” signs. Language stating this requirement is has been provided as Note #4 within the Conditions for Final Plat section on Sheet 4.*

Preliminary Plat Condition #83: Should soil disturbing activities associated with PP2C in the Rock Creek basin require review by the Washington State Department of Fish and Wildlife and/or a Hydraulic Permit Approval, the Master Developer shall secure such review and/or permit, as necessary.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. There have been no soil disturbing activities associated with the Phase 2C – Division 2 final plat that require an HPA Permit.*

Preliminary Plat Condition #84: The Master Developer shall develop each lot, parcel and tract in accordance with MPD COA 64 which requires the use of native plant species in lawns and landscaping and the minimization of lawns.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #7 within the Condition for Final Plat section on Sheet 4.*

Preliminary Plat Condition #85: The applicant must perform baseline monitoring to determine the water velocity, water quality, and hydroperiod control (the depth, duration, frequency and pattern of wetland inundation) in all adjacent wetlands as approved by qualified City experts. However, computer modeling or other alternative measures may be applied if City experts determine that those alternative

measures will accurately account for all of the hydrologic factors cited by Ms. Brewster in Ex. 96 to the extent necessary to ensure that predevelopment hydrology will be maintained. The City must consider the measures recommended by William Lider in Ex. 96 and impose them as necessary to ensure that wetland hydrology is maintained.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Baseline monitoring was performed in association with a report titled “Baseline Conditions for the Villages – Plat 2C” prepared by Wetland Resources, Inc. and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016 (Exhibit G). Subsequent to the 2016 baseline monitoring, the applicant has provided annual wetland monitoring reports in 2017 and 2018.*

Preliminary Plat Condition #86: Infiltration facilities shall be reviewed and approved for compliance with MPD Villages Condition No. 76 and DA Villages Section 7.4.4(A) prior to final plat approval.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Infiltration facilities have been reviewed and approved in association with final engineering review for the final plat (PUB16-0020).*

Preliminary Plat Condition #87: The applicant shall provide for walking paths and/or sidewalks to and from all applicable schools if PP1A schools are not built prior to issuance of building permits and children will have to walk to school.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Since there are no school sites within a one-mile radius of Ten Trails at the time of this final plat application, an email from the Enumclaw School District has been provided to the applicant verifying that bussing will be available for school children within Ten Trails until school sites within the MPD are developed (Exhibit L).*

Preliminary Plat Condition #88: The Applicant shall prepare a study approved by City staff that estimates how many sewer ERUs will be required from development with the City by the time that construction is completed for PP1A and PP2C. The study will project total City ERU demand through PP2C and PP1A based upon known development projects in the City review pipeline, historical trends on ERU demand and estimates of future development activity. Current sewer capacity shall be based upon King County capacity figures supplied after the date of this decision. The applicant shall modify PP2C such that it may be completed in phases and only those phases that avoid a deficit in current ERU capacity will be approved for final plat. No clearing or grading will be permitted in any phase unless the applicant demonstrates that the clearing and grading is necessary for a phase that can acquire final plat approval at a time when adequate sewer capacity can serve the projected build out of the phase. Each final plat phase will be a “stand-alone” phase, meaning that each phase must be fully compliant with all

applicable development standards if the rest of the master plan development were to be completely abandoned. Capacity will be based upon existing capacity or a financial commitment to make capacity within the next six years, which may include an amendment to the WTD six year capital facilities plan to fund capacity improvements.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. The City's sewer system has capacity for the full build-out of the Phase 2C – Division 2 final plat (Exhibit M).

Preliminary Plat Condition #89: A note on the face of the final plat shall state: “Areas outside of sensitive areas and their buffers may be cleared of trees if a tree removal permit is obtained that is consistent with the Black Diamond Municipal Code and other conditions that may require selective tree retention.”

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #10 within the City of Black Diamond Conditions section on Sheet 3.

Preliminary Plat Condition #90: Compliance with the General Principles and Site Planning A(6) of the Design Guidelines for Master Development, which provides that grading plans shall incorporate best management practices with phased grading to minimize surface disturbance and to maintain natural contours is required.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. Best Management Practices, including haul route plans, installation of silt fencing, performance targets for discharge into temporary erosion and soil control (TESC) ponds, and till soil reuse, were prepared in association with the clearing and grading permit associated with Phase 2C site development activities (City File Number PUB15-0032).

Preliminary Plat Condition #91: No clearing and grading, utility or building permits will be issued if the applicant fails to follow through on obligations imposed by the Detailed Implementation Schedule for Phase 2 Regional Infrastructure Improvements, Ex. 29 and Section 13.4 and similar provisions.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All required improvements listed in the Detailed Implementation Schedule for Phase 2 have been completed or bonded for in association with the development of Phase 2C – Division 2. Language requiring compliance with the Detailed Implementation Schedule is listed as Note #11 of the Conditions for Final Plat on Sheet 4, which references the Infrastructure Improvements table on Sheet 11.

Preliminary Plat Condition #93: In the event State level permits are required, those permits will be obtained.

Staff Comment: The applicant has met the requirements of this condition for final plat approval. All necessary State permits have been obtained through this final plat process.

○ The Villages Master Planned Development Conditions of Approval (PLN09-0017)

The following MPD Permit conditions of approval, as required by the Hearing Examiner's approval of the MPD Permit application, are not applicable to this final plat application:

MPD Permit conditions of approval #1 – 8, 10 – 26, 28 – 67, 69 – 72, 74 - 164. These conditions are implemented by the approved Development Agreement for The Villages.

The following MPD Permit conditions of approval (written verbatim) have been completed to the satisfaction of the City's Master Development Review Team, Community Development Department, and Public Works Department:

MPD Permit Condition #9: Homeowners Association(s) conditions, covenants and restrictions (CCRs) and/or the proposed Architectural Review Committee shall be required to allow the use of green technologies (such as solar panels) in all buildings. In addition, the CCRs shall include provisions, to be enforced by the HOA, prohibiting washing of cars in driveways or other paved surfaces, except for commercial car washes, and limiting the use of phosphorous fertilizers in common areas, so as to limit phosphorous loading in stormwater.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. The Residential CCRs have been reviewed for compliance with this condition and approved by the City Attorney. Sections 6.26, 6.32, and 7.4.2 of the Residential CCRs meet the requirements of this condition (Exhibit D). These CC&Rs became binding on the area within Plat 2C Division 2 by a supplemental declaration recorded under King County Recording No. 20171227000507, which annexed Tract B of Plat 2C Division 1 to the Ten Trails Residential CC&Rs.*

MPD Permit Condition #27: No more than 150 residential units shall be permitted with a single point of access. 300 units may be allowed on an interim basis, provided that a secondary point of access is provided.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note #8 within the Conditions for Final Plat section on Sheet 4.*

MPD Permit Condition #68: The Development Agreement shall include restrictions on roof types (no galvanized, copper, etc.) and roof treatments (no chemical moss killers, etc.) to ensure that stormwater discharged from roof downspouts is suitable for direct entry into wetlands and streams without treatment. This condition does not constitute approval for direct discharge of roof drainage into wetlands, streams or their buffers; any such direct discharge is authorized only if approved by the Public Works Director as in compliance with Black Diamond Municipal Code Ch. 14.04 and the standards adopted therein. The applicant shall develop related public education materials that will be readily available to all homeowners and implement a process that can be enforced by future homeowners associations.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. Language stating the requirements of this condition has been provided as Note*

#9 within the Conditions for Final Plat section on Sheet 4. Public education materials will be submitted in association with a building permit application on lots that are subject to the roof restrictions imposed by this condition.

MPD Permit Condition #73: Include a tabular list of stormwater monitoring requirements. The list should include the term of the monitoring, the allowable deviation from design objectives or standards, and the action items necessary as a result-of excess deviations.

Staff Comment: *The applicant has met the requirements of this condition for final plat approval. A tabular list of stormwater monitoring requirements has been included in Exhibit O of The Villages Development Agreement.*

- Compliance with The Villages Development Agreement (PLN10-0020/PLN11-0013)

The Ten Trails Phase 2 Plat C – Division 2 final plat application complies with all applicable Sections of the approved Development Agreement for The Villages, as established through the review process of the preliminary plat application. In regards to Section 11 – Project Phasing, the final plat contains a table identifying all infrastructure improvement thresholds on Sheet 11.

Section V: Staff Recommendation

Based on the information and materials provided in the Staff Report, the City's Master Development Review Team, Community Development Department, and Public Works Department have determined that the Ten Trails Phase 2C – Division 2 Final Plat application meets all applicable requirements for final plat approval.

The City Staff recommends that the City Council adopt the findings in this report and **APPROVE** the Ten Trails Phase 2C – Division 2 Final Plat, City File Number PLN18-0084.



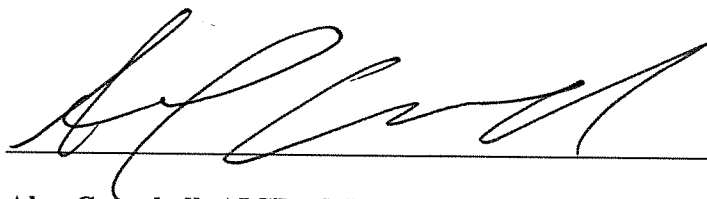
Date: 02/27/2019

Andy Williamson – MDRT Designated Official



Date: 02/27/2019

Dan Ervin, PE – MDRT Reviewing Engineer



Date: 02/27/2019

Alex Campbell, AICP – MDRT Reviewing Planner

Section VI: Exhibits

The following Exhibits are hereby incorporated by reference to the findings of this Staff Report:

- Exhibit A – Approval of Bond Amounts – Memo Titled *Final Plat Document – Phase 2, Plat C, Division 2 – Bond Review and Approval* prepared by Varius
- Exhibit B – Department Approvals – Memos prepared by Mountain View/Black Diamond Fire and Rescue, Parametrix, and Varius
- Exhibit C – Wetland Buffer Fencing Approval – Email from MDRT Reviewing Planner
- Exhibit D – Attorney Approval of CC&Rs – Memo Titled *Ten Trails Phase 2, Plat C – Division 1 Final Plat: Conditions implemented through Covenants, Conditions, and Restrictions (“CC&Rs”)*, prepared by Kenyon Disend
- Exhibit E – Approval of Stormwater and Baseline Monitoring – Memo Titled *City of Black Diamond Stormwater and Baseline Monitoring Final Document Review* prepared by RH2
- Exhibit F – Fire Flow Availability Certification – Memo Titled *Villages Phase 2C – Division 2 Final Plat Fire Flow Availability Certification* prepared by RH2
- Exhibit G – Review and Approval of Baseline Hydrologic Report for Plat 2C – email from Perteet, Inc.
- Exhibit H – Approval of Wetland Buffer Revegetation Plan – email from Perteet, Inc.
- Exhibit I – Approval of Interim Lift Station – Memo Titled *Final Plat Document – Lift Station* prepared by RH2
- Exhibit J – Approval of Off-Site Sewer Force Main – Memo Titled *Final Plat Document – Sewer Force Main* prepared by RH2
- Exhibit K – King County Wastewater Discharge Approval – Memo Titled *Discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection* prepared by the King County Wastewater Treatment Division
- Exhibit L – Verification of Bussing Availability for Students – Email from the Enumclaw School District
- Exhibit M – Verification of Sanitary Sewer Capacity to Serve Phase 2 Plat C – Memo Titled *The Villages MPD – Sanitary Sewer Capacity* prepared by Triad Associates

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT A

TITLE: Approval of Bond Amounts

PREPARED BY: Varius

DATE: February 14, 2019



VARIUS INC
324 Rhodora Heights Road
Lake Stevens WA 98258
variusinc.com

February 14th 2019

Andrew Williamson
MDRT Director
PO Box 599
Black Diamond WA 98010

Attn: Andrew Williamson, Director
RE: Final Plat Document – Phase2, Plat C, Division 2– Bond Review and Approval

Dear Andy:

This letter is your certification, for use during Final Plat review and approval, that the Public Works Director completed a site review on February 3rd and has reviewed the proposed Bond Worksheets for Ten Trails Phase 2, Plat C, Division 2 and found them acceptable to complete all remaining work. The Bond Worksheets (dated December 4th, 2018 and noted for Job Number 05-336) include line items for the following uncompleted work and a bond total of \$325,981.00:

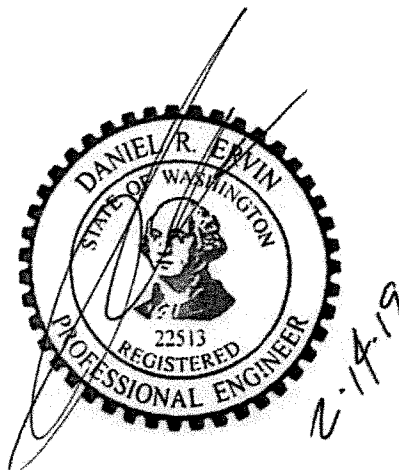
1. Final Lift HMA
2. Road Striping, Signage and Survey Monuments
3. Survey Monuments
4. Concrete Crosswalks
5. Concrete Sidewalks and ADA Ramps
6. Concrete Driveways
7. Mail Boxes
8. Miscellaneous Landscaping

Please call or email if you need additional information

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel R. Ervin', written over a circular professional engineer seal.

Daniel R. Ervin, P.E.
Varius Inc – Executive Vice President



Opinion of Probable Costs for Remaining Infrastructure

For:

Ten Trails Phase 2 Plat C Division 2



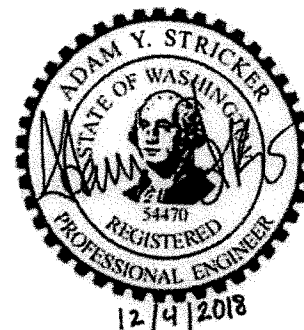
**DAVID EVANS
AND ASSOCIATES INC.**

Prepared By: Adam Stricker, PE

Job Number: 05-336

Date: December 4, 2018

Phase 2 Plat C Div. 2	Estimated Quantity	Unit	Unit Price	Amount
Final Lift HMA	89,510	Sq. Ft.	\$1.75	\$156,642.50
Road Striping, Signage and survey Monuments	1	Lump Sum	\$5,000.00	\$10,000.00
Survey Monuments	1	Each	\$450.00	\$450.00
Concrete Crosswalks	740	Sq. Ft.	\$25.00	\$18,500.00
Concrete Sidewalks and ADA ramps	2,400	Sq. Ft.	\$3.23	\$7,749.00
Concrete Driveways	397	Sq. Ft.	\$3.50	\$1,389.50
Mailboxes	7	Each	\$2,750.00	\$19,250.00
Remaining Landscape Plantings	1	Lump Sum	\$112,000.00	\$112,000.00
Total				\$325,981.00



TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT B

TITLE: Department Approvals

PREPARED BY: Mountain View Fire and Rescue, Parametrix,
and Varius

DATE: Various



MOUNTAIN VIEW/BLACK DIAMOND FIRE AND RESCUE

32316 148th AVE SE Auburn, WA 98092 253 735 0284

info@kcfd44.org www.mvfire.org

City of Black Diamond
24301 Roberts Drive
PO Box 599
Black Diamond WA 98010

February 14, 2019

This letter is to inform you that:

The Fire Department has reviewed Ten Trails, Phase 2, Plat C, Division 2 and have approved the plat reviewed. This is to notify you that we are ready to sign the final document upon your request.

Fire Hydrants are required to comply with City Standards and International Fire Code Appendix C – Fire Hydrants.

Roads are required to comply with City Standards and International Fire Code Appendix D – Fire Apparatus Access Roads.

Fire Impact fees will apply.

Greg Smith
Fire Chief
Black Diamond Fire Department

TECHNICAL MEMORANDUM

Date: February 14, 2019
To: Andrew Williamson
From: Kerrel Bell, PLS
Subject: 2nd Review of the Plat of Ten Trails
Phase 2 Plat C Division 2
cc:
Project Number: 247-3043-032, 06.01
Project Name: City of Black Diamond
2nd Review of the Plat of Ten Trails
Phase 2 Plat C Division 2



We have completed our 2nd review of the above referenced subdivision plat and find all comments from our 1st review have been adequately addressed. We have no further comments and suggest no further edits at this time.

If you have any questions or need additional information, please contact me at (425) 281-2066 or kbell@parametrix.com



VARIUS INC
324 Rhodora Heights Road
Lake Stevens WA 98258
variusinc.com

February 14th, 2019

Mr. Andrew Williamson
MDRT Director – City of Black Diamond
PO Box 599
Black Diamond WA 98010

Attn: Andrew Williamson, Director
RE: Final Plat Document – Phase 2 Plat C Division 2 – Final Plat Review and Approval

Dear Andy:

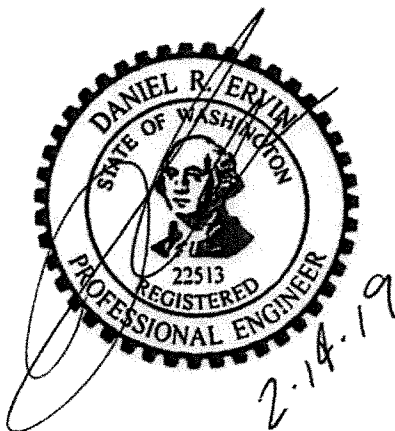
With this letter I transmit my approval of the Final Plat for Ten Trails, Phase 2, Plat C, Division 2 that I received on February 13th for review. The Final Plat meets the requirements of the Preliminary Plat (including the Hearing Examiner Conditions of Approval) the applicable City codes and standards and the Development Agreement. My review was concluded in accordance with BDMC 17.20.060.

Please call or email if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Ervin', written over a horizontal line.

Daniel R. Ervin, P.E.
Varius Inc – Executive Vice President



Thursday February 14th 2019

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT C

TITLE: Wetland Buffer Fencing Approval

PREPARED BY: MDRT Reviewing Planner

DATE: February 27, 2019

Alex Campbell

From: Alex Campbell
Sent: Wednesday, February 27, 2019 2:11 PM
To: Andy Williamson
Subject: Phase 2C - Division 2 Final Plat - Wetland Fencing

Andy –

This email is to confirm that I have walked the Phase 2C – Division 2 final plat boundaries and confirmed that wetland buffer boundaries within/adjacent to the final plat application have been delineated by split-rail fencing and identification signs, pursuant to BDMC 19.10.220(D), SEPA Mitigation Measure #2 (of the environmental review associated with the Phase 2C Preliminary Plat, PLN13-0028), and Preliminary Plat Condition of Approval #44 (of the Phase 2C Preliminary Plat, PLN13-0027). Wetlands buffer boundaries adjacent to Lot 130 have been delineated into a separate tract (Tract AD), and split-rail fencing has been installed at the boundary of Lot 130 pursuant to the preliminary plat condition cited above.

Alex Campbell, AICP
City of Black Diamond
Senior Planner, Master Development Review Team
360-886-5700 ext 5724

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT D

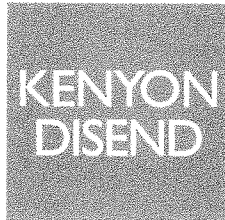
TITLE: Attorney Approval of CC&R's

PREPARED BY: Kenyon Disend

DATE: November 15, 2017


Note: Although this memo specifically addresses the Phase 2C – Division 1 Final Plat, the CC&Rs became binding on the area within Plat 2C – Division 2 by a supplemental declaration recorded under King County Recording No. 20171227000507, which annexed Tract B of Plat 2C- Division 1 to the Ten Trails Residential CC&Rs.

Michael R. Kenyon
Rachel B. Turpin
Ann Marie J. Soto
Kim Adams Pratt
Robert F. Noe
David A. Linehan
Charlotte A. Archer
Alexandra L. Kenyon
Eileen M. Keiffer
Hillary E. Graber
Kendra R. Comeau



Doug F. Mosich
Of Counsel
Shelley M. Kerslake
1967 - 2014

TO: Andy Williamson, Economic Development Director, MDRT Designated Official

FROM: David Linehan 

DATE: November 15, 2017

RE: Ten Trails Phase 2, Plat C – Division 1 Final Plat: Conditions implemented through Covenants, Conditions, and Restrictions (“CC&Rs”)

This memo addresses Oakpointe’s satisfaction of the conditions of approval that are being implemented in the Phase 2, Plat C – Division 1 final plat via provisions of the Declaration of Covenants, Conditions, Restrictions and Easements for Ten Trails Residential Areas (“Residential CC&Rs”) applicable to the Ten Trails MPD (f/k/a “The Villages”). As explained below, the Residential CC&Rs submitted by the applicant appear to meet all conditions of approval imposed by the Hearing Examiner’s decision on the Phase 2, Plat C preliminary plat and by the MPD Permit. The applicable conditions from the preliminary plat and the MPD Permit are identified below, followed by an analysis of how that condition has been met in the Residential CC&Rs.

A. Preliminary Plat Conditions Imposed by Hearing Examiner

Condition No. 2: This preliminary plat condition contains subparts *a.* through *l.*, which are satisfied by the Residential CC&R sections referenced below:

- a. This condition is satisfied by Sections 9.1 and 9.2, which assign the responsibility to maintain stormwater facilities to the Ten Trails Residential Association (“Association”).
- b. This condition is satisfied by Sections 1.8, 1.9, and 9.2, which assign to the Association the responsibility to maintain parks and public trails for public access, and to maintain pet-waste stations.
- c. This condition is satisfied by Sections 1.8, 9.2, and 4.2.6, assign to the Association the responsibility to maintain and protect sensitive areas.
- d. This condition is satisfied by Section 9.3, which assigns ownership and maintenance of alleys to the Association and/or private owners.
- e. This condition is satisfied by Section 9.4, which requires the Association to maintain all street-side landscaping.

- f. This condition is satisfied by Sections 6.8, 11.1(c), and 9.3, which to the Association the responsibility for maintaining and enforcing no-parking signage on private streets and alleys.
- g. This condition is satisfied by Section 6.32, which spells out the required integrated pest management system to limit use of fertilizers, herbicides, and pesticides near wetlands and wetland buffers.
- h. This condition is satisfied by Section 6.27, which restricts certain types of roofs and roof treatments that negatively affect water quality.
- i. This condition is satisfied by Section 6.28, which prohibits exterior light intrusion into, or direct lighting of, the wetland buffer areas.
- j. This condition is satisfied by Section 7.4.2, which allows use of green technologies, such as solar panels.
- k. This condition is satisfied by Section 7.3, which requires Association property owners to comply with the applicable Design Guidelines, including restoration of pre-development hydrology conditions and use of native species for landscaping.
- l. This condition is satisfied by Section 9.8.1 and 9.8.2, which spells out maintenance responsibilities for streets, alleys, and autocourts, and provides the City a remedy (including a cost-recovery mechanism) for failure of the Master Developer or Association (as applicable) to fulfill its maintenance obligations.

