



CITY OF BLACK DIAMOND

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Meeting Date: September 7, 2021
Staff Report Date: August 30, 2021
To: Planning Commissioners
From: Joey Portmann, Senior Planner
Emily Adams, Contract Planner
Mona Davis, Community Development Director
Subject: Comprehensive Plan Amendments – FLUM/ Zoning Map Changes

The purpose of this brief is to go over final docket item #1: “Reconsideration of the 2019 FLUM including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code for consistency with the Comprehensive Plan and the FLUM, and to begin narrowing discrepancies with the PRSC’s VISION 2040 and 2050 (as applicable) and Regional Growth Strategy.”

This staff report includes a summary with information on the FLUM designation and zoning as well as allowed uses under the current and proposed designations. Site specific evaluation criteria for each of the proposals is also included per the BDMC. The criteria answers can be repetitive but are included for each proposal to ensure each item is properly analyzed. Staff recognizes the staff report is lengthy, but it is broken down into sections that align with the attached presentation for easy review and reference.

Proposal

This proposal is a combination of private requests, and requests by staff. One portion of the request is to consider the existing FLUM (adopted in 2019) compared to the 2009 FLUM to analyze changes that were made and determine if the 2019 FLUM represents ideal patterns for residential and commercial development. The City also recognizes that adjustments to the FLUM may be needed to encourage long-term alignment between the City’s expected growth and regional planning policies (such as PRSC’s regional planning goals, growth targets, and VISION 2040). The second portion of the request is to harmonize the FLUM and zoning maps as the GMA requires that comprehensive plans and their implementing development regulations be consistent.

The changes between the 2009 and 2019 FLUM maps will be analyzed, along with each identified area’s zoning to aid in analysis. The zoning map will be amended as necessary to be consistent with the FLUM. During this process staff is also looping in scrivener’s errors, split zones, and undesignated properties to ensure the FLUM and zoning map are as accurate and up to date as possible.

Evaluation Criteria (BDMC 16.10.220)

This section analyzes the overall docket item.

- A. All Amendments. All of the comprehensive plan amendments shall be reviewed under the following criteria:

1. Whether the proposed amendment(s) conform to the Growth Management Act (Chapter 36.70A RCW);

The proposed amendments conform with the GMA as the amendments are proposed to ensure that the land uses are designated to aid in orderly growth that can accommodate Black Diamond's population and needs as well as comply with regional planning efforts.

2. Whether the proposed amendment(s) are consistent with and implement the city's comprehensive plan, including the goals, policies and implementation strategies of the various elements of the plan;

Multiple changes to the 2019 FLUM from the 2009 FLUM, whether intentional or via scrivener's errors, may or may not be supported by the comprehensive plan policies and goals, and therefore are being reevaluated. The proposed changes to designations (and zoning), and in some cases recommendations to keep the designations the same, are supported by the goals and policies of the comprehensive plan, such as:

- **Policy LU-1: Provide adequate land balance with a diversity of places to live, shop, work, and recreate.**
- **LU Goal 7: Protect and enhance the viability, livability, and affordability of residential neighborhoods while integrating multifamily development and higher residential densities where appropriate.**
- **Policy LU-42: Retain and enhance the existing commercial areas while providing sites large enough to accommodate significant commercial uses.**
- **Policy LU-44: Encourage well-planned, coordinated commercial development within the SR 169 area and discourage strip retail development through the use of design standards.**
- **Policy LU-37: Ensure that all Industrial, Light Industrial and Business Park development is functionally and aesthetically compatible with surrounding uses.**
- **Policy H-1: Promote a variety of residential densities and housing types.**

3. Whether circumstances related to the proposed amendment(s) and/or the area in which it is located have substantially changed since the adoption of the city's comprehensive plan;

Concerns were raised from numerous citizens regarding the 2009 and 2019 FLUM and inconsistencies with the current zoning map. Staff believes it is important to carefully review these concerns to ensure the adopted FLUM represents ideal patterns for residential and commercial development. The 2019 revisions also created several inconsistencies with the City's current zoning code. Consistency between the Comprehensive Plan text and maps, and the zoning map is a requirement of the GMA. The City is also mindful of the need to be in alignment with the PSRC's regional

planning goals, growth targets, and VISION 2040. Adjustments to the FLUM may be needed to encourage long-term alignment.

4. Whether the assumptions upon which the city's comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the city's comprehensive plan; and **The amendments included in the 2019 adopted FLUM have been brought into question by citizens. Some information may not have been considered properly during the previous adoption process and the assumptions may not be valid so the amendments are being considered again.**

5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.

The proposal to reevaluate changes between the 2009 and 2019 FLUM and corresponding zoning map were put forth by multiple citizens. The proposal was considered in a public hearing before the planning commission and was approved to be on the docket indicating support by the public, planning commission, and city council.

Findings, Site-Specific Proposal Evaluation Criteria, and Staff Recommendations

Each table provides information on the inconsistency/ consolidation/ error in the FLUM and/or zoning map that is being analyzed. This is followed by the site-specific evaluation criteria from BDMC 16.10.220 and a staff recommendation. The associated FLUM and Zoning maps for each item are in the enclosed presentation, the name of the tables matches the name in the presentation (and are in the same order as the presentation) for easy reference to view the associated FLUM and zoning maps.

Inconsistency #1 (Slide 8)

Inconsistency #1			
Info	<ul style="list-style-type: none"> • Parcels: 1021069111, 1521069112, 1521069113, 1521069114, 1521069115, 1521069110 • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Business Park & Light Industrial	Medium Density Residential	Business Industrial Park
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Adult oriented businesses • Business support services • Entertainment/ cultural facilities • Essential public facilities • Childcare centers • General office • Light manufacturing • Major institutions • Parking structures • Schools • Religious institutions • Research & development • Tech, biotech, medical equipment • Utilities • Wholesaling 	<ul style="list-style-type: none"> • Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities 	See 2009 FLUM column
Density	No density requirements	8 du/acre	
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
Further analysis is being done on transportation concurrency and level of service by a third-party reviewer and will be included on the final recommendation prior to planning commission action.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

Further analysis is being done on impacts to the transportation network, capital facilities and utilities and will be included on the final recommendation. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.

3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

No changes would be made to the existing comprehensive plan's land use map. However, the zoning map would be changed. Any proposed development would be required to submit for water and sewer concurrency/ availability prior to permits being granted. The proposed rezone creates increased compatibility with the surrounding uses by providing a better transition between Business Industrial Park and the Single Family Residential (R6).

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposed changes would not create pressure to change further parcels. The FLUM already reflects the parcels as medium density residential, and the zoning change is being done to provide consistency. The change to medium density residential is to provide for a transition of land uses between business park industrial and single family. The changing of further land uses would affect the purpose of creating a transition, and therefore does not create pressure to change other surrounding designations. These changes are in the best interest of the City.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;
The City has been actively working with PRSC to bring population projections for the City up to date to properly reflect development within the City. The projections do not function as a ceiling but are an important minimum to meet. The site is 53 acres, the new allowed density would be 8 du/acre, which would provide for a maximum or gross density of 424 units (likely less as some of the site would be taken up with roads, stormwater, sensitive areas and associated buffers, etc. which would net far less units). The proposed zoning change will affect the land use and population growth projections; however, the growth targets are a minimum that must be met which this change will aid in meeting. Further, the zoning on site would be changing to a higher density residential zone which provides for a buffer between the business park/industrial uses and lower density single-family residential uses, and is necessary to help provide for affordable, attainable, and/or transitional housing in the long term.
6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation:

Staff recommends rezoning the parcels to Medium Density Residential (MDR8) to be consistent with the 2019 FLUM map.

Inconsistency #2 (Slide 9)

Inconsistency #2			
Info	<ul style="list-style-type: none"> • Parcels: 1121069008 • Existing Use: Largely undeveloped with a car garage/ service building (FATS) and residential building. 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Business Park & Light Industrial	Community Commercial	Business Industrial Park
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Adult oriented businesses • Business support services • Entertainment/ cultural facilities • Essential public facilities • Childcare centers • General office • Light manufacturing • Major institutions • Parking structures • Schools • Religious institutions • Research & development • Tech, biotech, medical equipment • Utilities • Wholesaling 	<ul style="list-style-type: none"> • Automobile fueling stations • Drive thru facilities • Essential public facilities • Hotels/ motels • Wholesale/ retail establishments • Major institutions • Mini storage • Personal & professional services • Pet daycare • Religious institutions • Mixed use • Retail • Utilities • Vet clinics 	See 2009 FLUM column
Density	No density requirements	No density requirements	
<small>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</small>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

1. Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for

other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);

The owner of the property currently has an application in for a rezone to be consistent with the FLUM. A traffic impact analysis was provided with the development application and indicated that to mitigate traffic impacts an east-west public road (Pipeline Road) and intersection will be constructed by the applicant, along with dedication of additional property to the City for a improved right-of-way along SR 169. The applicant will be required to submit concurrency applications, as well as pay for water/sewer capacity, fire mitigation fees, and school impact fees if required.

2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

A rezone from Business Industrial Park to Community Commercial eliminates the more intense uses that would have been permitted on site (light manufacturing, technology, biotechnology, and medical equipment). Certificates of utility availability must be approved, and the transportation network impacts will be required to be mitigated per City code, as outlined in the traffic impact analysis. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.

3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

No changes would be made to the existing FLUM. The zoning map would not be changed under this comprehensive plan amendment process as a rezone is currently in progress for the site. Any development would be required to submit for water and sewer availability prior to permits being granted. Access for the development will be required and reviewed at the time of a development application. The Community Commercial designation creates increased compatibility with the surrounding uses by removing a spot of Business Industrial Park and creating a cohesive area of Community Commercial.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposed changes would not create pressure to change further parcels. The change of the FLUM to Community Commercial is to provide consistency with the surrounding parcels, allowing for cohesive development and therefore these changes are for the best interests of the City and do not create pressure to change others.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;

The City has been actively working with PRSC to bring population projections for the City up to date to properly reflect development within the City. The projections do not

function as a ceiling but are an important minimum to meet. The designation change would not substantially affect population growth projections as it is a Business Industrial Park zone to a commercial zone that only permits residential units in mixed use buildings. These units could help to provide for affordable, attainable, and/or transitional housing in the long term. Land use projections currently include this site as Business Industrial Park; however it makes up a small portion (about 10%) of the overall zone and is not expected to have a large impact on projections, especially as a large majority of the zone is undeveloped.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation:

Staff recommends following the 2019 FLUM, no change would occur to the zoning map at this time due to the rezone application in progress.

Inconsistency #3 (Slide 10)

Inconsistency #3			
Info	<ul style="list-style-type: none"> • Parcels: 1021069010 • Existing Use: Lake Marjorie, undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Medium Density Residential	Single Family Residential (R4)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	<ul style="list-style-type: none"> • Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities 	See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	8 du/acre	
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
Further analysis is being done on transportation concurrency and level of service by a third-party reviewer and will be included on the final recommendation prior to planning commission action.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
A rezone from low density to medium density residential increases the amount of residential uses on site and will therefore increase the use of the transportation network, capital facilities, and utilities. However, concurrency will be required prior to development. Further analysis is being done on impacts to the transportation network, capital facilities and utilities and will be included on the final recommendation. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation

and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

No changes would be made to the existing comprehensive plan's land use map.

However, the zoning map would be changed. Any development would be required to submit for water and sewer availability prior to permits being granted and provide adequate access. The proposed rezone creates increased compatibility with the surrounding uses by eliminating incompatible uses of low density (single family) residential adjacent to Business Industrial Park.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposed changes would not create pressure to change further parcels. The FLUM already reflects the parcel as Medium Density Residential, and the rezone is being done to provide greater compatibility with surrounding designations. Changing zoning of the parcel to Medium Density Residential allows for smaller lot sizes on site and senior/cottage housing development, which is more appropriate given the existing site constraints that limit developable space.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan;
The City has been actively working with PRSC to bring population projections for the City up to date to properly reflect development within the City. The projections do not function as a ceiling but are an important minimum to meet. The site is 21 acres (approximately 5.5 acres of which is the lake), the new allowed density would be 8 du/acre, which would provide for a maximum or gross density of approximately 124 units (likely less as portions of the site would be taken up with roads, stormwater, associated sensitive areas and their associated buffers, etc. which would net far less units). The proposed zoning change will affect the land use and population growth projections; however, the growth targets are a minimum that must be met which this change will aid in meeting. Further, the zoning on site would be changing to a higher density residential zone which provides for a buffer between the business park/industrial uses and nearby park, and is necessary to help provide for affordable, attainable, and/or transitional housing in the long term.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local

jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends rezoning the property to Medium Density Residential (MDR8) to be consistent with the 2019 FLUM map.

Inconsistency #4 (Slide 11)

Inconsistency #4			
Info	<ul style="list-style-type: none"> • Parcels: 1021069103 and • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Neighborhood Commercial	Single Family Residential (R4)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	<ul style="list-style-type: none"> • Automobile fueling stations • Wrecking yards • Drive-thrus • Entertainment/ cultural facilities • Essential Public Facilities • General office • Personal & professional services • Pet stores • Religious institutions • Mixed use • Senior housing • Retail • Utilities • Veterinary clinics 	See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	12 du/acre, none for mixed use	
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The site is currently vacant, which means when developed it will have an impact on the public facilities and services by increasing the need for them. However, the change in designation is from a designation that's associated zoning allows more intense uses (Neighborhood Commercial) to a less intense use (Low Density residential) to match the current zoning (R4). Further analysis is being done on transportation concurrency and level of service by a third-party reviewer and will be included on the final recommendation prior to planning commission action.

2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

The change in designation is from a designation that allows more intense uses (Neighborhood Commercial) to a less intense use (Low Density residential) to match the current zoning, this change in designation would result in fewer impacts on the capital facilities and utilities if the site was fully built out. Further analysis is being done on impacts to the transportation network and will be included on the final recommendation. Utility availability applications will be required prior to development. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review. Given the wetland mapped by the wetland national inventory to the west of the site, a less intense use is more compatible on the parcels.

3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

Staff recommends the site be re-designated to revert back to the 2009 FLUM designation of Low Density Residential. Given the wetland mapped by the wetland national inventory to the west of the site, a less intense use is more compatible on the parcels and with the surrounding parcels including Lake Sawyer Regional Park. Neighborhood commercial is intended to provide small scale commercial to neighborhoods and should be located in areas capable of being served by transit when available and capable of connecting to existing or planned pedestrian walkways or bikeways (comprehensive plan, page 5-13). This location is isolated from any neighborhoods as it is surrounded by public and business park and light industrial designations/ zones. Site access would need to be provided and reviewed upon a development application submittal as well as an application for utility concurrency.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposed amendment is to revert the FLUM designation back to the 2009 FLUM map and bring it in compliance with the City's zoning map. This reversion aligns with citizen requests and will not create pressure to change the land use designations of other properties, as all properties that had designation changes between 2009 and 2019 are being analyzed under this comprehensive plan amendment cycle.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;

The proposed amendment would not affect the land use and population growth projections as those are based on the zoning map (per King County Urban Growth Capacity Report) and the parcels are zoned low density residential. The land use designation change would create consistency between the maps.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;
The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.
7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.
The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends reverting to the 2009 FLUM map by designating the property Low Density Residential and maintaining the current zoning.

Inconsistency #5 (Slide 12)

Inconsistency #5			
Info	<ul style="list-style-type: none"> • Parcels: 1121069112, 1121069113, 1121069114, 1121069020, 1221069049 • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Neighborhood Commercial	Single Family Residential (R4)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	<ul style="list-style-type: none"> • Automobile fueling stations • Auto wrecking yards • Drive-thrus • Entertainment/ cultural facilities • Essential Public Facilities • General office • Personal & professional services • Pet stores • Religious institutions • Mixed use • Senior housing • Retail • Utilities • Veterinary clinics 	See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	12 du/acre, none for mixed use	
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

The 2009 FLUM and zoning map designated the site as Low Density Residential. In 2019 the FLUM designation was changed to Neighborhood Commercial. The reasoning provided by the owner was that the new Tacoma Pipeline and the planned arterial connector would be a dividing line, and the properties had similar topography, ownership, and long-term development prospects. Staff believes this is not sufficient reasoning and that more analysis and studies need to be done to determine the impacts of changing the designation from residential to commercial.

1. Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The site is currently vacant, which means when developed it will have an impact on the public facilities and services by increasing the need for them. However, the change in designation is from a designation that allows more intense uses (Neighborhood Commercial) to a less intense use (Low Density residential) to match the current zoning. Further analysis is being done on transportation concurrency and level of service by a third-party reviewer and will be included on the final recommendation prior to planning commission action.
2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The change in designation is from a designation that allows more intense uses (Neighborhood Commercial) to a less intense use (Low Density residential) to match the current zoning, this change in designation would result in fewer impacts on the capital facilities and utilities if the site was fully built out. Utility availability applications will be required at the time of development application. Further analysis is being done on impacts to the transportation network and will be included on the final recommendation. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.
3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;
Staff is recommending the site be re-designated to revert back to the 2009 FLUM designation (Low Density Residential) which will make the FLUM map consistent with the current zoning map. The designation of low density residential is consistent with the surrounding residential designations. Site access would need to be provided and reviewed upon a development application submittal as well as an application for utility availability.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.
The proposed amendment is to revert the FLUM designation back to the 2009 FLUM map and bring it in compliance with the City's zoning map. This reversion aligns with citizen requests and will not create pressure to change the land use designations of other properties, as all properties that had designation changes between 2009 and 2019 are being analyzed under this comprehensive plan amendment cycle.
5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan;
The proposed amendment would not affect the land use and population growth projections as those are based on the zoning map (per King County Buildable Lands Report) and the parcels are zoned low density residential. The land use designation change would create consistency between the maps.
6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;
The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.
7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.
The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends the zoning remain as currently shown, Single Family Residential (R4), and the FLUM be amended to designate the properties Low Density Residential as previously shown in 2009. This could be brought forth as a comprehensive plan amendment by the owner in a future docket cycle.

Inconsistency #6 (Slide 13)

Inconsistency #6			
Info	<ul style="list-style-type: none"> • Parcels: 1321069012 • Existing Use: Vacant/ undeveloped, “in City forest”, within the Black Diamond Urban Growth Area Agreement 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Public	Master Planned Development (MPD)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	<ul style="list-style-type: none"> • Essential public facilities • Major institutions • Related uses • Parks • Caretaker’s quarters • Utilities 	Regulated by the Development Agreement (DA)
Density	R-4: 4 du/acre R-6: 6 du/acre	n/a	Base density of 4 du/acre, but modified through TDR
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The property is designated Public on the 2019 FLUM and staff recommends it be rezoned to Public as well (from MPD). The property would therefore not be developed and would not adversely affect level of service for any facilitates or services nor would it need to meet concurrency requirements.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
A rezone from MPD to Public would not have a significant adverse impact on the transportation network, capital facilities, or utilities as the development would be severely restricted due to allowed uses and site constraints. A designation of Public aids in the amount of open space and would help preserve environmental features by limiting development impacts.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The changed designation is consistent with the previously established In City Forest agreement (Black Diamond Urban Growth Area Agreement). The subject site development rights were removed through the agreement. If access or utilities were necessary, they would be reviewed for at the time of application. The site is compatible with the low density residential designations to the south and functions as a buffer between those uses and the MPD.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

There is no indication that the parcel was ever intended to be part of the MPD, so the change in zoning and designation is appropriate. The change is consistent with the development intent and would not pressure any other lands to change.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan;

The parcel was incorrectly shown as part of the MPD in the past. The MPD has a designated maximum number of units allowed per the DA, so the exclusion of this parcel from the MPD would not affect those numbers. Further, as the site would be designated public, it would be unable to be developed with residential and would not affect the land use or population growth projections.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends rezoning the parcel to Public and maintaining the FLUM designation of Public.

Inconsistency #7 (Slide 14)

Inconsistency #7			
Info	<ul style="list-style-type: none"> Parcels: 0841000005, 0844001365, 1421069081, 1421069077, 0844001361, 0844001360, 0844001355, 0844001345, 0844001340, 0844001330, 0844000900, 0844000895, 0844000890, 0844000835, 0844000830, 0844000795, 0844000800, 0844000345, 0844000340, 0844000335, 0844000330 Existing Use: Mobile home park, single family residential, vacant, commercial, Cenex. 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Community Commercial	Neighborhood Commercial/ Low Density Residential	Community Commercial
Permitted and Conditional Uses*	<ul style="list-style-type: none"> Automobile fueling stations Drive thru facilities Essential public facilities Hotels/ motels Wholesale/ retail establishments Major institutions Mini storage Personal & professional services Pet daycare Religious institutions Mixed use Retail Utilities Vet clinics 	<ul style="list-style-type: none"> Agricultural stands/ uses Bed & Breakfasts Childcare Home occupations Schools Religious institutions ADUs Duplexes Manufactures housing Single Family Utilities <p><i>Neighborhood Commercial:</i></p> <ul style="list-style-type: none"> Automobile fueling stations Auto wrecking yards Drive-thrus Entertainment/ cultural facilities Essential Public Facilities General office Personal & professional services Pet stores Religious institutions Mixed use Senior housing Retail Veterinary clinics 	See 2009 FLUM column
Density	No density requirements	NC: 12 du/acre, none for mixed use R4: 4du/acre R6: 6 du/acre	
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for

other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);

Further analysis is being done on transportation concurrency and level of service by a third-party reviewer and will be included on the final recommendation prior to planning commission action.

