



**STAFF REPORT TO THE HEARING EXAMINER
PRELIMINARY PLAT SUBDIVISION/SHORELINE SUBSTANTIAL
DEVELOPMENT/
SPECIAL USE PERMIT
APPLICATION NO. LP-21-0001 / SSD-21-0001 / SUP-21-0001
Tolt Place – John Day Homes, Inc.
August 6, 2022**

Hearing Examiner Public Hearing Date:	August 17, 2022
Permit Request:	Preliminary plat subdivision/Shoreline substantial development permit/ Special use permit
File No:	LP 21-0001 / SSD-21-0001 / SUP-21-0001
Applicant:	John Day Homes, Inc. PO Box 2930 North Bend, WA 98045
Property Owner:	John Day Homes, Inc. PO Box 2930 North Bend, WA 98045
Location:	4304 336 th Avenue NE, Carnation, WA Assessor's Parcel No: 152507-9027
Proposal:	The proposal includes subdividing one 6.28-acre lot into ten single-family lots and one open space tract of approximately three acres in size ("Tract A").
Staff Recommendation:	<u>Approve</u> with Conditions
SEPA:	The proposal is subject to State Environmental Policy Act (SEPA) review per RCW 43.21C and CMC Chapter 14.04. A Mitigated Determination of Non-significance (MDNS) was issued on July 15, 2022.

I. Description of Proposal

The application is for the preliminary approval of a subdivision of a lot at 4304 336th Avenue NE (which is approximately 6.28 acres in size, zoned Residential 4 (R4), and partially lying within shoreline jurisdiction) into ten single-family lots and one open space tract. The future lots would range in size from 7,500 square feet to 11,750 square feet and the open space tract would be approximately three acres. The proposal includes the construction of infrastructure improvements to support the development including but not limited to local access roads, utility mains, and stormwater facilities. Water and sewer service will be provided by the City of Carnation. A new looped road system will serve the proposed plat. The submittal for the preliminary plat subdivision also includes a Shoreline Substantial Development Permit (SSDP) application and a Special Use Permit application (per Section 15.92.070 all SSDPs require a Special Use Permit).

Future permits required:

- Final Plat approval must be granted prior to the recordation of the plat.
- Construction permits may include, but are not limited to a demolition permit, public utility extension, clearing and grading permit, storm drainage review, side sewer installation, water installation, right-of-way permit(s), fire permit(s), electrical permit(s), and building permit(s). All future permitting must be consistent with the standards of the R4 zone.

II. Background

Annexation: The subject property was annexed into the City in November 2019 upon approval by the City Council of Ordinance No. 926.

Project History:

- Application Submittal: March 8, 2021
- Determination of Complete Application: April 5, 2021 (Exhibit 19)
- Notice of Application comment periods: 14-day comment period for the preliminary plat and special use permit, starting on April 16, 2021 and ending on April 30, 2021; 30-day comment period for the shoreline substantial development permit starting on April 16, 2021 and ending on May 17, 2021 (Exhibit 20)
- Notice of Application Notice Board Posted: April 8, 2021 (Exhibit 21)
- Notice of Application Mailed to Property Owners Within 300 Feet: April 15, 2021 (Exhibit 22)
- Notice of Application Published in the Snoqualmie Valley Record: April 16, 2021 and April 23, 2021 (Exhibit 23)
- SEPA Mitigated Determination of Non-significance comment period: 14-day comment period starting on July 15, 2022 and ending on July 29, 2022 (Exhibit 18)
- SEPA Mitigated Determination of Non-significance Sent to Agencies and Parties of Record: July 15, 2022 (Exhibit 24)
- SEPA Mitigated Determination of Non-significance Published in the Snoqualmie Valley Record: July 15, 2022 (Exhibit 25)

- Affidavit of Notice of Hearing Examiner Public Hearing Notice Board Posted: July 27, 2022 (Exhibit 27)
- Affidavit of Mailing for Notice of Hearing Examiner Public Hearing to Property Owners Within 300 Feet: July 28, 2022 (Exhibit 28)
- Notice of Hearing Examiner Public Hearing Sent to Agencies and Parties of Record: July 29, 2022 and August 1, 2022 (Exhibit 29)
- Notice of Hearing Examiner Public Hearing Published in the Snoqualmie Valley Record: July 29, 2022 and August 5, 2022 (Exhibit 30)
- Hearing Examiner Public Hearing Date: August 17, 2022

Location: The subject property is located on the east side of 336th Avenue NE at the eastern terminus of NE 42nd Street, and is currently configured as one parcel addressed as 4304 336th Avenue NE. The parcel is assigned Assessor's Parcel No. 152507-9027. NE 45th Street runs east-west and lies approximately 200 feet north of the northwest corner of the subject property. The parcels adjacent to the property lying to the north and east contain single-family residential uses in the unincorporated King County but within the City's Urban Growth Boundary. The parcels located across 336th Avenue NE to the west are within city limits and also contain single-family residential uses, but are in the R2.5 zone which is a lower density district. An undeveloped parcel to the south lies in unincorporated King County, is outside of the City's Urban Growth Boundary, and carries the King County land use designation, *Rural Area, one dwelling unit per 10 acres* (RA-10); the Tolt River abuts that undeveloped parcel further south.

Access: Access to the proposed subdivision will be from 336th Avenue NE. A looped road is proposed to be constructed with two access points to/from 336th Avenue NE; one of the access points will essentially be an extension of NE 42nd Street, which will extend through the property and end at the eastern border.

Property Characteristics: The property is relatively flat at the northern portion (the portion to be developed), with approximately 7 feet of grade change from the western lot line to the eastern lot line, where the eastern lot line is at a higher grade. The southern portion of the property slopes down and is vegetated with trees, shrubs, and grasses. The Tolt River is south of (and not adjacent to or on) the subject property. However, a Type S stream that is a tributary side channel of the Tolt River (for the purposes of this staff report, it will be referred to as "stream" since it is mapped as a stream on King County iMap), the Tolt River's channel migration zone (CMZ), and associated critical area and shoreline buffers all extend onto the southern portion of the site. Portions of the site are situated within the mapped floodway and the AE floodplain (FIRM panel #0419H), bounded to the north by the stream and extending to the south property line. The majority of the property is located completely outside of the floodplain and is situated at a higher elevation. There is an existing (unoccupied) single-family home and various outbuildings that will be removed. No new structures will be constructed within the floodway, the floodplain, or the required buffers.

Agency Review: The City Planner, Building Official, City Engineer, Public Works Supervisor, and Fire Marshal have reviewed the proposal. Applicable conditions of approval are included in *Section V. Recommendation*.

Agency and Public Comments:

The City received a total of 10 comments, including six comments for the Notice of Application and four comments for the SEPA Mitigated Determination of Non-significance. A summary of these comments are summarized in Section III Analysis – Findings and Conclusions below for the Notice of Application and for the SEPA Mitigated Determination of Non-significance, and the original comments are provided in Exhibits 31 and 32, respectively.

III. Analysis – Findings and Conclusions

Criteria for Approval: Review for this preliminary plat subdivision, shoreline substantial development permit, and special use permit requires evaluation for consistency and conformance with the following:

- Carnation Comprehensive Plan
- Carnation Municipal Code (CMC) Chapter 3.48 – School Impact Fees
- CMC Chapter 3.50 – Transportation Impact Fee Program
- CMC Chapter 3.70 – Park Impact Fee Program
- CMC Chapter 12.06 – Design and Construction Standards and Specifications
- CMC Chapter 14.04 – SEPA
- CMC Title 15 – Land Use
- CMC Chapter 15.09 – Local Project Review
- CMC Chapter 15.10 – Public Hearings
- CMC Chapter 15.16 – Subdivision
- CMC Chapter 15.18 – Land Use Approvals
- CMC Chapter 15.64 – Floodways, Floodplains, Drainage, and Erosion
- CMC Chapter 15.88 – Critical Areas
- CMC Chapter 15.92 – Shoreline Management
- City of Carnation Street and Storm Sewer System Standards
- City of Carnation Water and Sewer Technical Standards
- RCW 58.17 – Plats—Subdivisions—Dedications
- 2019 Ecology Stormwater Manual for Western Washington

Following is an analysis of the proposal for consistency and conformance with the applicable codes and documents, with findings and conclusions; all of the above listed criteria are organized into nine groups which follow.

1. Comprehensive Plan/Zoning Designation

Findings: The subject property was annexed into the City in 2019 and carries a Comprehensive Plan “Medium Density Residential” land use designation (per Figure 3-2: Future Land Use Map) and is zoned R4 which is consistent with and implements the Comprehensive Plan. The purpose of the R4 zone is primarily to accommodate single-family detached residential uses at a variety of densities in areas served by public utilities and services. Consistency with the R4 zoning designation is evaluated herein.

There will be single-family residences in this development with a looped road and sidewalks that together provide shared space for pedestrians and bicycles. The southern portion of the site will remain undeveloped open space and a public access easement will be provided for a pedestrian trail. The extension of an existing road and the looped configuration of the new roadway will tie the new residential lots into the fabric of the existing neighborhoods to the west, blending the site with the residential character and current transportation routes within the City of Carnation.

Conclusions: The proposed project is consistent with the Medium Density Residential Comprehensive Plan land use designation and the uses allowed in the R4 zoning district. Conformance to the standards for the R4 zoning designation will ensure consistency with the Carnation Comprehensive Plan.

2. CMC Chapter 14.04 – State Environmental Policy Act (SEPA)

Findings: The proposal is subject to State Environmental Policy Act (SEPA) review per RCW 43.21C and CMC Chapter 14.04.

The City, determined to be the lead agency, must begin environmental review when an application is complete and shall prepare its threshold determination at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified (WAC 197-11-055). The City Planner, determined to be the responsible official per CMC Section 14.04.040 (A), shall make the threshold determination which is an administrative decision.

The City of Carnation is the lead agency for this proposal and the City Planner has issued a threshold determination and determined that the proposal does not have a probable significant adverse impact on the environment and therefore an environmental impact statement (EIS) is not required under RCW 43.21C.030(2) if the mitigation measures listed in the Mitigated Determination of Non-significance are met. This decision was made after review of a completed environmental checklist and other information on file with the City.

The City's SEPA responsible official issued the threshold determination Mitigated Determination of Non-significance (MDNS) on July 15, 2022 (Exhibit 18), with a 14-day comment period ending on July 29, 2022. The City received a total of four comments (Exhibits 33a to 33d) as summarized below:

- Laura and Tracey Bailey, adjacent neighbors to the north, dated July 26, 2022, commented about the grade change between theirs and the project site due to the previous property owner bringing fill to the site; the fence line; impacts of heavy equipment on existing features on their property (including the pool, septic drain field, and water well); impacts to wildlife that traverse through the site (including deer, barn owls, eagles, coyotes, and rabbits); and states that having a road along the fence is better setbacks by allowing future houses to be set further back from their property.

City's response: Proposed grades and roadway design along the north property line take into consideration the grades of the adjacent property to the north. The proposed roadway (337th Avenue NE) is designed to match the grade of the adjacent property at the property line and ensure that stormwater will not drain onto the adjacent property. This will require reducing (cutting) existing grade on the subject property along the majority of the length of the new roadway. The issue raised about the existing fence line is unclear in the comment. The existing fence encroaches onto the subject property and will be removed, and a new fence is proposed along the shared property line, and has been included as a recommended condition of preliminary plat approval. The site features on the commenter's property (adjacent property to the north) will not be impacted by heavy equipment used for the construction of the proposed development. The existing private well and any septic systems on the subject property will be decommissioned and all future residential lots will be required to connect to the City's water and sanitary sewer system. The existing pool is located north of proposed lot 10, and the design of the future residence on this lot would need to consider the proximity of the pool. The wildlife species listed are not protected.

- Matthew Baerwalde, Snoqualmie Indian Tribe, dated July 26, 2022, commented that the proposed development will make future river restoration efforts more challenging, that development in the historic channel migration zone and historic floodplain of the Tolt River should be avoided, that the project description should be corrected to indicate that the Type S stream in the southern portion of the site is a side channel of the Tolt River, and requests a 200-foot buffer measured from the channel migration zone to enhance reduce hazards.

City's response: The comment is acknowledged. Development on the subject property is allowed per the City's regulations. The proposed development will maintain a 100-foot buffer shoreline buffer as measured from the channel migration zone in accordance with the City's Shoreline Master Program.

- Kayla Eicholtz, Washington Department of Ecology, dated July 27, 2022, expressed that her agency has no comments and appreciate that construction will not occur within the floodplain.

City's response: The comment is acknowledged.

- Kelli Sheldon, Washington Department of Ecology, dated July 29, 2022, requested for any detected soil contamination to be reported to the Department of Ecology via the Statewide Environmental Incident Report Form online per the requirements of Washington's Model Toxics Control Act (MTCA).

City's response: The comment is acknowledged. The MDNS already includes a requirement for the applicant to report any soil contamination to the City and to remediate prior to final plat approval. A recommended condition of preliminary plat approval has been added to require the applicant to also report any soil contamination to the Department of Ecology.

Conclusions: SEPA review requirements have been satisfied and public comments have been considered, and do not change the threshold determination of MDNS nor require additional mitigation.

3. CMC Chapter 15.09 – Local Project Review

Section 15.09.040 – Optional consolidated permit review and Section 15.09.050 – Project permit application framework

Findings: Section 15.09.040 allows an applicant to elect a consolidated permit review process, in which review at the City for all necessary permits (and not including a SEPA environmental review threshold determination) follow a single process, using the highest numbered procedure type that applies to any of the applications. Section 15.09.050 outlines the review and approval process for each type of permit application.

The shoreline substantial development permit is a Type II permit and requires the processing of a special use permit, also a Type II permit. Chapter 15.18, Part I establishes the requirements for Special Use Permits and section 15.18.040 provides criteria for approval of special use permits. The criteria of approval include requirements for compliance with the Comprehensive Plan and with many requirements established elsewhere in the Municipal Code. The proposed preliminary plat, as conditioned will meet all the criteria for approval of a special use permit as evidenced by analysis provided throughout this report.

