

# MACKENZIE.

## **BINDING SITE PLAN REVIEW**

**To**

City of Marysville  
Community Development

**For**

Pacific Realty Associates, L.P.  
(PacTrust)  
Marysville Corporate Center

**Dated**

March 18, 2021

**Project Number**

2200444.00



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## TABLE OF CONTENTS

<b>I.</b>	<b>PROJECT SUMMARY</b> .....	<b>1</b>
<b>II.</b>	<b>INTRODUCTION</b> .....	<b>2</b>
	Site Description .....	2
<b>III.</b>	<b>NARRATIVE AND COMPLIANCE</b> .....	<b>4</b>
	MMC 22C.020: Commercial, Industrial, Recreation, and Public Institutional Zones .....	4
	22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones.	4
	22C.020.080 Densities and dimensions .....	4
	22C.020.090 Densities and dimensions – Development Conditions .....	5
	22C.020.100 Measurement methods .....	5
	22C.020.140 Setbacks – Specific building or use .....	5
	22C.020.150 Setbacks – Modifications .....	5
	22C.020.160 Setbacks – From regional utility corridors .....	6
	22C.020.170 Setbacks – From alleys .....	6
	22C.020.180 Setbacks - Adjoining half-street or designate arterial .....	6
	22C.020.190 Height – Exceptions to limits .....	6
	22C.020.210 Sight distance requirements .....	7
	MCC 22C.120: Landscaping and Screening .....	7
	22C.120.020 Application .....	7
	22C.120.030 Plan Submittal Requirements .....	7
	22C.120.040 Irrigation requirement. ....	8
	22C.120.050 Water conservation standards .....	8
	22C.120.060 Completion and security for performance and maintenance. ....	10
	22C.120.070 Berms and walls. ....	11
	22C.120.080 Native trees .....	11
	22C.120.090 Mixed use developments .....	11
	22C.120.100 Modification due to site characteristics. ....	11
	22C.120.110 Descriptions of screens and landscaping types .....	12
	22C.120.120 Required landscape buffers .....	13
	22C.120.130 Landscaping requirements for parking and outdoor display areas. ....	14
	22C.120.140 Street tree requirements .....	14
	22C.120.160 Screening and impact abatement .....	15
	22C.120.170 Landscaping – Soil amendment .....	16
	22C.120.180 Landscaping – Maintenance .....	16
	MCC 22C.130: Parking and Loading .....	17
	22C.130.160 General Standards .....	17
	22C.130.030 Minimum required parking spaces .....	18
	22C.130.040 Site plan required .....	20
	22C.130.050 Development Standards .....	20
	22C.130.060 Bicycle Parking .....	24
	22C.130.080 Loading Areas .....	26
	22C.130.080 Variance requests to this chapter .....	26
	MCC 22E Environmental Standards .....	27
	MCC 22E.010: Critical Areas Management .....	27
	22E.010.010 General Purpose and Intent .....	27
	22E.010.220 Fish and Wildlife Habitat Buffer Areas .....	28
	MCC 22G.100: Binding Site Plan .....	34
	22G.100.040 Jurisdiction .....	34
	22G.100.050 Applicability .....	34

22G.100.080 Preapplication requirements .....	34
22G.100.090 Application submittal .....	35
22G.100.110 Preliminary approval – Effect.....	36
22G.100.120 Final binding site plan approval – Term.....	36
22G.100.130 Preliminary approval compliance.....	36
22G.100.140 Binding site plan – Requirements.....	36
22G.100.150 Binding site plan – Acknowledgments and certifications.....	37
22G.100.160 Binding site plan – Title report.....	39
22G.100.170 Binding site plan – Survey required.....	40
22G.100.180 Approval procedure.....	40
22G.100.190 Recording requirements.....	40
22G.100.200 Recording requirements.....	40
22G.100.210 Recording requirements.....	41
22G.100.220 Public use reservations.....	41
22G.100.230 Design with environment.....	41
22G.100.250 Site-specific energy conservation.....	41
22G.100.260 Floodplain regulations.....	41
22G.100.300 Outdoor storage.....	41
22G.100.320 Lots .....	42
22G.100.330 Building setbacks.....	42
22G.100.340 Fire Hydrants .....	42
22G.100.350 Fire Hydrants .....	42
Smokey Point MPA 9.2: Zoning and Site Plan Requirements.....	48
Smokey Point MPA 9.4: Zoning and Site Plan Requirements.....	48
Smokey Point MPA 9.5: Service and Loading Services .....	50
Smokey Point MPA 9.6: Vehicle Circulation and Parking Lots .....	50
Smokey Point MPA 9.7: Pedestrian Circulation and Corridors .....	51
Smokey Point MPA 9.8: Pedestrian Amenities .....	52
Smokey Point MPA 9.9: Architectural Concept .....	52
Smokey Point MPA 9.10: Scale in Design .....	53
Smokey Point MPA 9.11: Wall Modulations .....	53
Smokey Point MPA 9.12: Roofline .....	54
Smokey Point MPA 9.13: Building Elements, Details, and Materials .....	54
Smokey Point MPA 9.14: Building Elements, Details, and Materials .....	55
Smokey Point MPA 9.15: Mechanical Screening.....	55
Smokey Point MPA 9.16: Utilities .....	55
Smokey Point MPA 9.17: Surface Stormwater Detention Facilities .....	56
Smokey Point MPA 10.2: Landscaping .....	56
Smokey Point MPA 10.3: Streetscape Landscaping .....	57
Smokey Point MPA 10.4: Parking Lot Landscaping and Screening .....	57
Smokey Point MPA 10.6: Signage .....	58
<b>IV. CONCLUSION.....</b>	<b>60</b>

**EXHIBITS (UPLOADED ELECTRONICALLY)**

- A. Land Use Application Form
- B. Legal Description
- C. Vicinity Map with floodplain boundary
- D. Title Report
- E. SEPA Environmental Checklist



- F. Colored Building Elevation Drawings, including proposed building materials
- G. Preliminary Landscaping Plan
- H. Preliminary Binding Site Plan
- I. Phase 1 Preliminary Site Plan
- J. Preliminary Grading and Storm Drainage Plan
- K. Preliminary Storm Drainage Report
- L. Geotechnical Report
- M. Traffic Impact Analysis
- N. Preliminary Critical Areas Mitigation Plan
- O. Archeological Report



## I. PROJECT SUMMARY

**Owner:** PacTrust  
Attn: Matthew Oyen  
15350 SW Sequoia Parkway, Suite 300  
Portland, OR 97224

**Contact Person:** Mackenzie, Attn: Michael Chen  
500 Union Street, Suite 410  
Seattle, WA 98101  
(206) 582-2573  
mchen@mcknze.com

**Site Address:** 5013 152nd Street NE, 15908 47th Ave NE  
Marysville, WA 98271

**Tax Lot:** APN:31052800400300,31053300100700, 31053300100400.

**Site Area:** 56.235 AC (2,449,631 SF)

**Comprehensive Plan:** Light Industrial

**Zoning:** Light Industrial

**Overlay Zones:** MIC Overlay, Smokey Point Master Plan Area

**Adjacent Zoning:** North: Light Industrial (LI)  
East: Light Industrial (LI)  
South: R-18 Multi-Family Medium (Across 152<sup>nd</sup> St)  
West: Open

**Existing Structures:** No Structures exist on the subject property.

**Previous Case Files:** CAR08-08, PA19-011, G19-0014, PreA0-013, PA20-052

**Request:** Preliminary Binding Site Plan (BSP)

## II. INTRODUCTION

The intent of the proposed binding site plan review is to ensure the proposed site plan meets the requirements of the City of Marysville Municipal code and guidelines for industrial development within the Smokey Point Master Plan Area.

The project proposes to develop the site for industrial warehouse use with 725,250 sf of building coverage over 10 buildings, with site circulation, loading areas and landscaping. The site is adjacent to Hayho Creek, a Type F classification, and a 150' buffer plus 50' stormwater facility separates the creek from site development. As part of the site development, 156th Street NE will be extended to the eastern extent of the property and dedicated as public right-of-way, providing public access to the site.

The project is proposed to be constructed in three (3) phases:

Phase 1:	Lot 1, 2, 8 Tract B (Storm)	Buildings 101, 102, 103, 104
Tract A (Stream Buffer)		
Phase 2:	Lot 3, 4, 7	Buildings 205, 206, 207, 208
Phase 3:	Lot 5, 6, 9 Tract E (Storm)	Buildings 309, 310
Tract D (Stream Buffer)		

Phase	Lots	Lot Area (SF)	Buildings	Building SF
1	1	297,495	101	52,000
			102	64,000
	2	361,947	103	74,000
			104	74,000
2	3	305,040	205	64,000
			206	56,000
	4	318,446	207	64,000
			208	56,000
3	5	157,737	309	60,000
	6	310,448	310	161,250

The extension of 156th Street NE to the eastern site boundary is proposed as part of Phase 1.

Prior actions affecting the site include the following:

1. PA20052 – 156th Street NE Extension Technical Review. The extension of 156th Street NE is a critical connection to the project site, being a major point of access and traffic circulation.

### Site Description

This application package includes a narrative, graphics, and additional documentation in support of a Preliminary Binding Site Plan (BSP) application. The site includes three (3) parcels



approximately 56.235 acres total located approximately 0.5 miles from I-5 along the new 156th Street NE road extension, just west of 51st Ave NE.

The project site consists of 56.235 acres of undeveloped land within three (3) parcels. The existing western site boundary is the terminus of 156th Street NE. The northern boundary is adjacent to the future right-of-way for 160th Street NE, with a 40' portion of the right-of-way being dedicated to the City of Marysville, the eastern boundary will be the future 47th Avenue NE, with 40' a portion of the right-of-way being dedicated to the City of Marysville. The southern limit of the project is located just north of 152nd Street NE. Hayho Creek runs north/south along the western boundary of the project site. The site is relatively flat but slopes from east to west towards Hayho Creek. Starting in July 2021 the entire site has been filled with approximately 5-8 feet of soil to prepare the site for infrastructure and buildings as shown in this preliminary binding site plan application. This fill was completed under grading permit G19-0014.

### III. NARRATIVE AND COMPLIANCE

The following narrative demonstrates that the proposed binding site plan is consistent with applicable land use standards and policies. The narrative is organized to generally address applicable development standards outlined in Marysville Municipal Code Chapter 22 (Community Development Code), together with the Smokey Point Master Plan. The following section addresses the applicable review criteria and policies; pertinent provisions are cited below and are followed by a response.

#### MMC 22C.020: Commercial, Industrial, Recreation, and Public Institutional Zones

##### 22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones.

##### 5. Light Industrial Zone.

*(a) The purpose of the light industrial zone (LI) is to provide for the location and grouping of non-nuisance-generating industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and limited retail uses. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:*

*(i) Allowing for a wide range of industrial and manufacturing uses;*

*(ii) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and*

*(iii) Limiting residential, institutional, service, office and other nonindustrial uses to those necessary to directly support industrial activities.*

*(b) Use of this zone is appropriate in light industrial areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.*

**Response:** The proposed speculative development is considered light industrial warehousing/distribution and meets the characteristics of this standard.

##### 22C.020.080 Densities and dimensions

##### 3. General Densities and Dimension Standards

<b>TABLE 22C.020.080-2. DENSITIES AND DIMENSION STADARDS. (EXCERPT)</b>				
<b>Standards</b>	<b>Minimum street setback (3)</b>	<b>Minimum interior setback</b>	<b>Base height (6)</b>	<b>Maximum impervious surface: percentage</b>
<i>Li</i>	<i>None (7)</i>	<i>None (4) 50 feet (5)</i>	<i>50 65 feet</i>	<i>85%</i>



### **22C.020.090 Densities and dimensions – Development Conditions**

4. *A 25-foot setback is required on property lines adjoining residentially designated property.*
5. *A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.*
6. *Height limits may be increased when portions of the structure or building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit.*
7. *Subject to sight distance review at driveways and street intersections.*

**Response:** Sheet C1.10 and C1.21-C1.24 of the Phase 1 Site Plan (Exhibit I) provides detailed design dimensions of the site and meets code requirements, including the proposed landscaping, access driveways, parking, loading bays and buildings; setback distances are provided where applicable. Since this site is within the Smokey Point Master Plan Area, there is no adjacent residentially designated properties.

### **22C.020.100 Measurement methods**

*The following provisions shall be used to determine compliance with this title:*

1. *Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround or, in the case of a substandard street, the setbacks shall be measured from the edge of the ultimate right-of-way section planned for the street, except as provided by MMC 22C.020.180;*
2. *Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, five-foot (or less) wide pedestrian walkways or surface water retention/detention facilities. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The site plan (Sheet C1.10 of Exhibit I) provides site and building dimensions that comply with this section. The extension of 156th Street SE right-of-way will be constructed as part of this project, and setbacks are measured from the ultimate right-of-way. This provision is met. Impervious surface calculation only include impervious surfaces as defined in the stormwater manual. This provision is met.

### **22C.020.140 Setbacks – Specific building or use**

*When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The site plan (Sheet C1.10 of Exhibit I) provides site and building dimensions that meet the setback distances according to the MMC.

### **22C.020.150 Setbacks – Modifications**

*The following setback modifications are permitted*

1. *When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line.*
2. *When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.*
3. *When a base station or WCF equipment is proposed for placement on private property abutting ROW, the setback may be administratively reduced, provided the application*

*demonstrates good cause for such reduction and adequate area for screening and landscaping is provided. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The applicant acknowledges the setback modifications permitted by this section, however, no modifications to the code requirements for setbacks are proposed with this binding site plan application.

#### **22C.020.160 Setbacks – From regional utility corridors**

1. *In commercial and industrial development, easements shall be used to delineate regional utility corridors.*
2. *Vehicle access points from garages, carports or fenced parking areas shall be set back a minimum of 10 feet from the lot line abutting an alley, except where the access point faces an alley with a right-of-way width of 10 feet, in which case the garage, carport, or fenced parking area shall not be located within 20 feet from the rear lot line. No portion of the garage or the door in motion may cross the property line. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The Phase 1 preliminary site plan (Exhibit I) provides the layout of the site and buildings. No regional utility corridors are located on the subject project site. The vehicle access point for Phase 1 connects to the 156th Street SE right-of-way. Phase 1 site parking will not have garages, carports and will not be fenced; as such subsection (2) is not applicable.

#### **22C.020.170 Setbacks – From alleys**

1. *Structures may be built to five feet of the property line abutting an alley, except as provided in subsection (2) of this section.*
2. *Vehicle access points from garages, carports or fenced parking areas shall be set back a minimum of 10 feet from the lot line abutting an alley, except where the access point faces an alley with a right-of-way width of 10 feet, in which case the garage, carport, or fenced parking area shall not be located within 20 feet from the rear lot line. No portion of the garage or the door in motion may cross the property line. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The proposed binding site plan does not include the use of alleys nor does the site abut any existing alleys. This standard is not applicable.

#### **22C.020.180 Setbacks - Adjoining half-street or designate arterial**

*In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The binding site plan is proposed to include the extension of 156th Street SE through the extent of the property, with a temporary turnaround near the SE corner at the edge of the project property. The 156th Street SE extension will be improved to the ultimate right-of-way and not include the construction of a half-street, as such an additional width of street setback sufficient to accommodate construction of a planned half-street is not applicable to this application.

#### **22C.020.190 Height – Exceptions to limits**

*The following structures may be erected above the height limits of MMC 22C.020.080(2):*

1. *Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and*
2. *Fire or parapet walls, skylights, chimneys, smokestacks, church steeples, flagpoles, and utility line towers and poles. (Ord. 3054 § 14, 2017; Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The proposed speculative industrial warehouse buildings will utilize rooftop equipment – the applicant acknowledges the provisions in subsections (1) and (2) allowing particular roof structures to exceed the height limits of MMC 22C.020.080(2), however the proposed structures with rooftop equipment will not exceed the base height limit.

### **22C.020.210 Sight distance requirements**

*Except for traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:*

1. *A sight distance triangle area per city standards shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 30 inches and eight feet above the existing street grade.  
Note: The area of a sight distance triangle between 30 inches and eight feet above the existing street grade shall remain open.*
2. *The community development director or city engineer may require modification or removal of structures or landscaping located in required street setbacks, if:*
  - a. *Such improvements prevent adequate sight distance to drivers entering or leaving a driveway; and*
  - b. *No reasonable driveway relocation alternative for an adjoining lot is feasible. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** A Traffic Impact Analysis was conducted (Exhibit M) that includes a review of sight distances for the site access point to the site. The site access from 156th Street SE onto the project site meets the requirements of this section as it does not contain a fence, berm, parking, signs between 30 inches and eight feet above the grade of the proposed street.