B. MPD Permit Conditions

MPD Permit Condition No. 9: This condition is met by the following provisions of the Residential CC&Rs:

- Section 7.4.2 – which provides that “the Design Review Committee shall not prohibit the use of green technologies (such as solar panels) in all buildings.”
- Section 6.26 – which prohibits washing of vehicles on driveways and other paved surfaces, except for licensed and approved commercial car washes.
- Section 9.2 – which provides that the Residential Association “shall limit the use of phosphorous fertilizers in Common Areas to the maximum extent practicable.”

#

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT E

TITLE: Approval of Stormwater and Baseline Monitoring

PREPARED BY: RH2 Engineering

DATE: November 23, 2015



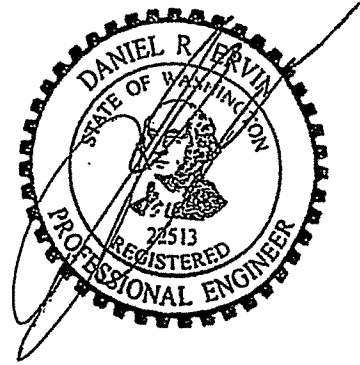
Memorandum

To: Andrew Williamson
CC: Dan Ervin

From: Dan Ervin, P.E.

Subject: City of Black Diamond
Stormwater and Baseline Monitoring
Final Document Review

Date: November 23rd, 2015



This Memo is in response to our review of the document titled "The Villages and Lawson Hills Master Planned Developments, 2011 – 2014 Stormwater and Baseline Monitoring". This document was received by our office on August 31st and is marked "Final".

We reviewed this document in accordance with the requirements in the Development Agreement (Appendix O), the Hearing Examiner Conditions of Approval and previous review comments made by our office; the most recent of which were dated May 1st, 2015.

This document now meets the requirements for acceptance and complies with Appendix O and the Hearing Examiner Conditions and includes sufficient information, and in an appropriate format, in order to review, approve and administer the stormwater treatment system designs for future utility permits. This most significantly includes Total Phosphorus discharge targets for the pending plats of 2B (Lawson Hills) and 2C (Villages) of 2.12 kilograms/year and 1.86 kilograms per year respectively.

In general, the Final report addresses the City's previous review comments and the comments from the community at large and includes reasonably conservative approaches toward establishing appropriate stream rating curves and calculating the total phosphorus discharged from each site, according to their individual hydrologic and biologic conditions.

The dynamic conditions of the Rock Creek basin include short term variability (presence or absence of beaver dams and their effect on flow and nutrient loading, small changes to wetland and lake function that change phosphorous sequestration and release) and long term variability (continued maturation of forested areas and regional/global climate change). As stated in the report, an understanding of these variables on stream flow and on phosphorous loading will need to be built in to the annual monitoring and analysis in order to provide reasonable comparisons to the baseline results. We expect that those monitoring requirements will be a part of the individual Utility Permit approvals.

Memo
November 23 2015
Page 2

The report and its conclusions are presented in a format that facilitates future utility permit and facility review and system operation and maintenance. RH2 Engineering recommends acceptance of and approval of this final report.

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT F

TITLE: Fire Flow Availability Certification

PREPARED BY: RH2 Engineering

DATE: February 15, 2019



RH2 ENGINEERING, INC.

www.rh2.com
mailbox@rh2.com
1.800.720.8052

WASHINGTON LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

BELLINGHAM

EAST WENATCHEE

ISSAQUAH

RICHLAND

TACOMA

OREGON LOCATIONS

PORTLAND
MAIN OFFICE
6500 SW Macadam Ave. Suite 125
Portland, OR 97239

MEDFORD

February 15, 2019

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond, WA, 98010

Sent via: Email and US Mail

**Subject: Villages Phase 2C – Division 2 Final Plat
Fire Flow Availability Certification**

Dear Andy:

This letter is certification that the fire flow available to the properties in the Ten Trails Phase 2C – Division 2, exceeds 1,500 gallons per minute (gpm). Fire flow availability within the Phase 2C Final Plat meets the requirements of the Preliminary Plat, the City of Black Diamond (City) Comprehensive Water System Plan, and City Standards.

The fire flow was field tested in August 2017 using the recently installed and accepted 750 and 850 Pressure Zone water mains connected to the City's existing potable water system. The testing included hydrant flow tests that were conducted in accordance with Washington State Department of Health (DOH) and City criteria, using residual pressure instruments on strategically located hydrants.

The fire flow testing results were incorporated into the City's water system hydraulic model. The hydraulic modeling results confirmed that the fire flow availability in Plat 2C – Division 2 exceeds the 1,500 gpm requirement at a residual pressure of 20 pounds per square inch (psi), including at the highest elevation location of Plat 2C (590 feet in the southeast portion of Plat 2C – Division 2). The attached Fire Flow Analysis result sheet dated February 15, 2019, includes additional documentation regarding the analyses.

Please call (253) 327-1522 or email gdillard@rh2.com if you require additional information.

Sincerely,

RH2 ENGINEERING, INC.



Geoffrey G. Dillard, PE
Director

GGD/CP/vl



Signed: 02/15/2019

Attachments: February 2019 Fire Flow Analysis

City of Black Diamond MDRT



Fire Flow and CWA Analysis: Ten Trails Plat 2C - 750 Zone Service Only

Date: Feb. 15, 2019

Test Conditions and Information

Demand & Year: MDD 2016 + System Demand: 678 gpm
243 gpm new dev. +
65 gpm new irr. Ten Trails ERUs: 983 ERUs
 PHD Pressure: 80 psi
 Node: J5248 Elevation: 590 ft
 Location: Highest Elevation in Plat 2C (SE Portion Plat 2C)
 Pressure Zone: 750

Project Information

RH2 Project No.: 518.028.01.102

Application No.: _____

Designed: _____

Description: 243 gpm (MDD) of domestic demands in Ten Trails

65 gpm (MDD) of irrigation demands in Ten Trails

(In-tract 1, In-Tract 2, In-Tract 3, V-13, Plat 2C)

Plan Sheets or Proposed water main sizing and configuration per attached
 Reference Documents: schematic

Fire Flow Requirements:

Connection Type ☒ SF Flow Req. 1,500 gpm Duration N/A
☐ MF Location of Nearest Existing Main:
☐ COMM 12" Loop in Plat 2C
☐ OTHER _____
 Jurisdiction: Black Diamond ☒
 King County ☐ Other ☐

Scenarios Evaluated

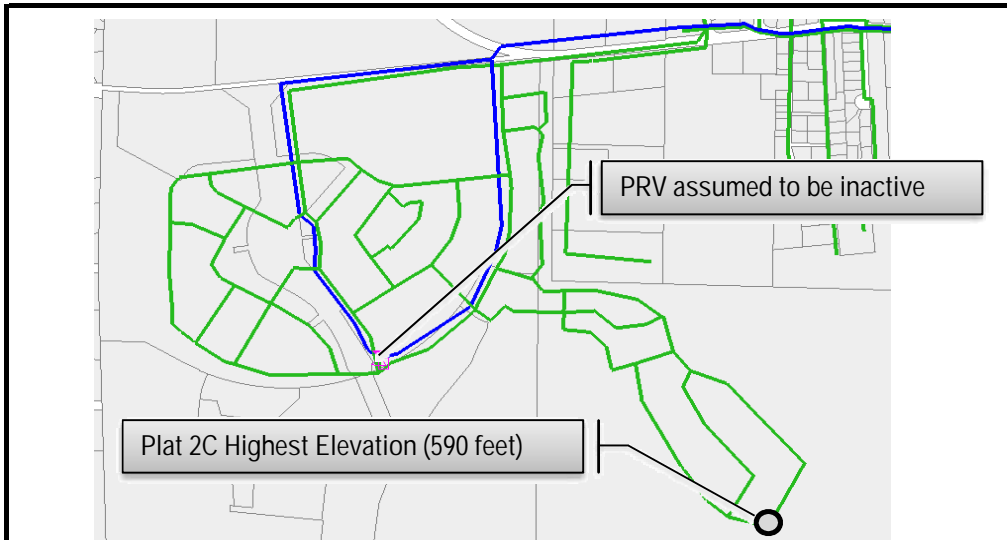
1 PHD & 43 psi at site

2 MDD + FF, all sources online, 20 psi residual, V < 10 fps system wide

(Highest service elevation of 590 feet within In-Tracts 1, 2, 3, V-13, Plat 2C)

NOTE: All scenarios assumed no service is provided via the 850/750 PRV

Schematic






Results



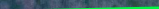
	YES	NO	Comments
1 Passed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	66 psi available
2 Passed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,403 gpm available at 20 psi residual pressure. (2,500 gpm available at commercial location based on these conditions, with approximately 33 psi residual pressure at the commercial location)

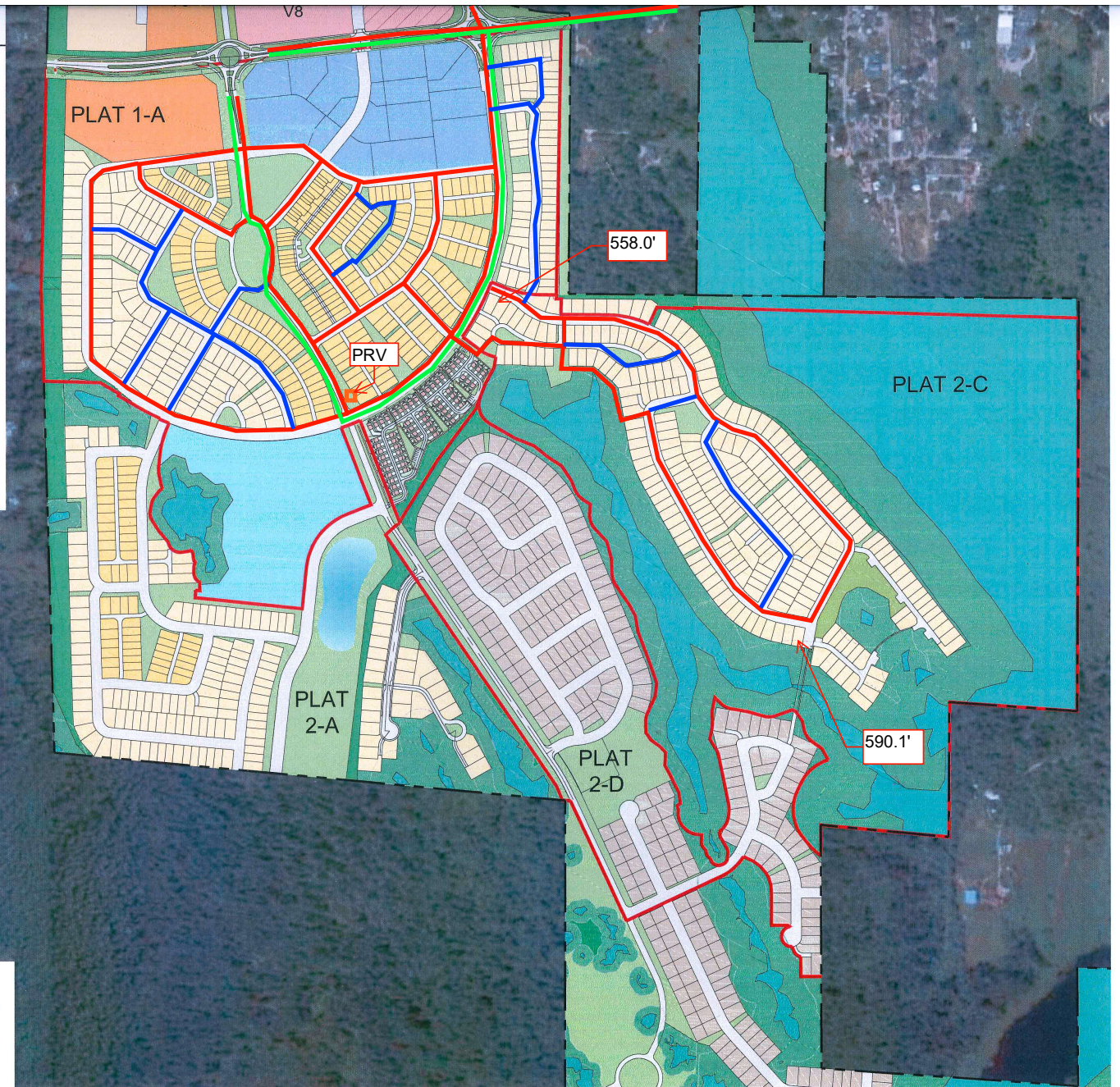
PRV Setpoints

PRV	HGL (feet)	Pressure (psi)
Railroad PRV	761	55
Lawson PRV	763	41
Roberts PRV	757	63
Newcastle PRV	850	53

LEGEND

	MPD-L LOW DENSITY RESIDENTIAL
	MPD-M MEDIUM DENSITY RESIDENTIAL
	MPD-H HIGH DENSITY RESIDENTIAL
	FRONT LOAD SINGLE FAMILY LOTS
	ALLEY LOAD SINGLE FAMILY LOTS
	AGE QUALIFIED SINGLE FAMILY LOTS
	OFFICE / RETAIL
	MIXED USE
	SCHOOLS
	STREETS
	OPEN SPACE, TRAILS AND PARKS
	BUFFERS
	WETLANDS
	POTENTIAL LOCATIONS FOR HIGH DENSITY RESIDENTIAL OVER 18 DU/AC
	POTENTIAL LOCATIONS FOR LIVE-WORK UNITS
	POTENTIAL LOCATIONS FOR LIGHT INDUSTRIAL OVERLAY
V# - DEVELOPMENT PARCEL NUMBER	

12" 750 PZ	
8" 750 PZ	
12" 850 PZ	



Conceptual Site Plan



AKPOINTE

1/22/2018

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT G

TITLE: Review and Approval of Baseline Hydrologic Report for
Plat 2C

PREPARED BY: Perteet, Inc.

DATE: November 9, 2017

RE: Phase 2C - Division 1 Final Plat Language

Jason Walker [jason.walker@perteet.com]

Sent: Thursday, November 09, 2017 2:11 PM

To: Alex Campbell

Cc: Andy Williamson [awilliamson@blackdiamondwa.gov]

Perteet has evaluated the baseline hydrologic report inclusive of methods and findings (Baseline Conditions for the Villages – Plat 2C prepared by Wetland Resources, Inc. and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016). Perteet has also conducted related site observations of vegetation monitoring areas in our evaluation of this report. Perteet concurs the baseline report addresses preliminary plat condition #85.

Jason Walker, PLA, PWS
Environmental Planning Manager

Perteet Inc.

2707 COLBY AVENUE, SUITE 900 | EVERETT, WA 98201

425.252.7700 | DIR 425.322.0251 | CELL 425.753.1294

jason.walker@perteet.com

PERTEET.COM

Better communities, by design

From: Alex Campbell [mailto:ACampbell@AHBL.com]**Sent:** Wednesday, November 8, 2017 2:50 PM**To:** Jason Walker <jason.walker@perteet.com>**Cc:** Andy Williamson <awilliamson@blackdiamondwa.gov>**Subject:** Phase 2C - Division 1 Final Plat Language

Jason:

Andy and I are working on the Staff Report for the presentation of the final plat to the City Council, and would like your input on one of the preliminary plat conditions that we need to address. See below for the preliminary plat condition language (verbatim) and our draft response - please let us know if you have any revisions or additional information regarding the on-going monitoring:

Preliminary Plat Condition #85: The applicant must perform baseline monitoring to determine the water velocity, water quality, and hydroperiod control (the depth, duration, frequency and pattern of wetland inundation) in all adjacent wetlands as approved by qualified City experts. However, computer modeling or other alternative measures may be applied if City experts determine that those alternative measures will accurately account for all of the hydrologic factors cited by Ms. Brewster in Ex. 96 to the extent necessary to ensure that predevelopment hydrology will be maintained. The City must consider the measures recommended by William Lider in Ex. 96 and impose them as necessary to ensure that wetland hydrology is maintained.
Staff Comment: The applicant has met the requirements of this condition for final plat approval. Baseline monitoring was performed in association with a report titled "Baseline Conditions for the Villages – Plat 2C" prepared by Wetland Resources, Inc. (Exhibit O) and monitored water levels to establish pre-development hydrology for Wetland E1 between 2015-2016 (Exhibit P). On-going monitoring will occur for the hydrology of Wetland E1 to ensure compliance with this condition.

Alex Campbell, AICP | Project Planner

AHBL, Inc. | TACOMA • SEATTLE • SPOKANE • TRI-CITIES

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT H

TITLE: Approval of Wetland Buffer Revegetation Plan

PREPARED BY: Perteet, Inc.

DATE: November 8, 2017

Tracey Redd

From: Jason Walker <jason.walker@perteet.com>
Sent: Wednesday, November 08, 2017 2:02 PM
To: Tracey Redd
Cc: Andy Williamson
Subject: RE: Wetland Buffer Review: Villages MPD P2C Wetland Buffer Revegetation Plan prepared by Wetland Resources, November 7, 2017

The re-submitted report (Villages MPD P2C Wetland Buffer Revegetation Plan prepared by Wetland Resources, November 7, 2017) addresses the comments and action items stated in our review memo from November 2, 2017.

Jason Walker, PLA, PWS
Environmental Planning Manager

Perteet Inc.
2707 COLBY AVENUE, SUITE 900 | EVERETT, WA 98201
425.252.7700 | DIR 425.322.0251 | CELL 425.753.1294
jason.walker@perteet.com

PERTEET.COM
Better communities, by design

From: Tracey Redd [mailto:tredd@blackdiamondwa.gov]
Sent: Wednesday, November 8, 2017 1:45 PM
To: Jason Walker <jason.walker@perteet.com>
Cc: Andy Williamson <awilliamson@blackdiamondwa.gov>
Subject: Wetland Buffer Review

Here is another for your review per Andy, The MPD P2C Wetland Buffer Revegetation Plan Review
Thanks!

Tracey Redd
MDRT Senior Accountant/Admin Assistant III



PO Box 599, Black Diamond, WA 98010
Phone: 360-886-5700 Fax: 360-886-2592

NOTICE OF PUBLIC DISCLOSURE: This e-mail is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

To: Andrew Williamson, MDRT/Economic Development Director, City of Black Diamond

From: Jason Walker, PLA, PWS, Environmental Manager, Perteet

Date: November 2, 2017

Re: Villages MPD P2C Wetland Buffer Revegetation Plan Review (PLN13-0027)

SUMMARY

Perteet Inc. conducted a review of the submitted report for the Villages MPD P2C Wetland Buffer Revegetation Plan (PLN13-0027). Perteet also conducted a site visit on October 31, 2017 to observe clearing limits and the buffer areas to receive revegetation under this plan.

DOCUMENTS REVIEWED

The following documents and information were reviewed by Perteet:

- Wetland Buffer Revegetation Plan for the Villages MPD P2C Wetland Buffer Revegetation Plan, Wetland Resources, Inc., September 22, 2017

FINDINGS

- 1) Report Section 2.1 Wetland Buffer Impacts (report) and Wetland Buffer Revegetation Plan (drawing):
 - a. See green colored area on attached drawing. This area was additionally cleared near the level spreaders. Add this area to the planting plan, also quantify this area. Add this additional area to the temporary impact square footage that is stated in the report and on the plan drawing.
- 2) Report Section 2.2 Planting Plan:
 - a. Increase spacing of sword fern, salal, and Mahonia nervosa to 3 feet on center, and add additional plant quantities for all planting areas. Also add additional plants in similar distribution to address the additional cleared areas, except that plants immediately around level spreaders can be sword fern, salal, and Mahonia only.
- 3) Report Section 2.4.14 Irrigation/Watering:
 - a. Change the word "should" to "shall". Watering will be necessary for plant survival in these areas.

END OF MEMO (see attached plan with markup)

WETLAND BUFFER REVEGETATION PLAN

Per Villages Phase 2 Plat C Hearing Examiner Condition #46:

"A revegetation plan will be required in the clearing and grading permit application, to restore or enhance disturbed areas following construction. Restoration of disturbed areas in the wetland buffers shall implement the requirements of the Wetland Buffer Revegetation Plan."

Per the above condition, the Applicant will restore all areas disturbed beyond the footprint of the approved clearing limits with the plant species shown on this plan.

All provisions for: monitoring, project success and compliance, maintenance, contingency planning, project notes and planting notes identified in the approved *Wetland Buffer Vegetation Management Plan*, revised on May 6, 2014, shall be implemented to all revegetation that occurs within wetland buffers as part of the Phase 2 Plat C clearing and grading.

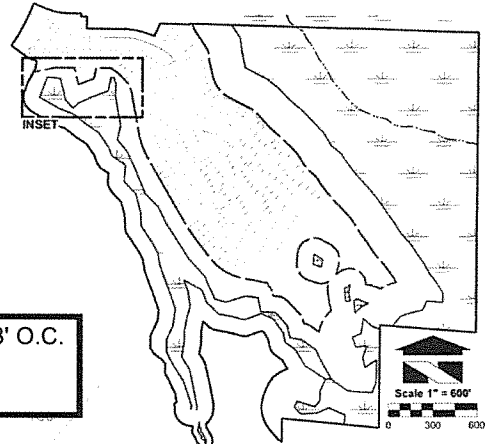
WETLAND BUFFER REVEGETATION PLAN THE VILLAGES MPD- PHASE 2 PLAT C SECTION 15, TOWNSHIP 21N, RANGE 6E, W.M.

