CITY OF BLACK DIAMOND
PLANNING COMMISSION
SPECIAL MEETING AGENDA
October 26, 2021

THIS IS OFFERED AS A ZOOM MEETING ONLY.
CALL IN AND JOINING INFORMATION FOLLOWS:

Zoom link to join meeting:
https://zoom.us/j/4254157187?pwd=RE9OV0VoU1RFc3psSHdjem9mMk9hdz09
(Note: You do not need a web cam to join the meeting, but you will need audio to hear the proceedings.)
Meeting ID: 425 415 7187
Password: PC

Telephone dial in options:
+1 253 215 8782 US (Tacoma)
+1 206 337 9723 US (Seattle)
Meeting ID: 425 415 7187
Password: 941820 (phone in only)

6:00 P.M. - CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

APPROVAL OF MINUTES: None

PUBLIC COMMENTS: Persons wishing to address the Planning Commission regarding items of new business are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair, you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in, please press *9 to raise your hand and *6 to unmute yourself.

PUBLIC HEARING: None

STUDY/WORK SESSION:

UNFINISHED BUSINESS:

1) Provide a recommendation to City Council on each of the proposed 2021 Comprehensive Plan Amendments from the approved Docket:

   a) 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.
   b) Amendments to Comprehensive Plan Appendix 7 (Transportation) to reflect an alternative SE loop connector route.
   c) Repeal city prohibitions on marijuana businesses and update the Land Use chapter as needed to facilitate appropriate siting.
   d) Conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory of the entire City.
   e) Delete policy ED-4.5 from the Economic Development Element or move it to the Transportation Element.

2) Inform about delay of two docket items pertaining to PROS Plan and Housing Action Plan.

NEW BUSINESS: None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS: Persons wishing to address the Planning Commission are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair, you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in, please press *9 to raise your hand and *6 to unmute yourself.

ADJOURN:

CITY OF BLACK DIAMOND

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

Phone: (360) 851-4447
Fax: (360) 851-4501
www.ci.blackdiamond.wa.us

Meeting Date:	October 26, 2021
Staff Report Date:	October 19, 2021 (REVISED from October 14, 2021)
To:	Planning Commissioners
From:	Mona Davis, Community Development Director Joey Portmann, Senior Planner Emily Adams, Contract Planner
Subject:	2021 Comprehensive Plan Amendments

This staff report is being revised to provide consistency with the final approved docket that the Planning Commission recommended to Council. The only revisions to the report were to provide all docket numbers to be consistent with the previous staff report and planning commission recommendation dated May 20, 2021 (attached) for clarification. For instance, the future land use and zoning map section now refers to #2021-01, #2021-03, and #2021-22, rather than just #2021-01 as all those docket items were combined. No substantive changes were made to the analysis and/or recommendations within this report.

Summary

Ten items were adopted on the final docket for the 2021 Comprehensive Plan Amendment cycle, as recommended by the Planning Commission on May 20, 2021, and passed by City Council on June 3, 2021. Three of the items were combined and grouped together (#2021-01, #2021-03, & #2021-22) and three of the items (#2021-04, #2021-05, & #2021-07) were delayed and will be reintroduced onto the docket next year due to timing issues. The remaining four individual items moved forward for analysis and public hearings. Each of those items has a section within this staff report (labeled in the Table of Contents as DOCKET ITEM…) that analyzes the amendment and addresses the prescribed criteria in BDMC 16.10.220 and includes a staff recommendation. These staff reports were presented individually at previous public hearings before the Planning Commission. Changes have been made to some of the staff reports following the completion of the public hearings, these changes are shown in underline, for easy identification of revisions and/or additions. Anything not underlined in the Docket Item sections has been seen in previous staff reports. Major changes include:

- Change in staff recommendations to Docket Item #2021-01, FLUM and Zoning Map, for Inconsistency #1 and Inconsistency #6.
- Additional traffic/ transportation analysis for Docket Item #2021-01, FLUM and Zoning Map, under site specific proposal criteria responses.
- Revised wording of staff recommendation of Docket Item #2021-08, Ecological Inventory.

The table of contents below is bookmarked within the PDF to allow the reader to jump to specific sections given the length of the staff report.

Staff Report Attachments

1. FLUM/Zoning Presentation (matches with order of analysis to provide for mapping)
2. FLUM/Zoning Traffic Review by Parametrix dated September 28, 2021
3. SE Loop Connector Alternative Presentation by OakPointe
4. Planning Commission recommendation to Council on the final docket, dated May 20, 2021

All other previous staff report attachments (i.e. previous public comments received, previous traffic reviews, initial request documents) are not attached to this staff report but can be found on the previous packets on the City's website at: https://www.blackdiamondwa.gov/home/pages/minutes-agendas under the applicable Planning Commission meetings as referenced in the table on page 3.

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Process to Date

Date (2021)	Item	Who	Public Comment Period
March 1	Cut off to submit items for the preliminary docket	Staff	N/A
May 11	Public hearing on docket and recommendation to Council	Planning Commission	April 28 – May 11
June 3	Council review and decision on final docket	City Council	June 3
August 10	Public hearing on: • SE Loop Connector Alternative	Planning Commission	July 28 – August 10
Sept. 7	Public hearings on: • FLUM/Zoning Map changes; • Marijuana Businesses Policy; • Ecological Inventory Policy; • Economic Development Policy	Planning Commission	August 25 – Sept. 7
Sept. 8	SEPA Notice of Consultation and draft SEPA checklist issued	Staff	Sept. 8 – Sept. 21
Sept. 21	Work Session on docket items	Planning Commission	Sept. 21
Oct. 6	SEPA Determination of Nonsignificance Issued	Staff	Oct. 6 – Oct. 20
Oct. 12	Second public hearing on SE Loop Connector Alternative	Planning Commission	Sept. 29 – Oct. 12
Oct. 26	Action – Recommendation to Council	Planning Commission	Oct. 26
Following Planning Commission action, the recommendation and record will be forwarded to the Council, next steps include Council action, or a public hearing followed by Council action.			

Docket Items Moved to Next Year

Three items approved for the final docket have been delayed until next year, those include:

- #2021-04: Update the housing chapter of the comprehensive plan to incorporate relevant components of the 2021 Housing Action Plan (HAP) and review ADU and short-term rental regulations for potential changes to the housing chapter.
- #2021-05: Update the parks chapter of the comprehensive plan to incorporate relevant components of the Parks, Recreation, and Open Space (PROS) plan.
- #2021-07: Review ADU and short-term rental regulations with potential changes to the housing chapter of the comprehensive plan (combined with #2021-04 and will be reflected accordingly on the 2022 docket).

These items have been delayed and will be reintroduced for the 2022 Comprehensive Plan Amendment cycle docket as the two plans that were proposed to be incorporated into the Comprehensive Plan, the HAP and PROS plan through these docket items, were either not adopted in time to become part of this cycle (PROS) or are awaiting further direction from Department of Commerce on what will be required to update (Housing element). Additionally, to accurately incorporate the HAP, the FLUM and zoning inconsistencies needed to be better analyzed and addressed.

Analysis and Staff Recommendations

As stated above, each of the following sections are the staff reports seen at the previous public hearings for each of the docket items. Changes have been made to the staff reports in the analysis/ recommendation sections. These changes are shown in underline, for easy identification of revisions and/or additions. Each item has an individual staff recommendation.

DOCKET ITEMS #2021-01 / #2021-03 / #2021-22 – FUTURE LAND USE AND ZONING MAP

This section goes over final docket items #2021-01, #2021-03, & #2021-22 which were combined into one item: "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."

Proposal

This proposal was suggested by private citizens and became a staff request. 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 were analyzed, along with each identified area's zoning to aid in analysis. 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)*

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. Each of the recommendations associated with the FLUM/Zoning map changes were presented at a public hearing. Following receipt of public comments and testimony at the hearing, staff has amended two recommendations to reduce the amount of land recommended to change from Business Park/Light Industrial to Residential, in conformance with the public's desires.

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	• 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*	• 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	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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);
   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 third-party reviewer, Parametrix, performed an analysis of the proposed site. 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, under the BIP zone, generates higher volumes of traffic than medium density residential would. Parametrix has indicated that the City's LOS will continue to meet concurrency even with any changes.
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;
   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. The City plans 6-10 years in advance for water

capacity; should the City even begin to get close to running out of capacity (for water or sewer), new requirements would be put in place and plans would be made on how to increase capacity. The public works director has indicated the City has adequate water. Parametrix performed a traffic review on this item, given that the land is undeveloped, and 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 (current FLUM). 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). However, Parametrix stated in their review that the proposed changes are not expected to have impacts on the transportation system. 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 for Inconsistency #1:

Staff recommends reverting the parcels to the 2009 FLUM designation of Business Park and Light Industrial and maintaining the current zoning of Business/ Industrial Park.

Inconsistency #2 *(Slide 9)*

Inconsistency #2			
Info	• 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*	• 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	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 an 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 is currently under review. It would eliminate 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.
   No changes are proposed as part of this process. The change of the zoning to Community Commercial occurring in a separate process 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 for Inconsistency #2:

Staff recommends maintaining the 2019 FLUM and the current zoning map at this time due to the rezone application in progress.

Inconsistency #3 *(Slide 10)*

Inconsistency #3			
Info	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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);

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 area. A third-party reviewer, Parametrix, performed an analysis of the proposed site. Rezoning the property from low density to medium density could potentially increase the number of PM peak hour trips generated (approximately 27 – 163 more trips). However, 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. The LOS would be expected to still meet concurrency standards.

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 low density to medium density residential increases the number of residential units on site and will therefore increase the use of the transportation network, capital facilities, and utilities. However, concurrency will be required prior to development, and the LOS is still expected to meet concurrency standards. The proposed changes are not expected to have impacts on the transportation system. 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. Utility availability applications will be required prior to development. The City plans 6-10 years in advance for water capacity, should the City even begin to get close to running out of capacity (for water or sewer), new requirements would be put in place and plans would be made on how to increase capacity. The public works director has indicated the City has adequate water. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review. 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 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 for Inconsistency #3:

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	• Parcels: 1021069103 and 1021069105 • 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 back to the 2009 FLUM 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) which would have less impacts on the City's public facilities and services. <u>The City's third-party traffic reviewer, Parametrix, performed a traffic analysis and stated the proposed changes could potentially increase the number of PM peak hour trips generated. However, given the increase would be small (~11 trips) the increase in PM peak hour trips is not expected to not cause intersections to fall below concurrency standards.</u>
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 allowing up to 12 du/acre) to a less intense use (Low Density residential allowing 4 du/acre) to match the current zoning, this change in designation would result in fewer impacts on the capital facilities, transportation, and utilities if the site was fully built out. 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 for Inconsistency #4:

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	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 (R4) which would have less impacts on the City's public facilities and services. The City's third-party traffic reviewer, Parametrix, performed a traffic analysis and stated the proposed changes could potentially increase the number of PM peak hour trips generated. However, given the increase would be small (~11 trips) the increase in PM peak hour trips is not expected to not cause intersections to fall below concurrency standards.
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, allowing up to 12 du/acre) to a less intense use (Low Density residential which allows 4 du/acre) 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. The City plans 6-10 years in advance for water capacity, should the City even begin to get close to running out of capacity (for water or sewer), new requirements would be put in place and plans would be made on how to increase capacity. The public works director has indicated the City has adequate water. Per the traffic engineers review, this change would not have significant adverse impacts on the transportation system. 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 for Inconsistency #5:

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	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 property is designated Public on the 2019 FLUM and staff recommends it be redesignated to Low Density Residential and rezoned from the current MPD zone to R4. 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. Given the site constraints (steep slopes of approximately 58%), it is unlikely to be developed and, therefore, would not adversely affect adopted level of service standards for other public facilities and services. However, 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 site.
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;

Utility availability applications will be required prior to any development. Impacts to environmental features and parks will be regulated through the City's development code and site-specific SEPA review. The City plans 6-10 years in advance for water capacity, should the City even begin to get close to running out of capacity (for water or sewer), new requirements would be put in place and plans would be made on how to increase capacity. The public works director has indicated the City has adequate water. Given the less intense uses permitted under R4 compared to MPD zoning and the site constraints significant adverse impacts to the transportation network are not expected. 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;
   Access and utilities will be reviewed for at the time of application. The site is compatible with the low-density residential designations to the south and the MPD properties to the north. Importantly, the update will reflect the fact that this site is not within the MPD and therefore this change designates the site correctly.
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 is appropriate. 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). This change is consistent with the ownership and surrounding parcels 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 R4, it would be developed at the lowest density residential permitted. Given the site constraints (steep slopes of approximately 58%), it is unlikely to be developed and it's not anticipated to affect the 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 for Inconsistency #6:

Staff recommends <u>that the FLUM revert to the 2009 designation of Low Density Residential and the zoning be changed to R4</u>.

Inconsistency #7 (Slide 14)

Inconsistency #7			
Info	• 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*	• 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	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities *Neighborhood Commercial:* • 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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);
If the current parcels with uses that do no currently meet CC uses were redeveloped into a use that does meet CC uses (e.g., retail space), there is potential for a large number of new PM peak hour trips. However, 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 cause intersections to fall below concurrency standards. 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.

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 for Inconsistency #7:

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

Consolidation #1 *(Slide 15)*

Consolidation #1			
Info	• 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*	This designation no longer exists. Previous comp plans indicated it was imagined to include: • Personal & professional services • Residences • Retail • Offices • Eating/ drinking establishments	• 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
**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.*			

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 for Consolidation #1:

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #2 *(Slide 16)*

Consolidation #2			
Info	• 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	• Essential public facilities • Major institutions • Related uses • Parks • Caretaker's quarters • Utilities	See 2019 FLUM column
Density	n/a	n/a	n/a
**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.*			

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 for Consolidation #2:

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #3 *(Slide 17)*

Consolidation #3			
Info	• 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: • Personal & professional services • Residences • Retail • Offices • Eating/ drinking establishments	• 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
**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.*			

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 nest 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 for Consolidation #3:

Staff recommends maintaining the 2019 FLUM designation and current zoning.

Consolidation #4 *(Slide 18)*

Consolidation #4			
Info	• Parcels: 76 parcels surrounding Lake No. 12 (largest parcel for location identification: 0721079008) • Existing Use: Single family homes and vacant		
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	• 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
**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.*			

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 for Consolidation #4:

Staff recommends maintaining the 2019 FLUM designation and that the parcels remain not zoned by the City.

Scrivener's Error #1 *(Slide 19)*

Scrivener's Error #1			
Info	• 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	• 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
**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.*			

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 for Scriveners Error #1:

Staff recommends maintaining the 2019 FLUM and current zoning designations.

Scrivener's Error #2a *(Slide 20)*

Scrivener's Error #2a			
Info	• 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	• 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
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 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.
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 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.
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 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 for Scriveners Error #2a:

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

Scrivener's Error #2b *(Slide 20)*

Scrivener's Error #2b			
Info	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 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.
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 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.
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 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 for Scriveners Error #2b

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	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 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.
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 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.
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 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 for Scriveners Error #3:

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	• 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
**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.*			

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 (BDMC 16.10.220.B)

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 affect 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 for Undesignated Parcels:

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	• 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*	• 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	
**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.*			

Evaluation Criteria for Amendments for Site-Specific Proposals (BDMC 16.10.220.B)

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 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.
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 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.
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 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 for Zoning Map Scriveners Error:

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	• 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*	• 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	
**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.*			

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.

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 for Split Zone #1:

Staff recommends no changes be made.

Split Zoned #2 *(Slide 26)*

Split Zoned Parcels #2			
Info	• 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*	• Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities Mixed use designation no longer exists.	Neighborhood Commercial: • 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	
**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.*			

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 for Split Zone #2

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	• 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*	• Bed & Breakfasts • Childcare • Group homes • Home occupations • Schools • Religious institutions • ADUs • Cottage housing • Senior housing • Manufactured housing • Multi-family • Single family • Utilities Mixed use designation no longer exists.	Neighborhood Commercial: • 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	
**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.*			

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 for Split Zone #3

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

DOCKET ITEM #2021-02 – SE LOOP CONNECTOR ALTERNATIVE

The purpose of this section of the staff report is to go over final docket item #2021-02: "Amendments to comprehensive plan Appendix 7 (Transportation) to reflect an alternative SE loop connector route."

Proposal

This was a private request by Black Diamond Partners LLC, aka Oakpointe, to amend the text and map in the transportation appendix to include an alternative Southeast Loop Connector. The request for the alternative is an addition to the list of future road projects in Appendix 7 and none would be deleted.

The Comprehensive Plan currently identifies the SE Loop Connector as a connection between the Lawson Connector and State Route (SR) 169. In addition to the Lawson Street and the Lawson Connector, the SE Loop Connector was proposed to provide additional connectivity between the Lawson Hills MPD and SR 169. The SE Loop Connector Alternative, proposed to be incorporated into the Comprehensive Plan, would connect the Lawson Hills MPD to Lawson Street, which then connects to SR 169. The Lawson Connector would remain.

Language would be added to include the Southeast Loop Connector Alternative on the list that provides the planned classifications by roadway as follows (in red):

Collectors

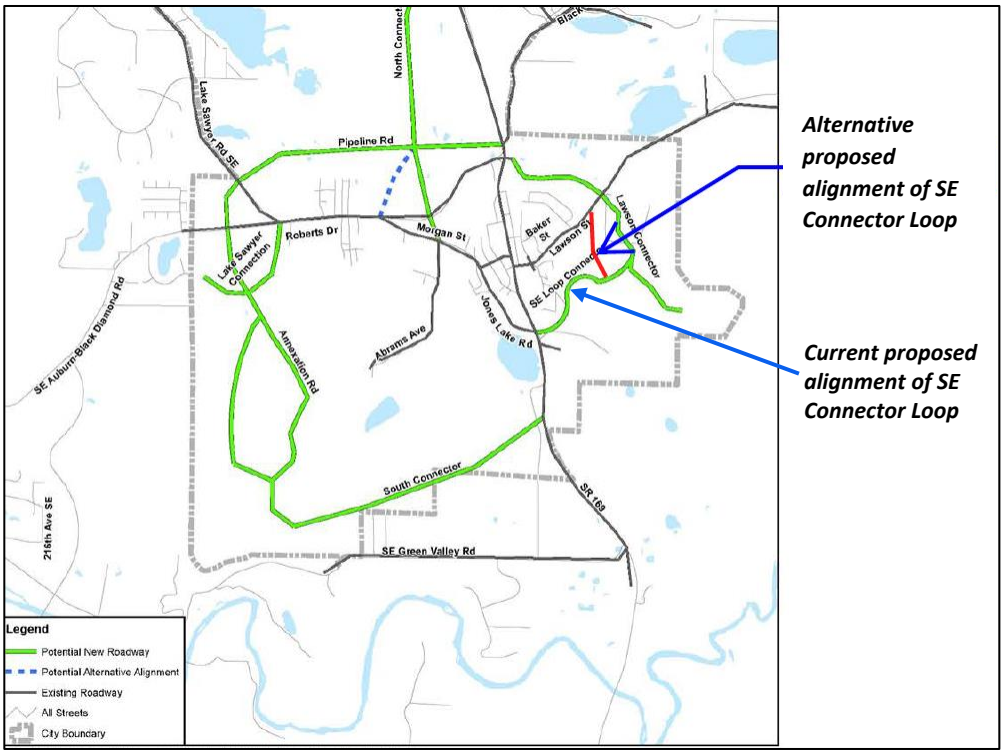
- Annexation Road*
- Southeast Loop Connector*
- Southeast Loop Connector Alternative*
- Morgan Street
- Baker Street (west of SR 169)
- South Connector*
- Railroad Avenue (Jones Lake Road)
- Lake Sawyer Extension*

Language would also be added to Table 0-9 which lists the Transportation Capacity Adding Projects for 2022-2035 (page 25 of the transportation appendix). See attachments for details. Further, language would be added as follows:

Arterial and Collector Roadway Improvements
A conceptual configuration for the future roadway system in 2035 is shown in Figure 7-4. New arterial and collector roads include: Pipeline Road, Annexation Road, Lake Sawyer Extension, Lawson Connector, South Connector, Southeast Loop Connector or Southeast Loop Connector Alternative, and North Connector.
…

The Pipeline Road will provide an east / west alternative to Roberts Drive and will enhance the circulation and access for industrial development. The North Connector will provide a north / south alternative to SR 169 in the middle of the City. The Annexation Road would provide north-south and east-west circulation through the southwestern portion of the City's Expansion Area. Other new facilities are proposed to improve general circulation such as the Southeast Loop Connector. The Southeast Loop Connector Alternative is a functionally equivalent roadway alternative to the Southeast Loop Connector, both of which provide secondary access to the Lawson Hills MPD and improve general circulation through the City.

The alternative would be added to the maps in the following location:



Evaluation Criteria *(BDMC 16.10.220)*

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 proposal amendment is for an infrastructure improvement that supports development within the urban area of the City of Black Diamond. The GMA encourages development in urban areas where adequate public facilities exist to serve the development. The SE Loop Connector Alternative would meet the goal of providing adequate infrastructure facilities for urban growth.

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;

   The current Comprehensive Plan identifies the SE Loop Connector as a future transportation improvement. This road is depicted as extending from the Lawson Hills MPD to SR-169. The language in Appendix 7 makes it clear that the routing depicted therein is not settled and that "alternative road alignments may be considered." The intent behind including a preliminary alignment concept in Appendix 7 was "to show a basic route," while expressly mentioning that "exact locations will be determined after engineering and environmental review."

   The proposed amendment is consistent with the following comprehensive plan goals and policies:

- **Policy NE-17: Minimize areas of vegetation loss and grading disturbance to protect water quality and prevent erosion, when developing on moderate and highly erodible soils.**
- **Policy NE-35: Preserve existing natural trees and vegetation on steep hillsides, along stream banks and other habitat areas, and where visual buffers between uses or activities are desirable.**
- **Policy T-10 Pedestrians, Bicycles, and Transit Policy: Black Diamond recognizes the primacy of pedestrians and other non-motorized modes of mobility. The City shall lessen dependence upon and the influence of the automobile by encouraging complete streets and multi-modal travel for all users including pedestrians, bicyclists, and transit passengers of all ages and abilities. City actions will:**
    - **Require new roadways to incorporate pedestrian, bicycle and transit facilities including appropriately spaced crosswalks on arterials and collectors.**
- **Policy T-12 Transportation Health and Safety Policy: The City of Black Diamond will provide a transportation system that enhances the health and safety of residents by:**
    - **Expanding the sidewalk, bike lane, and multi-use path network in the city.**
- **Policy T-14 Character of the City Policy: Enhance the character that the City currently possesses by:**
    - **Encouraging landscaping, parkway trees, and compatible architecture in the design and construction of roadways, especially SR 169, and other facilities along selected corridors.**
- **Policy T-15 Environmental Protection and Conservation Policy: Design transportation facilities within Black Diamond that minimizes adverse environmental impacts resulting from both their construction and operation. The City will fulfill this need by:**
    - **Aligning and locating transportation facilities away from environmentally sensitive areas.**
    - **Mitigating unavoidable environmental impacts.**
- **Policy ED-4.1: Focus investment in infrastructure and services.**
- **Policy U-22: Manage the quality of stormwater runoff to protect public health and safety, surface and groundwater quality, and the natural drainage systems.**
- **Policy U-24: Design stormwater lines or pathways to minimize potential erosion and sedimentation, discourage significant vegetation clearing, and preserve the natural drainage systems such as rivers, streams, lakes, and wetlands.**

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;

    Since completion of the EIS, preliminary designs of the currently identified SE Loop Connector have identified several challenges associated with the roadway, including

but not limited to roadway grade, right of way impacts, and storm drainage. The SE Loop Connector Alternative was explored to help mitigate these challenges while maintaining a supplemental access to the Lawson Hills MPD. The inclusion of an alternative connection to Lawson Hills can ensure when the MPD project moves forward that there are multiple options that can help the City respond to changing circumstances around transportation and allows the City to evaluate and select the option that best fits the City.

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

   Additional investigation and research have been done on the SE Loop Connector since it was originally included in the Comprehensive Plan, compared to the proposed alternative. The SE Loop Connector has a steeper roadway grade, longer road length, requires more earthwork, includes several retaining walls, has more affected properties, requires a new SR 169 intersection, and is closer to existing homes than the proposed alternative. The SE Loop Connector Alternative provides an alternate approach that could be utilized if included in the comprehensive plan.

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

   The proposed amendment was added as a docketed item following a public hearing with the Planning Commission and was adopted by City Council as part of the final docket indicating public support for the amendment to be considered. The proposed amendment for an alternative route has fewer environmental impacts, as the route would require less area (number of parcels) of disturbance, reduced topographical impacts to steep slopes (which would result in significantly less cut and fill), and there would be less stormwater facility requirements (i.e., less pollution generating impervious surface).

B. Amendments for Site-Specific Proposals. In addition to the above, any proposal for a site-specific development or amendment shall be reviewed under the following criteria:

   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 proposal would not cause the level of service on the roadways to fall below the City standards. There would be a need for improvements at two intersections to maintain intersection level of service (see item A4 above).