## **MCC 22C.120: Landscaping and Screening**

### **22C.120.020 Application**

*All new commercial, industrial, and multiple-family development, substantial improvements, or changes in occupancy shall be subject to the provisions of this chapter. For the purpose of this chapter, a “substantial improvement” means any structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the modification or addition is started; provided, that specific landscaping provisions for uses established through a conditional use permit shall be determined during the applicable review process. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** A Landscape Plan has been provided according to the standards of the Marysville Municipal Code Chapter 22C.120 (Exhibit G) as this is a new industrial development binding site plan application.

### **22C.120.030 Plan Submittal Requirements**

*Landscape plans are not required for houses and duplexes. For all other types of development landscape plans shall:*

1. *Be submitted at the time of application for a development permit; and*
2. *Include the following elements:*
  - a. *The footprint of all structures;*
  - b. *The final site grading;*
  - c. *All parking areas and driveways;*
  - d. *All sidewalks, pedestrian walkways and other pedestrian areas;*

- e. *The location, height and materials for all fences and walls;*
- f. *The common and scientific names of all plant materials used, along with their size at time of planting;*
- g. *The location of all existing and proposed plant materials on the site;*
- h. *A proposed irrigation plan; and*
- i. *Location of all overhead utility and communication lines, location of all driveways and street signs. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** As noted in the Table of Contents of this narrative, Landscape Plans are included as Exhibit G that depicts the elements listed above in subsection (2)(a-i).

#### **22C.120.040 Irrigation requirement.**

*All landscaped areas shall be provided with an irrigation system or a readily available water supply with at least one outlet located within 50 feet of all plant material. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** An irrigation details will be provided with the final landscape plans submitted with the final grading and utility plans. Irrigation will be design build. This standard will be met with the submittal of the final landscape plans.

#### **22C.120.050 Water conservation standards**

1. *Water Conservation Standards.*
  - a. *Applicability. In order to ensure efficient water use in landscaped areas, the following standards shall be applied to all landscaping associated with office, commercial, industrial, institutional, parks and greenways, multiple-family residential projects, and commonly owned and/or maintained areas of single-family residential projects.;*
  - b. *Exemptions. These standards do not apply to landscaping in private areas of single-family projects. Parks, playgrounds, sports fields, golf courses, schools, and cemeteries are exempt from specified turf area limitations where a functional need for turf is established. All other requirements are applicable.*
  - c. *Plant Selection and Use Limitation.*
    - i. *Turf, high-water-use plantings (e.g., annuals, container plants) and water features (e.g., fountains, pools) shall be considered high-water uses and shall be limited to not more than 40 percent of the project's landscaped area if nondrought resistant grass is used, and no more than 50 percent of the landscaped area if drought resistant grass is used.*
    - ii. *Plants selected in all areas not identified for turf or high-water-use plantings shall be well suited to the climate, soils, and topographic conditions of the site, and shall be low-water-use plants once established.*
    - iii. *Plants having similar water use shall be grouped together in distinct hydrozones and shall be irrigated with separate irrigation circuits.*
    - iv. *No turf or high-water-use plants shall be allowed on slopes exceeding 25 percent, except where other project water saving techniques can compensate for the increased runoff, and where the need for such slope planting is demonstrated.*
    - v. *No turf or high-water-use plants shall be allowed in areas five feet wide or less except public right-of-way planter strips.*
  - d. *Newly landscaped areas should have soils amended with either four inches of appropriate organic material with the first two-inch layer tilled into existing soils, or as called for in a soil amendment plan for the landscape.*

- e. *Newly landscaped areas, except turf, should be covered and maintained with at least two inches of organic mulch to minimize evaporation.*
- f. *Irrigated turf on slopes with finished grades in excess of 33 percent is discouraged.*
- g. *Retention of existing trees and associated understory vegetation is encouraged to reduce impacts to the storm water system and to reduce water use.*

**Response:** The water conservations standards found in MMC Section 22C.120.050 are applicable to the proposed project, and a detailed landscape plan has been provided by the applicant in order to conform with the requirements of this section. With the approval of the provided landscape plan this standard is met.

2. *Water Efficient Landscape (Xeriscape) Standards.*

- a. *As an alternative to traditional landscaping, the city encourages the use of xeriscape practices, which minimize the need for watering or irrigation. Xeriscape principles can be summarized as follows:*
  - i. *Using plants with low moisture requirements;*
  - ii. *Selecting plants for specific site microclimates that vary according to slope, aspect, soil, and exposure to sun and moisture;*
  - iii. *Using native, noninvasive, adapted plant species;*
  - iv. *Minimizing the amount of irrigated turf;*
  - v. *Planting and designing slopes to minimize storm water runoff;*
  - vi. *Use of separate irrigation zones adjusted to plant water requirements and use of drip or trickle irrigation systems;*
  - vii. *Using mulch in planted areas to control weeds, cool the soil and reduce evaporation; and*
  - viii. *Emphasizing soil improvement, such as deep tilling, adding organic matter and other amendments based on soil tests.*
- b. *Appropriate Plant Species. Trees and plants used in xeriscape plantings pursuant to this section shall:*
  - i. *Be appropriate for the ecological setting in which they are to be planted;*
  - ii. *Have noninvasive growth habits;*
  - iii. *Encourage low maintenance and sustainable landscape design;*
  - iv. *Be commercially available;*
  - v. *Not be plant material that was collected in the wild; and*
  - vi. *Be consistent with the purpose and intent of this section.*
- c. *Native Vegetation. Within xeriscape areas, a minimum of 50 percent native plants shall be used.*
- d. *Prohibited Species. The city shall maintain a list of prohibited species, which are invasive or noxious. Where such species already exist, their removal shall be a condition of development approval.*
- e. *Additional Planting Standards.*
  - i. *For xeriscape areas, soil samples shall be analyzed to determine what soil conditioning or soil amendments should be used at the time of planting. Soil conditioning measures shall be adequate for the plant species selected.*
  - ii. *Trees, shrubs, perennials, perennial grasses and ground covers shall be located and spaced to accommodate their mature size on the site.*
- f. *Plant Replacement. The developer shall maintain xeriscape plantings for a two-year period from the date of planting. Within the two-year period, the developer shall replace or otherwise guarantee any failed plantings:*
  - i. *Dead or dying trees or shrubs shall be replaced; and*

- ii. *Plantings or perennials, perennial grasses or ground covers shall be replanted to maintain a maximum 20 percent mortality rate from the date of planting.*

**Response:** The landscape plans provide a planting schedule (Sheet L0.02 of Exhibit G) according to the approved plant list provided by the City. This section is an alternative to the standard plantings requirement, which is met with the proposed landscape plan.

- 3. *Storm Water. Applicants are encouraged to incorporate landscaping into the on-site storm water treatment system to the greatest extent practicable. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The proposed binding site plan provides on-site storm water ponds to treat on-site stormwater runoff. These ponds are incorporated with the landscape designs. This standard is met.

### **22C.120.060 Completion and security for performance and maintenance.**

- 1. *All required landscaping shall be in place before certificates of occupancy are issued. If, due to weather conditions, it is not feasible to install required landscape improvements, a temporary certificate of occupancy may be issued after a performance bond, irrevocable letter of credit, or assignment of cash deposit has been posted in accordance with Chapter 22G.040 MMC. Upon completion of the landscape improvements, the bond or device is released and a permanent certificate of occupancy issued; except a maintenance bond, irrevocable letter of credit, or assignment of cash deposit in accordance with Chapter 22G.040 MMC shall be required for a minimum duration of two growing seasons (March through October), as prescribed in subsection (2) of this section.*
- 2. *A certificate of occupancy may be issued only after a maintenance bond, irrevocable letter of credit, or assignment of cash deposit has been posted in accordance with Chapter 22G.040 MMC. This bond, irrevocable letter of credit, or assignment of cash deposit shall be held for a minimum duration of two growing seasons (March through October) to assure the full establishment of all plantings. After two growing seasons, if the plantings are fully established, the maintenance bond, irrevocable letter of credit, or assignment of cash deposit is released. If the plantings have not been fully established, the bond, irrevocable letter of credit, or assignment of cash deposit shall be held for one additional growing season, then released or used to re-establish the plantings, whichever is appropriate.*
- 3. *Projects requiring minor landscaping improvements, as determined by the community development director, shall submit a maintenance bond, irrevocable letter or credit, or assignment of cash deposit in an amount equal to the current cost of the landscaping work, for a minimum duration of one year. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The applicant acknowledges the requirements of this section and intends to install all applicable landscaping or enter a bond as required above prior to certificate of occupancy. The applicant will also conform to the requirements of subsection (2) to ensure the minimum duration of two (2) growing seasons is met, assuring the full establishment of all plantings. Any future minor landscaping improvements will conform to subsection (3) of this section. This section is informational at this stage in the binding site plan approval and does not require burden of proof until time of building permit review with the City prior to the issuance of a Certificate of Occupancy.

**22C.120.070 Berms and walls.**

*Berms and walls for noise screening may be required by the hearing examiner or community development director in accordance with recommendations from a qualified sound consultant. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** A noise study has not been requested by City of Marysville staff as part of this binding site plan application, however the applicant acknowledges the authority of the hearing examiner or community development director to require berms and/or walls for noise screening in accordance with recommendations from a qualified sound consultant to mitigate the potential impacts of the future use of the site.

**22C.120.080 Native trees.**

*Where a site has substantial numbers of native trees, site development shall be sensitive to the preservation of such vegetation, including the root zone. Prior to any site work, any trees which have been identified for preservation shall be fenced at their driplines. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The proposed site is adjacent to Hayho Creek (Type F) along the western boundary. To mitigate impacts to the identified wetlands, a 150' buffer is proposed to provide adequate separation from the wetland areas and site development and use activities. Native trees on site are located within this buffer zone and will not be disturbed by development improvements – no other native trees are located or have been identified for preservation in areas of development outside of the wetland mitigation area. As such this section is satisfied.

**22C.120.090 Mixed use developments.**

*Residential structures within a project shall be buffered from commercial structures and adjoining parking lots by use of vegetation, landscaping, fencing, walls, berms or other similar methods which are deemed under the circumstances to create effective and aesthetically pleasing screens or buffers between such diverse land uses. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** No residential structures are proposed within the bounds of this project, therefore this section does not apply to the proposed binding site plan application.

**22C.120.100 Modification due to site characteristics.**

*Except where specifically prohibited by the hearing examiner, the community development department, concurrently with action on the final site plan, may waive or modify landscaping requirements abutting residentially designated property where abutting residential uses will not be adversely affected, and where existing physical improvements, physiographic features or imminent changes in abutting land uses will render full compliance with said requirements ineffective. If said requirements are waived, or width of the buffer reduced, the community development department shall establish the minimum side and rear yard building setbacks from residentially designated property. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The applicant is not proposing modifications to landscaping requirements, nor is the subject site abutting residentially designated property. As such, this standard is not applicable to this binding site plan application.

### **22C.120.110 Descriptions of screens and landscaping types**

The following five basic types of landscaping are hereby established and are used as the basis for requirements set forth in Table 1 in MMC 22C.120.120.

1. *Opaque Screen. A screen that is opaque from the ground to a height of at least six feet, with intermittent visual obstructions from the opaque portion to a height of at least 20 feet. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis on the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than 10 feet wide. The portion of intermittent visual obstructions may contain deciduous plants. Suggested planting patterns that will achieve this standard are included in administrative guidelines prepared by the community development department.*

**Response:** L1 screening is provided within landscape peninsulas to provide opaque screening of the loading areas as shown in Sheet L0.01 of Exhibit G.

2. *Semi-Opaque Screen. A screen that is opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least 20 feet. The semi-opaque screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than 10 feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in administrative guidelines prepared by the community development department.*

**Response:** No L2 landscaping for semi-opaque screening is proposed as other landscaping types are more appropriate as shown in Sheet L0.01 of Exhibit G.

3. *L3 – Broken Screen. A screen composed of intermittent visual obstructions from the ground to a height of at least 20 feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The screen may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in administrative guidelines prepared by the community development department.*

**Response:** L3 landscaping is proposed along the parking perimeters to provide visual obstruction of the parking areas from the public right-of-way as shown in Sheet L0.01 of Exhibit G.

4. *L4 – Parking Area Landscaping. Landscaping that provides shade and visual relief while maintaining clear sight lines within parking areas. Planting areas should contain a mixture of evergreen and deciduous trees, shrubs and ground cover in planting islands or strips having an area of at least 75 square feet and narrow dimension of no less than five feet.*



*Suggested planting patterns which will achieve this standard are included in administrative guidelines prepared by the community development department.*

**Response:** L4 landscaping is proposed in the parking areas to provide visual relief as shown in Sheet L0.01 of Exhibit G.

5. *L5 – Retention/Detention Pond Landscaping. Landscaping that provides visual relief through a reduction in sight lines visible from a public right-of-way. Landscaping shall include all visible perimeter areas including side slopes and benches visible from said right-of-way. Planting areas must be a minimum of five feet in width along adjacent right-of-way and may incorporate no more than 30 percent deciduous plantings due to maintenance and pond performance constraints. Landscaped areas shall be on the exterior of any walls or fences; provided, that this requirement shall not apply to side slopes or benches within the fenced area. Suggested planting patterns that will achieve this standard are included in administrative guidelines prepared by the community development department.*

**Response:** L5 landscaping is provided in the designed stormwater locations as shown in Sheet L0.01 of Exhibit G.

*The screening and landscaping requirements set forth in this section may be interpreted with some flexibility by the community development director in the enforcement of the standards. It is recognized that because of the wide variety of developments and the relationships between them, it is neither possible nor prudent to establish inflexible screening requirements. Therefore, minor administrative deviations may be granted to allow less intensive screening, or requirements for more intensive screening may be imposed, whenever such deviations are more likely to satisfy the intent of this section. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The Landscape Plan provides planting plans detailing the above landscaping types utilized for Phase 1 of this binding site plan. These landscape types are applied to the applicable screening areas, parking area landscaping, and retention/detention pond landscaping areas further detailed in Sheets L1.10-L1.17 of Exhibit G. This standard is met.

**22C.120.120 Required landscape buffers**

<b>TABLE 22C.120.120-1. (EXCEPT)</b>			
<b>Proposed Use</b>	<b>Adjacent Use</b>	<b>Width of Buffer</b>	<b>Type of Buffer</b>
<i>Commercial, industrial, multifamily and business park parking areas and drive aisles</i>	<i>Public right-of-way and private access roads 30 feet wide or greater</i>	<i>10'</i>	<i>L3</i>
<i>Commercial, industrial, multifamily and business park parking areas and drive aisles</i>	<i>Public arterial right-of-way</i>	<i>15'</i>	<i>L3</i>
<i>Industrial and business parks</i>	<i>Property designated residential by the Marysville comprehensive plan</i>	<i>25'</i>	<i>L1</i>
<i>Industrial, commercial and business park building and parking areas</i>	<i>I-5 or SR 9 right-of-way</i>	<i>15"</i>	<i>L2</i>
<i>Outside storage or waste area or above ground utility boxes</i>		<i>5"</i>	<i>L1 (2)</i>

2. *Screening and impact abatement shall be provided in accordance with MMC 22C.120.160.*

**Response:** Screening and impact abatement landscaping 10' wide is provided with L3 Broken Screen Landscape Vegetation and L1 Opaque Screen Landscape Vegetation, specific to public arterial right-of-way (156<sup>th</sup> Street NE) and industrial uses as defined in this section.

**22C.120.130 Landscaping requirements for parking and outdoor display areas.**

1. *Parking areas or outdoor storage areas fronting on a street right-of-way shall provide a landscaped buffer, in accordance with MMC 22C.120.120, Table 1, along the entire street frontage except for driveways; provided, that the plantings shall not obstruct the sight distance at street intersections.*
2. *Additional plantings may be placed on street rights-of-way behind the sidewalk line if the property owner provides the city with a written release of liability for damages which may be incurred to the planting area from any public use or right-of-way.*
3. *Planted areas next to pedestrian walkways and sidewalks shall be maintained or plant material chosen to maintain a clear zone between three and eight feet from ground level.*
4. *Landscape plant material size, variety, color and texture within parking lots should be integrated with the overall site landscape design.*
5. *Ten percent of the parking area, in addition to the required buffers above, shall be landscaped with Type L4 landscaping; provided, that:*
  - a. *No parking stall shall be located more than 45 feet from a landscaped area;*
  - b. *All landscaping must be located between parking stalls, between rows of stalls, or at the end of parking columns. The use of strips or islands as bioretention swales or cells is encouraged, subject to approval by the city engineer. No landscaping which occurs between the parking lot and a building or recreation area shall be considered in the satisfaction of these requirements;*
  - c. *All individual planting areas within parking lots shall be planted with at least one tree, be a minimum of five feet in width and 120 square feet in size, and, in addition to the required trees, shall be planted with a living ground cover;*
  - d. *Parking lots containing less than 20 parking spaces need provide only perimeter screening to satisfy the 10 percent area requirements;*
  - e. *All landscaped areas shall be protected from vehicle damage by a six-inch protective curbing. Wheel stops may be substituted when required to allow storm water to pass;*
  - f. *A minimum two-foot setback shall be provided for all trees and shrubs where vehicles overhang into planted areas;*
  - g. *The landscaping requirements of this section may be modified if a development is located in an area where a special streetscape plan has been approved by the city. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** Parking areas fronting on a street right-of-way meet the landscape requirements of MMC 22C.120.120, Table 1, as depicted in the landscape plans provided in Sheets L1.10 - L1.11. Planted areas next to sidewalks within public rights-of-way have been chosen to meet the requirements needed to maintain a clear zone between three and eight feet from ground level, as depicted in the landscape plans. This standard is met.