Add additional
cleared areas

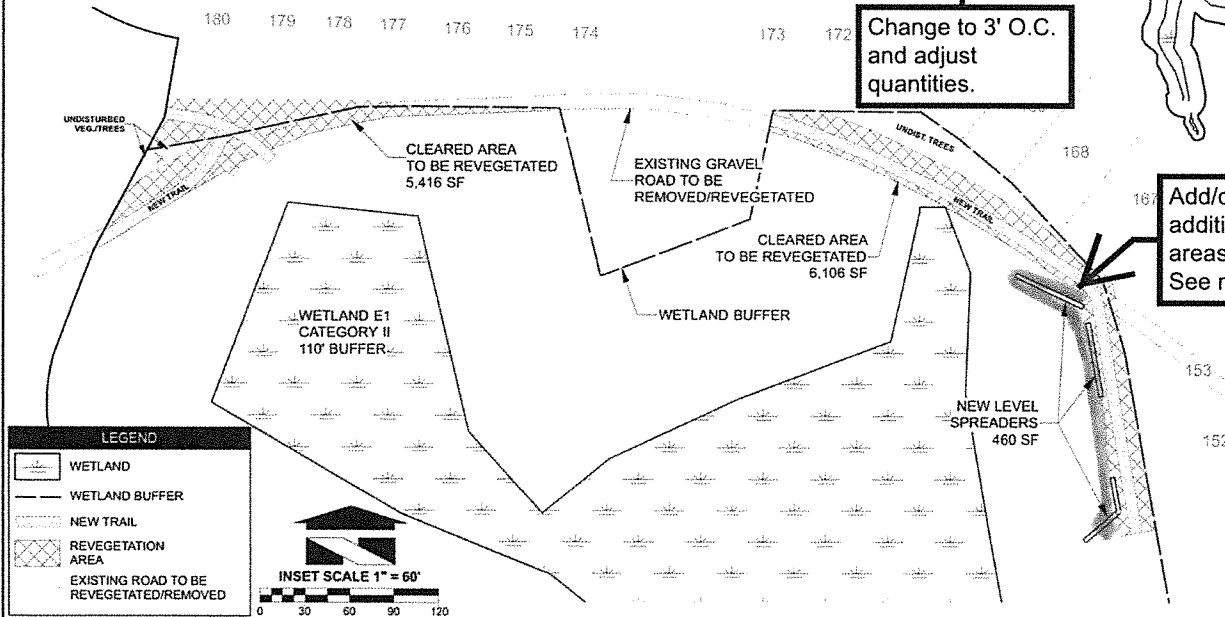
Revegetation Area (11,522 square feet):					
Common Name	Latin Name	Size	Spacing	Quantity	
Douglas fir	<i>Pseudotsuga menziesii</i>	Min. 3' tall	15'	15'	10
Western hemlock	<i>Tsuga heterophylla</i>	Min. 3' tall	15'	15'	10
Western red cedar	<i>Thuja plicata</i>	Min. 3' tall	15'	15'	10
Sword fern	<i>Polystichum munitum</i>	1 gallon	6'	6'	25
Oregon grape	<i>Mahonia nervosa</i>	1 gallon	6'	6'	25
Salal	<i>Gaultheria shallon</i>	1 gallon	6'	6'	25

Change to 3' O.C.
and adjust
quantities.

SITE OVERVIEW



Add/quantify
additional cleared
areas in green.
See memo.



Wetland Resources, Inc.
Wetland Resources, Inc. is a professional consulting firm specializing in wetland and riparian habitat assessment, mapping, and mitigation planning. We provide comprehensive services to clients in the Pacific Northwest region.
Phone: (425) 337-3174
Fax: (425) 337-3045
Email: mailbox@wetlandresources.com

WETLAND BUFFER REVEGETATION PLAN
THE VILLAGES MPD- PHASE 2 PLAT C
City of Black Diamond

CCO Black Diamond Partners
Alec Colin Lund
10020 NE Points Drive,
Suite 310
Kirkland, WA 98033
Sheet 1/1
WRI Job#: 17280
Drawn by: ED
Date: 09/22/2017

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT I

TITLE: Approval of Interim Lift Station

PREPARED BY: RH2 Engineering

DATE: November 8, 2017



RH2 ENGINEERING, INC.
www.rh2.com
mailbox@rh2.com
1.800.720.8052

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

BELLINGHAM

EAST WENATCHEE

ISSAQUAH

RICHLAND

TACOMA

OREGON
LOCATIONS

NORTHERN OREGON
MAIN OFFICE
6500 SW Macadam Ave. Suite 100
Portland, OR 97239

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend

November 8th 2017

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

Sent via: Email and US Mail

Subject: Final Plat Document – Lift Station

Dear Andy:

This letter is your certification, for use during Final Plat review and approval, that the **interim lift station** is complete, operational and meets the requirements for Final Plat approval.

Please call or email if you need additional information.

Sincerely,

Daniel R. Ervin, P.E.
RH2 ENGINEERING, INC.

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT J

TITLE: Approval of Off-Site Sewer Force Main

PREPARED BY: RH2 Engineering

DATE: November 8, 2017



RH2 ENGINEERING, INC.
www.rh2.com
mailto:rh2@rh2.com
1.800.720.8052

WASHINGTON
LOCATIONS

BOTHELL
MAIN OFFICE
22722 29th Drive SE, Suite 210
Bothell, WA 98021

BELLINGHAM

EAST WENATCHEE

ISSAQUAH

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6500 SW Macadam Ave. Suite 100
Portland, OR 97239

SOUTHERN OREGON
Central Point

COASTAL OREGON
North Bend

November 8th 2017

Mr. Andrew Williamson
MDRT Director
City of Black Diamond
PO Box 599
Black Diamond WA 98010

Sent via: Email and US Mail

Subject: Final Plat Document – Sewer Force Main

Dear Andy:

This letter is your certification, for use during Final Plat review and approval, that the **off-site sewer force main**, from the Villages to the second point of connection, is complete, operational and meets the requirements for Final Plat approval.

Please call or email if you need additional information.

Sincerely,

Daniel R. Ervin, P.E.
RH2 ENGINEERING, INC.

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT K

TITLE: King County Waste Water Discharge Approval

PREPARED BY: King County Waste Water Treatment Division

DATE: September 28, 2017



King County

Wastewater Treatment Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, 5th Floor
Seattle, WA 98104-3855

September 28, 2017

A15625

04.17-10

Andy Williamson
MDRT & Economic Development Director
City of Black Diamond
PO Box 599
Black Diamond, WA 98010

Subject: Discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection

Dear Mr. ~~Williamson~~

ANDY,

This letter is to confirm that the conditions for sewage discharge to the Black Diamond Trunk at the Villages Sanitary Sewer Regional Connection at King County Manhole (MH) BLKDIA.114 have been satisfied.

The conditions met include the following:

1. Dedication to King County of an easement adjacent to the discharge location for future use in flow equalization.
2. Pump control strategies in place at the Villages Lift Station to limit flows to the Black Diamond Trunk regional sewer at 208 gallons per minute (gpm) until such time that the County approves peak flow increases.
3. Installation of a flow meter near the discharge point to the King County System to verify peak flow rates.

King County will remove the locked plug in City of Black Diamond connection to MH BLKDIA.114. Discharge of sewage to the Black Diamond Trunk can proceed.

Mark Lampard, P.E.
Local Public Agency Coordinator

CC: Verna Bromley, Deputy Prosecuting Attorney, Civil, King County Prosecuting Attorney Office (PAO)
Sharman Herrin, Government Relations Administrator, Wastewater Treatment Division (WTD), Department of Natural Resources and Parks (DNRP)
Steve Tolzman, Water Quality Planner/Project Manager IV, PIM3, WTD, DNRP
Steve Foss, Construction Management III, Engineering, WTD, DNRP

CREATING RESOURCES FROM WASTEWATER

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT L

TITLE: Verification of Bussing Availability for Students

PREPARED BY: Enumclaw School District

DATE: October 19, 2017

FILE COPY

PLN17-0076

Justin Wortman

Subject: FW: A few items



From: Michael Nelson [mailto:michael_nelson@enumclaw.wednet.edu]
Sent: Thursday, October 19, 2017 8:51 AM
To: Colin Lund <clund@oakpointe.com>
Cc: Justin Wortman <jwortman@oakpointe.com>
Subject: Re: A few items

We would provide the same level of transportation services that we do for the rest of our school district. The general "rule of thumb" is transportation services is provided for students outside the one-mile radius. Below is our policy if this would help you in your conversation with the city of Black Diamond.

<http://www.enumclaw.wednet.edu/board/policies/6000/6600.pdf>

Good luck tonight! I am at another meeting tonight, but will be having someone text me about the outcome.

Mike

|

--

Mike

Superintendent
Enumclaw School District
2929 McDougall Ave.
Enumclaw, WA 98022
360.802.7102



Once you choose hope, anything's possible!
-Christopher Reeve

TEN TRAILS MPD

PHASE 2C - DIVISION 2 FINAL PLAT

PLN18-0084

EXHIBIT M

TITLE: Verification of Sanitary Sewer Capacity to Serve Phase 2
Plat C

PREPARED BY: Triad Associates

DATE: May 20, 2014

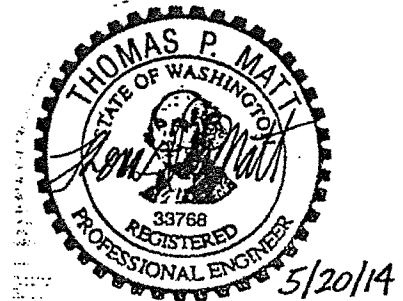


Sanitary Sewer Capacity Memo

May 20, 2014

Andrew Williamson
Economic Development Director
City of Black Diamond
P.O. Box 599
Black Diamond, WA 98010-0559

RE: The Villages MPD – Sanitary Sewer Capacity
Triad Job No. 10-001



Dear Mr. Williamson:

This letter has been prepared to explain and document the completion of the sewer system inspection and cleaning of the City sewer system downstream of MH 151 to the Black Diamond Pump Station (aka Jones Lake Lift Station) in accordance with The Villages MPD Preliminary Plat 1A (VP1APP) condition of approval number 79. Further this memorandum will show that the existing City of Black Diamond gravity sewer system downstream of MH 151 has capacity to not only serve The Villages MPD Phase 1A but also The Villages MPD Phase 2 Plat C Preliminary Plat (VP2PC).

The Villages MPD Preliminary Plat 1A condition of approval number 79 states "Prior to the approval of the first utility permit for construction of sanitary sewer utilities, the Applicant shall conduct wet season inspection and/or monitoring sufficient to confirm to the City's satisfaction that there [is] no root intrusion, blockage, breakage or other deficiency that would render the City's existing sewer system downstream of the proposed point of connection insufficient to convey the sanitary sewer flows anticipated from PP1A. If inspection/monitoring identifies any condition indicating there is not sufficient capacity to convey such flows, the Applicant shall provide any improvements the City deems necessary to remedy the deficiency prior to issuance of the first certificate of occupancy for the first division of the Phase 1A plat."

Video inspection and subsequent clearing of built-up debris (gravel) in 5 locations has been completed. Overall the downstream sewer system from MH 151 to the Jones Lake Lift Station was found to be in good condition. Upon completion of the cleaning operations, the video records show that the system capacity has been restored within the City sewer system downstream of MH 151 to the Jones Lake Lift Station.

King County Metro reports that the Black Diamond Pump Station and Black Diamond Trunk Line have capacity to serve approximately an additional 1,150 ERUs. See letter from King County Wastewater Treatment Division dated February 17, 2011. "The Villages Phase 1A Sewer ERU Calculations" prepared

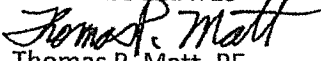
by Triad Associates dated September 25, 2012 shows that the 921 ERUs are adequate to serve The Villages MPD Phase 1A preliminary Plat. Preliminary Plat Phase 2 Plat C proposes 203 single family residential units which equates to 203 sewer ERUs. These two preliminary plats combined will require sewer capacity for 1124 ERUs as shown on sheet UA1 of The Villages MPD – Preliminary Plat Phase 2 Plat C. This total sewer capacity required of 1124 ERUs for both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C is less than the stated existing available capacity of 1150 ERUs.

As noted above, the total sewer capacity required for both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C is 1124 ERUs. One ERU is equal to 187 gpd per the City of Black Diamond General Sewer Plan, dated December 2012. Sewer flow from 1124 ERUs at 187 gpd is equal to 210,188 gpd. Inflow and Infiltration (I & I) is calculated at 700 gallons per acre per day for new system construction as identified in the City of Black Diamond General Sewer Plan, dated December 2012. I & I flows are calculated based on net developable area. The net developable area of VP1APP and VP2PC is approximately 116 acres. Estimated I & I from 116 acres at 700 gallons per acre per day equals 81,200 gpd. Total estimated flow for VP1APP and VP2PC is 291,388 gpd. An analyzed pump rate of 346 gpm for The Villages Interim Lift Station (same pump rate as the Morgan Street lift station) would pump the required 291,388 gpd.

The City of Black Diamond's existing sewer system downstream of MH 151 has adequate capacity to serve both The Villages MPD Phase 1A Preliminary Plat and The Villages MPD – Preliminary Plat Phase 2 Plat C with proper design of The Villages Interim Lift station.

Sincerely,

TRIAD ASSOCIATES



Thomas P. Matt, PE

Senior Project Engineer

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER THE HATCHED AREAS DEPICTED ON SHEET 5 OF 11 HERETO AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, INCLUDING THE RIGHT OF THE CITY OF BLACK DIAMOND TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS ADJACENT TO SAID HATCHED AREAS FOR THE ORIGINAL REASONABLE GRADING OF STREETS AND AVENUES. FURTHER, THE UNDERSIGNED OWNER WAIVES FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS AGAINST ANY GOVERNMENTAL AUTHORITY FOR DAMAGES TO SAID ADJACENT LOTS ARISING FROM THE REQUIRED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF THE DEDICATED AREA.

TRACTS U, V, W, X AND AA, UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE TRACTS; TRACTS Y, Z AND AC, UTILITY AND ACCESS TRACTS; TRACT AB, OPEN SPACE TRACT; AND TRACT AD, SENSITIVE AREA AND BUFFER TRACT, ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

TRACT AC IS RESERVED BY CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR FUTURE DEVELOPMENT.

NOTWITHSTANDING THE DEDICATIONS CONTAINED WITHIN THIS FINAL PLAT, CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, RETAINS AND RESERVES UNTO ITSELF CERTAIN RIGHTS WITH RESPECT TO TRACTS U, V, W, X, Y, Z AND AA INCLUDING, WITHOUT LIMITATION, THE RIGHT OF INGRESS, EGRESS AND ACCESS, AND TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN ANY FACILITIES OR IMPROVEMENTS WITHIN SAID TRACTS AND THE RIGHT TO TEMPORARILY SUSPEND PUBLIC ACCESS TO SAID TRACTS FOR PURPOSES OF CONSTRUCTION AND MAINTENANCE.

A PERMANENT PUBLIC ACCESS AND PEDESTRIAN ACCESS EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE PUBLIC OVER TRACTS U, V, W, X, Y, Z, AA AND AB. TRAILS SHALL BE CONSTRUCTED AND MAINTAINED AS DIRECTED IN THE VILLAGES MPD DEVELOPMENT AGREEMENT, RECORDED UNDER RECORDING NUMBER 20120130000655 AND AMENDED UNDER RECORDING NUMBERS 20120906000762, 20120906000763, 20140103000655, 20141112001375 AND 20171206000581. MAINTENANCE SHALL BE THE OBLIGATION OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

A LANDSCAPE MAINTENANCE AND RENEWAL EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AND THE TEN TRAILS COMMUNITY COUNCIL FOR MAINTENANCE AND RENEWAL OF THE LANDSCAPED AREAS WITHIN THE ROADS DEDICATED TO THE PUBLIC WITHIN THIS SUBDIVISION.

A ONE-FOOT SIDEWALK EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF BLACK DIAMOND UPON THE EXTERIOR ONE FOOT OF LOTS 112 THROUGH 162, INCLUSIVE, LOTS 164 THROUGH 177, INCLUSIVE, LOTS 180 THROUGH 202, INCLUSIVE, AND TRACTS U, V, W, X, Y AND Z ABUTTING ROADS HEREBY DEDICATED TO THE PUBLIC BY THIS SUBDIVISION AND ALONG THE EASTERLY LINE OF LOT 188 FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A SIDEWALK FOR THE PUBLIC USE TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 6 OF 11 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

A ONE-FOOT CONCRETE BAND EASEMENT IS HEREBY GRANTED AND CONVEYED TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION UPON THE EXTERIOR ONE FOOT OF THAT PORTION OF LOTS 162, 163 AND 164 ABUTTING TRACT Z AND THAT PORTION OF LOTS 177, 178, 179 AND 180 ABUTTING TRACT Y FOR THE PURPOSES OF CONSTRUCTING, INSTALLING, MAINTAINING, REPLACING AND OPERATING A CONCRETE BAND TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES FOR THE PURPOSES STATED ABOVE. SEE SHEET 6 OF 11 FOR GENERAL DETAIL-1 OF EASEMENT LOCATION OVER INDIVIDUAL SAID LOTS AND TRACTS.

THIS SUBDIVISION, DEDICATION AND WAIVER OF CLAIMS ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: OAKPOINTE LLC, A WASHINGTON LIMITED LIABILITY COMPANY,
ITS MANAGER

BY: _____
BRIAN ROSS, MANAGER

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

ON THIS ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN PERSONALLY APPEARED BRIAN ROSS, KNOWN TO ME TO BE THE MANAGER OF OAKPOINTE LLC, THE MANAGER OF CCD BLACK DIAMOND PARTNERS LLC, THE LIMITED LIABILITY COMPANY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

SIGNATURE OF _____ DATE _____
NOTARY PUBLIC

MY APPOINTMENT EXPIRES _____

COUNCIL APPROVAL

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

COUNCIL RESOLUTION NUMBER _____

MAYOR, CITY OF BLACK DIAMOND

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

THIS IS TO CERTIFY THAT ON THIS DAY, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED CAROL BENSON TO ME KNOWN TO BE THE MAYOR OF THE CITY OF BLACK DIAMOND THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CITY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

PUBLIC WORKS DIRECTOR

THE PUBLIC WORKS DIRECTOR FOR THE CITY OF BLACK DIAMOND HAS APPROVED THE SURVEY DATA, THE LAYOUT OF THE STREETS, ALLEYS AND OTHER RIGHTS OF WAYS, DESIGN OF BRIDGES, SEWAGE AND WATER SYSTEM AND OTHER STRUCTURES.

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

PUBLIC WORKS DIRECTOR

COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

COMMUNITY DEVELOPMENT DIRECTOR

TREASURER CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

TREASURER

DEPUTY

DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

KING COUNTY ASSESSOR

DEPUTY KING COUNTY ASSESSOR

FIRE CHIEF APPROVAL

EXAMINED AND APPROVED THIS ____ DAY OF _____, 2019.

CITY OF BLACK DIAMOND FIRE CHIEF

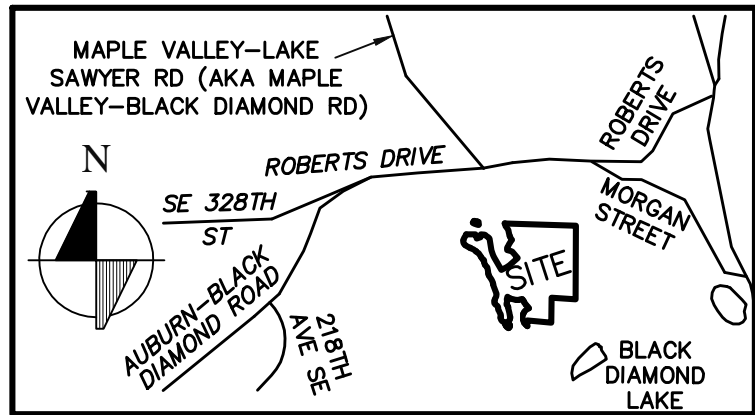
ORIGINAL TAX PARCEL NUMBERS

857601-1130 AND 857601-1180

LEGAL DESCRIPTION

TRACTS B AND G, TEN TRAILS PHASE 2 PLAT C DIVISION 1, AS PER PLAT RECORDED IN VOLUME 281 OF PLATS, PAGES 1 THROUGH 13, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

SITUATE IN THE CITY OF BLACK DIAMOND, COUNTY OF KING, STATE OF WASHINGTON.



VICINITY MAP
N.T.S.

LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF TEN TRAILS PHASE 2, PLAT C, DIVISION 2, CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CCD BLACK DIAMOND PARTNERS LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND SAID SURVEY WAS BASED UPON AN ACTUAL SURVEY OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 6 EAST AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED; THAT THE COURSES AND DISTANCES SHOWN HEREON ARE CORRECT; THAT (1) MONUMENTS AS DESCRIBED AND SHOWN HEREON, UNLESS STATED OTHERWISE HEREON, WILL BE OR HAVE BEEN SET AT ALL LOT CORNERS AS SHOWN; (2) MONUMENTS AS DESCRIBED AND SHOWN HEREON AS "SET" WILL BE OR HAVE BEEN SET; AND (3) ALL MONUMENTS DESCRIBED AND SHOWN HEREON THAT ARE SHOWN "TO BE SET" WITHIN THE RIGHT-OF-WAY, WITHIN AND WITHOUT THE BOUNDARY OF THIS SUBDIVISION, WILL BE SET AFTER THE STREET IS PAVED.



MARY H. MCDOWELL, PLS
SURVEYOR. CERTIFICATE NO. 36805
DAVID EVANS AND ASSOCIATES, INC.
20300 WOODINVILLE SNOHOMISH RD NE
SUITE A-WOODINVILLE, WA 98072
PHONE: (425) 415-2000

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF DAVID EVANS AND ASSOCIATES, INC. THIS ____ DAY OF _____, 2019, AT ____ MINUTES PAST ____ M. AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S) _____, RECORDS OF KING COUNTY, WASHINGTON.