   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 SE Connector Alternative route is through a relatively flat parcel of land that is outside of mapped landslide hazard areas. There are wetlands in the vicinity of the SE Connector Alternative, however no wetland buffers would need to be encroached

upon for the SE Connector Alternative. Both the SE Loop Connector and the proposed Alternative will have to cross Lawson Creek using a bridge, passing through the Lawson Creek Buffer. Impacts from the SE Loop Connector Alternative can be fully mitigated, and development of this roadway would be funded by the proponent.

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 alignment will likely only cross one parcel (1321069018) that is not owned by the proponent, which is suitable for development of the road (the road would cross the undeveloped portion of the parcel). The SE Loop Connector Alternative is a significantly shorter road than what is currently proposed and requires substantially less impacts to surrounding properties and will not require an independent off-site stormwater system.
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 would not change the land use designation of other properties.
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 proposal itself does not affect land use or population growth projections, but rather would be developed in support of growth at a time when the population of the Lawson Hills MPD would require additional access.
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 proposal would not affect the adequacy of urban facilities or services. Instead, it would provide infrastructure that complements growth in the urban area.
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 proposal would be consistent with federal, state and local laws, regulations and policies. It would be evaluated in compliance with the development agreement and MPD permit conditions of approval.

Traffic Engineer Review

The transportation memo and documentation provided by the proponent with the application was sent to the City of Black Diamond's third-party, contracted traffic engineer at Parametrix. The materials the applicant submitted were evaluated for accuracy, viability, and to provide a recommendation to the City.

First Review

Comments given included confirmation of the trip redistribution in the technical memo, and a desire to see revisions to the traffic memo to identify improvements that would be beyond those, or those not

evaluated, in the applicable Environmental Impact Statement. These include the northbound left-turn lane as an additional improvement and the new intersection with Lawson Street forecasted level of service. City staff concurs these revisions need to be included but does not believe these revisions need to occur now, but rather would need to be taken into consideration at the time of the project when the alternatives are evaluated.

After review of the alternative materials, the traffic engineer ultimately concurs with the proposed text and map changes proposed for the comprehensive plan. See attached Technical Review Memo from Alex Atchison, PE with Parametrix dated July 22, 2021.

Second Review

Parametrix further reviewed the additional traffic analysis items submitted by the applicant (prepared by Transpo Group dated September 24, 2021), following the first public hearing.

Comments given included confirmation of the revised trip redistribution in the technical memo, and agreement that the Lawson Connector results in a vehicular route that is more convenient than Lawson Street for most vehicles traveling north and west. The analysis shows that any impacts to intersections can be mitigated with additional turn lanes and/or changes in intersection control (e.g., adding a traffic signal). Transpo's analysis is consistent with the 2009 EIS but acknowledges that updates to the MPD analyses and assumptions have occurred – including that the construction of a fourth leg at the SR 169/Roberts Drive intersection has been determined infeasible.

After review of the further materials, it is recommended the interaction of the proposed signal at SR 169/Lawson Connector and the proposed roundabout at SR 169/Roberts Drive be evaluated in future analysis to insure that queuing from the signal doesn't potentially impact the roundabout.

The City concurs that further analysis will be done in the future when the roadway alignment is being selected.

Staff recommendation

After review of the application materials and third-party review notes provided by the City's contract traffic engineers at Parametrix, staff recommends **approval** of these amendments.

DOCKET ITEM #2021-06 – MARIJUANA BUSINESSES POLICY

This section goes over final docket item #2021-06: "Repeal city prohibitions on marijuana businesses and update the land use chapter as needed to facilitate appropriate siting."

Proposal

This was a request by the City Council. In looking for ways to expand the City's revenue streams, several members of the City Council have suggested looking at repealing the prohibition on marijuana businesses so that the City may collect local sales tax and a share of the state excise tax on the revenues of marijuana-based businesses. The comprehensive plan is currently silent on marijuana businesses.

Background

Cities, towns, and counties in Washington State can choose to prohibit or to designate appropriate zones for state-licensed marijuana businesses. The number of retail locations allowed in cities and counties is determined using a method that distributes the number of locations proportionate to the most populous cities within each county and to accommodate the medical needs of qualifying patients and designated providers. Locations not assigned to a specific city are assigned to the county at large. King County has 22 allotments at large and Black Diamond is not allocated any at this time. Currently, the King County licenses are all taken, but one of the businesses with a King County license could move into the City; or any business that loses theirs could be acquired by a new business who chooses to open in Black Diamond.

Evaluation Criteria *(BDMC 16.10.220)*

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 comprehensive plan amendment is compliant with the GMA's goal for coordinated, planned growth, ensuring this use is thought out and planned for prior to permitting it within the City. Further it complied with goal five, to encourage economic development that is consistent with adopted comprehensive plans. This change could potentially diversify City revenue sources beyond its current, heavy reliance on property tax and development-related sales tax and REET.
    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;
    The proposed amendments are consistent with the following comprehensive plans goals and policies:
        - **LU Goal 1: Establish a pattern of development that maintains and enhances a safe and healthy quality of life within the community.**
        - **Policy LU-49: Promote a compatible mix of land uses that create a diversified environment that mixes shopping, employment, recreation, and residential opportunities where appropriate.**
        - **ED Goal 1: Develop and support a diversified economy to achieve a sound fiscal base and living wage jobs for the City's residents.**

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;
   Since the adoption of the comprehensive plan, policies and information regarding marijuana businesses have shifted and grown. It has become clear that surrounding cities benefit from collecting local sales tax and a share of the state excise tax on the revenues of marijuana-based businesses, which the City is currently unable to do.
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
   Related to the answer to criteria number three above, policies and information regarding marijuana businesses have shifted and grown to a point where the prohibition on the businesses is being reconsidered in light of this information.
5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.
   This topic was evaluated as part of the recent 2021 docketing process, which included a public hearing with the Planning Commission and was voted on by Council to be included as part of the final docket.

Code Amendments

The code amendments regarding marijuana retail businesses will take place in 2022 following adoption of the comprehensive plan policy. This will ensure the proposed development regulations can be analyzed fully in light of the adopted comprehensive plan policy, and will be able to have multiple public hearings, if desired, without being constrained by the comprehensive plan docket timeline.

Staff recommendation

Staff recommends adding a policy to Chapter 5 Land Use, Section 5.13 Commercial Goals and Policies that states: “Policy LU-50: Analyze the siting of marijuana retail businesses to ensure they are permitted in the appropriate zoning district and to limit impacts on the surrounding community.”

DOCKET ITEM #2021-08 – ECOLOGICAL INVENTORY POLICY

The section goes over final docket item #2021-08: "Conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory."

Proposal

This was a private citizen suggestion that was taken on by staff. The original proposal was to "conduct an ecological inventory of natural areas within the City and propose changes to land uses and regulations to preserve the functions and values of these natural areas. The inventory and proposed actions shall be presented to the Planning Commission for review and action by the City Council in 2022." This request did not propose a policy change for the Comprehensive Plan, but rather would have required staff to undertake a one-time action—namely the completion of an "ecological inventory" and presentation of that inventory to the Planning Commission and City Council in 2022.

The Planning Commission recommended amending Item #2021-08 to conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory to be included in the final 2021 docket, which was what was approved by Council. Staff's focus, regarding the comprehensive plan amendment cycle, is to add a policy to the comprehensive plan regarding the ecological inventory to provide basis for the actual inventory to occur at a later date when it fits into the budget. This process would require the City issuing an RFP to obtain scope of work and costs associated with this analysis.

Evaluation Criteria *(BDMC 16.10.220)*

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 GMA requires cities to protect critical areas. Adopted development regulations serve to preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water, as well as reduce exposure to risks (landslides, flooding etc.). Including a policy in the comprehensive plan to conduct an ecological inventory conforms to the GMA by committing to protect critical areas and giving the City a specific understanding of where these natural resources are located within city limits, and therefore if development regulations need to be amended to better protect those areas.
   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;
      The proposal is consistent with the following goals and policies of the adopted comprehensive plan:
      - **NE Goal 1: Designate and protect the City's sensitive areas.**
      - **Policy NE-1: Use best available techniques to preserve and enhance the functions and values of sensitive areas through policies, regulation programs, and incentives.**
      - **NE Goal 2: Protect wetlands as ecosystems, and essential elements of watersheds.**
      - **NE Goal 3: Promote preservation of fish and wildlife habitat corridors.**
      - **Policy NE-36: Preserve native vegetation within streams, wetlands, and their associated buffers.**

- **Policy LU-58: Create an open space system and map overlay for the primary unifying component of the comprehensive plan.**
- **Policy LU-8: Retain a sense of place by protecting the community's important natural features and Treasured Places and support the City's Tree Preservation Program.**

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;
   A comprehensive ecological inventory has never been completed for the entire City. The development in the City has resulted in changes to many properties in the past several years. The completion of this study would provide the City information on sensitive areas throughout the City, which would aid in GIS mapping, code administration, and development siting. Including a policy within the plan to complete this study would provide support for moving it forward.
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
   Related to the answer to criteria number three above, an ecological inventory of the entire City has ever been completed before, and this would be new information that would help guide the future development of the City. It may prove previous assumptions with mapping to be incorrect and would allow the comprehensive plan and associated development regulations to be amended, as necessary, to reflect any new discoveries.
5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.
   This topic was evaluated as part of the recent 2021 docketing process, which included a public hearing with the Planning Commission and was voted on by Council to be included as part of the final docket.

Staff Recommendation

Staff recommends adding a policy to Chapter 4 Natural Environment, section 4.3 that states: "Policy NE-6: Conduct an ecological inventory of the natural areas within the City to aid in identifying and protecting all sensitive areas."

DOCKET ITEM #2021-17 – MOVING ECONOMIC DEVELOPMENT POLICY

The section goes over final docket item #2021-17: "Delete policy ED-4.5 from the Economic Development Chapter or move it to the Transportation Chapter."

Proposal

This was a private citizen suggestion that was taken on by staff. Policy ED-4.5, located in the Economic Development Chapter 9 of the Comprehensive Plan adopted in May 2019, currently states: *Coordinate with the Washington State Department of Transportation (WSDOT), King County, and adjacent cities to plan for access improvements, intersection improvements, and infrastructure maintenance in the SR 169 corridor.*

The policy is supportive of the City's economic development goals by emphasizing improved accessibility to the key commercial corridor in the City; the policy does fit in the Transportation element of the Comprehensive Plan.

Evaluation Criteria *(BDMC 16.10.220)*

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);
    Moving the amendment to a different chapter would not represent a substantive change in policy. The policy continues to support the GMA goal for coordinated, planned growth, no matter which chapter it is located in.
    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;
    The policy is consistent with multiple chapters of the comprehensive plan including the economic development, land use, and transportation elements. The proposed amendment to move the policy continues to implement coordination, improvements, and maintenance of SR 169.
    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;
    Not applicable. The policy itself is not changing, just the location in the plan.
    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
    Not applicable. The policy itself is not changing, just the location in the plan.
    5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.
    The wording of the policy will not change with this amendment, reflecting the values held by the residents when this comprehensive plan was implemented and further evaluated as part of the recent 2021 docketing process, which included a public hearing with the Planning Commission. The values are assumed to remain to warrant

coordination between jurisdictions to ensure SR 169 continues to be improved and maintained as necessary.

Staff Recommendation

Staff recommends moving Policy ED-4.5 from Chapter 9 (Economic Development) to Chapter 7 (Transportation) as Policy T-26 beneath the *Coordination and Consistency Policies* section.

Future Land Use Map and Zoning Map

Planning Commission

September 7, 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

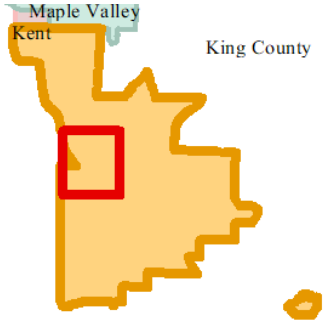
In looking at the two maps most of it may not *look* similar even if they are. This is because land use designations have been consolidated over the last 10 years.

2009

2019

Changes:

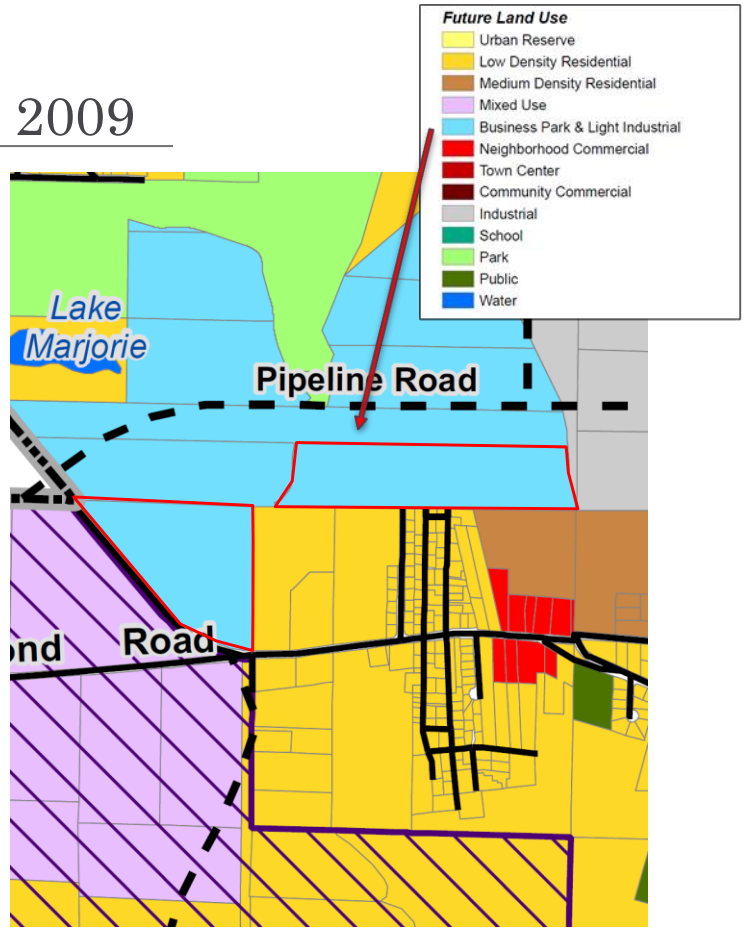
- Urban Reserve land use became part of Low Density Residential.
- Park and School land uses became part of the Public land use.
- Mixed Use land use was removed and became part of various commercial designations (which permit mixed use development).
- TDR added to map



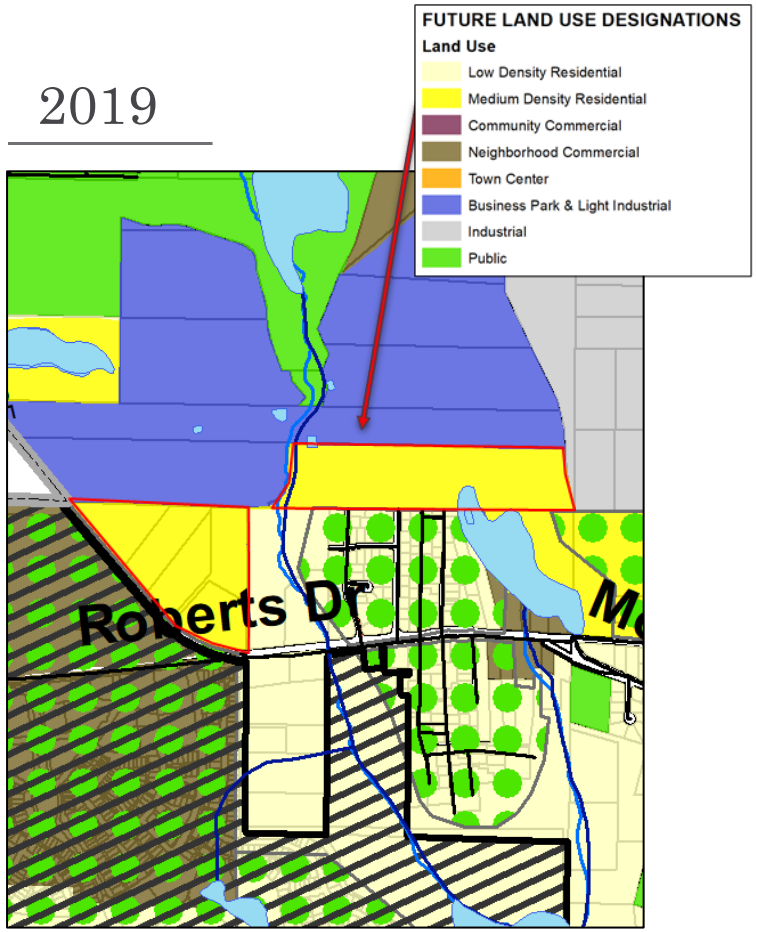
INCONSISTENCIES - #1

Business/Industrial Park → Medium Density Residential

2009



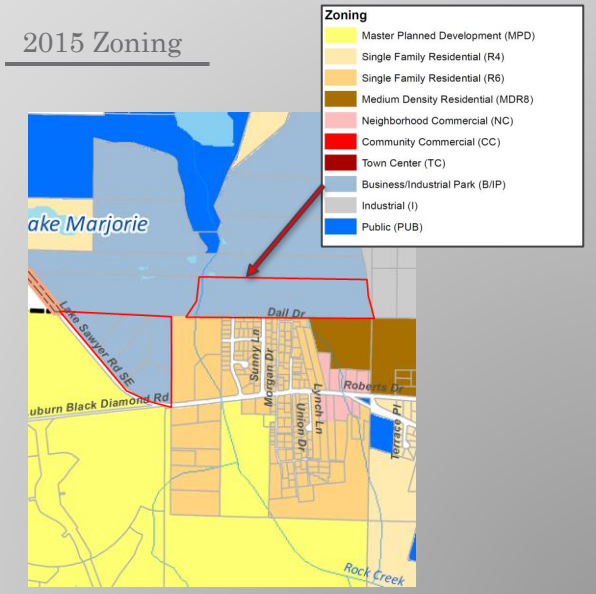
2019

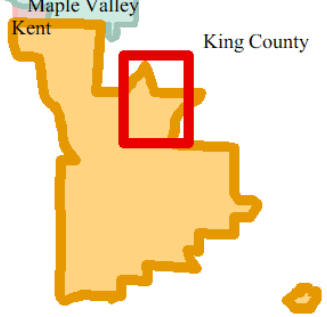


FACTSHEET

- 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..
- Staff Recommendation:
  Revert to 2009 FLUM, maintain the 2015 Zoning.

2015 Zoning

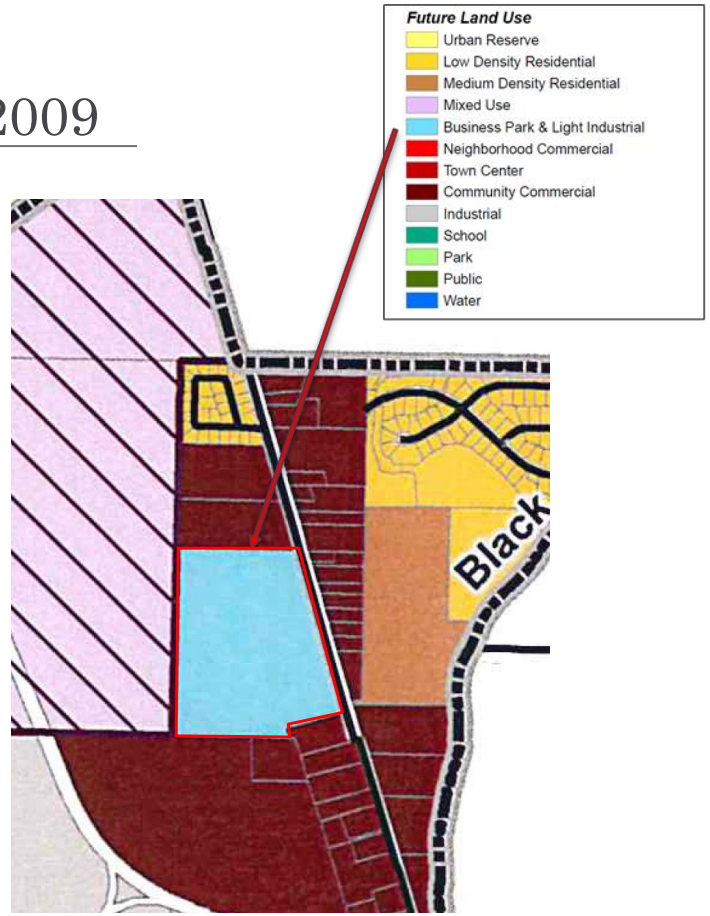




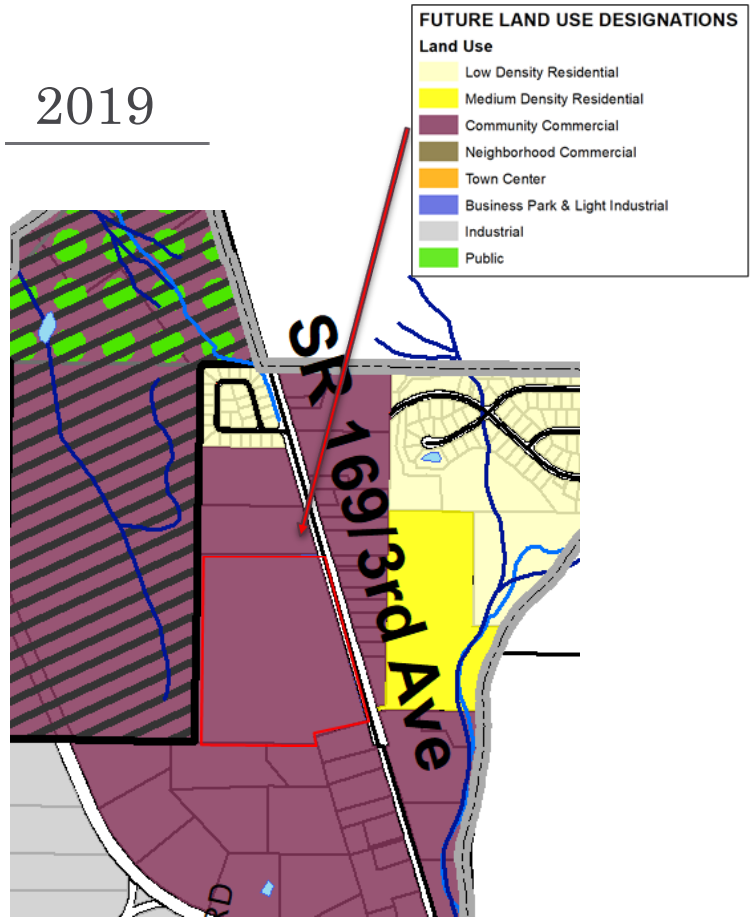
INCONSISTENCIES - #2

Business Industrial Park → Community Commercial

2009



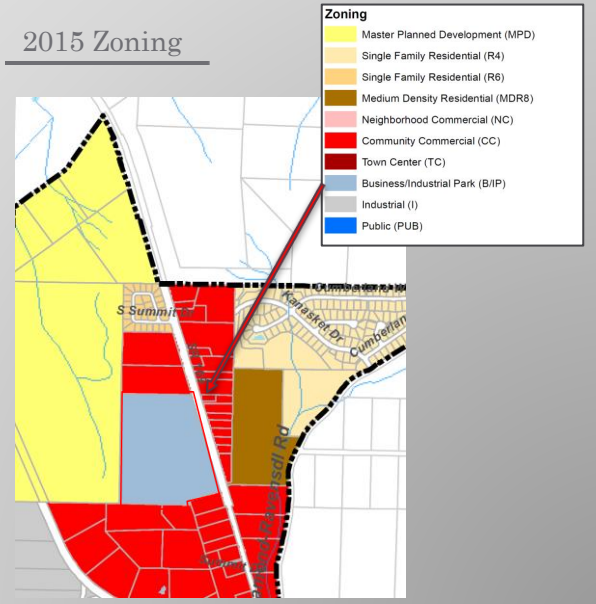
2019

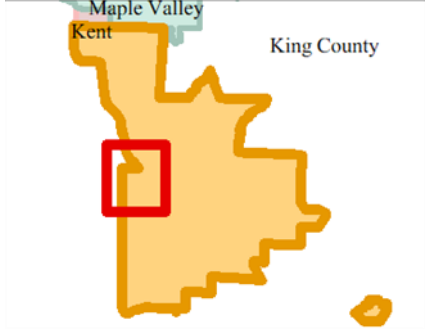


FACTSHEET

- 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.
- Staff Recommendation:
  Follow 2019 FLUM. No change due to rezone application in progress.

