

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

City of Black Diamond 2021 Comprehensive Plan Amendments

2. Name of applicant:

City of Black Diamond

3. Address and phone number of applicant and contact person:

Contact: Mona Davis, City of Black Diamond Community Development Director
Address: 24301 Roberts Dr, Black Diamond, WA 98010
Phone: (360) 851-4447

4. Date checklist prepared:

September 23, 2021, revised October 5, 2021

5. Agency requesting checklist:

City of Black Diamond

6. Proposed timing or schedule (including phasing, if applicable):

Planning Commission hearings and action: August – October 2021
City Council hearings and action: November – December 2021

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The City of Black Diamond Municipal Code requires the City consider applications received to amend the City of Black Diamond Comprehensive Plan on an annual basis. Individual site-specific requests for amendments to the Comprehensive Plan map are incorporated into the Comprehensive Plan update. If any requests are granted, appropriate zoning changes will also be made.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The potential impacts of amending the proposed amendments were evaluated during SEPA environmental review through the preparation of an Environmental Checklist. A Notice of Consultation was prepared which will be followed by a SEPA determination. A traffic memo was prepared by Parametrix on September 29, 2021 on applicable FLUM/ Zoning Map changes (amendment item #1).

For amendment item #2, concerning the alternative Southeast Loop Connector the following items have been prepared:

- **SEPA Environmental Checklist was prepared as part of the application package, dated February 26, 2021.**

- **Traffic analysis memo, prepared by Transpo Group, dated March 1, 2021.**
 - **A peer review by the City’s traffic consultant (Parametrix) was conducted on this document on July 22, 2021.**
- **Traffic memo, prepared by Transpo Group, dated September 24, 2021**
- **Lawson Hills MPD SE Connector Analysis prepared by David Evans and Associates, Inc. dated September 21, 2021.**
 - **A peer review by the City’s traffic consultant (Parametrix) was conducted on this document on September 29, 2021.**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There is one rezone application pending on one of the items under docket item #1; there are no other pending applications for government approvals or other proposals directly affecting these proposals. Future environmental review of newly proposed development and building permits will occur.

10. List any government approvals or permits that will be needed for your proposal, if known.

Specific development proposals within the proposed amendment areas will require future environmental review and approval of new development and building permits.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Docket Items:

1. **Reconsideration of the 2019 Future Land Use Map (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.**

The items that are part of this item are categorized as “Inconsistency” which are differences between the 2009 and 2019 FLUM or the FLUM and zoning map.

“Consolidations” which are multiple 2009 FLUM designations that were eliminated and therefore consolidated into a single 2019 FLUM designation (such as Park and School into Public). “Scriveners Errors” are mistakes that were made during the mapping that are being corrected, and “Undesignated Parcels” are parcels in the City that are privately owned but have never been zoned or given a land use designation. The map on page 10 of this checklist identifies the location of each of the below proposals.

- a. **Inconsistency #1 - change the FLUM designation back to the 2009 FLUM designation of Business Park & Light Industrial (BP/LI) from the current designation of Medium Density Residential (MDR), there will be no associated rezone. The**

- parcel is currently vacant.
- b. **Inconsistency #2** - The 2019 FLUM designates the parcel Community Commercial (CC), and the zoning map zones the parcel Business/Industrial Park (BIP). No change is recommended to either map as a rezoning application is currently in process. The parcel contains an automotive service building and residential building but is largely undeveloped.
 - c. **Inconsistency #3** - rezone from Single Family Residential (R4) to MDR8 which would make the zoning map consistent with the FLUM. The parcel contains Lake Marjorie and is undeveloped.
 - d. **Inconsistency #4** - change the FLUM designation back to the 2009 FLUM designation of Low Density Residential (LDR) from the current designation of Neighborhood Commercial (NC), there will be no associated rezoning. The parcel is currently vacant.
 - e. **Inconsistency #5** - change the FLUM designation back to the 2009 FLUM designation of LDR from the current designation of NC, there will be no associated rezoning. The parcels are currently vacant.
 - f. **Inconsistency #6** - amend the zoning from Master Planned Development (MPD) to R4 as the property is not within the MPD and revert to the 2009 FLUM designation of LDR from the current designation of Public as the land is privately owned and not appropriate for a public designation. These changes would be consistent with the surrounding parcels.
 - g. **Inconsistency #7** - amend the FLUM to designate the properties CC, consistent with the 2009 FLUM and current zoning map. The parcels contain residential and commercial uses, and a vacant parcel associated with the mobile home park.
 - h. **Consolidation #1** is the previous designation of Mixed Use in the 2009 FLUM changing to Community Commercial in the 2019 FLUM, the parcel is zoned MPD. No changes are proposed. The parcels are vacant.
 - i. **Consolidation #2** is the previous designations of School and Park consolidated to a Public designation in 2019, which is consistent with the Public zoning. No changes are proposed. The parcels contain a school and park.
 - j. **Consolidation #3** is the previous designation of Mixed Use in the 2009 FLUM changing to Neighborhood Commercial in the 2019 FLUM, the parcel is zoned MPD. No changes are proposed. The parcels contain single family homes, and vacant lands.
 - k. **Consolidation #4** is the previous designation of Urban Reserve in the 2009 FLUM changing to Low Density Residential in the 2019 FLUM, the parcel is not zoned as it is in the potential annexation area. No changes are proposed. The parcels contain single family homes and vacant lands.
 - l. **Scriveners Error #1** is a portion of a large parcel that was shown in 2009 as Mixed Use but changed to the correct designation of BP/LI in the 2019 FLUM and shown as BIP on the current zoning map. No changes are proposed. The parcel is vacant.