**22C.120.140 Street tree requirements.**

1. *Purpose. To provide consistent street frontage character within the street right-of-way. The street tree standards also maintain and add to Marysville's tree canopy and enhance the overall appearance of commercial and neighborhood development. Trees are an integral*

*aspect of the Marysville landscape and add to the livability of Marysville. They provide aesthetic and economic value to property owners and the community.*

2. *Street Tree Implementation.*

- a. *Street trees are required along all city streets and access easements.*
- b. *Street trees shall be planted between the curb and the walking path of the sidewalk. Either five-foot by five-foot pits with tree grates or a continuous planting strip with ground cover that is at least five feet wide may be used. Where planting strips are not incorporated into the street design, street trees shall be located behind the sidewalk.*
- c. *Species of street trees shall be selected from the list of appropriate street trees outlined in the administrative landscaping guidelines, prepared by the community development director. Species of street trees not outlined in the administrative landscaping guidelines shall be approved by the community development director.*
- d. *Street trees shall meet the most recent ANSI standards for a one-and-one-half-inch caliper tree at the time of planting and shall be spaced in order to provide a continuous canopy coverage within 10 years of planting.*
- e. *Street tree plantings shall consider the location of existing utilities, lighting and existing and proposed signs.*
- f. *If overhead power lines are present, street trees shall be limited to a mature height of 25 feet to avoid conflict with utility lines and maintenance crews.*
- g. *If a street has a uniform planting of street trees or a distinctive species within the right-of-way, then new street trees should match the planting pattern and species.*
- h. *Landscape areas between the curb and sidewalk shall be maintained or plant material chosen to maintain a clear view zone between three and eight feet from ground level.*

**Response:** Street trees will be provided according to the standards of this section, as designed in the provided landscape plans (Sheets L1.10-L1.11). This standard is met.

3. *Where the community development director determines that it is not feasible and/or desirable to plant the required street trees, the applicant shall pay into the city tree fund an amount of money approximating the current market value of the trees, as well as labor costs for installation of said trees, that would otherwise be required. The city shall use the city tree fund for the purpose of acquiring, maintaining, and preserving wooded areas, and for planting and maintaining trees within the city.*

**Response:** The applicant acknowledges the authority of the community development director to determine the feasibility and desirability of the required street tree locations, and that the applicant may be required to pay into the city tree fund for the approximate market value of any street tree not planted due to the community development director's determination.

4. *Maintenance. Street trees and other landscaping shall be maintained and irrigated by the adjacent property owner, unless otherwise approved by the community development department. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** The applicant acknowledges the requirement to maintain and irrigate adjacent street trees as described in this standard.

**22C.120.160 Screening and impact abatement.**

Screening and impact abatement is required where necessary to reduce the impact of service, storage, loading and trash areas.

1. *All garbage collection, dumpsters, recycling areas, loading and outdoor storage or activity areas (including but not limited to areas used to store raw materials, finished and partially finished products and wastes) shall be screened from view of persons on adjacent properties and properties that are located across a street or alley. Screening may be accomplished by any one of the following techniques or their equivalent:*
  - a. *A five-foot-wide L1 visual screen;*
  - b. *A six-foot-high solid masonry wall or sight-obscuring fence five feet inside the property line with an L2 buffer between the fence and the property line; and*
  - c. *Storage areas are not allowed within 15 feet of a street lot line. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** All loading and trash areas are screened according to this standard as depicted in the landscape plans.

#### **22C.120.170 Landscaping – Soil amendment.**

1. *All landscaped and lawn areas, except areas within the dripline of preserved trees, shall be amended per BMP T5.13, Post Construction Soil Quality and Depth, in Volume V of the Washington Department of Ecology 2012 Stormwater Management Manual for Western Washington, as may be amended hereafter. Deeper soil amendment will provide improved growing medium and increased water holding capacity. (Ord. 3035 § 8 (Exh. H), 2016; Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** All landscaped and lawn areas will meet the requirements of this standard, as depicted in the landscape plans provided.

#### **22C.120.180 Landscaping – Maintenance.**

1. *All landscaped areas and plants required by this chapter must be permanently maintained in a healthy growing condition in order to accomplish the purpose for which they were required.*
2. *Dead or diseased plants must be replaced within 30 days of notification, or as soon as practical in regard to freezing weather, or complex situations involving the removal and replacement of large trees.*
3. *All landscaped areas must be kept free of debris and weeds.*
4. *Plant material must not interfere with public utilities, restrict pedestrian or vehicular access, or constitute a traffic hazard.*
5. *Planted areas next to pedestrian walkways and sidewalks shall be maintained or plant material chosen to maintain a clear zone between three and eight feet from ground level.*
6. *The owners, their agents and assigns are responsible for providing, protecting, and maintaining all landscaping material in a healthy and growing condition, replacing it when necessary, and keeping it free of refuse and debris.*
7. *All fencing, walls and other features used for screening purposes shall be kept free of litter, debris, and weeds. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** All landscaped areas in this site will be permanently maintained according to this standard, as detailed in the landscape plans. This standard is met.

#### **22C.120.190 Landscaping – Alternative options.**

*The following alternative landscape options may be allowed only if they accomplish equal or better levels of screening and are subject to city approval:*

1. *When the total area for required landscaping, and that within the dripline of retained trees, exceeds 15 percent of the area of the site, the landscaping requirement may be reduced so that the total required landscape and tree retention area will not exceed 15 percent of site area;*
2. *The width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:*
3. *When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site;*
4. *The width of any required perimeter landscaping may be averaged, provided the minimum width is not less than five feet;*
5. *The width of the perimeter landscaping may be reduced up to 10 percent when a development retains 10 percent of significant trees or 10 significant trees per acre on site, whichever is greater;*
6. *The landscaping requirement may be modified when existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities, would render application of this chapter ineffective or result in scenic view obstruction;*
7. *Street perimeter landscaping may be waived provided a site plan is approved that provides a significant amount of street trees and other pedestrian-related amenities. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This provision is not applicable as no alternatives to the landscaping requirements are requested with this application.

## **MCC 22C.130: Parking and Loading**

### **22C.130.160 General Standards**

1. *Where the Standards Apply. Every building hereafter constructed, reconstructed, expanded or occupied, or use of property hereafter established or modified, shall be provided with off-street parking as provided in this chapter, and such parking areas shall be made permanently available and maintained for parking purposes. No building permit shall be issued until plans showing provisions for the required off-street parking have been submitted and approved as conforming to the standards of this chapter.*
2. *Occupancy. All required parking areas must be completed and landscaped prior to occupancy of any structure.*
3. *Calculations of Amounts of Required and Allowed Parking.*
  - a. *When computing parking spaces based on floor area, floor area dedicated for parking is not counted.*
  - b. *The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. Parking for shopping centers shall be calculated in accordance with MMC 22C.130.030, Table 1: Minimum Required Parking Spaces. For joint parking, see MMC 22C.130.030(2)(d).*
4. *Use of Required Parking Spaces. Required parking spaces must be available for the use of residents, customers or employees for the use. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; they cannot be restricted only to customers. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.*

5. *Proximity of Parking to Use.*
  - c. *Parking for uses not specified above shall not be over 500 feet from the building it serves.*
  - d. *All off-street parking spaces for nonresidential uses shall be located on land zoned in a manner which would allow the particular use the parking will serve.*
  - e. *If the parking for a building or use is located on a lot other than the lot upon which the use for which the parking is required is located, the owner of the lot containing the parking shall execute a covenant in a form acceptable to the city attorney, stating that the lot is devoted in whole or in part to required parking for the use on another lot. The owner of the property upon which the main use is located shall record this covenant with the Snohomish County auditor's office to run with the properties on which both the principal use and the off-street parking are located. The owner shall provide a copy of the recorded covenant to the community development department.*
6. *Stacked Parking. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the city ensuring that an attendant will always be present when the lot is in operation. All parking and loading area development standards continue to apply for stacked parking.*
7. *Ingress and Egress Provisions. Curb cuts and access restrictions are regulated by the Marysville engineering design and development standards (EDDS). Access driveways for parking areas shall be located so as to cause the least possible conflict with vehicular and pedestrian traffic on public rights-of-way. The public works director shall have authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control traffic in the interest of public safety and general welfare. The city engineer may require joint use of driveways by more than one property. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** Parking has been provided for each building within the proposed binding site plan according to the standards above as shown in Sheet C1.10 of Exhibit I, with further detail in the following section response. These standards are met.

### **22C.130.030 Minimum required parking spaces**

1. *Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use. stacked parking.*
2. *Minimum Number of Parking Spaces Required.*
  - a. *The minimum number of parking spaces for all zones and use categories is stated in Table 1.*
  - b. *If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.*
  - e. *Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the bicycle parking standards in MMC 22C.130.060, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.*

- g. Reduction of Required Spaces When Effective Alternatives to Automobile Access Are Proposed. Upon demonstration to the hearing examiner that effective alternatives to automobile access are proposed to be implemented, the examiner may reduce by not more than 40 percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand achieved by such alternative programs. Alternative programs which may be considered by the examiner under this provision include, but are not limited to, the following:*
- i. Private vanpool operation;*
  - ii. Transit/vanpool fare subsidy;*
  - iii. Imposition of a charge for parking;*
  - iv. Provision of subscription bus services;*
  - v. Flexible work-hour schedule;*
  - vi. Capital improvement for transit services;*
  - vii. Preferential parking for carpools/vanpools;*
  - viii. Participation in the ride-matching program;*
  - ix. Reduction of parking fees for carpools and vanpools;*
  - x. Establishment of a transportation coordinator position to implement carpool, vanpool, and transit programs; or*
  - xi. Bicycle parking facilities.*
- h. Uses Not Mentioned. In the case of a use not specifically mentioned in Table 1: Minimum Required Parking Spaces, the requirements for off-street parking shall be determined by the community development director. If there are comparable uses, the community development director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the community development director, none of the uses in Table 1: Minimum Required Parking Spaces are comparable, the community development director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.*

**Response:** The proposed Phase 1 site plan (Exhibit I) provides parking for each building based on the calculations in Table 22C.130.030-1 for warehouse and office use. Sheets C1.21-C1.24 provide closer site detail for each proposed building in Phase 1. No reductions for the minimum requirements are requested and there are no proposed uses not mentioned in Table 1. This standard is met.

- 3. Carpool Parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:*
- a. Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 a.m. on weekdays. More spaces may be reserved, but they are not required.*
  - b. The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.*
  - c. Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.*

**Response:** This standard is applicable and provided for in the site plan. Each building will provide the minimum required carpool parking spaces according to this standard, as shown on Sheets C1.21-C1.24 of Exhibit I. This standard is met.

<i>TABLE 22C.130.030-1. MINIMUM REQUIRED PARKING SPACES. (EXCERPT)</i>	
<i>Land Use</i>	<i>Minimum Required Spaces</i>
<i>Banks, business and professional offices (other than medical and dental) with on-site customer service</i>	<i>1 per 400 SF gross floor area</i>
<i>Warehouses, storage and wholesale businesses</i>	<i>1 per 2,000 SF of gross floor area plus office space requirements</i>

**Response:** For the four (4) buildings in Phase 1, 26,400 SF of gross floor area will be dedicated for office use, and 237,600 SF of gross floor area will be dedicated to warehouse use. Based on those areas and the formula provided in Table 1, 186 spaces minimum are required, and 445 spaces are provided. This standard is met.

<i>PHASE 1 PARKING REQUIREMENTS</i>		
<i>Phase 1 Buildings</i>	<i>Required</i>	<i>Provided</i>
<i>Building 101</i>	<i>37</i>	<i>84</i>
<i>Building 102</i>	<i>45</i>	<i>107</i>
<i>Building 103</i>	<i>52</i>	<i>144</i>
<i>Building 104</i>	<i>52</i>	<i>110</i>
<i>TOTAL</i>	<i>186</i>	<i>445</i>

**22C.130.040 Site plan required**

A site plan for every new or enlarged off-street parking lot or motor vehicle sales area shall be approved by the community development department prior to construction. The site plan shall be drawn utilizing a common engineering scale (e.g., one inch equals 20 feet, one inch equals 30 feet, one inch equals 40 feet) and shall depict the following elements:

1. The proposed/existing buildings and appurtenances;
2. Locations, size, shape and design of the parking spaces;
3. Existing/proposed curb cuts or access locations;
4. Existing/proposed illumination;
5. Landscaping and method of irrigation;
6. Parking lot circulation (i.e., drive aisles, turning radii, etc.);
7. Drainage facilities;
8. Other features as deemed necessary by the director. (Ord. 2852 § 10 (Exh. A), 2011).

**Response:** A Phase 1 site plan has been prepared depicting the elements 1-8 above and is included with this binding site plan application as Exhibit I. This standard is met.

**22C.130.050 Development Standards**

1. Purpose. The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.
2. Where These Standards Apply. The standards of this section apply to all vehicle areas whether required or excess parking.



3. *Improvements.*
  - a. *Paving*
    - i. *In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. Gravel surfacing is not considered an all-weather surface.*
    - ii. *The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the city determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.*
    - iii. *Parks, agricultural and similar uses, and developments providing surplus parking are exempt from the all-weather surface requirement, provided, all surfacing must provide for the following minimum standards of approval:*
      - (A). *Gravel parking facilities shall be surfaced with no less than three inches of crushed gravel.*
      - (B). *Dust is controlled.*
      - (C). *Storm water is treated to city standards.*
      - (D). *Rock and other debris is not tracked off site.*
      - (E). *Driveway and approaches shall be paved with an all-weather surface, specified by the city engineer, from at least 20 feet back from the property line to the street.*
  - b. *Striping. All parking spaces, except for stacked parking, must be striped in conformance with the minimum parking and aisle dimensions outlined in Table 2, except parking for single-family residences, duplexes and accessory dwelling units.*
  - c. *Protective Curbs Around Landscaping. All perimeter and interior landscaped areas must have cast in place or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow storm water runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residences, duplexes and accessory dwelling units.*
  - d. *Illumination. Parking lot illumination shall be provided for all parking lots containing 15 or more parking spaces, and shall comply with the following design standards:*
    - i. *Parking lot lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale;*
    - ii. *All fixtures over 15 feet in height shall be fitted with a full cut-off shield;*
    - iii. *Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety;*
    - iv. *Parking lot lighting shall be designed to provide security lighting to all parking spaces;*
    - v. *Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to*

*trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.*

4. *Storm Water Management. Storm water runoff from parking lots is regulated by MMC Title 14, Water and Sewers.*
5. *Parking Area Layout.*
  - a. *Access to Parking Spaces.*
    - i. *All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.*
    - ii. *Parking shall be designed so that automobiles do not back out into public streets.*

**Response:** A site plan is included with this application that provides the location and details of the proposed parking for Phase 1 (Sheet C1.10 of Exhibit I) of the overall binding site plan. As shown in greater detail on Sheets C1.21-C1.24, all parking areas are designed to meet the requirements of subsection a.i-ii. This standard is met.