2015 Zoning

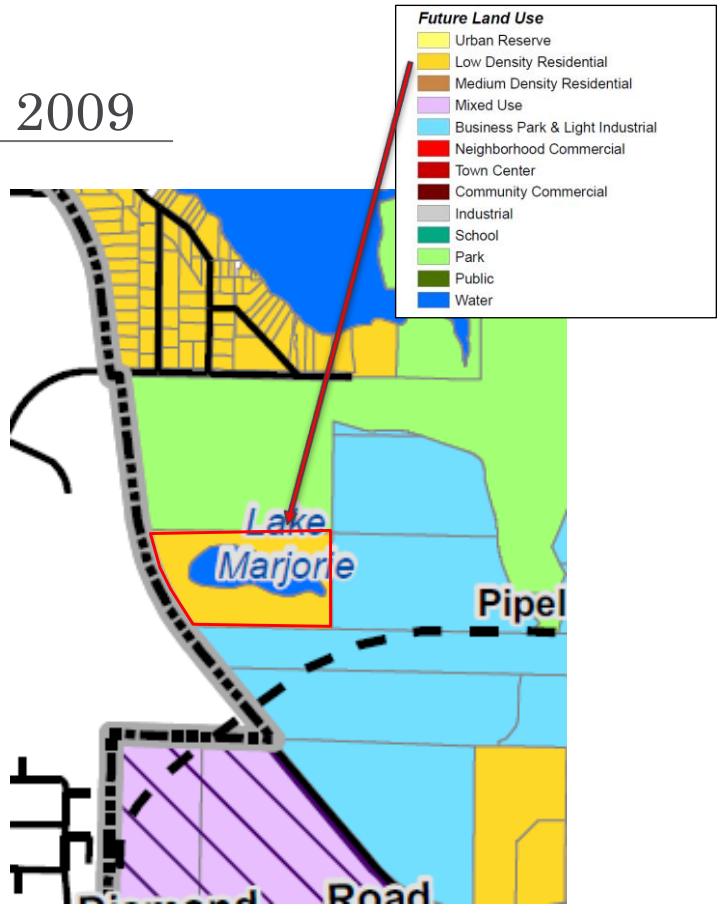




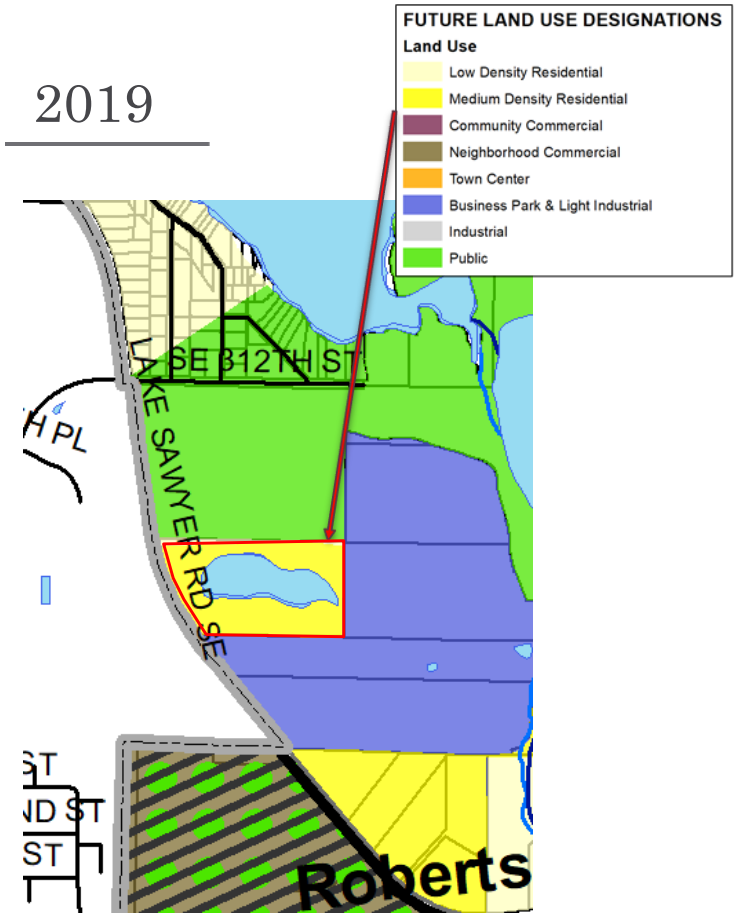
INCONSISTENCIES - #3

Low Density Residential →
Medium Density Residential

2009



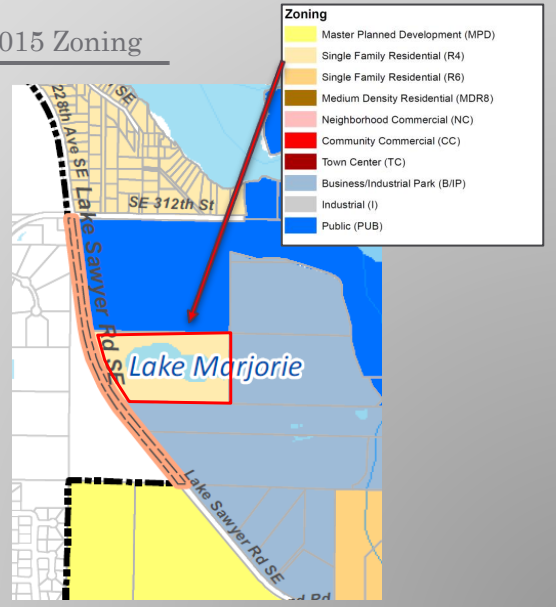
2019

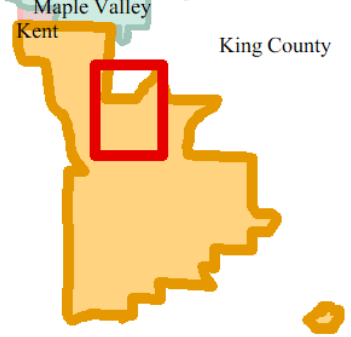


FACTSHEET

- 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.
- Staff Recommendation:
  Rezone to MDR8, maintain 2019 FLUM.

2015 Zoning

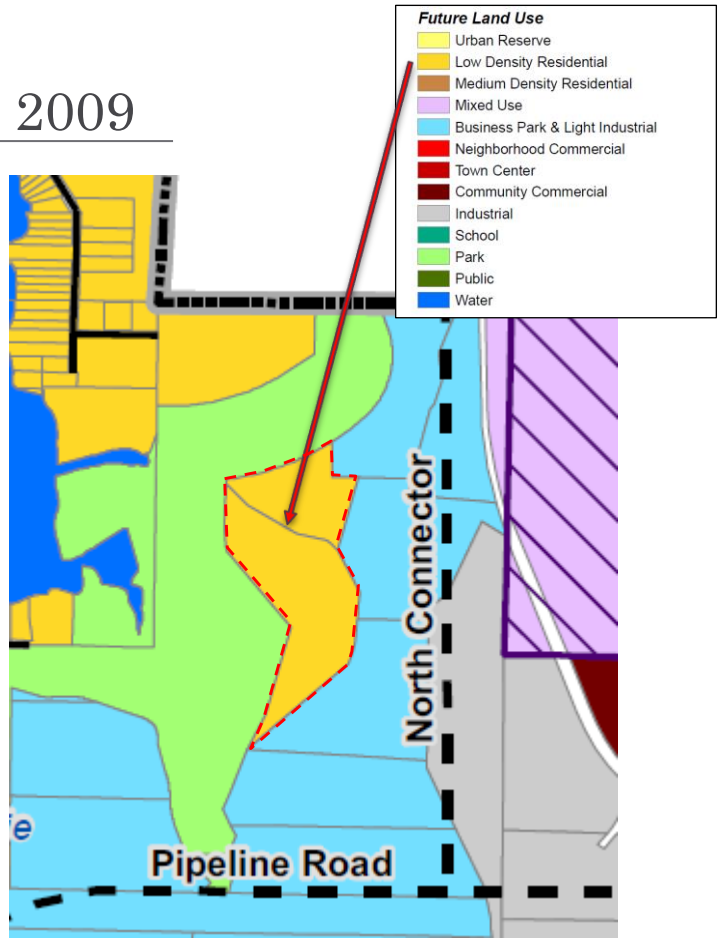




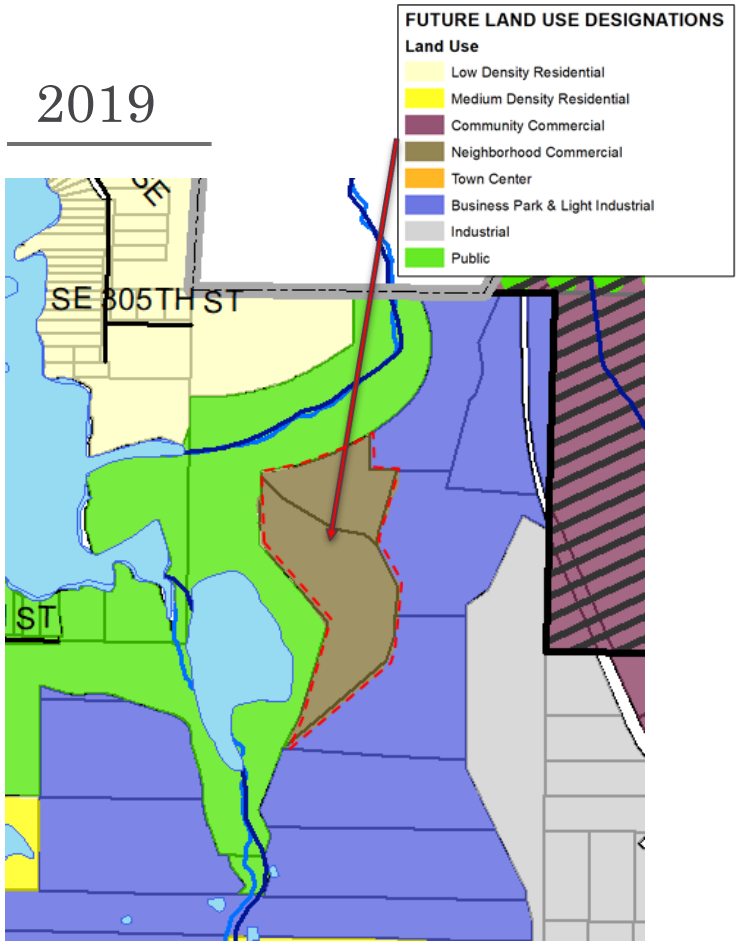
INCONSISTENCIES - #4

Low Density Residential → Neighborhood Commercial

2009



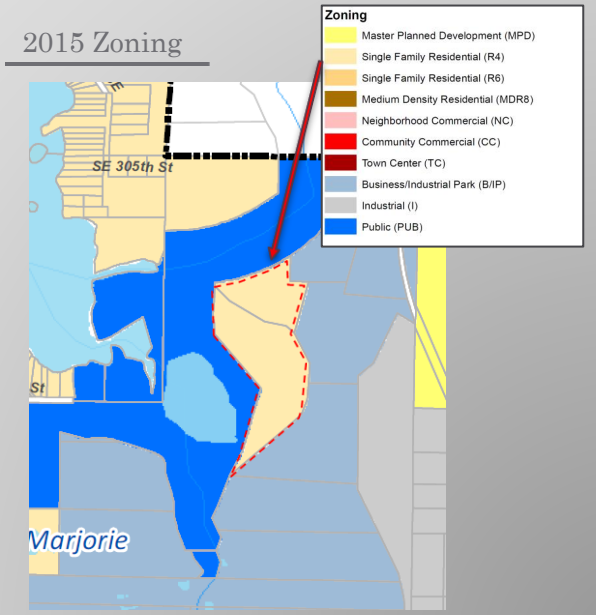
2019

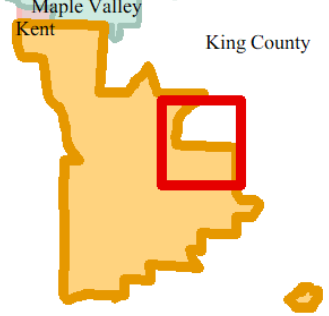


FACTSHEET

- 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.
- Staff Recommendation:
  Amend FLUM to match 2009 designation of LDR. No rezone.

2015 Zoning

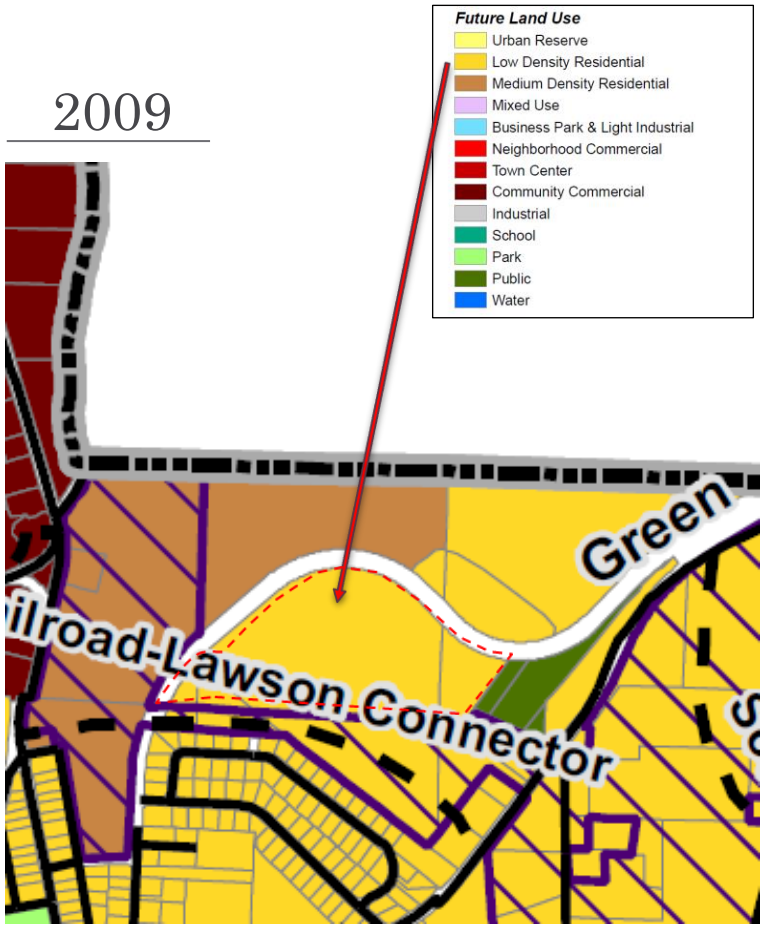




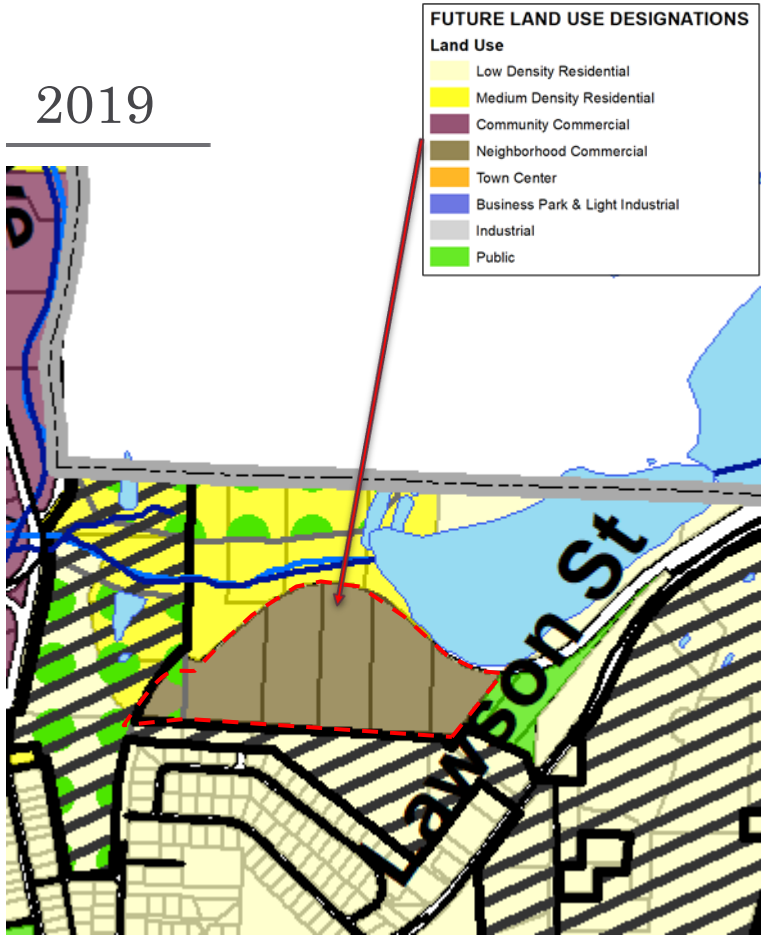
INCONSISTENCIES - #5

Low Density Residential → Neighborhood Commercial

2009



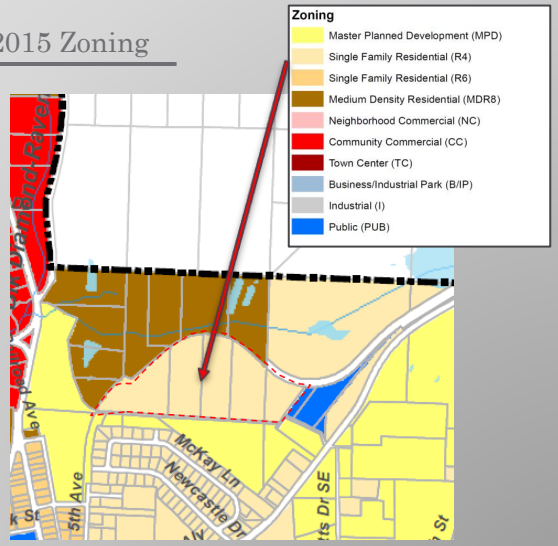
2019

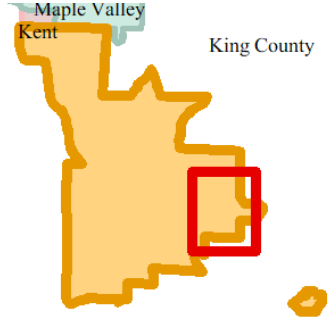


FACTSHEET

- 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.
- Staff Recommendation:
  Amend FLUM to match 2009 designation of LDR. No rezone.

2015 Zoning

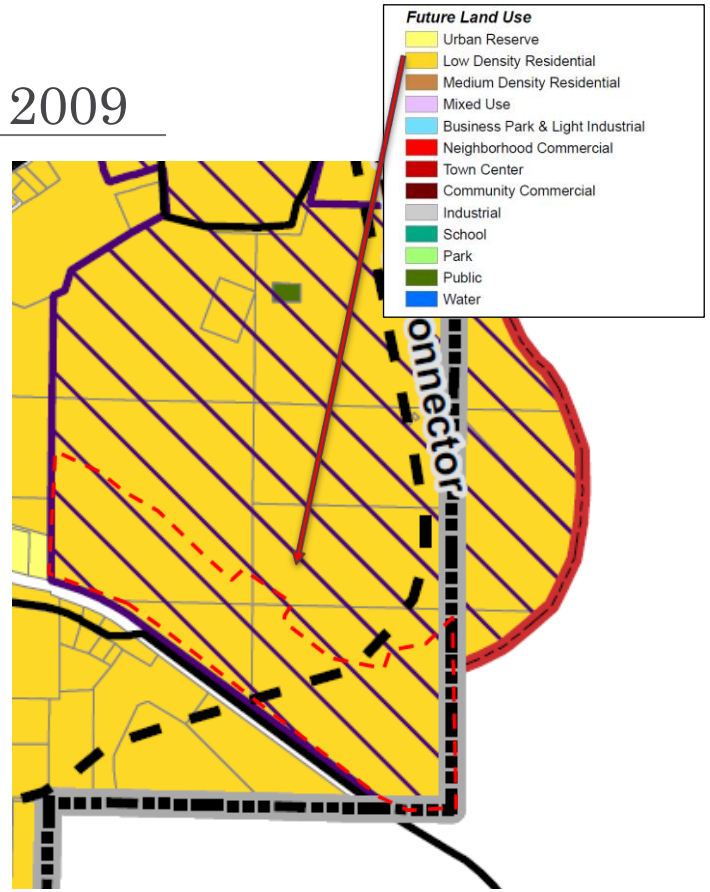




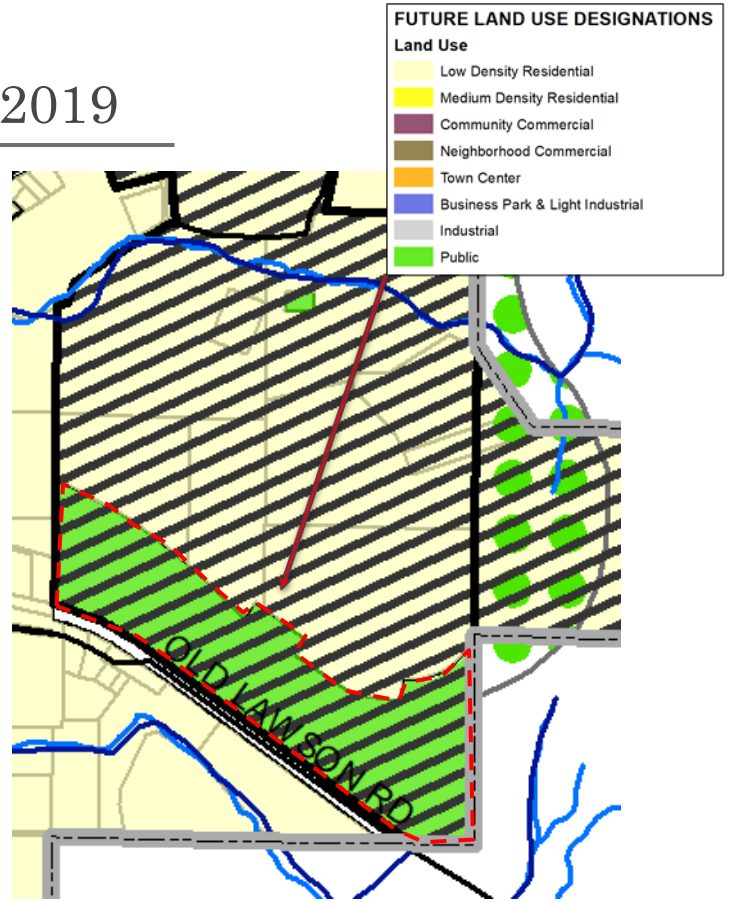
INCONSISTENCIES - #6

Low Density Residential → Public

2009



2019



FACTSHEET

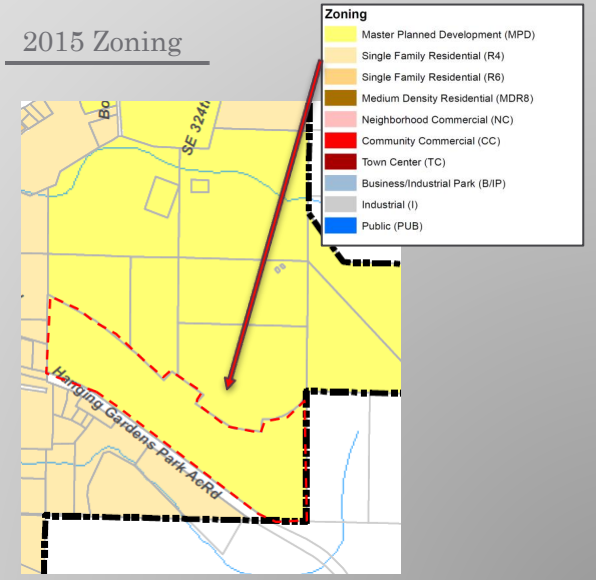
- Owner: Palmer Coking Coal
- Size: 50.1 acres
- Current Zoning:

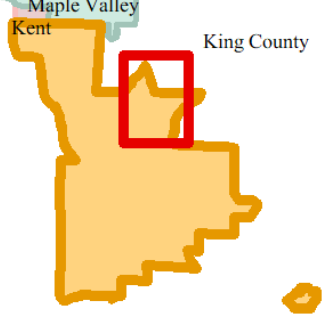
  Master Planned Development - MPD
- Finding:

  The current zoning is consistent with the 2019 FLUM within the MPD overlay. However, it is not located in MPD, and is not/ will not be publicly owned as previously assumed in 2019.
- Staff Recommendation:

  Rezone to R4 and redesignate to LDR, consistent with surrounding parcels.