- m. **Scriveners Error #2a** is the Kent School District site that was changed in the 2019 FLUM mistakenly to LDR, the proposal is to correct the designation to Public. The parcels contain a school.
 - n. **Scriveners Error #2b** is a cluster of single-family residential parcels that were mistakenly designated public in the 2019 FLUM, the proposal is to change the designation to Low Density Residential consistent with the zoning map.
 - o. **Scriveners Error #3** is a site that is located within the MPD overlay mistakenly, as the development agreement does not show the parcel as being included within the MPD. The MPD overlay will be removed from the map. The parcel is vacant.
 - p. **Undesignated Parcels #1-5** are parcels that have never been zoned or designated but are privately owned and not used as right-of-way. The proposal is to designate and zone the parcels consistent with the surrounding zoning/designations.
 - 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)

The parcels are vacant.
 - q. **Zoning Map Scriveners Error** is the Lake Sawyer Islands, which are currently shown as not zoned on the adopted zoning map. They should be zoned R4 (as they are currently regulated, have previously be zoned, and are designated on the FLUM). The proposal would reflect that zoning on the map. The parcels are vacant or developed with single-family homes.
2. **Amendments to Comprehensive Plan Appendix 7 (Transportation)** to reflect an alternative SE loop connector route.
 3. **Repeal city prohibitions on marijuana businesses and update the Land Use Element** as needed to facilitate appropriate siting (no development regulation amendments are proposed as part of this item).
 4. **Conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory of the entire City.**
 5. **Delete policy ED-4.5 from the Economic Development Element or move it to the Transportation Element.**

12. **Location of the proposal.** Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you

are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Items 3, 4, and 5 are not site-specific requests, and are policy changes that would affect the entire City and/or entire zones. The City of Black Diamond is located in King County, WA in Sections 2-4, 10-15, 22-23 & 27, Township 21 North, Range 06E.

Item #1 includes the following sites, addresses (not provided for vacant sites) and section, township and range are from King County GIS Mapping - iMap:

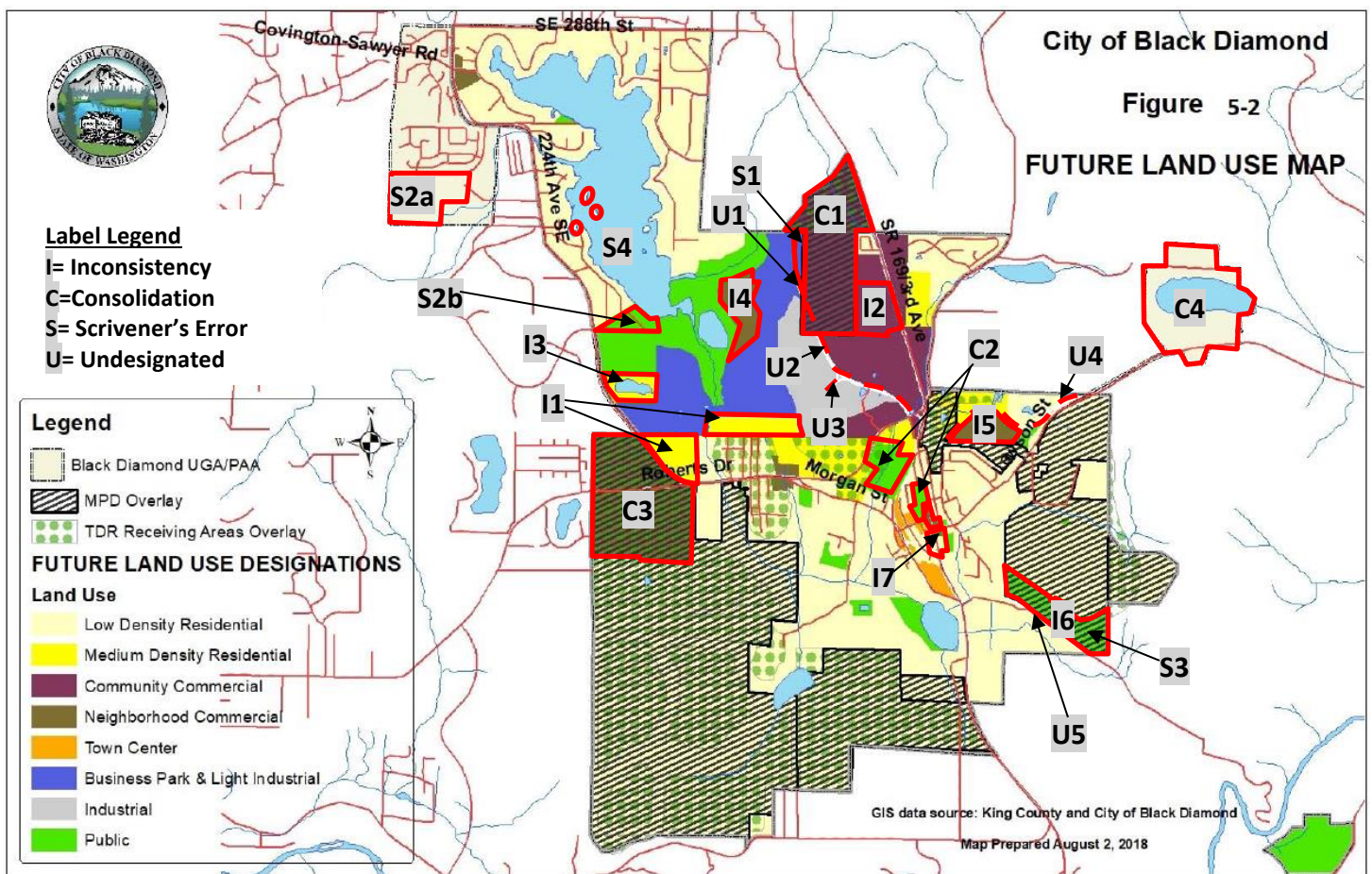
Parcel	Address (if available)	Section/ Township/ Range
1021069001		NE-10-21-6
1021069111		SE-10-21-6
1521069112		NW-15-21-6
1521069113		NW-15-21-6
1521069114		NW-15-21-6
1521069115		NW-15-21-6
1521069110		NW-15-21-6
1121069008	31109 3RD AVE, BLACK DIAMOND 98010	NW-11-21-6
1021069010		SW-10-21-6
1021069103		NE-10-21-6
1021069105		NE-10-21-6
1121069112		SE-11-21-6
1121069113		SE-11-21-6
1121069114		SE-11-21-6
1121069020		SE-11-21-6
1221069049		SW-11-21-6
1321069012		SW-13-21-6
321069076		SE-3 -21-6
221069028		SW-2 -21-6
221069029		SW-2 -21-6
221069030		SW-2 -21-6
221069024		SW-2 -21-6
1121069006		NW-11-21-6
1421069065		NE-14-21-6
844000325		NE-14-21-6
4080800180		NE-12-21-6
4080800160	30732 270TH AVE SE	NE-12-21-6
4080800135	30630 270TH AVE SE	NE-12-21-6
4080800125	30618 270TH AVE SE	NE-12-21-6
4080800090	27231 SE 306TH ST	NE-12-21-6
4080800035		NE-12-21-6
4080800005	27531 SE 306TH ST	NE-12-21-6