DIVISION OF RECORDS AND ELECTIONS

MANAGER

SUPERINTENDENT OF RECORDS

TEN TRAILS, PHASE 2 PLAT C DIV. 2

CITY OF BLACK DIAMOND
FILE NUMBER: PLN18-0084
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON

PORTION OF THE NE 1/4 OF SW 1/4, SE 1/4 OF SE 1/4, SW 1/4 OF SE 1/4, NW 1/4 OF SE 1/4 AND NE 1/4 OF SE 1/4 OF SECTION 15 AND THE NW 1/4 OF THE NE 1/4 OF SECTION 22, ALL IN TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M. CITY OF BLACK DIAMOND, WA

JOB NO 16-001

SHEET 1 OF 11

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REVIEW COPY
NOT FOR RECORDING



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

CITY OF BLACK DIAMOND FILE NO. PLN18-0084

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

EASEMENT PROVISIONS

EASEMENT PROVISIONS

PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED AND CONVEYED, UPON THE RECORDING OF THIS PLAT, TO PUGET SOUND ENERGY, ANY TELEPHONE COMPANY, ANY CABLE TELEVISION COMPANY, ANY BROADBAND OR TELECOMMUNICATIONS COMPANY, CITY OF BLACK DIAMOND AND ITS SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACTS U, V, W, X, Y AND Z. ALL LOTS DESIGNATED WITH A STRIP FOR PUBLIC UTILITY EASEMENTS IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES, CATCH BASINS, MANHOLES, CLEANOUTS, WIRES, WATER METERS AND FIRE HYDRANTS WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, SEWER, STORM, WATER AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS, AND SPACES AT ALL TIMES FOR THE PURPOSE HEREIN STATED. THE LANDS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION. NO LINES OR WIRES FOR TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE OR CABLE TELEVISION SHALL BE PLACED OR PERMITTED TO BE PLACED UPON ANY LOT OR TRACT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

ALL PRIVATE STORM DRAINAGE EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING THE PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 11.

IN ADDITION THE APPLICABLE ASSOCIATION SHALL BE RESPONSIBLE FOR OPERATING, MAINTAINING, REPAIRING AND RENEWING ALL PRIVATE STORM DRAINAGE FACILITIES AND APPURTENANCES INSTALLED DURING THE INITIAL CONSTRUCTION OF THIS SUBDIVISION LYING WITHIN THE TRACTS OWNED BY SUCH ASSOCIATION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 11.

ALL TRAIL EASEMENTS SHOWN HEREON ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS, TO THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION FOR THE PURPOSES OF OPERATING, MAINTAINING, REPAIRING AND RENEWING A PATH FOR TRAVELING AND LANDSCAPING IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 11.

ALL SINGLE FAMILY RESIDENTIAL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES, AND 5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL REAR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURES OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.

RESTRICTIONS

1. FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHTS-OF-WAY TO HAMPER PROPER ROAD DRAINAGE. THE OWNER OF ANY LOT OR LOTS, PRIOR TO MAKING ANY ALTERATION IN THE DRAINAGE SYSTEM AFTER THE RECORDING OF THE PLAT, MUST MAKE APPLICATION TO AND RECEIVE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS FOR SAID ALTERATION. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF ANY LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER

2. NO LOT OR PORTION OF A LOT IN THIS PLAT SHALL BE DIVIDED AND SOLD OR RESOLD OR OWNERSHIP CHANGED OR TRANSFERRED WHEREBY THE OWNERSHIP OF ANY PORTION OF THIS PLAT SHALL BE LESS THAN THE AREA REQUIRED FOR THE USE DISTRICT IN WHICH LOCATED.

3. THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000507, 20180619000316 AND 20180627001396.

4. THIS PLAT IS SUBJECT TO THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE TEN TRAILS COMMUNITY COUNCIL AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001314 AND AS AMENDED BY KING COUNTY RECORDING NOS. 20171227000508, 20180619000315 AND 20180627001395.

5. DECORATIVE TYPE ENTRY SIGNS EITHER FOR BEAUTIFICATION OR ADVERTISEMENT OF THIS PLAT SHALL NOT UNDER ANY CIRCUMSTANCES BE PLACED IN PUBLIC RIGHT OF WAY.

INSTRUMENTATION NOTE

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SR 9500 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING A 1 MINUTE THEODOLITE AND ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.

MONUMENT NOTE

PROPERTY CORNERS SHALL BE SET AS FOLLOWS UNLESS OTHERWISE SPECIFIED.

- ALL TRACT CORNERS ARE SET 1/2" X 24" REBAR WITH CAP "LS NO. 36805" UNLESS OTHERWISE NOTED.
- ALL TACK IN LEAD WITH WASHERS ARE SET ON THE STREETWARD PROJECTION OF THE LATERAL LOT OR LOT/TRACT LINES.
- SET 1/2" X 24" REBAR WITH CAP "LS NO 36805" AT ALL SIDE AND REAR LOT CORNERS.

ADDRESSING NOTE

ADDRESSES FOR INDIVIDUAL LOTS HAVE BEEN SHOWN ON SHEET 3 OF 11 ON THIS PLAT PURSUANT TO BDMC 17.20.020 OF THE VESTED CODE, BUT THESE ADDRESSES WERE ASSIGNED WITHOUT BUILDING OR SITE PLANS AVAILABLE FOR EACH LOT. ANY ADDRESS CHANGES REQUIRED SUBSEQUENT TO RECORDING OF THIS FINAL PLAT SHALL NOT CONSTITUTE A PLAT ALTERATION AS DEFINED IN BDMC 17.20.090.B. OF THE VESTED CODE. REFER TO THE CITY OF BLACK DIAMOND (OR ITS SUCCESSOR AGENCY) BUILDING OR PLANNING DEPARTMENT RECORD ADDRESSES TO CONFIRM BUILDING ADDRESSES.

EXCEPTIONS NOTED IN TITLE REPORT

PARAGRAPH NUMBERS ARE FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. WA-FBCM-IMP-27WAG14-1-18-20377868, DATED DECEMBER 10, 2018 AT 8:00 AM.

⑦ EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM WEYERHAEUSER COMPANY, WHEREBY THE GRANTOR EXCEPTS AND RESERVES ALL OIL, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING THE SAME AND PROVIDING THAT SUCH RIGHTS SHALL NOT BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY, RECORDED UNDER RECORDING NO. 8501040307.

⑧ MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: APRIL 22, 2011
RECORDING NO.: 20110422000249

⑨ COMPREHENSIVE SCHOOL MITIGATION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDED: JUNE 24, 2011 AND JANUARY 30, 2015
RECORDING NO.: 20110624001156 AND 20150130000466

⑩ THE VILLAGES MASTER PLANNED DEVELOPMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BY AND BETWEEN: CITY OF BLACK DIAMOND, WASHINGTON AND BD VILLAGE PARTNERS, L.P.
RECORDED: JANUARY 30, 2012
RECORDING NO.: 20120130000655

AMENDMENTS AND/OR MODIFICATIONS BY INSTRUMENTS:

RECORDING NOS.: 20120906000762, 20120906000763, 20140103000655 AND 20141112001375

⑪ NOTICE OF PAYMENT OBLIGATION AND THE TERMS AND CONDITIONS THEREOF:

IF FAVOR OF: COVINGTON WATER DISTRICT
RECORDED: DECEMBER 2, 2015
RECORDING NO.: 20151202000632

⑫ EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: PUGET SOUND ENERGY, INC.
PURPOSE: TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY
AREA AFFECTED: A PORTION OF SAID PREMISES
RECORDED: AUGUST 24, 2017
RECORDING NO.: 20170824000131

CONTAINS COVENANT PROHIBITING STRUCTURES OVER SAID EASEMENT OR OTHER ACTIVITY WHICH MIGHT ENDANGER THE UNDERGROUND SYSTEM.

⑬ COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON THE FOLLOWING DOCUMENT:

RECORDING NO: 20171107001312

AND AMENDMENTS THERETO:

RECORDED: DECEMBER 27, 2017, JUNE 19, 2018 AND JUNE 27, 2018
RECORDING NO.: 20171227000507, 20180619000316 AND 20180627001396
(THIS IS AN OFFSITE EASEMENT AND NOT SHOWN HEREON)

⑭ COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON THE FOLLOWING DOCUMENT:

RECORDING NO: 20171107001314

AND AMENDMENTS THERETO:

RECORDED: DECEMBER 27, 2017, JUNE 19, 2018 AND JUNE 27, 2018
RECORDING NO.: 20171227000508, 20180619000315 AND 20180627001395

⑮ STORM DRAINAGE EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDING DATE: DECEMBER 27, 2017
RECORDING NO.: 20171227000504
(THIS IS AN OFFSITE EASEMENT AND NOT SHOWN HEREON)

⑯ SIDEWALK EASEMENT AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
RECORDING DATE: DECEMBER 27, 2017
RECORDING NO.: 20171227000505
(THIS IS AN OFFSITE EASEMENT AND NOT SHOWN HEREON)

⑰ EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN THE FOLLOWING DOCUMENT:

GRANTED TO: PUGET SOUND ENERGY, INC., A WASHINGTON CORPORATION
PURPOSE: TRANSMISSION, DISTRIBUTION AND SALE OF ELECTRICITY
RECORDING DATE: MAY 24, 2018
RECORDING NO: 20180524000139
AFFECTS: A PORTION OF SAID PREMISES
(THIS EASEMENT IS BASED ON THE LOCATION OF THE "AS-CONSTRUCTED" FACILITIES, IS BLANKET BY NATURE AND HAS NOT BEEN SHOWN HEREON)

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TEN TRAILS
PHASE 2 PLAT C DIV. 2
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001
SHEET 2 OF 11

CITY OF BLACK DIAMOND FILE NO. PLN18-0084

VOL/PG

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

CITY OF BLACK DIAMOND CONDITIONS

MINE WORKING WARNING:

WARNING: THE CITY OF BLACK DIAMOND OVERLIES NUMEROUS MINE SHAFTS, TUNNELS, AND OTHER WORKINGS, THE EXACT LOCATION, DEPTH, AND SIZE OF WHICH ARE UNKNOWN. THE LAND ENCOMPASSED BY THIS SUBDIVISION MAY OR MAY NOT OVERLIE SUCH A WORKINGS. IN APPROVING THIS SUBDIVISION, THE CITY OF BLACK DIAMOND MAKES NO REPRESENTATIONS AND ASSUMES NO LIABILITY OR RESPONSIBILITY WITH RESPECT TO THE SUITABILITY OF THIS SITE FOR THE DEVELOPMENT CONTEMPLATED OR THE SUITABILITY OR INTEGRITY OF THE SUBSOIL AGAINST SUBSIDENCE OR COLLAPSE.

APPROVED MPD STATEMENT:

THIS PLAT IS PART OF AN APPROVED MASTER PLANNED DEVELOPMENT (MPD). ALL DEVELOPMENT AND CONSTRUCTION WITHIN THIS PLAT MUST BE CONSISTENT WITH THE APPLICABLE REQUIREMENTS OF THE MPD DEVELOPMENT AGREEMENT, MPD DESIGN STANDARDS, AND MITIGATION REQUIREMENTS.

GENERAL NOTES:

1) UNLESS OTHERWISE NOTED WITHIN THIS PLAT, ALL WATER AND SEWER PIPELINES WILL BE PUBLICLY OWNED AND OPERATED AND WILL BE WITHIN DEDICATED EASEMENT OR RIGHT OF WAY. STORMWATER PIPELINES MAY BE PRIVATELY OWNED AS LONG AS THE AREA SERVED BY THE PIPELINE IS ENTITLED BY EASEMENT AND OWNED BY THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

2) WATER CAPITAL FACILITY CHARGES AND SEWER CAPITAL FACILITY CHARGES SHALL NOT BE IMPOSED FOR DEVELOPMENT IN THIS PLAT.

3) PRELIMINARY PLAT CONDITION #10: ALL STORMWATER TREATMENT SYSTEMS SHALL BE OWNED BY APPLICABLE ASSOCIATION IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 11.

4) SCHOOL MITIGATION FEES SHALL BE DUE PRIOR TO BUILDING PERMIT ISSUANCE FOR EACH SINGLE FAMILY AND MULTI-FAMILY DWELLING UNIT. DURING THE FIRST FIVE YEARS FOLLOWING JANUARY 24, 2011, THE SCHOOL MITIGATION FEES SHALL BE \$4,670.00 PER SINGLE FAMILY UNIT AND \$1,501.00 PER MULTI-FAMILY UNIT. THEREAFTER, THE MITIGATION FEE SHALL BE THE RATE ADOPTED BY THE CITY OF BLACK DIAMOND SCHOOL IMPACT FEE OR SCHOOL MITIGATION FEE ORDINANCE, IF ANY, PROVIDED THAT THE MAXIMUM SCHOOL MITIGATION FEE DUE FOR EACH DWELLING UNIT SHALL BE \$12,453 PER SINGLE FAMILY DWELLING UNIT AND \$4,003 PER MULTI-FAMILY DWELLING UNIT, AS APPLICABLE, BUT IN NO EVENT, EVEN IN THE ABSENCE OF A SCHOOL IMPACT FEE OR MITIGATION FEE ORDINANCE, SHALL THE MITIGATION FEES BE LESS THAN \$7,783.00 PER SINGLE FAMILY DWELLING UNIT AND \$2,502.00 PER MULTI-FAMILY DWELLING UNIT.

5) MPD CONDITIONS OF APPROVAL: IN THE EVENT THAT THE APPLICABLE ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF PRIVATE ALLEY, AUTO COURT OR PUBLIC STREET-SIDE LANDSCAPING FEATURE AS REQUIRED BY SECTION 5.5.7 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED LANDSCAPING MAINTENANCE PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

6) PRELIMINARY PLAT CONDITION #26: IN THE EVENT THAT THE APPLICABLE ASSOCIATION FAILS TO PERFORM ANY MAINTENANCE OF PRIVATE STREET, ALLEY, OR AUTO COURT AS REQUIRED BY SECTION 6.5 OF THE VILLAGES MPD DEVELOPMENT AGREEMENT RECORDED UNDER KING COUNTY RECORDING NO. 20120130000655 AND, AS A RESULT, THE CITY OF BLACK DIAMOND PERFORMS SAID REQUIRED MAINTENANCE, THE LOT OWNERS OF THE PLAT ACKNOWLEDGE AND AGREE ON BEHALF OF THEMSELVES AND ALL SUCCESSORS AND ASSIGNS THAT, IF NOT PAID WITHIN THIRTY (30) DAYS OF INVOICING BY THE CITY, THE CITY'S TOTAL COST ARISING FROM THE CITY'S PERFORMANCE OF SAID REQUIRED PRIVATE STREET MAINTENANCE PLUS ANY PENALTIES AND INTEREST THEREON AS PROVIDED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT SHALL BE A LIEN AGAINST ALL PROPERTY, INCLUDING INDIVIDUAL LOTS, WITHIN THIS PLAT, AND SAID LIEN MAY BE FORECLOSED IN THE SAME MANNER PROVIDED FOR THE FORECLOSURE OF LIENS FOR UNPAID SEWER RATES AND CHARGES SET FORTH IN RCW 35.67.220 - .280, AS AMENDED.

7) ANY STRUCTURE (INCLUDING RETAINING WALLS 4 FEET OR TALLER) ADJACENT TO A SENSITIVE AREAS SETBACK SHALL COMPLY WITH THE CITY OF BLACK DIAMOND SENSITIVE AREAS ORDINANCE AS FOUND IN EXHIBIT E OF THE VILLAGES MPD DEVELOPMENT AGREEMENT.

8) ALL BIO-RETENTION CELLS (RAIN GARDENS) WITH APPURTENANT STORM CONVEYANCE SYSTEMS DRAINING TO THEM, WHETHER IN PUBLIC OR PRIVATE PROPERTY, SHALL BE MAINTAINED BY THE APPLICABLE ASSOCIATION, PURSUANT BY A ROAD SECTION DEVIATION DETERMINATION APPROVED BY THE CITY OF BLACK DIAMOND PUBLIC WORKS DIRECTOR ON JULY 27, 2012 FOR VILLAGES PHASE 1A PRELIMINARY PLAT, CITY FILE NUMBER PUB12-0024 IN ACCORDANCE WITH THE TRACT TABLE ON SHEET 3 OF 11.

9) PRELIMINARY PLAT CONDITION #74: THE SAME COMBINATION OF ELEVATION STYLE AND FLOOR PLAN FOR DWELLING UNITS OR BUILDINGS SHALL NOT BE PLACED BESIDE EACH OTHER. DWELLING UNITS OR BUILDINGS THAT MAKE USE OF THE SAME FLOOR PLAN AND ARE SITED DIRECTLY ACROSS THE STREET FROM ONE ANOTHER SHALL INCORPORATE A DIFFERENT ELEVATION WHENEVER POSSIBLE AND SHALL USE A DIFFERENT EXTERIOR COLOR/MATERIAL PALETTE. ON A LIMITED BASIS, SPECIFIC LOCATIONS WITHIN NEIGHBORHOODS MAY VARY FROM THIS REQUIREMENT.

10) PRELIMINARY PLAT CONDITION #89: AREAS OUTSIDE OF SENSITIVE AREAS AND THEIR BUFFERS MAY BE CLEARED OF TREES IF A TREE REMOVAL PERMIT IS OBTAINED THAT IS CONSISTENT WITH THE BLACK DIAMOND MUNICIPAL CODE AND OTHER CONDITIONS THAT MAY REQUIRE SELECTIVE TREE RETENTION.

LOT AREAS

LOT NO.	AREA	LOT NO.	AREA	LOT NO.	AREA	LOT NO.	AREA
112	5,837 SF	136	5,000 SF	160	4,400 SF	184	4,095 SF
113	5,194 SF	137	4,000 SF	161	4,402 SF	185	4,000 SF
114	5,391 SF	138	4,000 SF	162	4,379 SF	186	4,000 SF
115	4,859 SF	139	7,059 SF	163	6,342 SF	187	5,339 SF
116	5,391 SF	140	7,058 SF	164	4,514 SF	188	5,500 SF
117	5,199 SF	141	5,500 SF	165	4,000 SF	189	5,000 SF
118	5,000 SF	142	5,500 SF	166	5,000 SF	190	5,229 SF
119	5,000 SF	143	5,500 SF	167	5,000 SF	191	4,275 SF
120	5,000 SF	144	5,500 SF	168	4,000 SF	192	5,324 SF
121	4,000 SF	145	4,950 SF	169	5,641 SF	193	5,267 SF
122	5,000 SF	146	5,500 SF	170	5,148 SF	194	5,306 SF
123	5,000 SF	147	5,500 SF	171	4,000 SF	195	4,253 SF
124	5,000 SF	148	5,500 SF	172	4,000 SF	196	4,254 SF
125	4,000 SF	149	4,400 SF	173	4,000 SF	197	5,158 SF
126	5,000 SF	150	5,715 SF	174	6,135 SF	198	5,000 SF
127	5,000 SF	151	6,053 SF	175	4,594 SF	199	4,997 SF
128	5,000 SF	152	5,842 SF	176	4,000 SF	200	5,066 SF
129	5,010 SF	153	5,357 SF	177	4,000 SF	201	5,195 SF
130	277,616 SF	154	5,867 SF	178	7,007 SF	202	4,129 SF
131	6,282 SF	155	4,400 SF	179	5,001 SF	203	11,777 SF
132	4,000 SF	156	4,400 SF	180	5,000 SF		
133	5,000 SF	157	4,400 SF	181	4,000 SF		
134	5,000 SF	158	5,500 SF	182	4,015 SF		
135	5,000 SF	159	5,500 SF	183	4,301 SF		

TRACT AREAS

TRACT NO.	AREA	USE	TYPE OF PARK	GRANTED AND CONVEYED TO
U	4,400 SF	UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
V	2,000 SF	UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
W	4,791 SF	UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
X	2,000 SF	UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
Y	2,173 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
Z	609 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
AA	28,080 SF	UTILITY, PEDESTRIAN ACCESS AND LANDSCAPE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
AB	1,115,960 SF	OPEN SPACE		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
AC	23,339 SF	UTILITY AND ACCESS		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION
AD	3,041,885 SF	SENSITIVE AREA AND BUFFER		TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION

LOT ADDRESS TABLE

LOT NO.	STREET NAME	ADDRESS	LOT NO.	STREET NAME	ADDRESS	LOT NO.	STREET NAME	ADDRESS
112	SE STEVENS ST	33030	143	SE STEVENS ST	33183	174	GLACIER AVE SE	33275
113	SE STEVENS ST	33042	144	SE STEVENS ST	33171	175	GLACIER AVE SE	33263
114	SE STEVENS ST	33054	145	SE STEVENS ST	33159	176	GLACIER AVE SE	33251
115	SE STEVENS ST	33066	146	SE STEVENS ST	33147	177	GLACIER AVE SE	33239
116	SE STEVENS ST	33078	147	SE STEVENS ST	33135	178	GLACIER AVE SE	33233
117	SE STEVENS ST	33090	148	SE STEVENS ST	33123	179	GLACIER AVE SE	33227
118	SE STEVENS ST	33102	149	SE STEVENS ST	33111	180	GLACIER AVE SE	33221
119	SE STEVENS ST	33114	150	SE STEVENS ST	33099	181	GLACIER AVE SE	33213
120	SE STEVENS ST	33126	151	SE STEVENS ST	33087	182	CRYSTAL AVE SE	33262
121	SE STEVENS ST	33138	152	SE STEVENS ST	33057	183	CRYSTAL AVE SE	33274
122	SE STEVENS ST	33150	153	SE STEVENS ST	33043	184	CRYSTAL AVE SE	33286
123	SE STEVENS ST	33162	154	SE STEVENS ST	33031	185	CRYSTAL AVE SE	33298
124	SE STEVENS ST	33174	155	GLACIER AVE SE	33188	186	CRYSTAL AVE SE	33310
125	SE STEVENS ST	33186	156	GLACIER AVE SE	33200	187	CRYSTAL AVE SE	33322
126	SE STEVENS ST	33198	157	GLACIER AVE SE	33212	188	CRYSTAL AVE SE	33451
127	SE STEVENS ST	33210	158	GLACIER AVE SE	33224	189	CRYSTAL AVE SE	33447
128	SE STEVENS ST	33222	159	GLACIER AVE SE	33236	190	CRYSTAL AVE SE	33433
129	SE STEVENS ST	33234	160	GLACIER AVE SE	33248	191	CRYSTAL AVE SE	33419
130	SE STEVENS ST	33246	161	GLACIER AVE SE	33260	192	CRYSTAL AVE SE	33405
131	SE STEVENS ST	33375	162	GLACIER AVE SE	33272	193	CRYSTAL AVE SE	33391
132	SE STEVENS ST	33357	163	GLACIER AVE SE	33284	194	CRYSTAL AVE SE	33377
133	SE STEVENS ST	33339	164	GLACIER AVE SE	33296	195	CRYSTAL AVE SE	33363
134	SE STEVENS ST	33321	165	GLACIER AVE SE	33308	196	CRYSTAL AVE SE	33349
135	SE STEVENS ST	33303	166	GLACIER AVE SE	33320	197	CRYSTAL AVE SE	33335
136	SE STEVENS ST	33285	167	GLACIER AVE SE	33332	198	CRYSTAL AVE SE	33321
137	SE STEVENS ST	33267	168	GLACIER AVE SE	33344	199	CRYSTAL AVE SE	33307
138	SE STEVENS ST	33249	169	GLACIER AVE SE	33356	200	CRYSTAL AVE SE	33293
139	SE STEVENS ST	33231	170	GLACIER AVE SE	33347	201	CRYSTAL AVE SE	33279
140	SE STEVENS ST	33219	171	GLACIER AVE SE	33333	202	CRYSTAL AVE SE	33265
141	SE STEVENS ST	33207	172	GLACIER AVE SE	33319	203	SE STEVENS ST	23535
142	SE STEVENS ST	33195	173	GLACIER AVE SE	33305			

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TEN TRAILS
PHASE 2 PLAT C DIV. 2
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND THE SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG

CONSERVATION EASEMENT DEED PARTIAL RELINQUISHMENT

THE CITY OF BLACK DIAMOND AND CCD BLACK DIAMOND PARTNERS LLC HEREBY AMEND THOSE CERTAIN CONSERVATION EASEMENT DEEDS RECORDED UNDER KING COUNTY RECORDING NOS. 20060323001818 ("CED1") AND 20060323001819 ("CED2") AS FOLLOWS:

TRACTS U, V, W, X, AA, AB AND AD ARE HEREBY ESTABLISHED AS AND DECLARED TO BE "CONSERVATION ZONES," AS DEFINED IN CED1 AND CED2.

