



# SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE AND TRAFFIC CONCURRENCY DETERMINATION

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

PROJECT INFORMATION			
<b>Project Title</b>	Marysville 10 Degrees	<b>File No.</b>	PA21-039
<b>Detailed Project Description</b>	Construction of a 328 lot Planned Residential Development (PRD) subdivision consisting of 165 townhouse units and 163 detached single family units with a concurrent boundary line adjustment, and a rezone of approximately 6.69 acres of the site from Community Business (CB) to R-12 Multi-family, Low Density (R-12).		
<b>Site Address</b>	2703 156 <sup>th</sup> Street NE	<b>APN(s)</b>	31052900303200; 31052900303100
<b>Legal Description (abbreviated)</b>	See site plan (Exhibit 53)		
	<b>OWNER</b>	<b>APPLICANT</b>	<b>CONTACT</b>
<b>Name</b>	Terra Firma Development	Pulte Group c/o Ryan Kohlmann	LDC, Inc. c/o Jesse Jarrell
<b>Address</b>	4201 Lougheed HW	3535 Factoria Blvd. SE, Ste. 600	20210 142 <sup>nd</sup> Avenue NE
<b>City, State, ZIP</b>	Burnaby, BC V5C 3Y6	Bellevue, WA 98006	Woodinville, WA 98072
THRESHOLD DETERMINATION			
<b>Lead Agency</b>	<input checked="" type="checkbox"/> City of Marysville		
<p>The lead agency has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is NOT required under RCW 43.21C.030(2)(c). This decision was made after review by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.</p> <p><input type="checkbox"/> There is no comment period for this DNS</p> <p><input type="checkbox"/> This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS.</p> <p><input type="checkbox"/> This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by:</p> <p><input checked="" type="checkbox"/> This MITIGATED DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by: <b>Friday, December 30, 2022</b></p>			
SEPA CONTACT			
<b>Name</b>	Angela Gemmer	<b>Title</b>	Principal Planner
<b>Phone</b>	360.363.8240	<b>E-mail</b>	<a href="mailto:agemmer@marysvillewa.gov">agemmer@marysvillewa.gov</a>
RESPONSIBLE OFFICIAL			
<b>Name</b>	Haylie Miller	<b>Title</b>	CD Director
<b>Address</b>	80 Columbia Avenue, Marysville, WA 98270		

Prepared by: *Angela*

Reviewed by: *Chris*

*Haylie Miller*

Haylie Miller, Community Development Director

December 16, 2022  
Date

### ENVIRONMENTAL IMPACTS

The proposed construction and subsequent use of the property could result in the following adverse environmental impacts.

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| 1. | Increase in the amount and rate of stormwater runoff and attendant pollutants from the introduction of paved and building roof surfaces.   |
| 2. | Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation and construction.   |
| 3. | Increase in demand for police, fire protection, parks and other public services generated as a result of the development.  |
| 4. | Increase in noise, dust, light and glare from construction activity and subsequent use of the site.  |
| 5. | Increase in vehicular traffic on 156 <sup>th</sup> Street NE, Twin Lakes Avenue, 19 <sup>th</sup> Avenue NE, 164 <sup>th</sup> Street NE, as well as other City streets in the vicinity. |
| 6. | Potential impacts to critical areas and regulated activities due to project construction.  |
| 7. | Change in the character of the area from rural to an urban single family and townhouse development.  |

### MITIGATION MEASURES

The following mitigation measures are required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity.

