



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

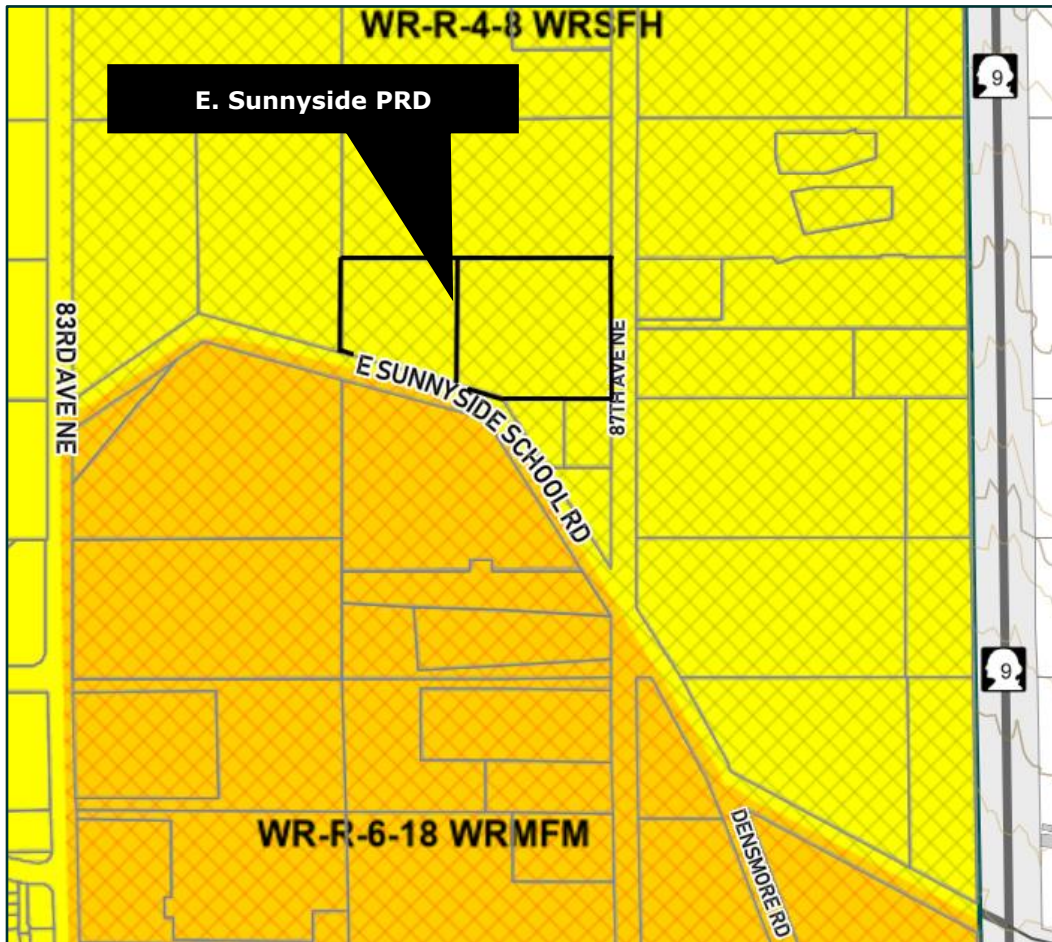
Community Development Department ♦ 501 Delta Avenue ♦ Marysville, WA 98270  
Office Hours: Mon - Fri 8:00 AM - 4:30 PM ♦ Phone: (360) 363-8000