Parcel	Address (if available)	Section/ Township/ Range
1221069037	27618 SE GREEN RIVER GORGE RD	NE-12-21-6
721079039		NE-12-21-6
4080800195		NE-12-21-6
4080800190	31004 270TH WAY SE	NE-12-21-6
4080800150	30720 270TH AVE SE	NE-12-21-6
4080800075	27319 SE 306TH ST	NE-12-21-6
1221069035		NE-12-21-6
721079020	27719 SE 306TH ST	NE-12-21-6
4080800145	30714 270TH AVE SE	NE-12-21-6
4080800100	27215 SE 306TH ST	NE-12-21-6
4080800060	27403 SE 306TH ST	NE-12-21-6
4080800055		NE-12-21-6
4080800020	27513 SE 306TH ST	NE-12-21-6
1221069043	27420 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069036	27318 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069033	27424 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069024	27508 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069004	27532 SE GREEN RIVER GORGE RD	NE-12-21-6
721079035	27656 SE GREEN RIVER GORGE RD	NE-12-21-6
721079019	27601 SE 306TH ST	NE-12-21-6
4080800175	30822 270TH AVE SE	NE-12-21-6
4080800095	27227 SE 306TH ST	NE-12-21-6
1221069030		NE-12-21-6
1221069026	27522 SE GREEN RIVER GORGE RD	NE-12-21-6
4080800200	31024 270TH WAY SE	NE-12-21-6
4080800185	30906 270TH AVE SE	NE-12-21-6
4080800140	30708 270TH AVE SE	NE-12-21-6
4080800115		NE-12-21-6
1221069034	27516 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069025		NE-12-21-6
721079032	27603 SE 306TH ST	NE-12-21-6
721079031	27611 SE 306TH ST	NE-12-21-6
721079023	27621 SE 306TH ST	NE-12-21-6
721079021		NE-12-21-6
4080800085	27307 SE 306TH ST	NE-12-21-6
4080800045		NE-12-21-6
4080800040	27423 SE 306TH ST	NE-12-21-6
4080800030	27433 SE 306TH ST	NE-12-21-6
1221069041	27402 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069019	27230 SE GREEN RIVER GORGE RD	NE-12-21-6
721079037	27660 SE GREEN RIVER GORGE RD	NE-12-21-6

Parcel	Address (if available)	Section/ Township/ Range
721079027		NE-12-21-6
721079008		NE-12-21-6
4080800155	30726 270TH AVE SE	NE-12-21-6
4080800110	27123 SE 306TH ST	NE-12-21-6
4080800105	27205 SE 306TH ST	NE-12-21-6
4080800070	27325 SE 306TH ST	NE-12-21-6
4080800010	27525 SE 306TH ST	NE-12-21-6
721079033	27628 SE GREEN RIVER GORGE RD	NE-12-21-6
4080800170	30816 270TH AVE SE	NE-12-21-6
4080800120	27019 SE 306TH ST	NE-12-21-6
4080800080	27315 SE 306TH ST	NE-12-21-6
721079045		NE-12-21-6
721079036		NE-12-21-6
721079030	27703 SE 306TH ST	NE-12-21-6
721079026	27605 SE 306TH ST	NE-12-21-6
4080800165	30804 270TH AVE SE	NE-12-21-6
4080800130	30620 270TH AVE SE	NE-12-21-6
1221069040	27412 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069031	27322 SE GREEN RIVER GORGE RD	NE-12-21-6
1221069028	27430 SE GREEN RIVER GORGE RD	NE-12-21-6
721079028	27711 SE 306TH ST	NE-12-21-6
4080800065		NE-12-21-6
4080800025		NE-12-21-6
1221069084		NE-12-21-6
721079034		NE-12-21-6
841000005		SE-14-21-6
844001365		NE-14-21-6
1421069081	32814 3RD AVE BLACK DIAMOND 98010	SE-14-21-6
1421069077	32808 3RD AVE BLACK DIAMOND 98010	SE-14-21-6
844001361	32800 3RD AVE 98010	NE-14-21-6
844001360	32730 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844001355	32724 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844001345	32712 3RD AVE 98010	NE-14-21-6
844001340	32632 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844001330	32633 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000900	32616 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000895		NE-14-21-6
844000890	32604 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000835	32621 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000830	32619 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000795	32607 3RD AVE BLACK DIAMOND 98010	NE-14-21-6