TRACTS U, V, W, X AND AA ARE LANDSCAPED AREAS CONSISTING OF 41,271 SQUARE FEET, WHICH PROVIDE PERMANENT PUBLIC ACCESS AND TRAILS. SAID TRACTS PROTECT AND CONSERVE THE CONSERVATION VALUES IDENTIFIED IN CED1 AND CED2 PARAGRAPH 2.3 BY ENHANCING THE VALUE TO THE PUBLIC OF ABUTTING OR NEIGHBORING PARKS OR OTHER OPEN SPACE.

TRACTS AB AND AD ARE A SENSITIVE AREA TRACTS CONSISTING OF 4,157,845 SQUARE FEET, WHICH PROTECTS AND CONSERVES THE CONSERVATION VALUES IDENTIFIED IN PARAGRAPH 2.3 OF THE CED BY CONSERVING WETLANDS.

THE APPLICABLE OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE PRESERVATION AND PROTECTION OF THE CONSERVATION VALUES OF THE CONSERVATION ZONE ESTABLISHED HEREBY, AND THE CITY OF BLACK DIAMOND SHALL HAVE THE RIGHT TO ENFORCE SUCH PRESERVATION AND PROTECTION, PURSUANT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION AS RECORDED UNDER KING COUNTY RECORDING NO. 20171107001312 AND AS AMENDED BY KING COUNTY RECORDING NOS, 20171227000507, 20180619000316 AND 20180627001396.

THE CITY OF BLACK DIAMOND HEREBY TERMINATES AND RELEASES ALL OF ITS RIGHTS, TITLE AND INTEREST IN CED1 AND CED2 WITH RESPECT TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS RELEASE IS INTENDED TO REMOVE CED1 AND CED2 FROM TITLE TO ALL PROPERTY IN THE PLAT NOT EXPRESSLY ESTABLISHED AS CONSERVATION ZONES HEREIN. THIS AMENDMENT AND RELEASE IS AN ADDENDUM TO CED1 AND CED2.

UPON RECORDING OF THIS AMENDMENT AND RELEASE, THE TOTAL SIZE OF THE CONSERVATION ZONES ESTABLISHED WITHIN THE PLAT AND THE REMAINING MINIMUM SIZE OF CONSERVATION ZONES TO BE ESTABLISHED SUBSEQUENTLY ARE AS FOLLOWS:

SOURCE OF REQUIREMENT: TABLE 9-1 OF THE VILLAGES DEVELOPMENT AGREEMENT	TOTAL CZ ACREAGE REQUIRED	TOTAL CZ ACREAGE ESTABLISHED BY PREVIOUS PLATS OF TEN TRAILS	CZ ACREAGE REMAINING LESS PREVIOUS PLATS	TOTAL CZ ACREAGE ESTABLISHED BY PLAT OF TEN TRAILS	REMAINING MINIMUM CZ ACREAGE TO BE ESTABLISHED BY FUTURE PLATS WITHIN THE WEST ANNEXATION AREA
CED 1	63.3 ACRES	7.44 (PP1A DIV 1) 0.37 (PH2, PLAT C, DIV 1) 1.93 (PP1A DIV 2) 1.14 (V-13) 6.77 (PP1A, DIVS 3-5 AND 8)	45.65 ACRES	3.74 ACRES	41.91 ACRES
CED 2	91 ACRES	2.11 (PH2, PLAT C, DIV 1)	88.89 ACRES	92.66 ACRES	0 ACRES

CONDITIONS FOR FINAL PLAT

1. PRELIMINARY PLAT CONDITION #25: MASTER DEVELOPER AGREES TO MAINTAIN ALL PRIVATE STREETS, ALLEYS AND AUTOCOURTS SERVING 20 UNITS OR LESS AS CONSTRUCTED IN ACCORDANCE WITH EACH APPROVED IMPLEMENTING PROJECT, FOR A PERIOD OF THREE YEARS FROM FINAL PLAT RECORDING OR OTHER IMPLEMENTING APPROVAL, UNLESS OTHERWISE AGREED UPON BY THE CITY AND THE MASTER DEVELOPER (OR APPLICABLE HOMEOWNERS' ASSOCIATION), THE MASTER DEVELOPER'S STREET MAINTENANCE OBLIGATION, AS SET FORTH HEREIN, SHALL AUTOMATICALLY RENEW FOR AN ADDITIONAL TWO YEAR PERIOD, AND CONTINUE EVERY TWO YEARS THEREAFTER. THE MASTER DEVELOPER, IN ITS SOLE DISCRETION, MAY ELECT TO TRANSFER THE PRIVATE STREET MAINTENANCE OBLIGATION TO A HOMEOWNERS' ASSOCIATION OR OTHER ACCEPTABLE ENTITY FOLLOWING ITS INITIAL THREE YEAR OBLIGATION. THE MASTER DEVELOPER'S FAILURE TO ADEQUATELY MAINTAIN PRIVATE STREETS IN ACCORDANCE WITH THIS AGREEMENT WILL RESULT IN RESULT IN WRITTEN NOTICE FROM THE CITY TO THE MASTER DEVELOPER REQUIRING COMPLIANCE. IF A PRIVATE STREET IS NOT MAINTAINED IN A MANNER ADEQUATE TO MAINTAIN SAFE PASSAGE, IN THE REASONABLE DETERMINATION OF THE DESIGNATED OFFICIAL WITHIN TEN (10) DAYS OF DELIVERY OF THE WRITTEN NOTICE THE CITY MAY PERFORM THE REQUIRED MAINTENANCE WITH THE REASONABLE COSTS ASSOCIATED THEREWITH CHARGED TO THE MASTER DEVELOPER. IN THE EVENT OF AN EMERGENCY, THE APPLICABLE NOTICE PERIOD SHALL BE REDUCED TO TWENTY-FOUR (24) HOURS AND THE CITY MAY PROVIDE NOTICE VIA A PHONE CALL TO THE MASTER DEVELOPER'S DESIGNATED REPRESENTATIVE.

2. PRELIMINARY PLAT CONDITION #28: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "Q" OF THE VILLAGES MPD DEVELOPMENT AGREEMENT.

3. PRELIMINARY PLAT CONDITION #29: THE MASTER DEVELOPER SHALL COMPLY WITH EXHIBIT "R" OF THE VILLAGES MPD DEVELOPMENT AGREEMENT.

4. PRELIMINARY PLAT CONDITION #30: ALL ALLEYS SHALL BE POSTED "NO PARKING" IN ACCORDANCE WITH THE INTERNATIONAL FIRE CODE (IFC); AND PROVISIONS FOR ENFORCEMENT OF THESE NO PARKING ZONES SHALL BE DEFINED AND ACCEPTED BY THE DESIGNATED OFFICIAL PRIOR TO FINAL PLAT APPROVAL.

5. PURSUANT TO PRELIMINARY PLAT CONDITION #41, PET WASTE STATIONS MUST BE PROVIDED ALONG THE TRAIL BETWEEN THE DEVELOPMENT AND THE WETLANDS. PET WASTE STATIONS SHALL BE MAINTAINED BY THE MASTER DEVELOPER OR THE TEN TRAILS RESIDENTIAL OWNERS ASSOCIATION.

6. PRELIMINARY PLAT CONDITION #56: THE APPLICANT AND/OR DRC SHALL IDENTIFY, ON THE FACE OF EACH PLAN SET FOR UTILITY AND BUILDING PERMIT APPLICATIONS, THE FOLLOWING SEWAGE FLOW INFORMATION, AS APPLICABLE: THE TOTAL BUILDING SQUARE FOOTAGE INCLUDED IN THAT APPLICATION, THE NUMBER OF FIXTURE UNITS, THE AVERAGE DRY WEATHER FLOW (ADWF), AND THE PEAK WET WEATHER FLOW (PWWF) ASSOCIATED WITH THE IMPROVEMENTS IN THAT APPLICATION. THE INFORMATION MUST BE IN TABULAR FORM.

7. PRELIMINARY PLAT CONDITION #84: THE MASTER DEVELOPER SHALL DEVELOP EACH LOT, PARCEL AND TRACT IN ACCORDANCE WITH MPD CONDITION OF APPROVAL #64 WHICH REQUIRES THE USE OF NATIVE PLANT SPECIES IN LAWNS AND LANDSCAPING AND THE MINIMIZATION OF LAWNS.

8. MPD CONDITION OF APPROVAL #27: NO MORE THAN 150 RESIDENTIAL UNITS SHALL BE PERMITTED WITH A SINGLE POINT OF ACCESS. 300 UNITS MAY BE ALLOWED ON AN INTERIM BASIS, PROVIDED THAT A SECONDARY POINT OF ACCESS IS PROVIDED.

9. THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION 7.4.4.A.3: PURSUANT TO CONDITION OF APPROVAL NO. 68 OF THE MPD PERMIT APPROVAL, GALVANIZED AND COPPER AND SIMILAR ROOF AND GUTTER MATERIALS, AS WELL AS ROOF TREATMENTS SUCH AS CHEMICAL MOSS KILLERS ARE PROHIBITED FOR ANY ROOFTOP DRAINING DIRECTLY TO WETLANDS, STREAMS, OR THEIR ASSOCIATED BUFFERS WITHOUT TREATMENT. STORMWATER FROM NON-COPPER OR NON-GALVANIZED ROOFTOPS DOES NOT REQUIRE WATER QUALITY TREATMENT PRIOR TO INFILTRATION OR DISCHARGE UNLESS COMBINED WITH STORMWATER FROM POLLUTION GENERATING SURFACES.

10. TEMPORARY EROSION CONTROL FACILITIES ON LOTS 112 THROUGH 130, INCLUSIVE, SHALL BE REMOVED PRIOR TO BUILDING PERMIT ISSUANCE ON THOSE LOTS.

11. INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES MPD DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, INCLUDING, BUT NOT LIMITED TO, ITEMS LISTED ON SHEET 11.

12. SEPA MITIGATION MEASURE #1: THE APPLICANT SHALL CONSTRUCT A SAFE PEDESTRIAN CONNECTION ACROSS ROCK CREEK FOR PEDESTRIAN LINKAGE TO MORGANVILLE PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OF THE 200TH DWELLING UNIT FOR THE VILLAGES MPD. IN LIEU OF CONSTRUCTION, THE CITY SHALL HAVE A FINANCIAL COMMITMENT IN PLACE TO COMPLETE THE IMPROVEMENTS WITHIN SIX YEARS OF PP1A APPROVAL.

13. CLEARING AND GRADING ACTIVITIES ARE PROHIBITED IN THE BUFFER AREAS, INCLUSIVE OF AREAS ADDED FOR THE AVERAGING APPROVAL, EXCEPT FOR TEMPORARY DISTURBANCES THAT ARE REQUIRED FOR GRADING AND CONSTRUCTION AS DESCRIBED IN THE AVERAGING PROPOSAL, AND EXCEPT FOR TEMPORARY DISTURBANCES THAT ARE REQUIRED TO INSTALL UTILITIES AND CONSTRUCT THE SOFT-SURFACE TRAIL, AND EXCEPT FOR AREAS OF EXISTING BUFFER THAT WILL BE PERMANENTLY IMPACTED VIA CONVERSION TO DEVELOPMENT AREA IN EXCHANGE FOR PROTECTED BUFFER ADDITION AREA ELSEWHERE. BUFFER AVERAGING IS LIMITED TO THOSE AREAS SHOWN ON THE VILLAGES MPD PHASE 2 PLAT C PRELIMINARY PLAT AS SHOWN ON PLAT SET SHEETS PP1-PP4 (LETTER DATED JUNE 5, 2014 TO BD VILLAGES PARTNERS, LP, EXHIBIT 30A).

OPEN SPACE TABLE

	GROSS ACRES	BDUGAA/ OPEN SPACE REQUIREMENT	MPD REQUIREMENT (IF APPLICABLE)	REQUIRED OPEN SPACE	OPEN SPACE PREVIOUSLY RECORDED	REQUIRED OPEN SPACE LESS PREVIOUS PLATS	OPEN SPACE PROVIDED IN THIS PLAT	REMAINING OPEN SPACE REQUIRED
WEST ANNEXATION AREA								
PARCEL C	54.62	63.30	0	63.3	3.71 (PASSIVE) 13.94 (ACTIVE) (PP1A, DIV 1)	45.65	3.74 (PASSIVE)	41.91
PARCEL D	225.99				(PH2, PLAT C, DIV 1)			
PARCEL G	8.06				(PP1A, DIV 2) (V-13) (PP1A, DIVS 3-5 and 8)			
PARCEL E	151.15	0	75.58	75.58	0.99 (PASSIVE) 1.12 (ACTIVE) (PH2, PLAT C, DIV 1)	73.47	92.66 (PASSIVE)	0
TOTAL IN CITY/UGA MPD OPEN SPACE	1196.40	145	336.4	481.4	4.70 (PASSIVE) 15.06 (ACTIVE)	461.64	96.40 (PASSIVE)	365.24

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CITY OF BLACK DIAMOND FILE NO. PLN18-0084

TEN TRAILS
PHASE 2 PLAT C DIV. 2
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001
SHEET 4 OF 11

VOL/PG

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

SEE SHEET 6 OF 11 FOR
LINE AND CURVE TABLES

OVERALL BOUNDARY, LOT 130 AND TRACTS AB, AC AND AD

FOUND NAIL WITH WASHER IN
CONC IN 3" GALVANIZED PIPE
W/WASHER "TRIAD 18094"
UP 1.6'
(REFERENCE LAND CORNER
RECORD RECORDED UNDER
RECORDING NO. 9605170592)
VISITED MARCH 1996



SCALE: 1" = 200'

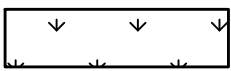
BASIS OF BEARINGS

WASHINGTON NORTH ZONE NAD 83/91
NORTH 01°32'55" WEST BEING THE WEST
LINE OF THE SOUTHWEST QUARTER OF
SECTION 15, TOWNSHIP 21 NORTH, RANGE
6 EAST, W.M.

Radial Bearing	
Curve #	Radial Bearing
C11	N26°12'40"E
C16	S64°24'24"W
C28	N32°55'00"E
C39	S18°11'29"E
C40	S89°14'54"W
C41	N63°12'06"W
C46	S62°49'35"E
C48	S74°55'31"E
C49	S39°37'35"E

**REVIEW COPY
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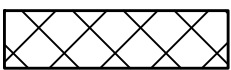
HATCH LEGEND



WETLAND



WETLAND BUFFER



AREA HEREBY DEDICATED TO
THE CITY OF BLACK DIAMOND



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CITY OF BLACK DIAMOND FILE NO. PLN18-0084

TEN TRAILS
PHASE 2 PLAT C DIV. 2

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
AND ASSOCIATES INC.**

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001

SHEET 5 OF 11

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

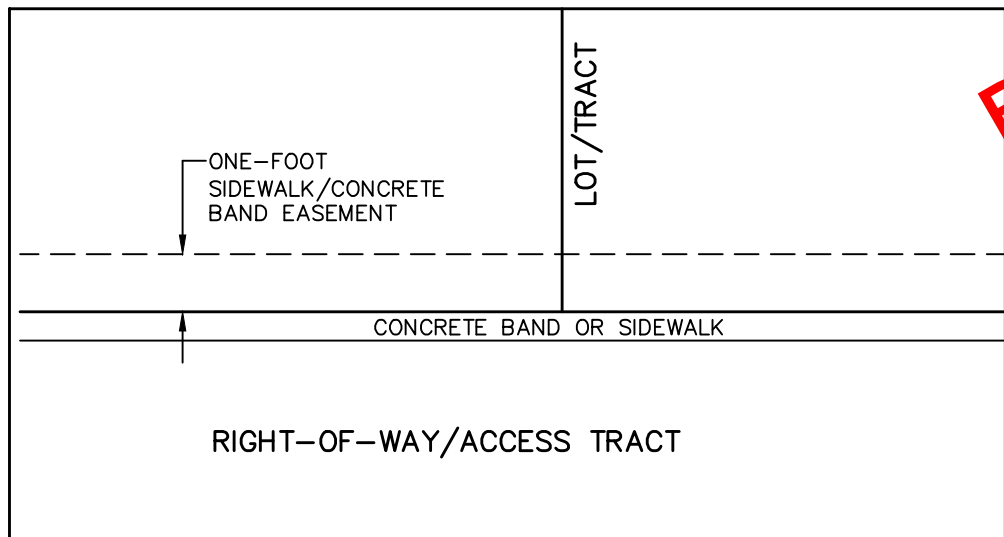
PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

LINE AND CURVE TABLE FOR SHEET 5

Line Table			Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L1	S09°34'03"W	13.10	L27	N02°28'08"E	35.48	L53	N80°47'01"W	80.49
L2	N27°56'40"E	100.29	L28	N28°13'25"W	56.81	L54	N74°11'22"W	57.93
L3	N20°52'36"E	67.43	L29	N24°41'25"W	40.75	L55	N74°19'01"W	22.28
L4	N67°53'25"W	92.81	L30	N27°14'37"W	55.58	L56	N70°26'44"E	85.31
L5	N51°33'57"W	85.61	L31	N09°48'40"W	56.84	L57	S67°27'28"E	19.79
L6	N56°28'45"W	81.25	L32	N51°11'18"E	22.29	L58	S00°29'50"W	61.36
L7	N33°25'37"W	93.73	L33	N17°12'58"W	20.48	L59	S11°02'02"E	38.51
L8	N20°30'13"W	41.98	L34	N05°28'00"E	6.49	L60	S53°41'56"E	62.05
L9	N56°57'37"W	44.02	L35	N84°32'00"W	21.34	L61	S29°20'28"E	65.13
L10	N05°07'18"E	43.05	L36	N04°05'07"E	33.45	L62	N26°10'46"E	42.52
L11	N43°05'08"W	87.20	L37	N38°30'22"W	22.92	L63	N40°10'31"W	61.33
L12	N14°59'14"W	89.58	L38	N09°59'48"W	12.16	L64	S00°08'57"E	158.02
L13	N02°09'47"W	77.41	L39	S74°16'46"W	7.98	L65	S34°00'13"E	135.40
L14	N34°10'38"W	129.42	L40	S02°39'35"W	18.88	L66	S07°52'08"E	52.62
L15	N28°51'35"W	55.14	L41	S02°26'55"W	7.17	L67	S12°15'34"E	116.30
L16	N09°23'06"W	68.99	L42	S28°56'06"E	35.76	L68	S30°58'09"W	134.28
L17	N20°10'32"W	151.84	L43	S33°09'23"E	26.52	L69	S28°41'02"W	54.04
L18	N19°22'50"W	120.75	L44	S09°50'09"E	18.29	L70	N35°19'40"E	51.22
L19	N06°38'09"E	68.46	L45	S05°28'00"W	25.90	L71	N29°44'10"W	12.61
L20	N24°45'20"E	92.75	L46	S11°15'59"E	111.70	L72	N72°21'07"W	96.61
L21	N01°18'33"W	53.16	L47	S11°52'13"E	142.12	L73	N68°07'33"W	44.79
L22	N40°16'52"W	10.58	L48	S30°48'59"E	60.75	L74	N48°23'50"E	110.00
L23	N33°40'43"W	34.52	L49	S11°19'30"W	56.22	L75	S48°23'50"W	193.57
L24	N53°49'52"W	57.81	L50	S01°14'02"E	64.17	L76	N12°02'10"E	74.47
L25	N43°33'02"W	40.05	L51	S11°12'23"W	69.55	L77	N60°15'50"E	97.89
L26	N01°08'56"E	32.33	L52	N45°41'12"W	39.99	L78	S59°23'19"W	54.01
Line Table			Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L79	N60°15'50"E	100.00	L105	S48°23'50"W	29.31	L131	S37°13'57"E	66.46
L80	S28°34'05"E	54.78	L106	S70°26'44"W	2.41	L132	S33°30'25"E	76.14
L81	S24°13'15"E	45.85	L107	N48°23'50"E	101.63	L133	S41°59'10"E	85.38
L82	N19°30'21"W	57.31	L108	S35°03'10"E	59.58	L134	S35°16'48"E	61.69
L83	N14°16'00"W	57.31	L109	S00°29'50"W	8.04	L135	S34°11'02"E	67.60
L84	S42°06'56"E	47.65	L110	N79°30'10"W	105.00	L136	S28°50'17"E	5.99
L85	S50°40'57"E	90.00	L111	N77°36'10"W	56.75	L137	S71°48'31"W	42.26
L86	S54°33'06"E	33.05	L112	N72°04'53"W	47.42	L138	S55°24'04"W	38.72
L87	S89°25'33"E	99.18	L113	N66°17'09"W	59.15	L139	N13°56'43"E	52.76
L88	N69°15'02"E	107.27	L114	N59°53'12"W	58.51	L140	N60°35'31"W	71.75
L89	S13°30'55"E	77.68	L115	N53°29'54"W	58.95	L141	S05°38'25"W	67.42
L90	S21°25'54"E	39.53	L116	N47°43'41"W	47.16	L142	S71°04'25"E	59.64
L91	S89°25'33"E	85.00	L117	N42°35'57"W	47.16	L143	S07°42'26"E	84.39
L92	S84°23'45"E	40.15	L118	N37°39'08"W	54.60	L144	N56°00'17"W	68.85
L93	S89°25'33"E	133.11	L119	N36°44'10"W	50.00	L145	N79°49'17"W	5.04
L94	N64°02'00"W	79.64	L120	N36°34'58"W	50.00	L146	N13°22'44"W	15.83
L95	N63°19'54"W	67.22	L121	N35°17'18"W	52.78	L147	N41°46'57"W	110.15
L96	N54°30'35"W	56.11	L122	N32°45'54"W	56.90	L148	N86°17'54"W	24.32
L97	N44°17'07"W	115.83	L123	N30°23'49"W	41.37	L149	S10°29'50"W	212.09
L98	N49°45'01"W	76.97	L124	N29°39'06"W	20.00	L150	S10°29'50"W	182.71
L99	N45°36'40"W	98.26	L125	S70°26'44"W	82.90	L151	S38°27'27"E	91.68
L100	S43°33'39"E	79.17	L126	N79°30'10"W	54.00	L152	N41°36'10"W	50.00
L101	S30°38'54"E	71.45	L127	S38°27'27"E	30.29			
L102	S50°39'08"E	50.04	L128	S42°46'39"E	131.54			
L103	S33°34'21"E	37.72	L129	S40°41'48"E	87.64			
L104	S38°27'27"E	61.39	L130	S34°16'10"E	111.66			