PROJECT INFORMATION									
Project Title	East Sunnyside PRD			Date of Report	October 11, 2023				
File Number	PA22-033			Attachments	Preliminary BSP/PRD map (Exhibit 36)				
Administrative Recommendation	Approve the Administrative Binding Site Plan (BSP) and Planned Residential Development (PRD) request to allow the construction of a 27-lot detached single-family subdivision on 4.29 acres.								
BACKGROUND SUMMARY									
Applicant	Natural 9 Holdings, LLC								
Request	Administrative Binding Site Plan and Planned Residential Development approval in order to subdivide 4.29 acres into 27 detached single-family lots.								
SEPA Status	Exempt pursuant to <a href="#">WAC 197-11-800(1)(d)</a> and <a href="#">MMC 22E.030.090(1)(a)</a>								
Site Address	4614 87 <sup>th</sup> Ave NE & 8507 E Sunnyside School Road			APN(s)	00590700016201 and 00590700016202				
Legal Description (abbreviated)	See Exhibit 5, p.1			Section	36	Township	30N	Range	05E
Comprehensive Plan	SFH	Zoning	WR-R-4-8	Shoreline Environment			N/A		
Water Supply	Current	Proposed		Sewer Supply	Current		Proposed		
	Marysville	Marysville			Private (septic)	Marysville			
Present Use of Property	Single-family residence and accessory structures								
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts		State & Federal		County		Other		
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input checked="" type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input checked="" type="checkbox"/> Zipl <input type="checkbox"/> Lake Stevens (city) <input checked="" type="checkbox"/> Lake Stevens School Dist. <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Comcast		<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DNR <input checked="" type="checkbox"/> DOE <input type="checkbox"/> WDFW <input checked="" type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input checked="" type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works		<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe		
ACTION									
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input type="checkbox"/> Quasi-Judicial	<input type="checkbox"/> Planning Commission						
Date of Action	October 30, 2023	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued					
STAFF									
Name Kathryn Bird	Title Associate Planner	Phone (360) 363-8232	E-mail <a href="mailto:kbird@marysvillewa.gov">kbird@marysvillewa.gov</a>						

**SURROUNDING USES**

	Comprehensive Plan	Zoning	Land Use
<b>Site</b>	Whiskey Ridge Single Family High Density	WR-R-4-8	Single-family residence and accessory structures
<b>North</b>	Whiskey Ridge Single Family High Density	WR-R-4-8	108 lot single-family detached subdivision under construction (“Forester Trails”; PA20-058)
<b>East</b>	Whiskey Ridge Single Family High Density	WR-R-4-8	36 lot detached single-family PRD under construction (“Nordstrom”; PA21-024)
<b>South</b>	Whiskey Ridge Medium Density Multi-family	WR-R-6-18	Single-family dwellings on acreage
<b>West</b>	Whiskey Ridge Single Family High Density	WR-R-4-8	Existing single-family dwellings on acreage

**VICINITY MAP**



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

## 1.0 FINDINGS AND CONCLUSIONS

### 1. Description of Proposal

Ryan Larsen with Land Pro Group, Inc., on behalf of Natural 9 Holdings, LLC has requested Preliminary Binding Site Plan (BSP) and Planned Residential Development (PRD) approval in order to subdivide 4.29 acres into 27 single-family residential lots. The existing single-family residence and accessory structures are proposed for demolition.

### 2. Project History

An application was filed on August 17, 2022. The Letter of Completeness was issued on September 6, 2022, the same day the Notice of Application was provided in accordance with MMC Section [22G.010.090](#), *Notice of development application*. No public comments were received.

### 3. Site Location

The subject site consists of two properties along the north side of East Sunnyside School Road and west of 87<sup>th</sup> Ave NE, street addresses 4614 87th Avenue NE and 8507 East Sunnyside School Road. Surrounding uses include existing single-family residences and accessory structures on acreage. Similar development proposals are currently under construction on the properties to the north and east of the subject site.

### 4. Site Description

The subject property consists of 4.29 acres that slopes from the northeast to the southwest an elevation change of approximately 30 feet in total relief. The properties currently include a single-family residence and outbuildings surrounded by grass lawn areas.

### 5. Critical Areas

According to the *Critical Areas Reconnaissance Report* prepared by Wetland Resources Environmental Consulting, dated July 21, 2022, no wetlands, streams or critical areas buffers are on the subject site. The report identifies a Category III wetland located 250 feet off-site to the west with a 75-foot buffer. A Type Ns stream is located within the off-site wetland described above. Type Ns streams receive 50-foot buffers, so the stream buffer does not reach the subject property. Another Category III wetland is located approximately 190 feet southwest of the site, on the south side of East Sunnyside School Road. The 75-foot buffer associated with this wetland does not reach the site. Development of the subject property will not impact any critical areas or buffers.