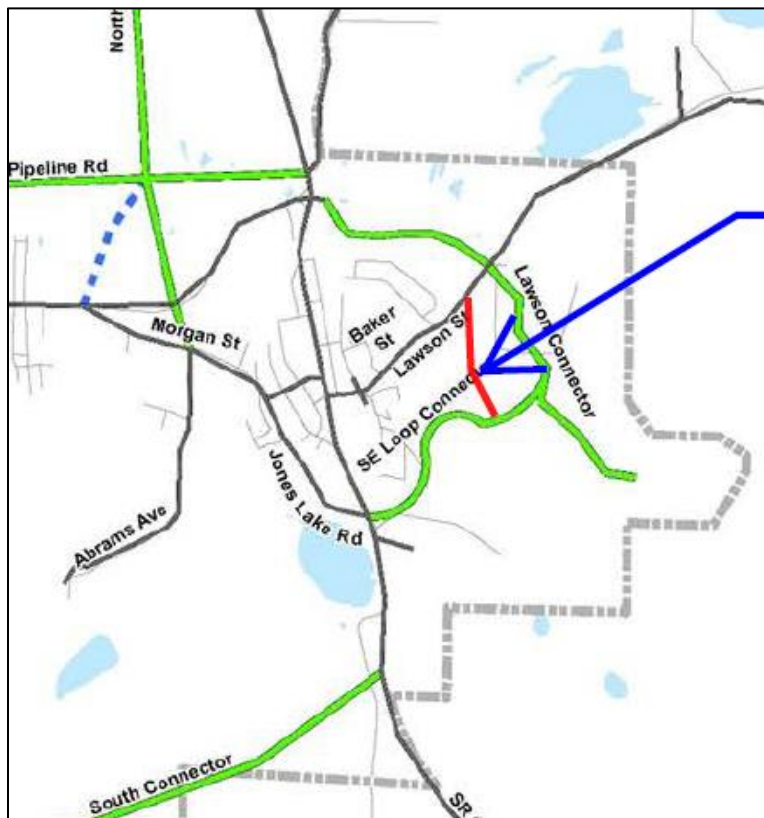
Parcel	Address (if available)	Section/ Township/ Range
844000800	25327 BAKER ST BLACK DIAMOND 98010	NE-14-21-6
844000345	32523 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000340	32509 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000335	32503 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
844000330	32431 3RD AVE BLACK DIAMOND 98010	NE-14-21-6
421069087	21401 SE FALCON WAY 98042	SW-4 -21-6
421069106		SW-4 -21-6
1021069058		NW-10-21-6
1021069122	31165 230TH PL SE	NW-10-21-6
1021069067	31025 230TH PL SE	NW-10-21-6
1021069027	22936 SE 312TH ST	NW-10-21-6
1021069117	22928 SE 312TH ST	NW-10-21-6
4391600160		NW-10-21-6
1021069094		NW-10-21-6
1021069057	31042 231ST PL SE	NW-10-21-6
1021069056	31048 231ST PL SE	NW-10-21-6
1021069092	22820 SE 312TH ST	NW-10-21-6
1021069066		NW-10-21-6
1021069055	31060 231ST PL SE	NW-10-21-6
1021069025	23204 SE 312TH ST	NW-10-21-6
1021069120	31117 230TH PL SE	NW-10-21-6
1021069090	23222 SE 312TH ST	NW-10-21-6
7570700010	22804 SE 312TH ST	NW-10-21-6
1021069116	22920 SE 312TH ST	NW-10-21-6
1021069083	22908 SE 312TH ST	NW-10-21-6
1021069049	31024 230TH PL SE	NW-10-21-6
1021069022	23210 SE 312TH ST	NW-10-21-6
1021069123		NW-10-21-6
1021069121	31139 230TH PL SE	NW-10-21-6
1021069028	31047 231ST PL SE	NW-10-21-6
1021069119	31109 230TH PL SE	NW-10-21-6
1021069118	31113 230TH PL SE	NW-10-21-6
1021069074	31035 229TH AVE SE	NW-10-21-6
1021069050	31054 230TH PL SE	NW-10-21-6
1021069024	23232 SE 312TH ST	NW-10-21-6
1021069016		NE-10-21-6
1121069017		SW-11-21-6
1121069024		SW-11-21-6
1221069038		SW-12-21-6
421069018	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069040	LAKE SAWYER ISLAND 98010	SE-4 -21-6

Parcel	Address (if available)	Section/ Township/ Range
421069021	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069022	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069026	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069023	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069024	LAKE SAWYER ISLAND 98010	SE-4 -21-6
421069014	30401 227TH PL SE 98010	SE-4 -21-6
1521069052		SW-3 -21-6
1521069023	24203 ROBERTS DR 98010	NE-15-21-6
1521069052		NE-15-21-6
2221069054		NW-22-21-6
2221069056		NW-22-21-6
2221069008		NW-22-21-6
2221069009		NW-22-21-6
Master Planner Development PP Phase 1 A /Phase 1B		NW-15-21-6 & SW-15-21-6



Item #2, the SE Connector Loop alternative, would route the access road from the Lawson Hills MPD to Lawson Street. See map below for approximate location (red line).

