



PLANNING DEPARTMENT
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NOTICE OF DETERMINATION OF NONSIGNIFICANCE (DNS)

Actions: Snoqualmie Mill Planning Area Pre-Annexation Zoning and Preannexation Agreement

Issuance Date: July 27, 2011

Publication Date: August 3, 2011 (corrected)

Proponent: City of Snoqualmie

Location:

The annexation area that would be subject to the proposed actions includes approximately 600 acres generally located directly east of the current City of Snoqualmie corporate limits, between the Snoqualmie River and along 396th Avenue SE within Sections 29, 30 and 32 of Township 24, Range 8 East, W.M. within the City's Urban Growth Area (UGA). The proposed annexation area includes all or portions of the following King County tax parcels:

292408-9002	292408-9003	292408-9006	292408-9009	292408-9011	322408-HYDR
292408-9013	292408-9015	292408-9017	292408-9018	292408-9022	785020-HYDR
292408-9023	292408-9028	302408-9001	302408-9004	302408-9015	
302408-9069	302408-9070	322408-9002	322408-9006	322408-9008	

The annexation area does not include that portion of tax parcel 2924089009 within the City's UGA lying north of the north line of section 292408 or the portion of tax parcels 2924089017 and 2924089018 lying east of and outside of the City's UGA boundary. These areas will remain in King County.

Description of Proposal:

The proposed non-project actions are:

1. Adoption of an Ordinance Establishing Zoning to Become Effective upon Annexation, changing the zoning from existing King County zoning to City of Snoqualmie zoning designations consistent with the City of Snoqualmie 2009 Comprehensive Plan land use designations as follows:
 - A. In the area with King County Industrial (I) zoning - to Planned Commercial / Industrial in large area west of former railroad right of way, and to Planned Residential in the small area east of former railroad right of way
 - B. In the area with King County Urban Reserve (UR) zoning - to Open Space 1 in the area west and south of Mill Pond Road and to Open Space 2 in the area east and south of Mill Pond Road.
2. Approval of a Preannexation Agreement among the City of Snoqualmie; Snoqualmie Mill Ventures LLC and Weyerhaeuser Real Estate Company, property owners; and Ultimate Rally Experience LLC, operator of the existing Dirtfish rally car instructional driving school.

The Pre-Annexation Zoning Ordinance implements the land use designations in the 2009 Snoqualmie Vicinity Comprehensive Plan Land Use Map, and applies zoning to different portions of the Annexation Area to become effective upon annexation consistent with those land use designations, in the event the property is annexed. The zoning districts include Planned Commercial/ Industrial, Planned Residential, and Open Space (OS1 and OS2).

The Preannexation Agreement addresses the use of property until such time as development or redevelopment is proposed, and sets forth additional limitations and mitigations on the existing Dirtfish rally car instructional school and use of the. It defines the use limitations, performance standards, pre-development planning requirements,

and mitigations to be required, as defined in RCW 36.70B.170(3). The use provisions relate to the status and operation of the existing Dirtfish Rally Car Instructional Driving School and Northfork Enterprises businesses on the Snoqualmie Mill Ventures property, and to special events that may be allowed within the annexation area. The Preannexation Agreement contains planning requirements that must be met prior to approval of uses other than the existing uses and/or any future development or redevelopment within the annexation area, which will be subject to separate future public process and environmental review.

The Preannexation Agreement identifies proposed shoreline environment designations to be applied within the annexation area, subject to a separate process for update and amendment of the city's Shoreline Master Program, and also provides that the City will consider property owner requests for zoning code amendments to clarify allowable recreation uses. Both of these will be subject to separate future public process and environmental review.

Responsible Official: Nancy Tucker, Planning Director

Threshold Determination: After review of the environmental checklist, the City of Snoqualmie (lead agency for these proposals) has determined pursuant to RCW 43.21C.240 that the proposed actions, with the conditions set forth herein and in the Pre-Annexation Agreement and Ordinance Establishing Zoning to Become Effective Upon Annexation, will not have any probable significant adverse impacts on the environment. An environmental impact statement is therefore not required under RCW 42.21.030(2)(c).