Preliminary Long Plat approval is a Type IV permit application which requires an Open Record public hearing before the Hearing Examiner. The Hearing Examiner will make the decision on the applications following the consolidated permit review process. The Type IV review process also requires a Determination of Completeness and a Notice of Application. See section *II. Background, Project History* for the dates of issuance for the Determination of Completeness and Notice of Application.

Conclusions: The proposed project is being review in conformance with Sections 15.09.040 and 15.09.050.

Sections 15.09.180 – Posting Requirements; 15.09.190 – Publishing Requirements; and 15.09.200 – Mailing Requirements

Findings: These sections outline the posting requirements for notice boards located on site by the applicant; the requirements and timing of publication in the City’s official newspaper; and the procedures the City must follow for mailing of notices. See section *II. Background, Project History* for public noticing dates.

The City received a total of six comments for this proposal, included in Exhibits 32a to 32f and summarized below:

- Laura and Tracey Bailey, neighbors, dated May 7, 2021 and May 17, 2021. The commenter expressed concerns about the short comment period for the Notice of Application, having their property included as part of the proposed development. The

commenter further expressed the desire to not allow any easements through their property, concern for their private water well and runoff onto their property.

City's response: Staff's responses to the commenter clarified the comment period for the Notice of Application and that no development activity is proposed on the commenter's property. No easements serving the proposed development are proposed on the commenter's property. Stormwater requirements do not allow runoff to flow onto neighboring properties.

- Laura Bailey, neighbor, dated February 4, 2022. The commenter restates previous comments that were sent to the City on March 2, 2017 pertaining to the annexation of the subject property. Many of the topics were raised pertaining to communications by various parties during the annexation process. Issues that may be relevant to the proposed development include: how the City is addressing the levee and revetment along Tolt River and shoreline issues; grade changes between the neighbor's and the subject property; and, the proximity of the private well to construction activities.

City's response: The comments are acknowledged. Many of the issues raised are not directly relevant to the proposed development, but rather the annexation of the subject property. For comments pertaining to the shoreline, grade changes, and private well, see the City's response to Laura and Tracey Bailey's comments dated July 26, 2022 in section 2. *CMC Chapter 14.04 – State Environmental Policy Act (SEPA)* above.

- Amy Koehnen, neighbor, dated April 30, 2021. The commenter expressed concerns about construction access through the neighborhood, noise levels of construction vehicles, stream protection, and tree retention and protection.

City's response: With respect to construction vehicle access, a recommended condition of preliminary plat approval has been added to prevent construction vehicles from looping around the residential neighborhood and parking on NE 42nd Street. Protection for critical areas on site include avoidance of development within the shoreline buffer and revegetation of existing developed areas within the buffer. All trees within proposed Tract A will be retained, and three existing trees on the developable portion of the site will be retained.

- Jake Koehnen, neighbor, dated April 30, 2021. The commenter states concerns about the proposed removal of trees along 336th Avenue NE, noise levels of construction vehicles, traffic safety at the intersection of 336th Avenue NE and NE 42nd Avenue, and water availability for fire flow.

City's response: City staff provided an initial response to the commenter on August 10, 2021, which is also included in Exhibit 32e. The existing row of trees along 336th Avenue NE north of NE 42nd Street are located within the right-of-way and are proposed for removal as they would interfere with the ability to install frontage improvements (curbs, gutters, and sidewalks). The removal of these trees would be replaced with new street trees. The row of trees south of NE 42nd Street would be preserved. With respect to

construction noise, CMC 9.34.080 regulates motor vehicle noise levels, and CMC 9.34.060.F limits construction hours to ensure that noise does not become a public nuisance during nighttime and early morning hours. Additionally, the City requires the applicant to submit a Construction Mitigation Plan to address impacts to the surrounding neighborhood due to construction activity, including noise, vibration, dust, and vehicular routes. To minimize noise impacts due to idling vehicles, a recommended condition of preliminary plat approval has been added to help ensure that construction vehicles do not idle on public streets during construction. With respect to traffic safety at the intersection of 336th Avenue NE and NE 42nd Avenue, the City Engineer is requiring a stop sign at that intersection to address potential safety impacts. With respect to water availability for fire flow, the City Engineer has confirmed that there is sufficient water for fire flow, with additional water pressure to be provided through the new booster pump station that is currently under construction and will be operational by the time the proposed development is completed.

- Adam Osbekoff, Snoqualmie Indian Tribe, dated March 15, 2022. The commenter stated that the project area has a high probability for archaeological deposits and made recommendations for an archaeological review. The commenter further requested that the Snoqualmie Tribe be notified of any archaeological work.

City's response: This comment has been considered, and recommendations for archaeological review have been incorporated as a mitigation measure in the MDNS.

- Deary Panek, adjacent neighbor to the west, dated March 5, 2022, commented in support of saving trees and stated no homes should be built on the south side of NE 42nd Street.

City's response: The comments are acknowledged.

Conclusions: The procedural steps and requirements for permit processing have been followed and adhered to. The issues raised in the comments received have been considered in staff's recommendation to the Hearing Examiner.

4. CMC Chapter 15.10 – Public Hearings

Section 15.10.10 – General – When Required, Section 15.10.020 – Responsibility of city planner for hearing, and Section 15.10.030 – Notice of public hearing

Findings: All Type IV and Type IVA project permit applications require an open record public hearing before the City's Land Use Hearing Examiner. The City Planner must prepare a single staff report on the project permit applications stating all the decisions made as of the date of the report, including recommendations on project permits in the consolidated permit process. The report must include any mitigation required or proposed under the development regulations or the City's authority under SEPA and must include or append the threshold determination. The report must include a written recommendation to the hearing examiner and be transmitted to the hearing examiner and available to the public at least ten calendar days prior to the hearing.

A Preliminary Long Plat approval is a Type IV permit application which requires an Open Record public hearing before the Hearing Examiner. The shoreline substantial development permit and special use permit are Type II permits. Following the consolidated permit review process, the Hearing Examiner will then make the decision on the applications. Staff presents this report to the hearing examiner.

The Notice of Public Hearing for the Preliminary Plat Subdivision, Shoreline Substantial Development Permit, and Special Use Permit were distributed or posted in accordance with Section 15.10.030. See section *II. Background, Project History* for public hearing noticing dates.

Conclusions: The procedural steps and requirements for staff coordination for public hearing report preparation and notices have been followed and adhered to.

5. CMC Chapter 15.16 – Subdivision; Part II – Formal Subdivisions

Section 15.16.220 – Subdivision Design

New residential subdivisions are encouraged to incorporate the design goals listed in Section 15.16.220 subsections A through J to promote livable neighborhoods that are integrated into existing development. The following is an analysis of how the proposal meets the design goals found in this section of the municipal code.

- A. New residential projects should be designed to integrate with the surrounding neighborhood and, wherever possible, new subdivisions should be designed so that individual separately designed projects work together to create distinct neighborhoods rather than disjointed or isolated enclaves.

Findings: The proposed development includes an approximately 492-foot-long extension of NE 42nd Street which provides access to three lots before branching off to create a potential connection point for any possible future development of the adjacent lot to the east. The proposed road also travels north through the site (337th Avenue NE) providing access to three more lots, and then travels west to connect back to 336th Avenue NE and to provide access to the remaining lots. This configuration results in a complete looped system with two access points to/from 336th Avenue NE.

The extension of an existing road and the looped road configuration create an individual neighborhood that ties into the fabric of the existing neighborhoods west of the site so it will blend with the residential character and current transportation routes within the City of Carnation.

Furthermore, the proposed looped road system will enable potential future development on the adjacent lots to the east and north, which are currently outside of the city limits but within the city's urban growth area, to connect to the City's street network and be integrated with the existing neighborhood, and avoid disjointed or isolated enclaves.

Conclusions: The proposed development complies with this subdivision design goal.

- B. New subdivisions adjacent to planned or existing parks or other public open spaces should maximize visibility and pedestrian access to those areas.

Findings: The site is located across the street and just south from an undeveloped site for Rivers Edge Park, located at the southwest corner of 336th Avenue NE and NE 45th Street, and the proposed looped road facilitates pedestrian or bicycle access to the future park from any of the proposed lots. The proposal also includes a tract to be reserved for open space that includes the stream. The open space tract will allow views toward the stream, is accessible directly from the proposed extension of NE 42nd Street, and is adjacent to a portion of the 336th Avenue NE right-of-way that is currently undeveloped. The proposal includes dedication of a portion of Tract A for a trail easement to enable future connections to create a complete trail system along the Tolt River.

Conclusions: The proposed development complies with this subdivision design goal.

- C. Wherever feasible, new public streets and sidewalks should be aligned with and connected to those of adjacent developments, in accordance with CMC Chapter 15.16 and Chapter 15.56 Streets and Sidewalks.

Findings: The development abuts the existing eastern terminus of NE 42nd Street and includes an extension of that road and sidewalk system within the subdivision. The interior looping public road system has been planned to meet City standards for curb, gutter, and sidewalk on one side of each of the paved vehicle lanes running east-west, and along both sides of the portion of road lying in a north-south direction. The proposal includes the construction of curb, gutter, and sidewalk along the section of 336th Avenue NE adjacent to the property which will also be designed in accordance with City standards and improve connections to the existing neighborhoods and park space. A sidewalk would not be built along Tract A and instead a public trail easement is provided within Tract A and along NE 42nd Street to accommodate a future trail and to reduce impervious surfaces adjacent to the stream buffer and within the shoreline jurisdiction.

Conclusions: The proposed development complies with this subdivision design goal.

- D. Subdivision design should provide for pedestrian connectivity within each project as well as to adjacent neighborhoods, nearby schools and parks, and to transit. All streets and sidewalks should be designed to provide safe and pleasant conditions for pedestrians, the disabled, and cyclists.

Findings: As stated above, this development provides pedestrian connectivity within the project site, as well as pedestrian and/or bicycle access to the open space tract within the subdivision and to the currently undeveloped Rivers Edge Park. The proposal, as conditioned, will meet all relevant requirements of the Americans with Disabilities Act (ADA).

Conclusions: The proposed development complies with this subdivision design goal.

- E. The length of block faces between intersecting streets should be as short as possible, ideally not more than four hundred feet, to enhance pedestrian connectivity.

Findings: The length of the block face created by the two proposed access points is approximately 250 feet and therefore meets the design goal.

Conclusions: The proposed development complies with this subdivision design goal.

- F. To the extent possible, developments should be configured to face streets and not back up to them. Where subdivisions must back up to existing streets or arterials, and a fence is provided, a minimum ten-foot landscape buffer shall be required to screen any tall fences. Landscaping shall follow the requirements of Chapter 15.76 CMC Screening, Landscaping, and Trees.

Findings: All proposed units will face the street and do not back up to any street or arterial.

Conclusions: The proposed development complies with this subdivision design goal.

- G. Single loaded streets (i.e. those with residential development on one side and open space on the other) should be used to provide public access and visibility of natural open spaces, public parks, or schools, as well as buffering homes from parks and schools. The section continues to say that where single loaded streets are both feasible or desirable, other methods that provide similar access and visibility may be used, including private streets, bike and pedestrian paths, or the placement of private common open space or recreation facilities adjacent to the public open space.

Findings: The proposed extension of NE 42nd Street would be considered a single-loaded street because there will be homes only on the north side. Tract A on the south side of the street would provide a view of the Tolt River CMZ/buffer area to the south.

Conclusions: The proposed development complies with this subdivision design goal.

- H. The use of cul-de-sacs should be avoided wherever possible and if cul-de-sacs are necessary pedestrian access and/or bikeway should be provided between private parcels to connect with an adjacent cul-de-sac, street, park, or open space, if applicable.

Findings: While some of the streets in the surrounding area feature cul-de-sacs, the City has found that such a street configuration impedes non-motorized access and ultimately results in developments that are disjointed and isolated from the surrounding neighborhood. For these reasons, cul-de-sacs and dead-end streets should be avoided wherever possible.

There are no cul-de-sacs proposed for the development. The proposed looped road system provides two points of connections between the proposed development and the City's street network, which improves pedestrian and bicycle access to parks and open space for both the future residents of the proposed development as well as residents in the surrounding neighborhood.

Furthermore, the proposed looped road system would enable potential future development on the adjacent lots to the east and north, which are currently outside of the city limits but within the City's urban growth area, to connect to the City's street network without the need for additional cul-de-sacs or dead-end streets. This would result in a superior integration of potential future development with the City's street network, and would improve pedestrian and bicycle access to nearby parks and open space.

Conclusions: The proposed development complies with this subdivision design goal.

- I. Alleys may be provided for garage access. Otherwise, individual lots are encouraged to be wide enough to accommodate garages at the side or rear of the lot, to minimize the appearance of street frontage that is dominated by garages and pavement.

Findings: There are no alleys proposed and all detached single-family lots have been designed to meet the required minimum lot width of 50 feet (CMC 15.48.030).

Conclusions: The proposed development complies with this subdivision design goal.

- J. Where a new subdivision adjoins an existing subdivision or neighborhood, perimeter buffers, fences, and landscaping may be required when these features serve to mitigate any adverse impacts of the new subdivisions on adjoining neighborhoods.

Findings: The applicant proposes to reconstruct a fence along the north property line to help mitigate any potential impacts from the new development to the adjacent property to the north. The proposal, as conditioned will meet the requirements of this section.

Conclusions: The proposed development complies with this subdivision design goal.

Section 15.16.250 – Complete Application

Findings: An application for a proposed subdivision is subject to the subdivision, zoning and other land use control ordinances in effect on the land at the time a fully complete application for a subdivision has been submitted to the City, pursuant to RCW 58.17.033. Section 15.16.250 establishes the criteria for determining whether a complete application including all relevant materials has been submitted.

