



CITY OF PACIFIC

SEPA NOTICE



DETERMINATION OF NONSIGNIFICANCE FILE/S CPL-21-001/SEP21-002

DESCRIPTION OF PROPOSAL: Proposed revision to the Comprehensive Plan Land Use Map. The proposed changes are summarized below:

Land Use Map Changes

1. Mosby (Tarragon) Request – CPL-21-002 (18.8 acres)

Current Comp. Plan Designation
Open Space

Proposed Comp. Plan Designation
Light Industrial (with MIC Overlay)

Current Zoning
Residential Open Space (RO)

Proposed Zoning
Light Industrial (LI) with MIC Overlay

Location: The properties are located in the NE ¼, of the SE ¼, and the SW ¼ of the SE ¼ of Section 26, Township 21N, Range 04E. (King Co Tax Parcels 362104-9016 and 362104-9077).

A copy of the proposed revision is available upon request or may be viewed on the City's website.

DETERMINATION: Determination of Nonsignificance (DNS)

PROPONENT/S: City of Pacific,
100 3rd Ave. SE
Pacific, Washington 98047

LOCATION OF PROPOSAL: Citywide

LEAD AGENCY: City of Pacific

The responsible official of the City of Pacific hereby makes the following determination based upon impacts identified in the Environmental Checklists and the Staff Evaluation for the Environmental Checklists (Case No. SEP21-002), and Conclusions of Law based upon the City of Pacific Comprehensive Plan and EIS, and other Municipal policies, plans, rules and regulations designated as a basis for the exercise of substantive authority of the Washington State Environmental Policy Act Rules pursuant to RCW 43.21C.060. *The responsible official further determines that additional environmental "phased review" as provided for under WAC 197-11-060 (5) may be done regarding the proposed Comprehensive Plan Land Use changes and related rezone requests and implementation of policies.*

The lead agency for these proposals has determined that it does not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklists and other information on file with the lead agency. *The City reserves the right to review any new information,*

future revisions or alterations to the site or the proposals (WAC 197-11-340) in order to determine the environmental significance or non-significance of the project or proposal at that point of time. Detailed information and copies of the determination are available to the public on request. CONTACT: Jack Dodge, Community Development Manager at (253) 929-1107 [E-mail: jdodge@ci.pacific.wa.us].

COMMENT PERIOD

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for **14 days** from the date of issuance. Comments must be submitted by **5:00 P.M. on June 11, 2021.**

APPEAL PERIOD

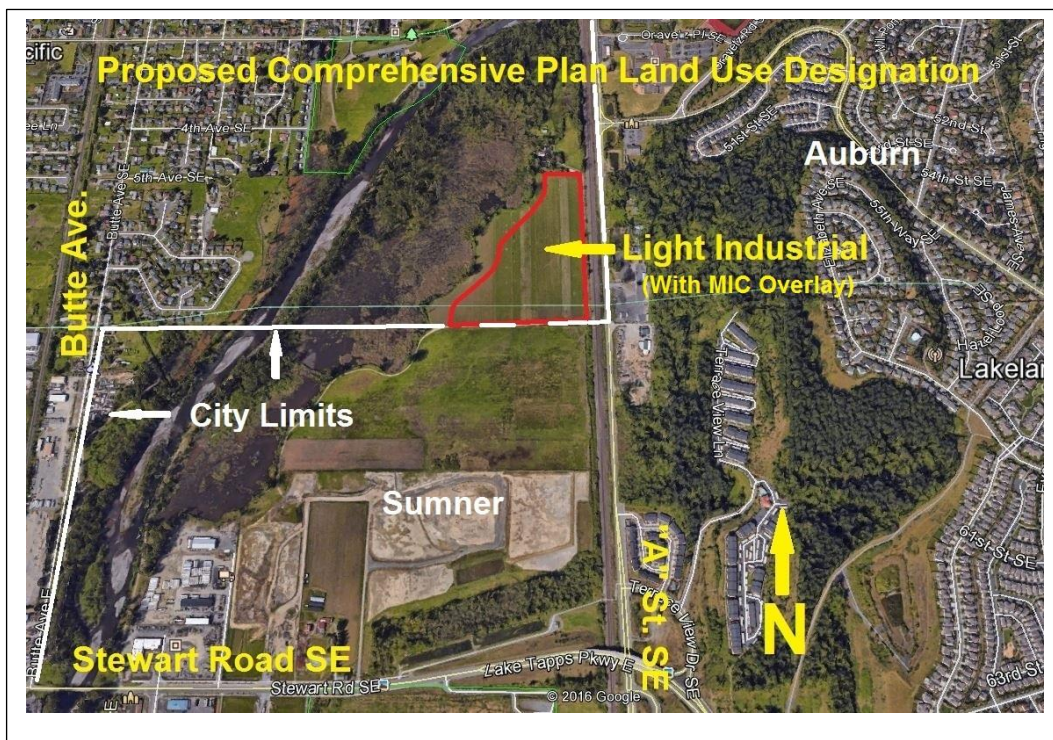
Any person wishing to appeal this determination may file such an appeal within **twenty-one (21)** days of the end of the comment period to the Dept. of Community Development, located at 100 3rd Ave SE. All appeals of the above determination must be filed by **5:00 P.M. July 2, 2021.** Appeals shall be submitted pursuant to Pacific Municipal Code Section 16.16.260. **THERE IS A \$1,000.00 FEE TO APPEAL THIS DETERMINATION.**