2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

The proposal would not result in adverse impacts to the City's transportation network, capital facilities, or utilities. The change in designation allows largely the same uses, and the majority of the sites are already built out. In future (re)development, impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.

3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The parcels are physically suitable for the requests as they are mostly built out and were previously designated Community Commercial for many years. Access is already in place for the parcels, and the majority have utilities. Any sites without utilities would be required to provide an availability application prior to development. The change in designation is consistent with intent for the area and creates a commercial corridor along a main thoroughfare in the City.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposed amendment is to revert the FLUM designation back to the 2009 FLUM map (Community Commercial) and bring it in compliance with the City's zoning map. This reversion aligns with citizen requests and will not create pressure to change the land use designations of other properties, as all properties that had designation changes between 2009 and 2019 are being analyzed under this comprehensive plan amendment cycle.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;

The proposed amendment would not affect the land use and population growth projections as those are based on the zoning map (per King County Urban Growth Capacity Report) and the parcels are zoned Community Commercial. The land use designation change would create consistency between the maps.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends amending the FLUM map to designate the parcels Community Commercial and keep the current zoning.

Consolidation #1 (Slide 15)

Consolidation #1			
Info	<ul style="list-style-type: none"> • Parcels: 0321069076, 0221069028, 0221069029, 0221069030, 0221069024, 1121069006 • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Mixed Use	Community Commercial	Master Planned Development (MPD)
Permitted and Conditional Uses*	<p>This designation no longer exists. Previous comp plans indicated it was imagined to include:</p> <ul style="list-style-type: none"> • Personal & professional services • Residences • Retail • Offices • Eating/ drinking establishments 	<ul style="list-style-type: none"> • Automobile fueling stations • Drive thru facilities • Essential public facilities • Hotels/ motels • Wholesale/ retail establishments • Major institutions • Mini storage • Personal & professional services • Pet daycare • Religious institutions • Mixed use • Retail • Utilities • Vet clinics 	Regulated by the Development Agreement (DA)
Density	n/a	No density requirements	Base density of 4 du/acre, but modified through TDR
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

The 2009 FLUM designation (Mixed Use) was eliminated and is not present in the comprehensive plan anymore. Reverting to the Mixed-Use designation would result in wide spread changes necessary for the comprehensive plan maps and text as well as associated development/ zoning regulations. The Community Commercial designation allows for mixed use

development, as was the intent of the original mixed use land use designation and is appropriate for the location next to the residential development. Community Commercial is intended to provide larger, community-scale centers outside the Town Center that meet the community's growing needs and serve the surrounding area.

This change is resulting from the removal of a designation. The mixed-use designation (according to the 2009 comprehensive plan) was only for properties located in the MPD, and with the removal of the designation the site has become community commercial, which permits similar uses. All development within the MPD is strictly regulated through the development agreement (DA) that is in place. The DA ensures concurrency requirements are met and LOS standards are not adversely affected.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, the evaluation criteria are not necessary.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #2 (Slide 16)

Consolidation #2			
Info	<ul style="list-style-type: none"> • Parcels: 1421069065, 084400032, and 1421069177 • Existing Use: Elementary school and associated play area/ fields and a park. 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	School and Park	Public	Public
Permitted and Conditional Uses*	N/A, this designation no longer exists	<ul style="list-style-type: none"> • Essential public facilities • Major institutions • Related uses • Parks • Caretaker's quarters • Utilities 	See 2019 FLUM column
Density	n/a	n/a	n/a
<small>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</small>			

The 2009 FLUM designations (School and Park) were eliminated and are no longer present in the comprehensive plan. Reverting to the School and Park designations would result in wide spread changes necessary for the comprehensive plan maps and text as well as associated development/ zoning regulations. The Public designation appropriately encompasses the previous designations. Maintaining the current designations maintains the required consistency between the maps. This does not affect concurrency or level of service for the sites.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #3 (Slide 17)

Consolidation #3			
Info	<ul style="list-style-type: none">• Parcels: MPD PP Phase 1 A and Phase 1B. The largest parcel is number 1521069005, there are an additional 160 parcels in this area.• Existing Use: Northern portion is currently vacant, southern portion is developed with single family homes and associated open space lots.		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Mixed Use	Neighborhood Commercial	Master Planned Development (MPD)
Permitted and Conditional Uses*	This designation no longer exists. Previous comp plans indicated it was imagined to include: <ul style="list-style-type: none">• Personal & professional services• Residences• Retail• Offices• Eating/ drinking establishments	<ul style="list-style-type: none">• Automobile fueling stations• Auto wrecking yards• Drive-thrus• Entertainment/ cultural facilities• Essential Public Facilities• General office• Personal & professional services• Pet stores• Religious institutions• Mixed use• Senior housing• Retail• Utilities• Veterinary clinics	Regulated by the Development Agreement (DA)
Density	n/a	12 du/acre, none for mixed use	Base density of 4 du/acre, but modified through TDR
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

The 2009 FLUM designation (Mixed-Use) was eliminated and is not present in the comprehensive plan anymore. Reverting to the Mixed-Use designation would result in wide spread changes necessary for the comprehensive plan maps and text as well as associated development/ zoning regulations. The Neighborhood Commercial designation allows for mixed use development, as was the intent of the original mixed use land use designation and is appropriate for the location next to the residential development as Neighborhood Commercial is intended to provide smaller scale neighborhood centers while protecting neighborhood character. Maintaining the current designations maintains the required consistency between the maps.

This change is resulting from the removal of a designation. The mixed-use designation (according to the 2009 comprehensive plan) was only for properties located in the MPD, and with the removal of the designation this site has become neighborhood commercial for this site, which permits similar uses. All development with in the MPD is strictly regulated through the

development agreement that is in place. The DA ensures concurrency requirements are met and LOS standards are not adversely affected.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #4 (Slide 18)

Consolidation #4			
Info	<ul style="list-style-type: none"> Parcels: MPD PP Phase 1 A and Phase 1B. The largest parcel is number 1521069005, there are an additional 160 parcels in this area. Existing Use: Northern portion is currently vacant, southern portion is developed with single family residential and associated open space lots. 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Urban Reserve	Low Density Residential	N/A
Permitted and Conditional Uses*	N/A, this designation no longer exists	<ul style="list-style-type: none"> Agricultural stands/ uses Bed & Breakfasts Childcare Home occupations Schools Religious institutions ADUs Duplexes Manufactures housing Single Family Utilities 	These parcels are not zoned as they are part of the potential annexation area, and not yet within city limits.
Density	n/a	R-4: 4 du/acre R-6: 6 du/acre	n/a
<small>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</small>			

The 2009 FLUM designation (Urban Reserve) was removed from the FLUM map. The Urban Reserve designation (according to the 2009 comprehensive plan) was to recognize existing low density residential development surrounding the Lake 12. This is in the potential annexation area and no development would occur until such time that public water, sewer, and other services would be made available. The previous change from Urban Reserve to Low Density Residential maintains the intent of the site development for low density residential.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM designation and remain unzoned by the City.

Scrivener's Error #1 (Slide 19)

Scrivener's Error #1			
Info	<ul style="list-style-type: none"> • Parcels: 1021069001 • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Mixed Use	Business Park & Light Industrial	Business Industrial Park
Permitted and Conditional Uses*	N/A, this designation no longer exists	<ul style="list-style-type: none"> • Adult oriented businesses • Business support services • Entertainment/ cultural facilities • Essential public facilities • Childcare centers • General office • Light manufacturing • Major institutions • Parking structures • Schools • Religious institutions • Research & development • Tech, biotech, medical equipment • Utilities • Wholesaling 	See 2019 FLUM column
Density	n/a	No density requirements	No density requirements
<small>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</small>			

This is part of a larger parcel, the larger parcel has a FLUM designation of Business Park and Light Industrial and is zoned Business Industrial Park, the 2009 FLUM was an error in designating it separately. There are no proposed changes to the zoning or FLUM map associated with this item.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM and current zoning designations.

Scrivener's Error #2a (Slide 20)

Scrivener's Error #2a			
Info	<ul style="list-style-type: none"> • Parcels: 0421069087, 0421069106 • Existing Use: School site 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Public	Low Density Residential	N/A
Permitted and Conditional Uses*	N/A, this designation no longer exists	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	These parcels are not zoned as they are part of the potential annexation area, and not yet within city limits.
Density	n/a	R-4: 4 du/acre R-6: 6 du/acre	n/a
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The site is built out with Kentlake High School and associated fields. The proposal amends the FLUM map to fix a mapping error and properly reflect the right designation (public). The site meets applicable concurrency requirements and the proposal will not adversely affect the adopted level of service.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The proposed amendment will not result in adverse impacts to the transportation network, capital facilities, utilities, parks or environmental features. The proposal properly designates the parcels on the FLUM, and remain unzoned by the City as they are in the potential annexation area.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The site is suitable for the designation as it is already developed as such; the designation change is to accurately reflect the development.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

This will not create pressure to change any other land use designations as the sole purpose of this proposal is to fix an error on the FLUM map to reflect the accurate use of the property.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan;

The amendment will not affect land use or population growth as it is already built out as a school and the amendment is to correct the designation that was changed in error.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The school site is built out and met the applicable requirements for facilities and services when it was permitted and developed.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends that the FLUM be amended to designate these parcels as Public.

Scrivener's Error #2b (Slide 20)

Scrivener's Error #2b			
Info	<ul style="list-style-type: none"> Parcels: 1021069058, 1021069122, 1021069067, 1021069027, 1021069117, 4391600160, 1021069094, 1021069057, 1021069056, 1021069092, 1021069066, 1021069055, 1021069025, 1021069120, 1021069090, 7570700010, 1021069116, 1021069083, 1021069049, 1021069022, 1021069123, 1021069121, 1021069028, 1021069119, 1021069118, 1021069074, 1021069050, 1021069024 Existing Use: Single family residential, vacant 		
Map	2009 FLUM	2019 FLUM	2015 Zoning Map
Designation	Low Density Residential	Public	Single Family Residential (R4)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> Agricultural stands/ uses Bed & Breakfasts Childcare Home occupations Schools Religious institutions ADUs Duplexes Manufactures housing Single Family Utilities 	<ul style="list-style-type: none"> Essential public facilities Major institutions Related uses Parks Caretaker's quarters Utilities 	See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	n/a	R-4: 4 du/acre
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The vast majority of the parcels involved in this proposal are built out with residential uses. The proposal amends the FLUM map to fix a mapping error and properly reflect the right designation. The site meets applicable concurrency requirements and the proposal will not adversely affect the adopted level of service.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The proposed amendment will not result in adverse impacts to the transportation network, capital facilities, utilities, parks or environmental features. The designation change simply corrects a mapping error.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The site is suitable for the designation as it is already developed as such, the designation change is to accurately reflect the development.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

This will not create pressure to change any other land use designations as the sole purpose of this proposal is to fix an error on the FLUM map.

5. The proposed site-specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;

The amendment will not affect land use or population growth as the majority of parcels are already built out, and all are zoned single family residential. The amendment is to correct the FLUM designation that was changed in error.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The parcels are built out and met the applicable requirements for facilities and services when they were permitted and developed; those that are not will be required to prove availability and meet development regulations at the time of development.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends the parcels be designated on the FLUM as Low Density Residential to be consistent with the zoning map.

Scrivener's Error #3 (Slide 21)

Scrivener's Error #3			
Info	<ul style="list-style-type: none"> • Parcels: 1321069012 • Existing Use: Vacant/ undeveloped, "in City forest", within the Black Diamond Urban Growth Area Agreement 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential w/ MPD Overlay	Public w/ MPD Overlay	Master Planned Development (MPD)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 	<ul style="list-style-type: none"> • Essential public facilities • Major institutions • Related uses • Parks • Caretaker's quarters • Utilities 	Regulated by the Development Agreement (DA)
Density	R-4: 4 du/acre R-6: 6 du/acre	n/a	Base density of 4 du/acre, but modified through TDR
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The proposal amends the FLUM map to fix a mapping error and properly reflect the MPD overlay boundaries. The proposal does not affect the underlying designation or zoning and will not adversely affect the adopted level of service or other public facilities and services.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The proposed amendment will not result in adverse impacts to the transportation network, capital facilities, utilities, parks or environmental features. The designation change simply corrects a mapping error.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The proposal is to remove the MPD overlay from the parcel as it was mapped in error and is not shown as part of the MPD in the development agreement. The underlying zoning and designation will not change under this proposal; therefore access, utilities, and compatibility will not be affected.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

This will not create pressure to change any other land use designations as the sole purpose of this proposal is to fix an error on the FLUM map.

5. The proposed site specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;

The removal of the MPD overlay layer will not affect the land use or population projections as it does not directly change the zoning or underlying FLUM designations.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed removal of the MPD overlay will not affect the adequacy or availability of urban facilities and services.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends removing the Master Planned Development (MPD) overlay from the parcel, as the development agreement does not show this area as being part of the MPD.

Undesignated Parcels (Slides 22 & 23)

Undesignated #1-5			
Info	<ul style="list-style-type: none"> Parcels: 1021069016, 1121069017, 1121069024, 1221069038, 1321069017 Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	n/a	n/a	n/a
Uses*	n/a	n/a	n/a
Density	n/a	n/a	n/a
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

There is no current zoning or future land use designation for parcels shown as #1, #2, #3, #4, and #5 on slide 22 and 23. These parcels are not right-of-way and are privately owned. They have never been

designated or zoned. Per the BDMC 18.68.060.C non-conforming lots with shared frontage under common ownership are considered a single lot.

Evaluation Criteria for Amendments for Site-Specific Proposals.

1. Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The referenced parcels are long and skinny and expected to be developed with the surrounding parcels (such as through a lot consolidation). Therefore, the lots are not expected to adversely effect adopted level of services. Concurrency will need to be met for the parcels prior to site development.
2. Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The proposal would not result in adverse impacts to the City's transportation network, capital facilities, or utilities. Assigning a designation/ zoning will allow the parcels to be built out, likely in conjunction with the adjacent parcels adding minor development capacity relative to the site(s). Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review.
3. In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;
The proposed designations and zoning are consistent with the surrounding residential designations. Site access would need to be provided and reviewed upon a development application submittal as well as an application for utility availability.
4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.
The proposal will not create pressure to change other parcel's designations. The purpose of this proposal is to give land use designations to currently undesignated and zoned parcels.
5. The proposed site-specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;
The amendment will not materially affect land use or population growth as the parcels will add minimal acreage to the potential future development of the sites. The amendment is to provide FLUM and zoning designations to the parcels so they can be appropriately regulated.
6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The proposed change does will not materially affect the adequacy or availability of urban facilities and services. Any development proposals must meet concurrency requirements and provide appropriate infrastructure.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends designating and zoning the parcels consistent with the surrounding parcels as follows:

1. Parcel 1021069016 - FLUM: Business Park & Light Industrial and Zoning: Business/Industrial Park
2. Parcel 1121069017 - FLUM: Community Commercial and Zoning: Community Commercial
3. Parcel 1121069024 - FLUM: Industrial and Zoning: Industrial
4. Parcel 1221069038 - FLUM: Low Density Residential and Zoning: Single Family Residential (R4)
5. Parcel 1321069017 - FLUM: Low Density Residential and Zoning: Single Family Residential (R4)

Zoning Map Scrivener's Error (Slide 24)

Zoning Map Scrivener's Error			
Info	<ul style="list-style-type: none"> • Parcels: 0421069018, 0421069040, 0421069021, 0421069022, 0421069026, 0421069023, 0421069024, 0421069014 • Existing Use: Lake Sawyer islands - single family residential, and vacant 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Undesignated	Single Family Residential (R4)
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities 		See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	n/a	
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Evaluation Criteria for Amendments for Site-Specific Proposals.

- Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);
The islands are currently regulated as Low Density Residential/ Single Family Residential (R4). This proposal is to correct the FLUM map in which the color is not shown properly, this proposal will not affect concurrency or level of service. Further, the parcels developed on Lake Sawyer islands do not receive all public facilities and services.
- Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;
The islands are currently regulated as Low Density Residential/ Single Family Residential (R4). This proposal is to correct the FLUM map in which the color is not shown properly; this proposal will not affect the transportation network, capital facilities, utilities, parks and environmental features.
- In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(i) access; (ii) provision of utilities; and (iii) compatibility with existing and planned surrounding land uses;

The parcels are zoned and regulated as R4 and meant to be designated Low Density Residential. The sites that are not developed will be required to meet development regulations, as applicable for the islands. The proposal is compatible with the surrounding land uses which are all Low Density Residential.

4. The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole.

The proposal will not create pressure to change other parcel's designations. The purpose of this proposal is to redesignate the island parcels as intended.

5. The proposed site-specific amendment(s) does not materially affect the land use and population growth projections that are the basis of the comprehensive plan;
The amendment will not affect land use or population growth as the majority of parcels are already built out and are all already assumed to be designated Low Density Residential/ R4. The amendment is to correct the designation that was removed from the zoning map in error.

6. If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The parcels are built out and met the applicable requirements for facilities and services when they were permitted and developed, those that are not will be required to prove compliance at the time of development.

7. The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The proposed amendment is consistent with all local, state, and federal laws, as well as county wide and city policies. The City will continue to coordinate with other local jurisdictions, as well as applicable regional and state agencies through review processes such as SEPA.

Staff Recommendation

Staff recommends correcting the zoning map to show the parcels as R4, consistent with the 2009 and 2019 FLUM.

Split Zone #1 (Slide 25)

Split Zoned Parcels #1			
Info	<ul style="list-style-type: none">• Parcels: 2221069054, 2221069056, 2221069008, 2221069009• Existing Use: Vacant		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Low Density Residential	Low Density Residential	Single Family Residential R4 & R6
Permitted and Conditional Uses*	<ul style="list-style-type: none">• Agricultural stands/ uses• Bed & Breakfasts• Childcare• Home occupations• Schools• Religious institutions• ADUs• Duplexes• Manufactures housing• Single Family• Utilities	See 2009 FLUM column	See 2009 FLUM column
Density	R-4: 4 du/acre R-6: 6 du/acre	n/a	
<i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i>			

Staff Recommendation

Since the work session presentation on August 24, 2021, staff has discovered the City Council Ordinance 15-1062 that established this split zoning. This area is part of the MPD DA as expansion parcels. The zoning changes to this site were initiated in 2015. Legal descriptions and GIS files were provided to identify the boundaries of each zone. Staff therefore recommends no changes be made.

Split Zoned #2 (Slide 26)

Split Zoned Parcels #2			
Info	<ul style="list-style-type: none"> • Parcels: 1521069052 • Existing Use: Vacant/ undeveloped 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Medium Density Residential/ Mixed Use	Medium Density Residential/ Neighborhood Commercial	Medium Density Residential/ Neighborhood Commercial
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities <p>Mixed use designation no longer exists.</p>	<p>Neighborhood Commercial:</p> <ul style="list-style-type: none"> • Automobile fueling stations • Auto wrecking yards • Drive-thrus • Entertainment/ cultural facilities • Essential Public Facilities • General office • Personal & professional services • Pet stores • Religious institutions • Mixed use • Senior housing • Retail • Utilities <p>Veterinary clinics</p>	See 2009 & 2019 FLUM column
Density	8 du/acre	12 du/acre, none for mixed use	
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

This parcel is currently split zoned/designated with Neighborhood Commercial and Medium Density Residential (MDR8). Due to the sensitive areas on the rear portion of the property and the public benefit rating system (PBRs) present on site, more analysis needs to be done prior to staff creating a recommendation. This proposal could come forward during the next comprehensive plan amendment cycle.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM and current split zoning designations until further analysis can be done.

Split Zoned Parcel #3 (Slide 27)

Split Zoned Parcels #3			
Info	<ul style="list-style-type: none"> • Parcels: 1521069023 • Existing Use: Single family residential 		
Map	2009 FLUM	2019 FLUM	2015 Zoning
Designation	Medium Density Residential/ Mixed Use	Medium Density Residential/ Neighborhood Center	Medium Density Residential/ Neighborhood Commercial
Permitted and Conditional Uses*	<ul style="list-style-type: none"> • Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities <p>Mixed use designation no longer exists.</p>	<p>Neighborhood Commercial:</p> <ul style="list-style-type: none"> • Automobile fueling stations • Auto wrecking yards • Drive-thrus • Entertainment/ cultural facilities • Essential Public Facilities • General office • Personal & professional services • Pet stores • Religious institutions • Mixed use • Senior housing • Retail • Utilities • Veterinary clinics 	See 2009 & 2019 FLUM column
Density	8 du/acre	12 du/acre, none for mixed use	
<p><i>*Allowed uses are for if the parcel was zoned to match the FLUM designation, as the zoning designation is what regulates the parcel. The allowed uses are what would be allowed under the currently adopted BDMC.</i></p>			

This parcel is currently split zoned/designated with Neighborhood Commercial and Low Density Residential (R6). Due to the consistent FLUM designations and zoning on either side of the parcel, split zoning makes sense to remain until the site comes forward to develop. This proposal to remove the split zoning could come forward during the next comprehensive plan amendment cycle.