The application packet was initially submitted on March 8, 2021 and the project has been updated over the course of the review process. The revised application packet includes the following materials:

- Master Land Use Application Form (Exhibit 1)
- Preliminary Plat Drawings* (Exhibit 2)
- Landscape Drawings* (Exhibit 3)
- Tree Preservation Plan* (Exhibit 4)
- Arborist Report (Exhibit 5)
- Traffic Impact Analysis* (Exhibit 6)
- Critical Area Report* (Exhibit 7)
- Stormwater Technical Information Report* (Exhibit 8)
- Subsurface Exploration, Geologic Hazards, and Design Recommendations* (Exhibit 9)
- Design Infiltration Rate Report (Exhibit 10)
- Title Report (Exhibit 11)
- 300' adjacent property owner list (Exhibit 12)
- King County Assessor's Vicinity Map (Exhibit 13)
- Plat Name Reservation (Exhibit 14)
- Certificate of Water Availability (Exhibit 15)
- Certificate of Sewer Availability (Exhibit 16)
- SEPA Checklist* (Exhibit 17)

*Item has been updated over the course of the review process.

Conclusions: The City received all required initial application materials for processing and appropriately issued a Notice of Complete Application on April 5, 2021.

Section 15.16.295 – Preliminary plat application – Staff Review

Findings: The City Planner shall evaluate the proposal in relation to the requirements for a complete application found in Section 15.16.250 CMC, existing level-of-service, capacity of infrastructure, community facilities, and all applicable criteria for preliminary plat approval under this title and Chapter 58.17 RCW. This evaluation shall be summarized in a determination of consistency which shall be a part of the staff report. Staff review shall consider the environmental impacts of the project, and whether these impacts will be mitigated by the City's applicable development regulations.

The City Planner has evaluated this proposal and weighed it against the applicable development standards referenced herein. A request for agency comment was forwarded to the Building Official, City Engineer, Fire Marshal, and Public Works Superintendent who reviewed the proposal for meeting the existing level of service, capacity of infrastructure, and community facilities. Staff has also considered the potential for environmental impacts and found that most impacts will be mitigated by the City's applicable development regulations, and the mitigation measures provided in the MDNS issued on July 15, 2022 (Exhibit 18) will ensure that all potential impacts can be mitigated for.

Conclusions: In conformance with this section, City staff forwards this staff report, which includes staff's recommendations, to the Hearing Examiner for consideration.

Section 15.16.300 – Hearing Examiner review and Section 15.16.310 – Preliminary plat approval

Findings: These sections establish the requirement for a written report to be prepared and submitted to the Hearing Examiner and outlines the process for the Hearing Examiner to review and consider adoption or rejection of the recommendation to ensure conformance with all the applicable codes and ordinances. Hearing Examiner approval of the preliminary plat shall establish the basis upon which the applicant may proceed with development of the subdivision and preparation of the final plat subject only to all the conditions of preliminary approval imposed on the preliminary plat.

Conclusions: In conformance with Sections 15.16.300 and 15.16.310, City staff submits this written report and recommendation with attached exhibits to the Hearing Examiner for the review and consideration.

Section 15.16.330 – Preliminary plat time limitations

Findings: Section 15.16.330 establishes the length of time for validity of a preliminary plat as specified by Chapter 58.17 RCW with additional explanation of the possibility for extensions.

The preliminary approval of this application, if granted, will be valid for a period of five years from the date of preliminary approval. If all conditions have not been completed and a final plat has not been approved and filed within that period of time, the approval will expire and become null and void. No work shall be allowed until all required plans and permits have been approved and a pre-construction meeting between the applicants, their contractors, and City staff has been held. No site disturbing development activities may commence until such time as all permits related thereto have been approved by the City of Carnation.

Conclusions: Compliance with permit expiration will be ensured with the recommended condition of preliminary plat approval.

Section 15.16.340 – Final plat to conform with preliminary plat

Findings: Following preliminary plat approval, the developer may proceed to design and make improvements in accordance with the preliminary plat decision with the assurance that the final plat will be approved pursuant to the requirements in CMC Chapter 15.09. The department may approve minor changes or revisions as are deemed necessary to the interest and needs of the public, consistent with the adopted policies and standards of the City. Subsequent approval of the engineering details of the proposed streets, storm drainage, sanitary sewer and water systems, and other proposed public facilities by the department and City Engineer shall be required prior to approval of the final plat.

Conclusions: Compliance with this section will be ensured with the inclusion of this requirement as a condition of preliminary plat approval.

Section 15.16.730 - Approval of the development proposal and Section 15.16.740 – When a performance bond is used

Findings: No final development proposal shall be approved by the department, no building permit issued for site plans, and no certificate of occupancy of other permit issued, until all grading, paving of the streets, installation of curbs, sidewalks, monuments, sanitary and storm

sewers, street lights, water mains, street signs, and other improvements approved or required by the department are installed in accordance with the City standards and approved by the City Engineer.

The City's subdivision ordinance provides minimum standards for all new divisions of land within the city. In addition to fulfilling the goals and policies of the Carnation Comprehensive Plan, these standards are established to fulfill the platting requirements of the State of Washington set forth in RCW 58.17. Among these City standards, a potable water source, adequate means of sewage disposal, provision for utilities, fire protection, and adequate safe pedestrian and vehicular access are essential to granting approval of a proposed land division.

Prior to final plat approval, all improvements must be installed to City of Carnation standards or as otherwise approved by the Public Works Director and City Engineer. As per CMC 15.16.740, a performance bond may be utilized in lieu of the following:

- (1) installation of street trees;
- (2) installation of sidewalks;
- (3) installation of the final lift of pavement; and
- (4) installation of landscaping and critical areas plans.

If a performance bond is utilized, these improvements must be completed in full within one year of the date of approval of the development proposal. All other improvements, except those listed herein, must be completed prior to final plat approval.

Construction performance and maintenance guarantees shall be provided in accordance with City of Carnation Street and Storm Sewer System Standards. Before utility extension and right-of-way permits are issued, the applicant shall furnish the City a performance bond to guarantee the full and complete construction and installation of the right-of-way improvements.

Conclusion: Compliance with these requirements will be ensured with the recommended conditions of preliminary plat approval.

6. CMC Title 15 - Land Use

There are various chapters (or selected sections) within Title 15 that apply to the subject applications but which are not addressed in their own section included in this part of the report (listed in the order in which they appear in the City's code).

Chapter 15.36 – Zoning Districts and Chapter 15.40 – Permissible Uses

Findings: Subsection 15.36.010(B) establishes that the R4 zone is designed primarily to accommodate single-family detached residential uses in areas served by public utilities and services. Section 15.40.010 establishes that permissible uses are shown in the table titled "Table of permissible uses" and single-family detached residences are listed in the table as a permitted use in the R4 zone.

Consistent with the intent of the R4 zone, the proposed plat will create ten lots, each suitable for one single-family residence (or other permissible uses) plus allowed accessory uses.

Conclusions: The proposed development complies with the allowable uses in the R4 zone.

Chapter 15.44 – Supplementary Use Regulations, Part II

Findings: Clear and grade permits are required for all grading, excavation or filling involving 50 cubic yards or more of material that is greater than two feet in depth or that creates a cut or fill slope greater than five feet in height and steeper than two horizontal to one vertical. Clearing and grading associated with the construction of a single-family residence that has been issued a valid building permit is exempt from grading, excavation, or filling permits.

Clearing and grading as part of the proposed development will occur triggering a clear and grade permit.

Conclusions: Compliance with the requirements of Part II of Chapter 15.44 will be ensured through review of the clear and grade permit and the recommended condition of preliminary long plat approval.

Chapter 15.48 – Density and Dimensional Requirements

Findings: The minimum lot dimensional standards, setback requirements, and the maximum allowed impervious surface percentage for the R4 zone are as listed in Table 1, together with details on the proposed lots. The maximum residential density is based on a “net” acre which excludes any space that would not be factored into computing minimum lot size, such as right-of-way and open space tracts. There are approximately three net acres remaining on the site once these factors are considered resulting in a proposed density of 3.33 units per net acre.

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Table 1

	Required in R4 Zone	Proposed
Lot Size (sq. ft.)	Minimum: 7,500	7,500 or greater
Residential Density (units per net acre)	Maximum: 6 units/net acre	3.33 units/net acre; 10 units total
Lot Width (feet)	Minimum: 50' (75' for lots in shoreline jurisdiction)	Lots outside shoreline jurisdiction: 67' or greater Lots in shoreline jurisdiction: 75' or greater
Impervious Surface	Maximum: 50%	To be reviewed with future development
Building Setback Distance, in feet, from:		
Front (street) Yard	15' Minimum	All building setbacks will be confirmed with future development and the proposed lots are configured and sized such that there is a sufficient building envelope.
Side (street)Yard	10' minimum (20' minimum for side yards on lots in shoreline jurisdiction)	
Side (interior)Yard	5' minimum, average 7.5' both sides (20' minimum for side yards on lots in shoreline jurisdiction)	
Rear Yard	25' minimum	

Conclusions: The proposed subdivision meets (or is capable of meeting) all the density and dimensional requirements found in Chapter 15.48 as well as the development standards found in the Shoreline Master Program (SMP). See section 9. *CMC Chapter 14.06 Shoreline Master Program and Chapter 15.92 – Shoreline Management* below for an analysis of the requirements and provisions for the Shoreline Substantial Development Permit.

Section 15.56.010 – Street dedication and Section 15.56.020 – Costs of right-of-way installation and improvements borne by applicant

Findings: These sections establish that in all new subdivision streets must be dedicated to public use and the applicant must pay all costs and expenses incident to the installation of rights-of-way to be dedicated to the public.

The proposal includes the construction and eventual dedication of local access roads and of rights-of-way.

Conclusions: The proposed development meets the requirements of Sections 15.56.010 and 15.56.020.

Section 15.56.050 – Entrances to streets

Findings: According to this section, all driveway entrances and other openings onto streets within the City's planning jurisdiction shall be constructed so that vehicles can enter and exit from any lot without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized. Residential driveways shall be Type 1, consistent with Washington State Department of Transportation (WSDOT) Standard Plan F-80.10-4. Driveway widths shall not exceed 18-feet wide or be less than 10-feet wide.

Specifications for driveway entrances shall be required per the "Carnation Design and Construction Standards and Specifications" or as otherwise determined by the City Engineer. Specifically, no portion of a cement concrete driveway shall be within five feet of the adjacent property lines.

The preliminary plat shows the potential location of individual driveways on each proposed lot (for reference only) in locations that appear to meet the specifications indicating that future development will be capable of meeting the standards. The conceptual plan shows the intent for all private driveways to take access from the new looped road (the extension of NE 42nd Street and 337th Avenue NE) and individual lots would not have direct vehicular access from 336th Avenue NE.

Conclusions: Compliance with the driveway entrances requirements would be ensured through the recommended conditions of preliminary plat approval.

Section 15.56.060 – Coordination with surrounding streets

Findings: This section reiterates the requirements in Section 15.16.220 – Subdivision Design, and states that the street system of a proposed subdivision must be coordinated with existing, proposed, and anticipated streets outside the subdivision. Also, it requires that whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended, and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

Section 5. CMC Chapter 15.16 – Subdivision; Part II – Formal Subdivisions above provides a thorough analysis of the relationship between existing and proposed streets in the preliminary plat. The conclusion is that the proposed looped road system configuration and alignment coordinates with 336th Avenue NE and NE 42nd Street.

The proposed development includes an extension of NE 42nd Street which provides access to several lots before branching off to create a potential connection point for any possible future development of the lot to the east. It is not necessary for the applicant to provide a temporary turnaround adjacent to the east property line because the road does not provide access to any lots and therefore there will be little-to-no traffic on this portion of the road. Further, any emergency vehicles that drive on this portion of NE 42nd Street will be able to reverse the short distance (less than 150 feet) to 337th Avenue NE.

Conclusions: The proposed looped road design complies with the requirements of this section.

Section 15.56.070 – Relationship of streets to topography

Findings: Streets must relate appropriately to the topography, be designed to facilitate the drainage and storm water runoff objectives set forth in Chapter 15.64, and street grades must conform as closely as practicable to the original topography.

To further ensure a proper relationship of the streets to the topography, all street and storm sewer system improvements must be consistent with the City's 2018 Street and Storm Sewer System Standards; WSDOT Standard Plans and Standards for Road, Bridge, and Municipal Construction; and the 2019 Ecology Stormwater Manual for Western Washington. Also, all streets shall be crowned at the pavement centerline.

The topography of the subject property is generally flat with minimal sloping downward towards the west and south, and slopes more steeply down to the north bank of the stream. The proposed streets are located entirely within the flatter portions of the site and have been designed to reduce the amount of grading necessary while meeting the drainage and storm water runoff objectives. Furthermore, the grade of the street along the northern property line takes into consideration the grades of the adjacent property to the north and is designed to match the grade of the adjacent property at the property line as well as ensure that stormwater will not drain onto the adjacent property.

Conclusions: The grades of proposed streets relate appropriately to the site's topography and achieves drainage and stormwater runoff requirements.

Section 15.56.080 – Street width, sidewalk, and drainage requirements in subdivisions

Findings: This section establishes that in order to be in conformance with the *Transportation Element* of the Comprehensive Plan, the proposal must include a roadway system that includes the dedication of the appropriate full or half-street right-of-way for the street, as shown in Chapter 15.56 Table III – Street and Right-of-Way Improvement Requirements and/or the 2018 Street and Storm Sewer System Standards. The proposed streets will be classified as Local Access streets which requires a minimum 50-foot-wide right-of-way. This code section also says that all public streets must be constructed with curb, gutter, and sidewalk and only standard 90-degree curb may be used. Further, sidewalks required by this section shall be at least five feet wide and constructed according to the specifications set forth in the City of Carnation "Design and Construction Standards and Specifications."