2015 Zoning

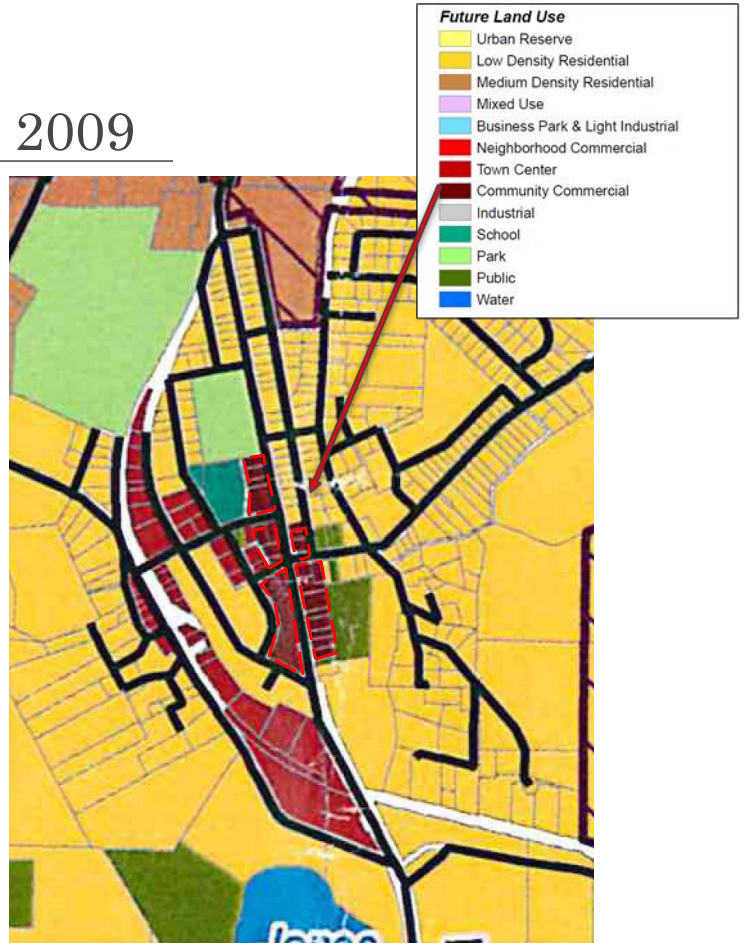




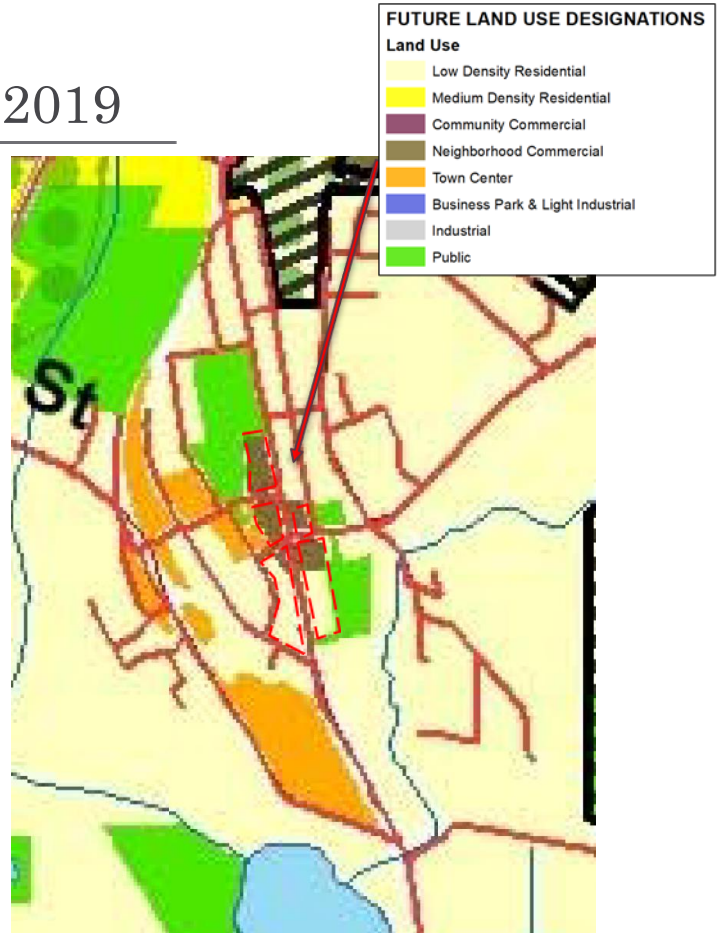
INCONSISTENCIES - #7

Community Commercial→ Neighborhood Commercial & LD Residential

2009



2019



FACTSHEET

- Owner:

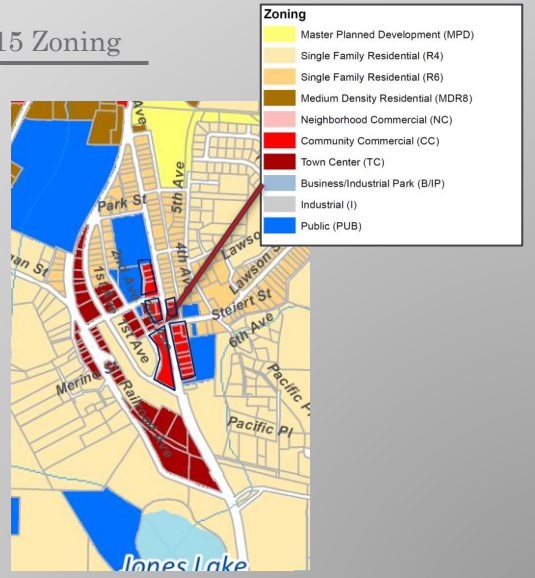
  Multiple Owners
- Size: 5.04 Acres
- Current Zoning:

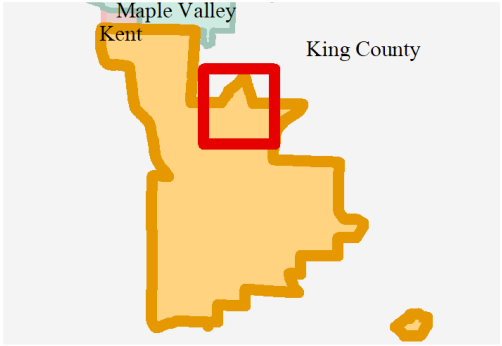
  CC - Community Commercial
- Finding:

  The current zoning is CC, which matches the 2009 FLUM designation of Community Commercial.
- Staff Recommendation

  Amend FLUM map to designate parcels CC. No changes to zoning.

2015 Zoning

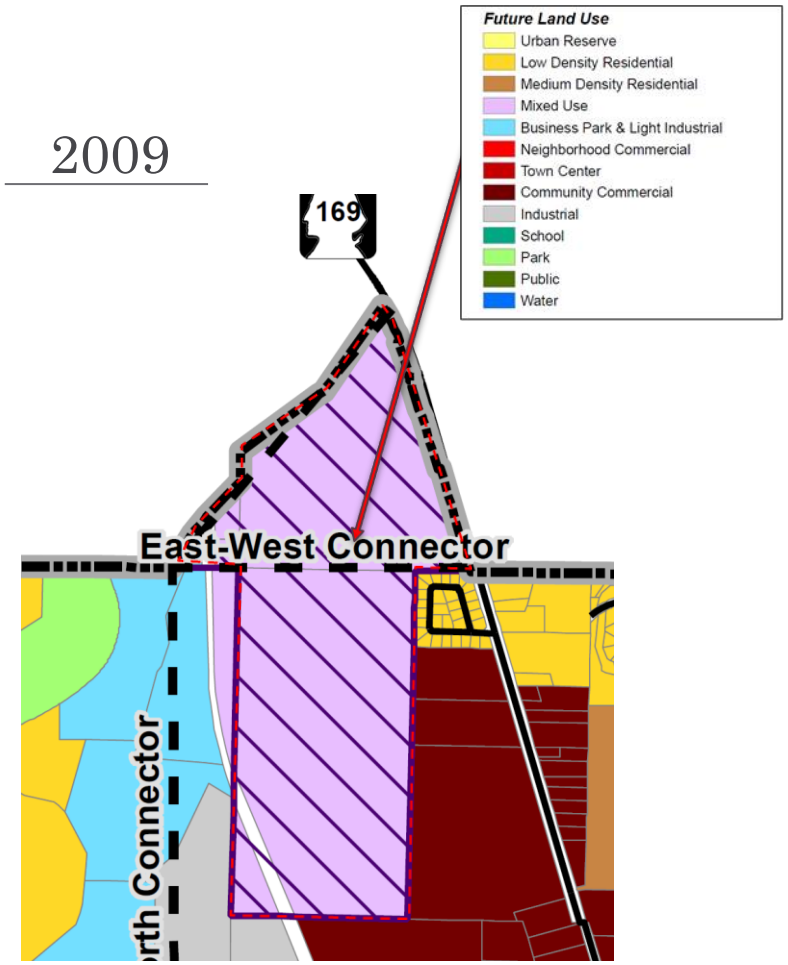




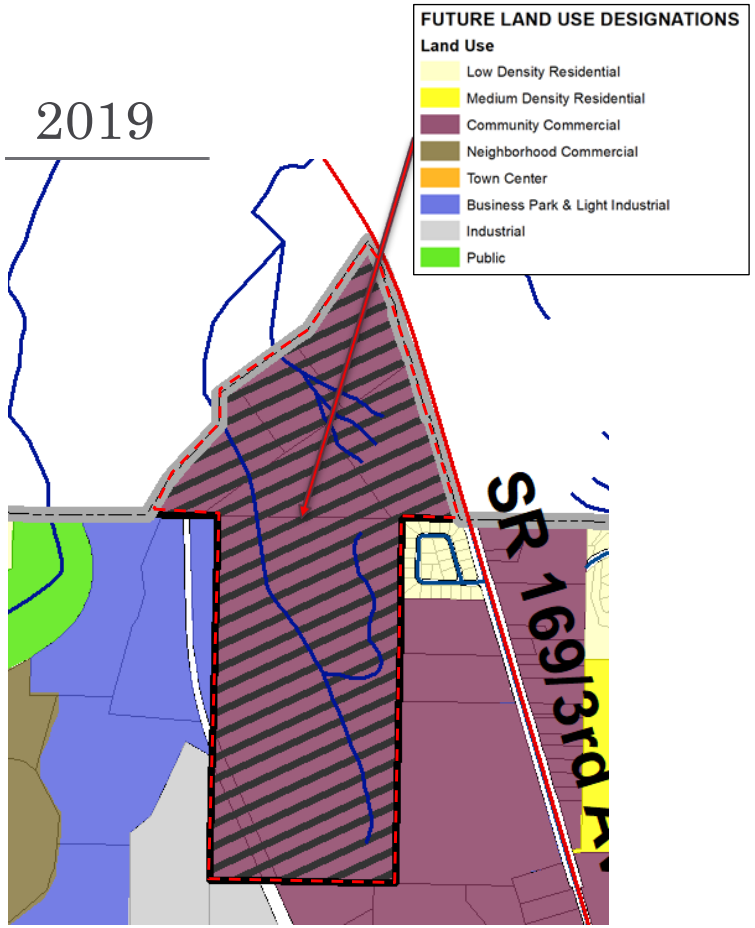
CONSOLIDATION - #1

Mixed Use → Community Commercial

2009



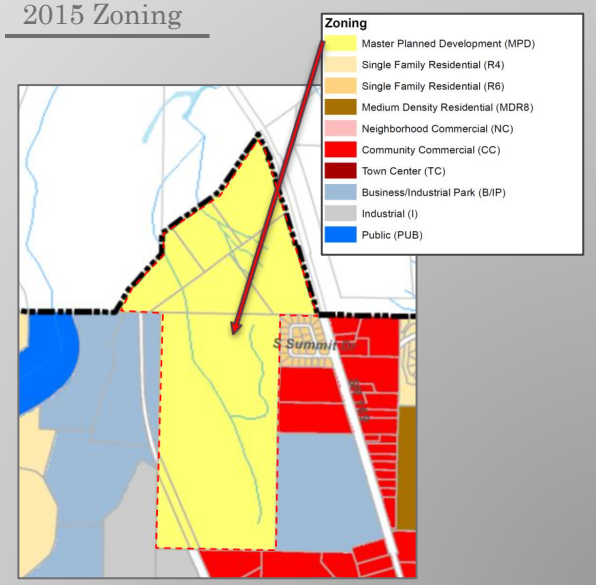
2019

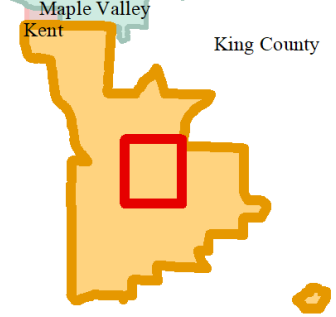


FACTSHEET

- 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.
- Staff Recommendation: No changes.

2015 Zoning

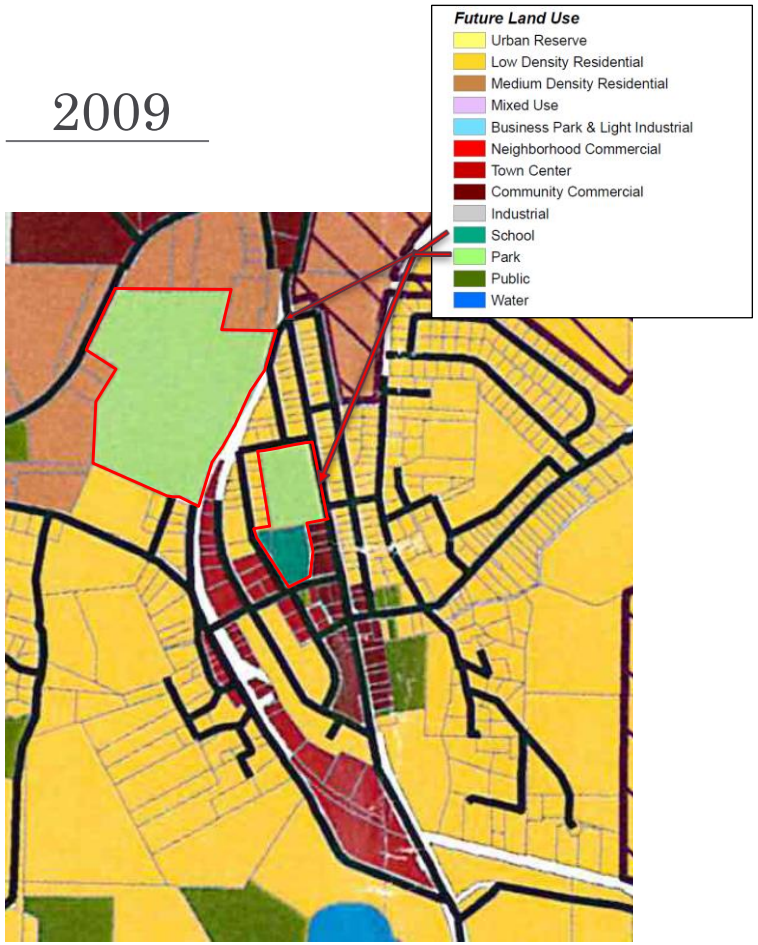




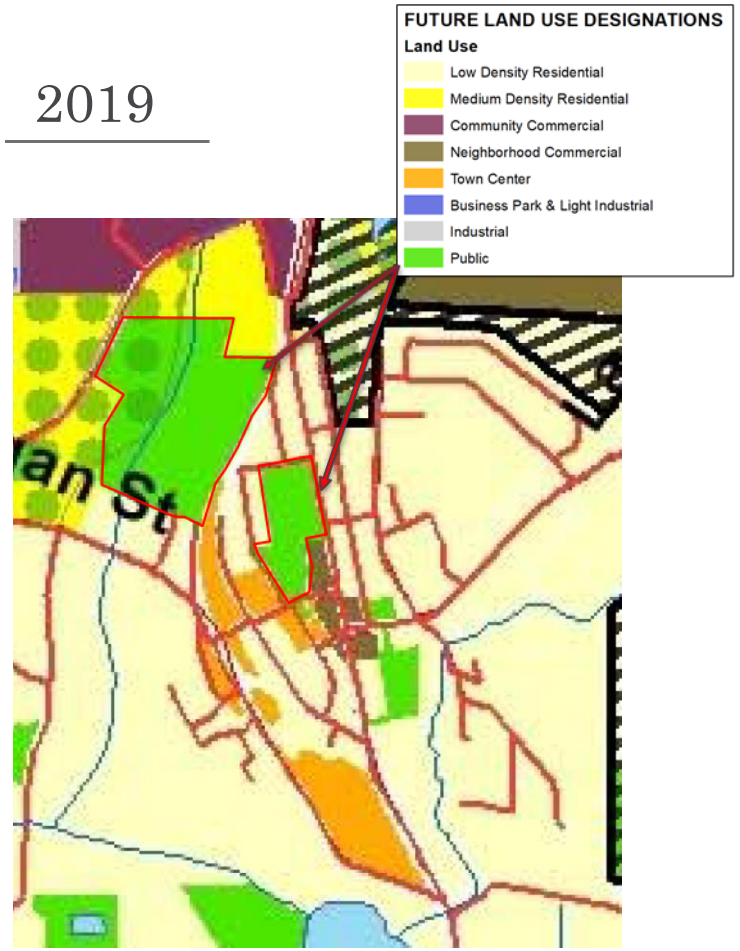
CONSOLIDATION - #2

School and Park→ Public

2009



2019



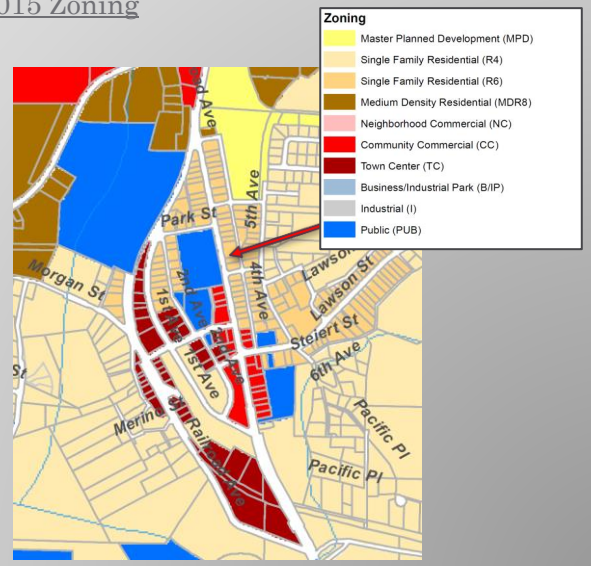
FACTSHEET

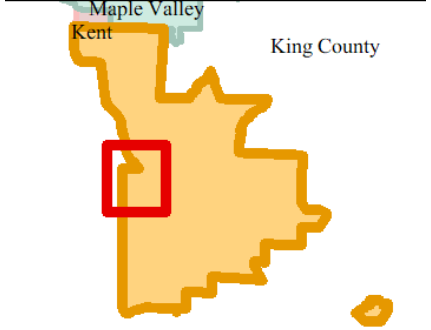
- Owner:

  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.
- Staff Recommendation: No change.

2015 Zoning

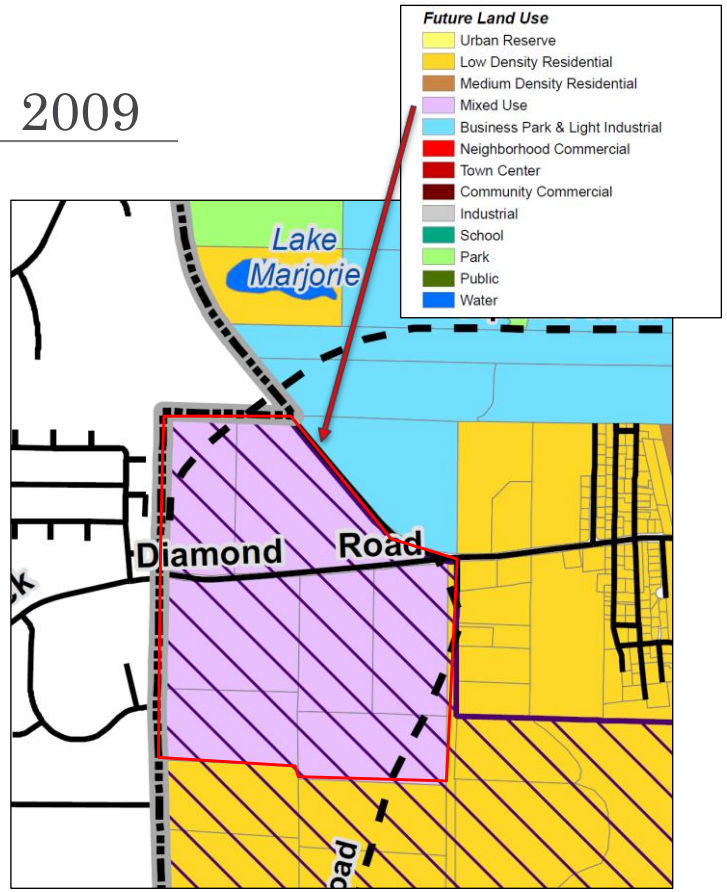




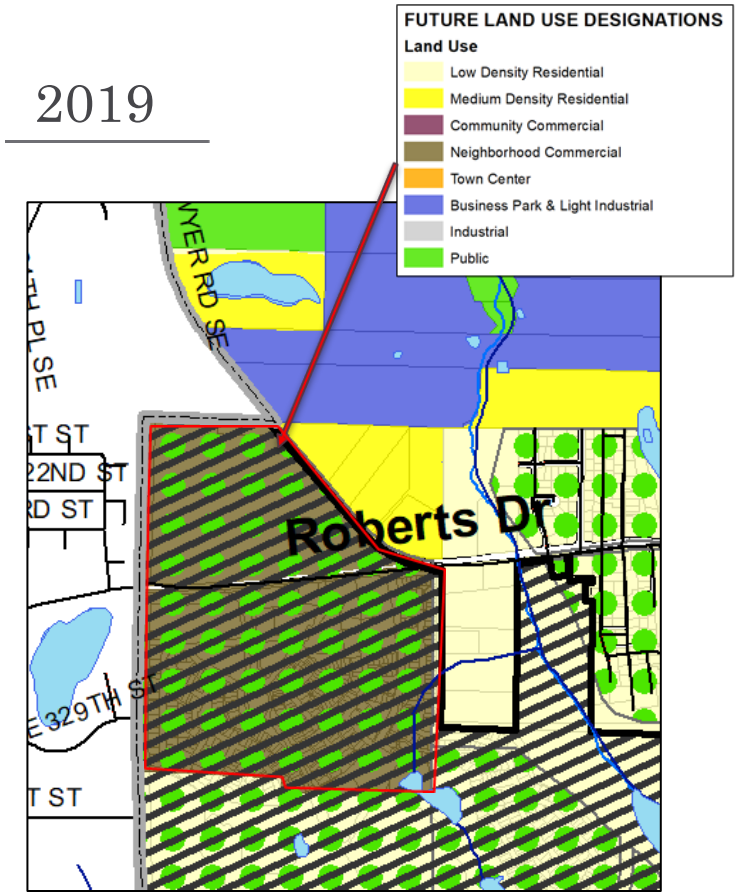
CONSOLIDATION - #3

Mixed Use → Neighborhood Commercial

2009



2019



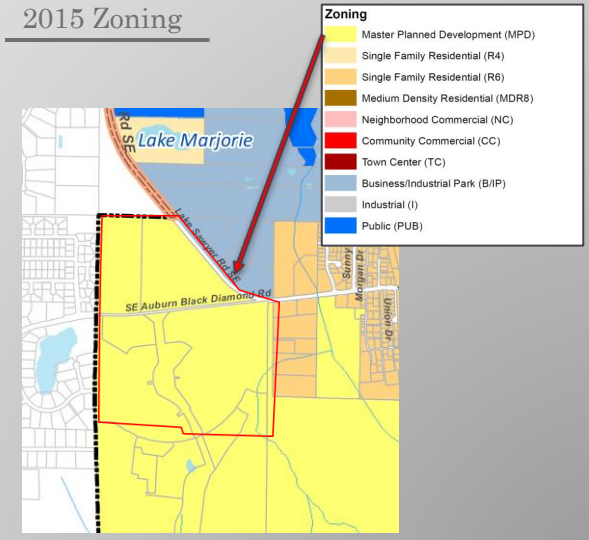
FACTSHEET

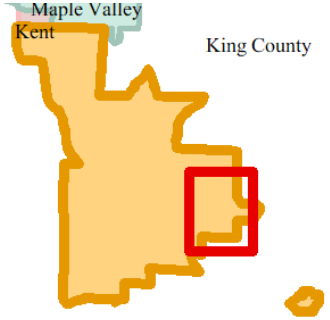
- Owner:

  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.
- Staff Recommendation: No change.