Evaluation Criteria for Amendments for Site-Specific Proposals.

As no changes are proposed, this item is not evaluated under the site-specific proposal criteria.

Staff Recommendation

Staff recommends maintaining the 2019 FLUM and current split zoning designations until further analysis can be done.

Future Land Use Map and Zoning Map

Planning Commission Work Session

August 24, 2021

Joey Portmann, Senior Planner

Comprehensive Plan Amendments Docket Item:

“Reconsideration of the 2019 Future Land Use Map (FLUM) including possible reversion to the 2009 FLUM, and corresponding updates to the zoning map for consistency with the Comprehensive Plan and the FLUM, and to begin narrowing discrepancies with the PSRC’s VISION 2040 and 2050 (as applicable) and Regional Growth Strategy.”



Background

- Adoption of 2019 Comp Plan/ FLUM Map
 - Scrivener's Errors on the maps
 - Designation Changes
- Zoning Map last updated 2015
 - 2019 FLUM Changes not yet incorporated
- Why is this important?
 - Reflect designation in zoning
 - Correct Errors
 - PSRC/ Growth Management Requirement - Consistency
 - Have accurate reporting

FLUM vs Zoning Map

- The Future Land Use Map (FLUM) is what is adopted into the comprehensive plan and guides future land use development in the city. It is the vision of the city.
- The zoning map, a regulatory tool, implements the FLUM map, a policy tool, and should be in compliance with the FLUM map.
- For this docket item, which includes both the FLUM map and Zoning map, the key steps are to decide on the FLUM map changes (if any) and then shift the attention to the zoning map to identify changes to keep it in compliance with the FLUM map.
 - We will also go through identified issues with the zoning map including split zoning and scrivener's errors.

Future Land Use Map

2009 vs 2019 FLUM Comparison

Discussion Points

Land Use Consolidation

- Where: Land use designations within the 2009 FLUM were consolidated into single designations.
- Example: School and Parks were consolidated into Public

Inconsistencies

- Where: 2009 and 2019 do not match
- Example: 2019 FLUM shows different use than what is shown for the parcel in 2009 FLUM

Scriveners Errors

- Accidental inconsistencies that were made via cartographic errors
- Example: Unintentional Split Zone

Undesignated

- No designated use or zone
- Example: Parcel has never been zoned

Other

- Transfer of Development Rights (TDR) layer to be removed
- Discuss adopted zoning map errors

FLUM Legends

In looking at the two maps most of it may not *look* similar even if they are. This is because land use designations have been consolidated over the last 10 years.

2009

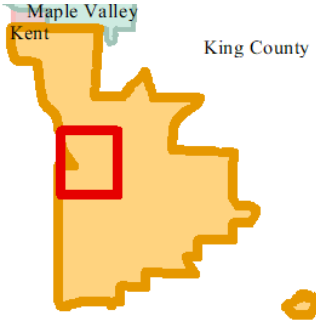


2019



Changes:

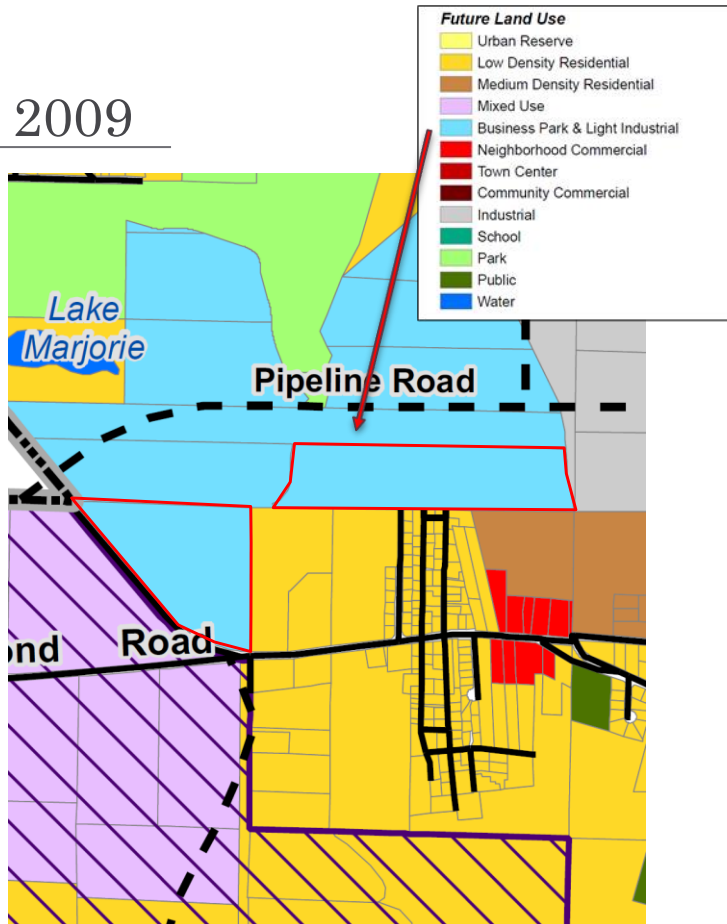
- Urban Reserve land use became part of Low Density Residential.
- Park and School land uses became part of the Public land use.
- Mixed Use land use was removed and became part of various commercial designations (which permit mixed use development).
- TDR added to map



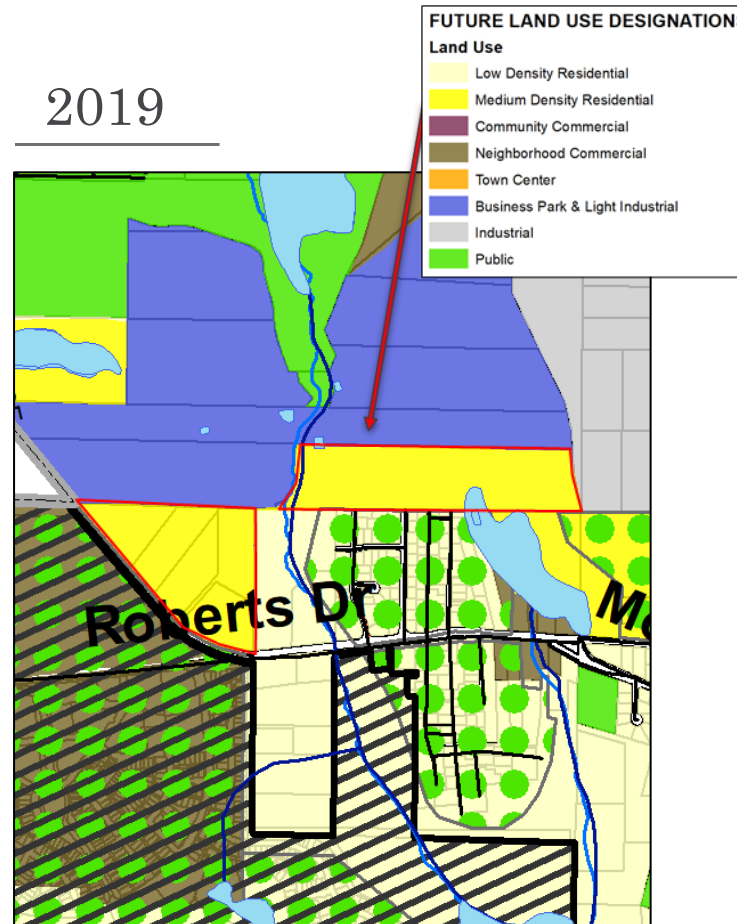
INCONSISTENCIES - #1

Business/Industrial Park →
Medium Density Residential

2009



2019

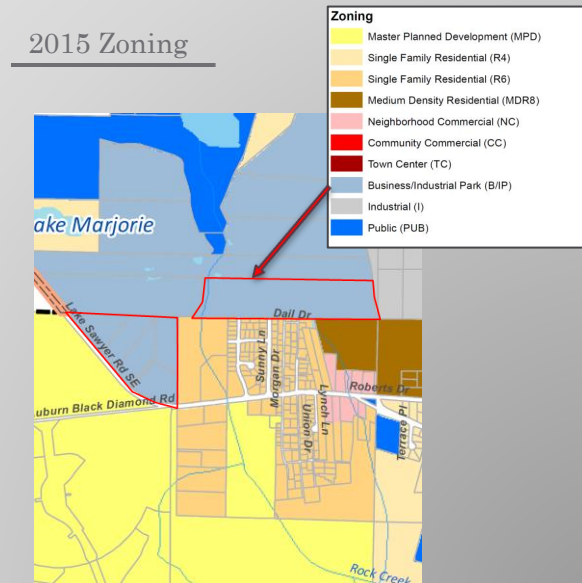


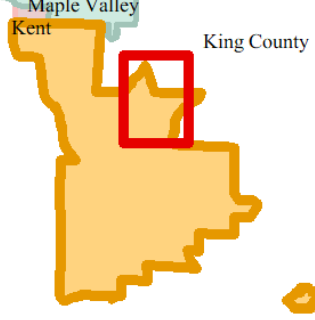
FACTSHEET

- Owner:
Palmer Coking Coal CO LLP
- Size:
53.5 Acres
- Current Zoning:
Business/Industrial Park
- Finding:

The current zoning does not match the current (2019) adopted FLUM. Following the adopted 2019 FLUM would require this zoning be changed to MDR8.

2015 Zoning

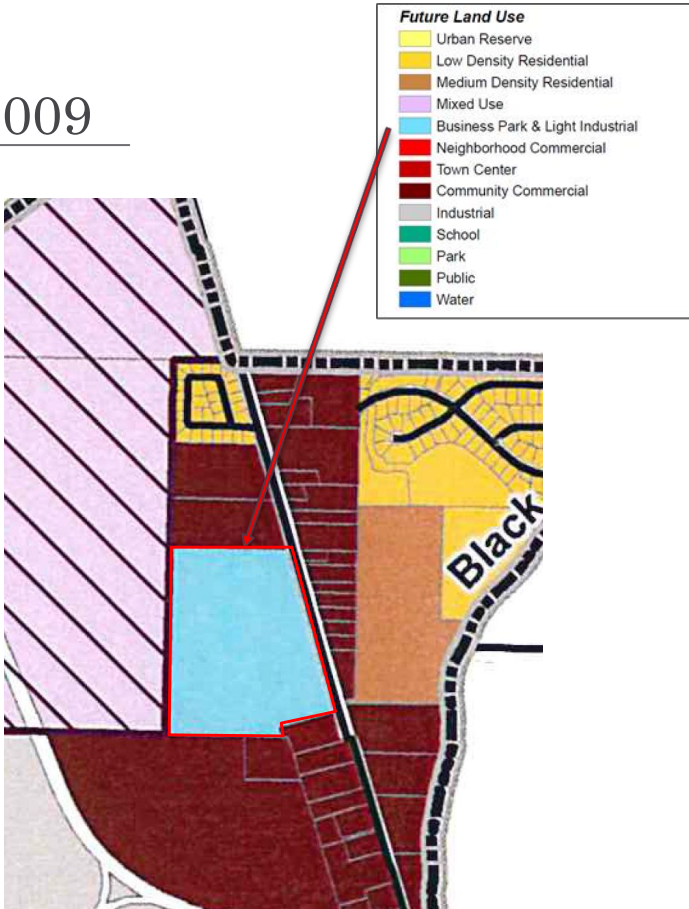




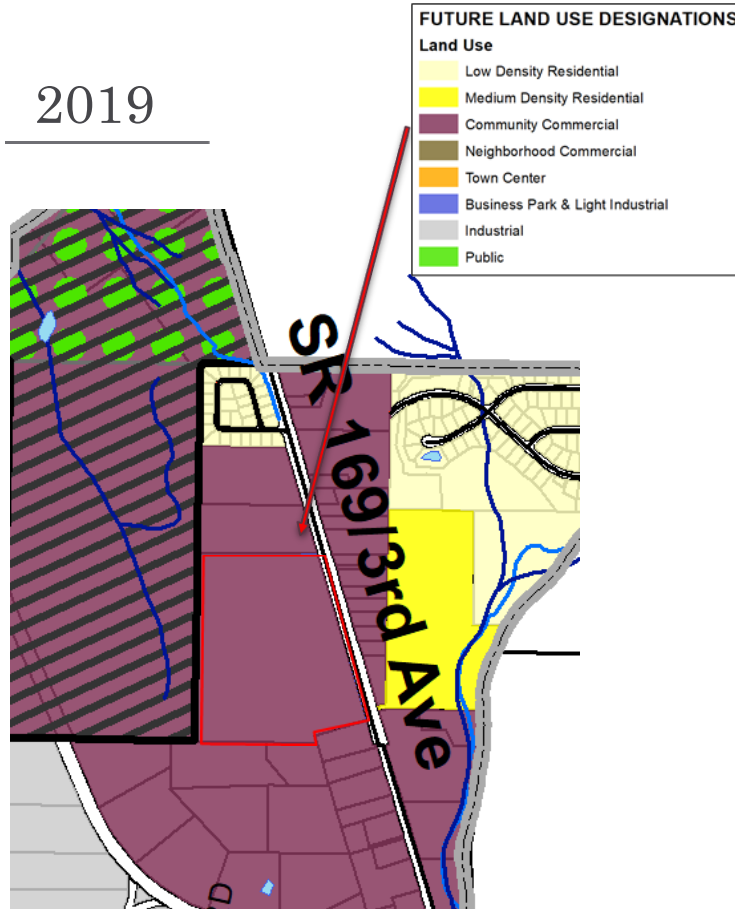
INCONSISTENCIES - #2

Business Industrial Park →
Community Commercial

2009



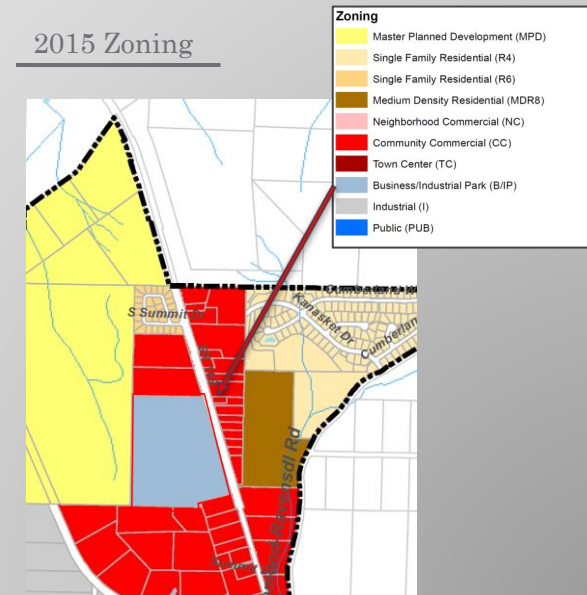
2019



FACTSHEET

- Owner:
3rd Avenue Development
- Size:
31.3 Acres
- Current Zoning:
Business/Industrial Park
- Finding:
The current zoning does not match the current (2019) adopted FLUM. Following adopted 2019 Comp Plan would require this Zoning be changed to Community Commercial (CC).

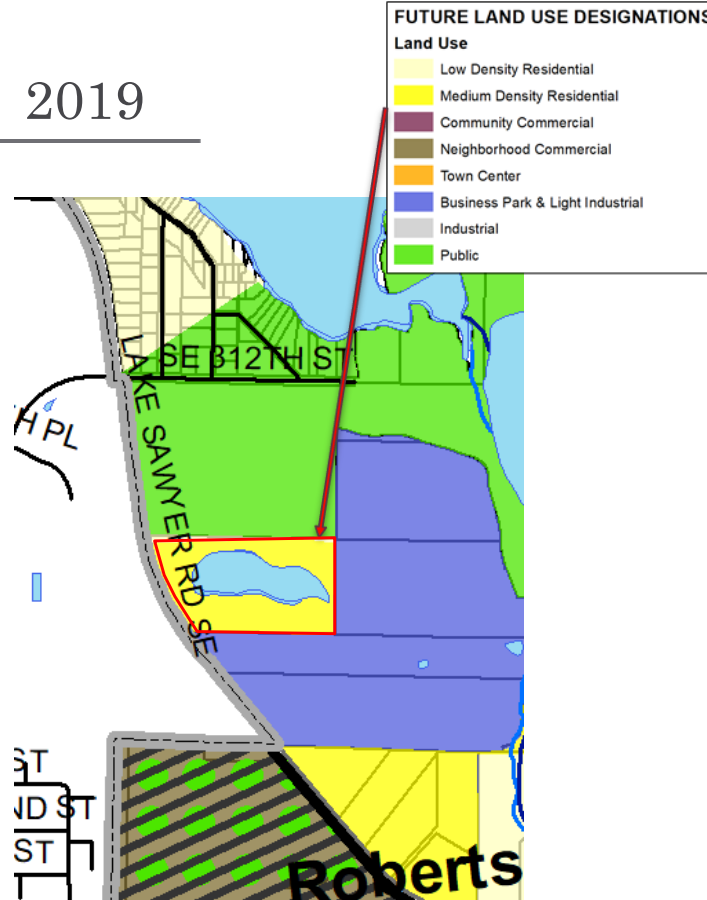
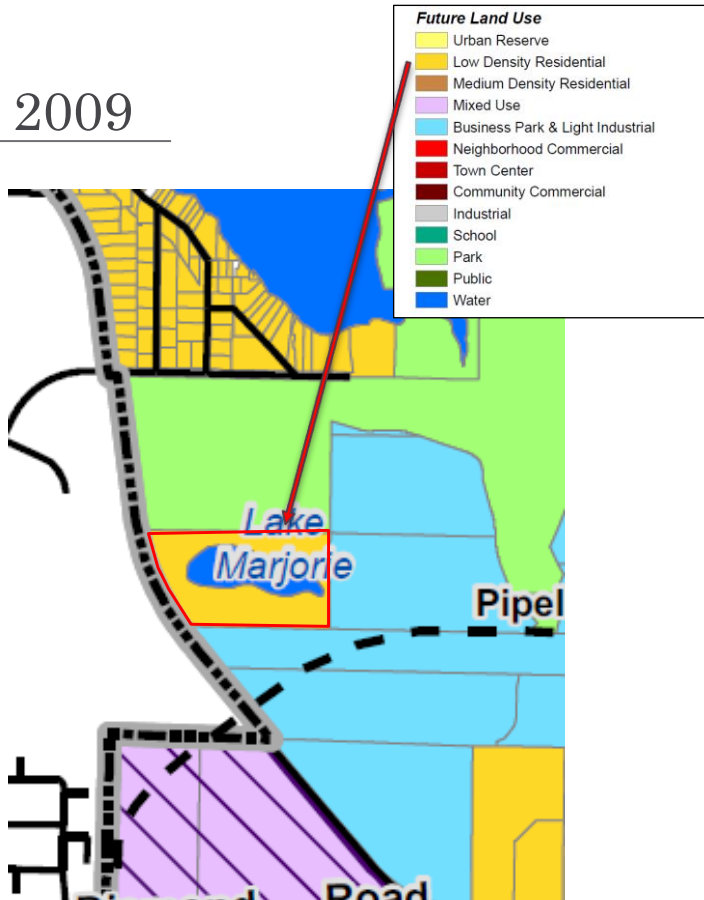
2015 Zoning





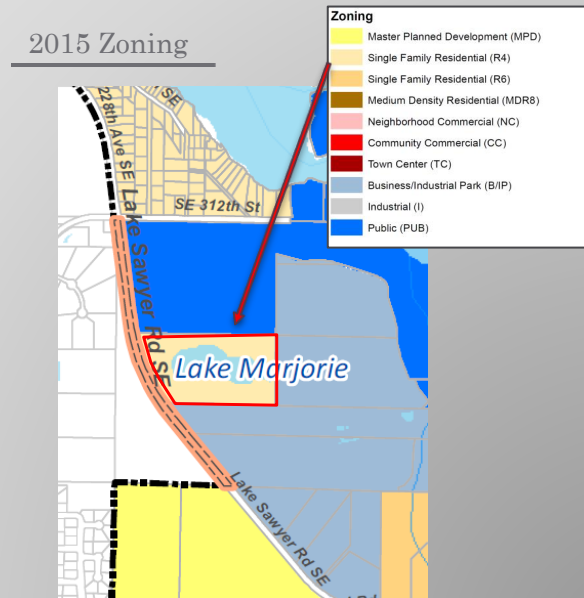
INCONSISTENCIES - #3

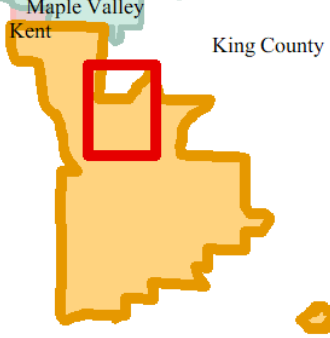
Low Density Residential →
Medium Density Residential



FACTSHEET

- Owner:
Palmer Coking Coal Co
- Size: 20.6 acres
- Current Zoning:
R4 – Low Density Residential
- Finding:
The current zoning does not match the current (2019) adopted FLUM. Following the adopted FLUM would result in this parcel being rezoned Medium Density Residential (MDR8).