<u>Parcel</u>	<u>Address</u>	<u>Section/ Township/ Range</u>
1321069018	32317 BOTTS DR 98010	NW-13-21-6
1321069048	n/a	NW-13-21-6
1321069010	n/a	SW-13-21-6



B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Mona Davis

Name of signee: Mona Davis

Position and Agency/Organization: Community Development Director, City of Black Diamond

Date Submitted: October 6, 2021

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

1. **FLUM/Zoning Map changes.**

Inconsistency #2 is a proposed rezone from BIP to Community Commercial (CC). BIP has a maximum impervious surface allowed of 75%, and CC allows 80%. This could result in an increase discharge of stormwater runoff; however, stormwater impacts are appropriately regulated through the City's adoption of the 2012 SWMMWW, as amended in December 2014. The change from BIP to CC will reduce the likelihood of developments producing, storing or releasing toxic or hazardous substances due to the allowed uses, as well as reduce the production of noise due to the change from allowing business and light industrial uses to commercial. Emissions to air for new activities within the amendment areas may be subject to air quality permits issued by the Puget Sound Clean Air Agency.

Inconsistency #3 rezone from Single Family Residential (R4) to MDR8 which would increase the allowed impervious surface maximum from 70% to no maximum. This could result in an increase discharge of stormwater runoff; however, stormwater impacts are appropriately regulated through the City's adoption of the 2012 SWMMWW, as amended in December 2014. The change would also likely result in higher production of noise and air emissions as the new zone would allow for higher density housing.

Inconsistency #6 amend the zoning from Master Planned Development (MPD) to Public (PUB) would result in a decrease in discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, and production of noise as the uses allowed do not include any residential or commercial uses. Further the site is designated as the In City Forest and will remain open space.

For the undesignated Parcels #1-5, the proposal is to designate and zone them consistent with the surrounding designations.

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)

This will allow them to be developed under the City's zoning and development regulations. As they were previously not zoned, and appear to be old railroad rights-of-way, this will resolve the zoning designation for any future development that may occur and would not increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or production of noise because they would have been zoned consistent with surrounding parcels at the time of development application(s).

Zoning map Scriveners Error is the Lake Sawyer Islands, which are currently shown as not zoned on the adopted zoning map, though they should be R4 as they are designated as Low Density Residential on the FLUM and previously shown as zoned R4. The proposal would reflect that zoning on the map. The proposal would not increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise as how the parcels can be developed, and how they are regulated would not change.

Inconsistency #1, #4, #5, #7 revert to the 2009 FLUM, these along with scrivener's errors #1, #2a, #2b, #3, and all the consolidations have no zoning map changes associated with the proposals. The parcels can be developed as currently shown and regulated, therefore there would be no increase in discharge to water, emissions to air, storage or release of toxic or hazardous substances, or production of noise as a result of this proposal.

2. Construction of the SE connector alternative proposal may cause temporary increases in diesel exhaust emissions from construction equipment and gasoline exhaust emissions from construction workers travelling to and from the site. During dry weather, construction earthwork may also result in dust generation. There would also be a temporary increase in construction noise. The proposal operation would result in stormwater runoff associated with the increase in impervious surface coverage, emissions to air from vehicle exhaust, and increased noise from vehicles moving on the road. There would be no release of toxic or hazardous substances.
3. The inclusion of a comprehensive plan policy to analyze the siting of marijuana retail businesses will have no effects on discharge to water, emissions to air, or any relation related to toxic or hazardous chemicals, nor would it increase the noise production. No regulations are proposed at this time; when marijuana regulations are considered, SEPA environmental review will occur.

4. **Including a comprehensive plan policy about conducting an ecological study of the City will have no effects on discharge to water, emissions to air, or any relation to toxic or hazardous chemicals, nor will it increase the production of noise.**
5. **Moving a policy within the comprehensive plan will have no effects on discharge to water, emissions to air, or any relation to toxic or hazardous chemicals, nor will it increase the production of noise.**

Proposed measures to avoid or reduce such increases are:

Any future development will be subject to the City of Black Diamond requirements for drainage, air emissions, production, storage, or release of toxic or hazardous substances; and noise. Title 8 Black Diamond Municipal Code (BDMC) provides specific regulations related to noise control, and toxic or hazardous substances. Title 14 BDMC provides regulations for water quality and stormwater management.

Depending on applications for future uses within the amendment areas, the City may require the applicant to evaluate project emissions to air, production, storage, or release of toxic or hazardous substances; and noise impacts. Further environmental review would be required and evaluated with a SEPA checklist and threshold determination during project review, which could include mitigation measures to address any impacts.

Stormwater-related impacts will be mitigated through City's adoption of the 2012 Ecology SWMMWW, as amended in December 2014.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
 1. **Title 19 BDMC governs the protection and uses allowed within sensitive areas and their buffers. These standards include management practices deemed by the Washington State Department of Ecology and the Washington State Department of Commerce to incorporate best available science. The City's Sensitive Areas Code (Chapter 19.10 BDMC) requires applicants proposing to develop sites containing or adjacent to critical areas have a qualified professional submit a sensitive area report for City review and approval. The protection of sensitive areas will not diminish or change if these sites are redesignated/ rezoned.**
 2. **The proposal would have no effect on fish or marine life (stormwater would be treated prior to discharge in conformance with the City's adoption of the 2012 SWMMWW, as amended in December 2014). Only one parcel would be affected by the proposal and the route would not impact any wetlands or sensitive wildlife habitat on that property.**
 - 3-5. **These are non-project actions that will have no effect on plants, animals, fish or marine life. Docket item #4, a new comprehensive plan policy about performing an ecological inventory, will eventually aid in documenting all wetlands and streams in the City, thus**

establishing a baseline for evaluating impacts on plants, animals, fish, and marine life associated with new and redevelopment.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Development proposals will be required to comply with the standards found in Chapter 19.10 BDMC (Sensitive Areas), Chapter 19.08 BDMC (Shoreline Master Program), and Chapter 19.30 BDMC (Tree Preservation), in order to protect or conserve plants, animals, and fish. The City will require landscape plans (including the inventory of significant trees) and critical areas reports to support project-level SEPA environmental review for proposals as required under Title 18 BDMC. Further, land clearing and grading is regulated by the City to minimize aquatic and terrestrial wildlife habitat loss caused by the removal of vegetation per Chapter 15.28 BDMC.