All appropriate best management practices (BMPs) and temporary erosion and sediment control (TESC) measures will be implemented throughout the course of construction to control runoff.

### 6. Access and Circulation

The project proposes two access points. The first access is from 87<sup>th</sup> Avenue NE. The second, labeled "Road B" on the Preliminary Site Plan (Exhibit 36), will connect to the road labeled "Road E" on the "Prospector 2" plat to the north, which is currently under construction. At the City's request, the applicant applied for, and the Assistant City Engineer approved, a variance to EDDS 3-219 to allow an extended access to the parcel to the south (APN 00590700017503). A shared access easement will be provided through lot 27 to allow future development of this parcel. Its existing access from Sunnyside School Road will be unusable once Sunnyside School Road is decommissioned.

### 7. Traffic Impacts

Kimley Horn and Associates, Inc. prepared a traffic impact analysis (TIA), dated July 2022 (Exhibit 11). According to the TIA, the proposed development would generate approximately 255 new Average Daily Trips (ADT), including 19 AM new peak hour trips (AMPHT), and 27 new PM peak hour trips (PMPHT).

The City Traffic Engineer reviewed the TIA and issued a written concurrency recommendation dated October 20, 2023 informing the developer of the project's impacts and mitigation obligation pursuant to [MMC 22D.030](#), *Traffic Impact Fees and Mitigation*. Pursuant to [MMC 22D.030.070\(1\)\(d\)](#), an applicant is required to make a written proposal for mitigation of traffic impacts to the Public Works Director based on the concurrency recommendation. The conditions of the concurrency determination are as follows:

- a. The applicant shall be required to construct frontage improvements for the internal plat roads labeled Roads A & B and along 87<sup>th</sup> Ave NE, prior to recording the final subdivision. Frontage shall be constructed per EDDS Standard Plan 3-201-008 within 60' ROW. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer, prior to construction plan approval.
- b. The joint use autocourts (Tract 996, 997, and 998 or as amended) shall be constructed with scored concrete, paving blocks, bricks, or other ornamental pavers to clearly indicate that the entire surface is intended for pedestrians as well as vehicles, as outlined in the City of Marysville Design Guidelines and Engineering Design and Development Standard (EDDS) Section 3-219. A detail of the surfacing of the autocourt will be required to be provided on the civil construction plans and approved by the City Engineer.
- c. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. **Traffic impact fees shall be vested at a rate of \$6,300.00, per new PMPHT, totaling \$163,800** (based on 26 new units; the existing single-family residence to be demolished is credited).
- d. Based on Sections 5 and 6 of the TIA, the proposed development is not anticipated to any off-site intersections, which is included in an interlocal agreement with the City of Lake Stevens to fund improvements. However, the improvements to the intersection of Soper Hill Road and 83<sup>rd</sup> Ave NE have already been completed. Therefore, the payment of traffic mitigation fees for said intersection shall not be required for the proposed development.
- e. Based on Section 6.3 of the TIA and comments received from Snohomish County Public Works, the proposed development would not impact any Snohomish County capital improvement projects; therefore, the payment of Snohomish County traffic mitigation fees shall not be required for the proposed development.
- f. Per the approved EDDS variance, dated March 29, 2023, Ken McIntyre, Assistant City Engineer, accepted the justification to allow a combined autocourt and shared access drive to exceed 150 feet from the internal plat road (Road A) to the parcel to the south (APN 00590700017509). Because Sunnyside School Road is planned to be closed, the city requested and approved this deviation from the EDDS to provide this parcel a replacement access point.

## 8. Utilities

The following utilities will be provided to the site:

*Storm drainage:* According to the *Construction Drainage Report* prepared by LDC, dated August 2023, runoff from pollutant generating impervious and pervious areas (all hardscape and lawns) will be routed to an onsite stormwater detention vault for flow control. Water quality treatment will be provided by media filter drains upstream of the vaults. The proposed stormwater facilities will fully mitigate storm water runoff in accordance with the 2014 SWMM to satisfy the flow duration standards.