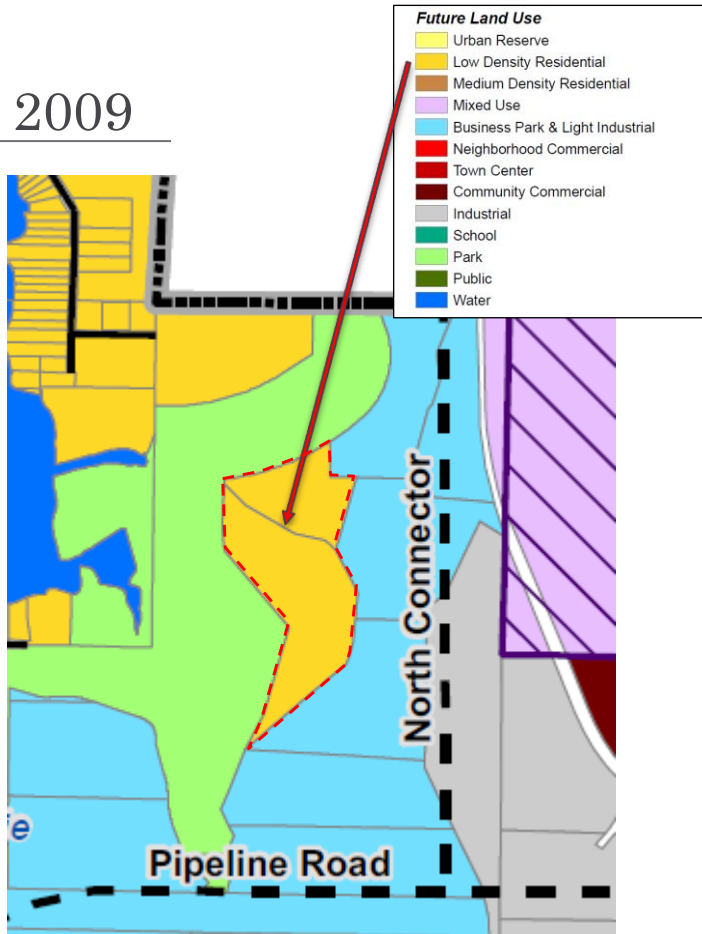




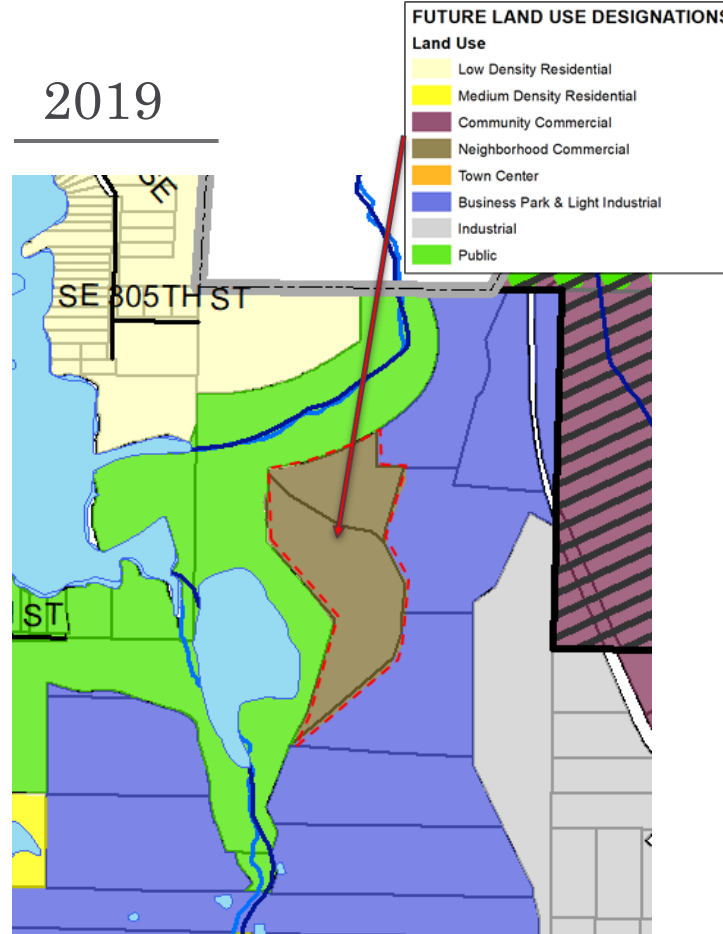
INCONSISTENCIES - #4

Low Density Residential →
Neighborhood Commercial

2009



2019

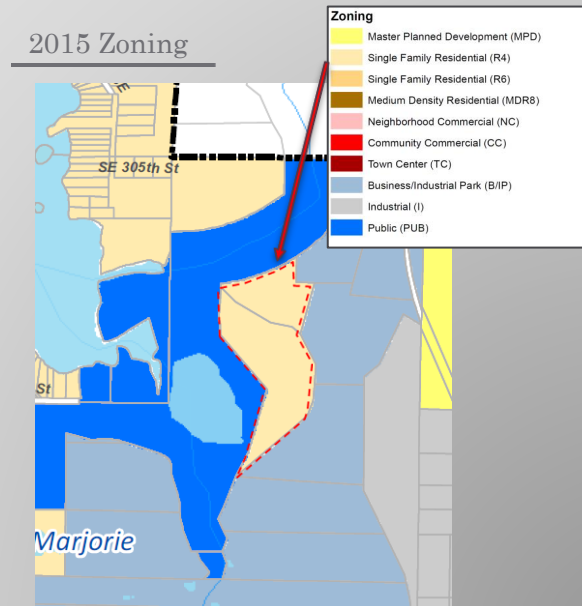


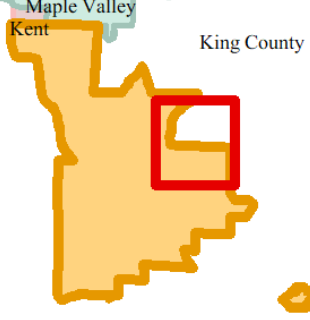
FACTSHEET

- Owner:
Palmer Coking Coal
- Size: 29.8 acres
- Current Zoning:
R4 – Low Density Residential

- Finding:
The current zoning is not consistent with the current (2019) adopted FLUM. Following the adopted FLUM would result in this parcel being rezoned to Neighborhood Commercial (NC).

2015 Zoning

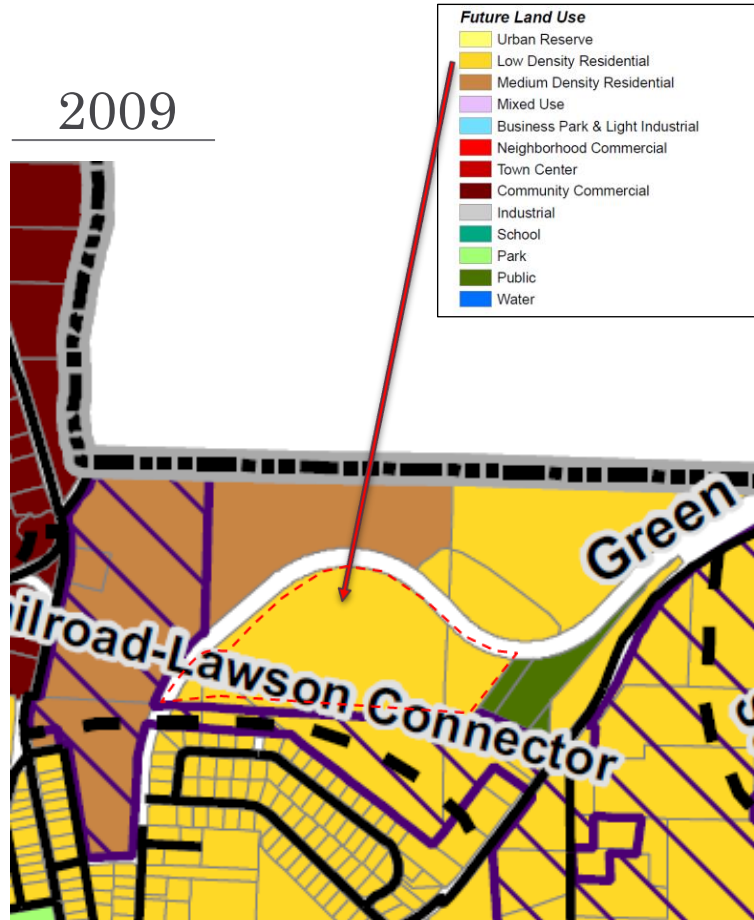




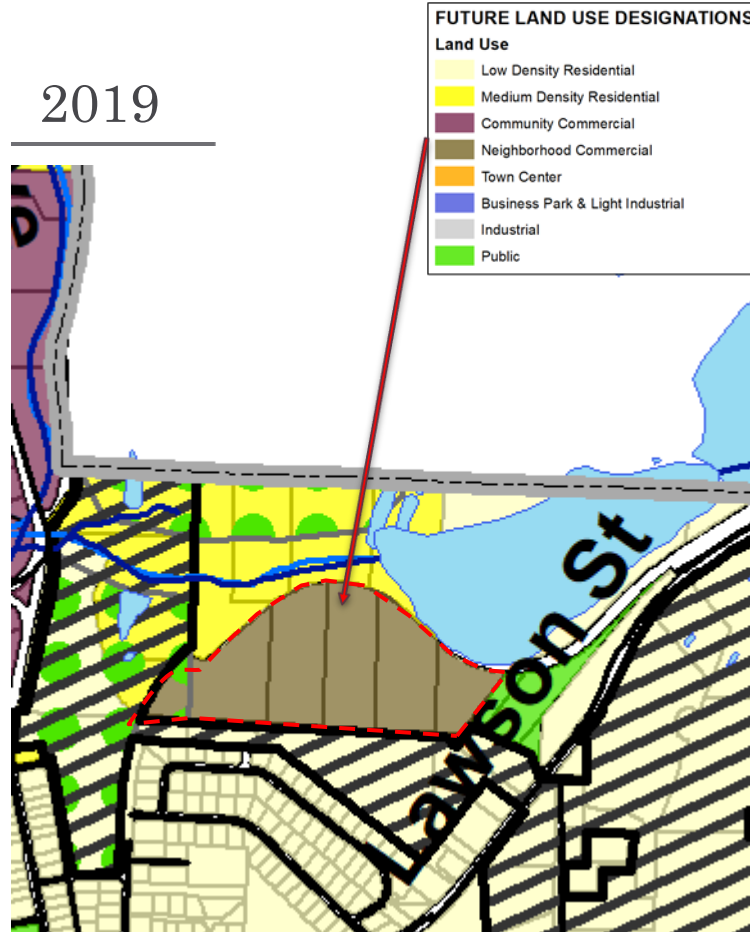
INCONSISTENCIES - #5

Low Density Residential →
Neighborhood Commercial

2009



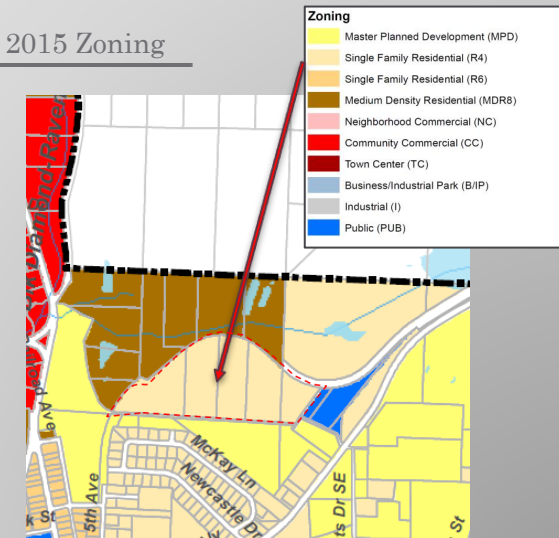
2019

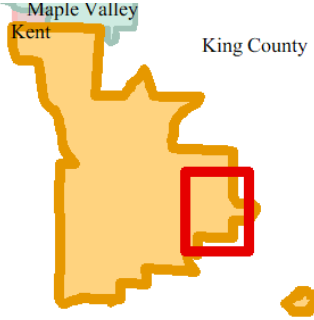


FACTSHEET

- Owner:
Palmer Coking Coal
- Size: 22.2 acres
- Current Zoning:
R4 – Low Density Residential
- Finding:
The current zoning is not consistent with the current (2019) adopted FLUM. Following the adopted FLUM would result in this parcel being rezoned to Neighborhood Commercial (NC).

2015 Zoning

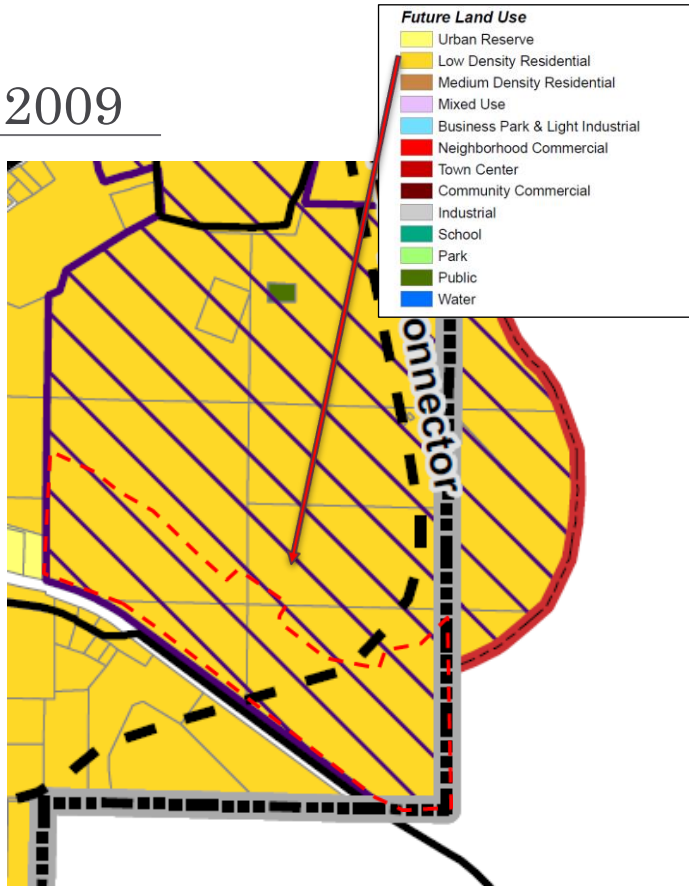




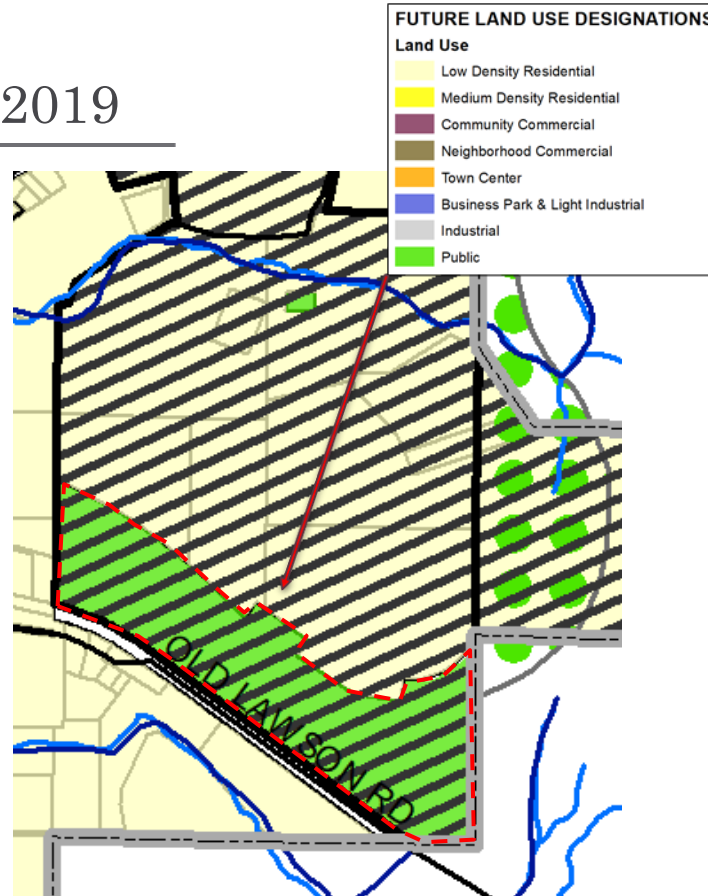
INCONSISTENCIES - #6

Low Density Residential → Public

2009



2019

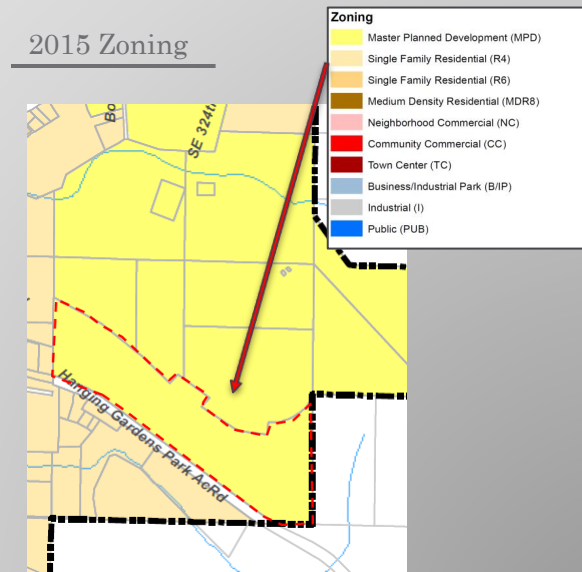


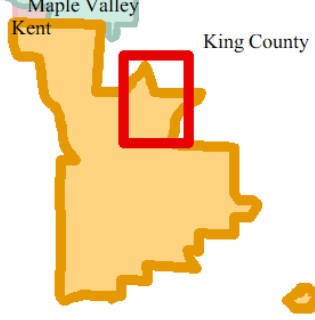
FACTSHEET

- Owner:
Palmer Coking Coal
- Size: 50.1 acres
- Current Zoning:
Master Planned Development - MPD
- Finding:

The current zoning is consistent with the current (2019) adopted FLUM as it is zoned MPD and is located within the MPD overlay. Following the adopted FLUM would result in this parcel being designated PUB, however the zoning would remain MPD.

2015 Zoning

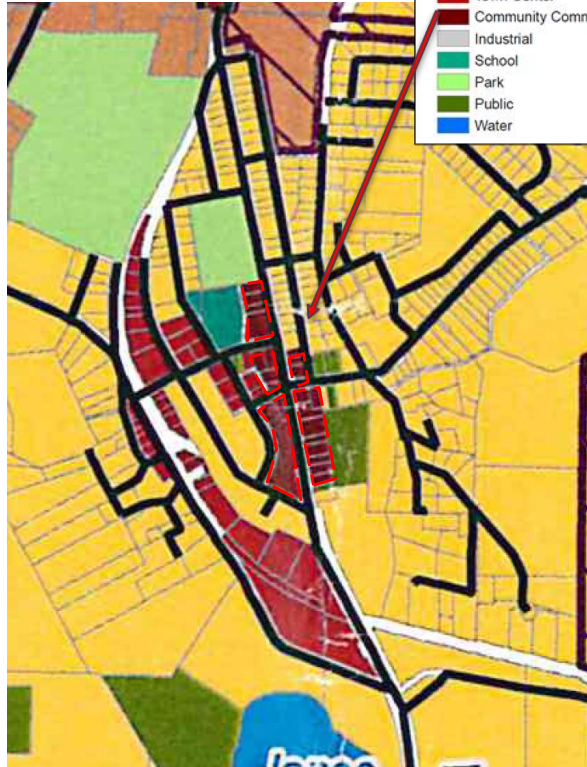




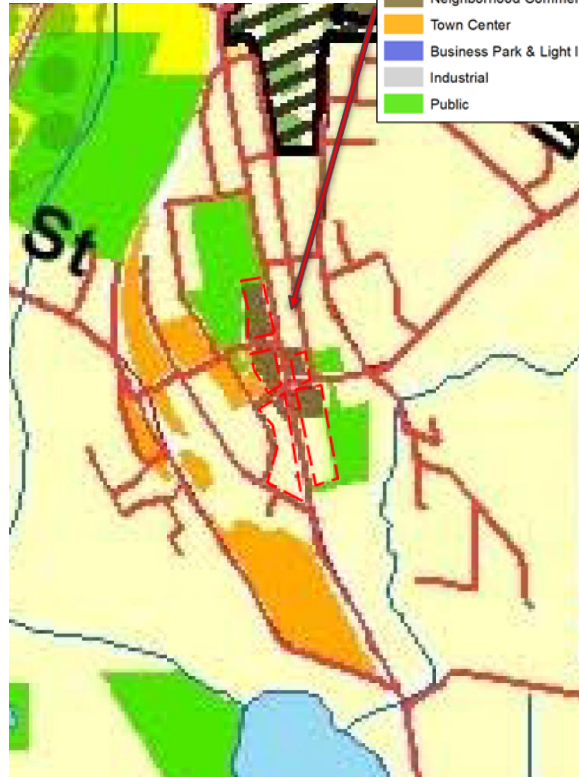
INCONSISTENCIES - #7

Community Commercial → Neighborhood Commercial & LD Residential

2009



2019

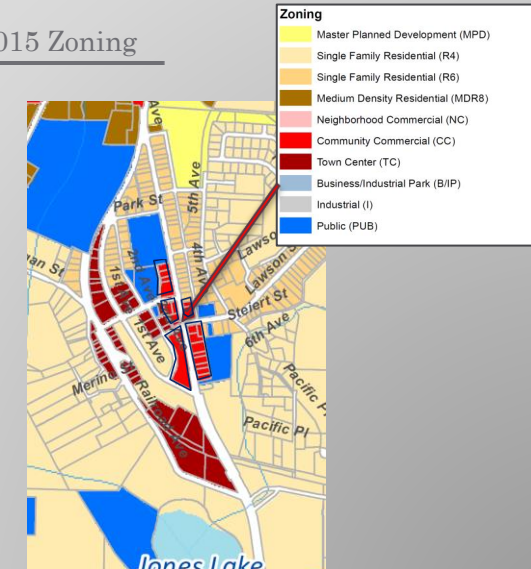


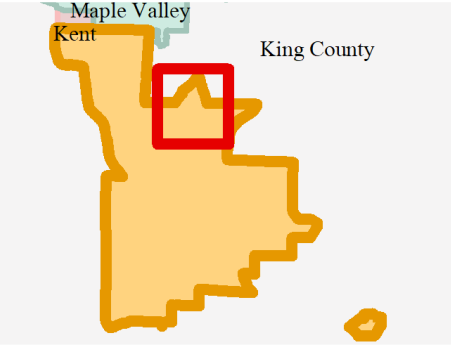
FACTSHEET

- Owner:
Multiple Owners
- Size:
5.04 Acres
- Current Zoning:
CC - Community Commercial
- Finding:

The current zoning is CC, which matches the 2009 FLUM designation of Community Commercial. The 2019 FLUM is inconsistent with the zoning map and 2009 FLUM.

