



STAFF RECOMMENDATION - Gamlam Subdivision

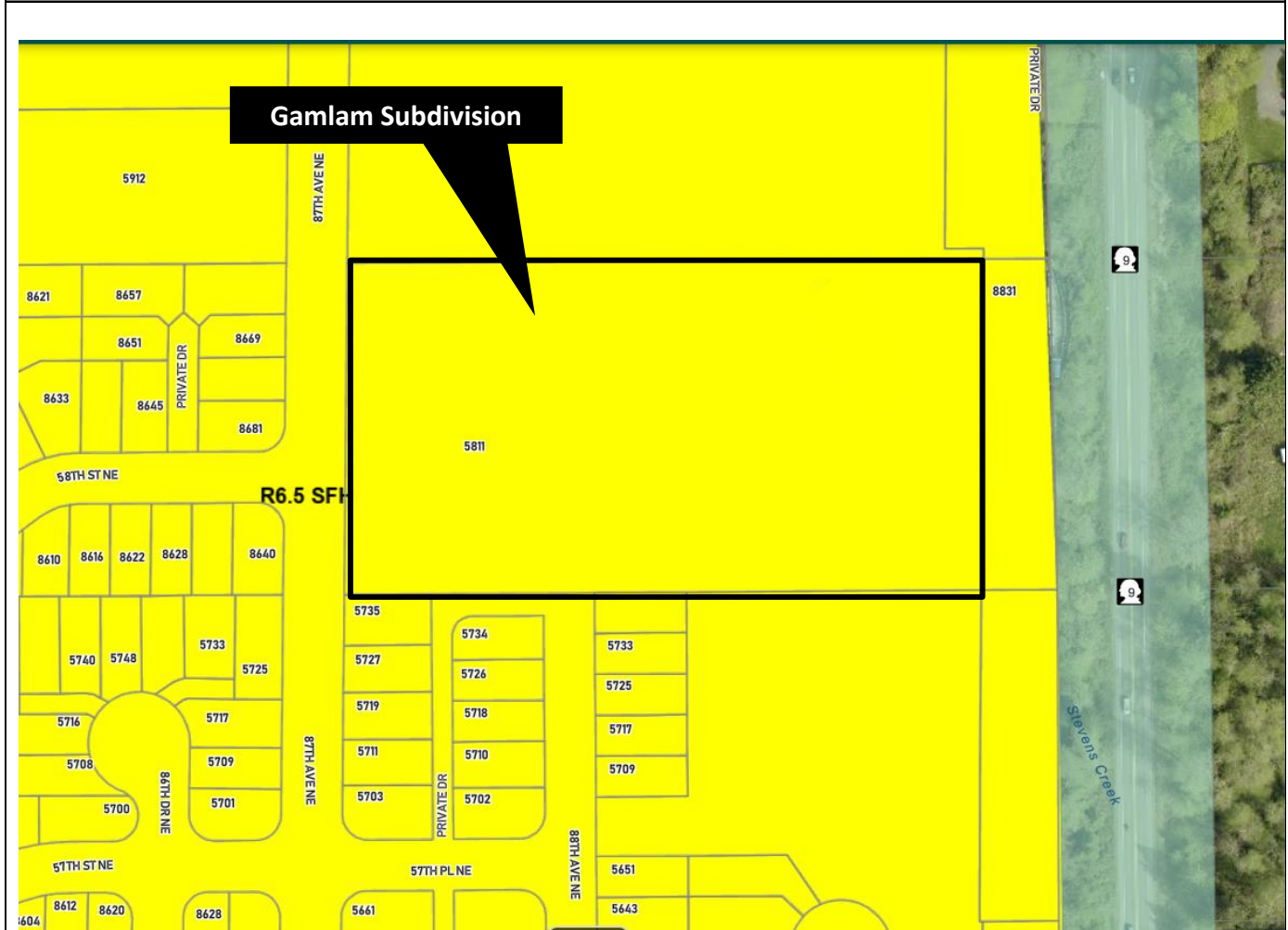
Community Development Department ♦ 501 Delta Avenue ♦ Marysville, WA 98270
 (360) 363-81000 ♦ Office Hours: Mon - Fri 8:00 AM - 4:30 PM