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| 1. | The applicant and contractor shall strictly adhere to the recommendations outlined in the <i>Construction Drainage Report</i> prepared by LDC, Inc. dated August 2021 and revised March and July 2022, and the <i>Geotechnical Engineering Study</i> prepared by Earth Solutions NW, LLC dated April 5, 2021, and future supplemental reports and amendments, during construction of the project. Prior to final building inspections being granted, the applicant shall provide a letter from the project engineer to verify that final site grading has been completed consistent with the approved grading plans; that all recommendations outlined in the geotechnical assessment and subsequent amendments have been followed; and that all fill has been properly placed.  |
| 2. | The applicant shall prepare a grading plan that preserves the natural topography of the site to the extent feasible, and complies with the design criteria in MMC Section 22D.050.030(4). The site shall be developed to promote continuity between, and a smooth transition to, neighboring properties.   |
| 3. | Prior to civil construction plan approval, a final mitigation plan prepared in accordance with Chapter 22E.010, Critical Areas Management, shall be submitted for review and approval. All permanent and temporary critical areas impacts shall be mitigated, and all critical areas mitigation work shall be completed prior to final plat approval.  |
| 4. | Prior to land disturbing activities, the applicant shall be required to obtain all necessary Federal, State and local permits for any critical area or buffer impacts prior to commencing construction. A Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife (WDFW) will be required for any stream crossings, and United State Army Corps of Engineers (USACE) and/or Department of Ecology (DOE) approval shall be required for any impacts to regulated ditches. It is anticipated that boring under the ditches and stream will be required. A culvert installed with the prior grading work shall be inspected, and repaired or replaced, if needed, during construction.   |
| 5. | Prior to beginning construction, the applicant shall prepare an arborist report for the project that evaluates any on-site trees that are proposed for retention that are within striking distance of project improvements, and any off-site or shared trees that are located along the common property line with Gissberg Twin Lakes Park. Said report shall be submitted to Snohomish County Parks, Recreation and Tourism for review. Documentation shall be submitted to the City demonstrating that Snohomish County Parks has reviewed the arborist report for the project, and concurs with the recommendations outlined in the report. During project construction, a certified arborist shall be required to monitor impacts to trees along the common property line with Gissberg Twin Lakes Park; provide written confirmation from the Snohomish County Parks as to whether 'at risk' trees on their property can be |

	protected, removed, or replaced; and what type of compensation will be required. Prior to a final plat approval, a certified arborist shall do a final evaluation of the trees that will be retained along the common property line and make a written recommendation to Snohomish County Parks in regards to the treatment of the treed areas.
6.	To provide the best protection for trees within the on-site critical areas and along the common property line with Gissberg Twin Lakes Park that may be impacted during the construction stage, the applicant shall install a temporary, five-foot high, orange clearing limits construction fence in a line generally corresponding to the drip line of any significant tree(s) to be retained. No construction will be permitted within the dripline of trees identified to be saved. All such fencing shall be installed and inspected by the Community Development Department prior to commencement of site work.
7.	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 PM peak hour trip (PMPHT). Design, dedication and construction of 19 <sup>th</sup> Avenue NE and 164 <sup>th</sup> Street NE are eligible for traffic impact fee (TIF) credits.
8.	The applicant shall construct the 19 <sup>th</sup> Avenue NE arterial roadway from 156 <sup>th</sup> Street NE or 30 <sup>th</sup> Avenue NE to the project's north property line consistent with the City of Marysville Engineering Design and Development Standards (EDDS). The full right-of-way shall be constructed. The roadway improvements shall consist of three lanes of traffic including a two-way left turn lane with curb, gutter, landscape strip, multi-use path, sidewalk and street lighting; provided that, the two-way left turn lane may be eliminated where it is determined by the City to not be needed. A 12-foot multi-use path shall be constructed along the east side of the roadway for the full length of the parcel connecting to 156 <sup>th</sup> Street NE. A landscape strip and five-foot sidewalks shall be installed on the west/south side of 19 <sup>th</sup> Avenue NE from 'Road C' to 30 <sup>th</sup> Avenue NE.
9.	The applicant shall construct the 19 <sup>th</sup> Avenue NE and 164 <sup>th</sup> Street NE roundabout consistent with the City of Marysville EDDS and WSDOT Design Manual Chapter 1320. Design Vehicle Turning Templates shall be run through roundabout and provided during the plan review process. Median islands shall be installed on all approaches. A crosswalk shall be provided across the east leg of the roundabout including a pedestrian refuge island to accommodate multi-use trail users.
10.	The applicant shall construct the 19 <sup>th</sup> Avenue NE and 30 <sup>th</sup> Avenue NE roundabout consistent with the City of Marysville EDDS and WSDOT Design Manual Chapter 1320. Design Vehicle Turning Templates shall be run through the roundabout and provided during the plan review process. Median islands shall be installed on all approaches, and be large enough to provide pedestrian refuge for multi-use trail users. A crosswalk shall be provided across all legs of the roundabout. Given development frontage does not include the east side of 30 <sup>th</sup> Avenue NE, design shall include construction that can be easily modified to provide pedestrian refuge and locations for necessary curb ramps in the future.
11.	The applicant shall construct the 164 <sup>th</sup> Street NE arterial roadway within the project boundaries consistent with the City of Marysville Engineering Design and Development Standards (EDDS). The planned arterial roadway shall not encroach onto Snohomish County Parks' property or the Crystal Tree Village Mobile Home Park. The roadway improvements shall consist of two lanes of traffic (unless access onto 164 <sup>th</sup> Street NE is proposed) including gutter, landscape strip, multi-use path (north side), sidewalk (south side) and street lighting; the multi-use path shall be 12-feet wide. Coordination shall be required between the subject project and Twin Lakes Landing Phase 2 to the east when constructing the 164 <sup>th</sup> Street NE extension within the development.
12.	If the project will be constructed in phases, all arterial roadways and roundabouts shall be constructed with the first phase of the project.
13.	The applicant shall be required to dedicate the necessary right-of-way for 19 <sup>th</sup> Avenue NE, 164 <sup>th</sup> Street NE, the 19 <sup>th</sup> Avenue NE and 164 <sup>th</sup> Street NE roundabout, and the 19 <sup>th</sup> Avenue and 30 <sup>th</sup> Avenue NE roundabout, to enable build-out of said roadways and roundabouts consistent with EDDS standards and WSDOT Design Manual Chapter 1320.

