



ADMINISTRATIVE BINDING SITE PLAN (BSP) AND PLANNED RESIDENTIAL DEVELOPMENT (PRD) APPROVAL

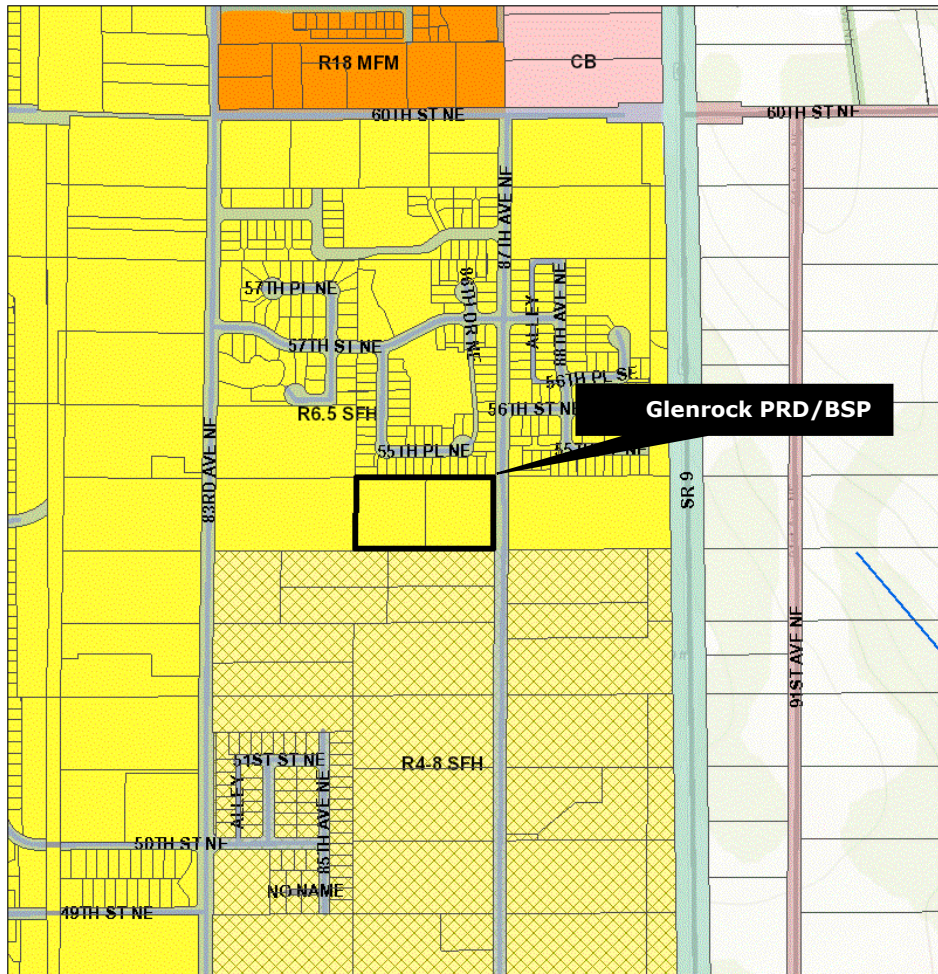
Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION										
Project Title	Glenrock PRD BSP				Date of Report	April 21, 2020				
File Number	PA19-050				Attachments	Preliminary BSP/PRD map (Exhibit 22); MDNS (Exhibit 31)				
Administrative Recommendation	Approve the Administrative Binding Site Plan (BSP) and Planned Residential Development (PRD) request to allow the construction of a 30-lot residential PRD subject to the conditions of approval contained in Section 2.0.									
BACKGROUND SUMMARY										
Owner/Applicant	John and Laurie Jamieson (owner), Pacific Ridge Homes (applicant)									
Request	Administrative Binding Site Plan and Planned Residential Development approval in order to subdivide a 4.67 acre property into 30 single family lots.									
SEPA Status	SEPA MDNS issued April 2, 2020. Appeal period expired April 17, 2020; no appeals were filed.									
Site Address	5418 87 th Avenue NE				APN(s)	00590700006600; 00590700006601				
Legal Description (abbreviated)	Sunnyside Five Acre Tracts Lot 66				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		
	Well		City			Septic		City		
Present Use of Property	Single family residence and associated outbuildings on acreage.									
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"/> Land Development <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input checked="" type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input checked="" type="checkbox"/> Lake Stevens School Dist. <input checked="" type="checkbox"/> PUD No. 1			<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input checked="" type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe		
ACTION										
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council			<input type="checkbox"/> Quasi-Judicial		<input type="checkbox"/> Planning Commission				
Date of Action	April 21, 2020			<input checked="" type="checkbox"/> Approved		<input type="checkbox"/> Denied		<input type="checkbox"/> Continued		
STAFF										
Name	Angela Gemmer		Title	Senior Planner		Phone	360.363.8240		E-mail	agemmer@marysvillewa.gov