PROJECT INFORMATION										
Project Title	Gamlam Subdivision			Date of Report	9/14/2023					
File Number	PA23004			Attachments	Hearing exhibits 1-30					
Administrative Recommendation	Approve the request to subdivide a 4.65-acre property into twelve (12) single-family lots and construct associated site improvements as conditioned in Section 2.0 below.									
BACKGROUND SUMMARY										
Applicant	John Gamlam									
Request	The applicant is requesting preliminary subdivision approval in order to subdivide a 4.65-acre parcel into twelve (12) single-family lots.									
SEPA Status	Pursuant to MMC 22E.030.090(1)(a), this proposal is categorically exempt from SEPA review.									
Location	5811 87 th Avenue NE			APN(s)	00590700001900					
Acreage (SF)	4.65 acres (202,032 SF)			Section	36	Township	30	Range	05	
Comprehensive Plan	SFH	Zoning	R-6.5	Shoreline Environment			N/A			
Water Supply	Current		Proposed		Sewer Supply	Current		Proposed		
	Private (well)		Marysville			Private (septic)		Marysville		
Present Use of Property	Single family residence and associated outbuildings									
REVIEWING AGENCIES										
Marysville	Local Agencies & Districts		State & Federal		County		Other			
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Engineering Services <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input type="checkbox"/>	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input checked="" type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Comcast <input checked="" type="checkbox"/> Ziplly		<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/>		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
ACTION										
<input type="checkbox"/> Administrative		<input type="checkbox"/> City Council		<input checked="" type="checkbox"/> Quasi-Judicial		<input type="checkbox"/> Planning Commission				
Date of Action	September 28, 2023			<input type="checkbox"/> Approved		<input type="checkbox"/> Denied		<input type="checkbox"/> Continued		
STAFF CONTACT										
Name	Amy Hess		Title	Senior Planner		Phone	360.363.8215		E-mail	ahess@marysvillewa.gov

SURROUNDING USES

	Comprehensive Plan	Zoning	Land Use
Site	Single Family High Density	R-6.5	Single Family Residence
North	Single Family High Density	R-6.5	Single Family Residence
East	Single Family High Density	R-6.5	Single Family Residence and Highway 9
South	Single Family High Density	R-6.5	Single Family Residences
West	Single Family High Density	R-6.5	87 th Ave/Single Family Residences

Vicinity Map



- | | | | |
|-----------------------|-------------------------|---------------------------------|---------------------------|
| General Commercial | 88 - Mixed Use | R12 Multi-Family Low | R4.5 Single Family Medium |
| Downtown Commercial | General Industrial | R6-18 Multi-Family Low | Public-Institutional |
| Community Business | Light Industrial | R8 Single Family High Small Lot | Recreation |
| Neighborhood Business | R28 Multi-Family High | R6.5 Single Family High | Open |
| Mixed Use | R18 Multi-Family Medium | R4-8 Single Family High | |

1.0 EVALUATION

1. Description of Proposal

John Gamlam, applicant and owner, has requested preliminary subdivision approval in order to subdivide a 4.65 acre property into twelve single family lots and construct associated improvements. The existing single family residence and associated outbuildings will be demolished.

2. Project History

An application was filed on March 1, 2023 and was deemed complete on March 30, 2023. Public notice was provided in accordance with MMC 22G.010.090, *Notice of development application*. As of the date of this recommendation, no written or verbal comments have been received.

3. Project Location

The proposed project is located on the east side of 87th Avenue NE, address 5811 87th Avenue NE, and is identified by Assessor’s Parcel Number (APN) 00590700001900.

4. Site Description

The subject property is approximately 4.65 acres and is rectangular in shape and developed with a single family residence and associated outbuildings. The sites topography consists of a gentle slope in the vicinity of the existing structure which steepens to the north and east of the developed area. The slope descends from the southwest to the northeast with an overall vertical relief of approximately 43 feet. According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NCRS), on-site soils primarily consist of Tokul gravelly medial loam.

5. Critical Areas

The applicant submitted a critical areas report prepared by Wetlands and Wildlife Environmental Consulting (WVEC) dated February 15, 2023 (Exhibit 006). WVEC investigated the subject property in August of 2021 and February of 2022 to determine the presence or absence of critical areas on site. WVEC identified one wetland on the subject property, Wetland A. Wetland A is located east and north of the proposed development area and is considered a Category II wetland, with a 100-foot buffer.

Staff requested additional data points be analyzed to ensure the upland portion of the site occupied by the existing single family residence did not contain any indications of critical areas. These additional data points were completed and added to the critical areas report as an addendum on May 1, 2023 (Exhibit 019). After analysis, these data points confirmed that no indicators of critical areas existed in this area. After review of the original report and the supplemental information, City staff agrees with the determination and classifications in the report.

The applicant is proposing use of buffer averaging in accordance with [MMC 22E.010.100\(5\)\(a\)](#) to allow for the proposed development. A total of 4,492 square feet of buffer reduction will occur, with 4,639 square feet of addition, meeting the requirements for buffer averaging.