The proposed subdivision includes a street to be installed adjacent to the north plat line which consists of a 35-foot-wide right-of-way, two 10-foot-wide lanes, curb, gutter, and a six-foot-wide sidewalk along the south side. The internal north-south road, 337th Avenue NE, will be classified "Local Access" and consist of a 50-foot-wide right-of-way, two-10-foot-wide travel lanes, a 9-foot-wide parking lane, curbs, gutters, and six-foot-wide sidewalks on each side of the street and a roadway crowned per City standards. NE 42nd Street will also be classified "Local Access" and consist of a 50-foot-wide right-of-way, two 10-foot-wide travel lanes, an eight-foot-wide parking lane, curbs, gutters, a six-foot-wide sidewalk on the north side of the street, and a crowned roadway section per City standards. The existing curb, gutter, and sidewalk on the south side of the street will extend east, across 336th Avenue NE to close off the existing driveway to the property.

The Fire Marshal and City Engineer limit parking to one side of NE 42nd Street, one side of 337th Avenue NE, and one side of 337th Avenue NE where it is a half street. "No Parking" signage must be provided. The applicant must consult with the Fire Marshal's office for specific requirements.

Conclusions: All proposed rights-of-way will meet the requirements for local access streets.

Section 15.56.100 – Dead end streets/cul-de-sacs

Findings: Dead-end streets should be avoided. Cul-de-sacs may be used only when conditions warrant their use.

There are no permanent dead-end streets or cul-de-sacs proposed for the development. See analysis in section 5. *CMC Chapter 15.16 – Subdivision; Part II – Formal Subdivisions* above.

Conclusions: The proposed development complies with the requirements of this section.

Section 15.56.170 – Right-of-way improvements and dedication to precede development or building

Findings: No land use or building permit shall be issued by the City unless or until the half of the public rights-of-way upon which the same abuts are deemed fully improved or guaranteed to the standards of the City and offered for dedication to the public. Frontage improvements along 336th Avenue NE are required and shall consist of but are not limited to curb and gutter, storm drain facilities, six-foot-wide sidewalk, illumination, a minimum 29-foot-wide asphalt section, measured from face of curb to face of curb. The street section, however, shall not be narrower than the existing pavement width.

The applicant proposes to install all required right-of-way improvements along the portion of 336th Avenue NE that is adjacent to the project property. The improvements include but are not limited to a six-foot-wide sidewalk, curb, and gutter.

Also, a right-of-way permit is required for work within the City right-of-way per CMC 15.60.030. An on-site pre-construction meeting shall be held before commencing work within the right-of-way.

Conclusions: The proposed development complies with the right-of-way requirements of this section.

Chapter 15.57 – Transportation Concurrency Requirements

Findings: A traffic impact analysis memorandum shall be developed assuming current use at the time the property was purchased for traffic mitigation per Sections 15.57.040 and 15.56.190.

The applicant submitted a revised Traffic Impact Analysis by Transpo Group, dated February 10, 2022 (Exhibit 6). This document states the proposed project is anticipated to generate approximately 70 additional weekday daily trips with six new vehicle trips during the AM peak hour and eight new vehicle trips during the PM peak hour. The document provides an analysis of the intersection of 336th Avenue and Tolt River Road and found it is expected to operate at level of service (LOS) A without and with the project during future 2023 AM and PM peak hours; the increase in delay due to the project is minimal

The anticipated level of service with the proposed project meets the City's LOS standard of LOS D, no mitigation is recommended because there will be no adverse impacts to the level of service of the affected intersection.

Conclusions: The proposed development complies with transportation concurrency requirements.

Section 15.60.100 – Sewage disposal facilities required

Findings: Every principal use and every lot within a subdivision shall be served by a public or private sewage disposal system that is adequate to accommodate the reasonable needs of such use and that complies with all applicable health regulations. Such uses or subdivision lots shall be connected to a sewage disposal system before the completion of the construction of such building or structure or, under special circumstances and with the Public Works Director's authorization, before any occupancy or use thereof.

- The sanitary sewer improvements shall be designed by the Developer per the City of Carnation's Combined Water and Sanitary Sewer Utility Technical Standards and Aqseptence Group/Airvac's design manual per Chapter 13.100.
- All lots shall connect to the City of Carnation vacuum sewer system. The Developer shall acquire side sewer permits for each lot connected to the City sewer system. [CMC 13.50 and CMC 13.70] Backflow valves shall be installed on all structures. [Carnation Utility Standards]
- Proposed sewer mains and service lines shall maintain the required minimum separation from proposed and existing water lines. [Carnation Utility Standards]
- The vacuum sewer main shall extend to the east property line along the NE 42nd Street right-of-way for future extension.
- Existing septic system(s) shall be properly decommissioned in accordance with King County Health Department requirements.
- A Public Utility Extension permit is required for the sewer and water main improvements which shall be constructed per the City of Carnation Utility Standards. [CMC 13.100.070]

- Side sewers shall be constructed per City of Carnation Sewer Standards. Side sewer permits are required prior to commencing side sewer construction. [CMC 13.70.040]
- The Developer shall transfer ownership of accepted water and sewer facilities installed by the Developer to the City of Carnation through a Bill of Sale prior to final recording. The Bill of Sale shall include but not be limited to the legal description of the development and material quantities of water and sewer facilities installed. [CMC 15.60.010]

The applicant has obtained a certificate of sewer availability to confirm that the City's sewer systems carry enough capacity to provide services for the proposed development.

Conclusions: Compliance with sanitary sewer requirements will be ensured through the recommended conditions of preliminary plat approval.

Section 15.60.200 – Water supply system required

Findings: Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations. Water service shall be governed by CMC Chapter 13.04 and must meet the following requirements:

- Water system improvements shall be consistent with the City's 2017 Combined Water and Sanitary Sewer Utility Technical Standards. Trench patching is not allowed on existing asphalt streets. In lieu of a trench patch, the developer must grind and overlay a minimum 30-foot-wide asphalt section.
- To provide water services for the proposed lots, a looped system with two connections is required. Proposed main lines shall connect to the existing water main on 336th Avenue NE. The developer must install a water quality testing facility per City standards. [CMC 15.60.200 and CMC 13.100]
- The developer shall contribute a proportional share to design and construct a Booster Pump that will increase water pressure in the area of the development based on the number of lots developed. It is expected that the booster pump station will serve 151 existing and future buildable lots.
- Proposed water mains and service lines shall maintain the required minimum separation from proposed, existing, and future sanitary sewer lines. [Carnation Utility Standards]
- The water main shall extend to the east property line along the NE 42nd Street right-of-way for future extension. The developer must install a fire hydrant or two-inch blow-off at the east end of the water main.
- New fire hydrant spacing and locations shall be in accordance with the International Fire Code and as directed by the Fire Marshall. Each new fire hydrant shall be fitted with a storz adapter. A fire hydrant shall be installed at the northeast corner of proposed lot 4. [Carnation Utility Standards]
- Existing well(s) shall be properly decommissioned in accordance with King County Department of Health requirements.

The applicant has obtained a certificate of water availability to confirm that the City's water systems carry enough capacity to provide services for the proposed development.

Conclusions: Compliance with water supply system requirements will be ensured through the recommended conditions of preliminary plat approval.

Section 15.60.300 - Lighting requirements

Subject to Subsection (b) of Section 15.60.300, all public streets, sidewalks, and other common areas or facilities in subdivisions created after the effective date of Chapter 15.60 shall be sufficiently illuminated to ensure the security of property and the safety of persons using such streets, sidewalks, and other common areas or facilities. The street lighting system must be a complete system designed by Puget Sound Energy along internal streets and the 336th Avenue NE frontage. All new wiring, conduit, and service connections shall be located underground. LED street illumination design shall be submitted conforming to PSE/Intolight requirements. Streetlights shall be provided at intersections and all street lighting fixtures shall meet City standards and minimize light spillover. The developer shall submit proposed street light locations and system design to the City for review and acceptance. Maintenance and payment for illumination along all plat streets shall be the responsibility of the homeowners' association (HOA) or jointly shared by the owners of the development.

Findings and Conclusions: Compliance with lighting requirements will be ensured through the recommended conditions of preliminary plat approval.

Section 15.60.320 – Electric Power

Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Further, all existing and proposed electric, telephone, cable, and communication lines shall be placed underground; overhead extensions are not allowed [CMC 15.60.350]. The utility designs shall include a trench detail and continuous underground warning tapes installed 12-inches above each utility line.

Findings and Conclusions: The applicant must work with Puget Sound Energy (PSE) to ensure this criterion is met.

Section 15.60.350 – Underground utilities

Findings: All existing, extended, and new electric power lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the City's "Design and Construction Standards and Specification," or as otherwise specified by the City Engineer. Even in the event the distribution line originates from a point opposite any public roadway from the new construction, the service line shall be placed beneath said roadway by means of boring or surface excavation across said roadway. Further, underground electrical and communication lines shall be installed behind the sidewalks in utility easements a minimum of 10-feet wide.

Conclusions: Compliance with the requirements for undergrounding utilities will be ensured through the recommended conditions of preliminary plat approval.

Section 15.60.370 – As-built drawings required

Findings: Whenever a developer installs or causes to be installed any utility line within the City, or connects to existing facilities within the City, the developer shall, as soon as practicable after installation is complete, and before acceptance of any utility line, furnish the City with a printed and an AutoCAD computer disk (or other format acceptable to the City Engineer) copy of a drawing that shows the exact location of such utility lines. Such drawings must be verified as accurate by the utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.

Conclusions: Submittal of as-built drawings for final plat approval will be ensured through the recommended conditions of preliminary plat approval.

Chapter 15.68 – Signs and Fences

Findings: Any proposed signage and fencing will require compliance with Chapter 15.68 and applicable permits from the City of Carnation.

Fencing along the north plat line shall be replaced along the property line so that it does not interfere with the proposed half street, per CMC 15.68.260.

Conclusions: Compliance with requirements for signs and fences will be ensured through the recommended conditions of preliminary plat approval.

Chapter 15.72 – Parking

Findings: Two new parking spaces are required to be provided on all proposed lots at the time of the construction of each new single-family residence and the spaces must meet all requirements found in CMC Chapter 15.72. The preliminary plat shows the location of individual driveways on each proposed lot for reference only, and no parking spaces are shown.

Conclusions: Compliance with the parking requirements for all proposed lots will be ensured as part of the review of building permits for future structures.

Section 15.72.130 – Pedestrian circulation and access

Findings: This section establishes that pedestrian walkways must form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. The specifications for the layout and design of sidewalks are found in the City's 2018 Street and Storm Sewer System Standards. Also, ADA compliant curb ramps shall be installed at all intersections, two ramps at each corner. Ramps shall be aligned to the corresponding ramp across the street.

The applicant will be required to complete frontage improvements (curb, sidewalk, and gutter) along proposed rights-of-way and along the entire property frontage adjacent to 336th Avenue NE. The applicant is required to provide sidewalks per the City's 2018 Street and Storm Sewer System Standards as specified and conditioned elsewhere in this report. The applicant must reconstruct the existing curb ramp at the northwest corner of the NE 42nd Street and 336th Avenue NE intersection to meet current ADA requirements.

Conclusions: Compliance with pedestrian circulation requirements will be ensured through the recommended conditions of preliminary plat approval.

Section 15.76.100 – Required trees along dedicated streets

Findings: The existing streets (to be improved) fronting the development and the newly created streets within the development are classified as local access roadways in the City of Carnation Street and Storm Sewer Standards, therefore, the developer must provide street trees per CMC 15.76.100. The trees must either be planted or retained so that there is at least an average of one deciduous tree for every thirty feet of street frontage. Further, the trees must be at least two inches diameter breast height (dbh) at the time of planting and with a canopy that starts at least eight feet above finished grade and has, or will have when fully mature, a trunk at least twelve inches in diameter.

The revised landscape plan prepared by Lane & Associates dated April 7, 2022 (Exhibit 3) shows that 21 autumn blaze maple trees and 20 lavalley hawthorne trees will be placed on the proposed lots along the new street and will comply with the requirements of this section pertaining to size and location. There will not be sufficient space within the dedicated right-of-way for planting trees, therefore the applicant will be required to establish a homeowners' association to maintain the trees in perpetuity on what will ultimately become private property.

Conclusions: Compliance with street tree requirements will be ensured at the time the final landscape plan is submitted with construction and engineering plans.

Section 15.76.110 – Retention and replacement of significant trees

Findings: This section establishes the requirements for tree retention which is as follows: In the R4 zone (formerly UR7.5 as indicated in the chart in the section), one significant tree per 7,500 square feet of developed area must be retained. If the retention of such trees would unreasonably burden the development, or in the opinion of the City Planner cause a significant safety problem, such trees may be replaced as provided for in Chapter 15.76. If required trees cannot be retained, there is a replacement ratio of three to one. Any such replacement trees must meet all the standards of this section including but not limited to minimum size and height at planting, species, and condition. For any replacement trees planted on building lots, the developer must provide adequate protection from damage during construction as provided for in Chapter 15.76, or planting has to occur after construction, in which case a planting plan and security shall be provided to ensure their planting.

The total area to be developed on the site is 141,936 square feet in size, such that application of the standard requiring one significant tree per 7,500 square feet to be retained would result in a requirement to retain 19 significant trees, and to replace any trees removed at a one to three ratio. The site currently has approximately 32 significant trees according to the Arborist Report - Tree Summary Table, dated February 22, 2021 (Exhibit 5) but only the 19 are required to be retained or replaced. The applicant submitted a revised Tree Preservation Plan, dated April 7, 2022, (Exhibit 4) showing three significant trees and seven non-significant trees will be retained on the site. Most of the trees proposed for removal are located within the proposed rights-of-way for NE 42nd Street and where 337th Avenue NE will curve around to the north and west, and back to 336th Avenue NE to create the required looped road system. Other trees proposed for removal

are located within the buildable area of proposed lots. Requiring the retention of the trees in these locations would unreasonably burden the development because, to accomplish such retention or protection, the City's desired location of the roads would have to be substantially altered and such alteration would result in an unreasonable hardship upon the developer.