2015 Zoning

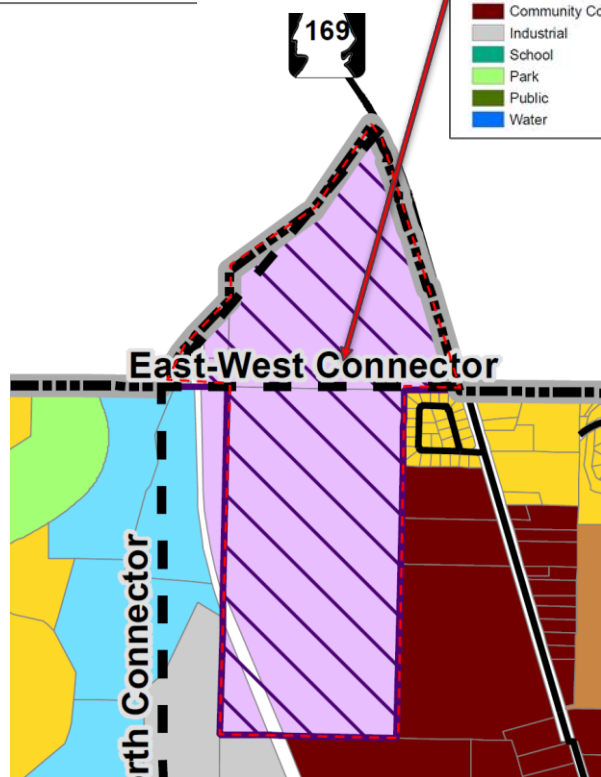
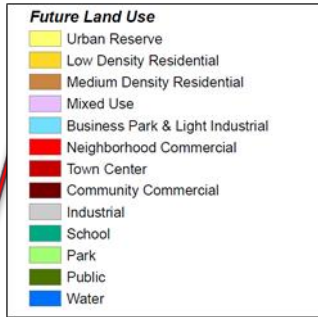




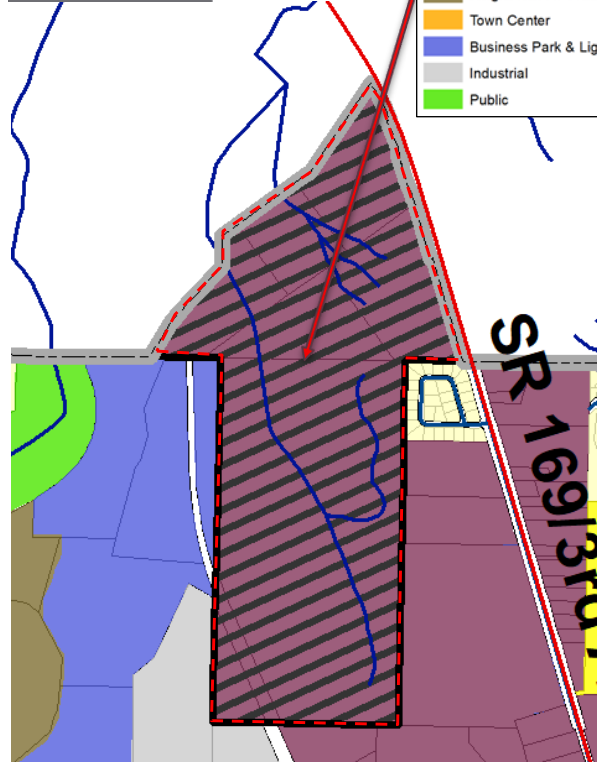
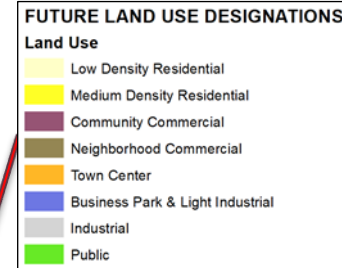
CONSOLIDATION - #1

Mixed Use → Community Commercial

2009



2019



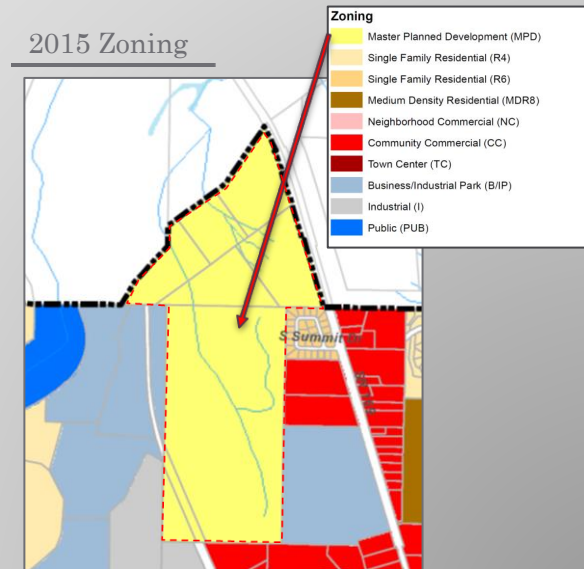
FACTSHEET

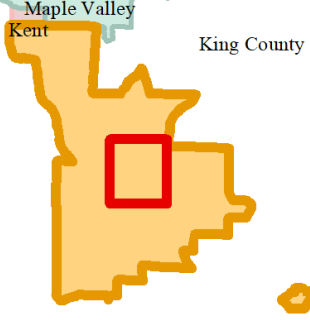
- Owner:
CCD Black Diamond Partners
- Size: 136 acres
- Current Zoning:
MPD
- Finding:

The current zoning matches the current (2019) adopted FLUM.

Reversion to 2009 Comp Plan would require the underlying use be reverted to Mixed Use, however the current zoning would remain MPD.

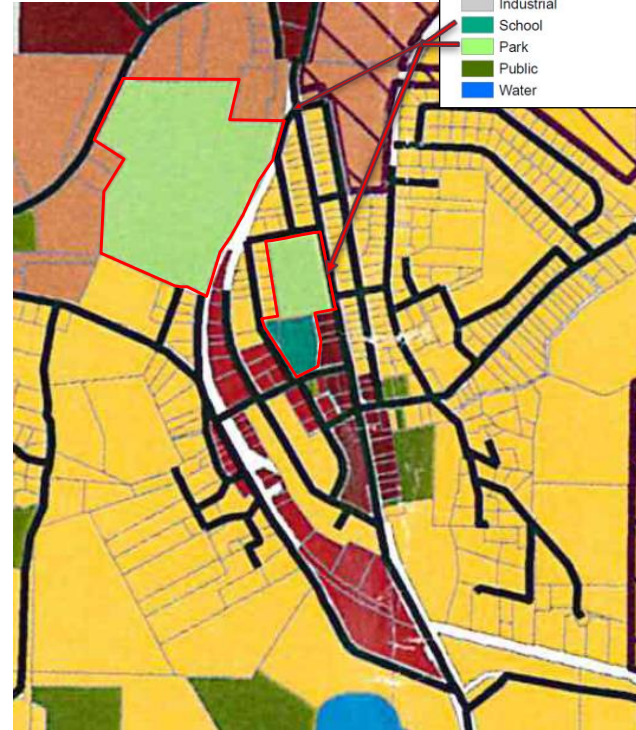
2015 Zoning



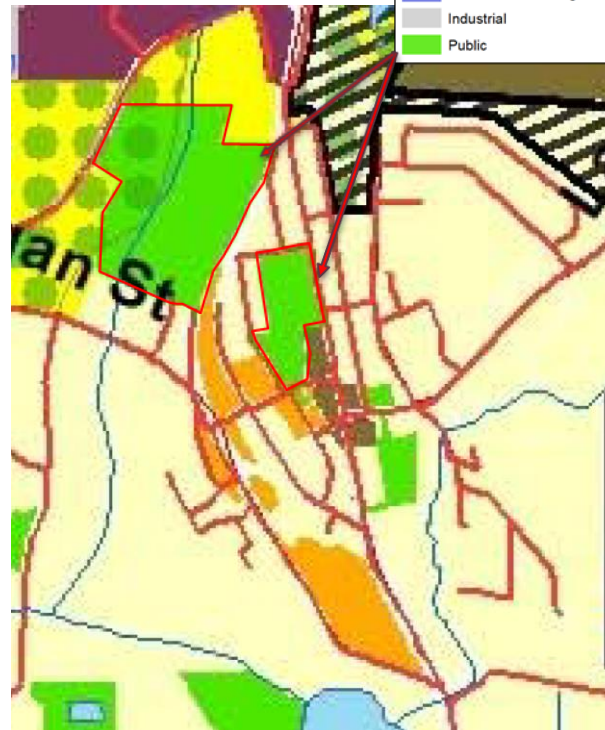


CONSOLIDATION - #2School and Park → Public

2009



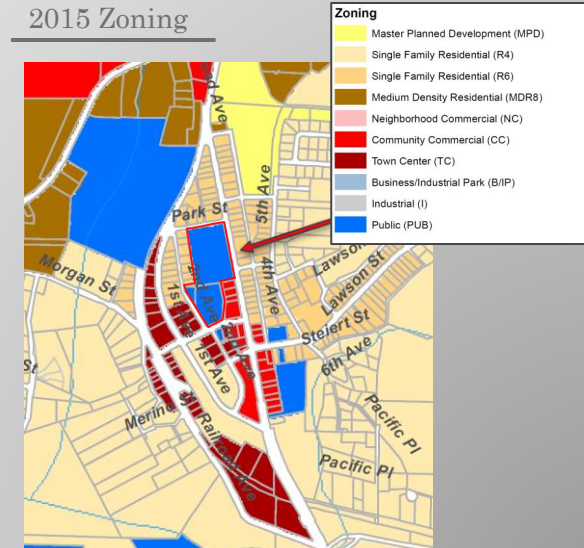
2019

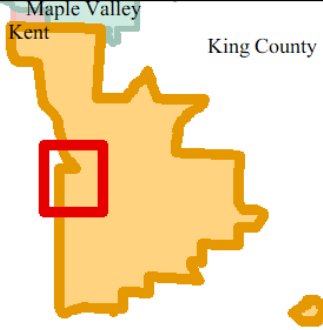


FACTSHEET

- Owner:
Enumclaw School District & City of Black Diamond
- Size: 33.15 acres
- Current Zoning:
PUB
- Finding:
The current zoning matches the current (2019) adopted FLUM.
Choosing the 2009 FLUM would require both the zoning code, FLUM, and Comp Plan be revisited to incorporate School and Park as a use.

2015 Zoning

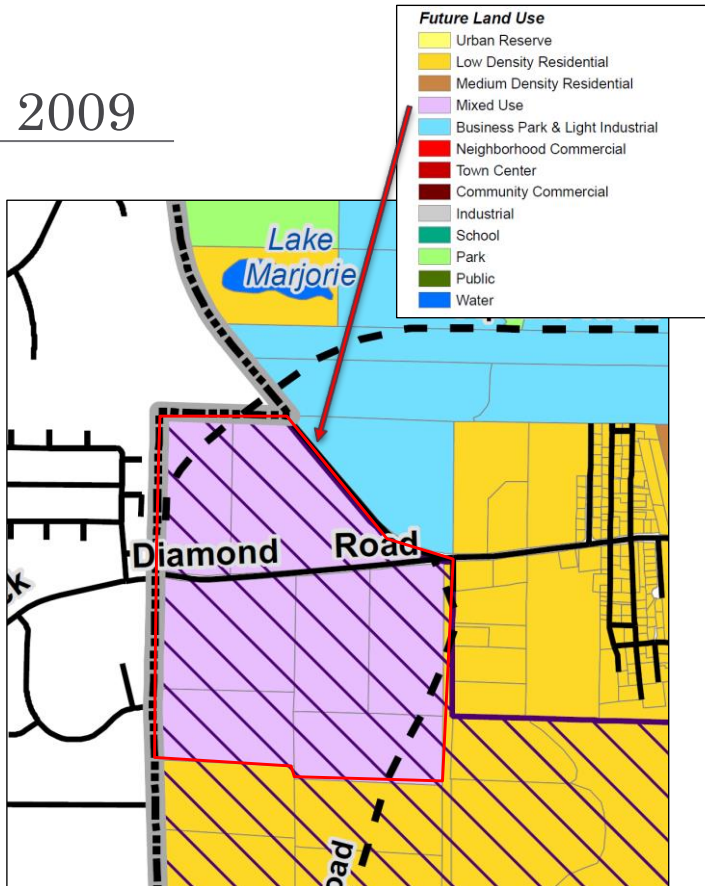




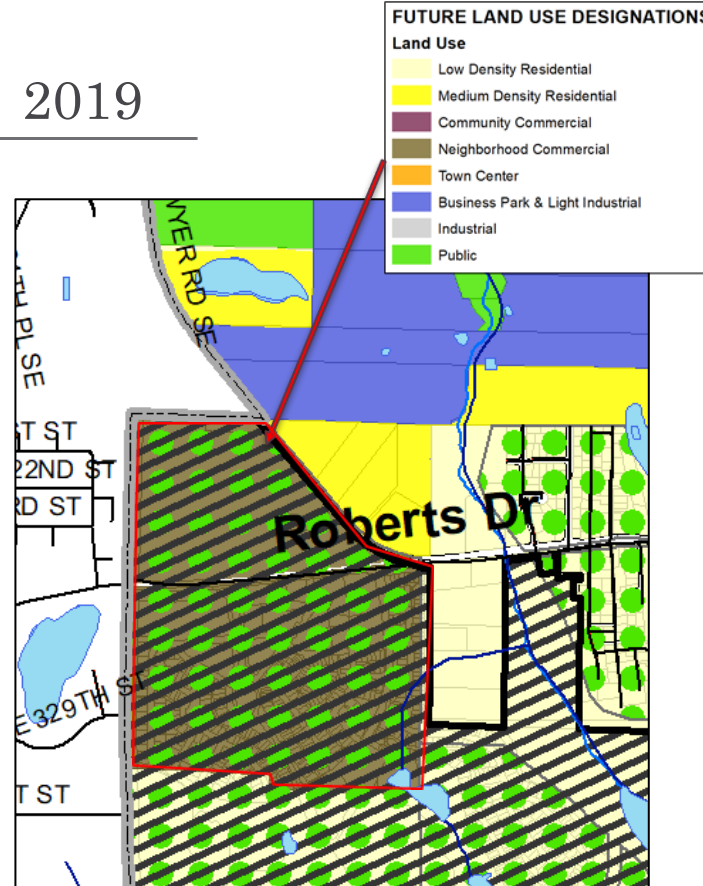
CONSOLIDATION - #3

Mixed Use → Neighborhood Commercial

2009



2019



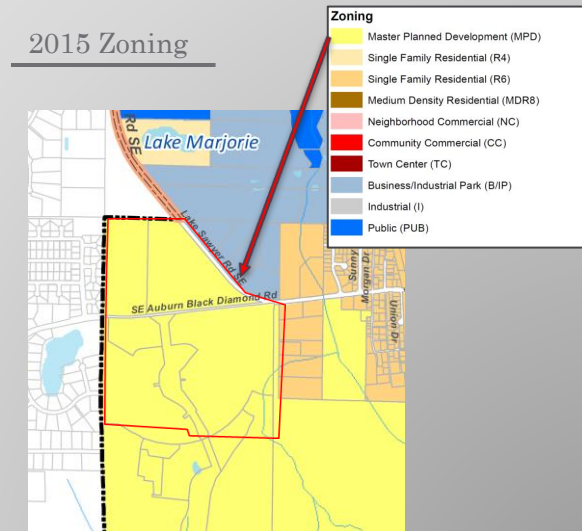
FACTSHEET

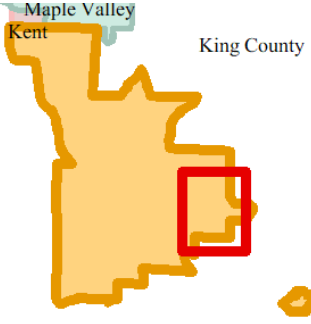
- Owner:
CCD Black Diamond Partners and citizens
- Size: 175 acres
- Current Zoning:
MPD
- Finding:

The current zoning matches the current (2019) adopted FLUM.

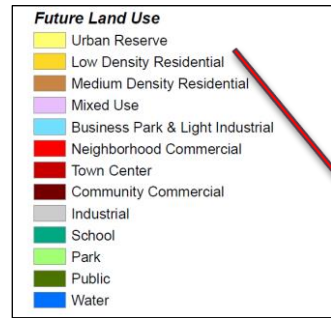
Reversion to 2009 Comp Plan would require the underlying use be reverted to Mixed Use, however the current zoning would remain MPD.

2015 Zoning

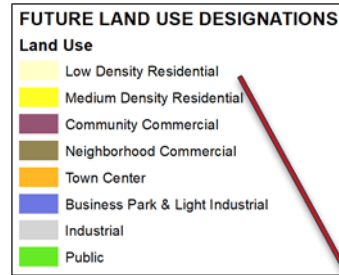
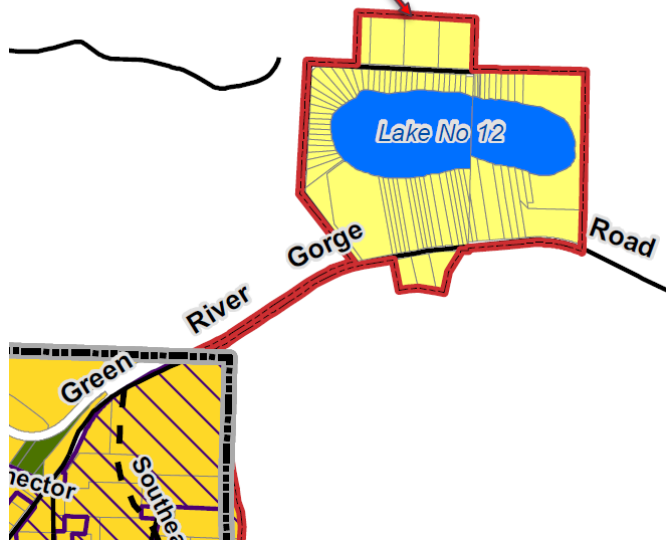




CONSOLIDATION - #4Urban Reserve → Low Density Residential



2009



2019



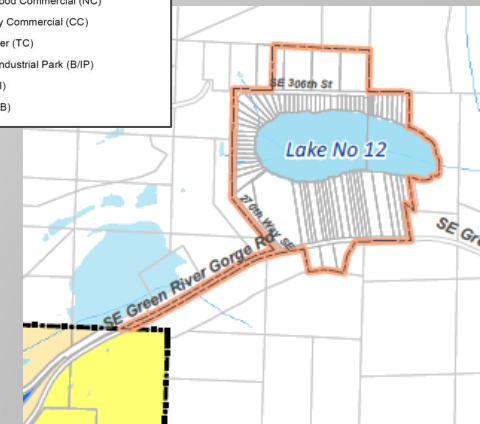
FACTSHEET

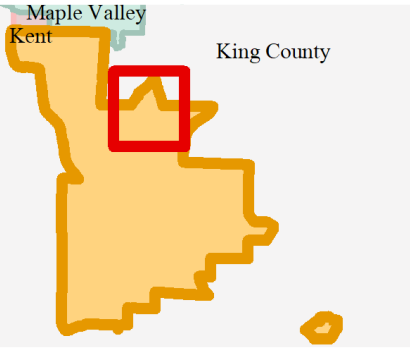
- Owner:
 - Multiple Owners
- Size: 92.7 acres
- Current Zoning:
 - N/A – Potential Annexation Area
- Finding:

This group of parcels is not currently zoned as it is designated as a potential annexation area. Following the 2019 FLUM would result in this area being designated Low Density Residential.