2015 Zoning

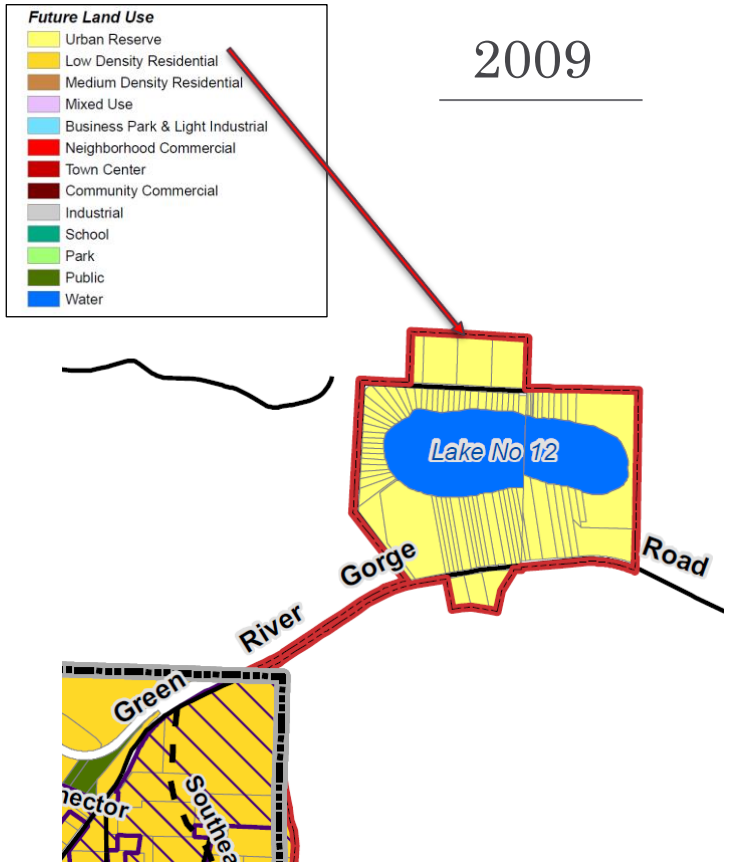




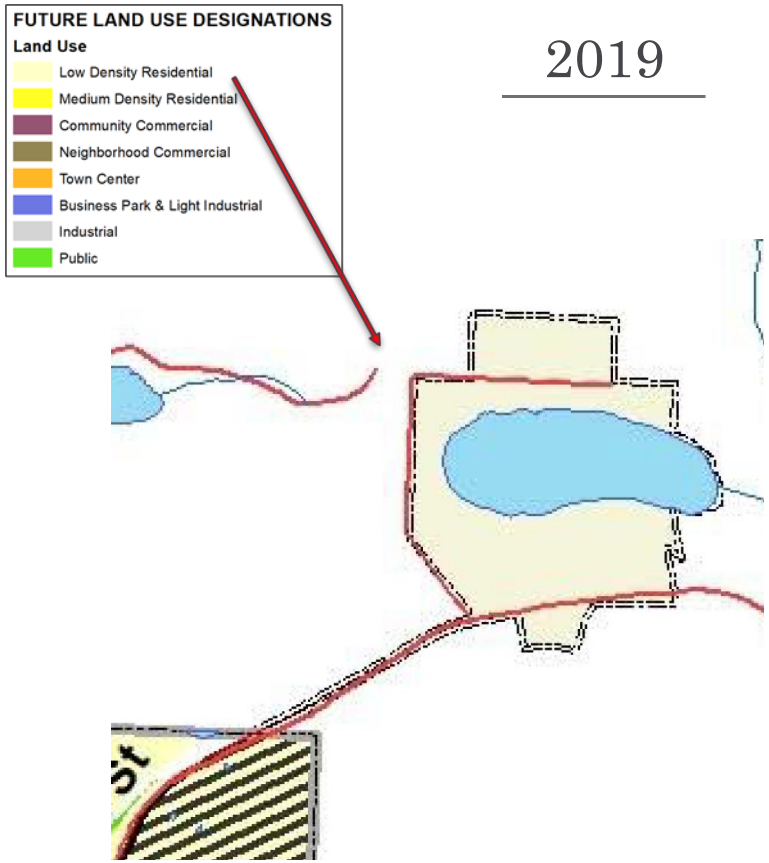
CONSOLIDATION - #4

Urban Reserve → Low Density Residential

2009



2019



FACTSHEET

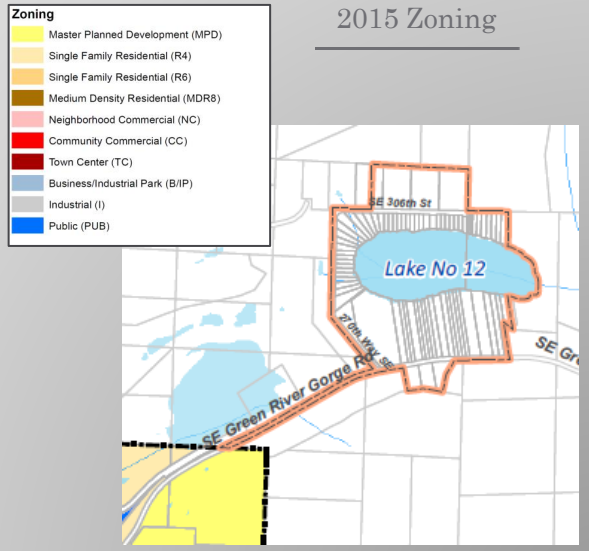
- Owner:

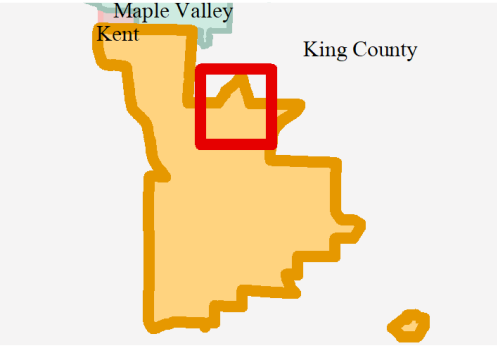
  Multiple Owners
- Size: 92.7 acres
- Current Zoning:

  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.
- Staff Recommendation: No change.

2015 Zoning

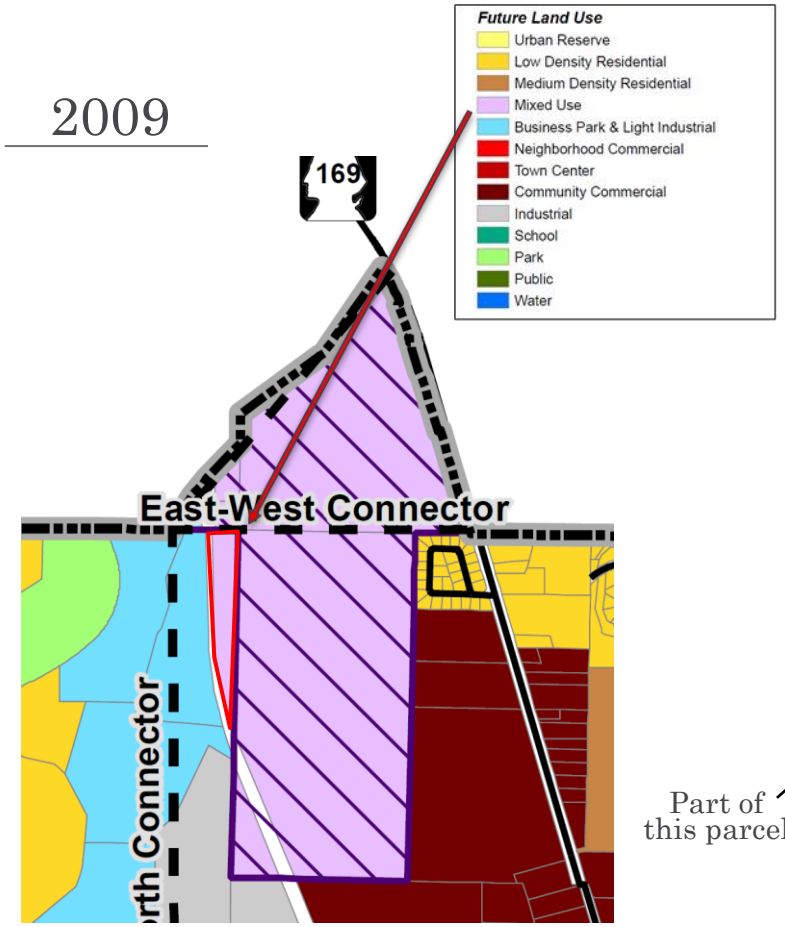




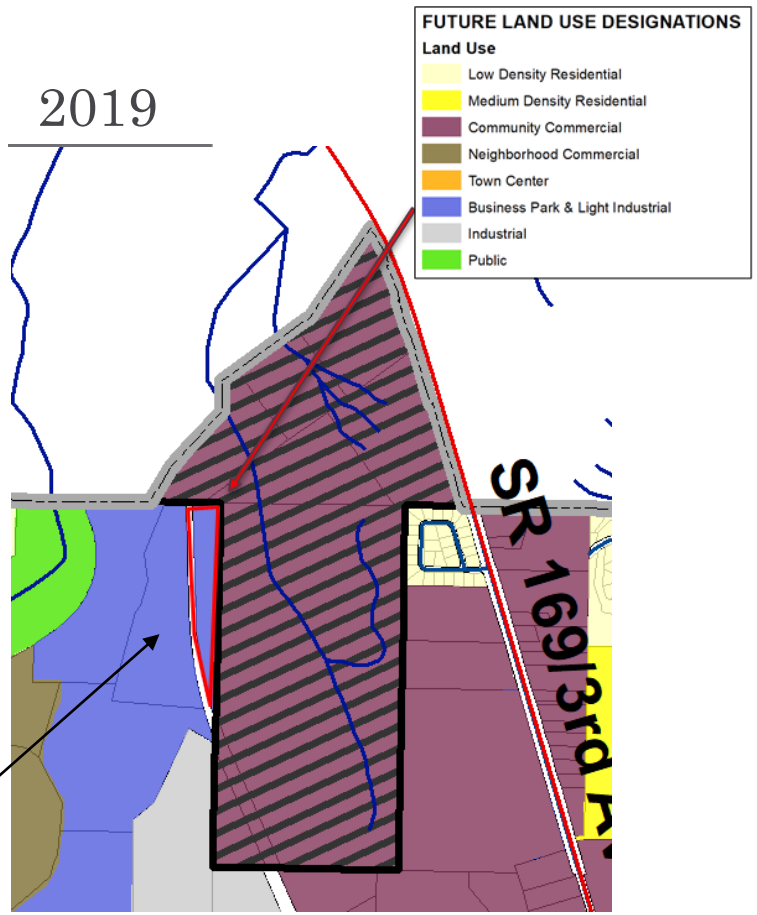
SCRIVENER'S ERROR - #1

Mixed Use → Business/Industrial Park

2009



2019



Part of this parcel

FACTSHEET

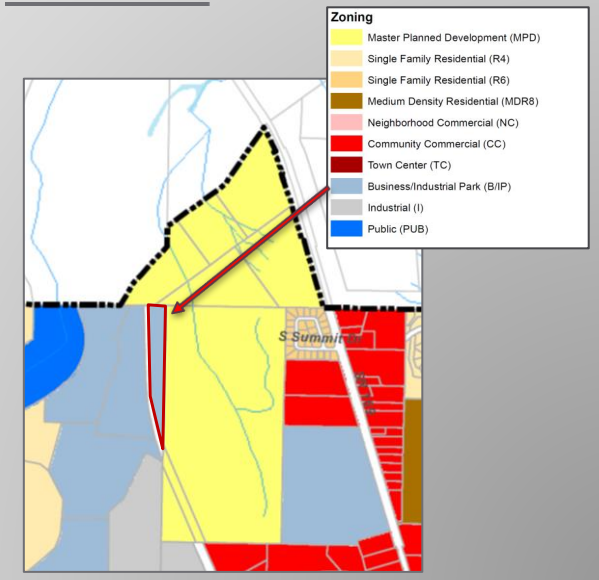
- Owner:

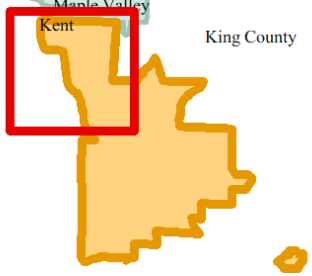
  Palmer Coking Coal CO LLP
- Size: 5.16 Acres
- Current Zoning:

  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 CC and the Comp Plan/Zoning code be updated to account for a Mixed Use designation.
- Staff Recommendation: No change.

2015 Zoning

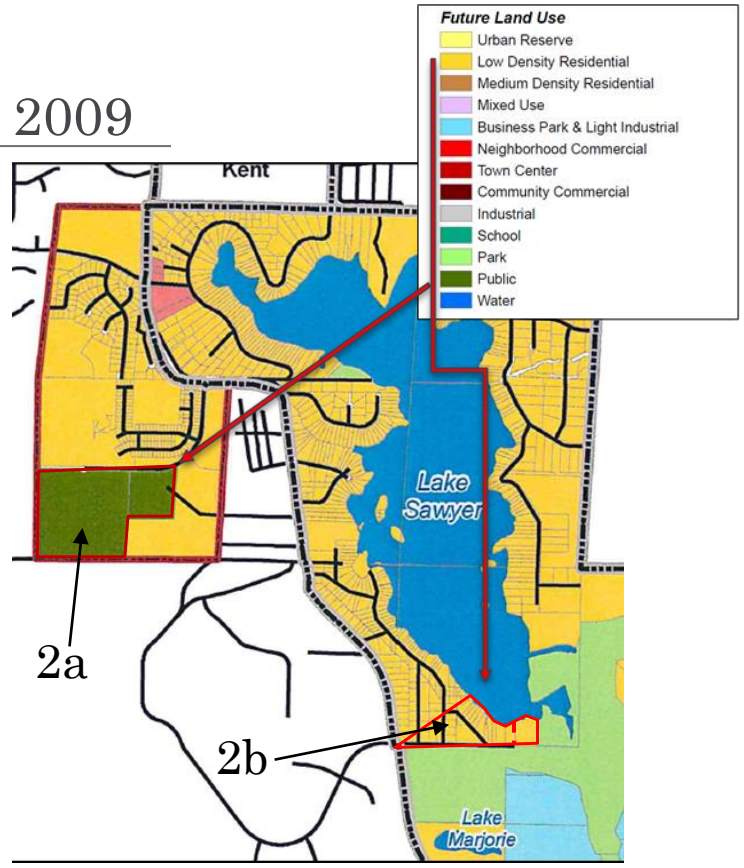




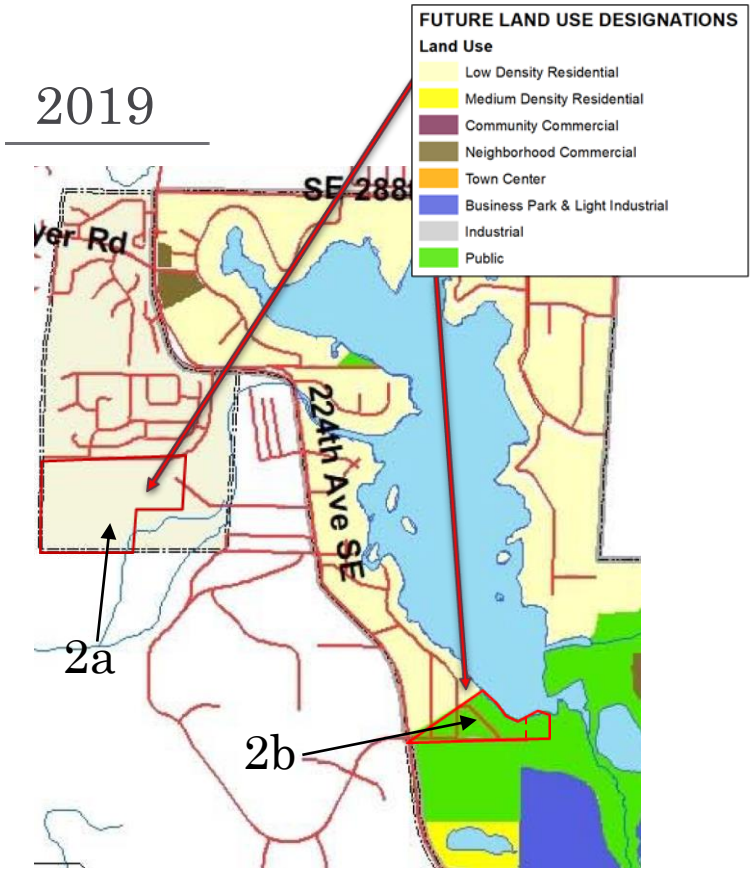
SCRIVENER'S ERROR - #2

Public ↔ Low Density Residential

2009



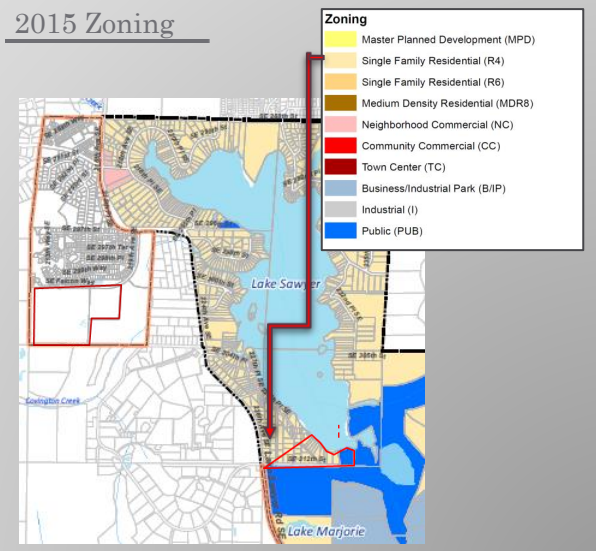
2019

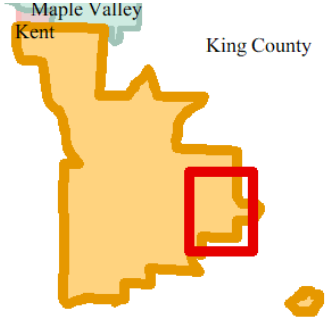


FACTSHEET

- Owner:
  Kent School District & various citizens
- Size: 51 acres & 13.1 acres
- Current Zoning:
  Unzoned & R4
- Finding:
  The current zoning does not match the current (2019) adopted Comp Plan, nor does match the 2019.
- Staff Recommendation:
  2a: Amend FLUM to designate as Public, per 2009 FLUM. Remained unzoned.
  2b. Amend FLUM to designate as LDR, per 2009 FLUM and zoning

2015 Zoning

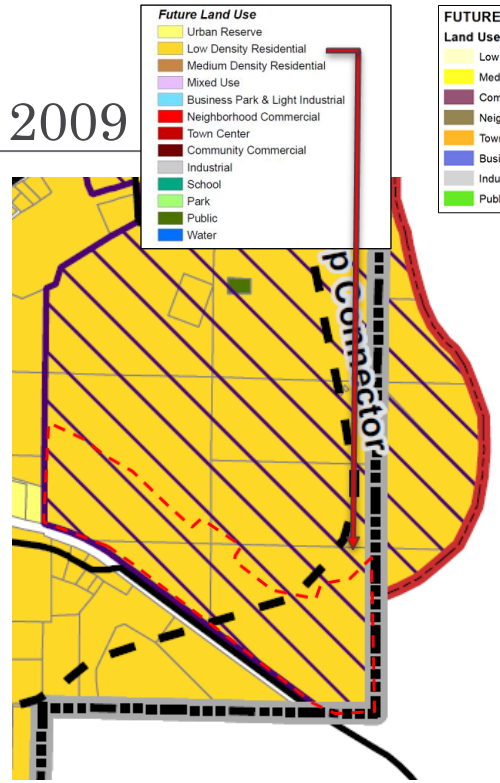




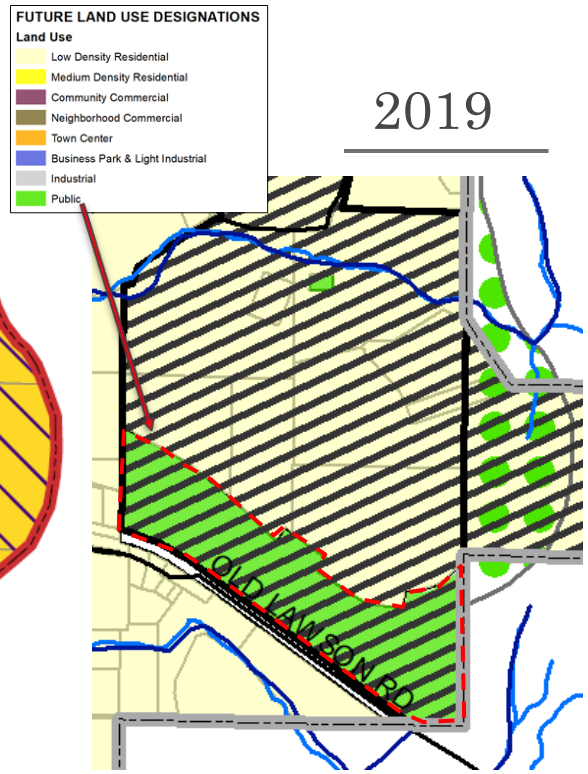
SCRIVENER'S ERROR - #3

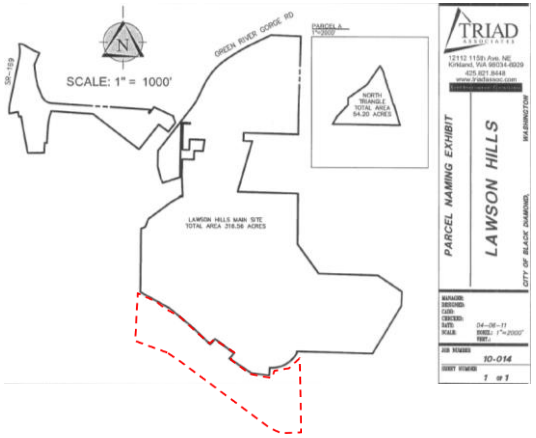
MPD Overlay

2009



2019

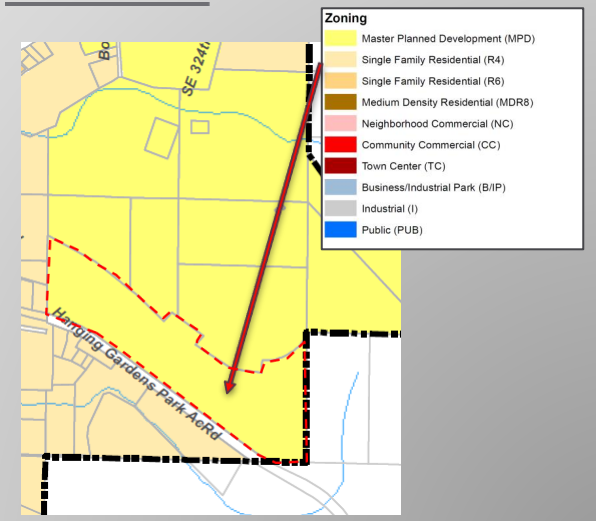




FACTSHEET

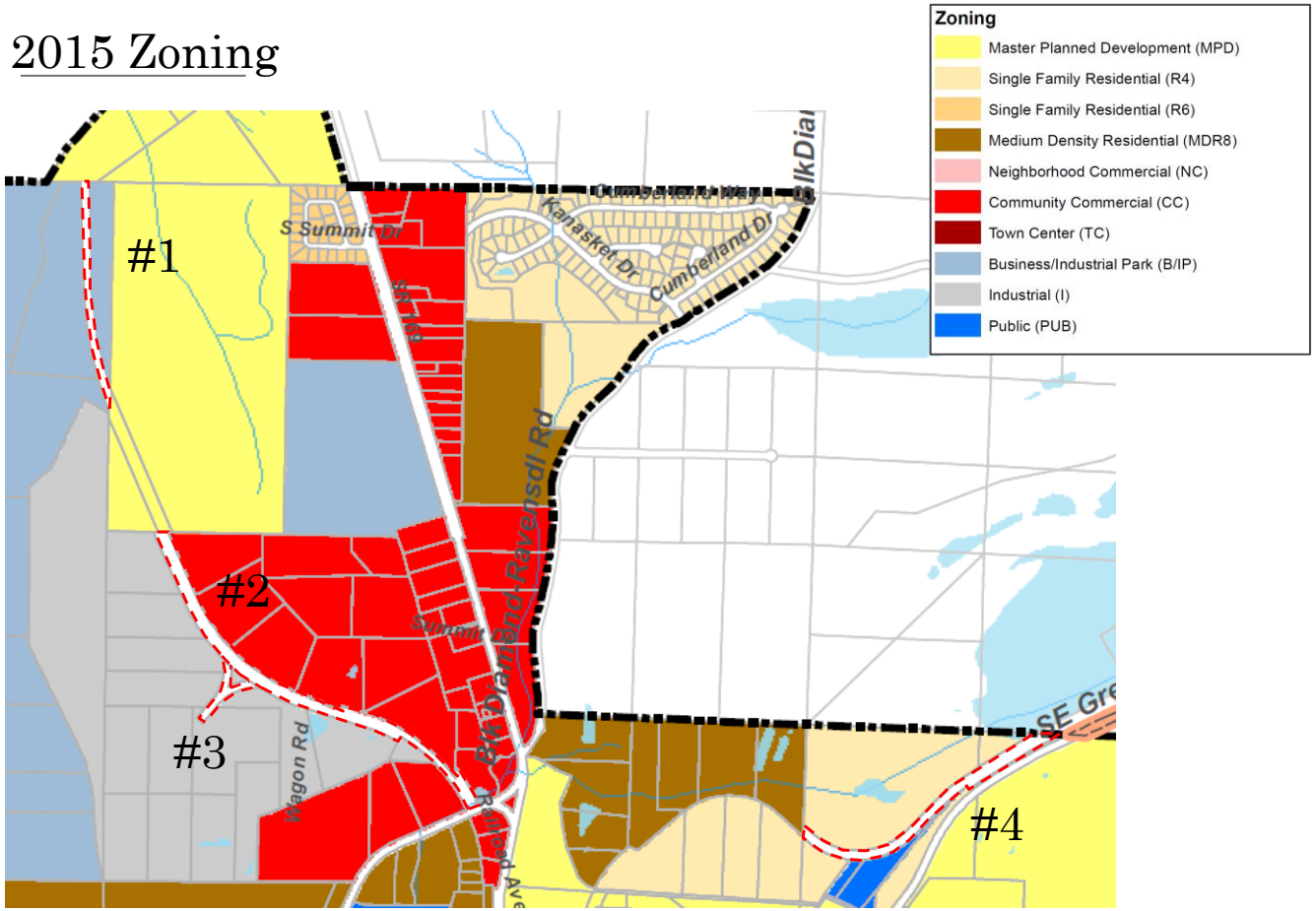
- Owner:
  Palmer Coking Coal
- Size: 50.1 acres
- Current Zoning:
  Master Planned Development - MPD
- Finding:
  The current zoning is consistent with the current (2019) adopted FLUM as it is zoned MPD and is located within the MPD overlay. The MPD Overlay imposed by the DA does not show this area as being in the overlay. Therefore, the Zoning is also inaccurate and FLUM ought to show this as not being within the MPD.
- Staff Recommendation: Remove MPD overlay.