As established above, 19 significant trees are required to be retained or replaced and the applicant proposes retaining three significant trees. The mitigation ratio would require three significant trees planted for each one significant tree removed which would result in a requirement for 48 total trees to be planted. The applicant proposes retaining seven non-significant trees and planting 41 new trees to total the required 48 trees. The 41 trees are shown on the landscape plan. It should be noted that the most recent submissions of the Tree Retention Plan and the Landscape Plan do not accurately reflect late-changes made to the proposed rights-of-way but do reflect the current configuration of the preliminary plat layout. The applicant must update the plans so that all information matches prior to final plat.

Lastly, all the trees (significant and non-significant) existing on Tract A will remain and the applicant is encouraged to retain the trees adjacent to Tract A located along the southern, undeveloped right-of-way for 336th Avenue NE.

Section 15.76.140 - Tree replacement

Findings: This section establishes the guidelines and requirements for tree replacement which includes requirements for the preferred locations for replacement trees. Such requirements include the following:

- Replacement trees should be planted in areas that connect or are adjacent to native growth protection areas or other open spaces.
- Replacement trees shall be integrated into the required landscape plans for a development.
- Replacement trees should not be planted next to or under power lines.

The revised landscape plan shows the proposed replacement trees meet the criteria of section 15.76.140. The replacement trees will be located along the north edge of Tract A and have been integrated into the landscape plans. The replacement trees are proposed to be planted along the street frontages of the proposed lots and the species of those trees has been selected with consideration for potential overhead power lines that may continue to exist in the right-of-way for 336th Avenue NE.

Conclusions: Compliance with the tree replacement requirement will be ensured with the recommended condition of preliminary plat approval.

7. CMC Chapter 15.64 - Floodways, Floodplains, Drainage, and Erosion

Section 15.64.020 - Administration

Findings: There is an area of the site designated as Zone AE Floodway according to the FEMA FIRM panel number 53033C0419H. Typically, and per Subsection 15.64.020.B.5, when a proposed development is located within a mapped floodplain or floodway, an assessment is required of the potential impacts of the proposed development on the critical habitat of the threatened and

endangered salmon to ensure compliance with the Endangered Species Act (ESA) per the 2008 Biological Opinion on the implementation of the NFIP in the Puget Sound region.

The proposed preliminary plat includes Tract A, a designated open space that is 131,713 square feet in size and directly adjacent to the designated floodway. There is no development proposed within the floodplain, the floodway, or within 100 feet of the channel migration zone. The existing buildings and septic system within Tract A will be demolished and the area will be revegetated.

The applicant provided a Critical Area Report prepared by Sewall Wetland Consulting, Inc, revised September 16, 2021 (Exhibit 7) that describes the characteristics of the site and indicates the site has been previously developed and disturbed. The applicant also submitted a Soil Report by Southfork Geosciences, PLLC, dated February 5, 2022, that describes soil and drainage conditions and states that flood hazards associated with the subject property will be mitigated by avoidance.

Conclusions: There will be no potential impacts of the proposed development on the critical habitat of the threatened and endangered salmon.

Section 15.64.030 – General standards

Findings: This section establishes general standards regarding subdivision proposals located in areas of special flood hazards. The standard requirements include the following:

- All subdivision proposals shall be consistent with the need to minimize flood damage;
- All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage; and
- All subdivisions shall have adequate drainage provided to reduce exposure to flood damage.

The King County iMap indicates the Holberg Levee crosses the site, just north of the Type S stream that also crosses the southern portion of the site. The area of the site located south of the stream is designated as Zone AE Floodway according to the FEMA FIRM panel number 53033C0419H. The FIRM panel also shows the base flood elevations of 120 feet and 122 feet on the lower portion of the site. The preliminary plat drawings show the ordinary high water mark (OHWM) at approximately 116 feet of elevation. The proposed lowest elevation of the right-of-way for NE 42 Street is 126 feet and the elevation continues to slope upward from there. The entire area of development is topographically higher than the base flood elevations and is more than 100 feet from the lower points on the site.

The proposal will minimize flood damage by the avoidance of any development activities within the designated flood zone and does not include development within the floodway. No structures are proposed within the floodplain. Any structures that may be built within the floodplain would be required to follow CMC 15.64 and the FIRM map – the versions in effect at the time of building permit submittal.

All proposed public rights-of-way are outside the floodplain and the 100-foot shoreline buffer, with the exception of a small area of right-of-way in the northern section of the 100-foot shoreline buffer that is designated as right-of-way but will not be developed with any elements other than

native plants and trees in perpetuity. Sewer and water installations are proposed within the right-of-way but outside the buffer area.

Conclusions: The proposed development will not place any structures or utilities within areas of special flood hazards.

Section 15.64.190 – Developments must drain properly

Findings: The applicant must provide a drainage system that is adequate to prevent the undue detention or retention of surface water on the development site. Stormwater quality and flow-control best management practices are required for the proposed subdivision including the 336th Avenue NE frontage and the entire lengths of the proposed streets. Uncontrolled storm water runoff to adjacent properties or City right-of-way is not allowed. A Technical Information Report is required and shall comply with the 2018 Ecology Stormwater Manual for Western Washington as required by Subsection 15.64.190.C. Infiltration stormwater facilities shall be designed to infiltrate 100 percent of the 50-year developed runoff event utilizing the following Ecology correction factors: Site variability of 0.8, uncertainty 0.40, maintenance 0.50.

This section requires stormwater infiltration drainage to be provided on site for all new development and redevelopment. Retention or detention of stormwater shall be provided to ensure that stormwater discharge from new development and redevelopment does not exceed the predeveloped condition rate of stormwater discharge. The direct discharge to groundwater from untreated or polluted stormwater shall be governed by the applicable standards and procedures set forth in the Department of Ecology (Ecology) manual.

Standard: The HOA shall be responsible for maintenance of the Plat's stormwater facilities through a drainage covenant recorded against the title of the underlying property. The covenant shall include but not be limited to operation and maintenance by the HOA of stormwater facilities including stormwater related landscaping. [CMC 15.64.190.F.3].

Conclusions: Compliance with stormwater drainage requirements will be ensured through the recommended conditions of preliminary plat approval.

Section 15.64.220 - Stormwater best management practices (BMPs)

Findings: BMPs shall be used for stormwater management, for source control of pollution, for runoff treatment, and for construction stormwater pollution prevention to comply with the standards in Chapter 15.64. Temporary Sediment and Erosion Control and grading plans are required. Stormwater runoff from impervious surfaces shall not be directed towards City rights-of-way or adjacent properties. [CMC 15.64.220].

Conclusions: Compliance with stormwater best management practices will be ensured with the recommended conditions of preliminary plat approval.

Section 15.64.230 – Permits required for regulated activities

Findings: Regulated activities, such as subdivisions, shall proceed only after the City approves a stormwater site plan and issues a drainage permit.

Conclusions: A drainage permit is required for the stormwater management systems.

8. CMC Chapter 15.88 – Critical Areas

Findings and Conclusions: The only critical areas on the site are located within shoreline jurisdiction. The City’s adopted Shoreline Management Program (SMP) provides detailed regulations for protection of critical areas and their buffers when located within the shoreline jurisdiction. See section 9. *CMC Chapter 14.06 Shoreline Master Program and Chapter 15.92 – Shoreline Management* analysis below.

9. CMC Chapter 14.06 Shoreline Master Program and Chapter 15.92 - Shoreline Management

The following section provides an analysis of whether the proposal meets the relevant applicable code sections and the requirements of the SMP. It is important to note that no Shoreline Stabilization is occurring, modifications within the shoreline jurisdiction are limited to a small amount of grading/fill or clearing with revegetation, and no significant vegetation removal will occur.

Section 15.92.020 – Administration and Section 15.92.090 – Duties of permit issuing authority

Findings: The SMP establishes shoreline jurisdiction on all lands and waters that lie within 200 feet of the ordinary high water marks of the Snoqualmie and Tolt Rivers; floodways and contiguous floodplains within 200 feet of such floodways; and the wetlands and river deltas associated with the rivers. Shoreline regulations apply within these areas and shall not be applied outside them. Specific dimension and performance standards apply to only those lot portions that lie inside the shoreline jurisdiction.

Section 15.92.020 establishes that shorelines of the state located within Carnation shall be designated on an official map to be kept in City Hall. The SMP also contains the official map which shows shoreline jurisdiction located on the site where the floodway and contiguous floodplain are located south of the stream found on the site (Exhibit 31); however, it does not show shoreline jurisdiction north of the stream.

The applicant submitted a Critical Areas Report (CAR) that documents a waterbody on the southern end of the subject parcel within the mapped floodway of the Tolt River, referred to as a tributary side channel of the Tolt. Various inventory mapping indicates the waterbody is a Type S, or shoreline waterbody. While the SMP mapping from 2019 does not identify this waterbody as being part of the Tolt River, all the SMP mapping is approximate and subject to site specific verification (in addition, the timing of the last SMP update and the annexation of the property into the City could explain a discrepancy). The logical conclusion is that the stream is likely a hydrologically connected side channel of the Tolt River, and therefore will be considered a part

of the Tolt River. This determination would result in shoreline jurisdiction extending 200 feet from the surveyed ordinary highwater mark of this feature. An Environment Designation is not shown for the portion of the site that is landward and within 200 feet of the stream that runs through the site. In accordance with SMP Section IV.I, R129, any unmapped area of shoreline jurisdiction should be assigned an Urban Conservancy designation (until the shoreline can be redesignated through an SMP Amendment, if necessary; no such redesignation appears to be necessary).

Section 15.92.020 says that the City Planner is vested with the duty of administering the rules and regulations relating to shoreline management. The SMP supplements this declaration in R373 Roles and Responsibilities of the SMP Administrator, by establishing the City Planner or his/her designee as the SMP Administrator. While the City Planner is responsible for administering the Shoreline Master Program in this particular case the permit decision for the Shoreline Substantial Development Permit is under the authority of the City's Hearings Examiner as explained earlier in this report (see section 3. CMC Chapter 15.09 - Local Project Review above).

Conclusions: The subject property contains areas that are located within the shoreline jurisdiction and shown on the SMP maps; areas that are within shoreline jurisdiction and not shown on the SMP maps which are assigned the Urban Conservancy designation; and the rules and regulations apply to those areas of the property as explained and analyzed below.

15.92.030 - Development exempted from the shoreline development permit requirement and 15.92.070 – Special use permit required

Findings: A shoreline development permit is required for any proposed development within the shoreline jurisdiction unless exempted. All Shoreline Substantial Development Permits shall require a Special Use Permit issued in accordance with the provisions of Chapter 15.16 (Land Use Approvals).

The proposed preliminary plat does not meet any of the qualifications to be exempt and therefore the applicant for the proposed preliminary plat must obtain a shoreline substantial development permit. A Special Use Permit is also required.

Conclusions: In compliance with Sections 15.92.030 and 15.92.070, the applicant has submitted both a shoreline substantial development permit and a special use permit.

SMP General Policies and Regulations

Per Section 14.06.010, The Carnation Shoreline Master Program, effective as of August 7, 2019, is adopted by reference as the Shoreline Master Program (SMP) for the City of Carnation pursuant to the Washington Shoreline Management Act, Chapter 90.58 RCW. The SMP itself is not codified and therefore the references which follow are all citations of the document itself according to its organization.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section A. Requirements for all Shoreline Uses, Activities, and Developments

Findings:

Applicable Review Policies:

P1: The City should encourage those uses, activities and developments that preserve the natural amenities of the shorelines and provide public access to them.

P5: All shoreline uses, activities and developments, should conform to the policies and regulations of the Shoreline Management Act, this Program, Carnation's Land Use Code, the Comprehensive Plan, and all other municipal provisions and planning initiatives. This includes those uses, activities and developments that do not require a Shoreline Substantial Development Permit (SSDP).

P6: Each development's purpose, overall density, lot coverage, and dimensions should be consistent with the public interest, the physical capabilities of the site, adjacent uses, and the subject property's environmental designation.

P7: All uses, activities, and developments permitted in the shorelines should be functionally and aesthetically compatible with, should not cause unmitigated adverse impacts to adjacent uses and environments, and should not result in a net loss of shoreline ecological functions.

P8: All shoreline uses, activities, and developments should preserve the integrity and characteristics of their surrounding environment, consistent with the goals and regulations of the Shoreline Master Program.

P11: All development should be located and designed to minimize flood damage, erosion, increased surface runoff, degradation of water quality and other adverse environmental impacts.

P12: All development should be located and designed to prevent the need for shoreline stabilization measures and flood protection works. Development that would require such activity should be prohibited.

Applicable Review Regulations:

R2: All shoreline uses, activities and developments shall conform to the policies and regulations of the Shoreline Master Program, Carnation's Land Use Code, the Comprehensive Plan, and all other municipal provisions and planning initiatives.

R3: Through the application of the Shoreline Master Program to shoreline uses, activities and modifications, the City shall apply a performance standard of no net loss of shoreline ecological function.

R4 Development shall only be permitted where adequate provisions for utilities, circulation and access have been made.

R5 All developments, appurtenances and accessory facilities shall be arranged and designed to reasonably preserve shoreline views and to be compatible with adjacent uses and environments. All appurtenances and accessory structures shall be located as far upland as possible.

R9 The known characteristics, locations and boundaries of the following areas and sites shall be recorded upon the face of any shoreline plat or short plat: critical areas; flood zones; archaeological, cultural and historic sites, unless the information is considered to be sensitive and confidential by the State or City; shoreline buffers and setbacks; permit conditions; and access and open space easements. Landowners shall file these notations with the King County Assessor's Office at the time of any plat approval or prior to the sale of any lot within the platted property.