- b. *Parking Space and Aisle Dimensions.*
  - i. *Parking spaces and aisles must meet the minimum dimensions contained in Table 2: Minimum Parking Space and Aisle Dimensions. Parking at any angle other than those shown is permitted, providing the width of the stalls and aisle are adjusted by interpolation between the specified standards.*
  - ii. *Turning Radii. The minimum allowable inside vehicle turning radius in parking and driveway areas shall be 20 feet unless fire or solid waste apparatus access is necessary, in which case the minimum inside radius shall be 30.5 feet and the outside radius shall be 46 feet or as required by the fire district or solid waste division. Turning radii are not necessarily the radii or curbs around islands and other improvements.*
  - iii. *On dead-end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.*
  - iv. *The community development director may grant a deviation from the parking space and aisle dimensions outlined in Table 2: Minimum Parking Space and Aisle Dimensions, whenever (a) there exists a lot with one or more structures on it constructed before the effective date of this title, and (b) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (c) the parking space and aisle dimensions that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking dimensional standards. To grant a deviation, the community development director must make the following findings:*
    - (A). *That the granting of the deviation will not create a safety hazard or loading of vehicles on public streets in such a manner as to interfere with the free flow of vehicular and pedestrian traffic within the public right-of-way.*
    - (B). *That the granting of the deviation will not create a safety hazard or any other condition inconsistent with the objectives of this title.*

TABLE 22C.130.030-1. MINIMUM PARKING SPACE AND AISLE DIMENSIONS					
Angle	Width	Curb Length	1-Way Aisle Width	2-Way Aisle Width	Stall Depth
0° (parallel)	8'	21'	12'	22'	8'
30°	8' 6"	17'	12'	22'	15'
45°	8' 6"	12'	12'	22'	17'
60°	8' 6"	9' 6"	16'	22'	18'
90°	8' 6"	8' 6"	22'	22'	18'

Note: Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).

**Response:** The proposed parking spaces are designed to meet the above Table minimum dimension requirements for 90 degree stalls.

- c. *Pedestrian Access and Circulation. Developments must provide specially marked or paved walkways through parking lots, as depicted in Figures 1 through 4. Parking lot walkways shall allow for access so pedestrians and wheelchairs can easily gain access from public sidewalks and bus stops to building entrances through the use of raised concrete or pervious pavement sidewalks, or pedestrian paths which are physically separated from vehicle traffic and maneuvering areas. Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be universally accessible and meet ADA standards.*

**Response:** Pedestrian access with paved walkways are included for Phase 1 of this binding site plan. Phase 1 fronts on 156th Street NE, a public right-of-way, and pedestrian access to Phase 1 of the site is provided adjacent to each vehicle entryway, connecting each building to the public sidewalk. This standard is met.

- d. *Location. Parking areas should be located and designed to consider impacts to the streetscape. Except for adult facilities as defined by MMC 22A.020.020, on-site parking shall be located at the sides and rear of buildings or complexes. For adult facilities, on-site parking shall be located where most visible from both the streetscape and the public access to the adult facility.*

**Response:** Based on the proposed use of the site and buildings and as prescribed in Smokey Point MPA 9.5 (detailed in subsequent section), loading areas have been located in a courtyard-style design that is screened from the adjacent public streets. Because of this, vehicle parking for Phase 1 is in the front and sides of buildings in order to reduce the visual impact of loading facilities on the public streetscape. This standard is met.

- e. *Parking for Disabled Persons. The building official regulates the following disabled person parking standards and access standards through the building code and the latest ICC/ANSI A117.1 standards for accessible and usable buildings and facilities:*
  - i. *Dimensions of disabled person parking spaces and access aisles;*
  - ii. *The minimum number of disabled person parking spaces and circulation routes;*
  - iii. *Location of disabled person parking spaces and circulation routes;*
  - iv. *Curb cuts and ramps including slope, width and location; and*

- v. *Signage and pavement markings.*

**Response:** ADA stalls are shown on the preliminary site plan, greater detail on Sheets C1.21-C1.24.

- f. *A portion of a standard parking space may be landscaped instead of paved, as follows:*
- i. *The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements;*
  - ii. *Landscaping must be ground cover plants; and*
  - iii. *The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.*

**Response:** This standard is proposed to be met in certain areas of the site plan where parking is adjacent to landscaping as shown in Sheets L1.12 and L1.16 of Exhibit G. This standard is met.

- g. *Ingress and Egress Provisions. The layouts of parking areas are reviewed for compliance with the curb cut and access restrictions outlined in the Marysville engineering design and development standards (EDDS).*

**Response:** Curb cuts and access from the public right-of-way have been designed to meet Marysville EDDS requirements as depicted in Sheet C1.10 of Exhibit I. This standard is met.

6. *Parking Area Landscaping and Screening. All landscaping must comply with the standards of Chapter 22C.120 MMC. In addition, screening in the form of a solid masonry wall, architectural fences or dense coniferous hedges shall be erected or planted and maintained to a height of not less than five feet where a parking lot has a common boundary line with any residentially zoned property.*

**Response:** A landscaping plan is included with this application and addressed in section 22C.120 of this report. The binding site plan is not adjacent to any residentially zoned property; therefore no additional screening is required. This standard is met.

7. *Ingress and Egress Provisions. The layouts of parking areas are reviewed for compliance with the curb cut and access restrictions outlined in the Marysville engineering design and development standards (EDDS).*

**Response:** Curb cuts and access from the public right-of-way have been designed to meet Marysville EDDS requirements as depicted in Sheet C1.10 of Exhibit I. This standard is met.

### **22C.130.060 Bicycle Parking**

*Bicycle parking standards are intended to provide safe, convenient, and attractive areas for the circulation and parking of bicycles that encourage the use of alternative modes of transportation.*

1. *Required Bicycle Parking. Bicycle parking facilities shall be provided for any new use which requires 20 or more automobile parking spaces.*
  - a. *The number of required bicycle parking spaces shall be five percent of the number of required off-street auto parking spaces.*
  - b. *When any covered automobile parking is provided, all bicycle parking shall be covered.*

**Response:** Bicycle parking will be provided with the final engineering and landscape plans, as determined by the 5% of required parking addressed in 22C.130.30. Buildings 101-102 have a minimum requirement of two (2) spaces and Buildings 103-104 provide the minimum requirement of three (3) spaces. There are no proposed covered parking spaces, as such no covered bicycle parking spaces are required. This standard will be met with the submittal of the final engineering and final landscape plans.

2. *Exemptions from Bicycle Parking Standards.*
  - a. *Construction activities which do not require a building permit.*
  - b. *Interior and exterior remodels of existing structures.*
  - c. *Temporary use or activities.*

**Response:** This proposed binding site plan is not exempt from bicycle parking standards.

3. *Bicycle Parking Standards.*
  - a. *Each required bicycle parking space shall be located on a minimum all-weather surface, specified by the city engineer.*
  - b. *Bicycle parking should be at least as well-lit as vehicle parking for security.*
  - c. *A bicycle parking space shall be at least six feet long and two feet wide with an overhead clearance of at least seven feet, and comply with the spacing provisions depicted in Figure 5. An access aisle of at least four feet wide shall be provided and maintained beside or between each row of bicycle parking.*
  - d. *The location of the rack and subsequent parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions.*
  - e. *Direct pedestrian access from the bicycle parking area to the building entrance shall be provided.*

**Response:** Bicycle parking spaces and rack details will be provided with the final engineering and final landscape plans. This standard will be met at the time of final engineering and final landscape submittals.

4. *Bicycle Parking Location and Design.*
  - a. *Bicycle parking provided in outdoor locations shall not be located farther than the closest automobile parking space (except ADA parking).*
  - b. *Short-term bicycle parking shall consist of the following design features:*
    - i. *Inverted "U" style racks or similar design, as illustrated in Figure 6.*
    - ii. *Each rack shall provide each bicycle parking space with at least two points of contact that allow the frame and both wheels to be locked to the rack by the bicyclist's own locking device.*
    - iii. *The bike rack shall have rounded surfaces and corners.*
    - iv. *The bike rack shall be coated in a material that will not damage the bicycle's painted surfaces.*

**Response:** Bicycle parking spaces are designed to meet the requirements of this standard, exact placement will be shown with the final engineering and landscape plans.

5. *The community development director may waive the bicycle parking requirement if it can be demonstrated that the rack would not be reasonably utilized due to the location of the facility. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard does not apply as the applicant is not requesting a waiver of the bicycle parking requirements.

**22C.130.080 Loading Areas**

1. *Purpose.* A minimum number of off-street loading spaces are required to ensure adequate areas for loading for larger uses and developments. These standards ensure that the appearance of loading areas will be consistent with that of parking areas.
2. *Loading Standards.*
  - a. *Number of Loading Spaces.* The number of loading spaces required is determined by the following table.

Gross Floor Area (GFA)	Number of Loading Spaces
Less than 20,000 SF of nonresidential GFA	0
20,000 SF to 50,000 SF of nonresidential GFA	1
More than 50,000 SF of nonresidential GFA	2

- b. *Loading spaces shall be designed so no part of a truck or van using the loading space will project into the public right-of-way.*
- c. *Size of Loading Spaces.* Each loading space shall measure not less than 10 feet wide by 30 feet long, with 14-foot height clearance.
- d. *Placement, Setbacks, and Landscaping.* Loading areas must comply with the setback and perimeter landscaping standards stated in Chapter 22C.120 MMC. When parking areas are prohibited or not allowed between a building and a street, loading areas are also prohibited or not allowed.
- e. *Paving.* In order to control dust or mud, all loading areas must be covered in a minimum all-weather surface, specified by the city engineer. (Ord. 2852 § 10 (Exh. A), 2011).

**Response:** Due to the nature of the proposed use, each building in Phase 1 of this binding site plan has more than the minimum requirement of two (2) loading spaces. The loading areas for each building have been designed to meet the requirements of this standard as depicted in Sheet C1.10 of Exhibit I. This standard is met.

**22C.130.080 Variance requests to this chapter.**

1. *In considering a request for a modification of parking requirements, the hearing examiner shall consider the following factors:*
  - a. *Type of use proposed and traffic generation, including hours of operation, frequency of employee and customer trips, and other specific factors relating to the proposed use;*
  - b. *Location of the subject property, proximity to and availability of public transportation facilities, likelihood of customers or employees to use public transportation;*
  - c. *Other information which is relevant and necessary to make a determination as to the validity of the request for modification. Such additional information may include parking studies and traffic surveys for the proposed project vicinity and data concerning the actual parking demand of other similar uses.*
2. *In approving a request for the modification of the number of required off-street parking spaces, the hearing examiner may require that a transit stop be located on the subject lot in order to promote use of public transit and to justify a reduction in the required number of parking spaces. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** No variance for a modification of parking requirements is proposed at this time.

## **MCC 22E Environmental Standards**

### **MCC 22E.010: Critical Areas Management**

#### **22E.010.010 General Purpose and Intent**

1. *The city of Marysville finds that critical areas perform many important biological and physical functions that benefit the city of Marysville and its residents, with the exception of geologic hazard areas which may pose a threat to human safety or to public and private property. Specifically, the functions they perform include but are not limited to the following by type:*
  - (a) *Wetlands. Helping to maintain water quality; storing and conveying storm water and flood water; recharging ground water; providing important fish and wildlife habitat; and serving as areas for recreation, education and scientific study and aesthetic appreciation; and*
  - (b) *Fish and Wildlife Habitat Areas. Maintaining species diversity and genetic diversity; providing opportunities for food, cover, nesting, breeding and movement for fish and wildlife; serving as areas for recreation, education, and scientific study and aesthetic appreciation; helping to maintain air and water quality; controlling erosion; and providing neighborhood separation and visual diversity within urban areas.*

*In addition, certain portions of the city of Marysville are characterized by geologic hazards that pose a risk to public and private property, to human life and safety and to the natural systems that make up the environment of the city of Marysville. These lands are affected by natural processes that make them susceptible to landslides, seismic activity and severe erosion. Protection of critical areas and regulation of geologic hazards are, therefore, necessary to protect the public health, safety and general welfare.*

1. *These regulations of the city of Marysville critical areas ordinance contain standards, guidelines, criteria and requirements intended to identify, analyze and mitigate potential impacts to the city of Marysville's critical areas and to enhance and restore them where possible. The intent of these regulations is to avoid impacts where such avoidance is feasible and reasonable. In appropriate circumstances, impacts to critical areas resulting from regulated activities may be minimized, rectified, reduced or compensated for, consistent with the requirements of these regulations. The city of Marysville's overall goal shall be to protect the functions and values of critical areas and protect the people, public and private property,*
2. *The city of Marysville further finds that Snohomish County has identified and mapped some portions of the city of Marysville based on topographic, geologic, hydrologic, and habitat characteristics where the conditions indicate that critical areas are believed to exist. There is, however, a need for additional study and mapping to verify that such conditions do, in fact, prevail and to identify other areas that are potentially geologic hazards. Such mapping will enable the city of Marysville to provide notice to the public of the potential presence of critical areas or the risks associated with developing lands subject to geologic hazards. However, the boundaries of the critical areas and geologic hazard areas displayed on these maps are approximate and are not intended to be used*

for individual site assessment. Where differences occur between what is illustrated on these maps and site conditions, the actual presence or absence of environmentally critical areas or geologic hazard areas on the site shall control. (Ord. 2852 § 10 (Exh. A), 2011).and natural ecosystems.

**Response:** The project site includes a section of critical area, a stretch of Hayho Creek, along the western boundary of the site, and the applicant acknowledges the City’s purpose and intent to minimize any potential impacts to important biological and physical functions of identified critical areas to protect public welfare. This standard does not require proof of evidence of compliance.

**22E.010.220 Fish and Wildlife Habitat Buffer Areas**

1. The establishment of buffer areas shall be required for regulated activities in or adjacent to habitat areas. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Activities within buffers should not result in any net loss of the functions and values associated with streams and their buffers.

a. The following buffer widths are established:

<i>Streams</i>	<i>Buffer</i>
<i>Type S</i>	<i>200 feet</i>
<i>Quilceda Creek</i>	<i>100 feet</i>
<i>Ebey Slough</i>	<i>25 feet</i>
<i>Except in the following location: north and south shore of Ebey Slough between the western city limits and 47th Ave. NE</i>	
<i>Type F</i>	<i>150 feet</i>
<i>Gissberg Twin Lakes</i>	<i>Lake setbacks correspond to county park boundaries</i>
<i>Type Np</i>	<i>100 feet</i>
<i>Type Ns</i>	<i>50 feet</i>

b. *Federal, State, and Local Habitats and Species.*

i. *Except for waters subject to subsection (1)(a) of this section, and bald eagles subject to subsection (1)(b)(ii) of this section, the establishment of buffer areas may be required for regulated activities in or adjacent to federal, state, and local species and habitat areas as designated pursuant*



*to MMC 22E.010.170 and 22E.010.210. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby. Buffers shall be determined by the department based on information in the biological/habitat report, a habitat management plan approved by the Department of Fish and Wildlife supplemented by its own investigations, the intensity and design of the proposed use, and adjacent uses and activities. Buffers are not intended to be established or to function independently of the habitat they are established to protect. Buffers shall be measured from the edge of the habitat area.*

- ii. Bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292).*

**Response:** The portion of Hayho Creek adjacent to the site is a Type F Stream classification as identified in the Wetland Buffer Mitigation Plan (Exhibit M) and is subject to subsection (1)(a) of this section. A 150-foot buffer is proposed as part of the binding site plan. The landscape plan and Wetland Buffer Mitigation Plan provide details of the buffer enhancement and restoration measures proposed to enhance the native vegetation within the 181,468 square feet (4.17 acres) of degraded critical area buffer. Non-native and/or invasive species will be removed from the buffer area before native species are planted, where necessary. The buffer enhancement and restoration measures will result in a net gain of the functions and value of the buffer area. This standard is met.

2. *Where existing buffer area plantings provide minimal vegetative cover and cannot provide the minimum water quality or habitat functions, buffer enhancement shall be required. Where buffer enhancement is required, a plan shall be prepared that includes plant densities that are not less than five feet on center for shrubs and 10 feet on center for trees. Monitoring and maintenance of plants shall be required in accordance with MMC 22E.010.260. Existing buffer vegetation is considered "inadequate" and will require enhancement through additional native plantings and removal of nonnative plants when:*

- a. Nonnative or invasive plant species provide the dominate cover;*
- b. Vegetation is lacking due to disturbance and stream resources could be adversely affected; or*
- c. Enhancement planting in the buffer could significantly improve buffer functions. If, according to the buffer enhancement plan, additional buffer mitigation is not sufficient to protect the habitat, the city shall require larger buffers where it is necessary to protect habitat functions based on site-specific characteristics.*

**Response:** The landscape plan and Wetland Buffer Mitigation Plan provide details of the buffer enhancement and restoration measures proposed to enhance the native vegetation within the 181,468 square feet (4.17 acres) of degraded critical area buffer. Non-native and/or invasive species will be removed from the buffer area before native species are planted, where necessary. The buffer enhancement and restoration measures will result in a net gain of the functions and value of the buffer area. A monitoring and maintenance component of the Wetland Buffer Mitigation Plan details that the permittee shall be responsible for maintaining the mitigation area for the duration of the five-year monitoring period. Maintenance will include watering, weeding

around the base of installed plants, pruning, replacement, re-staking, removal of all classes of noxious weeds and Himalayan blackberry, cutting down competing grasses, and any other measures needed to ensure plant survival. This standard is met.