14.	The applicant shall be required to pay \$101,621.24 in traffic fees, or as may be adjusted, to Snohomish County for impacts to Snohomish County roads consistent with the Interlocal Agreement between Snohomish County and the City of Marysville.			
15.	<p>The applicant has elected to defer thirty (30) percent design of the roundabouts and approaches until the first civil plan review. The first civil plan review shall also address the main design revisions identified in the Traffic Engineer Manager’s memo dated December 14, 2022. A full roundabout design shall be submitted with the second civil plan submittal. Based on a review of the plans submitted to-date, it appears that the proposed roundabouts and approaches are undersized, and that additional right-of-way will be needed in order to construct the roundabouts and approaches per the City’s Engineering Design and Development Standards and accepted engineering practices. The applicant agrees that it will obtain and dedicate all required right-of-way as needed for such roundabouts and approaches, and the applicant acknowledges that it will not receive civil plan approval without obtaining and dedicating this right-of-way.</p> <p>The applicant has acknowledged these comments, and by accepting the traffic concurrency recommendation, is assuming all responsibility for obtaining and dedicating right-of-way as contemplated herein, and assumes all responsibility and risk associated with this requirement (including all risk, liabilities, and/or losses resulting from failure to obtain and dedicate such right of way), and releases the City (and its officers, appointed and elected officials, employees and agents) from any responsibility or liability associated with this requirement.</p> <p>The applicant furthermore shall hold harmless, indemnify, and defend the City of Marysville (and its officers, appointed and elected officials, employees and agents) from and against any and all claims, actions, suits, liability, loss, expenses, damages and/or judgments of any nature whatsoever (including costs and attorney's fees in defense thereof), caused by, arising out of, or relating in any way to the design changes and associated requirement to obtain and dedicate additional right of way as contemplated herein (including all claims, actions, suits, liability, loss, expenses, damages and/or judgments arising from the applicant’s failure to obtain and dedicate such right of way).</p>			
16.	An Arlington Airport avigation easement shall be recorded prior to final plat approval, and a conformed copy of said easement shall be furnished to the cities of Arlington and Marysville prior to final plat approval.			
17.	The Department of Archaeology and Historic Preservation’s (DAHP) Inadvertent Discovery Plan shall be followed during site construction. If at any time during construction archaeological resources are observed on the project site, work shall be temporarily suspended at the location of discovery and a professional archaeologist shall document and assess the discovery. The DAHP and all concerned tribes shall be contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area shall be stopped immediately. Local law enforcement, DAHP, and affected tribes shall be immediately contacted. No additional excavation may be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended.			
<b>APPEALS</b>				
<input checked="" type="checkbox"/> This MDNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 14 day appeal period on the MDNS that commences from the date the MDNS was issued. Any appeal must be addressed to the responsible official, accompanied by a filing fee of \$500.00, and be filed in writing at the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270. The appeal must be received by 4 p.m., <b>Friday, December 30, 2022</b> . The appeal must contain the items set forth in MMC 22G.010.530.  <input type="checkbox"/> There is no agency appeal.				
<b>DISTRIBUTION</b>				
<b>Marysville</b>	<b>Local Agencies &amp; Districts</b>	<b>State &amp; Federal</b>	<b>County</b>	<b>Other</b>

