



NOTICE OF DECISION
TOLT PLACE PRELIMINARY LONG SUBDIVISION/ShORELINE
SUBSTANTIAL DEVELOPMENT PERMIT/SPECIAL USE PERMIT
File Nos.: LP-21-0001, SSD-21-0001, SUP-21-0001, ECF-21-0001

Notice is hereby given that on Sept. 20, 2022, the City of Carnation Hearing Examiner issued a decision of Conditional Approval on the above referenced applications for preliminary plat approval, a shoreline substantial development permit, and a special use permit which were brought to public hearing on Weds., August 17, 2022, at 6:00 PM, in the Council Chambers at the Carnation City Hall. The purpose of the hearing was to evaluate and receive public testimony regarding the following application:

Description of Proposal: A preliminary long subdivision of an approximately 6.28-acre lot into 10 to 12 single-family residential lots and an approximately three-acre open space tract (Tract A), with new public roads, utilities, and stormwater facilities. The Tolt River channel is south of (and does not reach) the subject property. However, a Type S stream ("shoreslines of the state" per 90.58.030 RCW), the Tolt River's Channel Migration Zone, and associated critical area and shoreline buffers extend onto the southern portion of the site including an area designated as floodway and AE floodplain (FIRM panel #0419H). Because the southern portion of the subject property is within shoreline jurisdiction, a shoreline substantial development permit and a special use permit for shoreline use were also required.

Location: 4304 336th Avenue NE, Carnation, WA. Parcel #152507-9027

Applicant: John Day Homes, Inc.

Decision: During the public hearing, Planning Staff recommended the Hearing Examiner grant approval of a 10-lot configuration subject to the conditions enumerated in the staff report. The Applicant waived objection to the recommended conditions but requested that one of two alternate subdivision designs be approved to allow either 12 or 13 lots in place of the 10-lot, looped road configuration favored by Staff. Subsequently, the Hearing Examiner reviewed the entire record and provided findings of fact and conclusions to support the decision to grant approval of the proposed application for the 12-lot layout, with conditions. The attached preliminary subdivision approval is a Type IV decision pursuant to Chapter 15.09 CMC and includes the following information:

1. Applicable review criteria and standards in the development codes and other applicable laws,
2. Findings and conclusions of the Hearing Examiner,
3. A mitigated determination of non-significance (MDNS), issued on July 15, 2022, imposing 13 mitigation measures.

Shoreline Permit processing: Construction pursuant to the permit shall not begin and is not authorized until 21 days from the date of receipt with Ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within 21 days from the date of receipt of the decision, except as provided in RCW 90.58.140(5)(a) and (b). The date of receipt for a Shoreline Substantial Development Permit means that date the applicant receives written notice from Ecology that it has received the decision.

Appeal Procedure: There is no administrative appeal for either the preliminary subdivision approval decision or the SEPA MDNS. Pursuant to Chapter 36.70C RCW, RCW 58.17.180, and CMC 15.11.100 and CMC 14.04.170, as applicable, the preliminary approval decision and the SEPA MDNS may be appealed to the King County Superior Court within 21 days of the issuance of the Hearing Examiner's decision by any person with standing. Any such appeal must comply with the standards and procedures set forth in the Land Use Petition Act, Chapter 36.70C RCW.

Further information: The complete project file is available for review at the Carnation City Hall, 4921 Tolt Avenue, Carnation, WA.

As provided in RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. Any request for a valuation change must be accompanied by sufficient sales information to support the requested change in assessed value. Requests must be made in the office of the King County Assessor.

A copy of the decision is attached and incorporated by reference. For more information, contact Tim Woolett, City Planner, at 425-333-4192 or tim.woolett@carnationwa.gov.