This decision was made after review of a completed environmental checklist and other information on file with the City, as set forth in Attachment A hereto. This information is available to the public on request. This DNS is issued under WAC 197-11-340(2); the lead agency will not act on these proposals for 14 days from the date of publication, allowing time for public comment.

Comments on the Threshold Determination: If you would like to comment on this Threshold Determination, written comments should be sent to PO Box 987, Snoqualmie WA, 98065, Attn: Nancy Tucker, Planning Director, by August 17, 2011, at 5:00PM. The City will not take final action on this proposal until after the end of the comment period.

The issuance of this DNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Snoqualmie reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interest of the City and/or necessary for the general health, safety, and welfare of the public. This DNS may be appealed, pursuant to WAC 197-11-680. The City of Snoqualmie has not established any procedures for legislative or administrative appeal.

Background and Analysis

1. On January 26, 2011, John Starbard, Director of King County Department of Development and Environmental Services, invited Snoqualmie Mayor Larson, City Administrator Larson and City Attorney to a meeting set on February 1, 2011, to discuss the Mill Planning Area in the City's Urban Growth Area. At that meeting King County officials proposed that the City annex the property using the annexation by interlocal agreement process pursuant to RCW 35A.14.460.
2. On March 28, 2011, the Snoqualmie City Council passed Resolution 992, authorizing the Mayor to begin negotiating an interlocal agreement with King County. Annexation and the interlocal agreement to implement the annexation are exempt from SEPA under RCW 43.21C.444. The actions associated with the annexation that are subject to SEPA are the adoption of a zoning ordinance to become effective upon annexation, and the execution of a preannexation agreement with the property owners and the operator of the principal business located in the annexation area.
3. The properties to be included within the proposed annexation area include properties owned by Snoqualmie Mill Ventures, LLC, and Weyerhaeuser Real Estate Development Company. The Snoqualmie Mill Ventures property contains the former Weyerhaeuser Mill office, a number of large wooden buildings formerly used for various lumber mill purposes, and a large undeveloped area formerly used for sorting and storage of logs or other lumber mill activities. The WREDCO properties are undeveloped and include Borst Lake, the former mill pond. The area of the former lumber mill operation contains previously cleared

and disturbed areas of bare ground or sparse vegetation, an existing network of connected paved, dirt, and gravel roads, surface drainage ditches, and a number of remnant mill operation buildings.

4. The current principal use of the Snoqualmie Mill Ventures property is the Dirtfish rally car driving school, a specialized driving instruction school using street legal automobiles. North Fork Enterprises uses less than one quarter-acre portion of the former log sorting and storage area for a wood recycling and topsoil production business.
5. As authorized by RCW 35A.14.330 and .340, the City prepared an Ordinance Establishing Zoning to Become Effective Upon Annexation. The proposed ordinance would establish zoning classifications consistent with the current Snoqualmie Vicinity Comprehensive Plan land use designations.
6. The majority of the proposed annexation area is located within the 100 year floodplain of the Snoqualmie River as depicted on the current FEMA Flood Insurance Rate Maps, and includes properties located within the designated Floodway portion of the 100-year Floodplain. The majority of the Snoqualmie Mill Ventures (SMV) properties are located within the Floodplain. All of the WREDCO properties are located within the Floodway.
7. The existing businesses are located within the area to be zoned Planned Commercial/Industrial, within the 100-year floodplain, but outside of the FEMA floodway. A small portion of the principal business is located within the westernmost portion of the area to be zoned Planned Residential, within the upland, non-floodplain portion of the SMV property. The existing uses within the annexation area occupy existing buildings and make use of existing site improvements constructed for the former forest products manufacturing use conducted within the annexation area from 1917 to 2006.
8. The Planning Department would characterize DirtFish rally car driving school as a retail service, commercial service, and/or an unenclosed recreation entertainment use, as defined in section 17.55.020 SMC and/or as listed in section 17.55.020 SMC - Table 1. Table of Uses, all of which are permitted uses in the Planned Commercial/Industrial zoning district. The Preannexation Agreement would establish the DirtFish business as an existing legal use upon annexation.
9. The Northfork Enterprises business involves wood recycling and topsoil production on a portion of the Snoqualmie Mill Ventures property not occupied by DirtFish. Pursuant to SMC 17.55.020(25) the business would be considered a heavy industrial uses. Heavy industrial uses are identified as prohibited uses in the Planned Commercial Industrial zoning district. The Preannexation Agreement would establish the Northfork business as an existing legal non-conforming use upon annexation.
10. The environmental impacts of the existing uses would be the same under either baseline King County zoning or proposed City of Snoqualmie zoning.
11. Allowable uses in the I and UR districts in the King County zoning code are set forth at KCC 21A.08.050, .060, .070, .080, .090 and .100. Allowable uses in the City of Snoqualmie PC/I, PR, OS1 and OS2 districts in the Snoqualmie zoning code are set forth at SMC 17.55.020. The requirements for the City of Snoqualmie Planned Commercial / Industrial plan are set forth at SMC 17.20.050. The requirements for the City of Snoqualmie Planned Residential Plan are set forth at SMC 17.15.050. The allowable uses under County and City zoning were assessed to evaluate the impact of changing the zoning from the County I (Industrial) district to the City Planned Commercial / Industrial district.
12. Changing the zoning designation of the property zoned I in King County to Planned Commercial / Industrial and Planned Residential would not have any probable significant adverse environmental impacts, as a review of the baseline County zoning discloses that it permits many more intense and potentially impactful uses than the proposed PC-I and PR zoning. Many of the allowable uses are permitted outright, without any mitigation, while only a relative few (helistop, textile mill, chemical products, petroleum refining, etc.) potentially very impactful uses are allowed as conditional or special uses. The P-suffix conditions require additional process but do not change the allowable uses under the County zoning. By comparison, the