The portion of the site situated within shoreline jurisdiction will be predominantly located within the proposed open space area, Tract A. The Tract will further incorporate the shoreline buffer that, as mentioned throughout this report, will not accommodate the new residential lots. A 20-foot-wide trail easement is proposed to be located within Tract A situated along (parallel to) the proposed NE 42nd Street and utilities right-of-way. The road (proposed eastward extension of NE 42nd Street) will be located north of Tract A and will be established within shoreline jurisdiction, yet the majority of the right-of-way will be located outside the shoreline buffer. There will be a small amount of undeveloped, and unpaved, right-of-way within the buffer. The proposed residential lots will be developed upland of the floodway and shoreline buffer, with only four lots overlapping a portion of the shoreline jurisdiction.

The Holberg Levee, or revetment, is located along the north bank of the stream located on site. The levee is a bank-protecting-structure, with boulders and rock protection that was built in 1940 and is now categorized as a King County River Facility structure.

The property is within the City of Carnation Urban Growth Area and will therefore be served by water, sewer, and other utilities. The proposal includes the provision of utilities sufficient to accommodate all the lots and a looped roadway system for circulation and access.

Conclusions: The residential use and accessory roads and utilities are permitted uses in the Urban Conservancy shoreline environment designation. The proposed development will avoid the need for future structural shore defense and flood protection works because the developed areas will not be located near the floodway and due to the presence of the Holberg Levee.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section B. Archaeological, Cultural and Historic Resources

Findings:

Applicable Review Regulations:

R14: All shoreline permits shall contain provisions which require developers to immediately stop work and notify the City, DAHP, and potentially affected tribes if any phenomena of potential archaeological interest are uncovered during excavations. In such cases, the developer shall be required to provide for a site inspection and evaluation by a professional archaeologist to ensure that all possible valuable archaeological data are properly salvaged.

R15: During construction, the applicants and/or any contractor(s) or agents performing construction or site development work shall immediately cease operation and notify the City upon discovery/disturbance of any cultural resources or archaeological materials. The City will refer the owner to the appropriate state or federal agency and/or tribal authority for direction. Compliance

with any such direction, including without limitation any required site monitoring, shall be at the applicants' sole expense.

Archaeological and historic resources, because of their finite nature, are valuable links to our past and should be considered whenever a development is proposed along the state's shorelines. Where such resources are either recorded at the Washington State Department of Archaeology and Historic Preservation (DAHP) and/or with local jurisdictions, or have been inadvertently discovered or uncovered, certain policies and regulations apply.

The SEPA checklist identifies that the site is listed as High Risk in certain portions, Very High Risk for other portions of the site, and Survey Highly Advised per the DAHP's WISAARD predictive model. This is in an area the Snoqualmie Tribe considers culturally significant and has a high probability to have unknown archaeological deposits. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The language contained in R14 and R15 should be included as a plat condition.

Conclusions: A review of potential historic and cultural preservation impacts was conducted as part of the SEPA review of the proposal; Tribes and relevant state and local agencies were given the opportunity to review the proposal through that process and mitigation measures were included in the Mitigated Determination of Non-significance discussed in section *III. Analysis – Findings and Conclusions*, subsection 2. *CMC Chapter 14.04 – State Environmental Policy Act (SEPA)* of this report.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section C. Environmental Impacts

Findings:

Applicable Review Policies:

P20: Shoreline use and development within shoreline jurisdiction should be designed, constructed, managed, and operated in a manner that prevents or mitigates adverse impacts so that the resulting ecological condition is not degraded from the current condition. For each development, this means assuring no net loss of ecological functions and processes relative to the existing conditions throughout the City's shoreline jurisdiction, including upland and aquatic areas.

P22: Erosion and pollution should be prevented.

Applicable Review Regulations:

R21: Applicants shall apply the following sequence of steps in order of priority to avoid or minimize significant adverse effects and significant ecological impacts, with a. being top priority:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action;
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations;

- (e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
- (f) Monitoring the impact and the compensation projects and taking appropriate corrective measures.

R22: When reasonably feasible options or alternatives exist concerning the choice, location, construction, and management of shoreline uses, activities and developments, proponents shall select the development option or alternative that least interferes with the natural shoreline characteristics, functions and processes. Such characteristics and processes include, but are not limited to, flood capacity, water circulation, sand and gravel movement, natural erosion and accretion.

R28 Land clearing, grading and alteration of natural drainage features and land contours or other geographic features shall be limited to the minimum necessary for an existing or approved development.

R29: Grading, excavation, upland fill, and other earth modifications shall meet City development standards to avoid adverse impacts to adjacent properties or shoreline features.

R30: Erosion and pollution during both project construction and operation shall be prevented to the greatest extent possible through the use of all reasonably feasible methods and equipment, including, but not limited to, BMPs.

City staff, the City's consultants, and the applicant team collaborated on a site design in order to arrive at the proposed layout for the subdivision contained in the subject application. The primary aim of this effort was to arrive at a configuration that would be capable of meeting the various city code requirements. The project layout is designed to avoid and minimize impacts to critical areas and buffers to the extent possible.

The proposed preliminary plat includes proposed Tract A, a designated 131,713-square-foot open space tract that would be owned and maintained by a homeowners' association. Dedication of the tract would ensure that no development would occur within the floodplain, the floodway, or within 100 feet of the channel migration zone, the shoreline buffer. The site has been previously developed and disturbed and the existing buildings and septic system which are situated within proposed Tract A will be demolished and the area will be revegetated.

The proposed roads (which is an accessory use to serve the primary residential use) would be located within the shoreline jurisdiction in order to accommodate a looped street system within the subdivision to meet the City's requirements for the road to connect with existing, proposed, and future anticipated streets outside the subdivision (Section 15.56.060); disallowance of cul-de-sacs (Section 15.56.100); and the requirement for the new intersection of 336th Avenue NE with the proposed easterly extension of NE 42nd Street to align with the existing intersection on the opposite side of 336th Avenue NE (Section 15.56.120).

The proposed subdivision design reduces the need for extensive grading, excavation, and fill. Further, effective erosion control and sediment measures shall be designed, installed, and

maintained to minimize the discharge of pollutants. A temporary sediment pond shall be designed and constructed as part of the sediment control measures. Ecological functions include maintaining water quality through stormwater infiltration and preventing erosion.

Additional stormwater runoff has the potential to occur in proportion to the total new impervious and cleared surfaces associated with the project. Discharge of this additional surface water would be collected and routed through water quality facilities designed to meet City standards. Small quantities of household and yard chemicals may be present in the runoff. The preliminary Stormwater Technical Information Report (Exhibit 8) addresses drainage design and water quality measures.

Conclusions: The proposed development satisfies requirements in both the SMP and the City's subdivision codes.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section D. Critical Areas

Findings: SMP Appendix A contains the Critical Areas Regulations that apply within shoreline jurisdiction.

SMP Appendix A 1.112 - Applicability: The City regulates all uses, activities, and developments within or adjacent to, or likely to affect one or more critical areas, consistent with the provisions of SMP Appendix A. Critical areas regulated by SMP Appendix A include: wetland areas; critical aquifer recharge areas; fish and wildlife habitat conservation areas; geologically hazardous areas; and frequently flooded areas.

The provisions of SMP Appendix A shall apply to all land activities within the City's shoreline jurisdiction whether or not a permit or authorization is required. Also, the City must not approve any development proposal or otherwise authorize alterations to the condition of any land, water, or vegetation nor permit the construction or alteration of any structure or improvement in, over, or on a critical area or associated buffer, without first assuring that the proposal complies with the requirements of SMP Appendix A and all other applicable regulations in the SMP.

SMP Appendix A 1.116 - Submittal requirements: In addition to the information required for a shoreline or other development permit, any development activity that is subject to the provisions of SMP Appendix A may be subject to a critical areas report as described under Section 1.200(E), provided that these additional requirements shall not apply to any action allowed in Section 1.122.

SMP Appendix A 1.117 - Notice on title: The owner of the subject property that contains regulated critical areas and/or buffers must file a notice with the records division of King County to inform subsequent purchasers of the real property that regulated critical areas exist (excluding soil liquefaction and floodplain outside of the floodway or channel migration area). The notice on title is required to run with the property. The notice must state:

1. The presence of the critical area, buffer, or mitigation area on the property;
2. The allowable use of this property; and
3. The limitations that may exist on actions in, or affecting, the critical area, buffer, and/or mitigation area.

SMP Appendix A 1.200 – General Provisions, subsection A. General Approach: Protecting critical areas shall observe the following sequence:

1. Avoid the impact by refraining from certain actions or parts of an action;
2. Where impact will not be avoided to critical areas or their buffers, the applicant shall demonstrate that the impact meets the criteria for granting a Shoreline Variance under SMP Section 7.VII;
3. Minimize the impacts by limiting the degree or magnitude of the action by using affirmative steps to avoid or reduce impacts or by using appropriate technology;
4. Rectify the impact by repair, rehabilitation, or restoration of the affected critical areas;
5. Reduce or eliminate the impact over time by preservation and maintenance operations;
6. Compensate for the impacts with ways to create, replace, enhance or provide substitute resources or critical areas.

SMP Appendix A 1.200 – General Provisions, subsection B. Buffers: All buffers shall be measured from the critical area boundary as surveyed in the field or as otherwise designated or described by the Shoreline Administrator. The width of the buffer shall be determined according to the methods and procedures described in SMP Appendix A pursuant to each type of critical area affected.

SMP Appendix A 1.200 – General Provisions, subsection 1.200. C. Land Segregation. Subdivisions of land located partially within a wetland or fish and wildlife habitat conservation area or associated buffer area may be subdivided, provided that an accessible and contiguous portion of each new or adjusted lot is located outside the critical area and buffer; and sizable enough to accommodate the intended (and allowable) use.

SMP Appendix A 1.200 – General Provisions, subsection 1.200.D. Marking and/or Fencing. Development proposals shall include permanent survey stakes delineating the boundary between adjoining property and critical area tracts using iron or concrete markers as established by current survey standards. The applicant shall identify the boundary between a critical area tract and contiguous land with permanent signs.

SMP Appendix A 1.200 – General Provisions, subsection 1.200.F. Mitigation Timing. Mitigation shall be provided prior to the authorized activity that results in unavoidable impacts, except in the case of restoration and enhancement. For restoration and enhancement, mitigation shall be completed immediately following disturbances and prior to use or occupancy of the activity or development. The Shoreline Administrator or his designee shall have the authority to impose the mitigation measures identified in SMP Appendix A or recommended in a critical areas report as a condition of any development approval or other activity creating the need for mitigation.

The scope and content of a mitigation plan shall be decided on a case-by-case basis. As the impacts to the critical area increase, the mitigation measures to offset these impacts also will increase in number and complexity. When a development application to alter critical areas or their buffers is approved, the City will require long-term monitoring. Monitoring shall be part of the required mitigation plan and shall document and track impacts of development on the functions and values of critical areas and will track the success and failure of mitigation requirements.

The buffer for the Tolt River, a Shoreline of the State and a Class 1 watercourse, shall extend one hundred feet from the edges of its CMZ. The floodway for the Tolt River as mapped by FEMA on map 53033C0418G and 53033C0419G, December 6, 2001 shall be used as a surrogate for the CMZ. However, the City's third-party reviewer, The Watershed Company, has identified that the CMZ for the stream is known and therefore must be used as the basis for the required 100-foot-wide shoreline buffer.

As stated previously in this report, there are designated critical areas on the site which include a shoreline buffer measured 100 feet landward of the CMZ for the Tolt River and to the north of a stream. The portions of the site from the stream and south are located within the floodway and the AE floodplain. The majority of the property is located completely outside of the floodplain.

The applicant submitted and, in response to City review comments, the applicant updated a Critical Area Report (CAR), dated September 16, 2021. The CAR's disclosure and analysis was peer reviewed by the City's third-party consultant, The Watershed Company, including that the following critical areas are on the project site, or in the vicinity:

Wetlands:

While inventory mapping indicates the presence of a wetland off-site to the south, the observations stated in the CAR, and the Wetland Determination Data Forms provided with the CAR indicate the area south of the stream within the parcel boundaries does not meet wetland conditions. The nearest off-site wetlands are those associated with the Tolt River, south of the subject site.

Critical Aquifer Recharge Areas:

As noted in the CAR, the project site, all of the City of Carnation, and most of the surrounding valley is located within the East King County Ground Water Management Area and is designated as a Category 2 Critical Aquifer Recharge Area. The project has been designed in compliance with the requirements of CMC 15.88.400 and SMP 1.400 – Critical Aquifer Recharge Areas.

Frequently Flooded Areas:

Compliance with CMC 15.64 standards and requirements is discussed in section 7. *CMC Chapter 15.64 – Floodways, Floodplains, Drainage, and Erosion* above.

Geologically Hazardous Areas:

No regulated geologically hazardous areas are present on the proposed development site.

Fish and Wildlife Habitat Conservation Areas:

The City's adopted SMP provides detailed regulations for protection of Fish and Wildlife Habitat Conservation Areas and their buffers when located within the shoreline jurisdiction.

The Tolt River is located several hundred feet south of the project site. There is a Type S stream that is a tributary side channel of the Tolt River located on the site and south of the proposed development area. The Washington Department of Fish and Wildlife Priority Habitat Species map (PHS on the Web) lists several species of fish as mapped in the location of the stream including Steelhead (a threatened species), Coho (a candidate species), and Chinook (a threatened

species). There will be removal of some vegetation and grass within Tract A and uphill from the stream for the demolition of the existing septic system, but any removed vegetation will be replaced and augmented to enhance the upland environment for wildlife per the SMP requirements.

While the SMP allows the floodway to be used as a proxy for the CMZ if there is no CMZ mapping, in this case the shoreline buffer should be measured from the CMZ which appears to be slightly landward of the floodway. The revised plat plans dated June 8, 2022 show the delineation of the ordinary high water mark (OHWM) for the tributary side channel to the Tolt River, the 200 foot shoreline jurisdiction measured from the OHWM, the north edge of the FEMA floodway, the CMZ, and the 100 foot buffer from it.