RESPONSIBLE OFFICIAL:

Jack Dodge
Community Development Manager
100 3rd Ave. SE
Pacific, Washington 98047
253-929-1107

DATE ISSUED/PUBLISHED IN THE AUBURN REPORTER: MAY 28, 2021

Tarragon (Mosby) Comprehensive Plan Map Change and Rezone Request
CPL-21-001



Tarragon (Mosby) Comprehensive Plan Map Change and Rezone Request
CPL-21-001



RECEIVED
CITY OF PACIFIC
FEB 26 2021
COMMUNITY DEVELOPMENT
PUBLIC WORKS DEPARTMENT

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

A. Background

1. Name of proposed project, if applicable:

SeaPORT Comprehensive Plan Amendment and Rezone

2. Name of applicant:

SeaPort-Land L.L.C.

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

Applicant:

SeaPort-Land L.L.C.

c/o Tarragon L.L.C.

601 Union Street, Suite 3500

Seattle, WA 98101-1370

Phone: (206) 233-9600

Contact:

Dennis Rattie, President

Tarragon L.L.C.

601 Union Street, Suite 3500

Seattle, WA 98101-1370

Phone: (206) 233-9600

4. Date checklist prepared:

February 25, 2021

5. Agency requesting checklist:

City of Pacific

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

The City of Pacific considers applications to amend the City of Pacific Comprehensive Plan on an annual basis. Individual site-specific requests for changes to the Comprehensive Plan map and zoning changes are incorporated into the comprehensive plan update. The Comprehensive Plan Amendment and Rezone are a nonproject SEPA action that will undergo public review in 2021. Action on the amendments is anticipated by December 2021.

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

Upon approval of the requested designation changes by City Council, a development application will be submitted for City review. The future development application will include a development-related SEPA Checklist and environmental review process.

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

Site specific environmental information will be provided with a future development proposal. It is anticipated that a Critical Area Study, Geotechnical Study and Traffic Study will be required at that time.

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

There are no other known pending applications or government approvals.

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

The proposed amendments would require approval by the Pacific City Council. Utility extensions from the City of Sumner will require an Interlocal Agreement.

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

The proposal is for a comprehensive plan map amendment and site-specific rezone request. The request is for the property to be rezoned from Residential Open Space (RO) to Light Industrial (LI) with a concurrent Comprehensive Plan Amendment to change the site land use designation from Open Space to Light Industrial. If approved, this amendment would allow for the site to be developed for light industrial type uses such as offices, government facilities, contractor yards, health services, industrial services, motor vehicle sales/ rental/ repair and services, storage, warehousing, wholesale trade etc.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

King County Tax Parcels 362104-9077 and 362104-9016

Address: 5635 and 5621 A ST SE

Legal description: POR OF SE 1/4 OF SE 1/4 OF STR 36-21-04 LY WLY OF BN RR R/W LESS E 16.5 FT & LESS N 130 FT & E 130 FT THOF & LESS POR LY WLY OF LN DAF-BAAP ON S LN OF SD SE 1/4 OF SD SEC LY 1226.67 FT WLY OF SE COR OF SD SUBD TH N 12-13-01 E 182.67 FT TH N 50-30-44 E 309.02 FT TH N 12-30 E 245.98 FT TH N 35-53-04 E 139.40 FT TH N 45-22-30 E 274.60 FT TH N 53-25-09 E 212.19 FT TH N 00-47-56 W 255 FT M/L TO N LN OF S 1/2 OF SE 1/4 OF SD SEC & TERMINUS OF SD DESC LN - PER SCC 14-2-23003-6KNT (REC# 20150416000492)



Figure 1 - Vicinity Map

B. Environmental Elements

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

“If an environmental checklist is used and a DNS issued, only Parts A (which serves as a fact sheet), C (responsible official's signature), and D (nonproject checklist) need be prepared, plus an environmental summary as specified in WAC 197-11-235(5). Part D and the summary may be combined.”