6. Access and Circulation

Primary access to the subdivision will be via extension of 88th Avenue NE to serve lots 4-12, and extension of the private alley in the subdivision to the south to serve lots 1-3. Extension of the private alley required an Engineering Development and Design

Standards (EDDS) variance. This variance request was submitted with the land use application (Exhibit 004) and was approved by the Engineering Services Manager on April 18, 2023 (Exhibit 017). No direct access from individual lots onto 87th Avenue NE will be permitted. As a condition of variance approval, the applicant will be required to install residential fire sprinklers in the future homes on lots 1-3. Applicant shall improve the intersection of Tract 996 and the existing alley to the south to a full hammerhead turn-around configuration.

7. **Traffic Impacts**

A traffic impact analysis (TIA) was prepared by Kimley Horn, dated December 29, 2022 (Exhibit 008). According to the TIA, the proposed development would generate approximately 103 new average weekday daily trips with approximately 7.7 new AM peak-hour trips (AMPHT) and 11 new PM peak-hour trips (PMPHT). Credit for 1 PMPHT is given for the existing single family residence. This application is categorically exempt from SEPA review; therefore, analysis was not required for possible impacts to Snohomish County or Washington State Department of Transportation facilities.

The City's Public Works Director and Traffic Engineer reviewed the TIA, and issued a written concurrency recommendation dated August 2, 2023 (Exhibit 027) informing the developer of the project's impacts and mitigation obligation pursuant to Chapter 22D.030, *Traffic Impact Fees and Mitigation*. Pursuant to MMC Section 22D.030.070(1)(d), an applicant is required to make a written proposal for mitigation of traffic impacts to the Public Works Director, based on the concurrency recommendation. The applicant provided a written acceptance of the concurrency recommendation (Exhibit 28) on August 9, 2023, consistent with the requirements in MMC 22D.030.070(1)(e). The conditions of concurrency determination are as follows:

- a) In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. The Gamlam Subdivision will have 12 total single-family units; one existing single-family residence will be demolished and credit for 1 PMPHT given for that residence. Traffic impact fees shall be vested at a rate of \$6,300, per single-family residence. The traffic impact fees for this proposal is estimated to be \$69,300 (11 PMPHT x \$6,300).
- b) The applicant shall be required to dedicate public right-of-way in order to accommodate the proposed internal plat roads, in accordance with MMC 12.02A.110(1)(c), Dedication of Road right-of-way – Required setbacks. Right-of-way widths and required dedication shall be determined by the City Engineer.
- c) The applicant shall be required to construct frontage improvements along 87th Avenue and internal plat roads, prior to final plat approval, consistent with Engineering Design and Development Standards (EDDS). Said improvements shall include ADA curb ramps at the NE and SE corners of the intersection of 83rd Avenue NE and internal plat road. Roadway improvements, channelization, site access and lighting plans will be required to be reviewed and approved by the City Engineer prior to construction plan approval.
- d) The applicant shall improve the intersection of Tract 996 and the existing alley to the south to a full hammerhead turn-around configuration.

Pursuant to MMC Section 22D.030.070(6)(a)(ii), the traffic concurrency determination and the project's impact fees and mitigation obligations shall expire upon expiration of the subdivision.

8. **Park Impacts**

Pursuant to MMC Section 22D.020, the applicant shall mitigate City of Marysville parks impacts through payment of the park impact fee in effect at the time of building permit issuance.

9. **School Impacts**

Pursuant to MMC Section 22D.040, the applicant shall mitigate school impacts through the payment of the school impact fee in effect at the time of building permit issuance. Lake Stevens School District No. 4 serves the subject property.

10. **Utilities**

Utilities are proposed to be provided to the site as follows:

Storm Drainage: According to the *Preliminary Drainage Report* prepared by Sound Development Group, LLC dated December 22, 2022, and revised on July 19, 2023, the proposed project will provide drainage improvements consistent with the 2014 Department of Ecology (DOE) *Stormwater Management Manual for Western Washington*. The project is proposing to capture stormwater within new catch basins or Stormfilters and sheet flow to discharge to the proposed detention pond. The pond will discharge at existing rates, to a proposed dispersion trench, to sheet flow into the existing wetland.

Water: The existing water in 88th Avenue NE can be found on record drawing RD318. The water main is required to be extended into the project within the new ROW. There is an existing water main in 87th Avenue NE. Lots 1-3 will connect to the main in 87th Avenue NE. Sufficient capacity exists to support the proposed development.