3. How would the proposal be likely to deplete energy or natural resources?
 1. **The same suite of building and energy codes applies across all zoning districts. Proposed future site development associated with Inconsistency #3 (R4 to MDR8) and #6 (MPD to R4) and the currently undesignated parcels may include uses that require associated mechanical systems, lighting, plumbing fixtures and/or other systems, thereby resulting in greater consumption of energy than if the site were developed with allowed uses under the current designation. All other proposals either change the parcel to allow for less intense uses, which would use less energy/ natural resources than what the current use permits or does not change how the site is currently regulated and thus would not change the amount of energy and natural resources that could currently be used on site.**
 2. **The proposal would use energy in the form of diesel, gasoline and possibly electricity during construction. Natural resources such as petroleum, aggregates (e.g., rock, sand, gravel), cement, and various metals (e.g., steel rebar) would be used to construct the road and road elements (e.g., guard railings, light posts, walls, etc.).**
 3. **The inclusion of a comprehensive plan policy to analyze the siting of marijuana retail businesses will have no effects energy or natural resources. No regulations are proposed at this time; when marijuana regulations are considered, SEPA environmental review will occur. If adopted, the same suite of building and energy codes and development regulations that would apply to other development proposals in the selected zone would**
 4. **Including a comprehensive plan policy about conducting an ecological study of the City will have no effects on energy or natural resources.**
 5. **Moving a policy within the comprehensive plan will have no effects on energy or natural resources.**

Proposed measures to protect or conserve energy and natural resources are:

The retention of significant trees and minimizing native vegetation loss is required within the City of Black Diamond, which aids in the conservation of natural resources. The City of Black Diamond has also adopted a suite of building codes to aid in the conservation of energy and resources. These include:

- International Building Code (IBC) w/ Washington Amendments; International Existing Building Code (IEBC)
 - International Residential Building Code (IRC w/ Washington Amendments
 - Washington State Energy Code-Residential & Commercial
 - International Mechanical Code (IMC w/ Washington Amendments)
 - International Fuel Gas Code (IFGC)
 - International Fire Code (IFC) w/ Washington Amendments
 - National Fire Protection Association (NFPA) 72 National Fire Alarm Code and NFPA 13, 13R & 13D: Standards for the installation of fire suppression (sprinkler systems)
 - ICC A117.1-2009 Accessible & Usable Buildings & Facilities
 - Uniform Plumbing Code (UPC)
 - NCSBCS/ANSI A225.1-1994 Manufactured Home Installations
 - International Property Management Code (IPMC), limited sections
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
- 1. & 3. The purpose of the City's Sensitive Areas Code (Chapter 19.10 BDMC) is to limit development and alteration of sensitive areas. It requires applicants proposing to develop sites containing or adjacent to critical areas have a qualified professional submit a sensitive area report for City review and approval. The application of the City's sensitive areas regulations is applied equally to properties in all zones. Some changes, such as Inconsistency #4, will aid in future development in being more compatible with adjacent sensitive areas. The parcel (1021069103) abuts a wetland to the west; therefore, the proposal to change the designation from a more intense use (Neighborhood Commercial) to less intense use (Low Density Residential) will aid in minimizing impacts.**
- 2. There are no known environmentally sensitive areas along the proposed right-of-way except for Lawson Creek. The SE Connector Alternative route is through a relatively flat parcel of land that is outside of mapped landslide hazard areas. The proposed alignment would cross the creek (similar to the current SE Loop Connector in the adopted comprehensive plan), which would be analyzed and mitigated for as necessary at the time of development. Further environmental studies will occur at the time of any road development.**

4. Including a comprehensive plan policy about conducting an ecological study of the City will have no direct effects on environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection. After the study is completed, these areas will be inventoried to allow the City to implement regulations and plans to protect these areas.
5. Moving a policy within the comprehensive plan will have no affect on environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Impacts to sensitive areas will not increase as a result of the proposed amendments to the City's Comprehensive Plan and any concomitant zoning amendments. The proposed amendments to the City's Comprehensive Plan will not alter how Chapter 19.10 BDMC (Sensitive Areas), Chapter 19.08 BDMC (Shoreline Master Program), and Chapter 19.30 BDMC (Tree Preservation), are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.

For docket item #2, the SE connector alternative, a bridge would be constructed to span across the creek with supports that are located upland of the ordinary high-water mark. In this way, creek flow and fish passage would not be impeded. Additional analysis of impacts will be performed if the alternative was selected in the future for construction.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
1. Multiple site-specific requests proposed would alter land uses from what is planned under the City's Comprehensive Plan and/or Zoning Map in accordance with review and approval criteria contained within the BDMC. The proposals include:

Inconsistency #1 is a change the FLUM designation back to the 2009 FLUM designation of Business Park & Light Industrial (BP/LI) from the current designation of Medium Density Residential (MDR), there will be no associated rezone. The parcel is currently vacant. The 2009 FLUM designation is consistent with the surrounding properties and will not allow or encourage uses incompatible with existing plans. The FLUM change will provide consistency with the adopted zoning map.

Inconsistency #2 has no proposed changes as part of this comprehensive plan amendment cycle. A rezone application is in process for the site.