DETAIL-1

SIDEWALK EASEMENT AND CONCRETE BAND EASEMENT
NOT TO SCALE

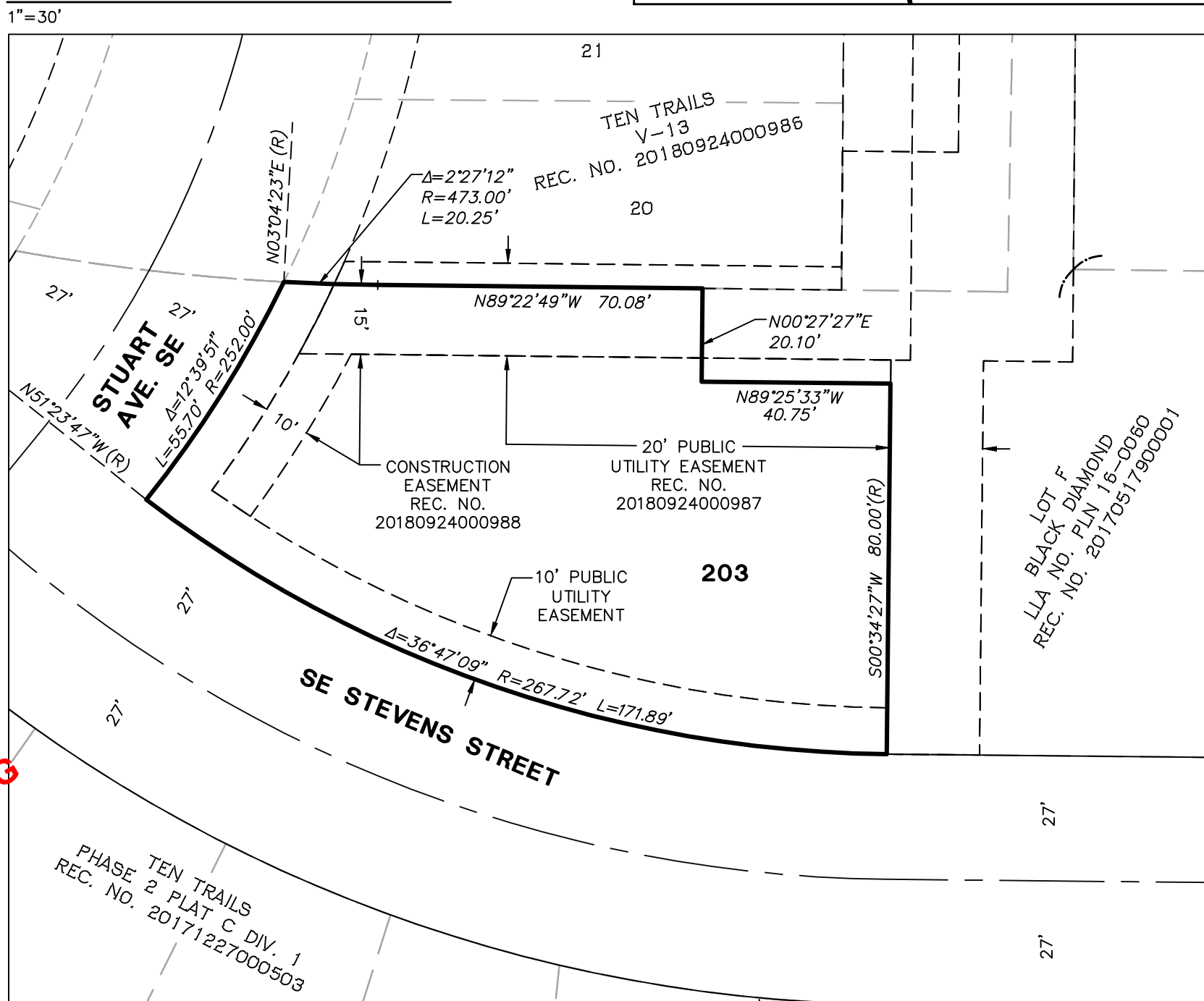


CITY OF BLACK DIAMOND FILE NO. PLN18-0084

Curve Table				Curve Table			
Curve #	Delta	Radius	Length	Curve #	Delta	Radius	Length
C1	80°55'28"	110.00	155.36	C27	4°53'07"	225.00	19.18
C2	7°50'33"	110.00	15.06	C28	16°54'29"	225.00	66.40
C3	4°54'48"	110.00	9.43	C29	18°20'39"	225.00	72.04
C4	36°27'24"	110.00	69.99	C30	31°21'03"	225.00	123.11
C5	48°12'26"	110.00	92.55	C31	65°03'51"	48.00	54.51
C6	32°00'51"	110.00	61.46	C32	42°39'54"	110.00	81.91
C7	10°47'26"	110.00	20.72	C33	20°25'23"	225.00	80.20
C8	26°03'53"	110.00	50.04	C34	10°00'00"	327.00	57.07
C9	90°00'00"	110.00	172.79	C35	10°00'00"	273.00	47.65
C10	42°35'28"	40.00	29.73	C36	4°19'12"	225.00	16.96
C11	53°47'32"	40.00	37.55	C37	8°28'45"	225.00	33.30
C12	99°32'32"	40.00	69.49	C38	18°58'18"	225.00	74.50
C13	71°37'11"	40.00	50.00	C39	26°27'09"	225.00	103.88
C14	31°23'00"	40.00	21.91	C40	123°50'50"	110.00	237.77
C15	4°13'17"	40.00	2.95	C41	12°51'11"	110.00	24.68
C16	15°45'28"	40.00	11.00	C42	74°32'13"	110.00	143.10
C17	50°59'12"	110.00	97.89	C43	113°45'58"	110.00	218.42
C18	16°43'59"	110.00	32.13	C44	76°42'49"	110.00	147.28
C19	18°56'46"	110.00	36.37	C45	48°59'58"	110.00	94.07
C20	35°05'49"	110.00	67.38	C46	34°52'51"	110.00	66.97
C21	37°05'07"	110.00	71.20	C47	21°23'06"	110.00	41.06
C22	60°20'21"	102.00	107.42	C48	2°48'23"	225.00	11.02
C23	18°30'00"	123.00	39.71	C49	41°43'14"	225.00	163.84
C24	51°46'26"	225.00	203.32	C50	23°48'59"	110.00	45.72
C25	5°27'53"	225.00	21.46	C51	28°24'13"	110.00	54.53
C26	20°00'14"	225.00	78.56	C52	44°30'57"	110.00	85.46

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DETAIL-2



TEN TRAILS
PHASE 2 PLAT C DIV. 2

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001

SHEET 6 OF 11

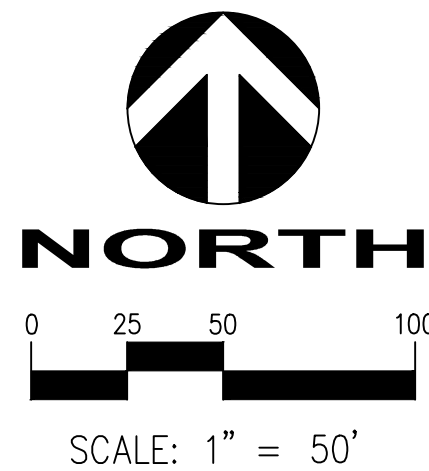
VOL/PG

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/PG



SEE SHEET 3 OF 11
FOR ADDRESSES

SEE SHEET 9 OF 11 FOR
LINE AND CURVE TABLES

LEGEND

- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- ③ TRAIL EASEMENT
- ④ PRIVATE STORM DRAIN EASEMENT
PER PHASE 2 PLAT C, DIVISION 1,
REC. NO. 20171227000503
- ⑤ PUBLIC UTILITY EASEMENT PER TEN TRAILS,
PHASE 2 PLAT C, DIVISION 1, REC. NO.
20171227000503
- ⑥ WETLAND BUFFER BUILDING SETBACK LINE

LA - LANDSCAPE
PA - PEDESTRIAN ACCESS
PK - PARK
SA - SENSITIVE AREA AND BUFFER
FD - FUTURE DEVELOPMENT
UT - UTILITY
AC - ACCESS

SYMBOL LEGEND

- ⊙ SET MONUMENT
- ⊕ FOUND MONUMENT PER TEN TRAILS, PHASE 2 PLAT C,
DIVISION 1, REC. NO. 20171227000503
- SET 1/2" X 24" REBAR AND CAP MARKED
"DEA 36805" ON PROPERTY CORNER
- ⋈ SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- ⋈ SET 1.0' OFFSET TACK IN LEAD W/WASHER
- LOT/TRACT CORNER AS SET PER TEN TRAILS, PHASE 2
PLAT C DIV 1, REC. NO. 20171227000503
- (R) RADIAL BEARING

NOTE 1

ROADS SHOWN HEREON HEREBY DEDICATED
TO THE CITY OF BLACK DIAMOND.



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TEN TRAILS PHASE 2 PLAT C DIVISION 2

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
AND ASSOCIATES INC.**
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

JOB NO 16-001
SHEET 7 OF 11

CITY OF BLACK DIAMOND FILE NO. PLN18-0084

VOL/PG

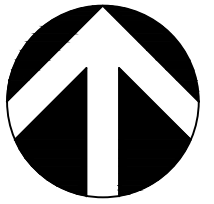
TEN TRAILS

PHASE 2 PLAT C DIVISION 2

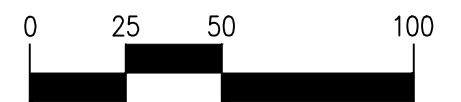
PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

SEE SHEET 9 OF 11 FOR
LINE AND CURVE TABLES

SEE SHEET 3 OF 11
FOR ADDRESSES



NORTH



SCALE: 1" = 50'

NOTE 1

ROADS SHOWN HEREON HEREBY
DEDICATED TO THE CITY OF
BLACK DIAMOND.

LEGEND

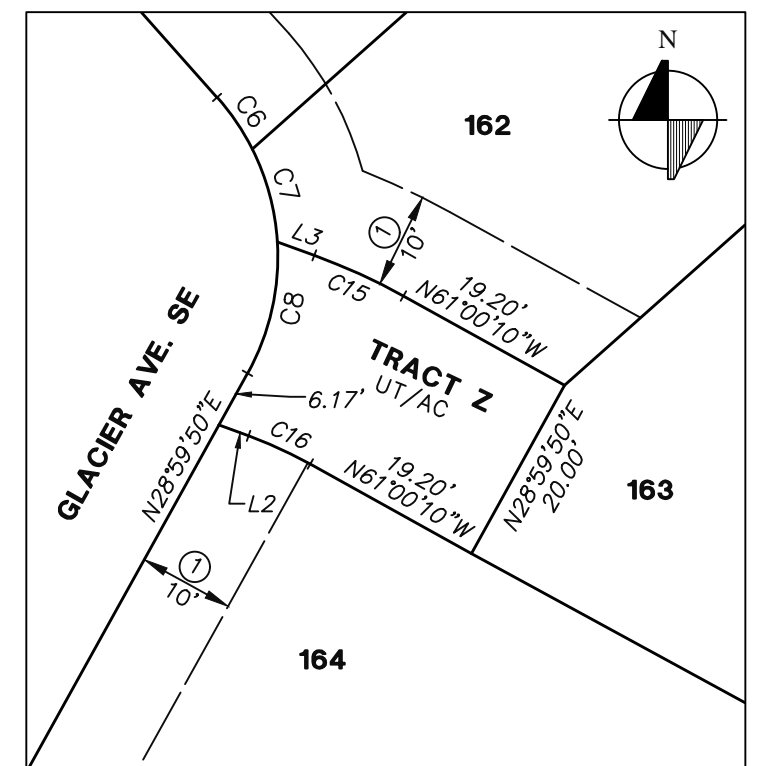
- ① PUBLIC UTILITY EASEMENT
- ② PRIVATE STORM DRAINAGE EASEMENT
- ③ TRAIL EASEMENT
- ④ PRIVATE STORM DRAIN EASEMENT
PER PHASE 2 PLAT C, DIVISION 1,
REC. NO. 20171227000503
- ⑤ PUBLIC UTILITY EASEMENT PER TEN TRAILS,
PHASE 2 PLAT C, DIVISION 1, REC. NO.
20171227000503
- ⑥ WETLAND BUFFER BUILDING SETBACK LINE
- LA - LANDSCAPE
- PA - PEDESTRIAN ACCESS
- PK - PARK
- SA - SENSITIVE AREA AND BUFFER
- FD - FUTURE DEVELOPMENT
- UT - UTILITY
- AC - ACCESS

SYMBOL LEGEND

- ⊕ SET MONUMENT
- ⊕ FOUND MONUMENT PER TEN TRAILS, PHASE 2 PLAT C,
DIVISION 1, REC. NO. 20171227000503
- SET 1/2" X 24" REBAR AND CAP MARKED
"DEA 36805" ON PROPERTY CORNER
- ⊗ SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- ⊗ SET 1.0" OFFSET TACK IN LEAD W/WASHER
- LOT/TRACT CORNER AS SET PER TEN TRAILS, PHASE 2
PLAT C DIV 1, REC. NO. 20171227000503
- (R) RADIAL BEARING

DETAIL-4

1"=20'



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TEN TRAILS
PHASE 2 PLAT C DIVISION 2

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



DAVID EVANS
AND ASSOCIATES INC.

20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425.415.2000 f: 425.486.5059

JOB NO 16-001

SHEET 8 OF 11

CITY OF BLACK DIAMOND FILE NO. PLN18-0084

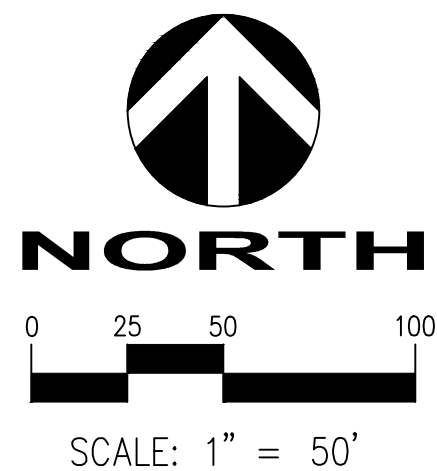
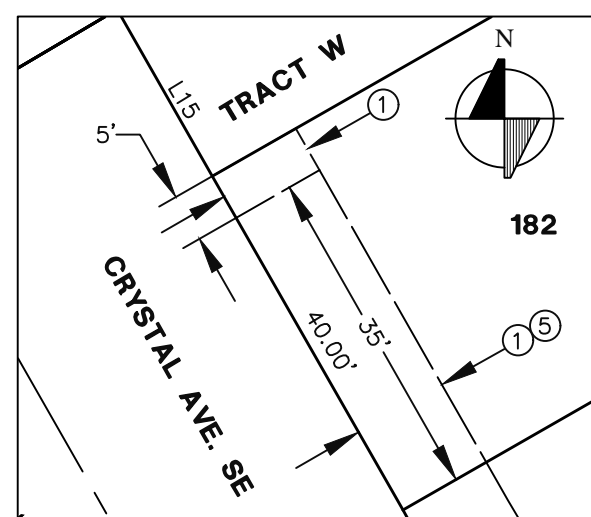
TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length
L1	N66°31'31"W	46.12'	L19	N65°34'32"W	61.53'
L2	N70°00'10"W	3.30'	L20	N57°43'35"W	55.37'
L3	N70°00'10"W	4.11'	L21	N49°52'38"W	61.53'
L4	N29°44'10"W	12.61'	L22	N68°03'59"W	55.42'
L5	N78°23'50"E	20.00'	L23	N65°34'32"W	60.08'
L6	N18°23'50"E	20.00'	L24	N62°58'50"W	54.63'
L7	N48°23'50"E	41.06'	L25	N59°38'23"W	25.60'
L8	N36°17'18"W	23.29'	L26	N0°46'15"E	16.18'
L9	N36°44'10"W	16.08'	L27	N59°42'50"W	19.24'
L10	N6°18'35"E	29.87'	L28	N8°08'22"E	28.13'
L11	N41°36'10"W	20.00'	L29	N63°30'24"E	38.65'
L12	N41°36'10"W	20.00'	L30	N32°03'54"W	16.56'
L13	N29°44'10"W	20.00'	L31	N81°12'57"W	11.03'
L14	N29°44'10"W	4.58'	L32	S8°59'43"W	28.06'
L15	N29°44'10"W	20.00'	L33	N81°00'17"W	10.61'
L16	N29°39'06"W	20.00'	L34	S82°09'11"W	24.21'
L17	N66°28'24"W	44.82'	L35	S82°09'11"W	20.68'
L18	N73°14'59"W	55.87'			

DETAIL-5
1"=20'



SEE SHEET 3 OF 11
FOR ADDRESSES

NOTE 1
ROADS SHOWN HEREON HEREBY DEDICATED
TO THE CITY OF BLACK DIAMOND.

SYMBOL LEGEND

- SET MONUMENT
- FOUND MONUMENT PER TEN TRAILS, PHASE 2 PLAT C, DIVISION 1, REC. NO. 20171227000503
- SET 1/2" X 24" REBAR AND CAP MARKED "DEA 36805" ON PROPERTY CORNER
- SET TACK IN LEAD W/ WASHER ON PROPERTY CORNER
- SET 1.0" OFFSET TACK IN LEAD W/WASHER
- LOT/TRACT CORNER AS SET PER TEN TRAILS, PHASE 2 PLAT C DIV 1, REC. NO. 20171227000503
- (R) RADIAL BEARING

Curve Table				Curve Table			
Curve #	Delta	Radius	Length	Curve #	Delta	Radius	Length
C1	2°20'35"	273.00'	11.16'	C19	7°00'00"	500.00'	61.09'
C2	6°33'07"	327.00'	37.39'	C20	4°59'24"	527.00'	45.90'
C3	4°08'34"	327.00'	23.64'	C21	7°00'00"	473.00'	57.79'
C4	4°28'49"	273.00'	21.35'	C22	5°10'30"	473.00'	42.72'
C5	12°10'01"	177.00'	37.59'	C23	1°49'30"	473.00'	15.07'
C6	14°56'56"	25.00'	6.52'	C24	2°00'36"	527.00'	18.49'
C7	23°04'22"	25.00'	10.07'	C25	3°17'54"	427.00'	24.58'
C8	32°34'41"	25.00'	14.21'	C26	5°07'45"	427.00'	38.23'
C9	70°36'00"	25.00'	30.81'	C27	5°07'43"	427.00'	38.22'
C10	70°36'00"	36.00'	44.36'	C28	4°17'24"	373.00'	27.93'
C11	70°36'00"	25.00'	30.81'	C29	7°00'00"	527.00'	64.39'
C12	18°30'00"	150.00'	48.43'	C31	0°24'20"	273.00'	1.93'
C13	4°53'07"	225.00'	19.18'	C32	4°59'11"	225.00'	19.58'
C14	10°15'39"	102.00'	18.27'	C33	15°26'12"	225.00'	60.62'
C15	9°00'00"	65.00'	10.21'	C34	33°12'53"	112.00'	64.93'
C16	9°00'00"	45.00'	7.07'	C35	13°40'38"	112.00'	26.74'
C17	5°27'53"	225.00'	21.46'				
C18	20°25'23"	225.00'	80.20'				

**REVIEW COPY
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LEGEND

- 1 PUBLIC UTILITY EASEMENT
- 2 PRIVATE STORM DRAINAGE EASEMENT
- 3 TRAIL EASEMENT
- 4 PRIVATE STORM DRAIN EASEMENT PER PHASE 2 PLAT C, DIVISION 1, REC. NO. 20171227000503
- 5 PUBLIC UTILITY EASEMENT PER TEN TRAILS, PHASE 2 PLAT C, DIVISION 1, REC. NO. 20171227000503
- 6 WETLAND BUFFER BUILDING SETBACK LINE

LA - LANDSCAPE
PA - PEDESTRIAN ACCESS
PK - PARK
SA - SENSITIVE AREA AND BUFFER
FD - FUTURE DEVELOPMENT
UT - UTILITY
AC - ACCESS