Sewer: The existing sewer in 88th Avenue NE can be found on record drawing RD318. There is an existing 8" stub to the property from 87th Avenue NE, shown on record drawing RD343. Sewer will be extended to the project from this stub. Sufficient capacity exists to support the proposed project.

All utility improvements will be addressed during civil construction plan review in order to ensure compliance with all applicable MMCs and city standards.

11. **SEPA**

The project is exempt from SEPA per MMC 22E.030.090(1)(a).

12. **Public Comments**

As of the date of this report, no written or verbal public comments have been received.

13. **Agency Comments:** A *Request for Review* of the proposed development was sent to the following Local, County, State & Federal Agencies and Districts:

- a. *Lake Stevens School District 04:* No comments received.
- b. *Snohomish County Public Works:* The project is not subject to SEPA, therefore, mitigation under the county/city interlocal agreement is not required.
- c. *Snohomish PUD:* No comments received.
- d. *Stillaguamish Tribe:* No comments received.
- e. *Tulalip Tribes:* No comment.
- f. *Ziply:* No comments received.
- g. *Washington State Department of Ecology:* I have reviewed the preliminary plat for the Gamlam subdivision to determine if any wetland or buffer impacts will occur. It

appears that this residential development will avoid impacting the Category II wetland and buffer averaging will be used to mitigate for buffer reduction.

However, I am concerned that the stormwater dispersion trench will be located near the wetland boundary. We recommend that stormwater outfalls be located outside of the buffer or at least in the outer 25% of the buffer. This allows vegetation to slow down the runoff so it infiltrates into the ground. When the outfall is located this close to the wetland it can cause erosion.

Staff comment: Applicant was required to revise the location of the dispersion trench to be within the outer 25% of the buffer. The revised civil plans have located the dispersion trench within the pond parcel, Tract 998.

- h. *Washington Department of Fish and Wildlife:* The map labeled '1-plat' does not incorporate exact wetland buffer distances. On this plan, the buffers are labeled 'existing wetland buffer width varies per critical areas report'. Is there a reason why this distance isn't depicted accurately on site plans where construction design is outlined? It's outlined through the critical areas report map, but I'm not seeing it outlined where construction drawings are involved.

Staff comment: The project is utilizing buffer averaging so that the edge of the buffer aligns with the edge of lots.

- i. *Marysville Fire District:* Plans show access to lots 4-12 by a 30' ROW roadway off 88th Ave NE with 50'R cul-de-sac turnaround. All lots have direct access from the new roadway except lots 1, 2, and 3 that have access by a shared alley 20' wide 200' long. Plans do not show any proposed water main extension or fire hydrants. Lots 1, 2, and 3 will require fire sprinklers due to access. One hydrant will be required at the southeast corner of lot 4.

The City GIS water map shows no existing water main or fire hydrants in this area. No information about available fire flow is provided for this area.

Comments related to fire code compliance for this project are noted below.

1. The project shall comply with the current fire code requirements (2018 IFC) including WA State and local City of Marysville amendments to the fire code. Any fire code required construction permits (IFC section 105.7) are obtained through Marysville Community Development at 501 Delta Avenue.
2. Fire marshal approval of fire access and fire hydrant/water supply systems is required and will be part of the civil construction plan review and approval process for this project.
3. Water main extension with approved fire hydrants will be required.
4. It is the developer's responsibility to see that adequate water for fire protection is attainable. The minimum required fire flow is determined using IFC Appendix B, and depends upon building sizes, construction types, and sprinkler systems. Proof of fire flow will be required. Documentation/certification of available water supplies for providing the required fire flows is required for final approval of the water system for this project and prior to building construction. Check with the city Public Works Dept. for water system information.
5. The minimum required fire flow for hydrants protecting SFR dwellings is 1,000 gpm (with 20-psi minimum residual pressure) for dwellings not exceeding 3,600 square feet in size.
6. Fire hydrants shall be provided in approved locations. Fire hydrants on an approved water main extension are required within the site for this development. Provide water main extensions with hydrants along the new

roadways and at all road intersections in approved locations, with maximum spacing of 600 feet apart. Fire hydrants with approved water supply must be in service prior to building construction. Fire hydrants shall comply with city Water Design Standard 2-060 Hydrants, including 5" Storz fittings, with blue reflective hydrant markers to be provided in the roadways, located four inches off the centerline on the hydrant side of the road.