Inconsistency #3 rezone from R4 to MDR8 which would make the zoning map consistent with the FLUM. According to the Comprehensive Plan, Medium Density Residential should be located near commercial services, employment, and arterial roads. Lake Sawyer Road, which the property fronts, is a minor arterial and the site

is located near the portion of the MPD slated to develop with commercial uses. The site would continue to allow single family residential.

Inconsistency #4 change the FLUM designation back to the 2009 FLUM designation of LDR from the current designation of NC; there will be no associated rezone. NC 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, business park and light industrial designations/zones. Having the parcels be designated low density residential allows the site to be developed in a compatible nature with the nearby public use and have the lowest intensity use on site, which is the most compatible with the critical areas that exist to the west.

Inconsistency #5 change the FLUM designation back to the 2009 FLUM designation of LDR from the current designation of NC; there will be no associated rezone. This provides for compatibility with the surrounding parcels which are all residential.

Inconsistency #6 is to amend the zoning from the current Master Planned Development (MPD) zoning to single family residential (R4) as the property is not within the MPD. Further, this proposal is to revert the parcel back to the 2009 FLUM designation of LDR from the current designation of Public. The site is not publicly owned, and the agreement for the City to possibly buy the land has expired; therefore, the public designation in the FLUM is no longer consistent with the intent of the designation which “identifies properties under public ownership, whether by the City or other governmental entities that are either currently used or intended for uses such as public utilities, parks, libraries, community centers, or elementary schools” (Comprehensive Plan, page 5-14). These changes would be consistent with the surrounding parcels and would encourage compatible land uses on site by accurately zoning and designating the parcel.

Inconsistency #7 amend the FLUM to designate the properties CC (from NC), consistent with the 2009 FLUM and current zoning map. Multiple existing uses are already nonconforming, as single-family homes are not permitted in the Community Commercial or Neighborhood Commercial zones. No additional non-conforming uses would be created. The gas station is a permitted use in the CC zone, as are personal and professional services and retail uses.

No changes are proposed related to the consolidation amendments or Scriveners Error #1; therefore, no effects would occur to the land uses or shoreline.

Scriveners Error #2a is the Kent School District site that was changed in the 2019 FLUM mistakenly to LDR, the proposal is to change the designation to the correct one of Public. This will further ensure land use consistency by accurately reflecting what is contained on the site (a school).

Scriveners Error #2b is a cluster of single-family residential parcels that were mistakenly designated public in the 2019 FLUM. The proposal is to change the designation to Low Density Residential which provides consistency between City maps and plans and with the existing uses on site and surrounding the proposal.

Scriveners Error #3 is a site that is located within the MPD overlay mistakenly, as the development agreement does not show the parcel as being included within the MPD. Amending the map encourages compatible land uses on site by accurately reflecting the designation.

Undesignated Parcels #1-5 are parcels that have never been zoned. The proposal is to designate and zone them consistent with the surrounding designations, encouraging land use compatibility.

Zoning Map Scriveners Error is the Lake Sawyer Islands, which are currently shown as not zoned on the adopted zoning map, though they should be R4 (as they are currently regulated, designated on the FLUM, and zoned on previous zoning maps). The proposal would encourage land use compatibility by ensuring the parcels are regulated appropriately, and the zoning is compatible with all adjacent parcels, which are also designated R4.

- 2. The SE Loop Connector Alternative proposes a new alignment that would impact different but fewer parcels of land than planned for under the current Comprehensive Plan. No shoreline uses would be affected. The amendment would not encourage incompatible uses, as a road is already planned for in the area within existing plans.**
- 3. The comprehensive plan amendment to add a policy to analyze the siting of marijuana businesses will ensure that land use and shoreline compatibility are considered for the use. No regulations are being proposed as part of the docket item. When regulations are proposed, the use will only be permitted in the most compatible zone and will be regulated by the same applicable zoning and development criteria that all uses within that zone are required to meet.**
- 4. Including a comprehensive plan policy about conducting an ecological study of the City will have no direct effects on land and shoreline use. If the study is pursued, these areas will be identified through the study which will aid the City in implementing regulations and plans to protect these areas to help ensure incompatible land and shoreline uses are not developed.**
- 5. Moving a policy within the comprehensive plan will have no direct effects on land and shoreline use.**

Proposed measures to avoid or reduce shoreline and land use impacts are:

Impacts to adjacent land uses will be mitigated by the City's development standards (Title 18 BDMC). This includes bulk regulations (setbacks, height, lot coverage, and density), as well as landscaping and parking lot screening to aid in diminishing impacts on adjacent properties. The proposed FLUM and Zoning Map amendments were analyzed for compatibility with surrounding land uses, including comparison between the 2009 FLUM and 2019 FLUM and zoning map.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
 1. **Public services and utilities are available, or can be extended at the applicant's expense, to accommodate future development that may occur due to the reclassification of the areas. A traffic review completed by Parametrix on September 29, 2021 concluded that the proposed changes are not expected to have significant impacts on the transportation system, and concurrency will be able to be met. For all proposals, further analysis will be completed at the time of a development application, including utility availability applications, concurrency, SEPA, and traffic reports depending on the size of the project.**
 - a. **Inconsistency #1 is a change to the FLUM designation back to the 2009 FLUM designation of Business Park & Light Industrial (BP/LI) from the current designation of Medium Density Residential (MDR) with no associated rezone. Given that the land is undeveloped, Parametrix chose uses in Business Industrial Park that would produce a high number of trips (e.g., General Office). That use generates higher volumes of traffic than medium density residential would. As there is no associated rezone there is not a direct impact on what can be developed as the site will continue to be regulated under the existing zoning (BIP). But the change in the underlying land use (to BP/LI) could produce higher traffic volumes than the current land use designation (MDR).**
 - b. **Inconsistency #2 does not include any recommended changes as part of the comprehensive plan amendment cycle as a rezone is in progress. These items will be analyzed as part of the rezone application.**
 - c. **Inconsistency #3 is a rezone from R4 to MDR8, which would allow for higher density housing resulting in an increase of traffic and necessary public services/utilities to serve the increase in residential units. However, traffic review by Parametrix indicated the vehicle trips increase would not be significant and given the location of parcels, and the proposed improvement projects listed in the current Transportation Improvement Program and the 2019 Comprehensive Plan, the potential increase in PM peak hour trips is not expected to not cause intersections to fall below concurrency standards**
 - d. **Inconsistency #4 to change the FLUM designation back to the 2009 FLUM designation of LDR from the current designation of NC. There will be no**