*Water:* Water mains will be required to be extended within the project to serve the development.

*Sewer:* Sewer mains are required to be extended along the internal plat roads, and sewer lines will extend into the development to serve each lot.

9. **SEPA**

Proposal is exempt from SEPA pursuant to [WAC 197-11-800\(1\)\(d\)](#) and [MMC 22E.030.090\(1\)\(a\)](#).

10. **Agency Comments:** A *Request for Review* of the proposed development was sent to the Local, County, State and Federal Agencies and Districts identified on page 1 of this report. The following comments were received; if above-referenced agencies are not listed below, no comments were received:

- a. Public Works Water Operations – Will comment when water utilities are shown [on civil plans].
- b. Public Works Traffic Engineer
  - i. Undergrounding of overhead utilities along frontage shall be required.
  - ii. 87th Ave NE frontage:
  - iii. Designated as Collector Arterial roadway with 22' of asphalt pavement including curb, gutter, 12' multi-use trail, landscape strip and city owned decorative street lighting.
  - iv. Frontage shall be constructed per EDDS Standard Plan 3-201-008 within 60' ROW.
  - v. Per EDDS 3-506, street lighting will be required.
  - vi. Street Lighting upon residential street(s) shall be PUD installed fiberglass pole installation type street lighting.
  - vii. Residential street(s) shall be designed as collector arterial utilizing 100 watt equivalent LED fixtures.
  - viii. Spacing of fixtures should be approximately 180'-220'.
  - ix. As part of civil construction approval proposed PUD street lighting locations will be provided by the City to the developer for submission to PUD and incorporation into the PUD site electrical plans.
  - x. Snohomish County PUD Process:
  - xi. For residential plats, contact PUD Plats via email at [plats@snopud.com](mailto:plats@snopud.com) and include a PUD Plats application to begin Snohomish PUD process.
  - xii. For specific questions regarding street lighting, contact Eddie Haugen of Snohomish County PUD at (425) 783-8276 or [wehaugen@snopud.com](mailto:wehaugen@snopud.com) for more information.
  - xiii. 87th Ave NE Street lighting shall be designed as City owned decorative street lighting to match existing decorative street lighting upon 87th Ave NE to the north.
  - xiv. This will include design of full city owned street lighting system including, service cabinet, conduit, wire, junction boxes, street light poles/foundations, etc.
  - xv. Street lighting design engineer shall request from City Traffic Engineer, City Traffic Division Special Provisions which will further identify decorative components.
  - xvi. New Power Service shall be required.

- xvii. Photometric layout shall be performed assuming full width buildout of 87th Ave NE with staggered street lighting layout.
  - xviii. Developer will only be required to construct street lights located upon development frontage with opposite side of roadway being installed as part of future development.
  - xix. A signing and channelization plan shall be required as part of civil construction plans.
- c. Marysville Fire District: The Fire District provided a letter, dated September 13, 2022 with 16 comments. The requirements were satisfied, except conditions dependent on site conditions, to be resolved at time of construction.
  - d. *PUD No. 1*: PUD stated in their letter dated October 11, 2022 that the District has sufficient electric system capacity for the proposed development. They conditioned their approval as follows:
    - i. Per [WAC 296-24-960](#) the minimum worker safety clearance from any District distribution conductor is 10 feet. Therefore, the District requires a minimum 14-foot clearance from any structure to accommodate workers, scaffolding and ladders. Minimum worker safety clearance from 115kV transmission wires is 20 feet.
    - ii. Any relocation, removal or undergrounding of District facilities to accommodate this project and the worker safety clearances shall be at the expense of the project developer and must be coordinated with the PUD in advance of final design. Please include any project related utility work in all applicable permits.
    - iii. The District policy requires the developer to provide a minimum 10-foot easement for underground electrical facilities that must be installed to serve the proposed development. In addition, the developer must maintain an 8-foot clearance between transformers and a 10-foot clearance between switch cabinets and any building/structures upon its property. Additional clearances may be required depending on the equipment in the area and accessibility of the equipment.
  - e. *Snohomish County Public Works – Land Development*: as a SEPA exempt proposal, the project is exempt from the requirements of the [\*Interlocal Agreement between Snohomish County and the City of Marysville on Reciprocal Mitigation of Transportation Projects \(1999\)\*](#).