7. Fire hydrant coverage shall be provided along all roads and at intersections. "Fire hydrants meeting city specifications shall be installed on all extensions of the city water system at the time such extensions are constructed. All hydrants shall be owned and maintained by the city. The location and frequency of fire hydrants shall be specified by the city utility department and fire department; provided, that fire hydrants in single-family residential zones shall be spaced not more than 600 feet apart" (MMC 14.03.050). The location of fire hydrants requires fire marshal approval on civil construction plans.
8. The lot 1, 2, and 3 shared alley should be paved 20' wide and be posted "NO PARKING FIRE LANE" to maintain unobstructed emergency access. Please show required signage on the civil plans.
9. Future homes to be constructed may require residential sprinkler installation for a number of reasons, including: if homes are three or more stories tall, if fire flow from hydrants does not meet fire code requirements, if there are access deficiencies, over 3600 sf or if any part of homes is further than 200' from the public road ROW.

Staff comment: Fire District comments will be addressed during civil construction plan and building permit review, as applicable.

14. **Application Review.** MMC 22G.010.140(3) requires the City to determine whether or not the project is consistent with the following items described in the applicable plans and regulations:

- a. Type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned residential development and conditional uses, if the criteria for their approval have been satisfied.

Staff Comment: Pursuant to MMC 22C.020.060, single-family residences and associated infrastructure are permitted outright in the Single Family High Density R-6.5 zone.

- b. Density of residential development in urban growth areas:

Staff Comment: The base density allowed in the R-6.5 zone is 6 ½ dwelling units per net project acre for detached single-family residences. The project is utilizing the 20% deduction for calculating Net Project Area, as allowed by [MMC 22A.020.150](#). The base density allowed for the proposed development is 23 units (3.57 net project acres x 6.5 = 23.2 which rounds to 23 units). The proposed development is proposing a density of 3.36 dwelling units per acre (12 dwelling units per net acre/3.57 net acres) which complies with the density allowance outlined in [MMC 22C.010.080\(2\)](#).

- c. Availability and adequacy of public facilities identified in the Comprehensive Plan.

Staff Comment: The Comprehensive Plan designation for the subject property is Single Family High Density. The proposed subdivision and subsequent use of the property will be consistent with the pertinent development policies outlined in the Marysville Comprehensive Plan, as conditioned herein.

The following development policies outlined in the Comprehensive Plan that are specifically pertinent to this request and were used to establish appropriate conditions are as follows:

LAND USE ELEMENT

General Development Land Use Goals & Policies

Policies: LU-3, LU-5, LU-6, LU-7, LU-8, LU-9, LU-10

Residential Land Use Goals & Policies

Policies: LU20, LU-21, LU-22, LU-23, LU-27, LU-28, LU-29, LU-30, and LU-31

Single-family Land Use Goals & Policies

Policies: LU-40, LU-41, LU-42

HOUSING ELEMENT

Housing Policies

Policies: HO-2, HO-9, HO-19, HO-21, HO-25

ENVIRONMENTAL ELEMENT

General Environmental Goals and Policies

Policies: EN-1 and EN-8

Environmentally Sensitive Lands

Policies: EN-9, EN-10, EN-12, EN-13, and EN-15

Earth Goals and Policies

Policies: EN-16, EN-18, EN-19, EN-21

Water: Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals, and Wildlife Policies

Policies: EN-25, EN-27, EN-28, EN-29, EN-32, EN-40, EN-42, and EN-44

Cultural Resources Goals and Policies

Policies: EN-48

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-7 and T-8

Mobility Options

Policies: T-26, T-27, T-29

Sustainable Transportation Systems and the Environment

Policies: T-35, T-36, T-39

Level of Service Standards and Concurrency

Policies: T-40, T-42

Financing and Implementation

Policies: T-48

PARKS AND RECREATION ELEMENT

Policies: PK-9, PK-11, PK-12, PK-13, PK-14

UTILITIES ELEMENT

Policies: UT-1, UT-3, UT-4, UT-8, UT-13, UT-14, UT-18, UT-22 and UT-26

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-4, PS-5, PS-9

Schools

Policies: SC-6

Water, Sewer, Storm Drainage, Solid Waste

Policies: PF-1, PF-2, PF-7, PF-19, PF-20, PF-26, PF-28

d. Development Standards.

Staff Comment: The project site is zoned R-6.5 Single Family High Density. It allows single family residences at a density of 6 ½ dwelling units per acre. The major type of new development will be detached single-family residences.

After review of the application materials, preliminary subdivision plan and information on file with the City, it has been determined that the proposed subdivision, as conditioned herein, complies with all of the applicable development standards outlined in Title 22 - *Unified Development Code*.