2015 Zoning

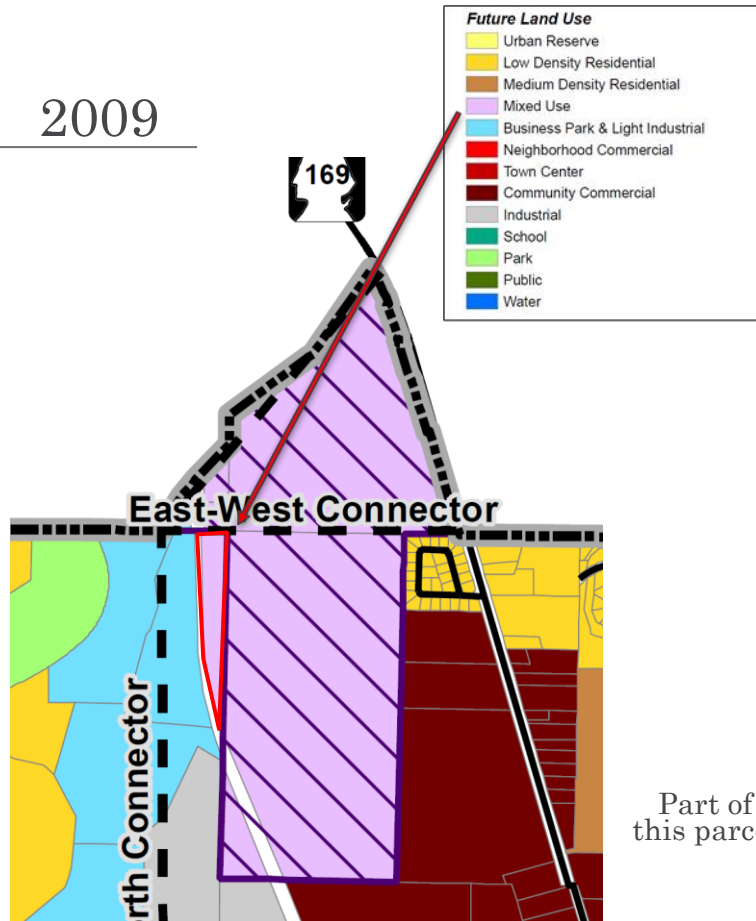




SCRIVENER'S ERROR - #1

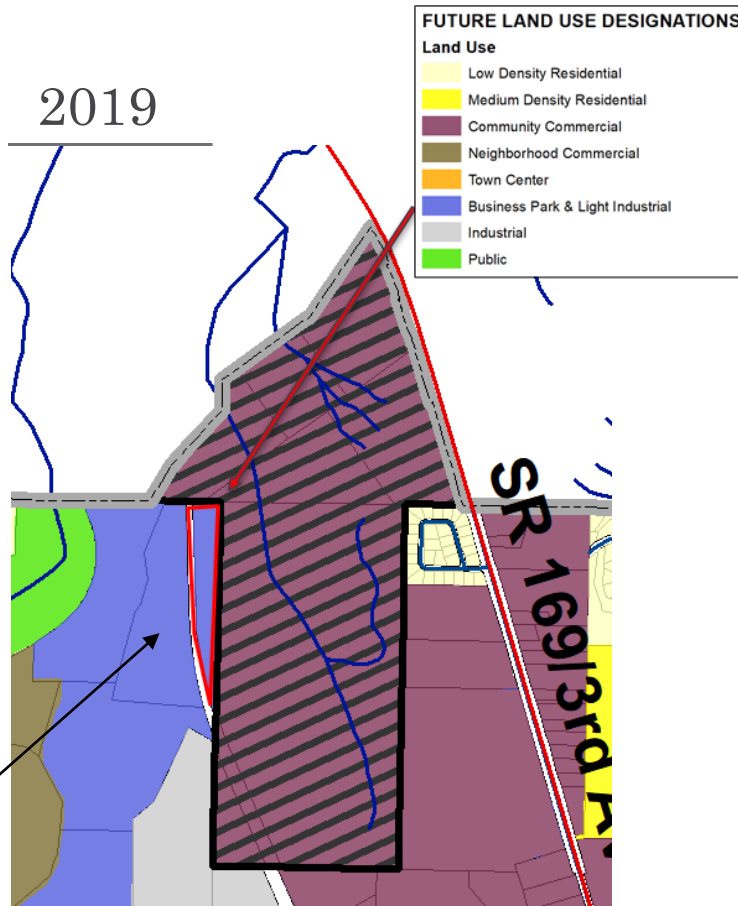
Mixed Use → Business/Industrial Park

2009



2019

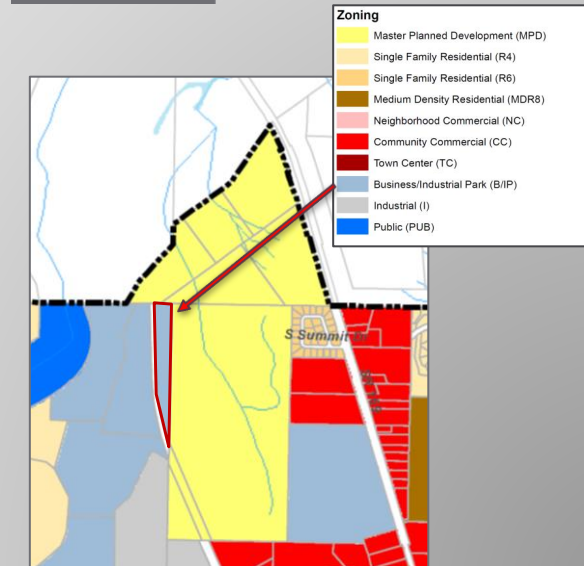
Part of
this parcel

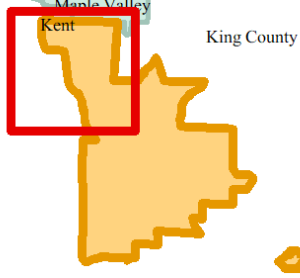


FACTSHEET

- Owner:
Palmer Coking Coal CO LLP
- Size: 5.16 Acres
- Current Zoning:
Business/Industrial Park
- Finding:
The current zoning matches the current (2019) adopted FLUM and the rest of the parcel. Reversion to 2009 FLUM would require the zoning be changed back to Community Commercial and the Comp Plan/Zoning code be updated to account for a Mixed Use designation.

2015 Zoning

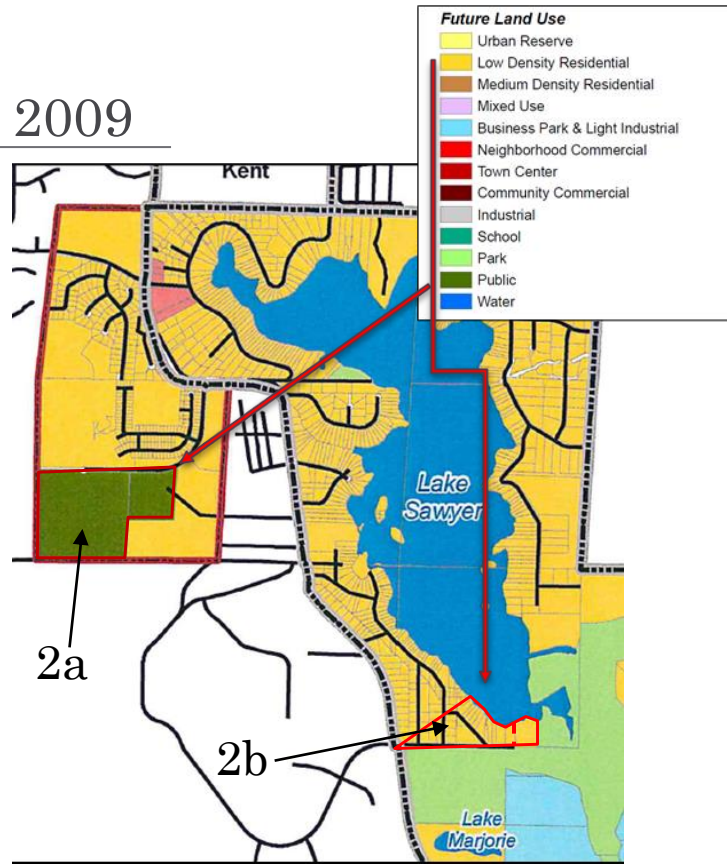




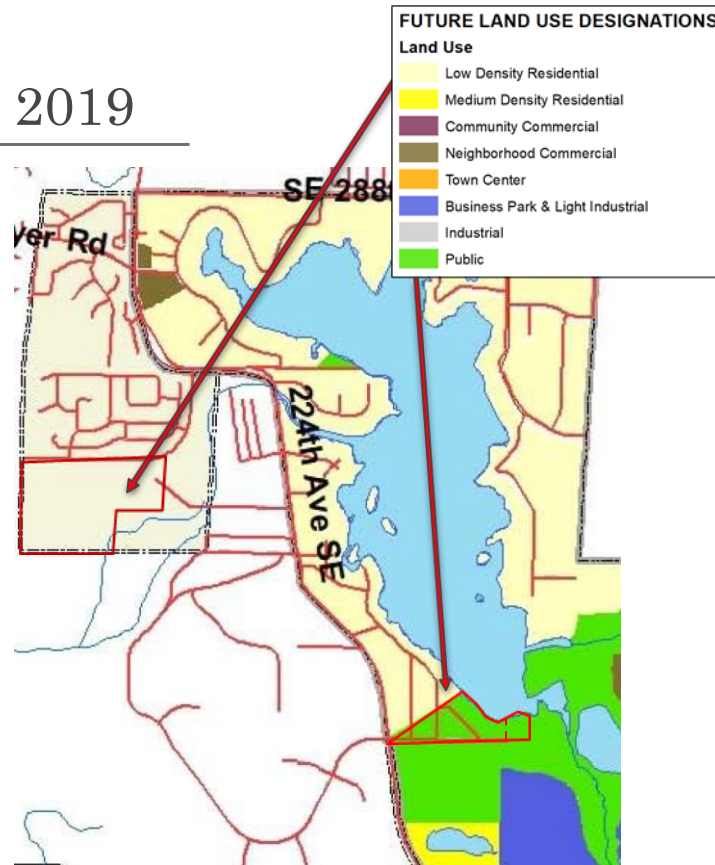
SCRIVENER'S ERROR - #2

Public ↔ Low Density Residential

2009



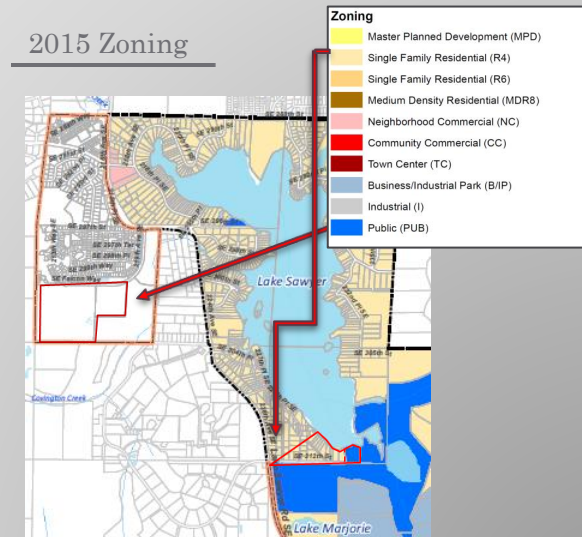
2019

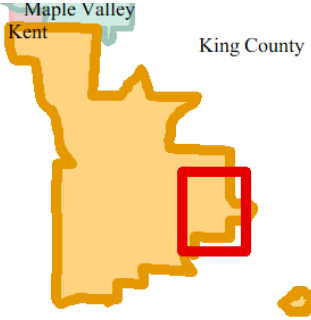


FACTSHEET

- Owner:
Kent School District & various citizens
- Size:
51 acres & 13.1 acres
- Current Zoning:
Un-zoned & R4
- FLU Designation:
Medium Density Residential
- Finding:
The current zoning does not match the current (2019) adopted Comp Plan, nor does match the 2019. Correcting this error will result in the highlighted parcels as being designated Community Commercial to match the current Zoning.

2015 Zoning

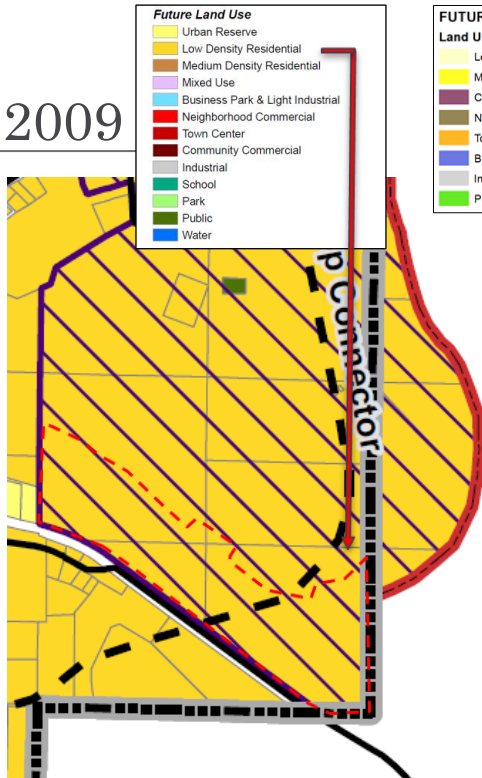




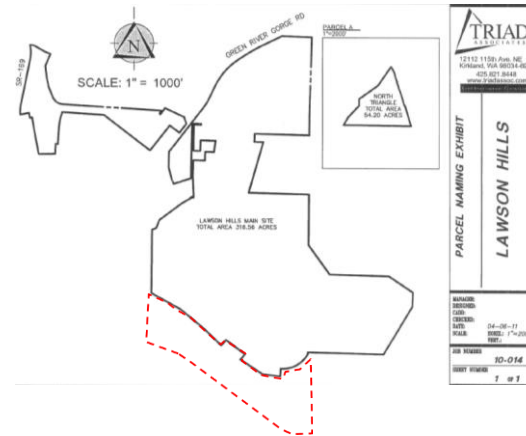
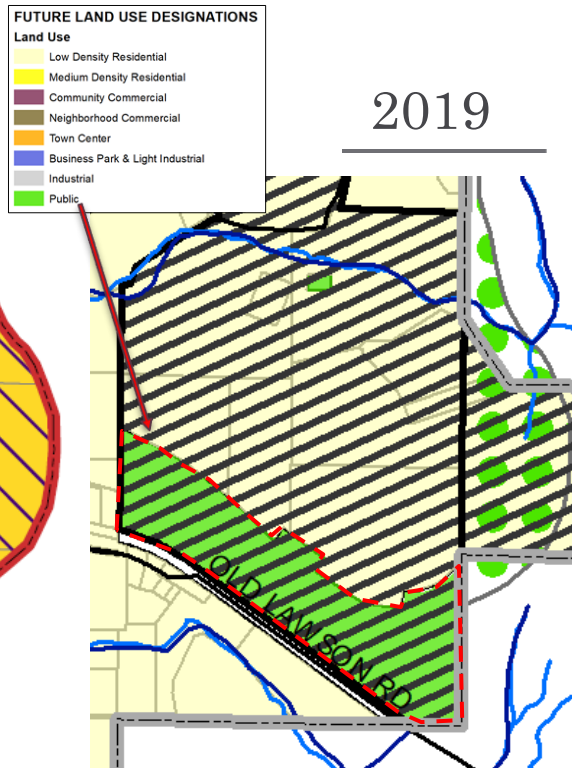
SCRIVENER'S ERROR - #3

MPD Overlay

2009



2019

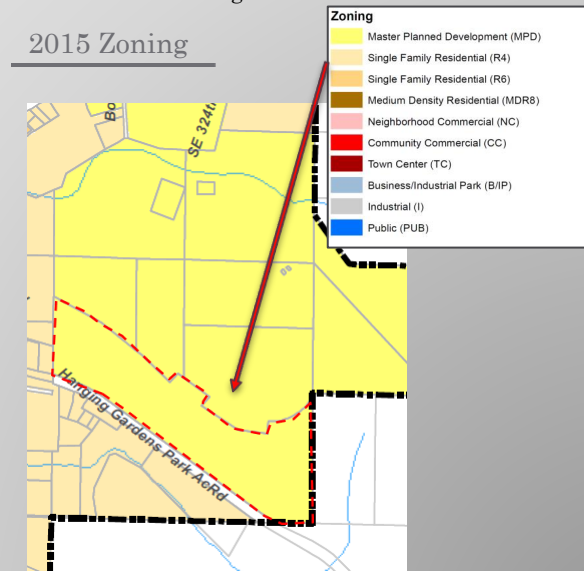


FACTSHEET

- Owner:
Palmer Coking Coal
- Size: 50.1 acres
- Current Zoning:
Master Planned Development - MPD
- Finding:

The current zoning is consistent with the current (2019) adopted FLUM as it is zoned MPD and is located within the MPD overlay. The MPD Overlay imposed by the DA does not show this area as being in the overlay. Therefore, the Zoning is also inaccurate and FLUM ought to show this as not being within the MPD.

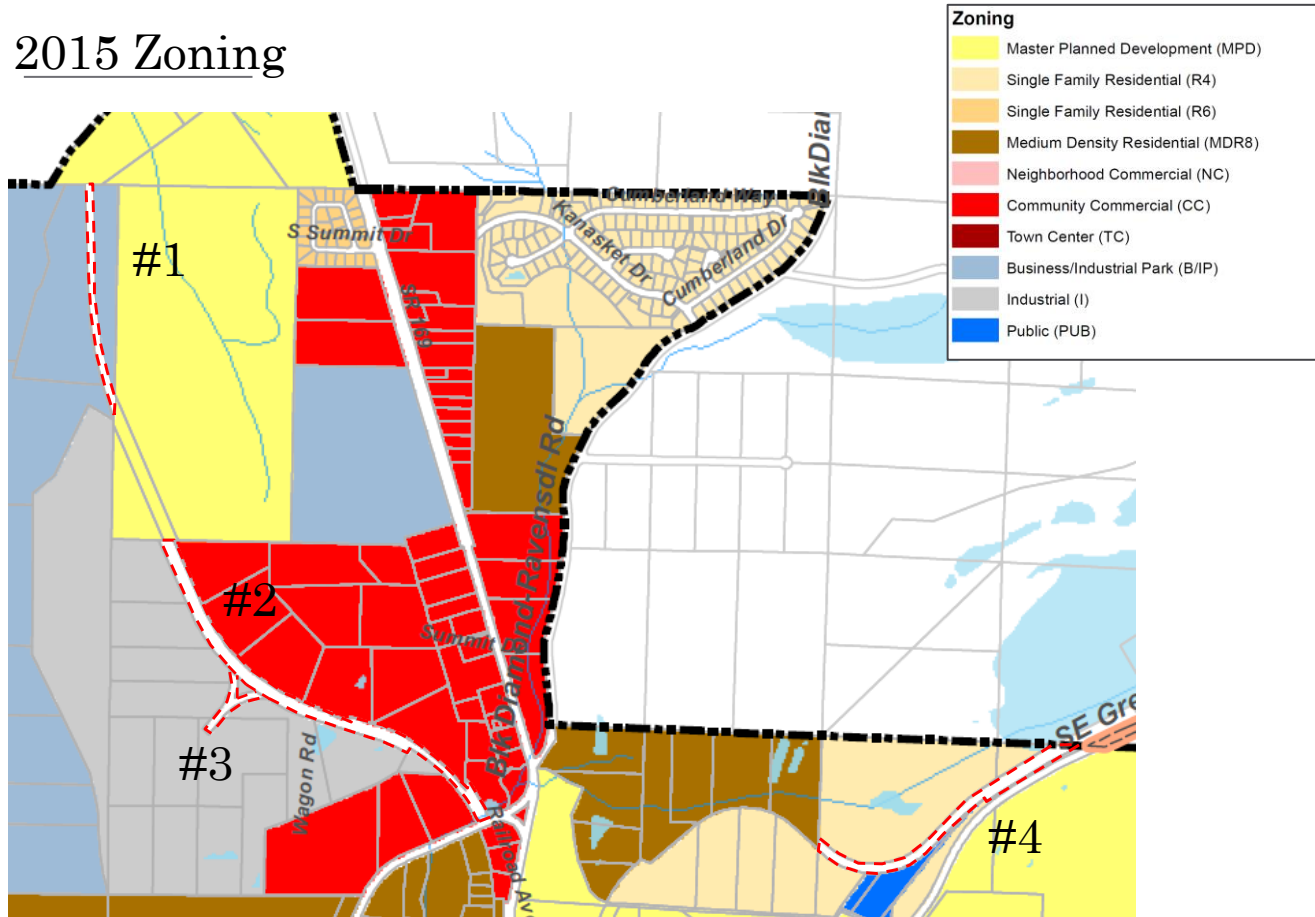
2015 Zoning





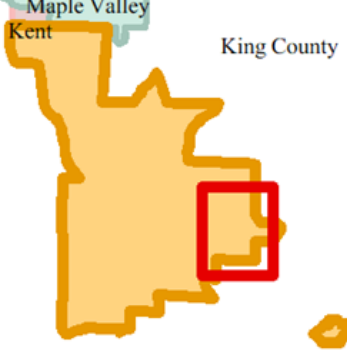
UNDESIGNATED - #1-4

2015 Zoning



FACTSHEET

- Owner:
Palmer Coking Coal CO LLP
- Size:
14.8 acres
- Current Zoning:
Undesignated
- FLU Designation:
Undesignated
- Finding:
There is no current zoning or future land use designation for parcels shown as #1, #2, #3, and #4. These parcels are not right-of-way and are privately owned. Staff suggests that these be designated/zoned in accordance with surrounding Zones:
#1 – Business/ Industrial Park (B/IP)
#2 – Community Commercial (CC)
#3 – Industrial (I)
#4 – Low Density Residential (R4)