3. *Measurement of Buffers.*

- a. *Stream Buffers. All buffers shall be measured from the ordinary high water mark as identified in the field or, if that cannot be determined, from the top of the bank. In braided channels and alluvial fans, the ordinary high water mark or top of bank shall be determined so as to include the entire stream feature;*
- b. *Combination Buffers. Any stream adjoined by a wetland or other adjacent habitat area shall have the buffer which applies to the wetland or other habitat area unless the stream buffer requirements are more expansive.*

**Response:** The proposed 150-foot buffer is measured from the ordinary high water mark, as detailed in Exhibit M. This standard is met.

4. *Buffer widths may be modified by averaging buffer widths as set forth herein:*

- a. *Buffer width averaging shall be allowed only where the applicant demonstrates to the community development department that the averaging will not impair or reduce habitat, water quality purification and enhancement, storm water detention, ground water recharge, shoreline protection and erosion protection and other functions of the stream and buffer, that lower intensity land uses would be located adjacent to areas where buffer width is reduced, and that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging;*
- b. *Notwithstanding the reductions permitted in subsection (4)(a) of this section, buffer widths shall not be reduced by more than 25 percent of the required buffer.*

**Response:** Buffer width averaging (no widths reduced more than 25% of the required buffer) was utilized in the Wetland Buffer Mitigation Plan. Based on the degraded quality of the native vegetation within the buffer area, the averaging will not impair or reduce natural habitat or other functions of the stream. This standard is met.

5. *The buffer width stated in subsection (1) of this section shall be increased in the following circumstances:*

- a. *When the adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse habitat impacts; or*
- b. *When the standard buffer has minimal or degraded vegetative cover that cannot be improved through enhancement; or*
- c. *When the minimum buffer for a habitat extends into an area with a slope of greater than 25 percent, the buffer shall be the greater of:*
  - i. *The minimum buffer for that particular habitat; or*
  - ii. *Twenty-five feet beyond the point where the slope becomes 25 percent or less.*

**Response:** The proposed buffer is not adjacent to land susceptible to severe erosion as identified in the GeoTechnical Report (Exhibit K), nor does the standard buffer have degraded vegetative cover that cannot be improved through enhancement. The buffer is not required to be increased based on the provisions of this standard.

6. *The community development director may authorize the following low impact uses and activities within the buffer depending on the sensitivity of the habitat involved, provided they are consistent with the purpose and function of the habitat buffer and do not detract from its integrity. To the extent reasonably practicable, examples of uses and activities which may be permitted in appropriate cases include pedestrian trails, viewing platforms, interpretive signage, utility easements and the installation of underground utilities pursuant to best management practices. Uses permitted within the buffer shall be located in the outer 25 percent of the buffer.*

**Response:** The approved 156th Street NE bridge crossing of Hayho Creek considered the future extension of utilities in the right-of-way. The proposed utility plans as part of this binding site plan application include designs to bore utility lines under Hayho Creek within the right-of-way pursuant to best management practices. The extension of 156th Street NE will be a permanent impact to the critical area buffer, with temporary impacts to the buffer during construction; however, those areas will be restored as detailed in the Wetland Buffer Mitigation Plan. No low impact uses or activities such as pedestrian trails, viewing platforms or utility easements are proposed within the critical area buffer – a split-rail fence is proposed to be a physical and visual barrier along the buffer’s outer edge, however, is not an impact to the buffer itself. This standard is met.

7. *Trails and Open Space. For walkways and trails, associated open space in critical buffers located on public property, or on private property where easements or agreements have been granted for such purposes all of the following criteria shall be met:*
- a. *The trail, walkway, and associated open space shall be consistent with the comprehensive parks, recreation, and open space master plan. The city may allow private trails as part of the approval of a site plan, subdivision or other land use permit approvals.*
  - b. *Trails and walkways shall be located in the outer 25 percent of the buffer, i.e., the portion of the buffer that is farther away from the critical area. Exceptions to this requirement may be made for:*
    - i. *Trail segments connecting to existing trails where an alternate alignment is not practical. Public access points to water bodies spaced periodically along the trail.*
  - c. *Enhancement of the buffer area is required where trails are located in the buffer. Where enhancement of the buffer area adjacent to a trail is not feasible due to existing high quality vegetation, additional buffer area or other mitigation may be required.*
  - d. *Trail widths shall be a maximum width of 10 feet. Trails shall be constructed of permeable materials; provided, that impervious materials may be allowed if pavement is required for handicapped or emergency access, or safety, or is a designated nonmotorized transportation route or makes a connection to an already dedicated trail, or reduces potential for other environmental impacts.*

**Response:** No trails or walkways are proposed within the critical area buffer associated with this project; therefore this standard is not applicable.

8. *Allowed Activity – Utilities in Streams. New utility lines and facilities may be permitted to cross water bodies in accordance with an approved supplemental stream/lake study, if they comply with the following criteria:*

a. *Fish and wildlife habitat areas shall be avoided to the maximum extent possible; and*

*(b) The utility is designed consistent with one or more of the following methods:*

*(i) Installation shall be accomplished by boring beneath the scour depth and hyporheic zone of the water body and channel migration zone; or*

*(ii) The utilities shall cross at an angle greater than 60 degrees to the centerline of the channel in streams perpendicular to the channel centerline; or*

*(iii) Crossings shall be contained within the footprint of an existing road or utility crossing; and*

*(c) New utility routes shall avoid paralleling the stream or following a down-valley course near the channel; and*

*(d) The utility installation shall not increase or decrease the natural rate of shore migration or channel migration; and*

*(e) Seasonal work windows are determined and made a condition of approval; and*

*(f) Mitigation criteria of MMC 22E.010.240 are met.*

**Response:** New utility lines are proposed within the 156th Street right-of-way connecting to the recently approved bridge crossing at western boundary of the site. The installation of underground utilities will follow best practices as approved by the City of Marysville Engineer pursuant to this section. This standard is met.

*(9) Storm water management facilities, such as biofiltration swales and dispersion facilities, may be located within the outer 25 percent of buffers only if they will have no negative effect on the functions and purpose the buffers serve for the fish and wildlife habitat areas. Storm water detention ponds shall not be allowed in fish and wildlife habitat areas or their required buffers.*

**Response:** Biofiltration swales or dispersion facilities are not proposed with this application. Stormwater detention ponds are proposed with the project but will not be within the critical area buffer. This standard is met.

*(10) For subdivisions and short subdivisions, the applicable wetland and associated buffer requirements for any development or redevelopment of uses specifically identified in, and approved as part of, the original subdivision or short subdivision application shall be those requirements in effect at the time that the complete subdivision or short subdivision application was filed; provided, that for subdivisions this provision shall be limited to final plats reviewed and approved under Ordinance 1928, "Sensitive Areas," adopted December 14, 1992, or as amended at the time of final plat approval. However, at the discretion of the community development director a buffer enhancement plan may be required in accordance with subsection (2) of this section if the wetland*

*or buffer has become degraded or is currently not functioning or if the wetland and/or buffer may be negatively affected by the proposed new development.*

**Response:** This application is for a binding site plan, not a subdivision or short subdivision. This standard is not applicable. However, a buff enhancement plan has been prepared and included as part of this application and will be included with the final binding site plan in order to ensure the integrity of the buffer area is maintained.

*(11) Minor additions or alterations such as decks and small additions less than 120 square feet, interior remodels, or tenant improvements which have no impact on the habitat or buffer shall be exempt from the buffer enhancement requirements.*

**Response:** The applicant acknowledges the allowances for minor additions or alterations within the critical area buffer; however, this standard is not applicable as the project does not propose any described activities in this provision.

*(12) Required buffers shall not deny all reasonable use of property. A variance from buffer width requirements may be granted by the city of Marysville upon a showing by the applicant that:*

*(a) There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location or surroundings that do not apply generally to other properties and which support the granting of a variance from the buffer width requirements; and*

*(b) Such buffer width variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated property but which because of special circumstances is denied to the property in question; and*

*(c) The granting of such buffer width variance will not be materially detrimental to the public welfare or injurious to the property or improvement; and*

*(d) The granting of the buffer width variance will not materially affect the subject habitat area; and*

*(e) If a variance application for stream buffers is merged with a pending shoreline development permit application, the applicant shall pay the city a single fee equal to the amount of the shoreline permit; and*

*(f) No variance from stream buffers shall be granted which is inconsistent with the policies of the Shoreline Management Act of the state of Washington and the master program of the city of Marysville.*

*(g) Best available science, as set forth in MMC 22E.010.040, shall be taken into consideration in the granting of a buffer width variance. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard does not apply as the application does not include a request for a variance from buffer width requirements.

## MCC 22G.100: Binding Site Plan

### 22G.100.040 Jurisdiction

*These regulations shall apply to all properties which are exempt from the city's subdivision code pursuant to RCW 58.17.040(4) or (7) and which are being divided through the binding site plan process in:*

1. *Commercial, industrial, recreation and public institutional zones; Divisions involving single-family, multifamily, and townhome developments must comply with the planned residential development provisions of Chapter 22G.080 MMC.*

**Response:** This site is located within an industrial zone and will be divided through the binding site plan process, therefore this section is applicable.

### 22G.100.050 Applicability

*Any person, firm, corporation or other entity which does not divide their property per the city's subdivision ordinance and seeks to divide commercial, industrial, recreation, public institutional or residential zoned land for the purpose of sale or transfer of ownership is required to apply for and complete a binding site plan as is required by this title. (Ord. 3136 § 3 (Exh. B), 2019; Ord. 2852 § 10 (Exh. A), 2011).chapter are civil infractions enforced under MMC Title 4.*

**Response:** The applicant will not pursue dividing the subject property per the city's subdivision ordinance, instead seeks to divide the industrial site through the binding site plan pursuant Title 22G.100.

### 22G.100.080 Preapplication requirements

1. *Meeting. Prior to submittal of a binding site plan application for consideration by the city, the applicant may request a preapplication meeting with the city staff on the express condition that the city, its officers, and employees shall be held harmless and released from any claims from damages arising from discussions at said preapplication meeting. The city shall provide written comments to the applicant, and the applicant may discuss the general goals and objectives of the proposal, the overall design possibilities, the general character of the site, environmental constraints and standards of development. The focus of the meeting shall be general in nature and none of the discussions shall be interpreted as a commitment by the city or applicant. No statements or assurances made by city representatives shall in any way relieve the applicant of his or her duty to submit an application consistent with all relevant requirements of all pertinent city, state and federal codes, laws, regulations and land use plans.*
2. *Preliminary Drawings.*
  - a. *Binding Site Plan. The applicant shall provide an accurate preliminary drawing to scale showing lot layout, dimensions, circulation, building location, parking, landscaping and utilities.*
  - b. *Legal Description. The applicant shall provide a legal description of the property.*
  - c. *Vicinity Map. The applicant shall provide a vicinity sketch of the subject area.*
3. *Scheduling of Meeting. All information set forth in subsection (2) of this section must be provided to the city before a preapplication meeting may be scheduled.*

**Response:** A pre-application meeting was held on December 15, 2020.

**22G.100.090 Application submittal.**

1. *Fees. The applicant shall pay the required fees as set forth in the city's fee schedule or other applicable resolutions or ordinances when submitting the binding site plan application.*

**Response:** This standard is a procedural requirement and is met with this complete application.

2. *Application Documents. An applicant for a binding site plan shall submit an application, form, legal description of the property, a vicinity map, declaration of ownership, a listing of the names and addresses of the adjacent property owners, an environmental checklist and a proposed binding site plan.*

**Response:** This standard is a procedural requirement and is met with this complete application.

3. *Preliminary Binding Site Plan. The proposed binding site plan shall be submitted which contains the following information:*

- a. *The name or title of the proposed binding site plan;*
- b. *The date, north arrow and appropriate engineering scale as approved by the community development department (e.g., one inch equals 20 feet, one inch equals 30 feet, one inch equals 40 feet, one inch equals 50 feet, one inch equals 60 feet);*
- c. *Boundary lines of tract, lot lines, lot number, block number;*
- d. *Location and name of existing and proposed streets and right-of-way;*
- e. *Drainage channels, watercourses, marshes, lakes and ponds;*
- f. *All significant wooded areas as characterized by evergreen trees eight inches in diameter or greater and/or deciduous trees 12 inches in diameter or greater, measured four and one-half feet above grade;*
- g. *Existing structures and setbacks;*
- h. *The location of existing driveways;*
- i. *All easements and uses;*
- j. *Existing and proposed utilities services;*
- k. *Fire hydrant location and distance;*
- l. *Five-foot contour lines;*
- m. *Preliminary street profile of all streets within the development to be dedicated as public roads together with a preliminary grading and storm drainage plan;*
- n. *A typical cross-section of the proposed street improvements;*
- o. *Any regulated sensitive areas such as wetlands, steep slopes or wildlife habitat.*

**Response:** This standard is a procedural requirement and is met with this complete application.

4. *Additional Application Requirements. If the city finds the presence of any of the following site conditions, then the city may require the applicant to provide additional information such as detailed studies and site plans.*

- a. *Site has existing slopes exceeding 15 percent for more than 50 (running) feet;*
- b. *Site has permanent drainage course or wetlands;*
- c. *Conditions exist on the site or in the area adjacent to the site which may contribute to or cause erosion, drainage problems, surface slippage or other geological hazards;*
- d. *Site has other unique physical features or sensitive features;*
- e. *The subdivision will result in 10 or more peak-hour vehicular trips onto public streets, or sight distance/safety concern. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard is a procedural requirement and is met with this complete application.

**22G.100.110 Preliminary approval – Effect.**

*Preliminary approval of the binding site plan by the city shall constitute authorization for the applicant to take the necessary steps to meet the conditions imposed by the city before commencing the final binding site plan review process. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard is a procedural requirement and is met with this complete application.

**22G.100.120 Final binding site plan approval – Term.**

1. *Final binding site plan approval must be acquired in accordance with RCW 58.17.140, as follows:*
  - a. *Within five years of the date of preliminary approval, if the date of preliminary approval is on or after January 1, 2015.*
  - b. *Within seven years of the date of preliminary approval, if the date of preliminary approval is on or before December 31, 2014.*
  - c. *Within 10 years of the date of preliminary approval, if the project is not subject to the requirements adopted under Chapter 90.58 RCW and the date of preliminary approval is on or before December 31, 2007.*
  - d. *An extension may be granted by the community development director for up to two years if the applicant has attempted in good faith to submit the final binding site plan under subsections (1)(a) through (c) of this section and has filed a written request with the community development director requesting the extension at least 30 days before the expiration date. The binding site plan must meet Marysville Municipal Code standards at the time of the extension request or must be able to meet Marysville Municipal Code standards using the minor amendment process in MMC 22G.010.260.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved.

2. *If final binding site plan approval is not obtained within the time frames outlined in subsection (1) of this section, the preliminary binding site plan is void. (Ord. 3032 § 3, 2016; Ord. 2894 § 5, 2012; Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved.

**22G.100.130 Preliminary approval compliance**

*Prior to the submittal of any binding site plan to the city for final approval, the applicant must demonstrate compliance with all of the conditions of the preliminary approval and prepare all of the necessary final documents. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard is a procedural requirement that is satisfied with this complete land use application.