15. **Public Hearing Notice.** The public hearing for the proposed request was advertised in accordance with [MMC Section 22G.010.110](#), *Notice of public hearing* (Exhibit 031). Notice of the hearing was also provided to all parties of record.
16. **Hearing Examiner – Required Findings.** [MMC 22G.010.170\(3\)](#) requires that the Hearing Examiner not approve a proposed development without first making the following findings and conclusions:

- a. The development is consistent with the comprehensive plan and meets the requirements and intent of the Marysville Municipal Code.

Staff Comment: The Comprehensive Plan designation for the subject property is Single Family High Density. The proposed development and subsequent use of the property will be consistent with the pertinent development policies outlined in the Marysville Comprehensive Plan and the intent of the Marysville Municipal Code, as conditioned herein. For compliance with the specific Comprehensive Plan policies, please see Section 14 above.

- b. The development makes adequate provisions for open space, environmentally sensitive areas, drainage, streets and other public ways, transit stops, water supply, sanitary wastes, public utilities and infrastructure, parks and recreation facilities, playgrounds, sites for schools and school grounds.

Staff Comment: Based on review of the preliminary plat map and application materials, the development makes adequate provisions for open space, environmentally sensitive areas, drainage, streets and other public ways, transit stops, water supply, sanitary wastes, public utilities and infrastructure, parks and recreations facilities, playgrounds, sites for schools and school grounds.

- c. The development is beneficial to the public health, safety and welfare and is in the public interest.

Staff Comment: As conditioned herein, the proposed subdivision is beneficial to the public health, safety and welfare and is in the public interest as the subdivision is designed in accordance with the applicable Marysville Municipal Code requirements.

- d. The development does not lower the level of service or transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan. If the development results in a level of service lower

than those set forth in the comprehensive plan, the development may be approved if improvements or strategies to raise the level of service above the minimum standard are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

Staff Comment: As conditioned herein, the development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan.

- e. The area, locations and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

Staff Comment: As conditioned herein, the area, location and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

17. **Public hearing – Elements considered.** [MMC 22G.090.130](#) requires the hearing examiner provide a basis for approval or disapproval of a proposed subdivision as follows:

- a. Public Use and Interest. Evaluation of the proposed subdivision to determine whether the public use and interest are served by permitting the proposed subdivision.

Staff Comment: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned herein, the public use and interest are served by the proposed subdivision.

- b. Public Health, Safety, and General Welfare. Evaluation of the proposed subdivision to determine whether the public health, safety and general welfare have been served.

Staff Comment: After evaluation of the application materials and other supporting documentation available to the City, staff concludes that, as conditioned the public health, safety and general welfare have been served and that the subdivision is consistent with the requirements of RCW 58.17.110

- c. Comprehensive Plan. Evaluation of all elements of the comprehensive plan and its consistency with the proposed subdivision.

Staff Comment: The proposed subdivision and development of the parcel relate to all elements of the Comprehensive Plan. Compliance with the various elements of the Comprehensive Plan is specifically demonstrated in Section 14(c) above.

- d. Existing Zoning. Evaluation of existing zoning and its compliance with the proposed subdivision and [MMC Chapter 22G.090](#), Article V, Land Division Requirements.

Staff Comment: The existing zoning and its compliance with the proposed subdivision and Article V of this Chapter, Land Division Requirements, have been evaluated. Compliance with the specific zoning regulations is demonstrated in Section 14(a)-(d) above.

- e. Natural Environment. Evaluation of the impacts and provision for mitigation of all impacts on all elements of the natural environment including topography, vegetation, soils, geology and all environmental issues as defined in the State Environmental Policy Act, Chapter 197-11 WAC, and MMC Chapter 22G.090, Article V, *Land Division Requirements*.

Staff Comment: The project was not subject to the State Environmental Policy Act, however, staff reviewed impacts on all elements of the natural environment including topography, vegetation, soils, geology, and all environmental issues, and determined compliance with MMC Chapter 22G.090, Article V, *Land Division Requirements*, as conditioned herein.

- f. Drainage. Evaluation of all drainage impacts and provisions made for mitigation of all drainage impacts as defined in the city's drainage codes, and MMC Chapter 22G.090, Article V, *Land Division Requirements*.

Staff Comment: All drainage impacts have been evaluated, and adequate provisions have been made to mitigate for all drainage impacts as defined in the city's drainage codes, and MMC Chapter 22G.090, Article V, *Land Division Requirements*.

- g. Open Space. Evaluation of all impacts and provision for open space as defined in MMC Chapter 22G.090, Article V, *Land Division Requirements*.

Staff Comment: The proposed subdivision has been evaluated, and adequate provisions have been made for open space, consistent with the standards in MMC Chapter 22G.090, Article V, *Land Division Requirements*.