associated rezone, and therefore no impacts, as the site will continue to be permitted and regulated under the existing zoning (R4). However, the underlying designation would be changed to a less intense use that would ensure any future rezones must be LDR, which has less traffic, utility and service impacts than NC due to lower density, allowed coverage, and intensity of uses.

- e. Inconsistency #5 to change the FLUM designation back to the 2009 FLUM designation of LDR from the current designation of NC, there will be no associated rezone, and therefore no impacts as the site will continue to be permitted and regulated under the existing zoning (R4). However, the underlying designation would be changed to a less intense use that would ensure any future rezones must be LDR, which has less traffic, utility, and service impacts than NC due to lower density, allowed lot coverage, and intensity of uses.
- f. Inconsistency #6 is to amend the zoning from MPD to R4 and FLUM change from Public to the 2009 designation of Low Density Residential. The change would likely result in a less intense use than what would be permitted by the MPD zoning which would have less traffic, utility and service impacts due to lower permitted housing density, allowed coverage, and allowed uses as well as environmental constraints on site.
- g. Inconsistency #7 is to amend the FLUM to designate the properties CC, consistent with the 2009 FLUM and current zoning map. There will be no associated rezone, and therefore no direct impacts, as the site will continue to be permitted and regulated under the existing zoning (CC). However, the proposal could produce more traffic in the future as several of the parcels are currently occupied by single-family homes. If those parcels are redeveloped, the land uses permitted under Community Commercial would all generate more traffic than a single-family home. Given the proposed improvement projects listed in the current Transportation Improvement Program, the projects required by the Master Developer as part of the development agreement, and the projects proposed in the 2019 Comprehensive Plan, the increase in trips is not expected to not cause intersections to fall below concurrency standards.
- h. Scriveners Error #2a is the Kent School District site that was changed in the 2019 FLUM mistakenly to LDR. The proposal is to change the designation to the correct one of Public. There will be no increased demand in transportation, public services, or utilities from the change as the site will continue to operate as a school as it has in the past.
- i. Scriveners Error #2b is a cluster of single-family residential parcels that were mistakenly designated public in the 2019 FLUM. The proposal is to change the designation to Low Density Residential consistent with the zoning map. There

will be no increased demand in transportation, public services, or utilities from the change as the site is built out and will continue to operate as it has in the past.

- j. **Scriveners Error #3** is a site that is located within the MPD overlay mistakenly, as the development agreement does not show the parcel as being included within the MPD. The parcel is vacant. The removal of the overlay will not impact transportation, public services, or utilities.
- k. **Undesignated Parcels #1-5** are parcels that have never been zoned or designated but are privately owned and not used as right-of-way. The proposal is to designate and zone them consistent with the surrounding designations, as would have been done at the time of development application. There will be no increased demand in transportation, public services, or utilities from the change, as the site is built out and will continue to operate as it has in the past.
- l. **Zoning Map Scriveners Error** is the Lake Sawyer Islands, which are currently shown as not zoned on the adopted zoning map. These would be zoned to R4 to match previous zoning maps and FLUM maps. There will be no increased demand in transportation, public services, or utilities from the change as the site is mostly built out and will continue to operate as it has in the past.

No changes are proposed related to the consolidation amendments, or Scriveners Error #1, therefore no changes would occur to the transportation or public services and utilities demands.

- 2. The proposal for the SE Loop Connector alternative would not increase the demand for transportation or public services. The proposal would not cause the level of service on the roadways to fall below the City standards. A third-party review of the traffic analysis submitted by the applicant concurred with the traffic distribution and concurred any impacts to intersections can be mitigated with additional turn lanes and/or changes in intersection control. There would be a slight increase in demand for electricity to operate lighting along the roadway for safety.
- 3. The inclusion of a comprehensive plan policy to analyze the siting of marijuana businesses will have no direct effect on transportation or public utilities and services. No regulations are proposed at this time; when marijuana regulations are considered, SEPA environmental review will occur. For whichever zone is selected to allow marijuana retail business (if any), the density and intensity of a use allowed with the selected zone would not change.
- 4. Including a comprehensive plan policy about conducting an ecological study of the City will have no effects on transportation or public services and utilities.
- 5. Moving a policy within the comprehensive plan will have no effect on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

For docket item #2, the SE connector alternative, the project itself would serve the demand for transportation circulation and access.

Future site-specific development applications will be subject to SEPA environmental review and applicable studies to meet code requirements. For larger projects, traffic impact analyses may be required to evaluate the impacts associated with development proposals, as determined by the City. Traffic impacts will be required consistent with the BDMC. Additional point impacts may also require mitigation.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Future project specific development applications will be subject to SEPA environmental review and code regulations in place at the time of application. The proposed amendments to the City's Comprehensive Plan and Zoning Code do not conflict with any local, state, or federal laws relating to the protection of the environment.