**11. Public Comments/Neighborhood Concerns:**

No public comments were received.

**12. Application Review:** [MMC 22G.010.140\(3\)](#) requires the city to determine whether or not the project is consistent with the following items described in the applicable plans and regulations:

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

Staff Comment: Pursuant to [MMC 22C.010.060](#), single-family residences and associated infrastructure are permitted outright in the WR-R-4-8 zone.

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

Staff Comment: The base density allowed in the WR-R-4-8 zone is 4.5 dwelling units per net project acre with a maximum density of 8 dwelling units per net project acre utilizing Residential Density Incentives outlined in [MMC Chapter 22C.090](#).

The applicant has proposed utilizing RDI benefit 3a *Community Image and Identity*. The following is the RDI calculation for the proposed development:

<b>BASE DENSITY</b> (4.5 du per acre)		3.43 acres x 4.5 du/acre = 15 du
<b>RDI CALCULATION</b>		
Benefit 3a: 1 Bonus Unit per \$25,000 (12 proposed)		12 x \$25,000 = \$300,000
Total RDI Units:	=	12
<b>TOTAL ALLOWED UNITS</b>	=	<b>27</b> (15 base + 12 RDI)

The proposed development has a density of 7.87 dwelling units per acre (27 du/3.43 net acres), which complies with the density allowances outlined in [MMC 22C.010.080\(2\)](#).

- c. Availability and adequacy of public facilities identified in the comprehensive plan.

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

- d. Development Standards.

Staff Comment: The project site is zoned WR-R-4-8 Single Family, High Density. The WR-R-4-8 zone allows single-family residences at a density range of 4.5 to 8 dwelling units per acre. The major type of new development will be detached single-family residences.

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

**Open Space Standards:** Fifteen percent of the net project area is required to be dedicated as open space as required by [MMC 22G.080.100](#). As proposed, over seventeen percent of the net project area will be reserved for open space. Thirty-five percent (0.18 acres) of the required open space must be active open space, and the project provides 0.20 acres of active open space. Improvements within the open space area will include, but are not limited to, a playground equipment, picnic tables walking path, hopscotch, swings, and landscaping throughout.

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

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

The proposed development and subsequent use of the property will comply with the intent of the WR-R-4-8 zone, and as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – *Unified Development Code*.

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

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

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

Staff Comment: The proposed binding site plan and development of the parcel relate to all elements of the Comprehensive Plan.

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

Staff Comment: The proposed binding site plan meets all applicable zoning regulations outlined in Title 22, *Unified Development Code*.

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

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

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

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

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

Staff Comment: The project and binding site plan is SEPA exempt.

- f. **Critical Areas.** Binding site plans shall comply with the land division requirements of [MMC 22E.010.350](#).

Staff Comment: The binding site plan complies with the land division requirements of [MMC 22E.010.350](#). There are no critical areas on site.

14. **In House Days**

Pursuant to [MMC 22G.010.200](#), a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made 64 in-house calendar days from the date of completeness.

## 2.0 DECISION



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

1. The preliminary BSP/PRD site plan map received September 5, 2023 (Exhibit 36) shall be the approved site layout.
2. Prior to civil construction plan approval, a final landscaping plan meeting the requirements outlined in [MMC 22C.120, Landscaping and Screening](#), shall be submitted for review and approval. All required landscaping, fencing, and open space improvements shall be installed prior to final PRD approval.
3. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or line shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building. This includes the existing lines located along 87<sup>th</sup> Avenue NE.
4. In order to achieve density greater than 4.5 dwelling units per acre, and not to exceed 8 dwelling units per acre, the applicant shall be required to comply with MMC Chapter [22C.090 Residential Density Incentives](#). Any and all RDI Financial contributions shall be paid prior to BSP/Plat recording with Snohomish County, WA.