- h. Public Systems Capacity. Evaluation of all impacts and provisions made for mitigation of impacts on public systems including parks, schools, and community facilities as defined by MMC Chapter 22G.090, Article V, *Land Division Requirements*.

Staff Comment: The applicant will pay mitigation fees for each new dwelling unit in accordance with MMC Chapters 22D.020 and 22D.040 in order to mitigate potential impacts on parks, schools, and community facilities.

- i. Public Services. Evaluation of all impacts and provisions made for mitigation of impacts on public services including streets, all public utilities, and fire and police protection as defined in MMC Chapter 22G.090, Article V, *Land Division Requirements*.

Staff Comment: The proposed subdivision will construct streets providing appropriate access and circulation to all proposed new lots. Public utilities will be extended to serve all new units in accordance with City standards. Appropriate improvements for fire safety in accordance with the city's fire code will be provided. Capital improvement fees will be collected for water, sewer, and stormwater.

- j. Floodplain. Identification of subdivisions proposed in the floodplain and compliance with requirements of this chapter and MMC Chapter 22E.020, *Floodplain Management*.

Staff Comment: The project is not located within an identified floodplain; see FEMA Flood Insurance Rate Map (FIRM) panel number 53061C0736F.

2.0 RECOMMENDATION

Based on the foregoing findings and conclusions, review of the application materials and other supporting documentation available to the Community Development Department, and the City's regulatory authority to implement the policies, standards, and regulations of the

Marysville Comprehensive Plan and Marysville Municipal Code, the Community Development Department respectfully recommends that the Hearing Examiner **APPROVE** the proposed Preliminary Plat of Gamlam, subject to the following conditions:

1. The preliminary subdivision configuration depicted in Exhibit 022 shall be the approved plat configuration.
2. Prior to final plat approval, all encroachments shall be resolved. If the resolution results in a reduction in the net project area, the total density shall be adjusted as necessary.
3. Prior to final plat approval, a complete survey of the site shall be done.
4. Prior to civil construction plan approval, the applicant shall have a *FINAL* landscaping plan approved that includes all of the plan submittal requirements outlined in MMC 22C.120.030, the East Sunnyside-Whiskey Ridge Master Plan, and includes all of the applicable design elements outlined in MMC 22C.020.250(4) and MMC Chapter 22C.120.
5. Automatic residential fire sprinkler systems shall be installed in single-family residences on lots 1, 2 and 3, as required by the Marysville Fire District Fire Marshall.
6. The applicant shall submit payment to Lake Stevens School District No. 4 for school impacts caused by the development pursuant to Chapter 22D.040 MMC, *School Impact Fees and Mitigation*. Impact Fees have been deferred. School impact fees are based on the fee schedules in effect at the time an individual building permit application is accepted by the City and will be required to be paid prior to final building inspection. Credit shall be given to lot 1 for the existing single-family residence which will be demolished.
7. The applicant shall submit payment to the City of Marysville for park impacts caused by the development pursuant to Chapter 22D.020 MMC, *Parks, Recreation, Open Space and Trail Impact Fees and Mitigation*. Impact Fees have been deferred. Park impact fees are based on the fee schedules in effect at the time an individual building permit application is accepted by the City and will be required to be paid prior to final building inspection. Credit shall be given to lot 1 for the existing single-family residence which will be demolished.
8. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to comply with the following conditions in accordance with the Traffic Concurrency Recommendation dated August 2, 2023 (Exhibit 027).
 - a. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Credit for one (1) single-family residence shall be given for the existing single-family residence. The Gamlam subdivision will have 12 new single-family units. Traffic impact fees shall be vested at a rate of \$6,300, per single-family residence. The traffic impact fees for this proposal is estimated to be \$69,300.00. Calculation: (11 units x \$6,300 per unit = \$69,300).
 - b. The applicant shall be required to dedicate public right-of-way in order to accommodate the proposed internal plat roads, in accordance with MMC 12.02A.110(1)(c), *Dedication of Road right-of-way – Required setbacks*. Right-of-way widths and required dedication shall be determined by the City Engineer.