SURROUNDING USES

	Comprehensive Plan	Zoning	Land Use
Site	Single Family High Density	R-6.5	Single family residence on acreage
North	Single Family High Density	R-6.5	Single family residences
East	Single Family High Density	R-6.5	Single family residences across 87 th Avenue NE right-of-way
South	Whiskey Ridge, High Density Single Family	WR-R-4-8	Single family residences on acreage
West	Single Family High Density	R-6.5	Single family residence on acreage

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 FINDINGS AND CONCLUSIONS

1. Description of Proposal

Pacific Ridge Homes, applicant, has requested preliminary Binding Site Plan (BSP) and Planned Residential Development (PRD) approval in order to subdivide a 4.67 acre property into 30 single family lots. The project will involve approximately 3,000 cubic yards of cut and 25,000 cubic yards of fill for construction of the plat road, installation of utilities, and other site improvements.

2. Project History

An application was filed on November 5, 2019 and was deemed complete on November 6, 2019. Notice was provided in accordance with MMC Section 22G.010.090, *Notice of development application*. As of the date of this decision, no comments have been received by the public.

3. Site Location

The subject property is located at 5418 87th Avenue NE within the City of Marysville, south of 60th Street NE on the west side of 87th Avenue NE, and is identified by Assessor's Parcel Numbers 00590700006600 and 00590700006601.

4. Site Description

The subject property consists of 4.67 acres that slopes gradually to the west, and is developed with an existing single family residence and some outbuildings that are located on the east side of the site. The western half of the property is lightly forested with evergreen and deciduous trees and an understory of shrubs and grass. The eastern half of the property is primarily lawn and pasture with a small stand of trees towards the southern portion of the property. According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), on-site soils consist of Tokul gravelly loam.

5. Critical Areas

According to the *Wetland and Stream Determination Report* prepared by Wetland Resources dated October 15, 2019, there is one Category IV wetland located at the southwest corner of the property. The wetland is approximately 8,700 square feet with the majority of the wetland located off-site. A 35-foot buffer applies to Category IV wetlands; the on-site portion of the wetland and buffer will be placed in a Native Growth Protection Area (NGPA) tract for permanent protection.

6. Access and Circulation

The project will take access from a new plat road off of 87th Avenue NE. Figure 4-56 of the City's 2015 Comprehensive Plan shows an east-west connector road from 83rd Avenue NE to 87th Avenue NE through the subject property. In lieu of stubbing the new east-west plat road to the western property line, the applicant proposed stubbing the east-west plat road to the southern property line. Ultimately future plat(s) will construct east-west roads that will connect to this road stub and provide the required connectivity from 83rd Avenue NE to 87th Avenue NE.

Two autocourts and one joint use driveway are proposed. On November 4, 2019, a variance from Engineering Design and Development Standards (EDDS) 3-219, *Autocourts*, was requested in order to allow an increase in the number of lots accessing from an autocourt from six to eight for both autocourts. Said variance was granted on November 5, 2019 by Jeff Laycock, City Engineer.

On March 9, 2020, a variance from EDDS 3-209(B) was requested in order to allow reduced spacing of the eastern autocourt from the intersection of the new plat road with 87th Avenue NE. Said variance was granted on April 20, 2020 by Shane Whitney, Civil Plan Reviewer, on behalf of the City Engineer.

7. **Traffic Impacts**

A traffic impact analysis (TIA) was prepared by Gibson Traffic Consultants dated October 21, 2019 and amended January 6, 2020. According to the TIA, the proposed development would generate approximately 274 Average Daily Trips (ADT), 22 AM peak hour trips (AMPHT), and 29 PM peak hour trips (PMPHT).

The City's Public Works Director and Traffic Engineer reviewed the TIA, and issued a written concurrency recommendation dated March 30, 2020 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 accepted the traffic concurrency recommendation on April 1, 2020. The conditions of the 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 for the development, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3). Traffic impact fees shall be vested at a rate of \$6,300.00 per new single family residence. A credit will apply for the existing single family residence which will be removed. The credit will apply to proposed lot 1.
- b. The applicant shall be required to construct the internal PRD plat road, identified as 'Road A' on the preliminary PRD plat map, and shall dedicate said road to the City.
- c. The applicant shall be required to construct frontage improvements along the property's 87th Avenue NE frontage. Frontage improvements shall be constructed to include curb, gutter, 12-foot multi-use path, landscape strip, and City-owned decorative street lighting to match recently constructed improvements on the project to the immediate north.
- d. The applicant shall be required to dedicate right-of-way to the City along the property's 87th Avenue NE frontage if necessary.