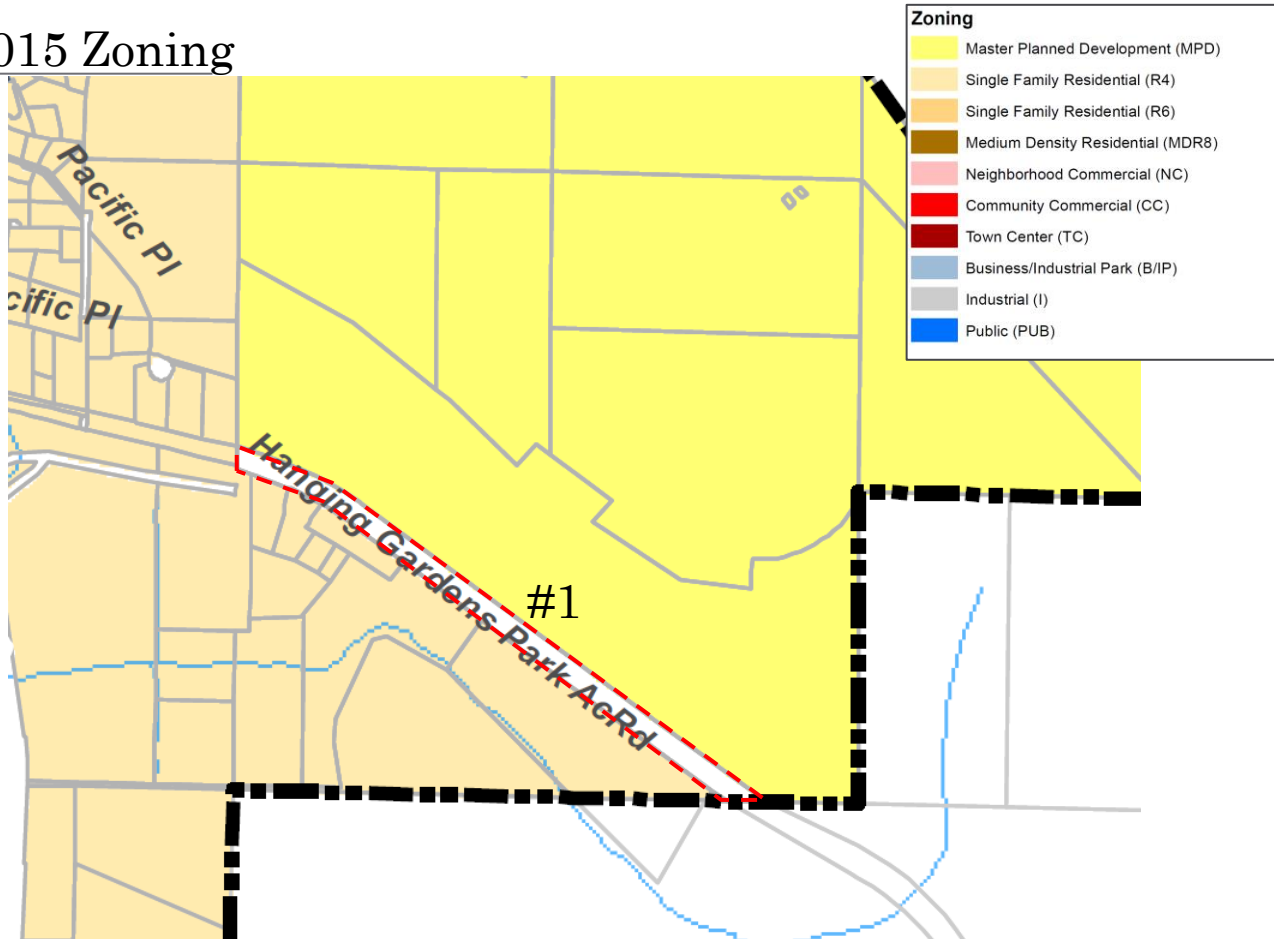


UNDESIGNATED - #5

Unzoned → R4 (Low Density Residential)

FACTSHEET

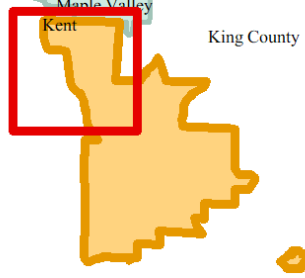
2015 Zoning



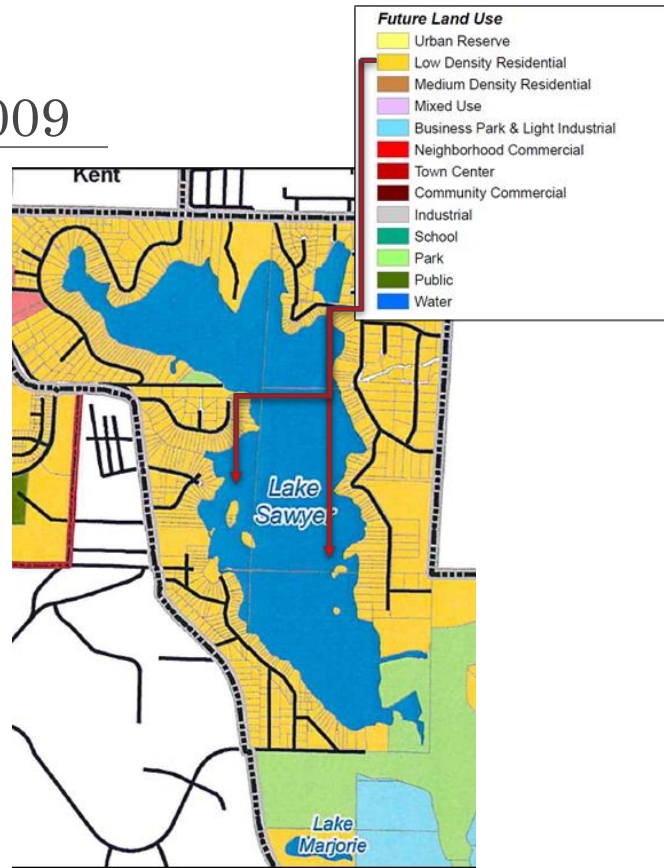
- Owner:
CCD Black Diamond Partners
- Size:
5.92 acres
- Current Zoning:
Undesignated
- FLU Designation:
Undesignated
- Finding:
There is no current zoning or future land use designation for the parcel shown as #1. This parcel is not right-of-way and is privately owned. Staff suggests that this be designated/zoned in accordance with surrounding Zones:
#1 – Low Density Residential (R4)

ZONING MAP SCRIVENER'S ERRORS

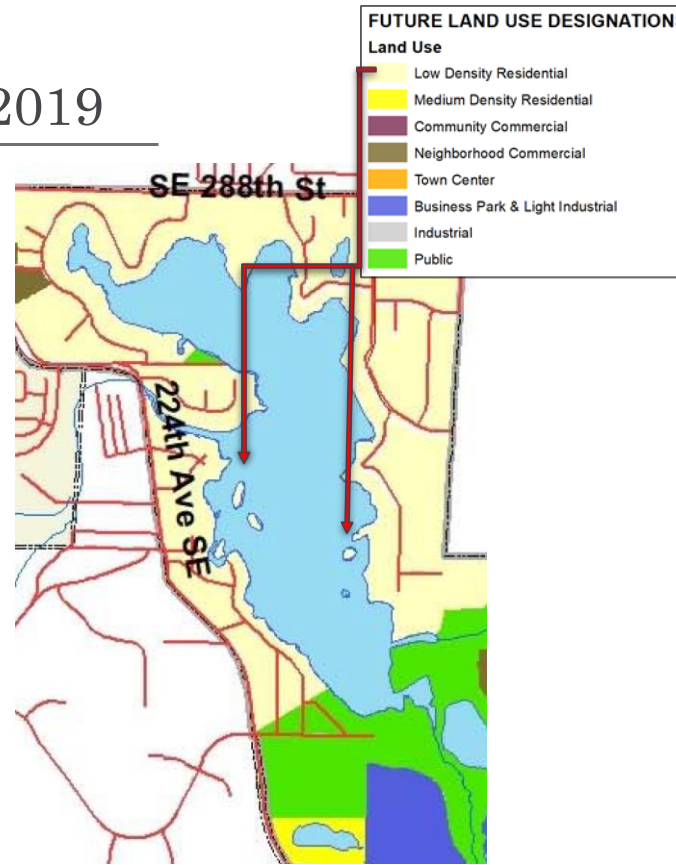
Unzoned → R4 (Low Density Residential)



2009



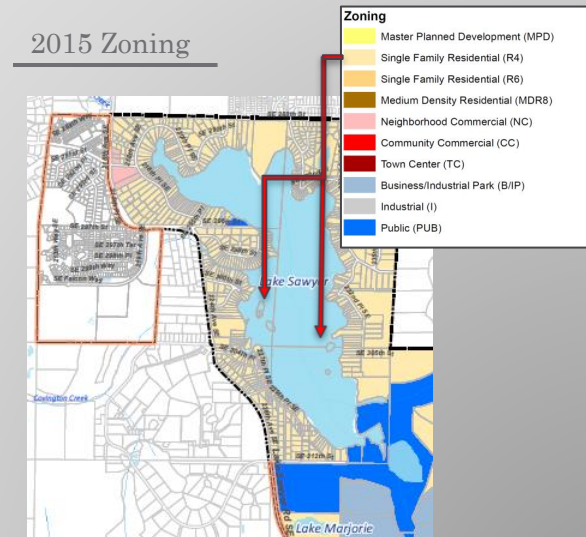
2019

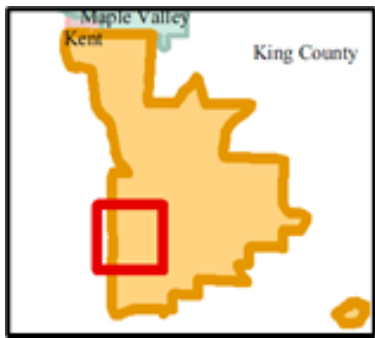


FACTSHEET

- Owner:
Multiple Owners
- Size:
1.59 Acres
- Current Zoning:
Not shown, but should be R4
- Finding:
The indicated parcels/islands are currently shown as unzoned, however, as the FLUM maps from 2009 and 2019 show, these are designated Low Density Residential. Correcting this error will result in the highlighted parcels shown as being zoned R4.

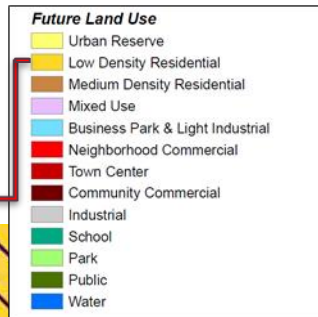
2015 Zoning



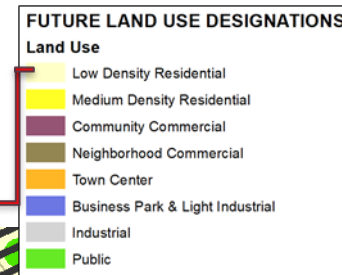


SPLIT ZONED PARCELS #1

2009



2019

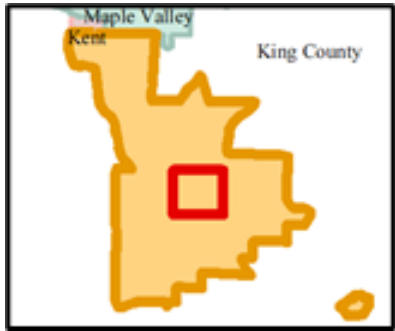


FACTSHEET

- Owner:
Palmer Coking Coal LLP
- Size:
160 Acres
- Current Zoning:
R4/R6 Split zoning
- Finding:
Parcel has been split for unknown reasons, and unknown lines. Split zoning makes development proposals challenging.

2015 Zoning

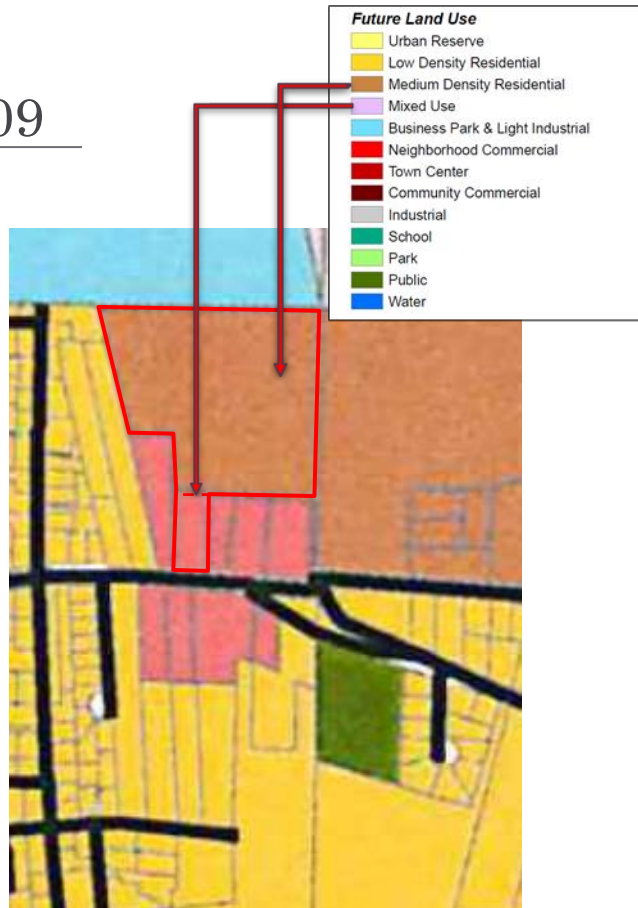




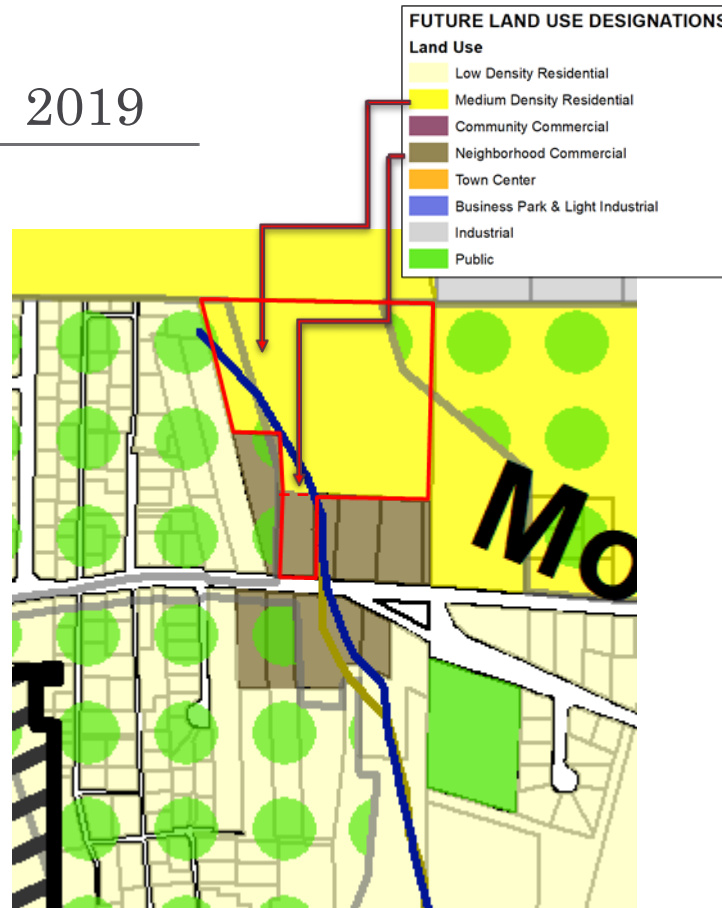
SPLIT ZONED PARCELS #2

(North of Roberts Drive)

2009



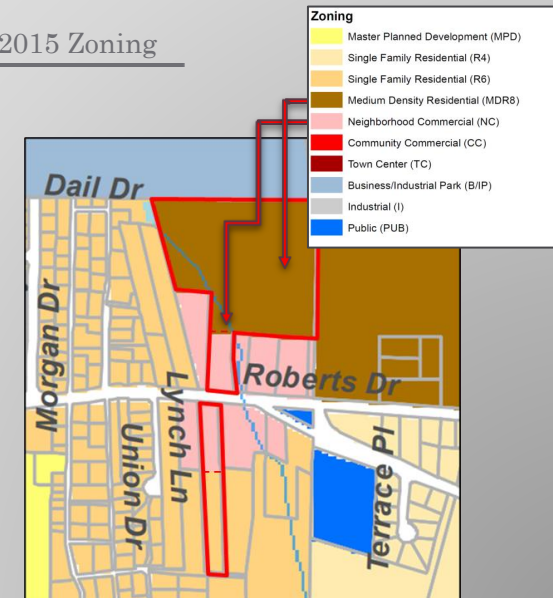
2019

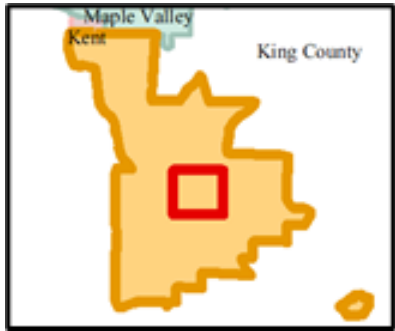


FACTSHEET

- Owner:
Darrel Bryant
- Size:
12.6 Acres (North)
- Current Zoning:
MDR8/NC Split Zoning (North)
- Finding:
Parcel has been split for unknown reasons, and unknown lines. Split zoning makes development proposals challenging.

2015 Zoning





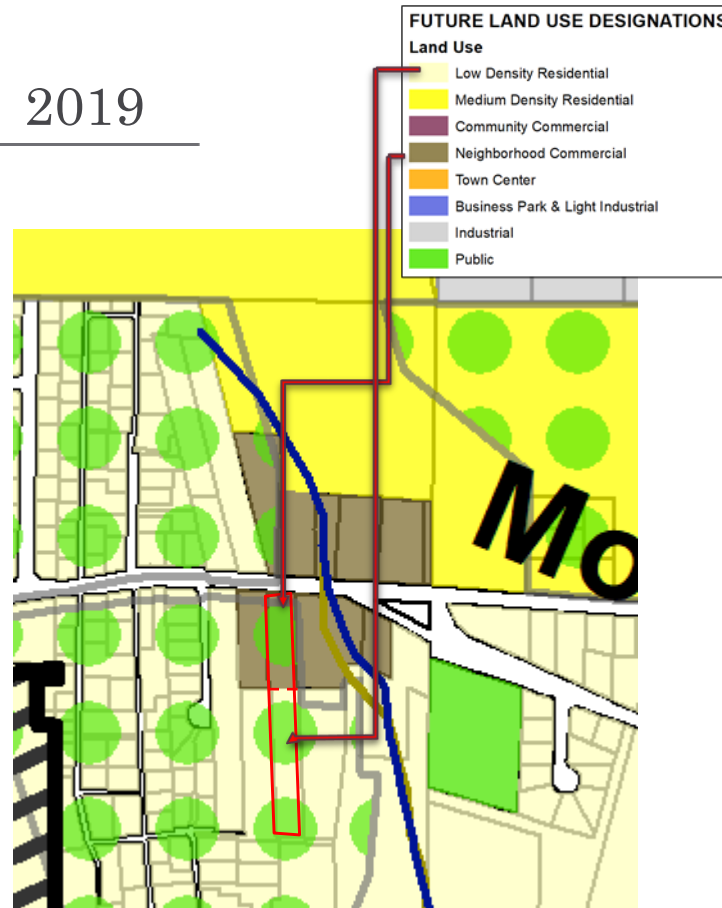
SPLIT ZONED PARCELS #3

(South of Roberts Drive)

2009



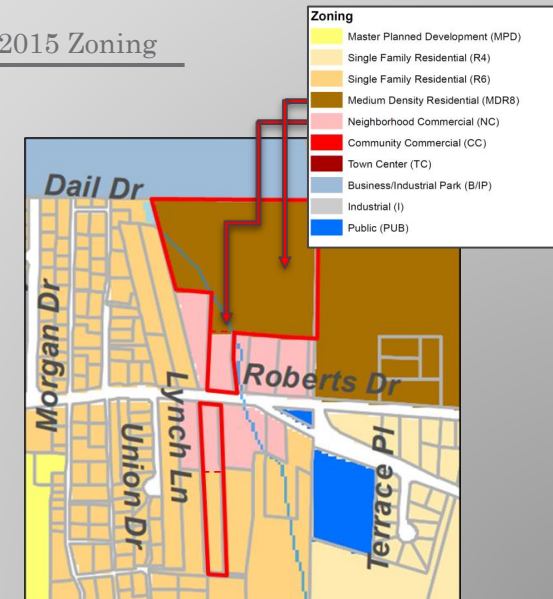
2019



FACTSHEET

- Owner:
George Harp
- Size:
2.0 Acres
- Current Zoning:
R6/NC Split Zoning (South)
- Finding:
Parcel has been split for unknown reasons, and unknown lines. Split zoning makes development proposals challenging.