**22G.100.140 Binding site plan – Requirements.**

*The final binding site plan shall be drawn on Mylar drafting film having dimensions of 18 inches by 24 inches and must include the following:*

1. *The name of the binding site plan;*
2. *Legal description of existing lots;*



3. *The date, north arrow and appropriate engineering scale as approved by the community development department (e.g., one inch equals 20 feet, one inch equals 30 feet, one inch equals 40 feet, one inch equals 50 feet, one inch equals 60 feet);*
4. *Boundary lines, right-of-way for streets, easements, and property lines of lots and other sites with accurate bearings, dimensions or angles and arcs, and of all curve data;*
5. *Names and right-of-way widths of all streets within the parcel and immediately adjacent to the parcel. Street names shall be consistent with the names of existing adjacent streets;*
6. *Number of each lot consecutively;*
7. *Reference to covenants and special restrictions either to be filed separately or on the face of the binding site plan;*
8. *Zoning setback lines and building sites when required by the city;*
9. *Location, dimensions and purpose of any easements, noting if the easements are private or public;*
10. *Location, physical description, and date visited of monuments and all lot corners set and found;*
11. *Existing structures, including any within 50 feet of existing or proposed lot lines, all setbacks, and all encroachments;*
12. *Primary control points identified (i.e., calculated, found, established, or reestablished), basis of bearing, and horizontal and vertical datums as required by the public works department. Descriptions and ties to all control points will be shown with dimensions, angles and bearings;*
13. *A dedicatory statement acknowledging public and private dedications and grants;*
14. *Parking areas, general circulation and landscaping area when required;*
15. *Proposed use and location of buildings when required;*
16. *Loading areas when required;*
17. *Other restrictions and requirements as deemed necessary by the city;*
18. *The applicable requirements of RCW 58.17.040(7) shall be met, including inscription of the following statement on the binding site plan:*  
*All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

### **22G.100.150 Binding site plan – Acknowledgments and certifications.**

*Acknowledgments and certificates required by this title shall be in language substantially similar to that indicated in the following subsections:*

1. *Dedications. The intention of the owner shall be evidenced by his presentation for filing of a final binding site plan clearly showing the dedication thereof and bearing the following certificate signed by all real parties of interest:*  
*now all men by these presents that \_\_\_\_\_ the undersigned owner(s), in fee simple of the land hereby platted, and \_\_\_\_\_, the mortgage thereof, hereby declare this binding site plan and dedicate to the use of the public forever all streets, avenues, places and sewer*

*easements or whatever public property there is shown on the binding site plan and the use for any and all public purposes not inconsistent with the use thereof for public highway purposes. Also, the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc. shown on this binding site plan in the reasonable original grading of all the streets, avenues, places, etc. shown hereon. Also, the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said roads.*

*Following original reasonable grading of the roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way to hamper proper road drainage. The owner of any lot or lots, prior to making any alteration in the drainage system after the recording of the binding site plan, must make application to and receive approval from the director of the department of public works for said alteration. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot shall be done by and at the expense of such owner. IN WITNESS WHEREOF we set our hands and seals this \_\_\_ day of \_\_\_, 20\_\_.*

*In the event that a waiver of right of direct access is included, then the certificate shall contain substantially the following additional language:*

*That said dedication to the public shall in no way be construed to permit a right of direct access to street \_\_\_\_\_ from lots numbered \_\_\_\_\_ nor shall the city of Marysville or any other local governmental agency ever be required to grant a permit to build or construct an access of approach to said street from said lots.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

2. *Acknowledgment.*

*STATE OF WASHINGTON)*

*: ss.*

*COUNTY OF SNOHOMISH)*

*This is to certify that on this \_\_\_ day of \_\_\_, 20\_\_, before me, the undersigned, a notary public, personally appeared \_\_\_\_\_, to me known to be the person(s) who executed the foregoing dedication and acknowledgment to me that signed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein mentioned.*

*Witness my hand and official seal the day and year first above-written.*

*NOTARY PUBLIC in and for the State of Washington, residing at*

\_\_\_\_\_  
*(Seal)*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

3. *Restrictions. The following restrictions shall show on the face of the final plat:*

*(a) No further subdivision of any lot without resubmitting for formal binding site plan procedure.*

*(b) All landscaped areas in public rights-of-way shall be maintained by the developer and his successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to city road purposes.*

(c) The location and height of all fences and other obstructions within an easement as dedicated on this binding site plan shall be subject to the approval of the Director of Public Works or his designee.

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

4. Approvals.

(a) Examined and approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Engineer, City of Marysville

(b) Examined and approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
Community Development Director, City of Marysville

(c) Examined, found to be in conformity with applicable zoning and other land use controls, and approved this \_\_\_\_ day of \_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Attest: City Clerk

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

5. Certificates.

(a) I hereby certify that the binding site plan of \_\_\_\_ is based upon an actual survey and subdivision of Section \_\_\_\_, Township \_\_\_\_ North, Range \_\_\_\_ EWM as required by the state statutes; that the distances, courses and angles are shown thereon correctly; that the monuments shall be set and lot and block corners shall be staked correctly on the ground, that I fully complied with the provisions of the state and local statutes and regulations governing platting.

\_\_\_\_\_  
Licensed Land Surveyor (Seal)

(b) I hereby certify that all state and county taxes heretofore levied against the property described herein, according to the books and records of my office, have been fully paid and discharged, including \_\_\_\_ taxes.

\_\_\_\_\_  
Treasurer, Snohomish County

(c) Filed for record at the request of \_\_\_\_ this \_\_\_\_ day of \_\_\_\_, 20\_\_, at \_\_\_\_ minutes past \_\_\_\_m, and recorded in Vol. \_\_\_\_ of Plats, page \_\_\_\_, records of Snohomish County, Washington.

\_\_\_\_\_  
Auditor, Snohomish County

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.160 Binding site plan – Title report.**

All binding site plans shall be accompanied by a title company certification (current within 30 days from filing of the binding site plan) confirming that the title of the lands as described and shown on the binding site plan are in the name of the owner(s) signing the binding site plan. (Ord. 2852 § 10 (Exh. A), 2011).

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.170 Binding site plan – Survey required.**

*A survey must be performed for every binding site plan by or under the supervision of a state of Washington licensed land surveyor. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.180 Approval procedure.**

1. *Applicants for final binding site plan approval shall file all required documents meeting all the requirements of this title with the city's community development department. The community development department shall review the final binding site plan and circulate it to other city departments to determine whether the requirements of this title and preliminary approval have been met.*
2. *To ensure all conditions have been met, the community development director and city engineer will determine whether the binding site plan proposed for final approval conforms to all terms of preliminary approval, and whether the binding site plan meets the requirements of this title, applicable state laws and all other local ordinances adopted by the city which were in effect at the time of preliminary approval.*
3. *If either the community development director or the city engineer determines that the requirements have not been met, the final binding site plan shall be returned to the applicant for modification, correction or other action as may be required for approval.*
4. *If the community development director and city engineer determine that the conditions and requirements of this title have been met, the community development director, city engineer, and the mayor shall inscribe and execute the city's written approval on the face of the binding site plan.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.190 Recording requirements.**

*When the city finds that the binding site plan proposed for final approval meets all the conditions of final approval, then the applicant shall record the original of said binding site plan with the Snohomish County auditor. The applicant will also furnish the city with one reproducible Mylar copy of the recorded binding site plan, and the Snohomish County assessor shall be furnished one paper copy.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.200 Recording requirements.**

*All development must be in conformance with the recorded binding site plan*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.210 Recording requirements.**

1. *Standards for Binding Site Plans. The standards set forth in this chapter are to be used for binding site plans.*
2. *Provisions for Approval. No binding site plans shall be approved unless appropriate provisions are made for, but not limited to, the public health, safety, and general welfare.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.220 Public use reservations.**

1. *Street Right-of-Way Realignment, Dedication or Widening. If the city concludes that the street right-of-way adjacent to a proposed binding site plan is inadequate for widening and realignment of the existing street is necessary as a direct result of the proposed development, then the city may require a dedication of necessary right-of-way and improvement of that right-of-way.*
2. *Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of dedication of land or to mitigate a direct impact that has been identified as a consequence of a binding plan as authorized by Chapter 82.02 RCW.*

**Response:** This standard is a procedural requirement and will be fulfilled after this land use application is approved and the applicant applies for the final binding site plan.

**22G.100.230 Design with environment.**

*Information generated through the environmental review process will be used in designing the development in such a way as to mitigate potential adverse environmental impacts*

**Response:** A SEPA Checklist review has been prepared and included as Exhibit E to identify any potential development impacts. This standard is advisory and does not require proof of evidence.

**22G.100.250 Site-specific energy conservation.**

*The use of the site-specific energy schemes shall be encouraged that best offer opportunities for maximum use of southern exposures and the use of natural climate conditions.*

**Response:** The proposed buildings are oriented with their long edges oriented east/west providing for optimal southern exposure for any future solar energy utilization. This standard is not a requirement for development, rather, an encouragement towards a specific design consideration and does not require compliance from the applicant.

**22G.100.260 Floodplain regulations.**

*Land identified in "The Flood Insurance Study for the City of Marysville" dated September 16, 2005, as amended, with accompanying flood insurance rate maps (FIRM), as amended, shall not be subdivided unless the requirements of floodplain regulations are met.*

**Response:** The project site is not within a floodplain as indicated in the vicinity map provided in Exhibit C. This standard is not applicable.

**22G.100.300 Outdoor storage.**

*Outdoor storage areas that contain material not for sale, rent or lease to the public shall be fully screened from view from all streets and residential zoning boundary.*

**Response:** No outdoor storage is proposed for this site, aside from solid waste which will be contained in bins with enclosures according to City and franchise waste hauler detail specifications. This standard is met.

#### **22G.100.320 Lots**

1. *Lot arrangement shall be related to the natural features of the site and provide a suitable building site.*
2. *Business, commercial, and industrial zoned lots in a binding site plan, generally, do not have to meet lot requirements of the zoning code, as long as the city has approved the overall binding site plan. Lots in residential zones in a BSP must comply with the zoning code regarding lot requirements.*

**Response:** The preliminary binding site plan is within the Light Industrial zoning district, therefore does not have to meet lot requirements of the zoning code with the City's approval of this binding site plan.

#### **22G.100.330 Building setbacks.**

*All setbacks for structures shall be the same as the zoning code; provided, however, when the city has approved a binding site plan, interior lots may be approved on a case-by-case basis.*

**Response:** All setback requirements are met according to Sheet C1.10 of Exhibit I. This standard is met.

#### **22G.100.340 Fire Hydrants**

1. *Fire hydrants shall be installed per city fire code.*
2. *Fire hydrants must be approved and operating prior to wood framing of buildings.*

**Response:** Fire hydrants will be installed per city code prior to the recording of the final binding site plan. The location and installation specifications will be approved by the City of Marysville Fire Marshal and City Engineer after the preliminary binding site plan is approved.

#### **22G.100.350 Fire Hydrants**

*Ingress, egress and general circulation shall be approved by the city engineer.*

**Response:** The ingress, egress and site circulation will be approved by the city engineer prior to the recording of the final binding site plan.

#### **22G.100.360 Street frontage.**

*Whenever a project is proposed on an existing public street, frontage shall be improved to current city standards.*

**Response:** The project includes the extension of 156<sup>th</sup> Street NE, which will be improved to the current city standards prior to the recording of the final binding site plan.

#### **22G.100.370 Street frontage.**

*All sewer improvements shall be per city standards.*

**Response:** The preliminary binding site plan provides proposed locations and details of the sewer improvements. All sewer improvements will be approved by the City prior to recording the final binding site plan.

**22G.100.380 Street frontage.**

*All water improvements shall be per city standards.*

**Response:** The preliminary binding site plan provides proposed locations and details of the water improvements. All water improvements will be approved by the City prior to recording the final binding site plan.

**22G.100.390 Drainage improvements.**

*Drainage improvements shall be required as specified in MMC Title 14.*

**Response:** The preliminary binding site plan provides proposed locations and details of the stormwater drainage improvements. All drainage improvements will be approved by the City prior to recording the final binding site plan.

**22G.100.400 Clearing and grading.**

1. *Before any site modification where existing natural features would be disturbed or removed, a grading plan must be submitted to the city and approved by the city showing the extent of the proposed modification.*
2. *Debris, waste, trees, timber, junk, rubbish or other materials of any kind shall not be buried in any land or deposited in any surface water.*
3. *All erosion control plans must be in compliance with city standards and MMC Title 14.*
4. *In critical drainage areas, no clearing of lots shall be allowed until building permits and/or a grading permit has been issued.*

**Response:** Mass grading plans and erosion control plans will be approved prior to any clearing or grading work commences. Permits will be submitted to the City after the approval of the preliminary binding site plan.

**22G.100.410 Utilities improvements.**

*All utility facilities shall be per city standards.*

**Response:** The preliminary binding site plan provides proposed locations of utilities according to City standards, which will be approved by the City prior to the recording of the final binding site plan.

**22G.100.420 Easements.**

*Permanent easements shall be provided for utilities and other public services identified at the time of preliminary site plan approval.*

**Response:** The preliminary binding site plan provides locations of public utility easements along the 156th Street NE right-of-way according to City standards, which will be approved by the City prior to the recording of the final binding site plan.

**22G.100.430 Underground wiring.**

1. *It is the intent of this provision to eliminate insofar as possible the installation of overhead wires and of wire-carrying poles being henceforth developed under this article.*
2. *All projects shall have all power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines placed in underground location either by direct burial or by means of conduit or ducts and, with the exception of the city fire alarm system, providing service to each lot or potential building site in the plat.*
3. *All such underground installations or systems shall be approved by the appropriate utility company and shall adhere to all governing applicable regulations including but not limited to the city and state applicable regulations and specific requirements of the appropriate utility.*
4. *If the appropriate utility company will not approve an underground installation or system because it cannot reasonably be installed according to accepted engineering practices, applicant may request a waiver of the requirement of underground installations or systems to the city engineer. If the city engineer concurs that under accepted engineering practices underground installations or systems cannot reasonably be installed he shall grant the waiver. If the city engineer does not concur, he shall make recommendations relating to the undergrounding of electrical service to the applicant for transmittal to the appropriate utility company.*
5. *All utility easements within a proposed binding site plan shall be approved by the appropriate utility company before final acceptance of the binding site plan and shall be shown in their exact location on the final drawing of said plat.*
6. *Nothing in this section or any other section of this title in relation to underground wiring shall apply to power lines carrying a voltage of 15 kV or more, nor shall it be construed to prohibit the placement of pad mounted transformers, terminal pedestals or other electrical and communications devices above ground, as determined by the appropriate utility involved.*

**Response:** With the extension of 156th Street NE, a 10' public utility easement (PUE) is proposed along the public right-of-way. The improvements of this right-of-way and PUE will adhere to the City's standards for underground wiring as applicable in this code section.

**22G.100.440 Improvements – Smooth transition required.**

*All improvements required by this title shall be extended as necessary to provide a smooth transition with existing improvements, both laterally across the street and longitudinally up and down the street, for utilities, vehicular and pedestrian traffic.*

**Response:** The proposed project site does not include any existing improvements; as such, this standard does not apply.

**22G.100.450 Utility improvement plans.**

*All street and utility improvement plans shall be prepared by a state of Washington licensed civil engineer. All plans shall be prepared on reproducible Mylar material and presented to the city for approval.*

**Response:** This standard will be met with recording of the final binding site plan.



**22G.100.460 Acceptance of improvements.**

*The city engineer is authorized to accept all improvements and/or right-of-way dedications required in this title on behalf of the city.*

**Response:** The applicant acknowledges the authority of the city engineer to approve the required right-of-way as part of this project.

**22G.100.470 Performance guarantee requirements.**

1. *Site improvements shall be completed prior to approval of the final plat or short plat or at the discretion of the city engineer, or his designee, security for performance in accordance with the provisions of Chapter 22G.040 MMC may be supplied. The duration for any such security for performance shall not be longer than one year.*
2. *Security for performance shall not be released until all applicable departments responsible for acceptance and maintenance of improvements have approved said release.*

**Response:** Site improvements will be completed prior to the recording of the final binding site plan or provisions for a security for performance in accordance with provisions of Chapter 22G.040 MMC will met as necessary.

**22G.100.480 Site improvements designated.**

*Site improvements shall include, but are not limited to: grading of entire width of street rights-of-way, asphalt/concrete surfacing of roadways (as per city standards contained in the street code), curbs, gutters and sidewalks constructed according to the street code and construction of drainage facilities included in the preliminary plat. The developer shall request inspection of the improvements by the city engineer or his designee at the following times:*

1. *Erosion control measures are installed;*
2. *Rough grading is complete and prior to placing pit run;*
3. *Storm sewer completion;*
4. *Roadway including curb and gutter completion;*
5. *When all improvements, including monuments, have been placed.*

*All improvements which do not meet city standards shall be immediately replaced or repaired prior to proceeding. The city engineer, or his designee, will inform the developer in writing of any improvements which are not acceptable*

**Response:** All site improvements will be completed and approved by the city engineer or their designee prior to the recording of the final binding site plan.

**22G.100.490 Warranty requirements for acceptance of final improvements.**

1. *A survey must be conducted by or under the supervision of a registered land surveyor licensed in the state of Washington. The surveyor shall certify on the binding site plan that it is a true and correct representation of the lands actually surveyed and the survey was done in accordance with city and state law.*
2. *For the purpose of this title, final approval shall not be given until such time as all of the required improvements have been satisfactorily installed in accordance with the requirements of preliminary approval or security for performance and security for maintenance have been provided and accepted by the city. (Ord. 2852 § 10 (Exh. A), 2011).*

**Response:** A site survey will be completed by a registered land surveyor prior to the recording of the final binding site plan.