8. **Utilities**

The following utilities will be provided to the site:

Storm drainage: According to the *Preliminary Stormwater Report* prepared by Rob Long, P.E. dated November 4, 2019 and revised March 9, 2020, on-site runoff will be directed to the west towards an on-site stormwater detention vault with two bays. The vault will provide both water quality treatment and stormwater flow control for the collected development areas of the project. Flows will be discharged from the on-site vault to the wetland at the southwest corner of the site via a spreader swale thus maintaining the natural outfall.

Water: An 8-inch ductile iron (DI) water main is located in 87th Avenue NE. The water main is required to be extended within the project.

Sewer: An 8-inch PVC sewer main is located in 87th Avenue NE. The sewer main is required to be extended within the project.

9. **SEPA**

A State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) was issued on April 2, 2020. The appeal period expired April 17, 2020; no appeals were filed.

10. **Agency Comments:** A *Request for Review* for the proposal was sent to the following Local, County, State & Federal Agencies and Districts:

a. *Marysville Fire District:* In a memo dated November 19, 2019, the Marysville Fire District had the following comments upon review of the PRD layout:

- The project shall comply with the current fire code requirements (2015 IFC) including WA State and local City of Marysville amendments to the fire code.
- It is the developer's responsibility to see that adequate water for fire protection is attainable to the site. The minimum required fire flow is determined using IFC Appendix B, and depends upon building sizes, construction types, and sprinkler systems. The minimum required fire flow for hydrants protecting SFR dwellings is 1,000 gpm at 20 psi minimum residual pressure. Proof of fire flow will be required. 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.
- 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, or if any part of homes is further than 200' from the public road ROW with no hydrant provided on-site.
- 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. Fire hydrant coverage shall be provided along all roads and at intersections. Fire hydrants shall be provided along 87th Avenue NE if not provided by another project. "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).
- 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 subdivision roadway and at all road intersections in approved locations, with maximum spacing of 600 feet apart. Fire hydrants with approved water supply and access 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.
- Turnaround provision is required for dead-end access in excess of 150 feet long. A minimum 40-foot radius turnaround is required.

- Access for firefighting operations along all sides of all buildings is required. A minimum 5' wide access around buildings is required. All parts of a building exterior should be accessible for firefighting by an approved route around the building, and be within 150 feet of fire apparatus access.
 - *Supplementary response: The comments outlined above will be addressed during civil construction plan review and/or building permit review as applicable. The PRD/BSP will be conditioned to require that fire sprinklers be provided where determined necessary by the Marysville Fire District.*
 - b. *Snohomish Health District:* No comments received.
 - c. *Lake Stevens School District No. 4:* No comments received.
 - d. *Tulalip Tribes:* No comments received.
 - e. *Department of Ecology (DOE):* Doug Gresham, Wetland Specialist, in an email dated September 19, 2019 commented that he had reviewed the report and had no comments.
 - f. *Stillaguamish Tribes:* No comments received.
 - g. *PUD No. 1:* Jason Zyskowski, Senior Manager, provided a letter dated September 30, 2019 indicating sufficient electrical capacity, and advising the applicant of typical requirements for facility upgrades and easements.
 - h. *Frontier Communications:* No comments received.
 - i. *Snohomish County Public Works – Land Development:* An email was received on January 10, 2020 from Elbert Esparza Jr., Associate Land Development Analyst, indicating that Snohomish County Public Works concurs with the distribution and the conclusion that this development will not impact any county capital improvement projects or county road with three or more directional peak hour trips. Therefore, no mitigation and no offer is required of this development to the county under the county/city interlocal agreement.
11. **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 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. Based on the zoning and PRD layout provided, the base density allowed is 25 units (3.88 net project acres x 6.5 du/acre = 25.22 which rounds to 25 units). For PRD developments, the maximum density may be increased by up to 20 percent through the application of the Residential Density Incentive (RDI) provisions outlined in Chapter 22C.090 MMC.

In order to achieve the five additional units desired, the applicant is utilizing the following RDI provision outlined in MMC Section 22C.090.030(4):

Incentive 7(c), Project Design – Installation of perimeter fencing or landscaping, which allows one bonus unit per 500 lineal feet of perimeter fencing or landscaping installed. The applicant proposes to install 551 lineal feet (LF) of perimeter fencing

around the project that is not otherwise required by code; therefore, 1.1 bonus units is earned (551 LF/ 500 LF per bonus unit = 1.1 bonus units).