proposed City zoning is more restrictive and requires the preparation and approval of a Planned Commercial / Industrial Plan (Planned Commercial / Industrial District) or a Planned Residential Plan (Planned Residential Plan), which both require a master use and development plan incorporating mitigations identified in the plan review process and project level environmental review pursuant to SEPA.

13. Changing the zoning designation of the property zoned UR in King County to Open Space 1 and Open Space 2 would not have any probable significant adverse environmental impacts, as the baseline County zoning permits more intense and potentially impactful uses than the City Open Space districts.
14. The less restrictive baseline King County Industrial zoning creates the potential for uses with greater impacts on all elements of the environment than the proposed zoning would. The uses allowed under county I zoning include heavy industrial and other uses including activities carried on outdoors that could be construed as a public nuisance. The P-suffix zoning condition attached to the King County I zoning would allow reestablishment of forest products manufacturing uses on the property without the additional planning and other requirements that redevelopment for other uses would require. The P-suffix condition states that use of the property for other industrial uses should not be construed as a public nuisance per se where carried on in a reasonable manner and in compliance with applicable regulations even though it may have impacts on nearby rural properties. The proposed City zoning would not allow forest products manufacturing or other heavy industrial uses on the property.
15. Subject to compliance with the City's critical area, shoreline, flood hazard, clearing and grading, surface and storm water drainage and other development regulations, as well as future project-specific master planning, including consideration of the applicable comprehensive plan sub-area policies, and SEPA mitigation, the permitted and conditional uses allowed under the City's proposed PC-I, PR and Open Space zoning would not result in impacts greater than the permitted, conditional and special uses allowed under King County I and UR zoning with the property-specific P-suffix conditions.
16. Executing the Preannexation Agreement would not have any probable significant adverse environmental impacts because the effect of the Preannexation Agreement is to maintain the status quo as to the baseline existing uses, require full environmental review at such time as there is a development proposal that can be meaningfully evaluated, and place voluntarily agreed-upon restrictions on the operations of the existing uses that do not exist under the existing baseline conditions.
17. No development or redevelopment is currently proposed for any portion of the annexation area that could be meaningfully analyzed for potential adverse impacts prior to annexation, and such analysis at this time would be speculative at best. Environmental review of impacts of any proposed development or redevelopment would be more appropriate in the future when a development or redevelopment proposal is made, and will be undertaken as provided in the Preannexation Agreement.
18. As described above, the SEPA Responsible Official has determined that, subject to compliance with all City codes and regulations, and the conditions of the Preannexation Agreement, there no probable significant adverse environmental impacts of the proposed actions.



Nancy Tucker, Planning Director
SEPA Responsible Official

7-27-2011

Date