- c. The applicant shall be required to construct frontage improvements along internal plat roads and 87th Avenue NE, prior to final plat approval. Roadway improvements, channelization, site access and lighting plans will be required to be reviewed and approved by the City Engineer, prior to construction plan approval.
 - d. Applicant shall improve the intersection of Tract 996 and the existing alley to the south to a full hammerhead turn-around configuration and sprinklers shall be installed in lots 1, 2, and 3.
9. Wetland fencing and signage shall be placed adjacent to the regulated wetlands and buffers. Two-rail fencing shall be constructed with pressure treated posts and rails and cemented into the ground with either cedar or treated rails. Signs designating the presence of an environmentally sensitive area shall be posted along the buffer boundary at a minimum rate of one every 100 lineal feet.
10. Prior to final plat approval, a Final Mitigation Plan, including maintenance and monitory plan, shall be submitted. The Enhancement areas shall be monitored for a period of 5 years, with formal inspections by a qualified Scientific Professional and reports shall be provided to the City. Monitoring events shall be scheduled at the time of construction, 30 days after planting, and on an annual basis during years 1-5. A closeout assessment shall be conducted in year 5 to ensure the success of the mitigation actions, and a report provided to the City.
11. Homes on lots less than 5,000 square feet shall be designed to comply with MMC 22C.010.310, *Small lot single-family dwelling development standards*.
12. Lots 1, 2, and 3 shall be designed to front onto 83rd Avenue NE and shall have direct pedestrian accesses to the sidewalk. These access points shall be depicted on the civil construction plans.
13. The maximum height of solid (more than 50 percent opaque) free-standing walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3 ½ feet unless a taller wall, fence, or hedge is needed, per the Community Development Director, in order to mitigate significant noise and traffic impacts.
14. The maximum height of any decorative wall or fence which allows visibility (no more than 50 percent opaque – for example wrought iron or split rail) in any front yard or other location between the street and the façade shall be six feet. Such fences shall be set back from the sidewalk at least three feet to allow for landscaping elements to soften the view of the fence.
15. In development configurations where side yards abut a street, fences taller than 3 ½ feet shall be setback at least five feet from the sidewalk to allow for landscaping to soften the view of the fence. Provisions for long-term maintenance of this landscaping shall be addressed on the final plat map.
16. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or line shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
17. Prior to granting occupancy permits, the applicant shall provide a letter from the project engineer to verify that final project grading has been completed consistent with the approved grading plans; that all recommendations outlined in the Geotechnical Assessment and subsequent amendments have been followed; and that all fill has been properly placed.

18. Any existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted prior to final PRD/BSP approval.
19. Any existing on-site well(s) shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted prior to final PRD/BSP approval.
20. In order to ensure the protection of significant trees and vegetation within buffer areas, the applicant shall install a temporary, five-foot high, orange clearing limits construction fence around all buffer areas, or in a line generally corresponding to the drip line of any trees which will be retained, whichever extends furthest. All such fencing shall be installed and inspected by the Community Development Department or its designee prior to commencement of site work.
21. The Department of Archaeology and Historic Preservation's (DAHP) Inadvertent Discovery Plan shall be followed during site construction. If at any time during construction archaeological resources are observed on the project site, work shall be temporarily suspended at the location of discovery and a professional archaeologist shall document and assess the discovery. The DAHP and all concerned tribes shall be contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area shall be stopped immediately. Local law enforcement, DAHP, and affected tribes shall be immediately contacted. No additional excavation may be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended.

3.0 EXHIBITS

The following Exhibits can be accessed electronically via the link provided in the exhibit header below.

Gamlam Subdivision

- Exhibit 1: Land Use Application
- Exhibit 2: Project Narrative
- Exhibit 3: Title Report
- Exhibit 4: Variance Request
- Exhibit 5: Critical Areas Report Application
- Exhibit 6: Critical Areas Report
- Exhibit 7: Geotechnical Report
- Exhibit 8: Traffic Impact Analysis
- Exhibit 9: Drainage Report
- Exhibit 10: Landscape Plan
- Exhibit 11: Preliminary Site Plan
- Exhibit 12: Preliminary Civil Plans
- Exhibit 13: Letter of Completeness
- Exhibit 14: Notice of Application
- Exhibit 15: Request for Review
- Exhibit 16: Technical Review Comments

Exhibit 17: Variance Approval
Exhibit 18: Affidavit of Publication
Exhibit 19: Critical Areas Report Addendum dated 05.01.2023
Exhibit 20: Determination Letter
Exhibit 21: Response Letter
Exhibit 22: Site Plan
Exhibit 23: Geotechnical Report Revised 07.26.2023
Exhibit 24: Dispersion Trench Memo
Exhibit 25: Stormwater Report Revised 07.26.2023
Exhibit 26: Buffer Mitigation Planting Plan
Exhibit 27: Concurrency Recommendation
Exhibit 28: Concurrency Acceptance
Exhibit 29: Impact Fee Deferral Application
Exhibit 30: Staff Recommendation
Exhibit 31: Affidavit of Publication

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Reviewed by: *Chris*