Incentive 7(e), Project Design – Private park and open space facilities integrated into project design, which allows 5 bonus units per improved acre of park and open space area. The project is providing 1.09 acres of open space which is 0.49 acres more than is required per the PRD code. The park will feature a mini-soccer field, basketball half-court, playground equipment, five benches, landscaping, and fencing; therefore, 2.45 bonus units are earned (0.49 acres x 5 bonus units per acre = 2.45 bonus units).

Incentive 10(a), Pedestrian Connections and Walkability, which allows one bonus unit per \$15,000 contribution towards construction of an identified pedestrian/bicycle deficiency (per city of Marysville improvement plan). The applicant proposes 1.45 units with this RDI (\$21,750 contribution/1 bonus unit per \$15,000 = 1.45 bonus units).

A total of five RDI bonus units are earned which is equal to the maximum 20 percent density bonus allowed in MMC Chapter 22C.090. Therefore, the proposal complies with the maximum 30 dwelling units allowed (25 base density + 5 RDI bonus units).

- 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 development 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 the overall subdivision request, and were used to establish appropriate conditions, are as follows:

LAND USE ELEMENT

General Development Land Use Policies

Policies: LU-3, LU-5, LU-6, LU-8, LU-11

Single Family

Policies: LU-40, LU-41, LU-42, LU-43

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-8

Public Involvement and Agency Coordination

Policies: T-13

Mobility Options

Policies: T-25, T-26, T-27, T-28, T-29

Financing and Implementation

Policies: T-48, T-49

UTILITIES ELEMENT

Policies: UT-1, UT-3, UT-8

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-5, PS-9, PS-10

Water, Sewer, Storm Drainage, Solid Waste

Policies: PF-1, PF-18, PF-19, PF-20, PF-22, PF-23, PF-26

d. Development Standards.

Staff Comment: The project site is currently 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. As noted in section 11(b) above, PRD developments may exceed the base density by 20 percent. The applicant has qualified for 5 bonus units in compliance with the maximum 20 percent allowed by code.

Bulk & Dimensional Standards: The proposed PRD will meet all bulk and dimensional requirements set forth in MMC Section 22G.080.080(1), *Modification of development regulations*. These standards include a minimum 30 foot lot width, 3,500 square foot minimum lot size, 10 foot street setback (7 feet for porches), 20 foot garage setback, 10 foot rear yard setback, 5 foot side yard setback, and 70 percent lot coverage.

Open Space Standards: Fifteen percent of the net project area is required to be dedicated as open space as required by MMC Section 22G.080.100. As proposed, 27 percent of the net project area will be reserved for open space. Improvements within the open space area will include, but are not limited to, a mini-soccer field, basketball half-court, playground equipment, five benches, landscaping, and fencing.

PRD Decision Criteria: As proposed and conditioned, the PRD meets all of the requirements set forth in 22G.080.050, *Procedures for review and approval*, including subsections (a) Consistency with Applicable Plans and Laws, (b) Quality Design, (c) Design Criteria (i), (iii), and (iv), (d) Public Facilities, (e) Consistency with adjacent single family development, (f) Perimeter Design, (g) Open Space and Recreation, (h) Streets, Sidewalks, and Parking, (i) Landscaping, and (j) Maintenance Provisions.

Small lot design standards: Any lots under 5,000 square feet will be required to demonstrate compliance with MMC Section 22C.010.310, *Small lot single family dwelling development standards*, prior to building permit issuance.

The proposed development and subsequent use of the property will comply with the intent of the R-6.5 zone, and as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – *Unified Development Code*.

The proposed development, as conditioned herein, makes appropriate provisions for the public use and interest, health, safety and general welfare.

12. **Factors Considered by City Departments:** MMC 22G.100.100(3) requires the City to review the binding site plan to determine whether it meets the following criteria:

- a. Comprehensive Plan. Whether the proposed binding site plan and development of the parcel relate to all elements of the comprehensive plan;

Staff Comment: The proposed binding site plan 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 11(c) above.

- b. Zoning. Whether the proposed binding site plan meets the zoning regulations;

Staff Comment: The proposed binding site plan meets all applicable zoning regulations outlined in Title 22, *Unified Development Code*. Compliance with specific zoning regulations is specifically demonstrated in Sections 11(a),(b), and (c) above.