**22G.100.500 Survey required.**

1. *A survey must be conducted by or under the supervision of a registered land surveyor licensed in the state of Washington. The surveyor shall certify on the binding site plan that it is a true and correct representation of the lands actually surveyed and the survey was done in accordance with city and state law.*
2. *In all binding site plans, lot corners must be set before final approval can be granted.*
3. *In all binding site plans, perimeter monuments must be set before final approval can be granted.*
4. *In all binding site plans, control monuments must be set before final acceptance of public improvements. Performance guarantees must include the installation of all control monuments. Control monuments must be installed per city design and construction standards.*
5. *In all binding site plans, where final approval is to be granted by the acceptance of a performance guarantee, lot corner and perimeter monuments must be set. The performance guarantee must include the resetting of any monument that has been lost during construction of public improvements.*

**Response:** A site survey will be completed by a registered land surveyor according to these standards prior to the recording of the final binding site plan.

**22G.100.510 Dedication – Warranty deed.**

*Any dedication, donation or grant as shown on a binding site plan shall be considered a statutory warranty deed to the said grantee for the use intended.*

**Response:** This requirement will be met as necessary with the recording of the final binding site plan.

**22G.100.520 Dedication – Modification.**

1. *Any applicant can request and make application to the city requesting a modification from the requirements of MMC 22G.100.230 through 22G.100.330.*
2. *For a modification of 25 percent or less, it shall be considered by the community development director as an administrative decision.*
3. *For a modification of more than 25 percent, it shall be considered by the hearing examiner at a public hearing.*
4. *The modification shall not be granted by the community development director or hearing examiner until the following criteria have been established:*
  - a. *There are exceptional circumstances or conditions such as: locations of existing structures, lot configuration, topographic or unique physical features that apply to the subject property which prohibit the applicant from meeting the standards of this title;*
  - b. *The authorization of the modification or variation will not be detrimental to the public welfare or injurious to property in the vicinity or zone in which the property is located;*
  - c. *A hardship would be incurred by the applicant if he/she complied with the strict application of the regulations. The filing of an application with the city requesting a modification for variation shall stay the running of the time period for binding site plans and development plans.*

**Response:** The applicant acknowledges the provisions of this standard for requesting modifications from the requirements of MMC 22G.100.230 through 22G.100.330; this standard is advisory and

as this application currently does not request modifications to the noted requirements, this standard is not applicable.

**22G.100.530 Appeals to hearing examiner.**

1. *An appeal of the decision relating to the binding site plan shall be made to the hearing examiner. Such an appeal must be made in writing and filed with the office of the hearing examiner within 14 calendar days from the date on which the decision was rendered.*
2. *The written appeal shall include a detailed explanation stating the reason for the appeal. The decision of the hearing examiner shall be final with a right of appeal to superior court as provided in MMC 22G.010.560.*
3. *Standing to appeal is limited to the following:*
  - a. *The applicant or owner of the property on which the binding site plan is proposed;*
  - b. *Any aggrieved person who will thereby suffer a direct and substantial impact from the proposed binding site plan; and*
  - c. *RCW 58.17.180 grants standing to property owners within 300 feet of the subject property.*

**Response:** The applicant acknowledges the provisions of this standard for requesting an appeal of the decision relating to the binding site plan. These standards will be met in the event an appeal of the decision is requested by the applicant.

**22G.100.540 Enforcement.**

*The auditor shall refuse to accept for recording any binding site plan which does not bear the verification of approval as defined by this chapter. The city attorney is authorized to commence an action to restrain and enjoin a violation of this chapter and compel compliance with the provisions of this chapter. The costs of such action shall be taxed against the violator.*

**Response:** The applicant acknowledges the authority of the city attorney endowed in this section. This provision is advisory and does not require proof of evidence for the preliminary binding site plan application approval.

**22G.100.550 Violation – Nuisance declared.**

*Any violation of the provisions of this chapter constitutes a public nuisance per se which the city can abate by an action in Snohomish County superior court. All costs of such action, including attorneys' fees, shall be taxed against the violator.*

**Response:** The applicant acknowledges the authority of the city endowed in this section. This provision is advisory and does not require proof of evidence for the preliminary binding site plan application approval.

**22G.100.560 Provisions not exclusive.**

*Penalty and enforcement provisions in this chapter are not exclusive, and the city may pursue any remedy or relief it deems appropriate.*

**Response:** The applicant acknowledges the authority of the city endowed in this section. This provision is advisory and does not require proof of evidence for the preliminary binding site plan application approval.

**22G.100.560 Severability.**

*If any provision of this chapter shall be declared unconstitutional or invalid by any court of competent jurisdiction, it shall be conclusively presumed that this chapter would have been enacted without the provision so held unconstitutional or invalid, and the remainder of this chapter shall not be affected as a result of said part being held unconstitutional or invalid.*

**Response:** The applicant acknowledges the provisions of this section.

**22G.100.560 Savings.**

*Nothing contained in this chapter shall be construed as abating any action now pending under or by virtue of any ordinance of the city herein repealed, or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the city under any ordinance or provision thereof in force at the time of passage of the ordinance codified in this chapter.*

**Response:** The applicant acknowledges the provisions of this section.

**Smokey Point Master Plan Design Guidelines****Smokey Point MPA 9.2: Zoning and Site Plan Requirements**

*The Smokey Point MPA, has a zoning designation of Light Industrial (LI), except for a parcel zoned retail and where noted on the official zoning map. The underlying zoning Light Industrial will apply for permitted uses, lot coverage, building, setbacks, base landscaping requirements, required parking, and signage code standards. The following are applicable code sections, but applications are not limited exclusively to these sections. They are: Marysville Municipal Code Chapter(s) 19.08, 19.12, 19.14, 19.16, 19.18, 19.20, and 19.42.*

**Response:** Marysville Municipal Code Title 19 was repealed by Ordinance 2852, and replaced by Title 22, unified development code. The Light Industrial development codes have been addressed above in MMC 22C.020, 22C.120, and 22C.130. While this section of the Smokey Point MPA has been superseded by the MMC, the applicable codes for Light Industrial zoning have been addressed above.

1. *Site Plan Approval Process*

*A binding site plan is required that will demonstrate how the project meets the intent of the zoning code, the development guidelines, and the design guidelines. The means of pedestrian and vehicular parking lot circulation and building and entry orientation, must be approved by the City in accordance with the design guidelines as applied to the entire area of applicability as stated in this authority section.*

**Response:** This application has been prepared for the approval of a binding site plan, with all appropriate and applicable zoning codes, development and design guidelines addressed in the sections above. The following sections of the Smoke Point MPA address design guidelines for pedestrian access, vehicle circulation and building orientation as a means to provide proof of compliance with the City zoning codes.

**Smokey Point MPA 9.4: Zoning and Site Plan Requirements**

*There are a number of ways in which architectural and site design can avoid the traditional approach and support a cohesive business park with the following primary guidelines. All buildings should present a "face" to the street, providing visual interest and a pedestrian scale to the*

*building(s). On corner lots, if the code does not stipulate, the developer may negotiate with the City which street to “face.”*

- *Visitor and customer parking should be provided along the street, or in front of building entrances, while employee and vendor parking should be located behind or alongside the building.*

**Response:** All proposed buildings have similar orientation regarding parking. Parking for visitors and employees are oriented in front of building entrances, while loading and dock bays are located behind the building.

- *Service and storage areas will be located behind the buildings and screened from view from public streets.*

**Response:** The extension of 156th Street SE is a prominent public street part of this binding site plan. Adjacent buildings (Building 101, 103, 309) are designed to have front entryways oriented toward this public street, effectively moving storage and service areas behind the buildings, screened from the public right of way. Future public streets, including the extensions of 47th Avenue and 160th Street, have similar building orientation that screen loading and storage areas from the future rights-of-way.

- *Where sites are adjacent, vehicular circulation should be coordinated to minimize curb cuts and access points to public streets.*

**Response:** The site proposes four (4) access points onto 156th Street SE, where each access point provides direct circulation to multiple buildings, rather than providing access for a singular building. This design minimizes curb cuts and access points to public streets while facilitating efficient site circulation, meeting this intent of this requirement.

- *The internal pedestrian networks within the master planned development should provide pedestrian linkages between the transit service points, pedestrian facilities and services*

**Response:** Each of the 10 buildings throughout this campus-style industrial development provide pedestrian linkage to public streets. Additionally, pedestrian connectivity is designed among buildings where appropriate, avoiding pedestrian/heavy truck conflicts as much as possible. No sidewalks cross directly through loading areas which are oriented back-to-back with adjacent buildings in order to concentrate truck activity and separate standard vehicle and pedestrian interaction as much as possible.

- *Views of and into the development from neighboring public streets should be considered, with the goal of making the development an attractive destination.*

**Response:** As stated above, fronts and sides of buildings are oriented towards public streets, ensuring strong architectural features are prominently displayed, visible from the public street, while delegating less attractive loading areas to the rear of buildings. The development also includes landscaping around each building as well as along the public street improvement, further facilitating this site as an attractive destination.

- *Landscaping for new development should consider the existing landscaping of adjacent sites to provide continuity along the street fronts and augment the perimeter treatment.*

**Response:** As this is a new development along a new extension of right-of-way and development is proposed on either side of the proposed right-of-way, there is no existing adjacent landscaping to consider for continuity. Landscape plans have been prepared and included in this application pursuant to the MMC landscape standards, and any new development west of the site on 156th Street or the future adjacent streets (160th Street,

47th Avenue) will be held to the same landscape design standards as this project, ensuring continuity along street fronts.

### **Smokey Point MPA 9.5: Service and Loading Services**

*Service areas for businesses consume a significant amount of land because of the high percentage of manufacturing and light industrial activities that require truck maneuvering and loading areas. While these areas are essential to the function of the facility, they can be located or screened to enhance the appearance of each site and the Smokey Point MPA in general. The type of manufacturing and light industrial facility and its orientation affects the visual appearance of commercial areas because of the design of the loading docks.*

#### *Design Guidelines – Service Areas*

1. *Service areas will be located behind buildings.*
2. *Service areas should be screened by landscaping, fences, or walls that obscure the operations from adjacent streets. “Screening” includes distance from street, location of on-site parking and other site landscaping.*
3. *Service courts are encouraged when the development includes multiple buildings.*
4. *Service courts are encouraged as shared facilities between sites or where they can be accessed for shared driveways.*

**Response:** The proposed binding site plan provides services areas at the rear of each building, oriented away from public streets. There are essentially five service courts (Buildings 101-102, 103-104, 205-206, 207-208 and 309-310), where buildings orient service areas opposite their neighbor effectively creating screened service courts with use of landscaping peninsulas for added screening. Each service court also shares access driveways, as described in Section 9.4 above. As described above and depicted in the site plan Exhibit I, the design guidelines for service areas are met.

### **Smokey Point MPA 9.6: Vehicle Circulation and Parking Lots**

*Vehicle circulation and parking lots in the Smokey Point MPA will influence roadway design and layout, site configuration, and building locations. The circulation needs of maneuvering trucks and trailers will be an important influence in the overall look and feel of the individual site and the overall district. While the dimensions and characteristics of truck traffic will be a strong influence, the passenger automobile that delivers customers to the site, store, and employment in the office will be another significant portion of the experience in the area.*

#### *Design Guidelines – Access Points*

1. *A designated truck and service vehicle access entrance/exit will be established with expanded turning radii. Access points will be subject to sight distance review*
2. *A designated visitor and employee access entrance will be established that is not in close proximity to the truck and service vehicle entrance.*
3. *Access points between major development pads should be combined to minimized curb cuts, while recognizing the need to provide adequate emergency access to each building. Left turns should be restricted to turn pockets on the following roads:*

**Response:** The four (4) access points on 156th Street will not be designated for separate vehicle uses, however each entrance has been designed to safely accommodate truck turning radii and sight distances. Sight distances have been evaluated by the Traffic Impact Analysis report included

with this application as Exhibit L. Once vehicles enter the site, truck and visitor/employee parking areas are separated to limit interaction between the two (2) vehicle types, especially for parking and loading maneuvers. Additionally, as stated previously above in Smokey Point MPA 9.4, access drives are shared among multiple buildings in order to limit the number of curb cuts onto public streets.

#### *Design Guidelines – Parking Lots*

1. *Visitor parking should be located in front of the building, near the building entrance.*
2. *Employee parking behind the building is encouraged.*
3. *Parking lots should be integrated with the landscape concept and pedestrian circulation.*

**Response:** Visitor parking and employee parking are provided on the front and sides of each building, with pedestrian connectivity provided from the parking lots to the building entryways with landscaping between the sidewalk and building faces. This design guideline is met.

#### **Smokey Point MPA 9.7: Pedestrian Circulation and Corridors**

*Pedestrians need an origin, a destination and a continuous network to move from one point to another or from the automobile to their destination. Pedestrians have three origins: the building where they work or shop, transit drop off or, more likely, their parked automobile. To allow pedestrians to move between buildings and the street, a complete and continuous pedestrian network must be provided that has pedestrian amenities and visual interest. Pedestrian flows from the public street to private building entrances and between neighboring properties has been overshadowed in suburban areas by the volume of pedestrians walking from private parking areas to building entrances. Connections to the public pedestrian network will become more important as pedestrian densities increase due to changing land uses and increases in transit ridership.*

#### *Design Guidelines – Pedestrians*

1. *The public sidewalk network will be completed with each development and roadway improvement to connect all the destinations in the Smokey Point MPA.*
2. *Clear, convenient, and safe pedestrian circulation should be provided between public sidewalks and building entrances.*
3. *Parking lot pedestrian crossings will be denoted by either stamped concrete or colored pavement within the first 500 feet of the building entrance. Painted pedestrian striping may be used outside of the 500-foot perimeter around the building.*
4. *Pedestrian circulation through parking lots will be well marked*
5. *Pedestrian circulation to the building entrances will be adequately sized and be provided with landscaping and weather protection where appropriate.*
6. *Where pedestrian routes cross parking lots or vehicle routes, they will be clearly identifiable with raised paving pathways. Pervious pavers to support infiltration are encouraged.*
7. *Buildings should clearly show the pedestrian entrance from the street and from the parking lot.*

**Response:** The binding site plan provides a public sidewalk network connecting each building (destination) to the public street through clear, convenient, and marked pedestrian circulation. Pedestrian circulation includes direct access to buildings from the public streets (156th Street, future 160th Street, and future 47th Avenue), as well as clear direct access from vehicle parking lots to building entryways. Additionally, the pedestrian circulation connects individual parking lots and buildings together with marked crossings across interior access drives throughout.

## Smokey Point MPA 9.8: Pedestrian Amenities

*The extent and type of pedestrian facilities appropriate for a given development will depend on the nature of the development, the number of users and its proximity to other recreational features. Design review should consider area recreational features and development scale in determining location and extent of pedestrian amenities on the site. As employee recruitment becomes more competitive in emerging northwest businesses ranging from manufacturing to light industrial, investments in pedestrian facilities can provide great benefits to employees. Changing uses in leased spaces is the dilemma for developers in providing fixed pedestrian amenities. Fixed pedestrian facilities constructed in anticipation of tenants may go unused if the use changes at the end of the lease. Providing space for pedestrian amenities in optimal locations and supplying non-fixed seating, landscaping, and other features, may prove more successful.*

### *Design Guidelines – Pedestrian/Employee Amenities*

1. *In addition to safe and durable walking surfaces, pedestrians should be provided with amenities such as benches, weather protected seating areas, covered walkways, and other features.*
2. *Accessible open space, maintained grass areas, and mini sports courts are encouraged.*
3. *Pedestrian amenities should be integrated into the site design.*

**Response:** Pedestrian amenities, such as benches and seating areas, will be included with this development. Details of specific fixtures will be provided at time of building permits, but seating areas will be provided for in convenient locations close to pedestrian circulation and/or building entryways.

## Smokey Point MPA 9.9: Architectural Concept

*A strong architectural concept has both an aesthetic and an organizational component. The concept should convey the statement or image that the designer wants the building to communicate, and also provide clues as to how the building is to be used; for example, how pedestrians can reach their desired destination. In order to convey a clear message, sites with multiple buildings should also display design unity; individual buildings should reinforce the image of the complex as a whole. Architectural composition is the design and arrangement of building elements. The composition conveys the architectural concept. In addition to function, the design, proportions and placement of elements should be visually pleasing. Typical components of the composition include the design, proportions, and placement of windows, doors and other openings, the building base and cornice line, and the roof form(s) and its relationship to other elements within the overall composition.*

### *Design Guidelines – Facades*

1. *The front façade of buildings should be designed to utilize elements such as massing, materials, windows, canopies, and pitched or terraced roof forms to create both a visually distinct “base” as well as a “cap.”*
2. *The building façade that faces the public street will be articulated to reduce the apparent scale of buildings. Strong vertical and horizontal reveals, off-sets, and three-dimensional detail can be incorporated into building design to create shadow lines and break up flat surfaces.*

**Response:** As depicted in the building elevation designs, the proposed front façade of buildings include design elements such as massing, glazing, and reveals in the façade in order to create a



distinct aesthetic. Distinct base and cap designs have been incorporated with each building through the use of reveals and color variations, as depicted on Sheet A2.10 of Exhibit F.