C. Signature

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

Signature: _____

DocuSigned by:
Dennis L. Rattie
8502765045594C

Name of signee: Dennis L. Rattie

Position and Agency/Organization: President, Tarragon L.L.C., Authorized Representative for SeaPort-Land L.L.C.

Date Submitted: February 26, 2021

D. Supplemental sheet for nonproject actions

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

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

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

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

The comprehensive plan map amendment and rezone proposal are nonproject actions and would not have any impact on air emissions or the production, storage, or release of toxic or hazardous substances or noise.

The map amendment and rezone proposal will allow for different use types than under the existing designation and zoning. The light industrial zoning allowed use types will likely increase the volume of water discharged from the site as the allowed coverage maximum for the proposed Light Industrial (LI) zone is higher than the current Residential Open Space (RO) zoning. The current RO zone has a maximum lot coverage of 35 to 40 percent depending on the lot location, while the LI zone does not have a maximum lot coverage.

It is likely that noise with the ultimate site development as is typical of light industrial uses allowed in the LI zone. These noises would largely be related to vehicle and truck traffic. The development of the site will increase traffic; however, it is anticipated that access will be extended internally from the site to the south and that a new driveway to East Valley Hwy is not anticipated.

Proposed measures to avoid or reduce such increases are:

Any future development will be subject to the City of Pacific requirements for drainage; air emissions; production, storage, or release of toxic or hazardous substances; and noise. Depending on applications for future uses within the amendment areas, the City may require the applicant to evaluate project emissions to air, production, storage, or

release of toxic or hazardous substances; and noise impacts if the proposals are inconsistent with the likely impacts associated from development analyzed within the amendment areas.

Stormwater-related impacts will be mitigated through adherence with the City's adopted stormwater design manual the King County Surface Water Design Manual; and the Department of Ecology Western Washington Phase II Municipal Stormwater Permit.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The site is currently undeveloped agricultural land that is used as a farm and the proposed map amendment, a nonproject action, would not affect plants, animals, fish, or marine life. The reclassification of the property would result in it being allowed to be developed, which would likely remove vegetation within the proposed development area.

The City of Pacific Municipal Code Title 23 governs the protection and uses allowed within critical areas and their buffers. These standards include management practices deemed by the Washington State Department of Ecology and the Washington State Department of Commerce to incorporate best available science. The City's Critical Areas Code (Title 24) requires applicants proposing to develop sites containing or adjacent to critical areas have a qualified professional submit a critical areas special study for City review and approval. The protection of critical areas will not diminish or change if the property is rezoned. The same regulations affecting the protection of plants, animals, fish, and marine life apply whether the site is classified as RO or LI.

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

The future development proposals will be required to comply with the standards found in Title 24 – Critical Areas, Title 21 – Shoreline Management, and Title 20.70 – Landscaping, in order to protect or conserve plants, animals, and fish. The City will require landscape plans (including significant tree protection) and critical areas reports for project-level SEPA environmental review proposals.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal is to reclassify the land use designation and zoning of the site from Open Space and Residential/Open Space, respectively, to Light Industrial, which is a nonproject action and which would not deplete energy or natural resources. The change in the land use and zoning designation would allow for future development applications for light industrial and/or commercial uses. The same suite of building and energy codes that would apply to development proposals in the RO zone would also apply to the property if the map and zoning amendment was approved. Proposed future site development may include uses that require associated mechanical systems, lighting, plumbing fixtures and/or other systems, thereby resulting in greater consumption of energy than if the site were developed with allowed uses under the current designation.

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

The City of Pacific has also adopted a suite of building codes by the Washington State Building Code Council in Title 17 to aid in the conservation of energy and resources. These include:

1. The International Building Code (2015 or 2018 Edition), as published by the International Code Council, and amended by the Washington State Building Code Council in Chapter 51-50 WAC, to be known hereafter as the "International Building Code" or the "IBC, together with:
 - a. Appendix E: Supplemental Accessibility Requirements;
 - b. Appendix J: Grading.
 2. "International Residential Code" or the "IRC," together with
 - a. Appendix F: Passive Radon Gas Control Methods;
 - b. Appendix G: Flood-Resistant Construction;
 - c. Appendix Q: Dwelling Unit Fire Sprinkler Systems.
 3. "International Mechanical Code" or the "IMC."
 4. "International Fuel Gas Code" or the "IFGC."
 5. "International Fire Code" or the "IFC," together with:
 - a. Appendix B: Fire-Flow Requirements for Buildings;
 - b. Appendix C: Fire-Hydrant Locations and Distribution;
 - c. Appendix D: Fire Apparatus Access Roads.
 6. "Uniform Plumbing Code" or the "UPC," excluding Chapters 12 and 14 and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5, and those portions of the code addressing building sewers, but including:
 - a. Appendix A: Recommended Rules for Sizing the Water Supply System;
 - b. Appendix B: Explanatory Notes on Combination Waste and Vent Systems; and
 - c. Appendix I: Installation Standards.
 7. International Energy Conservation Code (2015 Edition)/Washington State Energy Code* as set forth in Chapter 51-11C WAC (Commercial); Chapter 51-11R WAC (Residential), together with Appendices A, B, C and D.
 8. "International Existing Building Code" or the "IEBC."
 9. "International Swimming Pool and Spa Code" or the "ISPSC."
 10. "International Property Maintenance Code" or the "IPMC."
 11. The Washington State Manufactured Homes Installation Requirements, or Mobile Homes Installation Requirements. Pursuant to RCW 43.22.440, the installation standards of Chapter 296-150M WAC are adopted as amended by the state of Washington.
 12. The Washington State Factory Built Housing and Commercial Structures Installation Requirements, or Modular Installation Requirements. Pursuant to RCW 43.22.455, the installation standards of Chapter 296-150F WAC are adopted as amended by the state of Washington.
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed map and zoning amendment is a nonproject action that would not affect sensitive resources designated (or eligible or under study) for government protection. The presence of critical areas located on or in the vicinity of the project will be fully evaluated and, if found, documented as part of a future development application. The City's Critical Areas Code (Title 23) has the purpose of limiting development and alteration of critical areas and requires applicants proposed to develop sites containing or adjacent to critical areas have a

qualified professional submit a critical areas special study for City review and approval. The application of the City's critical areas regulations is applied equally to properties in all zones.

While the property has been farmed historically, the property is located in an urban area and is not designated as "prime farmland".

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

Impacts to critical areas will not increase as a result of the proposed amendment to the City's Comprehensive Plan and concomitant zoning amendment, which are nonproject actions. The proposed amendment to the City's Comprehensive Plan and concomitant zoning amendment will not alter how Title 23 – Critical Areas, Title 21 – Shoreline Management, and Title 20.70 – Landscaping (including significant tree protection), are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The site-specific map amendment and rezone request would alter the type of land uses that are currently allowed onsite with review and approval criteria contained within the PMC. Upon approval it will alter the types of uses that can develop on the site. The site-specific request would alter planned land uses from Residential Open Space (allowing essential public buildings, single family residential, adult family homes, and family daycare) to Light Industrial (allowing uses such as offices, government facilities, contractor yards, health services, industrial services, motor vehicle sales/ rental/ repair and services, storage, warehousing, wholesale trade etc.).

The reclassification would be consistent with the neighboring light industrial uses located to the south and the light industrial and commercial uses located to the east. As the site is currently undeveloped no use on site would become non-conforming under the amended classification. Future development proposal for the property would include a shoreline permit application (if required), to address any potential impacts to the shoreline and use of the shoreline as required by the City's Shoreline Master Program.

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

Impacts to adjacent land uses will be mitigated by the City's development standards (Title 20 PMC), Critical Areas Regulations (PMC Title 23), Shoreline Master Program (PMC Title 21) and SEPA Environmental Review (PMC 16.16). This includes bulk regulations (setbacks, height, lot coverage, and density), as well as landscaping and parking lot screening to aid in diminishing impacts on adjacent properties.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed map amendment and rezone are nonproject actions and will not increase demands on the transportation system or public utilities. The future development of the property to a light industrial use will likely increase traffic, which will be fully studied and evaluated concurrent with a development application.

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. The city of Sumner has indicated an interest in extending water and sewer service to the property from the adjacent SeaPORT property. It is understood that an interlocal agreement will need to be executed between the cities of Sumner and Pacific for the utility extension.

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

Future site-specific development applications will be subject to SEPA environmental review, the process for which will include the completion of a Traffic Impact Analysis and mitigation of any impacts to offsite roadways.

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

The Comprehensive Plan Amendment and Rezone proposal does not conflict with any local, state, or federal laws or requirements for the protection of the environment. Future project specific development applications will be subject to SEPA environmental review and code requirements in place at the time of application.