If the proposed RDI tools are not possible to implement, the total number of proposed lots will be reduced accordingly.

5. Lots 24-27 shall be oriented towards the public street with front door, porch and direct pedestrian access to the public sidewalk on 87<sup>th</sup> Avenue NE.
6. Direct vehicular access from individual single-family lots onto 87<sup>th</sup> Avenue NE is prohibited.
7. Construction of the subdivision and single-family units will be required to comply with all applicable standards outlined the *East Sunnyside-Whiskey Ridge Design Standards and Guidelines*.
8. Any lots under 5,000 square feet must demonstrate compliance with [MMC 22C.010.310, Small lot single family dwelling development standards](#), prior to building permit issuance.
9. The maximum height of solid (more than 50% opaque) free-standing walls, fences, or hedges in any front yard or other location between the street and the façade shall be 3½' unless a taller wall is required, per the Community Development Director, to mitigate significant noise and traffic impacts.
10. In development configurations where side yards abut a street, fences taller than 3½' shall be setback at least 5' from the sidewalk to allow for landscaping to soften the view of the fence. Provisions for long-term maintenance of this landscaping shall be addressed on the FINAL plat map.
11. The applicant shall submit payment to Lake Stevens School District No. 4 for school impacts caused by the development in accordance with MMC Chapter [22D.040, School Impact Fees and Mitigation](#). School mitigation fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance unless deferred until a time preceding final building inspections being granted.

12. The applicant shall submit payment to the City of Marysville for park impacts caused by the development in accordance with MMC Chapter [22D.020, Parks, Recreation, Open Space and Trail Impact Fees and Mitigation](#). Park mitigation fees will be based on the fee schedules in effect at the time an individual building permit application is accepted by the City, and will be required to be paid prior to building permit issuance unless deferred until a time preceding final building inspections being granted.
13. The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void ([WAC 246-272A-0300](#)). Documentation demonstrating completion of this work shall be submitted prior to final PRD/BSP approval.
14. Any existing on-site well(s) shall be decommissioned in accordance with [WAC 173-160-381](#). If applicable, a copy of the well contractor's decommissioning report(s) shall be submitted prior to final PRD/BSP approval.
15. Prior to final PRD approval, the applicant shall submit to the City for its approval, the final covenants, deed restrictions, homeowners' association bylaws, and other documents providing for preservation and maintenance of all common open space, parking areas, walkways, landscaping, signs, lights, roads, and community facilities consistent with [MMC Section 22G.080.120](#). All common areas and facilities shall be continuously maintained at a minimum standard at least equal to that required by the City, and shall be approved by the City at the time of initial occupancy. Said restrictive covenants shall also include provisions to address parking enforcement and a statement from a private attorney as the adequacy of the covenants to fulfill the requirement of the PRD.
16. If any Native American grave sites or archaeological resources are discovered or excavated, the owner/developer/contractor shall stop work immediately and notify City of Marysville Community Development Department and the Washington State Department of Archaeology and Historic Preservation in conformance with RCW 27.53.020.
17. Pursuant to MMC 22G.100.120 and RCW 58.17.140, the final binding site plan shall be approved and recorded within 5-years of the date of preliminary approval. A 2-year extension may be granted in accordance with MMC 22G.100.120(d).

**Prepared by:** *Kathryn*  
**Reviewed by:** *Emily*

This ***Preliminary Administrative Binding Site Plan and Planned Residential Development Approval*** is issued pursuant to MMC Section [22G.010.160\(1\)\(a\)](#). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC [22G.010](#), Article VIII, *Appeals*. Appeals must be filed within fourteen (14) calendar days of the date of the Preliminary Administrative Binding Site Plan and Planned Residential Development Approval.

**Date:** 10/30/2023

**Signature:**   
Haylie Miller, Community Development Director

The above recommendation, including conditions of preliminary approval, are subject to change if the proposed phasing parameters, land uses or any other information provided by the applicant or their authorized representatives proves inaccurate.