- c. Physical Setting. Whether the binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site;

Staff Comment: The binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site.

- d. Public Services. (i) Adequate water supply; (ii) Adequate sewage disposal; (iii) Appropriate storm drainage improvements; (iv) Adequate fire hydrants; (v) Appropriate access to all anticipated uses within the site plan; (vi) Provisions for all appropriate deeds, dedications, and/or easements; and (vii) Examination of the existing streets and utilities and how the proposed binding site plan relates to them.

Staff Comment: After evaluation of the applications materials and other supporting documentation available to the City, staff concludes that, as conditioned, the proposed development will provide adequate and appropriate public services.

- e. Environmental Issues. Examination of the project through the SEPA process and a determination of whether the proposed binding site plan complies with the SEPA requirements.

Staff Comment: The project and binding site plan has been examined through the SEPA process and have been determined to comply with SEPA requirements. A SEPA MDNS was issued on April 2, 2020; no appeals were filed.

- f. Critical Areas. Binding site plans shall comply with the land division requirements of MMC 22E.010.350.

Staff Comment: The binding site plan complies with the land division requirements of MMC 22E.010.350. The on-site regulated critical area and buffer will be placed in a NGPA tract for permanent protection, and all development will be outside of critical areas and buffers.

13. In House Days

Pursuant to MMC Section 22G.010.200, a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made 37 in-house calendar days from the date of completeness.

2.0 DECISION

Based on the foregoing findings and conclusions, review of the environmental documents submitted by the applicant, and the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and Marysville Municipal Code, the Community Development Director hereby grants **Preliminary Administrative Binding Site Plan and Planned Residential Development (PRD) Approval** subject to the following conditions:

1. The preliminary BSP/PRD site plan map date stamped March 9, 2020 (Exhibit 22) shall be the approved site plan; provided, that: a) the street side yard setback for lot 1 shall be increased from 10 to 15 feet, and b) the single family residence on lots 21 and 22 shall be located in a manner that ensures that all motor vehicle maneuvering occurs on the lot itself (the required parking for lot 21 must not encroach into/overlap with the proposed access easement).
2. Prior to civil construction plan approval, a final landscaping plan meeting the requirements outlined in MMC Chapter 22C.120, *Landscaping and Screening*, shall be submitted for review and approval. All required landscaping, fencing, and open space improvements shall be installed prior to final PRD approval.
3. A five-foot wide concrete pedestrian pathway that connects from the internal plat road to the on-site recreational amenities (tot lot and half-court basketball court). Said connection shall be separate from the stormwater facility access road.
4. 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. The existing power lines along 87th Avenue NE shall be relocated underground to provide a clean visual line along the right-of-way in accordance with the *East Sunnyside-Whiskey Ridge Subarea Plan*.

5. Direct access from individual lots onto 87th Avenue NE is prohibited.
6. Prior to civil construction plan approval, the applicant shall demonstrate that the proposal complies with the design criteria outlined in MMC Section 22D.050.030(4) specifically terracing expectations for walls over 4 feet tall.
7. 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.
8. The autocourts (Tracts 997 and 998) shall be constructed with colored and/or scored concrete, pavers, bricks, or other durable ornamental pavers to clearly indicate that the autocourt is intended for pedestrians as well as vehicles as outlined in the Engineering Design and Development Standards (EDDS). Details on autocourt surfacing shall be provided on the civil construction plans and approved by the City Engineer. Said autocourts shall be permanently maintained with the referenced decorative materials, or as otherwise approved by the City Engineer.
9. Prior to final building inspections being granted for lots 21/22, the joint use driveways shall be paved with concrete or decorative/colored concrete. Said driveway shall be permanently maintained with concrete or decorative/colored concrete, or as otherwise approved by the City Engineer.
10. Lots 27 through 30 will be required to be oriented towards 87th Avenue NE including the façade treatment, and pedestrian connections from the home to the street as required by Section A1.1 of the East Sunnyside/Whiskey Ridge Design Standards and Guidelines.
11. 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.
12. 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.
13. The applicant shall submit payment to Lake Stevens School District No. 4 for school impacts caused by the development in accordance with MMC Chapter 22D.040, *School Impact Fees and Mitigation*. School mitigation fees will be 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 building permit issuance unless deferred until a time preceding final building inspections being granted.
14. The applicant shall submit payment to the City of Marysville for park impacts caused by the development in accordance with MMC Chapter 22D.020, *Parks, Recreation, Open Space and Trail Impact Fees and Mitigation*. Park mitigation fees will be 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 building permit issuance unless deferred until a time preceding final building inspections being granted.