TEN TRAILS
PHASE 2 PLAT C DIVISION 2

CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



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20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
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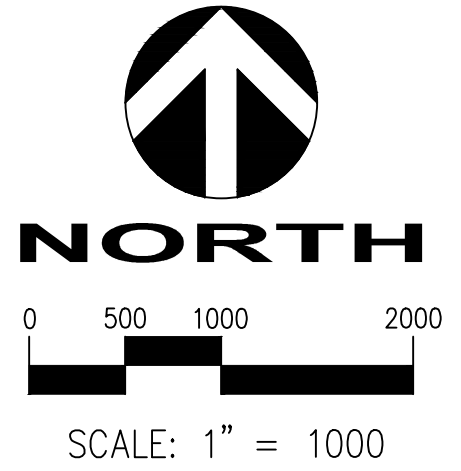
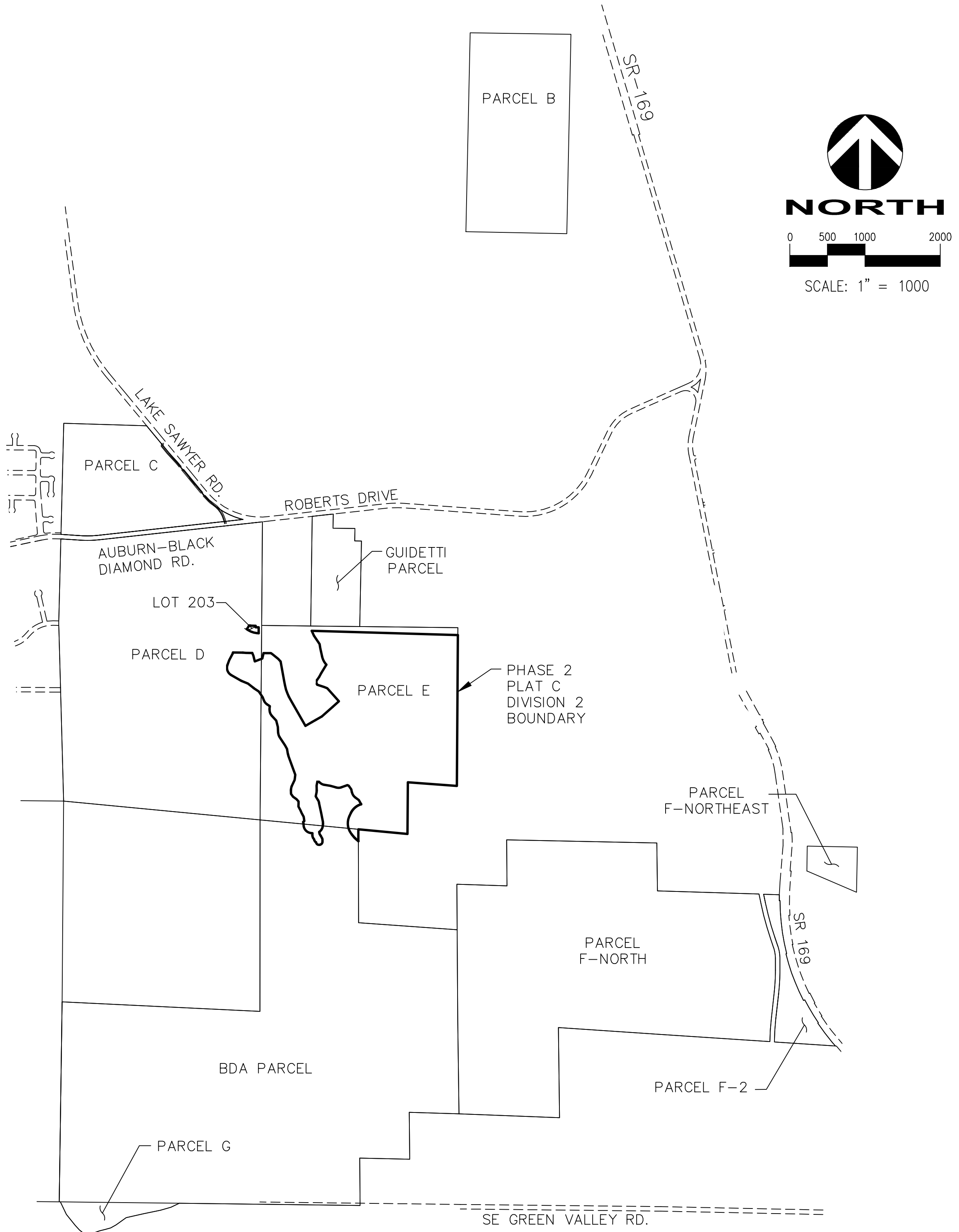
JOB NO 16-001
SHEET 9 OF 11

TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

VOL/Pg



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CITY OF BLACK DIAMOND FILE NO. PLN18-0084

TEN TRAILS
PHASE 2 PLAT C DIVISION 2
CITY OF BLACK DIAMOND,
KING COUNTY, WASHINGTON



**DAVID EVANS
AND ASSOCIATES INC.**
20300 Woodinville Snohomish Rd NE
Suite A • Woodinville, WA 98072
p: 425 415 2000 f: 425 486 5059

JOB NO 16-001
SHEET 10 OF 11

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TEN TRAILS

PHASE 2 PLAT C DIVISION 2

PORTION OF THE SE 1/4 AND SW 1/4 OF SECTION 15 AND THE NE 1/4 OF
SECTION 22, TOWNSHIP 21 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON
CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON

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INFRASTRUCTURE IMPROVEMENT TIMING

(INFRASTRUCTURE IMPROVEMENTS SHALL BE CONSTRUCTED AS REQUIRED BY THE VILLAGES DEVELOPMENT AGREEMENT SECTION 11: PROJECT PHASING, INCLUDING – BUT NOT LIMITED TO – THE FOLLOWING ITEMS:)

PROJECT IDENTIFICATION	DESCRIPTION	
VILLAGE GREEN	CONSTRUCT A 1.17–ACRE PARK ON THE ROUNDABOUT IN PARCEL D.	COMMENCED OR BONDED PRIOR TO RECORDING DIVISION 1A OF PRELIMINARY PLAT 1A AND COMPLETED NO LATER THAN WHEN THE CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION HAS BEEN ISSUED FOR 60% OF DWELLING UNITS LOCATED WITHIN 1/4 MILE OF PARK.
CIVIC PARK	CONSTRUCT THE 1.65–ACRE CIVIC PARK.	COMMENCED OR BONDED PRIOR TO RECORDING DIVISION 1A OF PRELIMINARY PLAT 1A AND COMPLETED NO LATER THAN WHEN THE CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION HAS BEEN ISSUED FOR 60% OF DWELLING UNITS LOCATED WITHIN 1/4 MILE OF PARK.
SIDEWALK/SAFE PEDESTRIAN CONNECTION	PROVIDED AN EXPERT STUDY CONFIRMS ENGINEERING FEASIBILITY AND THAT CONSTRUCTION COSTS WILL BE REASONABLE AND CUSTOMARY, PROVIDE A CONNECTING SIDEWALK AND SAFE PEDESTRIAN CONNECTION FROM THE FRONTAGE IMPROVEMENTS ALONG PARCEL V13 TO THE NORTHEAST CORNER OF THE GUIDETTI PARCEL ALONG ROBERTS DRIVE.	CONSTRUCT A SAFE PEDESTRIAN CONNECTION ACROSS ROCK CREEK FOR PEDESTRIAN LINKAGE TO MORGANVILLE PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OF THE 200TH DWELLING UNIT FOR THE VILLAGES MPD. IN LIEU OF CONSTRUCTION, THE CITY SHALL HAVE A FINANCIAL COMMITMENT IN PLACE TO COMPLETE THE IMPROVEMENTS WITHIN SIX YEARS OF PP1A APPROVAL.
SATELLITE FIRE STATION	THE SITING AND DESIGN OF THE SATELLITE FIRE STATION SHALL BE PROVIDED BY THE APPLICANT AND AGREED TO BY THE CITY.	NO LATER THAN THE TIME OF ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 250TH DWELLING UNIT WITHIN THE VILLAGES.
RING ROAD	PHASE 2: WEST FROM COMMUNITY CONNECTOR TO ROAD G.	PRIOR TO OCCUPANCY WITHIN DIVISIONS G (DIVISION 3), J (DIVISION 6), AND K (DIVISION 5) OF PP1A. DIVISIONS G, J, AND K ARE NOW REFERRED TO AS DIVISIONS 3, 5 AND 6 PER PLAT ALTERATION PLN 16–0059.
INTERSECTION SR 169/ROBERTS DRIVE INTERSECTION	PHASE 1: (INTERIM IMPROVEMENT) SHIFT ROBERTS DRIVE TO THE SOUTH TO PROVIDE APPROXIMATELY 500 FEET OF SEPARATION WITH SE BLACK DIAMOND RAVENSDALE ROAD. RECONFIGURE THE INTERSECTION AS A T, SIGNALIZE.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, PLUS ANY ADDITIONAL TIME DEMONSTRATED TO THE REASONABLE SATISFACTION OF THE CITY'S DESIGNATED OFFICIAL TO BE NECESSARY DUE TO ACTION, INACTION, OR EVENTS OUTSIDE OF THE MASTER DEVELOPER'S CONTROL.
SR 169/SE BLACK DIAMOND–RAVENSDALE ROAD	PHASE 1: (INTERIM IMPROVEMENT) FOUR–WAY SIGNALIZED INTERSECTION TO MAINTAIN ACCESS TO PALMER COKING COAL PROPERTY.	COMPLETED ENGINEERING, DESIGN, AND CONSTRUCTION DRAWINGS AND RELATED APPLICATION MATERIALS SUBMITTED TO WSDOT PRIOR TO THE ISSUANCE OF THE FIRST RESIDENTIAL OR COMMERCIAL BUILDING PERMIT ASSOCIATED WITH PP1A. CONSTRUCTION SHALL COMMENCE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT FOR 327TH ERU WITHIN PP1A, PLUS ANY ADDITIONAL TIME DEMONSTRATED TO THE REASONABLE SATISFACTION OF THE CITY'S DESIGNATED OFFICIAL TO BE NECESSARY DUE TO ACTION, INACTION, OR EVENTS OUTSIDE OF THE MASTER DEVELOPER'S CONTROL.
SE AUBURN BLACK DIAMOND ROAD/COMMUNITY CONNECTOR INTERSECTION	SINGLE LANE ROUNDABOUT.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
COMMUNITY CONNECTOR	PHASE 2: CONNECT PHASE 1 WITH SE AUBURN BLACK DIAMOND ROAD.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A, OR IF NECESSARY TO PROVIDE DUAL EMERGENCY ACCESS ROUTES TO ANY DEVELOPED LOTS WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 2: COMPLETE FRONTAGE IMPROVEMENTS BETWEEN COMMUNITY CONNECTOR AND MAIN STREET, MAIN STREET SIGNALIZED.	PRIOR TO OCCUPANCY OF THE 726TH DWELLING UNIT WITHIN PP1A.
SE AUBURN–BLACK DIAMOND ROAD FRONTAGE IMPROVEMENTS	PHASE 3: COMPLETE FRONTAGE IMPROVEMENTS FROM ROUNDABOUT AT COMMUNITY CONNECTOR TO WEST PROPERTY LINE.	CONCURRENT WITH THE ADJACENT MULTI–FAMILY PARCEL 1H OF PP1A.
COMMUNITY CONNECTOR	EXTEND COMMUNITY CONNECTOR IN SEVERAL PHASES FROM END OF CONSTRUCTION IN PHASE 1A, NEAR INTERSECTION OF VILLAGES PARKWAY SE AND SE DOGWOOD STREET, INCLUDING APPROXIMATELY 2,800 LINEAR FEET OF ROADWAY.	CONSTRUCTED IN PHASES AS NECESSARY TO PROVIDE ACCESS TO EACH PHASE 2 PLAT THAT TAKES ACCESS FROM THE COMMUNITY CONNECTOR. EACH PHASE OF CONSTRUCTION WILL BE COMPLETED THROUGH THE INTERSECTION OF THE STREET THAT PROVIDES ACCESS TO EACH PHASE 2 PLAT WITHIN THE VILLAGES MPD.
NEIGHBORHOOD STREET	CONSTRUCT A NEIGHBORHOOD STREET, INCLUDING 64 FEET OF RIGHT–OF–WAY, TO THE INTERIM LIFT STATION.	THIS NEIGHBORHOOD STREET WITH BIKE LANES WILL BE CONSTRUCTED IN PHASES AS NECESSARY TO SERVE DEVELOPMENT WITHIN PHASE 2 OF THE VILLAGES MPD. THIS ROAD WILL BE CONSTRUCTED TO THE PLAT ENTRANCE TO PHASE 2 PLAT A WITH CONSTRUCTION OF PHASE 2 PLAT A. RIGHT–OF–WAY WILL BE DEDICATED FOR THE REMAINDER OF THE ROAD TO THE SOUTH PROPERTY LINE OF PARCEL D WITH THE RECORDING OF PHASE 2 PLAT A FINAL PLAT. THE REMAINDER OF THIS ROAD WILL BE CONSTRUCTED WITH DEVELOPMENT SOUTH OF PARCEL D OR CONSTRUCTION OF THE ULTIMATE LIFT STATION.
OFF–SITE WATER MAIN PARALLEL LOOP	EXTEND WATER MAIN TO SITE.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,019TH ERU, AS NECESSARY TO SUPPLY FIRE FLOW REQUIRED FOR A SPECIFIC IMPLEMENTING PROJECT, OR AS UPDATED MODELING MAY ALLOW.
WASTEWATER STORAGE	CONSTRUCT A WASTEWATER STORAGE FACILITY SUFFICIENT TO SERVE PROPOSAL.	PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE DWELLING UNIT THAT USES THE 1,151ST ERU.
PIPELINE ROAD	CONSTRUCT PIPELINE ROAD FROM SR169 TO LAKE SAWYER ROAD SE.	PRELIMINARY DESIGN AND DEDICATION OF RIGHT–OF–WAY MUST BE DONE PRIOR TO BUILDING PERMIT FOR 1,200TH DWELLING UNIT. CONSTRUCTION MUST OCCUR AND THE ROAD OPEN TO TRAFFIC PRIOR TO BUILDING PERMIT FOR 1,746TH DWELLING UNIT (UNLESS REQUIRED EARLIER BY INCREASED DELAY OR LOS IMPACT).
SR 169/SE 288TH STREET INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
ROBERTS DRIVE/MORGAN STREET INTERSECTION INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE KENT KANGLEY ROAD/LANDBURG ROAD SE	CONSTRUCT SOUTHBOUND LEFT–TURN LANE.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,393RD ERU.
SE 288TH STREET/216TH AVENUE SE INTERSECTION	SIGNALIZE INTERSECTION.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,462ND ERU.
SE AUBURN–BLACK DIAMOND ROAD/SE GREEN VALLEY ROAD INTERSECTION	RECHANNELIZE THE WEST LEG OF THE INTERSECTION TO PROVIDE A REFUGE/MERGE AREA FOR NORTHBOUND–TO–WESTBOUND LEFT TURNING VEHICLES.	CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,687TH ERU.
SE AUBURN BLACK DIAMOND ROAD/LAKE SAWYER ROAD SE/RING ROAD INTERSECTION	PHASE 2: CONSTRUCT A RIGHT–TURN SLIP LANE ON THE NORTHWEST CORNER OF THE INTERSECTION.	ONLY NECESSARY IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE. IF VILLAGES PARKWAY SE IS NOT CONSTRUCTED BETWEEN ROBERTS DRIVE AND LAKE SAWYER ROAD SE, CONSTRUCTION WILL COMMENCE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE 1,857TH ERU.

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JOB NO 16–001
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CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT: Public Hearing on proposed amendments to BDMC Chapters 18.50, 18.56, 18.30, 18.32.	Agenda Date: March 7, 2019 AB19-016	
	Mayor Carol Benson	
	City Attorney David Linehan	
	City Clerk – Brenda L. Martinez	
	Com Development – Barbara Kincaid	X
	Finance – May Miller	
	MDRT/Econ Dev – Andy Williamson	
	Police – Chief Kiblinger	
	Public Works – Seth Boettcher	
Cost Impact (see also Fiscal Note):	Court Administrator – Stephanie Metcalf	
Fund Source: N/A		
Timeline: N/A		
Agenda Placement: <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Ordinance; Exhibit A – Amendments to BDMC Chapters 18.50, Accessory Uses and Structures, and 18.56, Accessory Dwelling Units		
SUMMARY STATEMENT: BDMC 18.50 recognizes and provides standards for Accessory Uses and Structure, which are defined as activities and structures that are subordinate and incidental to the principle use of the land or buildings. BDMC 18.56 provides standards for Accessory Dwelling Units (ADUs), which are defined as separate and completely independent dwelling units on lots already occupied by a single-family detached dwelling. BDMC 18.30 and 18.32 are the chapters that regulate the city’s residential zoning districts and include provisions for Accessory Uses and Structures and ADUs. After working with the existing provisions of these code chapters for several years, staff has identified several issues and concerns that needed to be addressed along with some provisions that needed clarifying or amending. These include things like making the height limitation on such structures the same for everyone, regardless of the height of their existing residence and reducing obstacles for building ADUs; specifically increasing the size limit from 800 sq. ft. to 1000 sq. ft. and allowing more than one ADU on a single lot. The Planning Commission worked with staff on the proposed code amendments, held a public hearing on January 8, 2019 and forwarded its recommended amendments to Council for consideration. Council has held two work sessions to discuss the Planning Commission recommendations and will now hear public testimony during a duly noticed public hearing this evening, March 7, 2019. After which, Council may further deliberate on the proposed amendments and testimony prior to taking action. FISCAL NOTE (Finance Department): N/A		
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION:		

RECOMMENDED ACTION: **Deliberate on proposed amendments following the close of the public hearing and postpone taking action until the March 21, 2019 meeting.**

RECORD OF COUNCIL ACTION

<i>Meeting Date</i>	<i>Action</i>	<i>Vote</i>
March 7, 2019		

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, AMENDING CHAPTERS 18.50 AND 18.56 OF THE BLACK DIAMOND MUNICIPAL CODE; UPDATING THE INTENT, GENERAL PROVISIONS, STANDARDS, AND PROCESSES RELATING TO APPLICATIONS FOR AND APPROVAL OF ACCESSORY USES AND STRUCTURES AND ACCESSORY DWELLING UNITS; AMENDING CHAPTERS 18.30 AND 18.32 MAKING MAXIMUM ACCESSORY STRUCTURE HEIGHTS IN RESIDENTIAL ZONING DISTRICTS CONSISTENT WITH UPDATED CHAPTERS 18.50 AND 18.56; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, BDMC Chapter 18.50, as amended by Ordinance 948 in 2010, recognizes and provides for Accessory Uses and Structures, which are defined as activities and structures that are subordinate and incidental to the principle use of the land or buildings; and

WHEREAS, Black Diamond Municipal Code (BDMC) Chapter 18.56, adopted under Ordinance 909, authorizes the establishment Accessory Dwelling Units (ADUs) which are separate and completely independent dwelling units on lots already occupied by a single-family detached dwelling; and

WHEREAS, an ADU is a special type of Accessory Use or Structure; and the provisions and standards for ADUs and Accessory Uses and Structures are contained within BDMC Title 18, Zoning, which designates land use districts to facilitate development within the City consistent with the requirements of the Growth Management Act (GMA) and goals of the City of Black Diamond Comprehensive Plan and to provide for compatibility and consistent administration and enforcement of regulations between zoning districts; and

WHEREAS, the Comprehensive Plan and GMA set goals to encourage the availability of affordable housing to all economic segments of the population and to promote a variety of residential densities and housing types; and

WHEREAS, having worked with the existing provisions of Chapters 18.50 and 18.56 for several years, City staff has identified several issues and concerns that needed to be addressed along with certain provisions that needed clarifying or amending such as height restrictions for certain property owners to construct ADUs, as well as creating more opportunities for building ADUs consistent with the GMA and City's goals; and

WHEREAS, the Black Diamond Planning Commission discussed and held a duly noticed public hearing on January 8, 2019 and forwarded a recommendation to the City Council on the proposed amendments; and

WHEREAS, the City Council discussed the Planning Commission recommendation and held a duly noticed public hearing on March 7, 2019; and

WHEREAS, the resulting additions and amendments to chapters 18.50, 18.56, 18.30, and 18.32 contained in this ordinance should ensure that all persons desiring to construct an ADU will be treated consistently and fairly; that the provisions and standards contained within Title 18 are internally consistent and that the terms and conditions placed on development approvals shall further the long-term vision of the City of Black Diamond as a livable, vibrant, desirable community in which to live and work.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Amendment of BDMC 18.30.040.A.9.b. (Single-Family Residential Districts: Development Standards, Site area and dimensional standards, Maximum building height, Accessory building). Section 18.30.040.A.9.b. of the Black Diamond Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

18.30.040.A.9.b. – Accessory building: ~~No greater than the height of the primary dwelling unit or twenty-six feet, whichever is less.~~ Twenty-six feet.

Section 2. Amendment of BDMC 18.32.040.A.9.b. (Medium Density Residential District: Development Standards, Site Area and dimensional standards, Maximum building height, Accessory buildings). Section 18.32.040.A.9.b. of the Black Diamond Municipal Code is hereby amended (amendments shown in legislative revision marks) to read as follows:

Section 18.32.040.A.9.b – Accessory buildings: ~~The height of the primary building(s) or twenty-six feet, whichever is less.~~ Twenty-six feet.

Section 3. Amendments of BDMC Chapters 18.50 and 18.56 (Accessory Uses and Structures and Accessory Dwelling Units). Chapters 18.50 and 18.56 are hereby amended to read as shown on Exhibit “A”, which is incorporated to this ordinance by reference.

Section 4. Severability. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not

affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 5. Effective date. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the ____ day of _____, 2019.

Passed by the City Council on the ____ day of _____, 2019.

Mayor Carol Benson

ATTEST:

Brenda L. Martinez, City Clerk

APPROVED AS TO FORM:

David Linehan, City Attorney

Published: _____

Posted: _____

Effective Date: _____

Chapter 18.50 ACCESSORY USES AND STRUCTURES

Sections:

18.50.010 Intent.

18.50.020 General provisions.

18.50.030 Residential zone accessory uses and structures.

18.50.040 Commercial zones accessory uses and structures.

18.50.050 Industrial zone accessory uses and structures.

18.50.060 Fences and walls.

18.50.010 Intent.

This chapter recognizes activities and structures that are customarily subordinate and incidental to a principal use of the land or building and that are not otherwise regulated by this title.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.50.020 General provisions.

