



Chapter Eleven

SENSITIVE AREAS

The Villages
Master Planned Development

SENSITIVE AREAS

COMPLIANCE WITH SENSITIVE AREAS ORDINANCE

The project as submitted and future actions and proposals within the project will be designed in general conformance with the adopted City of Black Diamond Sensitive Areas Ordinance. Future implementing proposals may require deviations from the adopted Sensitive Areas Ordinance which will be evaluated at the time of application. Functionally equivalent standards are requested in this section in the area of building setbacks, alteration of geologically hazardous areas, and alteration of wetlands and streams. The critical area delineations contained within this application are complete and final.

WETLANDS

There are a variety of wetlands on the project site. The presence and rating of wetlands on the project site is complete and contained in the Natural Environment section of The Villages EIS. Wetlands and buffers corresponding to this report are shown on the constraint maps found in the Existing Conditions Chapter.

FISH AND WILDLIFE CONSERVATION AREAS

The presence and typing of Fish and Wildlife Conservation Areas is complete and contained within the Natural Environment section of The Villages EIS.

FISHERIES

There are six streams and one lake identified on the project site. Four streams, S4, S5, and S7 and Rock Creek are presumed or known to be fish bearing. Black Diamond Lake is also fish bearing. The only federally listed fish species known to occur within the project site is a winter run of steelhead salmon (WDFW 2008) in Rock Creek.

PLANTS AND ANIMALS

There are no Federal or State listed endangered, threatened, or sensitive plant species known to exist on the Villages project site according to the Washington Department of Natural Resources' Natural Heritage Program Database, 2007. Wetland Resources conducted field surveys in 2007. No Federal or State listed endangered, threatened, or sensitive plants species were found during field surveys. Development of the site is also not expected to impact any endangered, threatened, or sensitive animal species. None of these species have been documented on the site and the site lacks potential habitat for those species.

GEOLOGICALLY HAZARDOUS AREAS

The project site has been evaluated for the absence or presence of geologically hazardous areas and is contained in the Natural Environment section of The Villages EIS. The following is a summary of the findings from the Natural Environment section of The Villages EIS:

Landslide Hazard

The majority of the site is free of landslide hazard areas. The only landslide hazard areas identified on the site are some of the steep slopes surrounding Black Diamond Lake. No development is proposed within the identified landslide hazard areas.

Erosion Hazard

The vast majority of the Main and North Properties does not fall under the BMC definition of an erosion hazard area having slopes which are less than 15 percent. Moderate to severe erosion risk areas are found on slopes of 15% or greater with moderately erodible soils. Very severe erosion hazard risk areas is primarily limited to slopes greater than 40% which are found generally surrounding Black Diamond Lake. The Slope Analysis contained in the Existing Conditions Chapter highlights slopes greater than 15% and those greater than 40%. No development is proposed within Severe erosion hazard areas.

Mine Hazard

There is only one area considered a mine hazard on the project site and no signs of subsidence or sink holes. Parcel B contains a moderate mine hazard area beginning near the southeast property corner and extending approximately 300 feet onto the site from the southeast corner of the site. Potential mine hazards identified on or near Parcels E and F are of such depth that they warrant declassification.

Seismic Hazard Areas

The only seismic hazard areas identified on the site are the Landslide Hazard Areas on the slopes surrounding Black Diamond Lake which may be vulnerable to seismically induced landslides.

FUNCTIONALLY EQUIVALENT STANDARDS

Building Setbacks

The following additional facilities, activities and uses are allowed within sensitive area building Setbacks required pursuant to BDMC 19.10.160:

Balconies above the first floor.

Clearing and grading consisting of more than 42 inches of cut or fill for construction of utilities, roads and other public infrastructure necessary to serve the site.

Alteration of Geologically Hazardous Areas

Allow alteration of isolated geologically hazardous areas located outside of other sensitive areas to remove the hazard. Isolated mounds or small slope areas exist on the MPD site (and throughout Western Washington). The code imposes a blanket restriction on grading of such areas. Where a geologically hazardous area is co-existing with a stream channel buffer, the code restriction serves to protect the environment, but where the geologically hazardous area is an isolated mound, or manmade due to, for example, past excavation at a borrow pit, the code restriction limits design flexibility for no environmental benefit. A site-specific geotechnical analysis will still be conducted with the associated construction permits.

This provision does not apply to alteration of geologically hazardous areas within wetlands or fish and wildlife conservation areas or their associated buffers.

Alteration of Wetland, Streams and Buffers

Allow alterations of wetlands/streams/buffers shown on Figure 10-1 from Chapter 10 of the MPD necessary to accommodate the proposed MPD circulation, land use and utility plans. These alterations are to be allowed based on the determination made with MPD approval that any alterations of wetlands/streams/buffers that are necessary to accommodate the approved MPD circulation, land use, and utility plans do meet the mitigation sequencing requirements of BDMC 19.10.050 and will be authorized through the City permitting process, subject to mitigation. Therefore, upon MPD approval, the avoidance criteria for these limited and necessary impacts will be deemed met.