<input checked="" type="checkbox"/> <b>Building</b> <input checked="" type="checkbox"/> <b>Fire District</b> <input checked="" type="checkbox"/> <b>LD</b> (Civil Review) <input checked="" type="checkbox"/> <b>LD</b> (Eng. Svc. Mgr.) <input checked="" type="checkbox"/> <b>Parks</b> <input checked="" type="checkbox"/> <b>Police</b> <input checked="" type="checkbox"/> <b>Public Works</b> (Jesse Hannahs) <input checked="" type="checkbox"/> <b>Public Works</b> (M. Phan) <input checked="" type="checkbox"/> <b>Public Works</b> (A. Benton)	<input checked="" type="checkbox"/> <b>Arlington (city)</b> <input checked="" type="checkbox"/> <b>Arlington Airport</b> <input checked="" type="checkbox"/> <b>Comcast</b> <input type="checkbox"/> <b>Community Transit</b> <input type="checkbox"/> <b>Everett (city)</b> <input type="checkbox"/> <b>Lake Stevens (city)</b> <input type="checkbox"/> <b>Lake Stevens SD 4</b> <input checked="" type="checkbox"/> <b>Lakewood SD 306</b> <input type="checkbox"/> <b>Marysville SD 25</b> <input checked="" type="checkbox"/> <b>PUD No. 1</b> (electric) <input checked="" type="checkbox"/> <b>Ziplay</b>	<input checked="" type="checkbox"/> <b>BNSF</b> <input checked="" type="checkbox"/> <b>DAHP</b> <input type="checkbox"/> <b>DOE</b> (Bellevue) <input checked="" type="checkbox"/> <b>DOE</b> (Olympia - Env. Review) <input checked="" type="checkbox"/> <b>DOE</b> (SEPA – G. Stough) <input type="checkbox"/> <b>DOE</b> (Shorelands) <input checked="" type="checkbox"/> <b>USACE</b> <input checked="" type="checkbox"/> <b>WDFW</b> <input checked="" type="checkbox"/> <b>WSDOT</b> <input type="checkbox"/> <b>WUTC</b>	<input checked="" type="checkbox"/> <b>Health District</b> <input type="checkbox"/> <b>Planning</b> <input checked="" type="checkbox"/> <b>Public Works -  Land Development</b> <input type="checkbox"/> <b>Public Works</b>	<input type="checkbox"/> <b>Olympic  Pipeline</b> <input type="checkbox"/> <b>Puget Sound  Energy</b> <input checked="" type="checkbox"/> <b>Stillaguamish  Tribe</b> <input checked="" type="checkbox"/> <b>Tulalip Tribes</b> <input checked="" type="checkbox"/> <b>Everett Herald</b>
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