The CAR includes the following description of the site, and this area is covered with a rock armoring.

"The majority of the site is a large field area with scattered planted ornamental trees including white pine, bitter cherry, Lombardy poplar, and shore pine. The field is a mowed feature vegetated with a mix of orchard grass and bentgrass with English plantain, cat's ear and other weedy herbaceous species scattered throughout. The armored slope along the south edge of the site is heavily overgrown with blackberry and ivy. Scattered western red cedar, black cottonwood big leaf maple are growing along the slope with some salmonberry, hazelnut along the slope. The slope is approximately 25' high and ends abruptly at the edge of the Type S stream channel mapped on the various inventories."

The CAR concludes that buffer functions are minimal as the majority of the buffer is already disturbed and developed.

The applicant submitted a revised geotechnical report, dated February 5, 2022, (Exhibit 9) in which the geotechnical engineer of record stated their findings and observations regarding the Type S stream and the 100-foot buffer as follows:

"During our site reconnaissance, we observed that the channel slope on the southern portion on the property was well vegetated and there were large angular boulders that could be seen in areas that were not covered with vegetation. We presume that these angular boulders were placed there in the past as a channel revetment, as the typical native alluvial sediments are subrounded to rounded due to the deposition environment. We did not observe signs of recent accelerated erosion or signs of past slope failure along the channel slope. Based on the past channel revetment, the vegetation cover, and the absence of signs of recent erosion and failure, it is our opinion that on the subject property, the potential channel migration will not adversely impact the proposed development. It is our opinion that the 100-foot structure setback from the Tolt River provides adequate mitigation for potential channel migration."

The project layout has been designed to avoid and minimize impacts to critical areas and buffers to the extent compatible with the proposed project purpose. For example, the applicant provides Tract A as open space within the shoreline buffer and focuses development outside (north) of the buffer. The location of the easterly extension of NE 42nd Street is required to meet City of Carnation standards in order to align with the existing street west of 336th Avenue NE so as not

to compromise safety and connectivity with an offset at that intersection, and therefore must be located within the shoreline jurisdiction.

None of the 10 proposed lots are located within the 100-foot buffer and no new structures are proposed to be built within the 100-foot buffer from the CMZ. The proposal does include demolition of an existing residence and septic system located within the buffer, an area that will be subsequently improved with native vegetation. Also, there is a 15-foot-wide section of the proposed right-of-way for NE 42nd Street that overlaps the 100-foot buffer along the eastern portion of the right-of-way. The section of right-of-way is labeled as "undeveloped right-of-way" in the proposed plans and the following note is included in the plan set, "No private or public development may occur within the 100-foot-wide shoreline buffer except as allowed by the Washington State Dept. of Ecology Shoreline Management Act."

The applicant provided a landscape plan showing a conceptual mitigation plan, consistent with Shoreline Management Program Policies and Regulations and Carnation Municipal Code requirements. The plan proposes revegetation within the 100-foot-wide shoreline buffer to be planted in the area where existing structures and a septic system will be demolished. The plans include planting native trees, shrubs and groundcovers for restoration and enhancement. A condition of approval is included in this report requiring mitigation be completed immediately following disturbances and prior to use or occupancy of the activity or development.

In order to not be considered buffer impact, the right-of-way area within the shoreline buffer shall be planted with native trees and shrubs that will support buffer function and that will be protected in perpetuity. Planting specifications must be provided in a final landscape plan prior to final plat.

Further, a final landscape plan must be provided which shows the revised road layout, the correct shoreline buffer, and includes planting of the undeveloped right-of-way within the buffer. The plan must include five years of monitoring for the shoreline revegetation area. The applicant shall submit monitoring reports prepared by a qualified biologist to the City annually, documenting the success of the restoration against the performance standards. The plan currently includes a single performance standard of 90% survival of plant material after three years. A 90% survival standard is acceptable; however, the restoration must be monitored for five years. The following additional performance standards must be included:

- a. Plant Diversity: establish at least three native trees, four native shrubs, and two native groundcover species by Year Three and maintain this diversity through Year Five.
- b. Native Plant Cover:
 - i. Achieve 50% areal cover of native woody vegetation by year three.
 - ii. Achieve 65% areal cover of native woody vegetation by year four.
 - iii. Achieve 80% areal cover of native woody vegetation by year five.
- c. Invasive plant cover: areal cover for invasive plants will not exceed 10% at any year during the monitoring period. Invasive plants include those designated by the King County Noxious Weed Board.

Conclusions: There are no wetlands or geologically hazardous areas on the subject property. The subject property contains critical aquifer recharge areas, frequently flooded areas, and the

proposed development is designed to minimize impacts to critical areas and buffers to the extent feasible. Compliance with landscaping and mitigation planting requirements would be ensured through the recommended conditions of preliminary plat approval.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section E. Flood Hazard Reduction

An analysis of flood hazard reduction has been provided in section *III. Analysis – Findings and Conclusions*, subsection 7. *CMC Chapter 15.64 – Floodways, Floodplains, Drainage, and Erosion* of this report.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section F. Public Access

Applicable Review Policies:

P30 Efforts to provide public access should be sensitive to the unique characteristics of the shoreline. Public access should preserve the natural character and quality of the shoreline.

P40 Public views should be reasonably preserved and enhanced. Enhancement should not include the removal of vegetation in order to create new view corridors.

Applicable Review Regulations:

Findings: R43 To the extent consistent with the applicable state and federal law, shoreline substantial developments shall provide for safe and convenient public access to and along the shoreline where the nature of the proposed use, activity or development will likely result in an increased demand for public access to the shoreline. Such uses, activities and developments shall include, but are not limited to, residential subdivisions.

R51 Public access facilities required for an approved or permitted use, activity or development shall be completed prior to occupancy and use of the site or operation of the activity.

R53 Public access easements, trails, walkways, corridors, and other facilities may encroach upon any buffers or setbacks required under other provisions of this Master Program or the Carnation Municipal Code, provided that such encroachment does not conflict with other policies and regulations of this Master Program, and provided that no net loss of ecological function can be achieved.

R54 Signage to be approved by the Administrator shall be conspicuously installed along public access easements, trails, walkways, corridors, and other facilities to indicate the public's right of use and the hours of operation. The Proponent shall bear the responsibility for establishing and maintaining such signs unless otherwise determined by the City.

R56 Public access requirements imposed pursuant to the issuance of an approval or permit under the Shoreline Master Program shall run with the land and shall be enforceable against successor owners in interest. Subsequent owners shall not adversely affect or diminish the usefulness or value of the public access requirements imposed pursuant to this Master Program.

The applicant has shown a 20-foot-wide trail easement on the proposed preliminary plat plans to be located south of the NE 42nd Street right-of-way and in the north portion of Tract A.

Conclusions: The proposed project complies with applicable policies and regulations for public access.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section G. Shoreline Vegetation Conservation

See other sections of this report for analysis and review of landscaping, tree preservation, and shoreline buffer plantings.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section H. Signs

Does not apply - The proposed development will not include any signs prohibited by the SMP, will include sign required by the SMP, and will include signs customary to a single-family residential neighborhood and accessory roadways. All signs will meet the regulations contained with the SMP and the CMC.

SMP PART III GENERAL POLICIES AND REGULATIONS, Section I. Water Quality

Does not Apply - The proposed development will comply with all relevant City of Carnation regulations regarding water quality.

SMP IV. SHORELINE MASTER PROGRAM JURISDICTION AND ENVIRONMENT DESIGNATION POLICIES AND REGULATIONS - Urban Conservancy Environment Use and Development Standards

Findings: R132 Table IV-1 indicates which shoreline activities, uses, developments and modifications may be allowed or are prohibited in shoreline jurisdiction within each shoreline environment designation. The table shows that a residential use is permitted with a Shoreline Substantial Development Permit or Exemption within the Urban Conservancy shoreline environment. Further, it appears that the table shows that parking, transportation facilities, and utilities that are related to the primary use of "residential" are considered accessory to that primary use and are subject to the same permit type of the primary use.

The proposal is for 10 residential lots intended to be developed with single-family residential structures and allowed accessory uses.

R138 establishes development standards in Table IV-2 and IV-3 that to preserve the existing and planned character of the shoreline consistent with the purposes of the shoreline environment designations. In addition, shoreline developments shall comply with all other dimensional requirements of the Carnation municipal code. The following table shows the required development standards in the Urban Conservancy shoreline environment and how the proposal meets the standards.

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Table 2

	Required in Urban Conservancy	Proposed on Lots Within Shoreline Jurisdiction
Lot Width (ft.)	75 Minimum	75 or greater
Building Height (ft.)	Maximum: 35	To be confirmed with future development
Shoreline Buffer (ft)	100	100
Side Yard Distance from property line to structure (ft.)	20 Minimum	20: To be confirmed with future development
Impervious Surface (percent of lot area)	40% maximum (for lot less than 0.5 acre)	To be confirmed with future development

Conclusions: All of the standards are either met or will be confirmed at the time of future development.

Shoreline Use Policies and Regulations for Residential Development

Applicable Review Regulations:

Findings: R189 Single-family residential development is a preferred use when it is developed in a manner consistent with control of pollution and prevention of damage to the natural environment.

R190 Residential development shall be located and constructed to result in no net loss of shoreline ecological function. No net loss of shoreline ecological functions shall be assured through application of shoreline buffers specified in SMP Section III.G., Shoreline Vegetation Conservation and Appendix A, Critical Areas Regulations to avoid future stabilization, buffers, density, shoreline stabilization, and on-site sewage disposal.

R191 Within all environments where residential development is permitted, and to the extent consistent with applicable state and federal law, all surplus shoreline areas remaining after the subdivision and creation of residential lots shall be designated open space and shall not be further developed for any use but low-intensity recreation. Clearing and grading within such open space is prohibited unless the proponent demonstrates that such activity is necessary to achieve a significant public interest.

The proposal is for 10 residential lots intended to be developed with single-family residential structures and allowed accessory uses. Portions of four of the residential lots are located within the shoreline jurisdiction and are configured to meet all the required development standards. The residential development is proposed to be located and constructed to result in no net loss of shoreline ecological function. The proposed preliminary plat includes a designated open space tract (Tract A) that is 131,713 square feet in size. No clearing or grading will occur within Tract

A other than any minimal amount of grading required to repair the site after demolition of the existing structures.

Conclusions: The proposed residential development is designed to result in no net loss of shoreline ecological function and will provide an open space tract for low-intensity recreation.

Applicable Review Regulations (continued):

Findings: R192 The City shall require storm drainage and treatment facilities consistent with City stormwater standards and Section III.I of this Program.

R196 All primary residential structures, and garages and driveways, shall be set back consistent with the shoreline buffer and critical area regulations of this Program established in V-13 Section III.G, Shoreline Vegetation Conservation and Appendix A, Critical Areas Regulations and consistent with the Land Use Code.

R200 New multi-unit residential development, including duplexes, fourplexes, and the subdivision of land into five or more lots shall make adequate provisions for public access consistent with the regulations set forth in SMP Section III.F, discussed above.

R202 All new residential development shall connect with the sewer system.

Chapters 15.56 and 15.60 of the Carnation Municipal Code provide requirements for storm drainage and treatment facilities and sewer system requirements. These chapters are discussed in section 6. *CMC Title 15 – Land Use* of this report.

Conclusions: Compliance with these requirements will be ensured with the recommended conditions of preliminary plat approval.

Applicable Review Regulations (continued):

Findings: R201 All new residential development shall be required to meet the vegetation management provisions contained in Section III.G, Shoreline Vegetation Conservation.

The narrow portion of the right-of-way of NE 42nd Street that lies within the 100-foot shoreline buffer for shoreline protective measures will not be developed or paved and is proposed as a natural vegetation buffer area. In order to not be considered buffer impact, the right-of-way area within the shoreline buffer must be planted with native trees and shrubs that will support buffer function and that will be protected in perpetuity. Planting specifications must be provided in a final landscape plan prior to final plat.

Conclusions: The proposed extension of NE 42nd Street and the proposed residential development will meet the vegetation management provisions contained in Section III.G, Shoreline Vegetation Conservation with the recommended conditions of preliminary plat approval.

Applicable Review Regulations (continued):

Findings: R236 Motor vehicle and rail transportation facilities shall not be located within shoreline jurisdiction or inside vegetation management corridors, unless: the proponent demonstrates that

no feasible upland alternatives exist; and the project represents the minimum development necessary to serve another specific, localized and permitted shoreline use; or in the case of a water crossing, the proponent demonstrates that the project is necessary to further a substantial public interest.

R241 Proponents shall design and locate all new transportation facilities to prevent or minimize the need for shoreline protective measures or substantial site grading.

R254 All approved transportation facilities shall provide for adequate vegetation retention and management consistent with SMP Section III.G, Shoreline Vegetation Conservation.

The proposed development includes an extension of NE 42nd Street which provides access to several lots before branching off to create a potential connection point for any possible future development of the lot to the east. The proposed road also travels north through the site and then west to 336th Avenue NE to provide access to the remaining lots and complete a looped system with two access points to/from 336th Avenue NE. The extension of an existing road and the looped configuration tie the new residential lots into the fabric of the existing neighborhoods west of the site so it will blend with the residential character and contribute to the City's street network. The proposed looped street system is designed to provide connections and access to adjacent streets.