2015 Zoning



TDR Layer

The map displays the TDR Layer for the Black Diamond area. It includes a legend for land use designations and TDR Relieving Areas. The map shows various land use zones, including Low Density Residential, Medium Density Residential, Community Commercial, Neighborhood Commercial, Town Center, Business Park & Light Industrial, Industrial, and Public. The TDR Relieving Areas are indicated by green hatched patterns. The map also shows the Black Diamond UGA/PAA boundary and the MPD Overlay area. A red arrow points to the TDR Relieving Areas.

Legend

- Black Diamond UGA/PAA
- MPD Overlay
- TDR Relieving Areas

FUTURE LAND USE DESIGNATIONS

Land Use

- Low Density Residential
- Medium Density Residential
- Community Commercial
- Neighborhood Commercial
- Town Center
- Business Park & Light Industrial
- Industrial
- Public

It is staff's opinion that there should be a separate TDR map in the comprehensive plan.

Next Steps



Staff Recommendation

- Make necessary adjustments to 2019 FLUM such as Scrivener's Errors
- Remove TDR Layer
- Discuss 2009 v 2019 designations to form new 2021 FLUM
- Fix split-zoning and scrivener's error on Zoning map
- Make zoning map consistent with selected FLUM designations.



Hold Public Hearing to garner public input on September 7th.

Discussion Considerations

- The purpose of this meeting is to discuss each inconsistency and for commissioners to provide input so staff can provide a recommendation on each parcel for what the FLUM designation will be and what the zoning designation will be at the public hearing.
- In some cases, the FLUM may change, and the zoning map will not or vis versa.
- When deciding which designation to go with important considerations include:
 - Comprehensive plan goals and policies
 - If it would create non-conforming uses
 - Surrounding designations/ zoning
 - Current and desired uses

Questions?

From: [CenturyLink Customer](#)
To: [Mona Davis](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Friday, February 26, 2021 10:43:51 AM

Dear Community Development Director Davis, The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B. The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County. Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows: The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map: Map Source: page 5-25 of the 2009 Comprehensive Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Thank you!
Gary Davis

David Linehan

From: Philip Acosta <philamatic@comcast.net>
Sent: Friday, February 26, 2021 1:00 PM
To: Mona Davis
Cc: Carina Thornquist
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

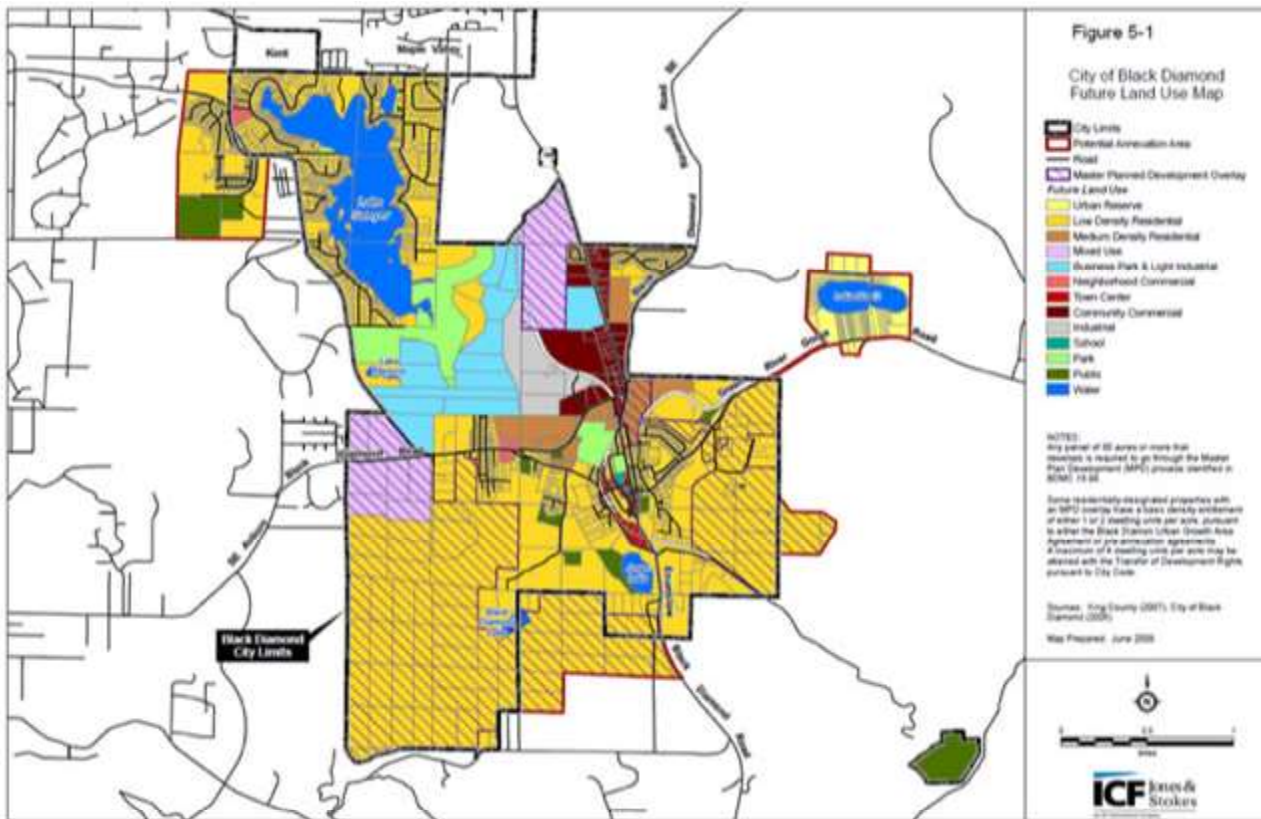
The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf



Sincerely,
Philip N Acosta
206 406 4404
Black Diamond, WA

David Linehan

From: Karen Bryant <karen@bryantstractorandmower.com>
Sent: Friday, February 26, 2021 1:05 PM
To: Mona Davis
Cc: Carina Thornquist
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Attachments: LandUseMapComprehensivePlan.png

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

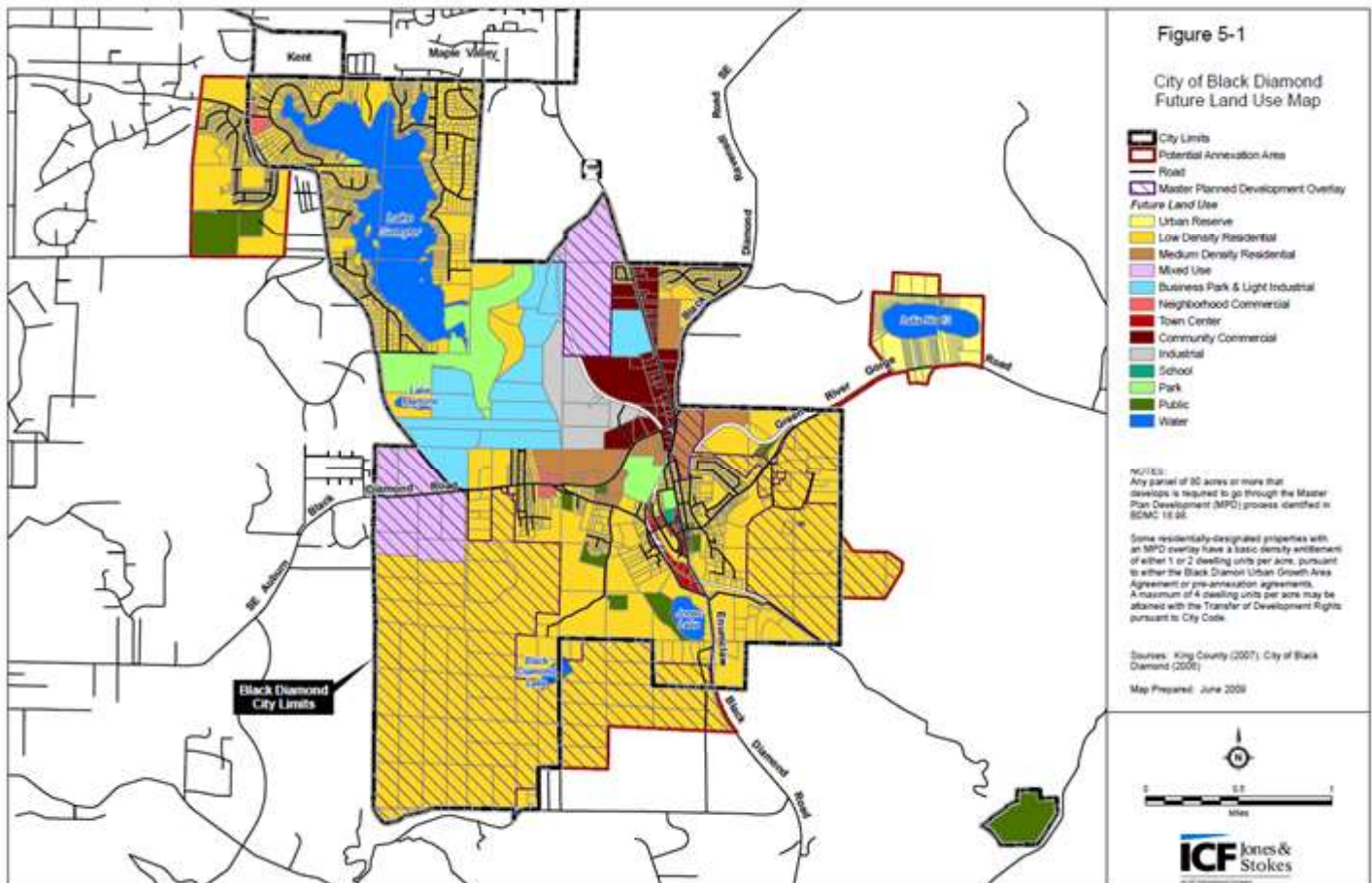
The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

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Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf



Please let me know the next steps for this suggestion and Comprehensive Plan updates. Thank you,

William G. Bryant

Roberts Drive, Black Diamond WA

From: [Mike England](#)
To: [Mona Davis](#)
Cc: [Carina Thornquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Friday, February 26, 2021 6:21:56 PM

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

From: [Kelley Sauskojus](#)
To: [Mona Davis](#)
Subject: RE: Amendments to the 2021 Comprehensive Plan
Date: Friday, February 26, 2021 10:50:42 AM
Attachments: [2021BDCompPlan Suggestions.docx](#)

Dear City of Black Diamond Community Development,

On or before March 1, 2020, numerous people sent in suggested updates to the Black Diamond Comprehensive Plan.

The Black Diamond code says these suggestions are to be part of a preliminary docket report that is considered by the Planning Commission.

Unfortunately, the public's 2020 suggestions were never put forward, and I see no record that the Planning Commission or Council was even aware of them.

Attached is a list of the 2020 Comp Plan update requests compiled from references in public comments to the Planning Commission.

I am sending these as 2021 Comprehensive Plan update suggestions. The people who sent them before may have learned there is no point in doing so. However, these items have merit and would all improve our city and the quality of life for all the residents current and future.

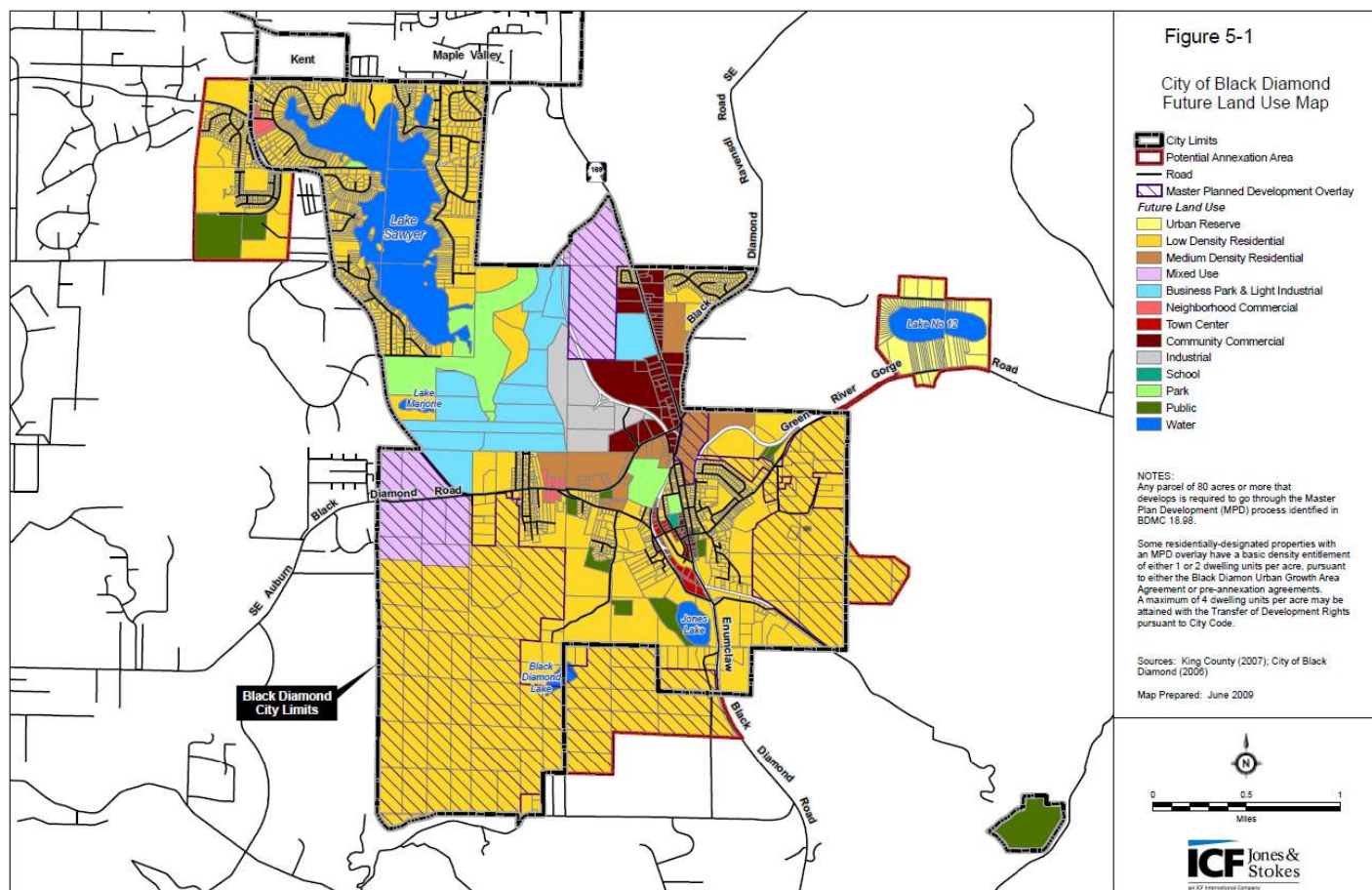
Thank you,
Kelley Sauskojus
Black Diamond resident since 1991

Comprehensive Plan Suggestions for 2021 Annual Update

The following suggestions were advocated by the public in the 2020 process, but the city did not follow its own process for public input and ignored these suggestions. They are being sent again now that the 2021 process is beginning.

1. In the 2019 Comprehensive Plan update, Future Land Use Map changes allowed a significant increase in Medium Density Residential housing (8 to 12 per acre) and Commercial development in future zoning. However, the Comprehensive Plan does not contain descriptions of these Map changes or analyze their impacts. The Future Land Use Map contains too much development capacity and needs to be changed urgently before Black Diamond further exceeds our regional Growth Targets.

The City of Black Diamond Comprehensive Plan is Amended As Follows:
The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:



Map Source, page 5-25 of

http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

From: [Duane Garcia](#)
To: [Mona Davis](#)
Cc: [Carina Thornquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Sunday, February 28, 2021 4:58:54 PM
Attachments: [16143599799321000011.png](#)

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

Therefore, the City of Black Diamond Comprehensive Plan is Amended As Follows:

The Future Land Use Map in the Black Diamond Comprehensive Plan is replaced with the following map:

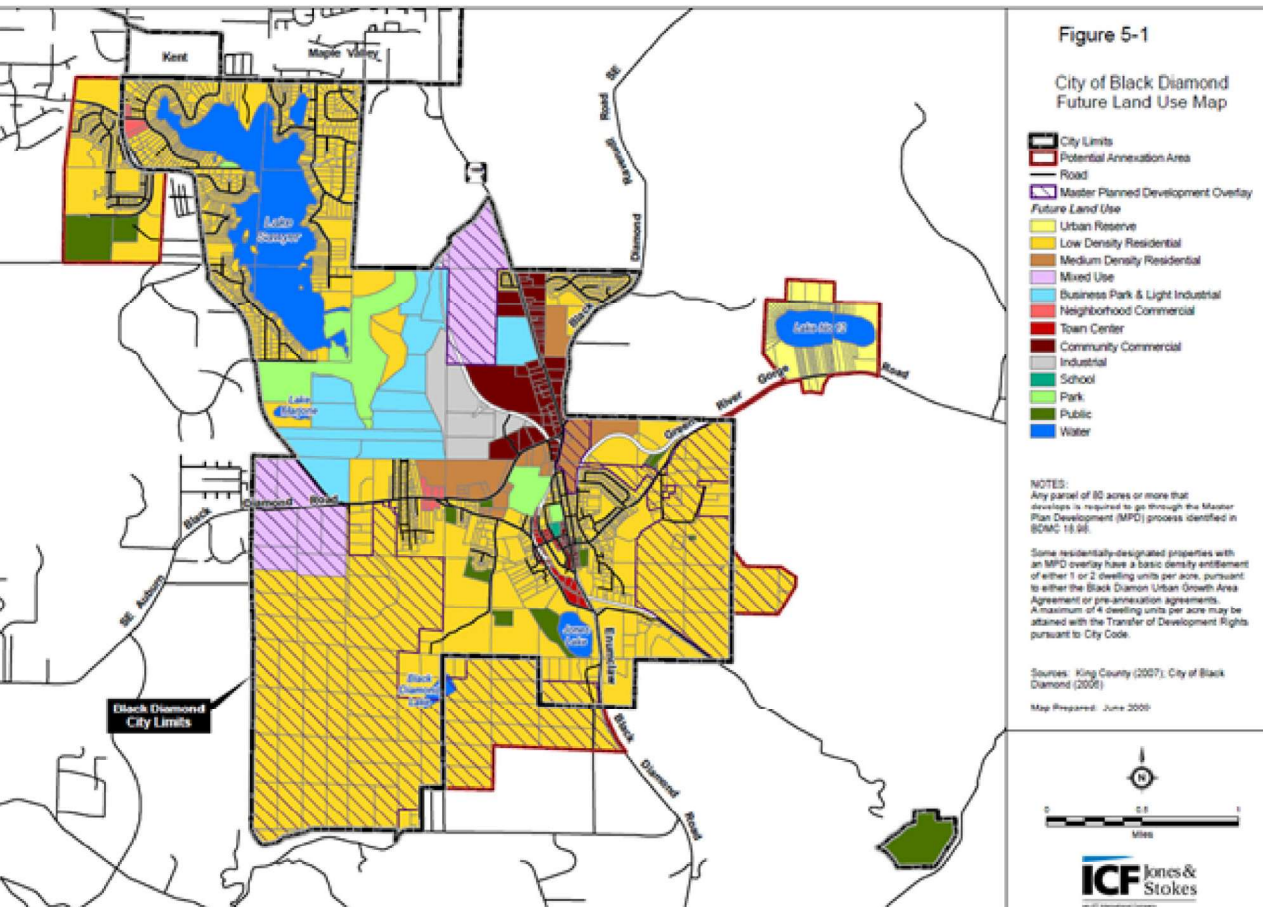
Map Source: page 5-25 of the 2009 Comprehensive

Plan http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Sincerely,

Duane Garcia

Black Diamond, WA



From: [Angela Rossman Fettig](#)
To: [Mona Davis](#)
Cc: [Carina Thorngquist](#)
Subject: Comprehensive Plan Docket Suggestion for Annual Amendment Process
Date: Sunday, February 28, 2021 10:37:25 PM

Dear Community Development Director Davis,

The following is a suggestion for the annual Black Diamond Comprehensive Plan Update in accordance with Black Diamond Municipal Code 16.10.130.B.

The Black Diamond Comprehensive Plan text and analysis are not consistent with the significant excess development capacity in the Plan's Future Land Use Map. City infrastructure, public services, and our natural surroundings are not able to support the potential new development allowed by the Map. Black Diamond is already growing far in excess of our regional Growth Targets as a small edge city in the foothills of King County.

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Map Source: page 5-25 of the 2009 Comprehensive Plan

http://www.ci.blackdiamond.wa.us/Depts/CommDev/planning/2009%20Comp%20Plan%20FinalDraft_072709.pdf

Angela Fettig
Black Diamond, Wa

Sent from my iPhone