### **Smokey Point MPA 9.10: Scale in Design**

*There are multiple scales in building design. One aspect of scale refers to the size of a building relative to another building, or building element relative to other building parts. For example, it might be said of a multi-story building in a one-story retail area that the tall building is “out of scale” with its neighbors. Another important scale consideration in building design is human scale. Human scale is the size of a building element or space relative to the dimensions and proportions of the human body. Achieving human scale in building design is particularly important in the Smokey Point MPA because of the large size of the anticipated buildings. Smokey Point Master Plan 75 June 2008 City of Marysville Light industrial buildings in the Smokey Point MPA could be large, rectangular structures with flat wall surfaces. These buildings could work well for their primary purposes, but several design issues need to be addressed to provide a quality visual and pedestrian environment. Buildings, especially large buildings, need to relate to pedestrians. This can be accomplished by breaking down, or modulating, larger building forms (massing) providing building elements and landscaping that mediates between the scale of the structure and ‘human’ scale. A way to reach that relationship is the incorporation of building elements that are typically designated with pedestrians in mind - entries, canopies and arcades.*

#### *Design Guidelines – Scale*

1. *The side façade of buildings should be designed to utilize elements such as color, materials, and / or landscaping to break up the size and scale of large side walls*
2. *Integrate pedestrian scale concepts into the front façade of the building. Elements such as arcades, canopies, balconies, or extending smaller structures out from the main façade.*
3. *Design the building massing so the taller or bulkier portions are less visible from public streets and sidewalks.*
3. *Long planes of flat walls should be enhanced with patterns, changes in colors and breaks in materials or an alternative proposal may be approved by the Planning Director if the design meets the intent of these design guidelines.*

**Response:** As depicted in on Sheet A2.10 of Exhibit F, the proposed buildings are designed to break up long walls using elements such as landscaping, reveals, and colors in order to achieve a human scale. Main entryways are recessed to provide breaks in the building form.

### **Smokey Point MPA 9.11: Wall Modulations**

*The internal functions of buildings often require walls without penetrations or breaks in the plane of the façade. If appropriate, these blank walls should be placed in areas of the site not visible to the public (public streets and private land adjacent to public right-of-way). However, when walls of large structures are visible to the public, the impact of large expanses of blank walls can be minimized by modulation. Modulation involves recessing and/or projecting portions of the façade of a building within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls.*

### Design Guidelines – Walls

1. *Walls should be provided with bends, recesses or projections to reduce long un-modulated planes.*
2. *Integrate pedestrian scale concepts into the front façade of the building. Elements such as arcades, canopies, balconies, or extending smaller structures out from the main façade.*

**Response:** Front entryways are recessed to provide articulation to reduce long un-modulated planes. Horizontal and vertical reveals are utilized to provide visual breaks to break up the apparent bulk of the proposed buildings. The proposed elevations meet this standard.

### Smokey Point MPA 9.12: Roofline

*The horizon line, where the sky meets the ground, is one of the most important features in the visual environment. The horizon in the Pacific Northwest, with skylines of hills, mountains and water, is much more interesting than that of a flatter horizon. In the same way, the horizontal rooflines of light industrial structures, with simple flat horizons, are less interesting than other, more complex rooflines in the Smokey Point MPA.*

#### Design Guidelines – Roofline

1. *The roofline of the main façade in large buildings should be broken into several planes.*
2. *Building elements that protrude above a long horizontal façade can be used to interrupt the cornice.*

**Response:** Rooflines are not proposed to be broken into several planes, however the cap design through the use of reveals and color provides an aesthetic interest towards the roofline. This standard is met.

### Smokey Point MPA 9.13: Building Elements, Details, and Materials

*Architectural elements are the “pieces” that make up an architectural composition, or the building form, of a building. The elements can include such features as the roof form, entries, an arcade, porch, columns, windows, doors and other openings. The architectural “parts” of a building must be related to the “whole.” Architectural elements such as roof forms, entrances, arcades, porches, columns, dormers, doors and windows must be appropriately scaled and well-proportioned in relationship to the whole building.*

#### Design Guidelines – Architectural Elements

1. *The forms of the architectural elements of a building should be consistent with the overall architectural approach or theme*
2. *The architectural elements should maintain balance and proportion between themselves and within the overall composition.*

**Response:** As shown in the elevation sheets, the architectural elements such as glazing, entrances and reveals create a scaled, well-proportioned façade design. The vertical reveals create a column effect while horizontal reveals break the façade into base, body and cap sections for additional architectural themes. This standard is met.

### **Smokey Point MPA 9.14: Building Elements, Details, and Materials**

*Architectural or building details refer to the minor building elements that contribute to the character, or architectural style of the structure, and may include moldings, mullions, rooftop features, the style of the windows and doors, and other decorative features. Architectural details that are used to articulate the structure may also include reveals, battens, material joint lines, and other three dimensional details that create shadow lines and break up the flat surfaces of a façade.*

#### *Design Guidelines – Architectural Detail*

1. *Buildings should be designed with an appropriate scale of detailing to match how the building is experienced.*
2. *The architectural details of industrial elements (loading area, generators, exhaust vents or pipes, etc.) should match the materials and forms of the overall architectural approach.*

**Response:** The buildings will include the use of horizontal and vertical reveals to create shadow lines and break up flat surfaces of the façade. This standard is met.

### **Smokey Point MPA 9.15: Mechanical Screening**

*Roof mounted mechanical equipment for heating, ventilating, and air conditioning can be a significant feature of the building design. Unscreened air handling equipment can detract from the architectural design if visually prominent. To avoid the visually detrimental appearance of this equipment, as well as antennas, satellite dishes and other equipment, several techniques should be employed to obscure their presence.*

#### *Design Guidelines – Mechanical Screening*

1. *Structures should be provided to screen the equipment.*
2. *Roof forms should enclose the equipment.*
3. *The equipment should be placed so that it is not visible from public areas and neighboring sites.*

**Response:** Roof mounted mechanical equipment will be screened using parapet walls, as well as placed away from the roof edges in order to obscure from public areas and neighboring sites. Sheet A2.10 of Exhibit F provides details of the parapet wall and roof mounted equipment. This standard is met.

### **Smokey Point MPA 9.16: Utilities**

*Treated similarly to service and loading areas, above grade utility boxes and trash receptacles in business areas will be screened.*

#### *Design Guidelines – Utilities Standard*

1. *Utilities should be located behind buildings except where prohibited by purveyors*
2. *Utilities should be screened by landscaping, fences, or walls that obscure the operations from adjacent streets*
3. *Utilities, such as meters and switch boxes, should be placed behind walls or screened by landscaping.*

**Response:** To the extent possible, utility elements will be screened by landscaping. Details for utilities such as utility boxes, meters, switch boxes and trash receptacles will be provided and reviewed at time of building permits.

### **Smokey Point MPA 9.17: Surface Stormwater Detention Facilities**

*As discussed in Chapter 7 – Drainage, site planning considerations to accommodate rainfall and runoff in the Pacific Northwest must include site features such as drainage, detention, and water quality treatment facilities. In developing site plans for new development, the volumes and flows of surface storm water determine the size of detention and water quality treatment facilities. Good site planning integrates these facilities into the overall site concept.*

#### *Design Guidelines – Utilities Standard*

1. *Stormwater facilities and Low Impact Development concepts will be integrated and support the preferred basin concepts adopted by the City of Marysville.*
2. *Stormwater facilities should be integrated into the site concept to provide visual amenity. Facilities may include surface ponds, underground vaults or LID techniques, as appropriate.*
3. *Stormwater infiltration facilities (paved pedestrian pathways) and other Low Impact Development concepts are encouraged and may be integrated within the landscaping concept for parking lots and site perimeters*
4. *Rain gardens, vegetated roofs, and use of roof water for irrigation are encouraged for Low Impact Development techniques.*

**Response:** The binding site plan identifies locations of the proposed stormwater tracts and lots that will be used for onsite stormwater treatment. These storm ponds will be integrated with the site landscaping plans to provide visual amenity, as detailed in Sheet L1.10 and L1.11 of the Landscape Plan. The stormwater management plan (Exhibit J) provides details for LID techniques being utilized along with the ultimate preferred basin concept as adopted by the City of Marysville.

### **Smokey Point MPA 10.2: Landscaping**

*Planting design is the selection of appropriate plant species to create a desired effect. Using a palette of plant types the designer selects for types of trees, shrubs and groundcover to achieve the desired green goal which is the screening of service areas, establishing an entry experience, or providing a field of ground cover.*

#### *Design Guidelines*

1. *Planting design will include seasonal color changes for the tree foliage and the blossoming flowers.*
2. *The three dimensional, sculptural result of planting design will reflect the specific landscape goal: screening, accent, and/or feature planting.*
3. *Plant design will provide for a variety of leaf texture, plant forms and branch pattern.*
4. *Planting design will include a selection of plants with the goal of reducing water consumption.*

**Response:** A landscape plan has been provided with this binding site plan application as Exhibit G. The landscape plan provides details of the planting schedule which has been prepared to meet these design guidelines.

### **Smokey Point MPA 10.3: Streetscape Landscaping**

*51st Avenue is the main north-south roadway connecting the Smokey Point MPA with the City of Arlington to the north and a Marysville residential community to the south. 152nd is the east– west roadway connecting the Master Plan area to Smokey Point Boulevard. These roadways set the tone for the type of development the City envisions for this area as well as transitioning between residential uses south of 152nd Street and industrial development within the MPA. Therefore, the streetscape on all of the MPA roads should reflect the image of a high-tech industrial center which supports living wage businesses. To accomplish this objective, the streetscape will include a combination of ornamental landscaping consisting of street trees and shrubs/ground cover or lawn so as to improve the appearance of the future development but not necessarily to obscure it. The purpose of the streetscape landscape improvements is to provide aesthetic landscape improvements and some visual separation between developments and the adjacent roadway. Landscaping will be located on right-of-way, private property, or any combination thereof.*

#### *Design Guidelines – Streetscape Landscaping*

1. *Landscape design should support, accent and enhance entryways without blocking signage and obscuring vehicle sight lines*
2. *Landscape design should provide an edge to pedestrian walkways or separate pedestrians from vehicular zones.*
3. *The street trees will be a mix of Evergreen Trees, Flowering Crabapple, Japanese Flowering Cherry and/or Golden Rain Trees.*
4. *2 1/2" caliper deciduous street trees will be planted twenty (20) feet on center within the right-of-way planting strip. Street tree varieties to include a mix of recommended street trees.*
5. *Street landscaping and median landscaping widths may be reduced during the design review phase. Within the ten foot landscape strip between the sidewalk and parking lot, a mix of 50% deciduous and 50% evergreen trees will be planted with the total quantity averaging 15' on center for the lineal frontage of streetscape area. Tree sizes required: deciduous – 1.5" caliper; evergreen - 50% 6-8' height, 25% 8-10' height, 25% 10-12' height.*
6. *Root barriers will be installed.*
7. *Evergreen groundcovers will be planted to achieve 90% coverage within 3 years of the time of planting. Lawn may be used for up to 75% of the area.*
8. *Shrubs will be planted to have a three (3) foot minimum height differential from the parking lot and be spaced to form a continuous shrub to shield parking and pedestrian areas.*

**Response:** As part of the preliminary civil and landscape plans submitted with this binding site plan application, streetscape landscaping is included with detail plans for 156th Street SE improvements. These streetscape landscape improvements have been prepared to meet the eight design guidelines in this section.

### **Smokey Point MPA 10.4: Parking Lot Landscaping and Screening**

*The purpose of parking lot landscaping is to soften the visual appearance of the building, screen public views of parking lots, add shade, limit the amount of impervious surface and reinforce safe pedestrian access to buildings and connecting sidewalks. Parking lots will be setback a minimum of ten (10) feet from any property line.*

### *Design Guidelines – Parking Lot and Screening*

1. *Parking lots will include one (1) tree for every six (6) parking stalls. Trees to consist of shade canopy will be deciduous trees sized at a minimum of 1.5" in caliper.*
2. *Truck bay and delivery areas will not be required to provide internal landscaping or trees; however, landscape trees will be provided along the perimeter of these areas every thirty (30) feet on center and at a minimum of 1.5" in caliper.*
3. *Five (5) shrubs will be provided for every 150 square feet of parking island.*
4. *Evergreen ground covers will be planted to achieve 90% coverage within 3 years of the time of planting. Lawn may be used in lieu of shrubs and ground covers for parking islands exceeding 200 square feet in area.*
5. *A landscape island will be provided at the end of each parking aisle.*
6. *The total of all interior landscaped areas will be equal to or greater than 10% of the total parking lot area (including parking, maneuvering, and loading areas). The perimeter parking lot landscaping may be reduced when abutting a public right of way streetscape area.*
7. *No parking will be more than forty-five (45) feet from a landscape area.*
8. *If grass pave, rainstore, or an equivalent alternative is proposed for the parking lot design, an alternative landscape plan may be approved by the City provided that the intent of this agreement has been met.*
9. *A berm is encouraged in the landscape area next to the sidewalk to promote interest and variety in the streetscape. If berms are used, they should be irregular and natural in layout ranging from 12" to 24" in height as measured from the sidewalk with no grades exceeding a 4:1 slope (4' horizontal/1' vertical).*

*A mix of evergreen and deciduous shrubs and / or hedge type plants will be planned adjacent to any parking lots to help break up visibility of large areas of asphalt. Native and drought tolerant species are encouraged.*

**Response:** As detailed in the landscape plan (Sheet L1.10-L1.11), this binding site plan utilizes landscaping to soften the visual appearance of the parking lots and loading areas and provide a physical buffer between pedestrian sidewalks and parking lots.

### **Smokey Point MPA 10.6: Signage**

*Signs are significant elements in the visual environment and are important to way finding businesses. The signage locations and design needs to be flexible to take into account landscaping and visibility for the drivers, cyclist, and pedestrian. They provide information and direction and they vie for our attention to sell us products. They do this with a variety of forms: motifs, scales, and graphic styles. The signage environment can be a visual cacophony or part of an ordered system. Signs will have a strong design relationship to the architectural and site design elements of a project. Sign integration should be used in new development wherever possible, which makes signage a part of the overall design approach. Creativity is encouraged in signage and graphic design. Signs can be expressive in form and lighting. Standard, back-lighted, metal frame and plastic signs are discouraged. A signage plan will be developed for each new development application in the Smokey Point MPA.*

### *Design Guidelines – Signage Coordination*

*Depending on the complexity of the project (either single users or multiple tenants) the development should provide a combination of:*

1. *Project signage (signs that identify the project to the public from public streets).*
2. *Building, tenant or retail signage (signs that identify the individual tenants).*
3. *Five (5) shrubs will be provided for every 150 square feet of parking island.*
4. *Wall signs will not exceed ten percent (10%) of the front façade and five percent (5%) of a side façade that faces a street. In multi-tenant buildings, the percentage will be based on the façade of the leased space.*
5. *Signage placement will be centered over tenant storefronts.*
6. *Signage placement will be reviewed by City Staff to determine if the sign is blocked by landscaping or other buildings. The signage placement may be shifted to avoid visual conflicts.*

#### *Design Guidelines – Monument Signs*

*Monument signs are encouraged and should meet the following standards:*

1. *They may be built up to a maximum height of ten (10) feet and must include a base of at least two feet in height.*
2. *The base can be made of wood, brick, rock, aggregate concrete, or metal having a unique architectural design consistent with the adjacent building's architecture.*
3. *Pylon/Pole signs are prohibited.*
4. *The setback from the street is recommended at five (5) feet*
5. *The sign location can be shifted to ensure visibility from vehicles, if blocked by trees. Signage placement will be reviewed by City Staff to determine if the sign is blocked by the landscaping and/or other buildings.*

**Response:** A sign program is not proposed with this binding site plan application; however a future detailed sign application will be submitted according to this section's design guidelines.

#### **IV. CONCLUSION**

Based on the information presented and discussed in this narrative and the attached supporting plans and documentation, this application meets applicable standards necessary for approval of the proposed preliminary binding site plan. The applicant respectfully requests approval by the City of Marysville Community Development Department. .