2015 Zoning



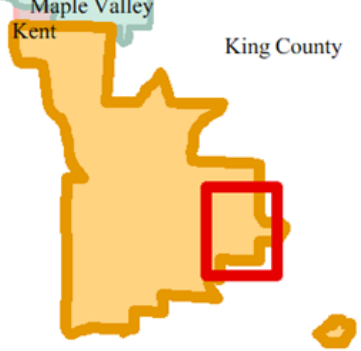
UNDESIGNATED - #1-4

2015 Zoning



FACTSHEET

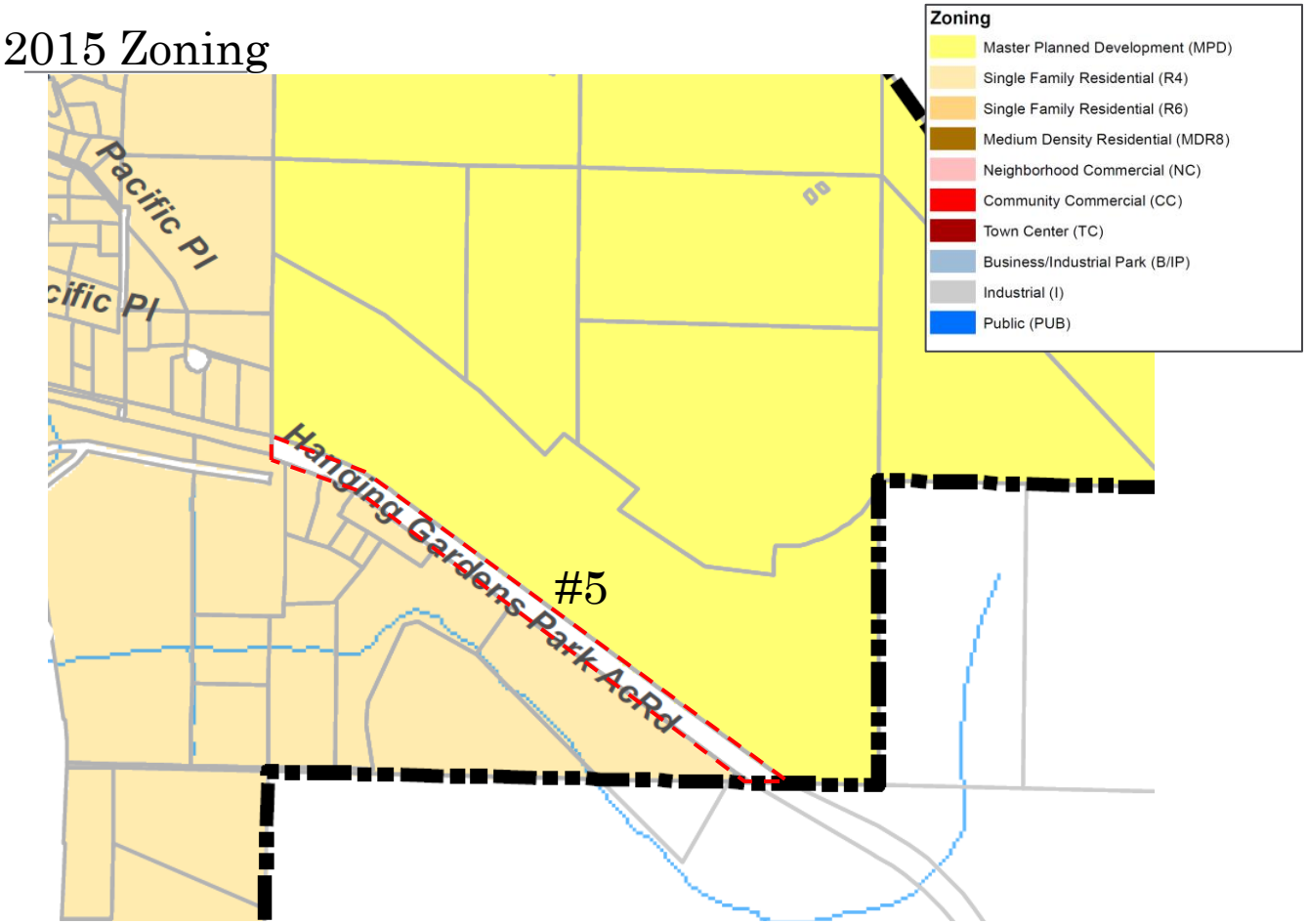
- Owner:
  Palmer Coking Coal CO LLP
- Size: 14.8 acres
- Current Zoning:
  Undesignated
- FLU Designation:
  Undesignated
- Finding:
  There is no current zoning or future land use designation for parcels shown as #1, #2, #3, and #4. These parcels are not right-of-way and are privately owned.
- Staff Recommendation: Parcels 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

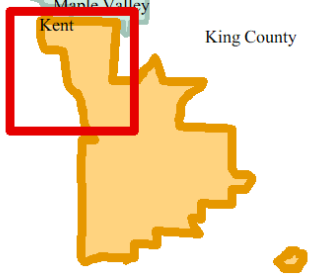
Unzoned → R4 (Low Density Residential)

2015 Zoning



FACTSHEET

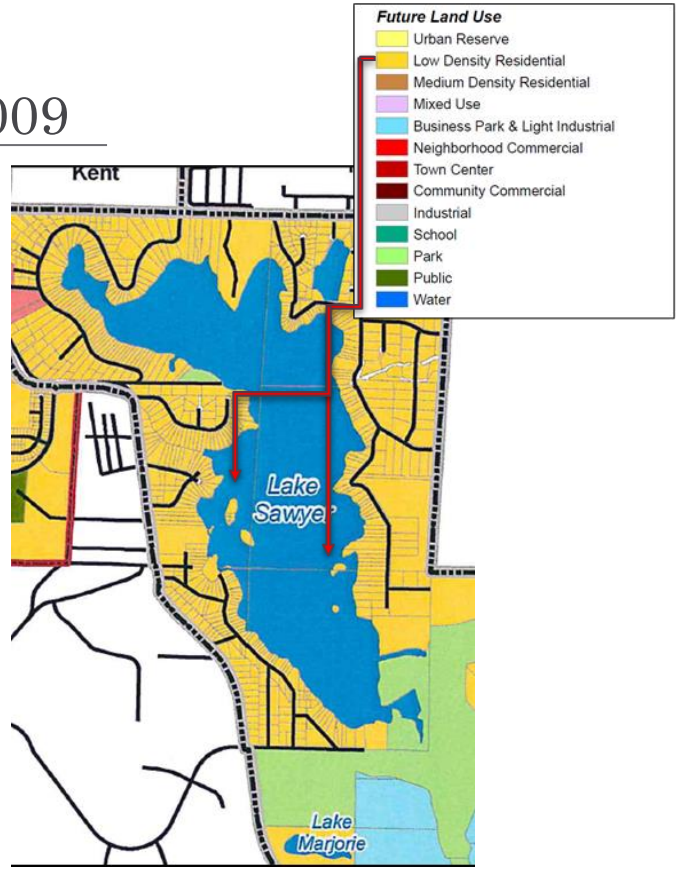
- Owner:
  CCD Black Diamond Partners
- Size: 5.92 acres
- Current Zoning:
  Undesignated
- FLU Designation:
  Undesignated
- Finding:
  There is no current zoning or future land use designation for the parcel shown as #1. This parcel is not right-of-way and is privately owned.
- Staff Recommendation: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



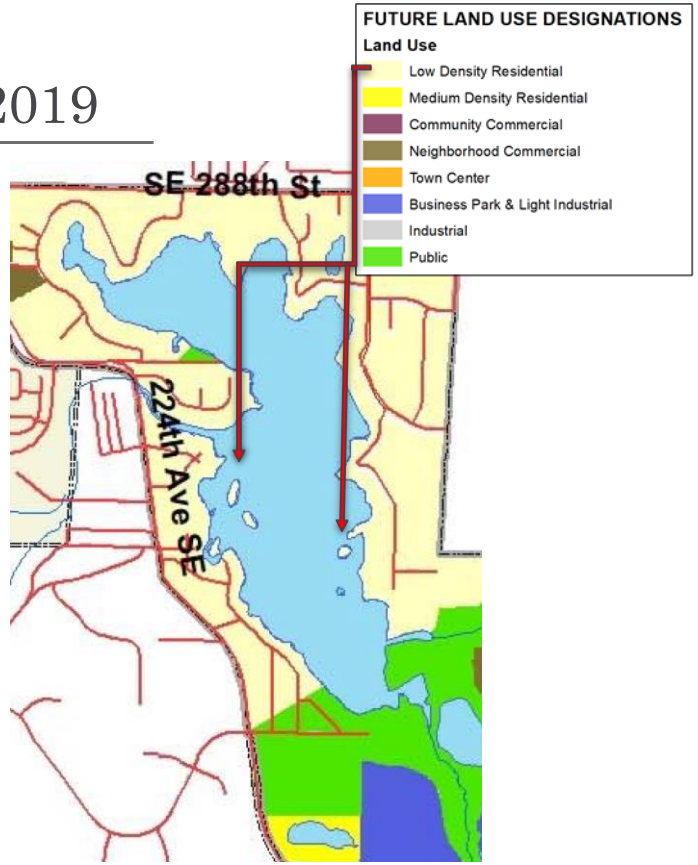
ZONING MAP SCRIVENER'S ERRORS

Unzoned → R4 (Low Density Residential)

2009



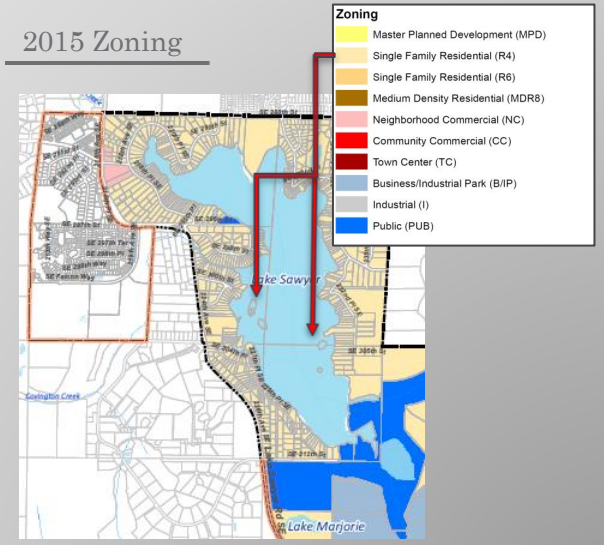
2019

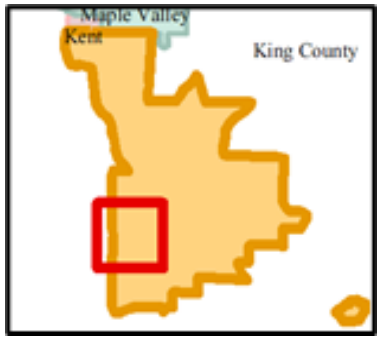


FACTSHEET

- 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 R4.
- Staff Recommendation:
  Zone parcels R4

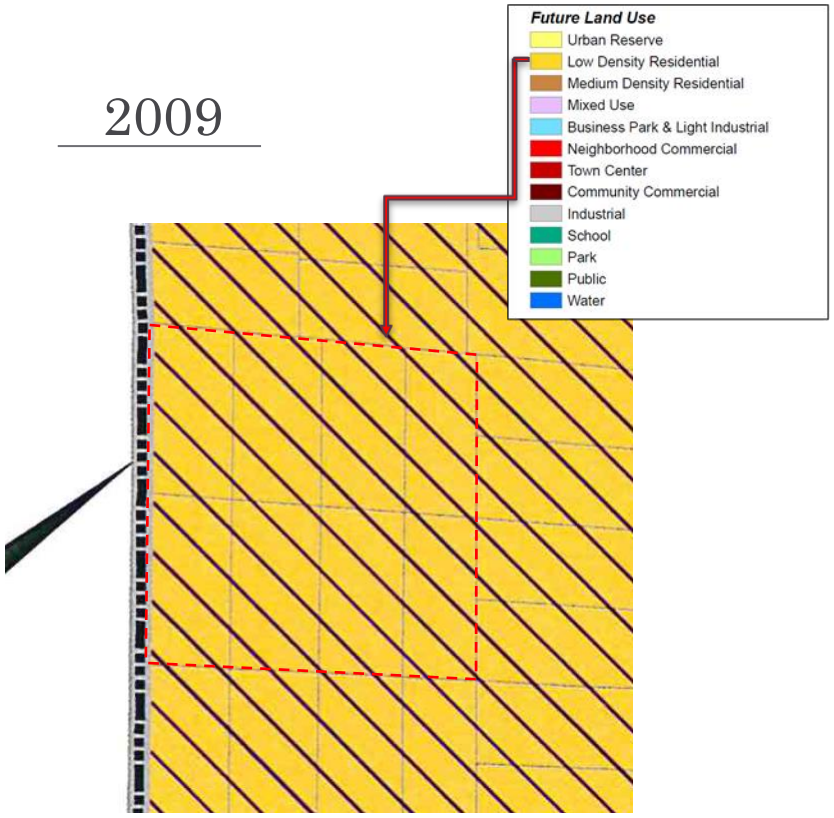
2015 Zoning



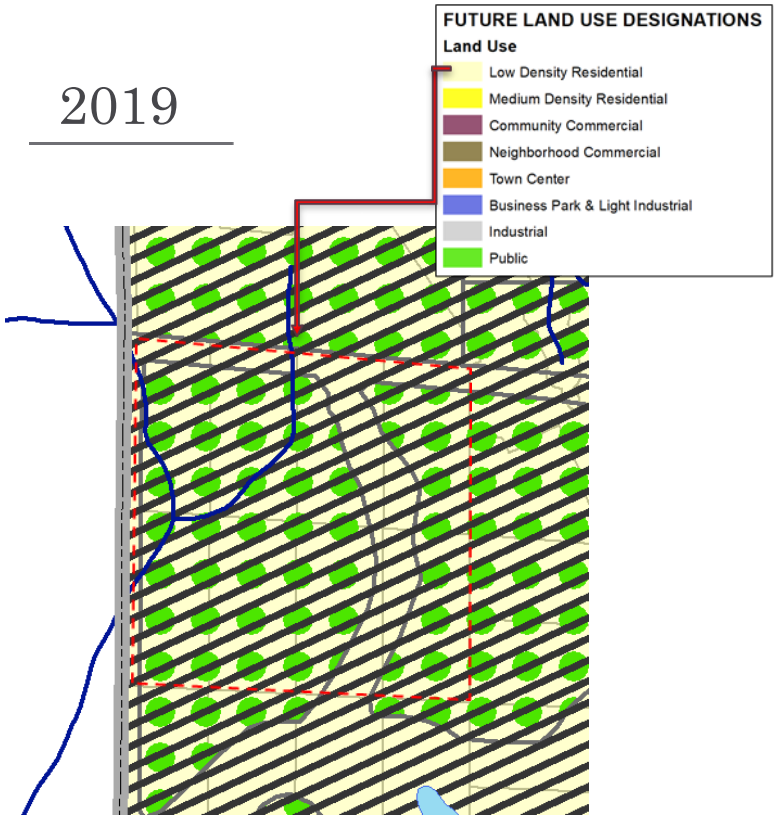


SPLIT ZONED PARCELS #1

2009



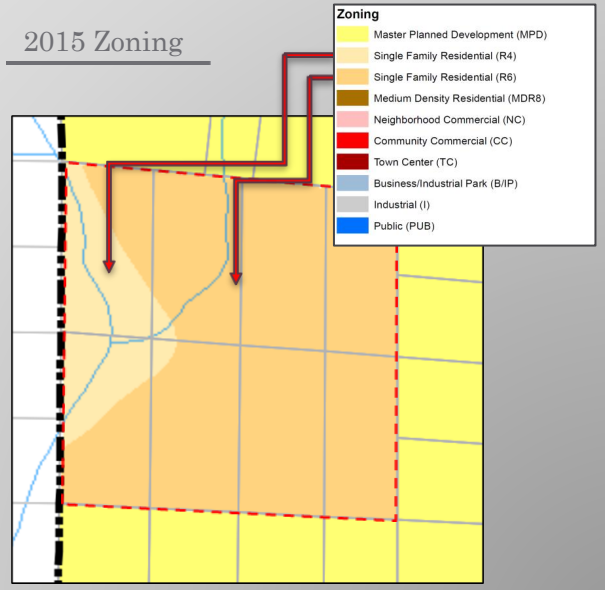
2019



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.
- Staff Recommendation:
  No changes. Maintain split zoning per Council Ordinance 15-1602.

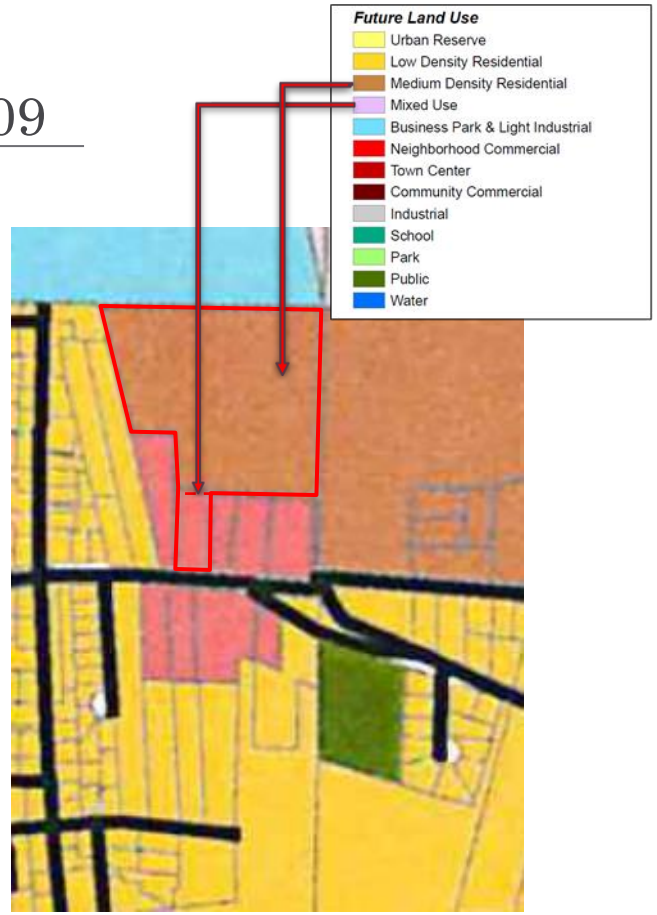
2015 Zoning



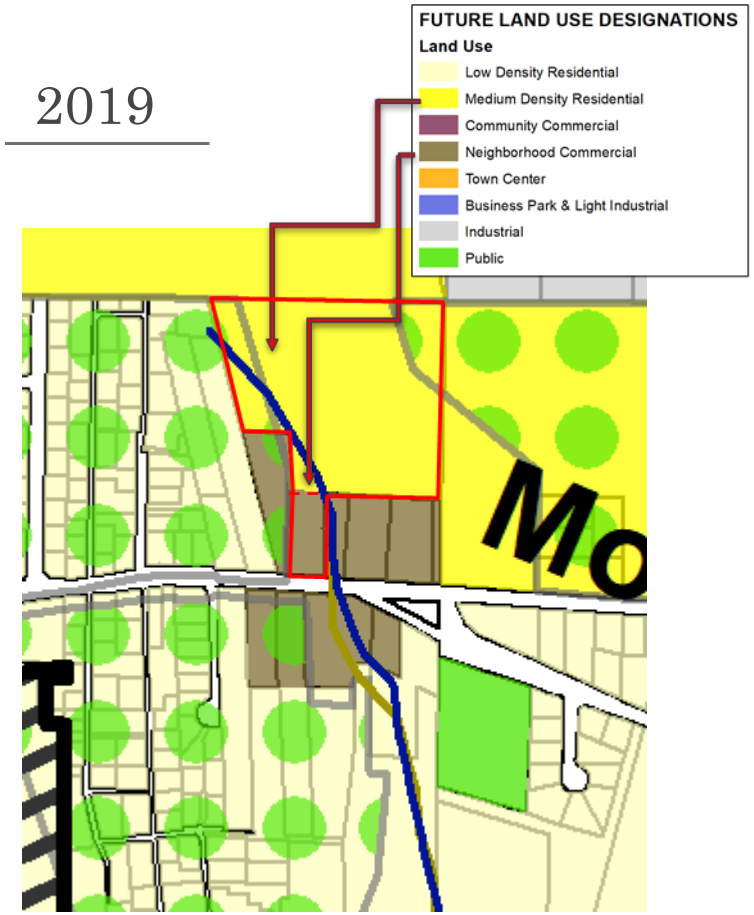
SPLIT ZONED PARCELS #2

(North of Roberts Drive)

2009



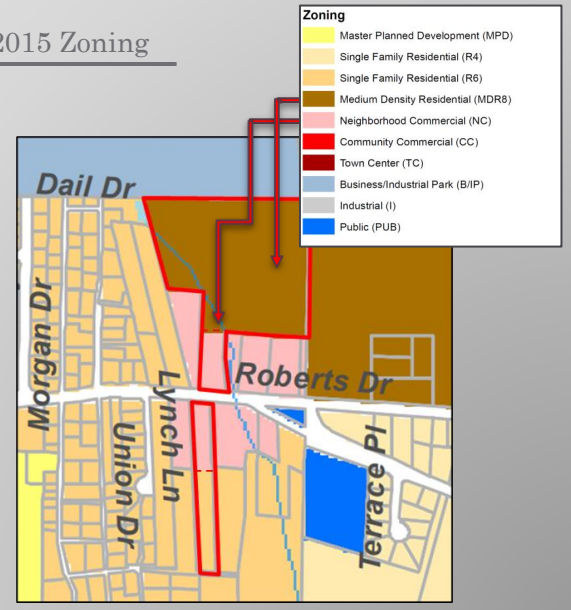
2019

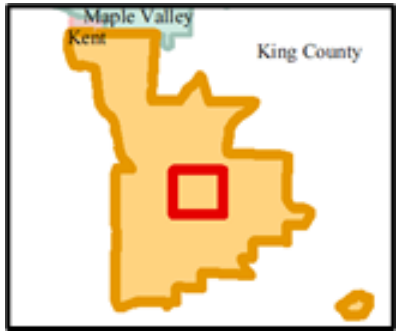


FACTSHEET

- Owner:
  Darrel Bryant
- Size: 12.6 Acres
- Current Zoning:
  MDR8/NC Split Zoning
- Finding:
  Parcel has been split for unknown reasons, and unknown lines. Split zoning makes development proposals challenging.
- Staff Recommendation:
  No changes. Maintain zoning and FLUM designations.

2015 Zoning



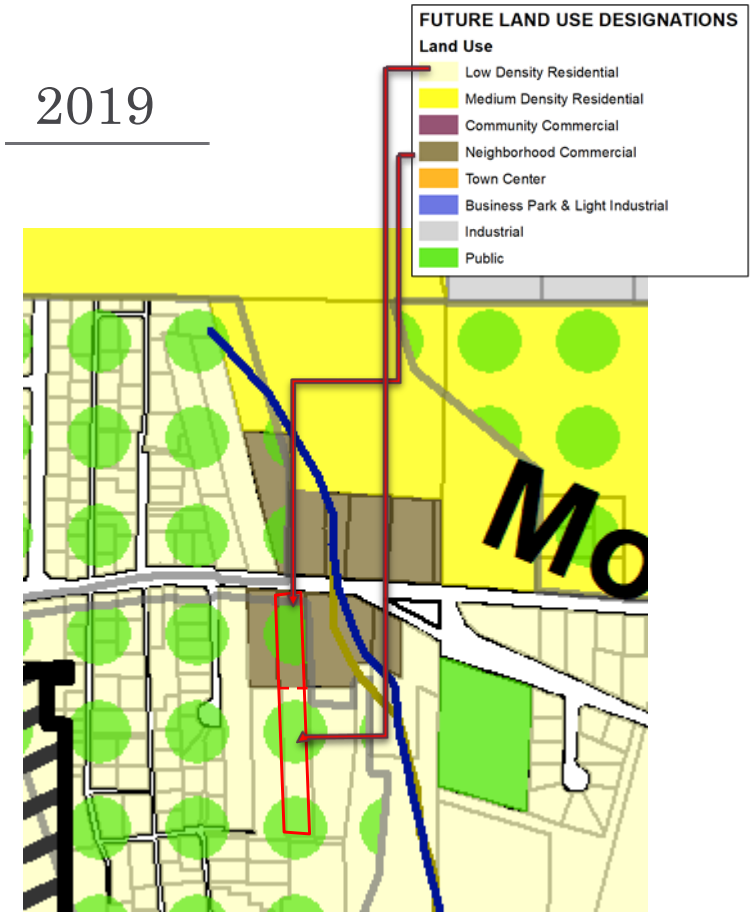


SPLIT ZONED PARCELS #3

(South of Roberts Drive)

2009

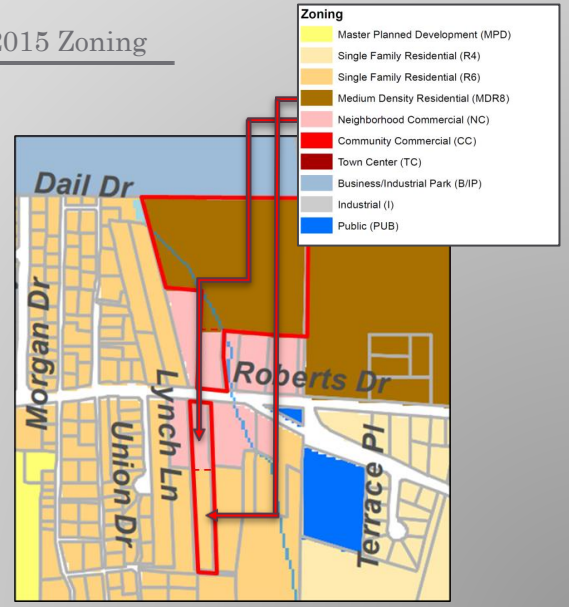
2019

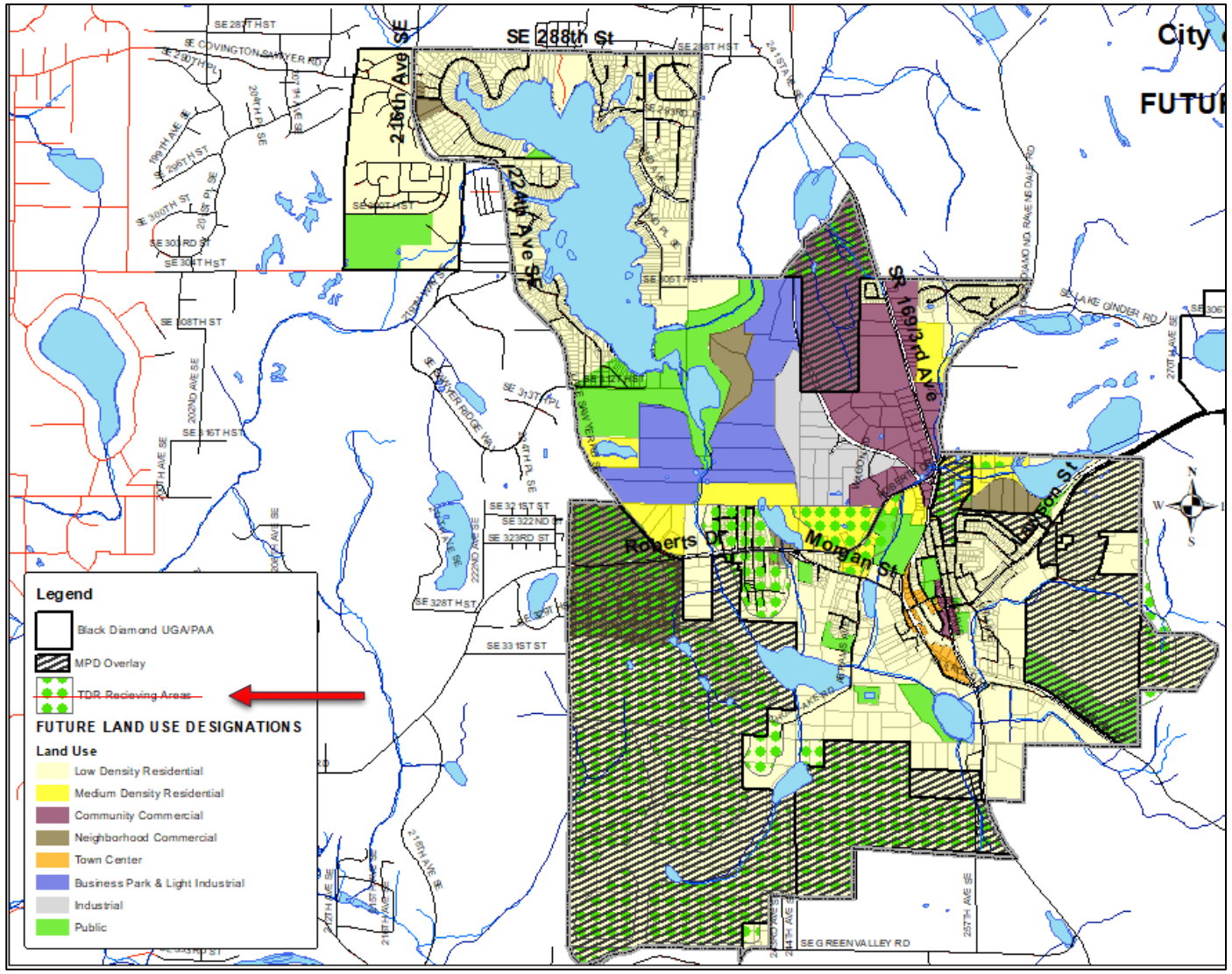


FACTSHEET

- 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.
- Staff Recommendation:
  No changes. Maintain zoning and FLUM designations.

2015 Zoning





TDR Layer

The TDR layer was added to the 2019 FLUM map. It was not present on the 2009 FLUM map.

Staff Recommendation: Remove TDR layer from FLUM map and have a separate TDR map in the comprehensive plan.

Next Steps

Staff Recommendation

- Staff will revise the staff report and recommendations as appropriate based on public and commissioner input.
- The staff report contains a few outstanding review criteria answers (mainly concerning traffic) these will be addressed in the final staff report prior to commission action

The Planning Commission recommendation on the entire docket will occur on October 26, 2021.

Discussion

- The staff report addresses each proposed map amendment and reviews any proposed map changes under the criteria prescribed per the BDMC.
- In some cases, no changes are recommended to the adopted maps (2019 FLUM and 2015 zoning). The items have been included in the staff report and presentation as the docket item was to address all changes between the 2009 and 2019 FLUM.
- Planning Commission may recommend approval, approval with modifications, or denial of each of the proposals.

Questions?

Parametrix
ENGINEERING . PLANNING . ENVIRONMENTAL SCIENCES

719 2ND AVENUE, SUITE 200 | SEATTLE, WA 98104 | P 206.394.3700

TECHNICAL MEMORANDUM

DATE:	September 29, 2021
TO:	Mona Davis, Community Development Director
FROM:	Alex Atchison, PE PTOE
SUBJECT:	FLUM/Zoning Map Changes - Traffic Review
CC:	Emily Adams, City of Black Diamond Joey Portmann, City of Black Diamond, Seth Boetcher, City of Black Diamond
PROJECT NUMBER:	214-3043-029-038
PROJECT NAME:	City of Black Diamond On-Call

INTRODUCTION

As part of the comprehensive plan amendment cycle, the City of Black Diamond is considering Future Land Use Map (FLUM) land use designation changes and rezones. The recommendations the City is making regarding these changes are to bring the FLUM and Zoning Map in compliance with each other and 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 2050).

This memorandum analyzes whether the proposed site-specific amendments meet current transportation concurrency requirements and if the proposed amendments result in any significant adverse impacts to the City's transportation network.

METHODOLOGY

Potential impacts to transportation system evaluated by first estimating the number of PM peak hour trips for per zone designation, both for the existing designation and the proposed changes. Trips were estimated by conservatively selecting the land use that would generate a high number of PM peak hour trips and then comparing the change in PM trips from current use/zoning.

Trip generation estimates were prepared based on trip rates identified using the Institute of Transportation Engineers (ITE) *Trip Generation Manual.* 10th Edition (2017). For residential zoning the number of units that could generate trips was based on density designation of the zone. Trips for non-residential uses was based on gross square footage.

To estimate the number of trips from new non-residential or mixed use development that could occur, a floor area ratio (FAR) of 1.0 was used for non-residential uses and a FAR of 2.0 was used for mixed use.[1] King County's parcel viewer website was used to calculate parcel size. For mixed use estimates, a 2-story building was assumed, with retail on the first floor and residential units on the second floor.

[1] Per Black Diamond City Code

Usually, the square footage of retail in mixed used development is much smaller than the total square footage allocated to residential use. So the assumption of a 50/50 split in square footage is a conservative assumption since the trip rate for retail use is much larger than the trip rate for residential use. The number of residential units in mixed use development was estimated by assuming an average unit size of 678 square feet.[2] This is also a conservative assumption as it doesn't account for communal areas (such a stair wells, elevators, or lobbies) and some apartments will likely be larger than 678 square feet.

FINDINGS

Inconsistencies 1 - 5

The City identified 5 FLUM/zoning inconsistencies to be evaluated for traffic impacts (see Attachment 1). The proposed changes, except for those proposed in Inconsistency #7, are not expected to produce any potential significant changes in traffic.

The parcels potentially impacted by the proposed changes outlined for Inconsistencies 1-5 are all currently undeveloped. For the zoning designations of Business /Industrial Park and Neighborhood Commercial, land uses that would generate high numbers of PM peak hour trips were selected (e.g., General Office). Other potential uses were also evaluated as a comparison. Figures 1 and 2 illustrates the results of the comparison of inconsistencies 1, 3, 4 and 5. The City did not ask for analysis of Inconsistency 2 or 6.

	Inconsistency #1			**Inconsistency #3**		
	Existing		Potential Change	Existing	Potential Change	
# of parcels	6		-	6	-	
Size	53.42		-	20.63	-	
Current use	undeveloped		-	undeveloped	-	
Zoning Designation	Business Park & Light Industrial		Medium Density Residential	Low Density Residential	Medium Density Residential	
Density Requirement	None		12 du/acre	4 du/acre	12 du/acre	
Floor Area Ratio (FAR) per City code	1	1	-	-		
ITE Land Use for PM Peak hour trip estimate	General Office	Industrial Park	Single Family	Single Family	Multi-Family	Single Family
PM peak hour rate	1.15	0.4	0.99	0.99	0.44	0.99
Maximum PM Peak hour trips	2,676	931	423	82	109	245
Difference in trips	-	-	(296) to (2,041)	-	27	163

Figure 1: Comparison of changes in PM peak hour trips: Inconsistency #1 and #3

[2] http://realestate.washington.edu/wp-content/uploads/sites/6/2019/06/2019SpringApartmentMarketReport.pdf

For inconsistency #1 the proposed changes would result in fewer PM peak hour trips. This change in trips is not expected to not cause intersections to fall below concurrency standards.

For inconsistency #3 the proposed changes could potentially increase the number of PM peak hour trips generated (~ 27 – 163 more trips). However, given the location of parcels evaluated, 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.

	Inconsistency #4				**Inconsistency #5**			
	Existing			Potential Change	Existing			Potential Change
# of parcels	2			-	5			-
Size	30.93			-	22.33			-
Current use	undeveloped			-	undeveloped			-
Zoning Designation	Neighborhood Commercial			Low Density Residential	Neighborhood Commercial			Low Density Residential
Density Requirement	None		12 du/acre	4 du/acre	None	None		4 du/acre
Floor Area Ratio (FAR) per City code	1	1	-	-	1	2		-
ITE Land Use for PM Peak hour trip estimate	General Office	Retail	Senior Housing	Single Family	General Office	Mixed Use		Single Family
						Retail	Multi-Family	
PM peak hour rate	1.15	3.81	0.3	0.99	1.15	3.81	0.44	0.99
Maximum PM Peak hour trips	1,549	5,133	111	122	1549	5,133	874	122
Difference in trips				(5,011) to 11				(1,427) to (5,885)

Figure 2: Comparison of changes in PM peak hour trips: Inconsistency #4 and #5

For inconsistency #4 and inconsistency #5 the proposed changes could potentially increase the number of PM peak hour trips generated. However, given the increase would be small (~11 trips) the increase in PM peak hour trips is not expected to not cause intersections to fall below concurrency standards.

Inconsistency 7

Under this inconsistency, City staff recommends amending the FLUM map to designate the identified parcels as Community Commercial and keep the current zoning. The current 2019 FLUM designation is Neighborhood Commercial/Low Density Residential.

The parcels potentially impacted by this change are almost all currently developed. Several parcels are occupied by uses that consistent with the Community Commercial zoning associated with the recommended Community Commercial designation (e.g., Cenex Gas) and therefore were excluded from the analysis. The parcels that are currently either vacant, or are occupied by single family homes, including a vacant portion of land associated with King County's mobile home park, were evaluated for potential impacts.

As shown in Figure 3, if the current parcels that do no currently meet Community Commercial (CC) uses were redeveloped into a use that does meet CC uses (e.g., retail space), there is potential for a large number of new PM peak hour trips. However, given the proposed improvement projects listed in the current Transportation Improvement Program, the projects required by the Master Developer as part of the MDA, 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.

	Existing	Potential Change	
Zoning Designation	Neighborhood Commercial/ Low Density Residential	Community Commercial	
Density Requirement	-	-	
Floor Area Ratio (FAR) per City code	-	2	
ITE Land Use for PM Peak hour trip estimate	Single Family	Mixed Use	
		Retail	Multi-Family
PM peak hour rate	0.99	3.81	0.44
Maximum PM Peak hour trips	10	674	115
Total Trips	10	789	
Difference in trips	-	779	

Figure 3: Comparison of changes in PM peak hour trips: Inconsistency #7

Attachment 1

CITY OF BLACK DIAMOND

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

Phone: (360) 851-4447
Fax: (360) 851-4501
www.ci.blackdiamond.wa.us

Memo Date: September 7, 2021

To: Parametrix

From: Mona Davis, Community Development Director

Subject: FLUM/ Zoning Map Changes – Traffic Review

As a portion of the comprehensive plan amendment cycle, the City is considering Future Land Use Map (FLUM) land use designation changes and rezones. The recommendations the City is making regarding these changes are to bring the FLUM and Zoning Map in compliance with each other and 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 2050).

BDMC 16.10.220 lays out specific criteria that each site-specific amendment must be evaluated against. The first two criteria are:

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);
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 City is requesting that Parametrix analyze the impacts on the transportation LOS and impacts to the city's transportation network that would occur from these changes to include as responses to the above criteria.

Please reach out to me or Emily Adams with questions. It would also be helpful to know what your turnaround would be to evaluate these properties. Our next public meeting to further discuss with the Planning Commission in on September 21st with additional meetings in October.

Thanks so much!

Inconsistency #1

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

Inconsistency #1			
Info	• 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*	• 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	• 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	

**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.*

Inconsistency #3

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

Inconsistency #3			
Info	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	
**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.*			

Inconsistency #4

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

Inconsistency #4			
Info	• Parcels: 1021069103 and 1021069105 • 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	

**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.*

Inconsistency #5

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 #5			
Info	• 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*	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities	• 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	

**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.*

Inconsistency #7

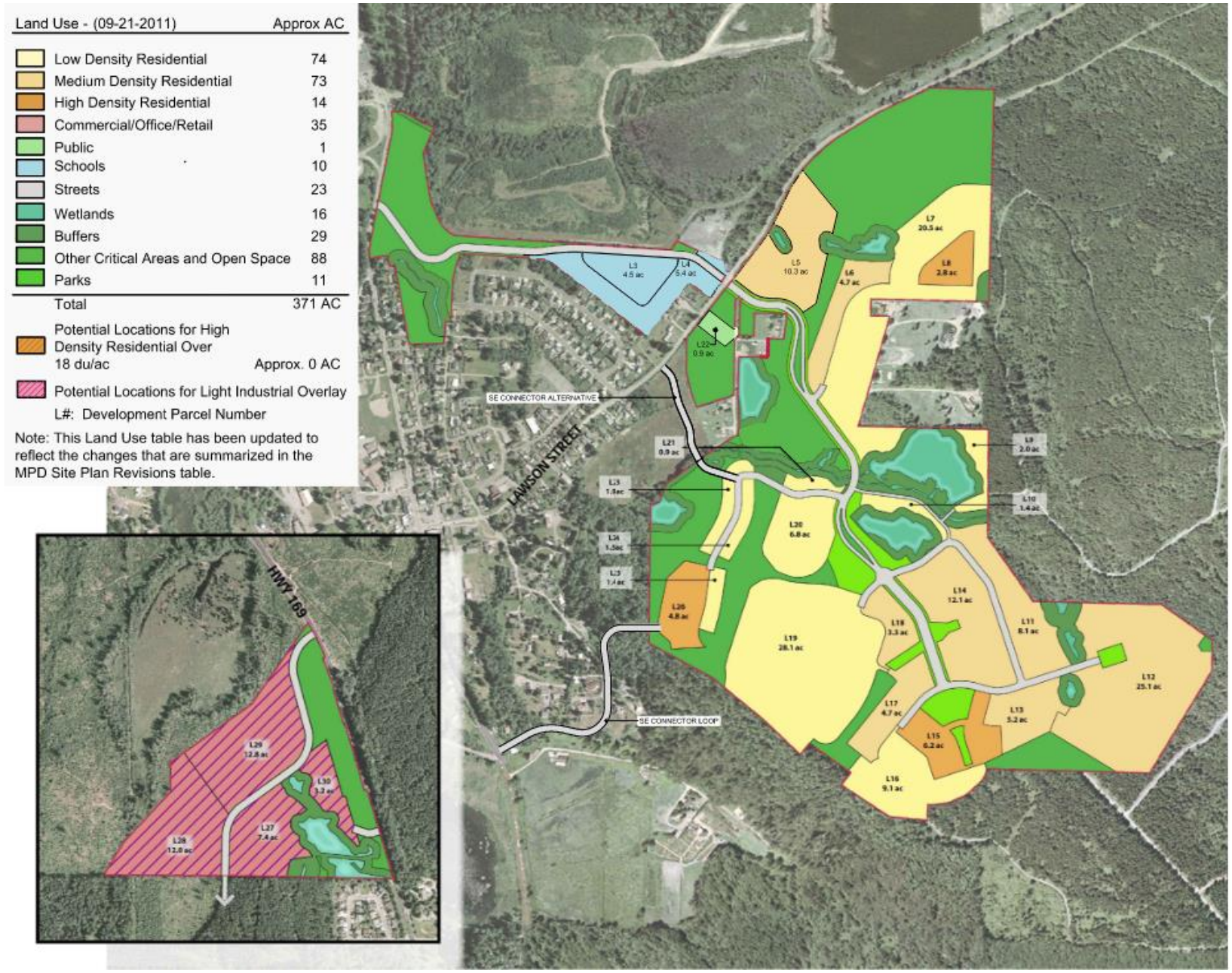
Staff recommends amending the FLUM map to designate the parcels Community Commercial and keep the current zoning.

Inconsistency #7			
Info	• 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*	• 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	• Agricultural stands/ uses • Bed & Breakfasts • Childcare • Home occupations • Schools • Religious institutions • ADUs • Duplexes • Manufactures housing • Single Family • Utilities *Neighborhood Commercial:* • 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	

**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.*

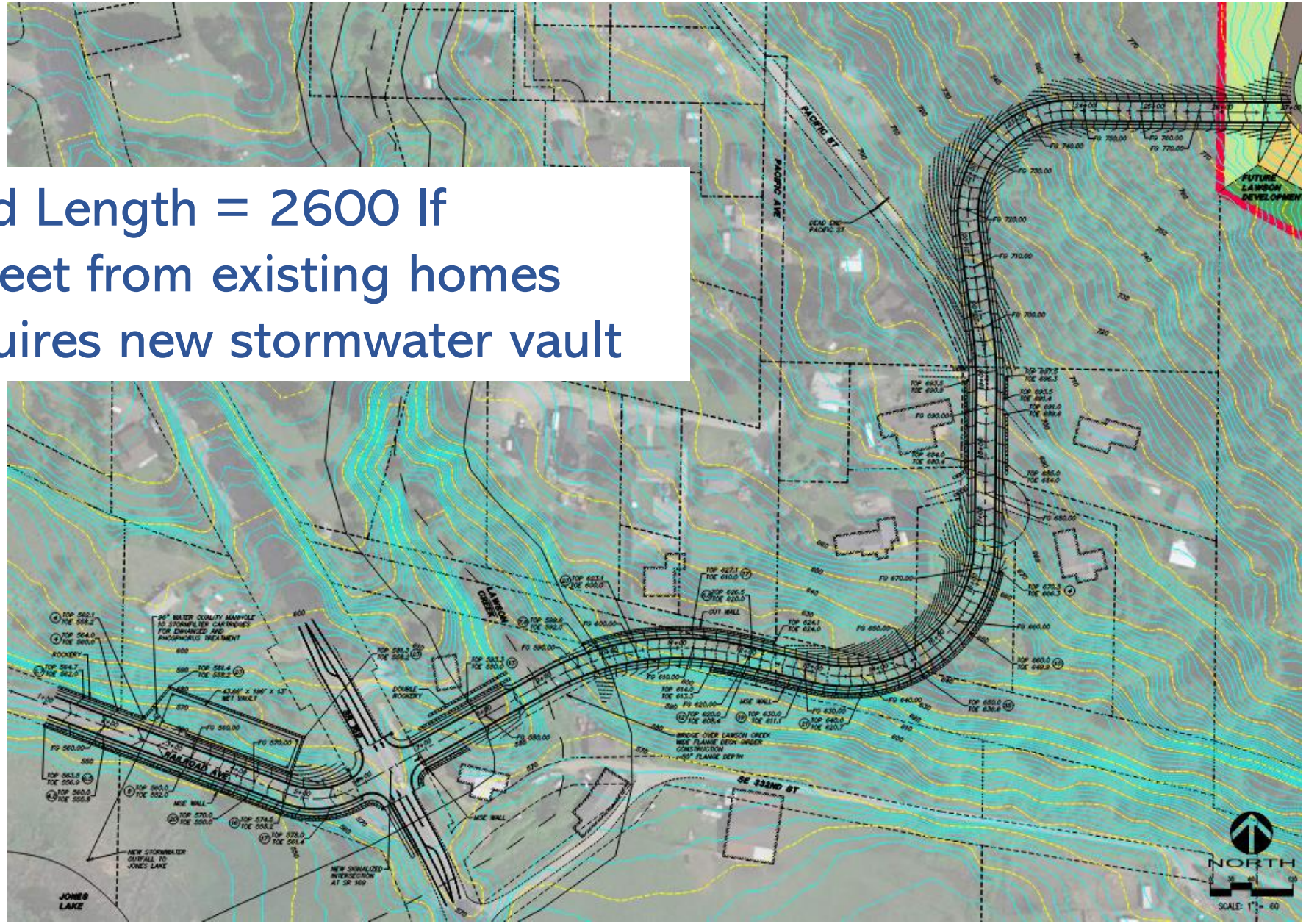
SE Connector Alternative Comprehensive Plan Amendment

Lawson Hills Site Plan



Current SE Connector Loop Alignment

- Road Length = 2600 lf
- 40 feet from existing homes
- Requires new stormwater vault

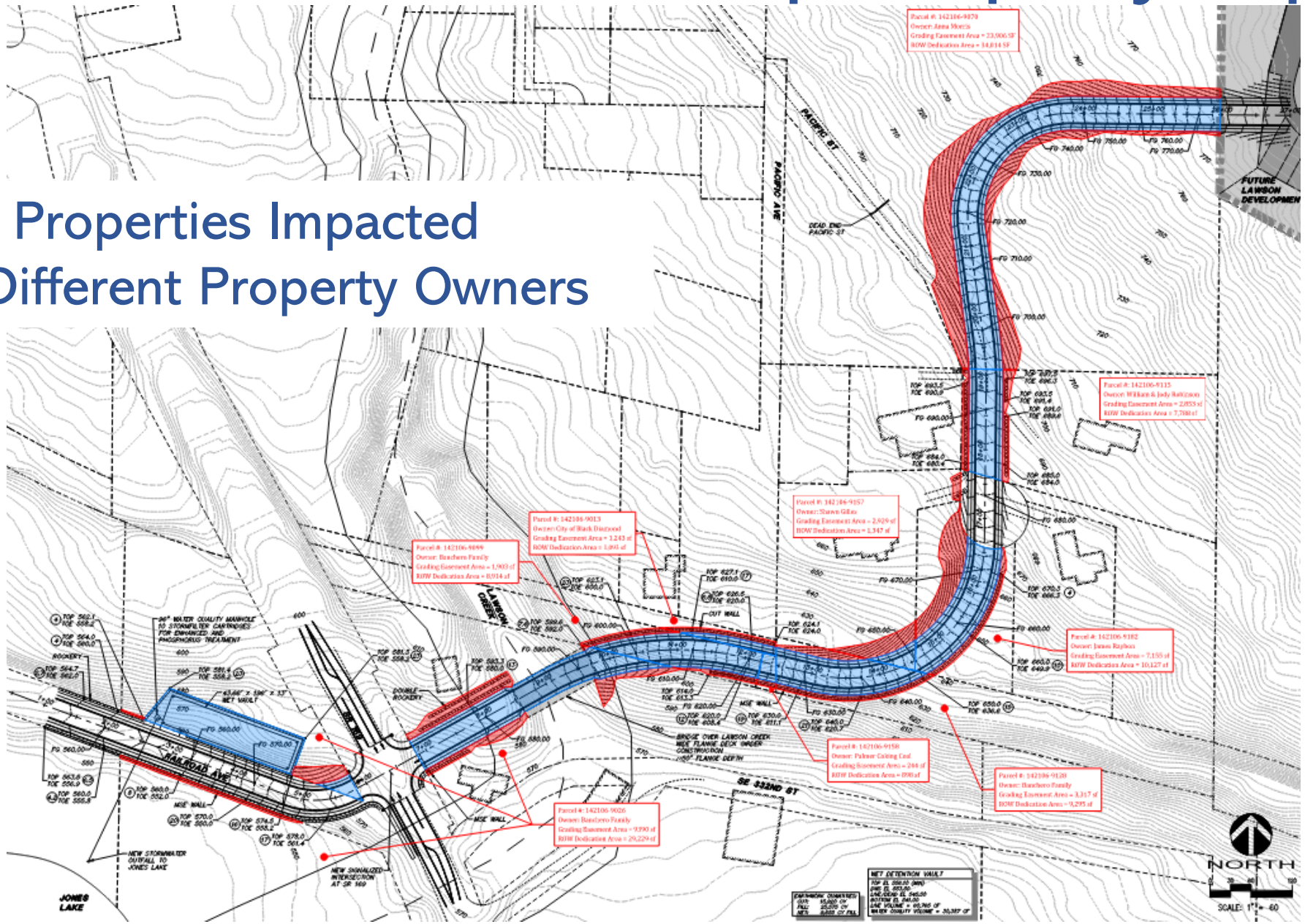


SE Connector Alternative Alignment

- Road Length = 900 lf
- 250 feet from existing homes
- Utilizes MPD stormwater facilities

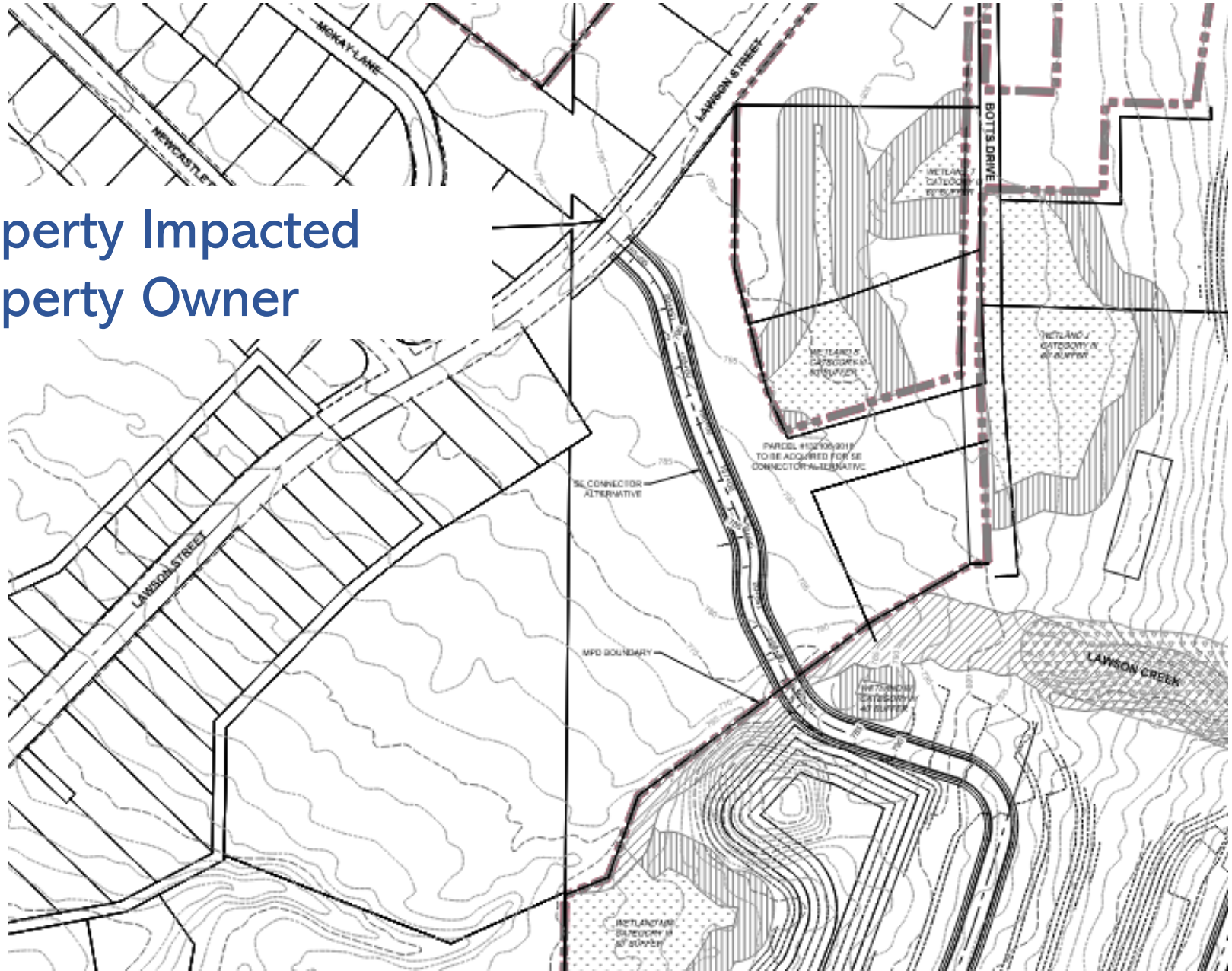
Current SE Connector Loop Property Impacts

- 16 Properties Impacted
- 9 Different Property Owners



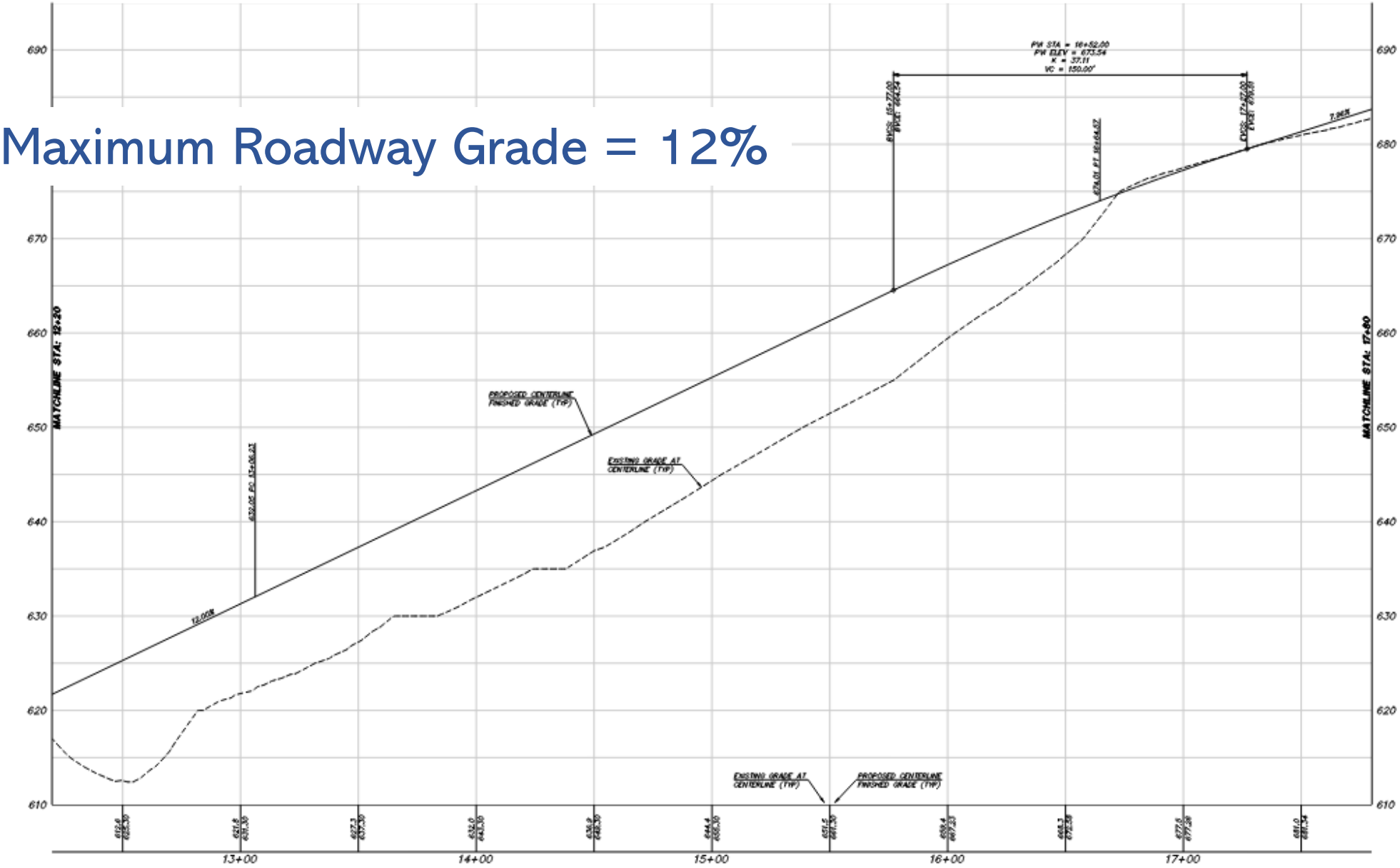
SE Connector Alternative Property Impacts

- 1 Property Impacted
- 1 Property Owner

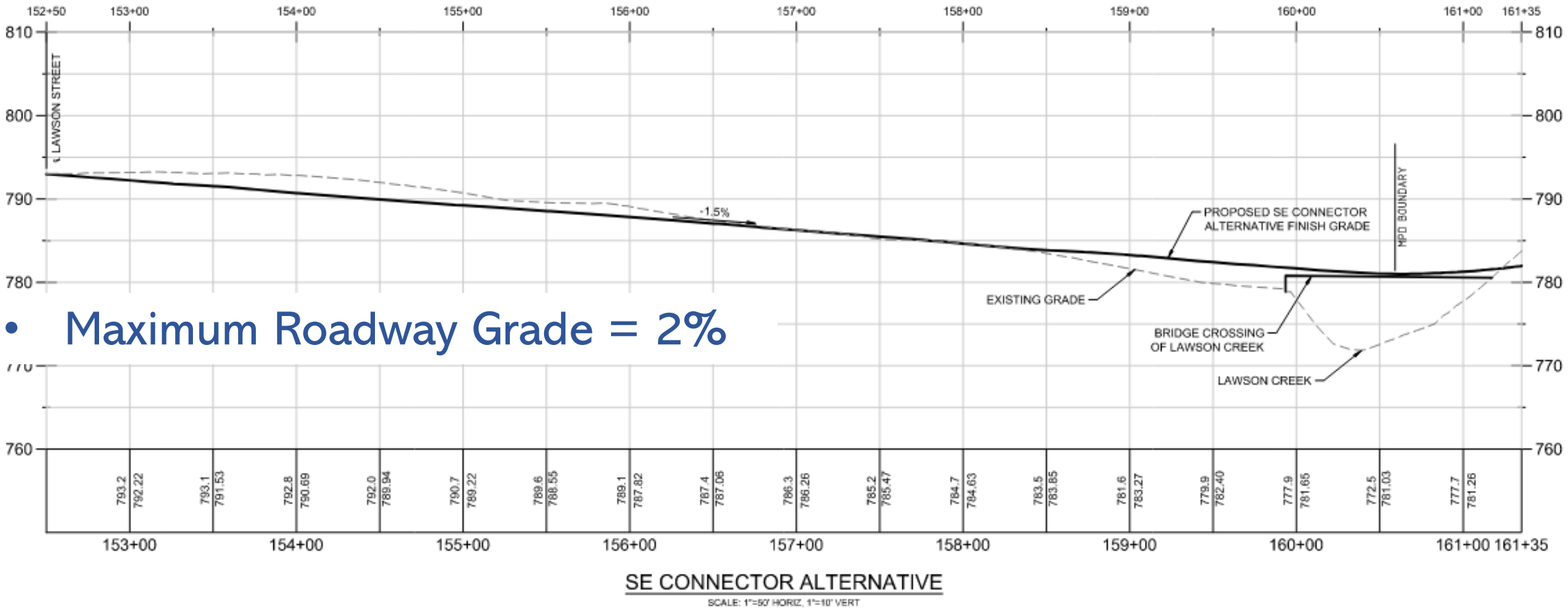


Current SE Connector Loop Profile Example

- Maximum Roadway Grade = 12%



SE Connector Alternative Profile



SE CONNECTOR ALTERNATIVE

SCALE: 1"=50' HORIZ, 1"=10' VERT

- Maximum Roadway Grade = 2%

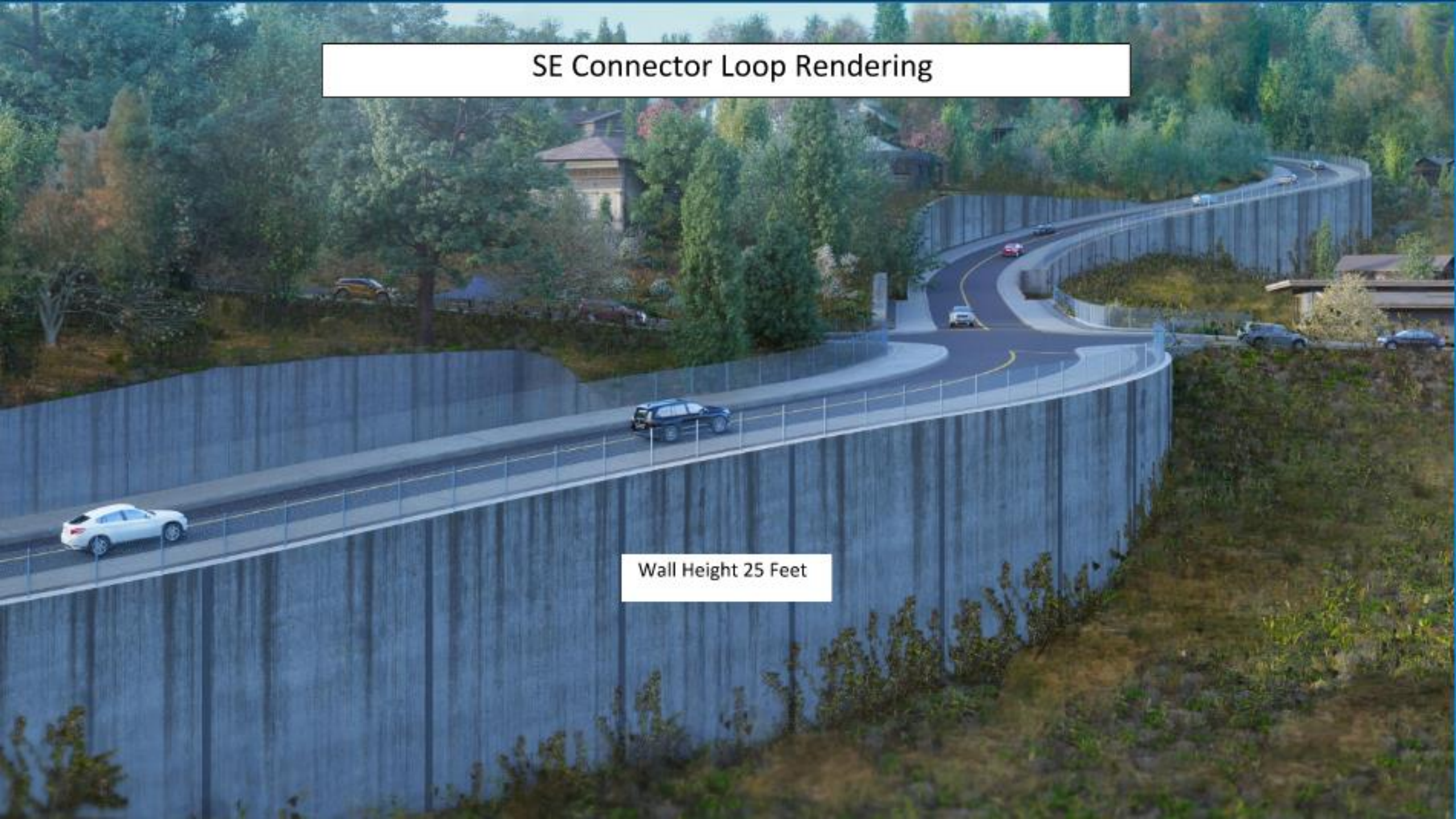
Sensitive Areas Comparison

- SE Connector Loop Sensitive Areas
  - Steeply sloping forested hillsides with existing grades in the 20% - 40% range.
  - Soils suggested potential landslide hazard areas.
  - Lower portions are within the 225’ core buffer and shoreline zone of Jones Lake and cross Lawson Creek and its buffer.

- SE Connector Alternative Sensitive Areas
  - Relatively flat land outside of landslide hazard areas.
  - No wetland buffers would need to be encroached upon.
  - Portion crosses Lawson Creek and its buffer.

SE Connector Engineering Comparison

Evaluation Parameter	SE Connector	SE Connector Alternative
Max. Roadway Grade (%)	12	2
Road Length	2,600 ft	900 ft
Earthwork Volume	15,920 CY Cut 25,575 CY Fill	650 CY Cut 1,200 CY Fill
Max. Wall Height	25’	No Walls
Wall Square Footage	24,900	No Walls
Storm Drainage	Large vault	Utilizes MPD Facilities
Right of Way Acquisition	16 Properties	1 Parcel
Proximity to Existing Homes	40 feet	250 feet
SR 169 Intersection Improvements	New intersection	No new intersection


SE Connector Loop Rendering
Wall Height 25 Feet

Traffic Mitigation with SE Connector Alternative

Intersection	EIS Mitigation	Mitigation w/ SE Connector Alternative
SR169/Lawson Connector	Four-legged roundabout	Traffic Signal
SR169/Baker Street	Traffic Signal	Traffic Signal, NB, SB Left-Turn Lanes
SR169/Lawson Street	Traffic Signal, SB Left-Turn Lane	Traffic Signal, SB Left-Turn Lane
SR169/Jones Lake Road	Traffic Signal, NB,WB, SB Left-Turn Lanes	Traffic Signal, No turn lanes
Railroad Avenue/Baker Street	No Mitigation	No Mitigation
Lawson Street/Lawson Connector	Stop-Controlled (i.e., Stop Sign)	Traffic Signal
Lawson Street/SE Connector	Not Evaluated	Stop-Controlled (i.e., Stop Sign)

Office Of The
PLANNING COMMISSION

Chair - John Olson
Vice - Pam McCain
Position 1 - Richard LaConte
Position 5 - Felicia Wheatfall
Position 2 - Steve Jensen
Position 6 - Dave Ambur
Position 3 - Crystal Perez

May 20, 2021

To:

Mayor
Carol Benson
and
Councilmembers
Tamie Deady
Melissa Oglesbee
Chris Wisnoski
Leih Mulvihill
Kristiana de Leon
Bernie O'Donnell
Debbie Page

CC:

Community Development Director
Mona Davis
and
The Planning Commission

RE: The City of Black Diamond 2021 Comprehensive Plan Amendments

Dear Mayor and Councilmembers,

On behalf of the Black Diamond Planning Commission, I am forwarding our recommendations for the 2021 Comprehensive Plan Preliminary Docket.
In general, cities may consider proposed amendments to their comprehensive plans no more frequently than once per year under RCW 36.70A.130(2). The state Growth Management Act directs cities to create an annual docket that lists all the proposed amendments that are to be considered during this once-per-year process. Anyone may suggest amendments to the Comprehensive Plan by March 1st of each year.

A public hearing was held by the Planning Commission on May 11, 2021, in accordance with our bylaws, to hear testimony and consider amendments to the Comprehensive Plan. At this meeting, all seven members of the planning commission attended. Several members of the public gave testimony, and many others submitted written comments. Based on information provided by city staff, public comments, and the Commission's deliberations, the Planning Commission officially recommends and transmits the following amendments for consideration in the final docket:

ITEM #2021-01: REVERSION TO THE 2009 FUTURE LAND USE MAP (FLUM)

The Planning Commission recommends that Item #2021-01 be included on the final 2021 Docket, but with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."

#2021-02: AMENDMENTS TO COMPREHENSIVE PLAN APPENDIX 7 (TRANSPORTATION) TO REFLECT AN ALTERNATIVE SE LOOP CONNECTOR ROUTE

The Planning Commission recommends that Item #2021-02 be included on the final 2021 Docket.

#2021-03: HARMONIZING THE FLUM AND CITY ZONING REGULATIONS

The Planning Commission recommends that Item #2021-03 be included on the final 2021 Docket but combined with Item #2021-01. Together, they should be docketed with the description broadened as follows: "Reconsideration of the 2019 FLUM, including possible reversion to the 2009 FLUM, and corresponding updates to the zoning code."

#2021-04: UPDATE THE HOUSING CHAPTER OF THE COMPREHENSIVE PLAN TO INCORPORATE RELEVANT COMPONENTS OF THE 2021 HOUSING ACTION PLAN

The Planning Commission recommends that Item #2021-04 be included on the final 2021 Docket.

#2021-05: UPDATE THE PARKS CHAPTER OF THE COMPREHENSIVE PLAN TO INCORPORATE RELEVANT COMPONENTS OF THE PROS PLAN

The Planning Commission recommends that Item #2021-05 be included on the final 2021 Docket.

#2021-06: REPEAL CITY PROHIBITIONS ON MARIJUANA BUSINESSES AND UPDATE THE LAND USE CHAPTER AS NEEDED TO FACILITATE APPROPRIATE SITING

The Planning Commission recommends that Item #2021-06 be included on the final 2021 Docket.

#2021-07: REVIEW ADU AND SHORT-TERM RENTAL REGULATIONS WITH POTENTIAL CHANGES TO THE HOUSING CHAPTER OF THE COMPREHENSIVE PLAN

The Planning Commission recommends that Item #2021-07 be combined with consideration of Item #2021-04, which also addresses changes to the Housing element of the Comprehensive Plan to be included on the final 2021 Docket

#2021-08: CONDUCT AN ECOLOGICAL INVENTORY AND PROPOSE CHANGES TO LAND USES AND REGULATIONS TO PRESERVE NATURAL AREAS

The Planning Commission recommends amending Item #2021-08 to conduct a feasibility study, including costs and scope of operations, on conducting an ecological inventory to be included in the final 2021 docket

#2021-17: DELETE POLICY ED-4.5 FROM THE ECONOMIC DEVELOPMENT CHAPTER OR MOVE IT TO THE TRANSPORTATION CHAPTER

The Planning Commission recommends that Item #2021-17 be included on the final 2021 Docket.

#2021-22: AMEND LAND USE POLICY LU-21 CONCERNING GROWTH TARGETS AND PRESENT RECOMMENDATIONS TO THE PLANNING COMMISSION AND CITY COUNCIL IN 2022

The Planning Commission recommends that Item #2021- 22 be included on the final 2021 Docket, but in combined form with Items #2021-01 PAGE 25 and #2021-03. Together, they should be docketed with the description broadened as follows: "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 PSRC's VISION 2040 and 2050 (as applicable) and Regional Growth Strategy."

Sincerely,

John Olson
Chair
Black Diamond Planning Commission