A. Accessory structures and uses shall only be allowed on lots in conjunction with a primary use. Accessory structures or uses may not be established until the principle structure is constructed on the lot.

B. Accessory structures shall be ~~complementary to the basic architectural character of the main building on the lot, and~~ appropriate to the nature of the accessory use. Accessory structures and are also subject to the applicable design guidelines of Chapter 18.74.

C. No accessory ~~building structure~~ shall be larger than the ground floor area of the primary structure on any lot; provided that this limitation shall not apply to lots greater than thirty-five thousand square feet in size.

D. Compatibility with surrounding structures:

1. To assure that an accessory structure is architecturally and aesthetically in harmony with the surrounding area, it shall be similar in height to the nearest adjacent structure as determined by the Director, provided and notwithstanding, an accessory structure may be built to a height that will accommodate a motor vehicle, not to exceed fourteen feet in height, or an accessory dwelling unit subject to Chapter 18.56.

2. The maximum accessory structure height shall be measured from the finished grade located within 2 feet of the foundation wall to the highest point on the building or structure, excluding architectural elements such as

ATTACHMENT A TO ORDINANCE 19-XX

chimneys, cupolas that do not extend more than three feet above roof line, flag poles, and other similar structures as determined by the director within zoning districts as follows:

- a. Residential zones: Twenty-six feet. ~~or the height of the principal structure, whichever is less.~~
- b. Neighborhood commercial, community business and town center zones: Twenty-six feet.
- c. Business/industrial park and industrial zones: Thirty-five feet. ~~or the height of the principal use structure, whichever is less.~~

E. Required Setbacks:

1. Accessory structures shall observe the front, side and rear yard setback requirements of the zone in which they are located, except as provided in this chapter.
 - a. For any lot nine thousand six hundred square feet or less, a detached accessory building not exceeding twenty-six feet in height may disregard rear and interior side yard setback requirements if such building is no greater than six hundred fifty square feet in floor area, is located in the rear thirty percent of the lot or further than seventy-five feet from the front lot line and is no closer than twelve feet from the centerline of an adjacent alley.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 948, § 50, 10-7-2010)

18.50.030 Residential zone accessory uses and structures.

- A. The following accessory uses/activities are allowed in residential zones:
 1. The cultivation of flowers, trees or produce intended primarily for personal use or enjoyment;
 2. The keeping of animals is permitted in compliance with the Title 6;
 3. Accessory dwelling units in accordance with Chapter 18.56;
 4. Detached garage(s), carport(s), and parking facilities for the residents of the property;

ATTACHMENT A TO ORDINANCE 19-XX

5. Storage sheds, playhouses, decks, patios, cabanas, porches, gazebos, ~~swimming pools, workshops~~, garden sheds, greenhouses, and incidental household storage buildings;
6. Common recreational vehicle storage facilities limited to serving the development in which they are located;
7. Temporary storage containers used during an active construction project in compliance with 18.52;
8. Workshops and studios intended for noncommercial use by the occupants of the residences or permitted as a home occupation subject to 18.54, 8.12, Noise and 18.70, Lighting/Dark Sky;
9. Home offices and occupations in accordance with Chapter 18.54;
10. Swimming pools, including hot tubs and spas, and related equipment subject to fencing requirements and lighting regulations;
11. Tennis courts, sport courts, and recreation/exercise rooms for personal, noncommercial use by the occupants of the residence(s) subject to 18.54, subject to 8.12, Noise and 18.70, Lighting/Dark Sky;
12. Guesthouses subject to the following provisions:
 - a. A guesthouse shall be clearly subordinate, incidental and accessory from the main building on the same parcel; and
 - b. may contain living and sleeping spaces, including bathroom, but shall not contain a kitchen and shall not be used for residential occupancy independent from the principle residence or be rented separately from the main building. For the purpose of this section, kitchen facilities include any appliances for the preparation or preservation of food, including but not limited to cooking ranges and/or ovens, stovetops, refrigerators or freezers and cabinets designed to accommodate such appliances; and
 - c. no more than one guesthouse shall be established on any site.

~~B. Detached Accessory Buildings.~~

- ~~1. For any lot nine thousand six hundred square feet or less, a detached accessory building not exceeding twenty-six feet in height may disregard rear and interior side yard setback requirements if such building is no greater than six hundred fifty square feet in floor area, is located in the rear thirty percent of the lot or further than seventy-five feet from the front~~

ATTACHMENT A TO ORDINANCE 19-XX

~~lot line, and is no closer than twelve feet from the centerline of an adjacent alley.~~

- ~~2. The total area of all accessory buildings located within a required rear yard shall not exceed twenty-five percent of the area of the required rear yard.~~
- ~~3. Accessory buildings that exceed the building area, height and location standards noted above shall comply with all required yard setbacks.~~
- ~~4. No accessory building shall be larger than the ground floor area of the primary structure on any lot; provided that this limitation shall not apply to lots greater than thirty-five thousand square feet in size.~~

(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 948, § 51, 10-7-2010)

18.50.040 Commercial zones accessory uses and structures.

Accessory uses and structures in the Neighborhood Commercial (NC), Community Commercial (CC), and Town Center (TC) zones shall be consistent with those allowed under 18.50.030, limited to serving the residents of a mixed-use development, subject to site plan approval and applicable design standards.

~~The following accessory uses are allowed in the NC, CC, and TC zones:~~

- ~~A. Storage buildings not to exceed the gross floor area of the principal use and in no case greater than two thousand square feet.~~
- ~~B. Common storage facilities (including outdoor storage of recreational vehicles) limited to serving the residents of a mixed-use development.~~

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.50.050 Industrial zone accessory uses and structures.

The following accessory uses are allowed in the Business/Industrial Park (B/IP) and Industrial (I) zones subject to site plan approval and applicable design standards:

- A. Caretaker and security uses and structures ~~Accessory living quarters~~; and
- B. Storage buildings.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 948, § 52, 10-7-2010)

ATTACHMENT A TO ORDINANCE 19-XX

18.50.060 Fences and walls.

The height of the fence or wall shall be determined from the existing, established grade on the property.

A. Fences and walls may be constructed to a height not to exceed the following in each of the required setback areas, as regulated per each zone, or as modified by subsection B of this section:

1. Front yard: Forty-two inches; provided, that fences constructed of wrought iron or similar materials that provide visibility may be seventy-two inches in height. Exception: Fences protecting a [swimming pool](#), agricultural use or community garden may exceed forty-two inches in height, provided they are at least seventy-five percent open;
2. Side yard: Seventy-two inches;
3. Rear yard: Seventy-two inches;
4. Street side yard: Seventy-two inches.
5. These limitations do not apply within the public zone district.

B. Special Height Restrictions. There shall not be anything constructed or reconstructed, and no obstruction permitted to grow, other than a post, column or tree not exceeding one-foot square or one foot in diameter, between a height three feet and ten feet above the established grade within the triangular areas described below, without the express approval of the public works director:

1. The triangular area formed by a line extending twenty feet along the right-of-way lines of a street and alley or edge of a private driveway, measured from the point of intersection and the line connecting the two ends of the two twenty-foot lines;
2. Fences located at the corner of intersecting streets shall comply with the sight distance requirements of the city public works standards.

C. In general, no fence, wall, hedge, structure or other obstruction shall act as a sight hazard to traffic, and the public works director may order the removal of such hazard whether or not such object otherwise complies with the provisions of this title.

D. Other than in the public, industrial or business/industrial park zones, no fence may include the use of barbed wire, ~~razor wire, etc.~~; provided, that pasture areas a minimum of one acre in area may be fenced with barbed wire in any

zone. Barbed wire may be attached to the top of and in addition to the height of a seventy-two-inch fence, provided it does not extend more than one additional foot in height.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 962, § 3, 7-7-2011)

Chapter 18.56 ACCESSORY DWELLING UNITS

Sections:

18.56.010 Intent.

18.56.010 Definitions.

18.56.020 Where authorized.

18.56.030 Performance standards for accessory dwelling units.

18.56.040 Review process.

18.56.050 Recognition of existing accessory dwelling units.

18.56.010 Intent.

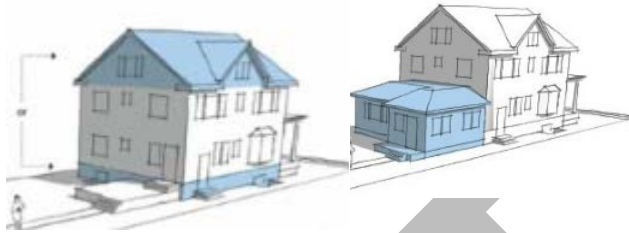
This Chapter is intended to promote and encourage the creation of accessory dwelling units (ADUs) in a manner that enhances residential neighborhoods in order to meet the city's housing needs and realize the benefits of ADUs to (1) provide homeowners flexibility in establishing separate living quarters within or adjacent to their homes for the purpose of caring for and providing housing for family members or obtaining rental income; (2) increase the range of housing choices and the supply of accessible and affordable housing units within the city; and (3) ensure that the development of ADUs does not cause unanticipated impacts on the character or stability of single-family neighborhoods.

18.56.010 Definitions.

- A. "Accessory dwelling unit" (ADU) means a ~~second~~ smaller, auxiliary dwelling unit located on a lot occupied by a single-family detached dwelling. This unit provides a separate and completely independent dwelling unit with facilities for cooking, sanitation and sleeping, and has a separate and independent entry/exist than one utilized for the primary residence

ATTACHMENT A TO ORDINANCE 19-XX

- B. “Attached accessory dwelling unit” means an accessory dwelling unit that is attached to or part of the primary single-family housing unit. Examples include converted living space, basements or attics, attached garages, additions, or a combination thereof.



Examples of Attached ADUs.

- C. “Detached accessory dwelling unit” means an accessory dwelling unit that consists of a building that is separate and detached from the primary single-family housing unit. Examples include converted garages or new standalone construction.



Example of Detached ADU.

- D. “Dwelling unit” means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

- ~~E. “Owner occupancy” means a property owner, as reflected in the real estate tax rolls who makes his or her legal residence at the subject lot as evidenced by voter registration, vehicle registration, or similar means, and actually resides upon the lot more than six months out of any given year.~~

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.56.020 Where authorized.

ADUs shall be permitted within any residential district subject to review and compliance with the standards and requirements of this chapter.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.56.030 Performance standards for accessory dwelling units.

- A. Performance Standards. ~~Minimum Lot Size.~~ All performance standards, including lot size, minimum yard setbacks and overall building coverage as set forth for the applicable zoning district and in Chapter 18.50, except as modified by this chapter, shall be met with respect to the ADU. ~~accessory dwelling unit. An accessory dwelling unit shall not be permitted upon any lot that is nonconforming due to lot size.~~
- B. Number. ~~No more than one accessory dwelling unit~~ No more than two ADUs shall be permitted in conjunction with the primary dwelling unit on a single lot of record provided that adequate provisions for water and sewerage are met. One attached ADUs may be allowed within the existing building footprint and no more than one ADU resulting from new construction shall be allowed, including additions and garage or accessory structure conversions.
- ~~C. Location in Relation to Principal Residence. The accessory dwelling unit may be either detached or a part of the principal residence or an accessory building.~~
- ~~D. Zoning/Building Code Compliance. All new construction associated with an accessory dwelling unit shall meet the development standards for the applicable zone for an efficiency dwelling unit as set forth in the International Building Code adopted by the city.~~
- ~~E. Owner Occupancy. An owner of the property for which an accessory dwelling unit permit is requested must occupy at least one dwelling unit located on the property.~~

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C. Future Subdivision. Parcels upon which an ADU ~~accessory dwelling unit~~ has been approved shall not be subdivided or otherwise segregated in ownership in a manner that would separate the ADU ~~accessory dwelling unit~~ from the principal dwelling.

D. Maximum Size. ~~An accessory dwelling unit shall not exceed fifty percent of the size of the primary dwelling on the lot or eight hundred square feet, whichever is less. A detached ADU shall be no greater than 1,000 square feet, not including the garage or covered porches. The following areas shall be counted when calculating the size of an ADU:~~

1. Habitable space as defined by the International Residential Code (IRC), and

2. Kitchens, bathrooms, and utility/laundry rooms.

~~Accessory dwelling units~~ ADUs shall comply with the required site coverage, yard area requirements or building code setbacks as provided within the subject property's zone.

E. Scale. A detached ADU ~~accessory dwelling unit~~ or accessory structure containing an accessory dwelling unit shall not exceed the maximum height allowed for a detached accessory building per the underlying zoning district.

~~F. Additions. Additions to an existing structure or newly constructed detached structures created for the purpose of creating an accessory dwelling unit, shall be designed in a manner that is consistent with existing roof pitch, siding and windows for the principal dwelling unit.~~

F. Parking. At least one off-street parking space in addition to the minimum required off-street parking from the primary dwelling unit, shall be provided for ~~an~~ each ADU. ~~accessory dwelling unit.~~

G. Utility Connections. Utility accounts for ADUs ~~accessory dwelling units~~ shall be maintained in the name of the property owner. ADUs ~~Accessory dwelling units~~ may be served by the same water meter and sewer connection utilized for the primary residence if approved by the city. The city may require an applicant to provide documentation demonstrating capacity availability prior to allowing a joint connection. The city may require upgrades to a utility connection and the cost of such upgrades

shall be borne by the applicant. Utility fees charged for the ADU shall be in accordance with Chapter 13.04. ~~but shall be assessed a monthly service fee as established by the city's fee schedule or applicable ordinance.~~ If water or sewer service is not provided by the city, then the rules of the water or sewer district shall apply as to whether an additional hook-up and connection fees are required. Any water or sewer service as referenced in this section is subject to water or sewer availability.

~~H. Design and Appearance. The accessory dwelling unit shall be designed so that, to the degree reasonably feasible, the appearance of the building is consistent with that of the primary residence. At a minimum, the new exterior construction associated with creating an accessory dwelling unit should match the existing exterior materials and design of the principal residence, and the pitch of any new roof should match that of the principal residence. New landscaping shall conform with or improve existing landscaping.~~

H. Entrance Location. An attached ADU ~~accessory dwelling unit~~ shall have a separate entrance to the outside from the entrance for the primary dwelling. ~~For attached accessory dwelling units, the entrance to the accessory dwelling unit shall be~~ located in such a manner as not to appear as a second primary entrance to the structure. ~~which contains the principal residence in an effort to maintain the appearance of a single-family residence.~~

I. ADUs shall be subject to applicable design guidelines under Chapter 18.74.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009; Ord. No. 948, § 53, 10-7-2010)

18.56.040 Review process.

A. Application. An applicant for an ADU ~~accessory dwelling unit~~ shall submit an application on a form as provided by the department, including all application fees as set forth in the city's fee schedule. At a minimum, an application for an ADU ~~accessory dwelling unit~~ permit shall include plans

ATTACHMENT A TO ORDINANCE 19-XX

for creating the ADU ~~accessory dwelling unit~~, evidence of current ownership and a certification of owner occupancy.

~~B. Certification of Owner Occupancy. The certification of owner occupancy shall be in the form of a notarized affidavit completed by the property owner as reflected in title records affirming that they make their legal residence upon the subject lot.~~

B. Review by Director. ADU ~~Accessory dwelling unit~~ permit applications shall be processed as Type 2 permit pursuant to Chapter 18.08. Upon receipt of a complete application for an ADU ~~accessory dwelling unit~~, the director shall review and either approve, disapprove or approve with conditions the ADU ~~an application for an accessory dwelling unit. As a condition of approval, the applicant shall record a covenant in a form approved by the city attorney with the King County department of records and elections, providing notice to future owners for the subject lot of the existence of the accessory dwelling unit, the owner occupancy requirements of the city, any conditions imposed as a part of the approval of the accessory dwelling unit and notice of the requirements for continued use of an accessory dwelling unit as set forth in this chapter.~~

C. Approval. Approval of the ADU shall be subject to the applicant recording a document in a form approved by the city with the King County Department of Records and Elections prior to approval which runs with the land and identifies the legal description and address of the property with a statement that the owner(s) will notify any prospective purchasers of any conditions imposed as part of the ADU approval with the requirements for continued use of the ADU as set forth in this chapter.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

18.56.050 Recognition of existing accessory dwelling units.

ADUs ~~Accessory dwelling units~~ that existed on or before the effective date of the ordinance codified in this chapter may be granted an ADU ~~accessory dwelling unit~~ permit subject to the provisions of this section.

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- A. Time Limit. An application for an ADU ~~accessory dwelling unit~~ permit for a pre-existing unit must be filed with the city for review by the director ~~planning commission~~ within eighteen months of the effective date of the ordinance codified in this chapter.
- B. Construction Code Compliance. Any space used for or included in the ADU ~~accessory dwelling unit~~ shall have been constructed pursuant to a building permit issued by the city, and in compliance with the building and other construction codes that were in effect when construction was completed. ~~The applicant must provide written documentation to verify construction code compliance. Alternatively, the applicant may verify code compliance for existing construction through the building department.~~
- C. Development and Use Standards. Development and use of the pre-existing ADU ~~accessory dwelling unit~~ shall comply with all provisions of this chapter ~~section~~.

(Ord. No. 909, § 2 (Exh. A), 6-18-2009)

CITY COUNCIL AGENDA BILL

City of Black Diamond
Post Office Box 599
Black Diamond, WA 98010

ITEM INFORMATION		
SUBJECT: Ordinance adding new section under chapter 10.08 of the Black Diamond Municipal Code to extend the 20 mph speed zone along 3rd Ave in the vicinity of the Black Diamond Elementary School.	Agenda Date: March 7, 2019 AB19-017	
	Mayor Carol Benson	
	City Administrator	
	City Attorney David Linehan	X
	City Clerk – Brenda L. Martinez	
	Com Dev/Nat Res –	
	Finance – May Miller	
	MDRT/Ec Dev – Andy Williamson	
	Police – Chief Kiblinger	X
	Public Works – Seth Boettcher	
Cost Impact (see also Fiscal Note): \$0	Court – Stephanie Metcalf	
Fund Source: --		
Timeline:		
Agenda Placement: <input type="checkbox"/> Mayor <input checked="" type="checkbox"/> Two Councilmembers <input type="checkbox"/> Committee Chair <input type="checkbox"/> City Administrator		
Attachments: Proposed Ordinance		
<p>SUMMARY STATEMENT:</p> <p>This new section extends the 20 m.p.h. speed zone along 3rd Ave in the vicinity of the Black Diamond Elementary School to the full extent allowed by law. The speed zone would be in effect from Park St to Lawson St. on 3rd Ave.</p> <p>City Attorney reviewed and created the attached ordinance.</p> <p>This was taken to our public safety committee on February 7th and was subsequently recommended to move forward to the full council. Input was also solicited from the Black Diamond Elementary School Principal and from the School District Administration, both who were in support of this new section.</p> <p>FISCAL NOTE (Finance Department): N/A</p>		
<p>COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: Public Safety Committee recommended this for Council consideration.</p>		
<p>RECOMMENDED ACTION: MOTION to approve Ordinance No. 19-1118 extending the School speed zone along SR 169, providing for severability, and establishing an effective date.</p>		
RECORD OF COUNCIL ACTION		
Meeting Date	Action	Vote
March 7, 2018		

ORDINANCE NO. 19-1118

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, EXTENDING THE SCHOOL SPEED ZONE ALONG SR-169; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, residents of the City have raised concerns about the safety of children walking to or from school along SR-169 (3rd Avenue) in front of Black Diamond Elementary School; and

WHEREAS, the Black Diamond City Council wishes to address these safety concerns by expanding the 20-MPH speed zone along 3rd Avenue in the vicinity of Black Diamond Elementary School; and

WHEREAS, RCW 46.61.440(1) explicitly prohibits the operation of a vehicle on a public highway in excess of 20 MPH within 300 feet in either direction of a marked school crosswalk when the crosswalk is posted with standard school speed limit signs; and

WHEREAS, RCW 46.61.440(2) explicitly authorizes cities, by ordinance, to extend 20-MPH school and playground speed zones along highways bordering marked schools and playgrounds to a maximum of 300 feet from the border of the school property or playground, so long as the area is consistent with active school or playground use; and

WHEREAS, the City Council finds that the area along 3rd Avenue bordering Black Diamond Elementary School and extending 300 feet north and south from the boundaries of the school property is consistent with active school and/or playground use; and

WHEREAS, the City Council believes public safety would be enhanced by expanding the existing school speed zone to the maximum extent allowed by law, and by posting 20-MPH school speed zone signs to reflect this extended school zone; and

WHEREAS, the City Council desires that the 20-MPH school speed zone located near the school crosswalk on 3rd Avenue be extended to the full length allowed by law to reach the intersection of 3rd Avenue and Lawson Street; and

WHEREAS, the City Council desires to amend Chapter 10.08 of the Black Diamond Municipal Code ("BDMC") by adding a new section to accomplish these purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. New Section 10.08.070 BDMC. Pursuant to RCW 46.61.440, new section 10.08.070 of the Black Diamond Municipal Code is added as follows:

10.08.070 School Speed Zone on 3rd Avenue.

(1) A school speed zone with a maximum speed limit of 20 miles per hour is hereby established, pursuant to RCW 46.61.440(2), for vehicles operating in both directions on 3rd Avenue (SR-169) bordering Black Diamond Elementary School and extending 300 feet north and south from the boundaries of the school property. Standard school speed limit signs shall be posted and maintained along 3rd Avenue notifying the public of the speed limit in this location.

(2) A school speed zone with a maximum speed limit of 20 miles per hour, as provided in RCW 46.61.440(1), is recognized for vehicles operating in both directions on 3rd Avenue (SR-169) within 300 feet north and south of the marked school crossing near the southern boundary of Black Diamond Elementary School. Standard school speed limit signs shall be posted and maintained along 3rd Avenue notifying the public of the speed limit in this location.

Section 2. Severability. Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2019.

CITY OF BLACK DIAMOND

Carol Benson, Mayor

Attest:

Brenda L. Martinez, City Clerk

Approved as to form:

David Linehan, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Ordinance No.
Date of Publication:
Effective Date: