



The Villages Master Planned Development Final Environmental Impact Statement

City of Black Diamond, Washington



December 2009



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The Villages Master Planned Development – Final Environmental Impact Statement

Prepared for

City of Black Diamond

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- O Wetlands
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- Q GHG, Air Quality
- R CMART Document

Acronyms and Key Terms

	A		F
ACOE	United States Army Corps of Engineers	Fc	Coniferous Forest
Applicant	BD Villages Partners	FHWA	Federal Highway Administration
	B	Fs	Shrub/Sapling Forest Succession
BDMC	Black Diamond Municipal Code	Fw	Forested Wetland
BDUGAA	Black Diamond Urban Growth Area Agreement		G
BMPs	best management practices	GHG	green house gases
Bus Pk/Light Ind	light industrial	GMA	Growth Management Act
	C	gpd	gallons per day
CAT	Climate Action Team		H
CC	community commercial	HUD	U.S. Department of Housing and Urban Development
CFP	Capital Facilities Plan		I
CO	Carbon monoxide	IDDE	Illicit Discharge Detection and Elimination
CTED	Community, Trade and Economic Development	IND	Industrial
CWA	Clean Water Act	IPCC	United Nations Intergovernmental Panel on Climate Change
	D	IWG	Implementation Working Group
DAHP	Department of Archaeology and Historic Preservation		L
dBA	decibels	LID	low impact development
DNR	Washington State Department of Natural Resources	LOS	Level of service
DO	dissolved oxygen		M
DPS	Distinct Population Segment	MCLs	maximum contaminant levels
du	Dwelling Units	MG	million-gallon
	E	MPD	Master Plan Development
Ecology	Washington State Department of Ecology	MPD	Master Planned Development
EDNA	Environmental Designation for Noise Abatement		N
EIS	Environmental Impact Statement	NAAQS	National Ambient Air Quality Standards
EMT	Emergency Medical Technician	NMFS	National Marine Fisheries Services
EPA	United States Environmental Protection Agency	NOAA	National Oceanic and Atmospheric Administration
ERU	Equivalent Residential Unit	NPDES	National Pollutant Discharge Elimination System
ESA	Endangered Species Act	NRCS	Natural Resources Conservation Service
ESD	Enumclaw School District	NRHP	National Register of Historic Places
ESU	Evolutionarily Significant Unit		

x Acronyms

P

PAA	potential annexation area
Phase II Permit	Washington NPDES Phase II Permit
PHS	Priority Habitats and Species
ppm	part per million
PSCAA	Puget Sound Clean Air Agency
Pw	Open Water

R

R	Residential Areas
R4	single family residential
RCW	Revised Code of Washington

S

SCWSD	Soos Creek Water & Sewer District
SDWA	Safe Drinking Water Act
SEPA	State Environmental Policy Act
sf	square feet
SMA	Shoreline Management Act

T

TDR	Transfer of Development Rights
TWSC	Two-Way Stop Control

U

UGA	Urban Growth Area
USDA	United States Department of Agriculture's
USFWS	United States Fish and Wildlife Service
USGS	United States Geologic Service

V

VMT	vehicle miles traveled
-----	------------------------

W

WAC	Washington Administrative Code
WDFW	Washington State Department of Fish and Wildlife
WHR	Washington Historic Register
WRA	Water Resources Act
WRIA	Water Resource Inventory Area
WSDOT	Washington State Department of Transportation
WSFFA	Washington State Fire Fighters' Association

Z

Zone	Stormwater Management Zone
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Fact Sheet

Project Name: The Villages Master Planned Development

Project Description:

The objective of this Environmental Impact Statement is to identify the impacts of the 1,196 acre Villages Master Planned Development (MPD) in the City of Black Diamond. This EIS will review impacts and mitigation of the proposed project, as well as three alternative development scenarios.

Title

The Villages Master Planned Development EIS

Description of Proposed Action

BD Villages Partners has proposed development of The Villages area of the City of Black Diamond, Washington. The City has received an application from the BD Villages Partners for development of The Villages under the City's Master Planned Development Ordinance.

Alternatives

Four alternatives were analyzed in the EIS:

- 1) Alternative 1 – (No Action) assumes development will occur incrementally over time, and will include 3,150 single-family dwelling units on the Main Property and 225,000 square feet of office and 200,000 square feet of retail on the North Property.
- 2) Alternative 2 – (MPD Proposal) represents the Applicant's proposal under the City's MPD Ordinance. This alternative includes 3600 single-family and 1200 multi-family units, for a total of 4800 dwelling units and 11,940 new residents. The commercial component includes 450,000 square feet of office and 325,000 square feet of retail.

- 3) Alternative 3 – (Mitigated MPD Proposal) would also follow a master planned approach and would be subject to the MPD ordinance requirements. In order to lessen or “mitigate” impacts, Alternative 3 includes a greater amount of land set aside for open space particularly surrounding sensitive areas, provides all school facilities on site, and includes less residential and commercial development. A total of 3600 dwelling units are included (2700 single family and 900 multi family), which would result in 8,955 new residents. The commercial component includes 225,000 square feet of office and 150,000 square feet of retail.
- 4) Alternative 4 – (Fiscally Balanced MPD) has the same land use acreages as Alternative 2, but with a lower number of total residential units (1,075 units) and resulting population (2,674), as well as 450,000 square feet of office and 325,000 square feet of retail. This reflects the provision in the City’s MPD Ordinance that MPD proposals have a positive fiscal impact on the City at each stage of development.

Location

The project site generally consists of two subareas. The first subarea is known as the “Main Property” (approximately 1,114 acres) and is located in the southwest part of the city south of Auburn-Black Diamond Road and west of SR 169. The second subarea is the “North Property” (approximately 82 acres), located west of SR 169 approximately 2 miles to the north of the Main Property. The North Property is south of and adjacent to the “North Triangle,” which is part of the proposed Lawson Hills MPD development, as proposed by BD Lawson Partners.

Proponent/Applicant

BD Villages Partners
10220 NE Points Drive
Suite 120
Kirkland, WA 98033

Proposed Date for Implementation

The Applicant intends to begin construction in 2010, with buildout by 2025.

Lead Agency

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24301 Roberts Drive
Black Diamond, WA 98010

Responsible Official

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Community Development Department, SEPA Official
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Permits and Approvals

Master Planned Development Permit
Development Agreement
Planned Action Ordinance

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Date of Final EIS Issuance

December 11, 2009

EIS Public Meeting

September 29, 2009, 7:00 p.m.

Black Diamond City Council Chambers
25510 Lawson Street
Black Diamond WA 98010

Date Final Action is Planned

First Quarter 2010

Type and Timing of Subsequent Environmental Review

Following MPD approval, the City may adopt a Planned Action Ordinance allowing implementing projects within the MPD to be processed as “planned actions,” pursuant to WAC 197-11-172. Alternatively, the City might raise its SEPA thresholds for categorically exempt actions for the MPD project area.

Location of Draft EIS and Technical Appendices

Black Diamond branch, King County Library System
24707 Roberts Drive
Black Diamond, 98010

Black Diamond Community Development Department
24301 Roberts Drive
Black Diamond, WA 98010

On the City’s website: www.ci.blackdiamond.wa.us

The document is also available for purchase in hard copy (\$40.00) or CD (\$10) formats, at:

Community Development Department
24301 Roberts Drive
Black Diamond, WA 98010

Availability of Final EIS

The FEIS has been distributed to the Department of Ecology, all agencies with jurisdiction, any agency who commented on the Draft EIS, and (though a fee may be charged) to any person requesting a copy. The final EIS or a notice that it is available must also be sent to anyone who had commented or received the Draft EIS [WAC 197-11-460]. Agencies may take action on the proposal seven days after the final EIS has been issued.

An electronic version of the FEIS has been made available on the City of Black Diamond’s website. Hard copies are available for purchase at the City of Black Diamond, at a reproduction cost of \$40.00 per volume. This document will also be available on CD for \$10.00.

Foreword

1 What historic land use actions led up to this proposal?

The City of Black Diamond, including the historic downtown, Morganville and various additional properties, was incorporated in 1959; approximately 230 acres of The Villages site was part of the City at that time. The City completed its first Comprehensive Plan in 1980. That plan proposed future annexation of lands to the northwest, east, and southwest to the City. Subsequent annexations in 1985 and 1994 added lands to the northwest and southwest to the City.

The City of Black Diamond completed its first Growth Management Act (GMA) Comprehensive Plan in 1996. That same year, the City negotiated a “potential annexation area” (PAA) agreement with King County and nearby property owners that was formalized as the Black Diamond Urban Growth Area Agreement (BDUGAA). Following execution of the BDUGAA, the City annexed an area around Lake Sawyer and the West Annexation Area to the City in 1998 and 2005, respectively. The South Annexation Area (in the southeast portion of The Villages site), the East Annexation Area (in the east portion of the Lawson Hills site), and the Lake 12 Annexation Areas are the remaining PAAs. The South and East Annexations are currently filed with the King County Boundary Review Board. The South Annexation will be included as part of The Villages, while the East Annexation is part of Lawson Hills.

In 2005, the City adopted Master Planned Development (MPD) Ordinances (Ordinance No. 05-779 and Ordinance No. 05-796). These Ordinances establish the MPD zoning district, and its standards and MPD permit requirements for parcels/groups of parcels that are greater than 80 acres in size.

In 2009, the City took several actions to update planning and environmental policies and procedures, including the Comprehensive Plan, MPD Ordinance, and the Sensitive Areas Ordinance (SAO), and the Black Diamond Municipal Code.

Regulations guiding development of an MPD are incorporated into the Black Diamond Municipal Code (BDMC) Chapter 18.98. In 2009, the City also adopted MPD Framework Design Standards and Guidelines, which are intended to:

...provide guiding principles for the overall design of MPD applications within the City. These guidelines are to be followed in consideration of an MPD at both the initial and subsequent phases of approval. It is anticipated they will be supplemented by additional guidelines and standards that are developed when more specific plans for phased development are proposed.

Those guidelines may be initially drafted by the MPD developer for consideration by the City prior to eventual adoption as part of a development agreement. As such, these guidelines are not intended to address all potential aspects of future development, but to provide an overall framework upon which additional guidelines may be added to in the future.

The statements contained herein are intended to be standards and guidelines, rather than prescriptive rules, and thereby provide an amount of flexibility. Any decision regarding strict application of any guideline contained herein will be made by the City Council as part of its consideration of granting overall MPD approval.

The Villages MPD is intended to be developed consistent with the MPD Ordinances, Design Guidelines, the Sensitive Areas Ordinance, and other adopted plans and policies.

2 What is the purpose of this EIS?

This Environmental Impact Statement was prepared in accordance to the State Environmental Policy Act (SEPA) and Washington Administrative Code (WAC) 197-11. SEPA requires an EIS be completed when a proposal is likely to result in significant, adverse environmental impacts. The EIS is used to analyze the proposal, reasonable alternatives, and other methods that may be used to reduce or eliminate the adverse environmental impacts associated with the proposal.

3 How were the alternatives established?

Chapter 197-11-440(5) of the WAC requires that an EIS discuss the proposal and reasonable alternatives, including a “No Action” alternative. “Reasonable alternatives” include actions that could feasibly attain or approximate a proposal’s objectives, but at a lower environmental cost or with decreased levels of environmental degradation.

In this EIS there are four alternatives: Alternative 1, No Action; Alternative 2, the MPD Proposal; Alternative 3, Mitigated MPD Proposal; and Alternative 4, Fiscally-Balanced MPD. A greater level of detail is applied to Alternative 2, since it represents an MPD application that was filed with the City in May 2009. The other alternatives provide a range of development scenarios for discussion and comparison purposes, but none of the other action alternatives represent a specific proposal. Alternative 3 was developed to also comply with the MPD Ordinance, but includes more open space, all school facilities on-site, and clustered development, away from sensitive areas. Alternative 4 was developed as a case study to achieve a positive fiscal performance, as required by the City’s MPD Ordinance.

4 How is this EIS written?

This document has been prepared in a “reader-friendly” format which summarizes a great deal of technical analysis that has been completed for the proposal. It is written in question-and-answer format, and intended to be read and understood by anyone, including those without a technical background. For this purpose, much of the technical and scientific data is summarized in the body of the EIS.

5 Where are the technical documents?

The technical reports used to develop the EIS can be found in the Technical Appendices. The Appendices are included on the same CD as the EIS, and attached to the back of this document, if you have the hard copy version.

A comprehensive list of Technical Appendices is included in the Table of Contents, and specific appendix call-outs are also included in side bars (like the one to the right) throughout the document.

EIS Appendices

The technical reports used to develop the summaries in the EIS can be found in the document’s appendices. CDs with the appendices are attached to the back of the hard copy EIS.

6 How does this EIS relate to the Master Planned Development applications?

BD Villages Partners has submitted an MPD application for The Villages area. This application is prepared in accordance with BDMC Chapter 18.98. The City’s Master Planned Development Ordinance is a land use regulation establishing the public review, permit process, and standards applying to proposed Master Planned Developments. The City is currently reviewing the applications, and will hold public hearings to obtain input prior to making any final decisions on the MPDs.

While the purposes and objectives of MPDs in the ordinance speak to preservation of environmentally critical areas, environmental impacts, and appropriate mitigation, the process through which impacts to—and mitigation for those impacts—to the built and natural environment are evaluated in the SEPA process. Therefore, some comments are more appropriately addressed in the MPD process while others—those relating to significant adverse impacts—are more appropriately addressed in this EIS.

7 What are the Benefits and Disadvantages of Deferring Implementation of the MPD?

The advantages of deferring all actions on The Villages MPD include:

- Slower conversion of these undeveloped lands to urban uses; and
- Lesser environmental impacts associated with the proposed urban-type development, including increased traffic, stormwater runoff, light and glare, noise, and demand for public facilities and services. However, some element of these would still occur, except over a longer period of time.

The disadvantages of deferring all actions on The Villages MPD include:

- The opportunity to create a mixed use development with a range of site amenities, including public parks, trails, and an open space system;
- The identification and provision of additional school sites; and
- A coordinated approach to providing infrastructure, including roads, stormwater management, and sewer/water service.

8 How were public comments from the Draft EIS addressed?

The Draft EIS was published September 1, 2009, and the public comment period was open through September 30, 2009. Following the public hearing on September 29, 2009, however, the comment period was extended to October 9, 2009, to allow for additional time to receive written comments.

Comments related to a number of different issues. Some are reviewable within the context of SEPA (such as traffic impacts and water supply, for example). Other issues (such as dislike for the proposal or any new development) are outside the purview of SEPA and should be submitted during the MPD approval process.

A total of 141 letters were received, from individuals, agencies, community organizations, tribes, and the proponent. Within these letters, 455 total comments were identified. The comments, and the corresponding responses, are included in the CMART Project Document, which is attached to this EIS as Appendix R. One CMART document which covers both Lawson Hills and The Villages was prepared, because many comments related to both EIS documents.

What is CMART?

CMART stands for Comment Management and Response Tool. CMART is a database used to organize, manage, and respond to EIS comments. The software allows the City to create PDFs of each comment letter or spoken testimony, and include the response.

Source	Number of Letters	Number of Comments
Individual	93	241
Community Organization	11	34
Agency	9	90
Tribe	2	47
Proponent	26	43
TOTAL:	141	455

The responses to comments are consistent with the means outlined in WAC 197-11-560.