The proposed extension of NE 42nd Street is located within the shoreline jurisdiction and a narrow portion of the right-of-way of NE 42nd Street lies within the 100-foot CMZ buffer. The location of the extension of NE 42nd Street within the shoreline jurisdiction is necessary in order to meet several of the City's goals to increase mobility options, particularly for pedestrians or people traveling on bicycles. One such goal that is found in the City of Carnation Comprehensive Plan, Policy LU5.4 says that in order to promote Carnation's small-town character, the City should *"Provide for subdivision design that is pedestrian friendly and promotes connectivity throughout the City via through-streets, walkways and pathways that connect neighborhoods."* Also, the Transportation Element of the Comprehensive Plan includes many goals and policies to promote connectivity between transportation facilities and between uses, as well as goals and policies regarding infrastructure as it relates to the promotion of biking and walking. The focus of many of these policies is on providing linkages to existing facilities and an emphasis on an interconnected street system that avoids cul-de-sacs and dead-end streets whenever possible. Further, CMC 15.56.060.A. says, "The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section." The proposed location would align with the existing street west of 336th Avenue NE so as not to compromise safety and connectivity with an offset at that intersection. It would also enable potential future development to the north and east of the property to connect to the City's street network and avoid the need for additional cul-de-sacs or dead-end streets.

The proposed extension of NE 42nd Street has been designed and located to prevent or minimize the need for shoreline protective measures or substantial site grading. The applicant included Sheet C4.00-Preliminary Road Profiles with the preliminary plat drawing set (Exhibit 2) that shows

a proposed profile for NE 42nd Street indicating that the existing and proposed grade for the roadway are consistently similar with very little grading needed.

Conclusions: The proposed extension of NE 42nd Street within shoreline jurisdiction is necessary in order to comply with the City's goals and standards intended to increase mobility options and connectivity between neighborhoods.

Applicable Review Regulations (continued)

Findings: R257 New primary utility facilities, or the improvement or expansion of existing facilities shall constitute a conditional use wherever permitted. New accessory utilities are considered part of the primary use and shall be subject to the same permit type as the primary use. Expansions of accessory utilities shall be permitted with a Shoreline Substantial Development Permit.

The primary proposed and allowed use is single-family residential, and all new utilities required for the preliminary plat subdivision are considered accessory utilities.

Conclusions: The utility facilities serving the proposed development are subject to the same permit requirements as the residential use and are permitted with the Shoreline Substantial Development Permit.

SMP PART VI SHORELINE MODIFICATION POLICIES AND REGULATIONS - Section E. Grading and Upland Fill Landward of the OHWM

Findings:

Applicable Review Policies:

P212 The City should prevent increases in the frequency or destructive power of local and downstream flood events by prohibiting activities that block, narrow and therefore decrease the flood-carrying capacity of Carnation's shorelines. Such activities include filling that results in an unmitigated net increase in total land volume within shoreline jurisdiction. Upland fills shall only be allowed when consistent with applicable provisions of Section 1.700, Frequently Flooded Areas of Appendix A of this SMP.

P215 All grading and fill activities should be designed and conducted to minimize stream and wetland sedimentation, impacts to wildlife habitat, and degradation of water quality.

P218 Disturbed buffer areas dedicated open space, and areas not directly employed under a permitted use should be promptly restored with native vegetation after grading and fill is completed.

Applicable Review Regulations:

R355 Grading and fill activities shall only be permitted in conjunction with a specific preexisting or approved development that represents a permitted or legal existing use under this Program.

R358 All grading and fill activities shall be limited to the minimum necessary for the intended development.

R361 Grading and fill activities shall involve the minimum disturbance reasonably necessary to accommodate the proposed use, activity, or development

The topography of the subject property is generally flat with minimal sloping toward the south and then slopes more steeply down to the north bank of the stream. A small amount of grading/fill or clearing with revegetation, and no significant vegetation removal will occur within the shoreline jurisdiction for the construction of the NE 42nd Street extension and the single-family lots. The proposed road that is located within the shoreline jurisdiction as an allowed accessory use and is located entirely within the flatter portions of the site. The road has been designed to reduce the amount of grading necessary while meeting the drainage and storm water runoff objectives. Further, and per Chapter 15.44 – Supplementary Use Regulations, Part II, a clear and grade permit is required for all grading, excavation or filling.

Conclusions: The proposed development complies with the applicable policies and regulations in this section by minimizing grading within shoreline jurisdiction to the minimum necessary to accommodate the proposed residential use and road serving this use.

IV. RCW 58.17 – Plats—Subdivisions—Dedications

Findings: RCW 58.17 sets out the Washington State Subdivision Law and RCW 58.17.110(2) states that a proposed subdivision and dedication shall not be approved unless written findings are made that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

The above listed findings addressing CMC Chapter 15.16 Part II regulations show that the proposal meets the requirements for public health, safety, welfare, use, and interest, therefore, meeting the requirements of Chapter 58.17 RCW. One exception is *RCW 58.17.280, Naming and numbering of short subdivisions, subdivisions, streets, lots and blocks*, where it states that “*Any city, town or county shall, by ordinance, regulate the procedure whereby short subdivisions, subdivisions, streets, lots and blocks are named and numbered. A lot numbering system and a house address system, however, shall be provided by the municipality for short subdivisions and subdivisions and must be clearly shown on the short plat or final plat at the time of approval.*” The

City of Carnation currently has no ordinance by which it requires the lot numbering system and street naming system to be placed on a final plat or short plat.

Conclusions: In accordance with RCW 58.17.280, the project proponent must obtain from the City a specific address for the new lots prior to filing an application for final plat. Compliance with this requirement will be ensured with the recommended conditions of preliminary plat approval.

V. Recommendation

Following review of the consolidated application (preliminary long plat application, the Shoreline Substantial Development Permit application, and the Special Use Permit application) for conformity with the Carnation Municipal Code and other applicable ordinances, laws and policies, application nos. LP 21-0001, SSD 21-0001, and SUP 21-0001 are recommended for approval, subject to the following conditions for final plat approval:

General

1. Subject to minor revisions driven by final engineering details, or the conditions imposed below, the final plat shall be in substantial conformance with the submitted preliminary plat drawings dated June 8, 2022 (Exhibit 2). The complete plat number and existing (parent) parcel number must appear at the top right corner of the final plat as follows:

FINAL PLAT NO. LP-21-0001
PARCEL NO. 152507-9027

2. A topographic survey sealed by a licensed professional land surveyor is required. The survey shall include underground utilities, adjacent streets, floodplain, applicable buffers, and other critical areas. [CMC 15.16.350]
3. The preliminary approval of this application will be valid for a period of five (5) years from the date of preliminary approval, together with any additional extensions that may be granted by changes to State law or City code. If all conditions have not been completed and a final plat has not been approved and filed within that period of time, the approval will expire and become null and void. No site disturbing development activities may commence until such time as all permits related thereto have been approved by the City of Carnation and a pre-construction meeting between the applicants, their contractors, and city staff has been held.
4. Approval by the City Engineer of the engineering details of the proposed streets, storm drainage, sanitary sewer and water systems, and other proposed public facilities shall be required prior to construction activities and final plat approval.
5. Construction performance and maintenance guarantees shall be provided in accordance with City of Carnation Street and Storm Sewer System Standards. Before utility extension and right-of-way permits are issued, the applicant shall furnish the City a performance

bond to guarantee the full and complete construction and installation of the right-of-way improvements. [CMC 15.16.740]

6. The applicant shall comply with all mitigation measures in the SEPA Mitigated Determination of Non-significance (File No. ECF-21-0001) issued on July 15, 2022.
7. All permit requests will be reviewed for compliance with applicable codes, ordinances, laws, rules and regulations prior to issuance of approval.
8. Current City of Carnation standard plan general notes, roadway notes, drainage notes, and erosion and sediment control notes shall be shown on the engineering plans submitted for approval.
9. A Construction Mitigation Plan will be required as part of construction permits, such as those required for clearing and grading or civil permits. To minimize impacts to the surrounding residential neighborhood, construction vehicles shall enter and exit from 336th Avenue NE, and shall not loop through the residential neighborhood via 334th Avenue NE and NE 42nd Street. Additionally, construction vehicles shall not park on NE 42nd Street. The applicant shall also ensure that construction vehicles do not idle on the public streets during construction.
10. The geotechnical engineer of record shall observe street and utility construction and shall conduct on-site material sampling and compaction testing to verify compaction for roadway, and utility trenching meets recommended compaction criteria.
11. In accordance with RCW 58.17.280, the project proponent shall obtain from the City a specific address for the new lots and place the information on the final plat map.
12. Placement of mailbox structures shall be in conformance with Postal Service requirements, Post Master's approval of mailbox type and locations is required prior to construction start.
13. A homeowners' association (HOA) shall be created for the maintenance of any shared required outdoor areas or other open space (Tract A), shared parking areas, and other common use areas, buildings, and utilities within the development. Covenants, conditions, and restrictions (CC&Rs) shall be submitted to the City Planner and City Engineer for review and approval prior to approval of the Final Plat. The CC&Rs shall place the responsibility to maintain the private streets, common areas, and landscaping in the development on the HOA. The HOA shall be created prior to final certificate of occupancy of 50% of the units, or at the discretion of the City Planner and City Engineer.
14. All applicable Shoreline Master Program policies and regulations shall be followed at all times during development.

15. Construction pursuant to the Shoreline Substantial Development 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 the 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.
16. Existing fencing located south of the north property line shall be replaced with a new privacy fence along the property line.
17. Trench patching is not allowed on existing asphalt streets. In lieu of a trench patch, the developer must grind and overlay a minimum 30-foot-wide asphalt section.

Clearing, Filling, and Grading

18. An application for Clearing, Filling and Grading is required [CMC 15.40.070]. A spill prevention and control plan is also required. [CMC 15.64.230]
19. Dust generated during construction activities shall be controlled by wetting the dust sources of exposed soils and washing truck wheels before trucks leave the site. Mud and dirt shall not be tracked onto public rights-of-way.
20. The applicant shall report any soil contamination that is detected to the Department of Ecology via the Statewide Environmental Incident Report Form online per the requirements of Washington's Model Toxics Control Act.

Streets and Sidewalks

21. A right-of-way permit is required for work within the City right-of-way [CMC 15.60.030]. An on-site pre-construction meeting shall be held before commencing work within the right-of-way.
22. Street and storm sewer system improvements shall be consistent with the City's 2018 Street and Storm Sewer System Standards, WSDOT Standard Plans and Standards for Road, Bridge, and Municipal Construction and the 2019 Ecology Stormwater Manual for Western Washington. All streets shall be crowned at the pavement centerline. [CMC 15.56.100(A), CMC 15.56.060, CMC 15.56.090]
23. Dead-end streets should be avoided. The plat shall provide for the extension of NE 42nd Street to the east boundary of the proposed plat for future street continuation. NE 42nd Street shall be classified "Local Access" and consist of a 50-foot-wide right-of-way, two-10-foot-wide travel lanes, an eight-foot-wide parking lane, curbs, gutters, a six-foot-wide sidewalk on the north side of the street and crowned section per City standards. The existing curb, gutter and sidewalk on the south side of the street shall extend west, across the 336th Avenue NE to close off the existing driveway to the property.

24. The internal street system shall be looped to provide two connections to 336th Avenue NE. A street shall be installed adjacent to the north plat line and consist of a 35-foot-wide right-of-way, two 10-foot-wide lanes, curb, gutter, and a six-foot-wide sidewalk. Other internal streets shall be classified "Local Access" and consist of a 50-foot-wide right-of-way, two-10-foot-wide travel lanes, a nine-foot-wide parking lane, curbs, gutters, and six-foot-wide sidewalks on the south side of the street. [CMC 15.56.100(A), CMC 15.56.060, CMC 15.56.090]
25. Frontage improvements along 336th Avenue NE are required and shall consist of curb and gutter, storm drain facilities including treatment and infiltration, six-foot-wide sidewalk, illumination, a minimum 29-ft wide asphalt section, measured from face of curb to face of curb. The street asphalt section, however, shall not be narrower than the existing pavement width.
26. Site distance triangles shall be provided on the construction documents showing site distance at all intersections, areas within the triangles shall be clear of sight-line obstructions.
27. ADA compliant curb ramps shall be installed at all intersections, with two ramps at each corner. Ramps shall be aligned to the corresponding ramp across the street. The developer must reconstruct the existing curb ramps at the northwest corner of the NE 42nd Street and 336th Avenue NE intersection to meet current ADA requirements.
28. The street lighting system must be a complete system designed by Puget Sound Energy along internal streets and 336th Avenue NE frontage. All new wiring, conduit, and service connections shall be located underground. LED street illumination design shall be submitted conforming to PSE/Intolight requirements. Streetlights shall be provided at intersections and all street lighting fixtures shall meet City standards and prevent light spill. The developer shall submit proposed street light locations and system design to the City for review and acceptance. Maintenance and payment for illumination along all Plat streets shall be the responsibility of the HOA. [CMC 15.60.300]
29. Street signs are required and shall include "no parking" signs, street name signs, and stop signs. Provide eastbound and westbound stop signs at the NE 42nd Street and 336th Avenue NE intersection, include a stop ahead sign eastbound on NE 42nd Street and a temporary traffic revision sign with flagging. No parking signs shall be placed along the south side of NE 42nd Street, along both sides of the internal half street road and along one side of 337th Avenue NE.
30. Underground electrical and communication lines shall be installed behind the sidewalks in dedicated utility easements a minimum of 10-foot wide.
31. Residential driveways shall be Type 1, consistent with WSDOT Standard Plan F-80.10-4. Driveway widths shall not exceed 18-foot wide or be less than 10-foot wide. [CMC 15.56.050]

32. No portion of a cement concrete driveway shall be within five feet of the adjacent property lines. [Carnation Street Standards]

Stormwater

33. A drainage permit is required for the stormwater management systems. [CMC 15.64.230]
34. Stormwater quality and flow-control best management practices are required for the proposed subdivision including the 336th Avenue NE frontage and the entire lengths of the proposed streets. Uncontrolled storm water runoff to adjacent properties or City right-of-way is not allowed. A Technical Information Report is required and shall comply with the 2019 Ecology Stormwater Manual for Western Washington as required by Section 15.64.190(C). Infiltration stormwater facilities shall be designed to infiltrate 100 percent of the 50-year developed runoff event utilizing the following Ecology correction factors; Site variability of 0.8, uncertainty 0.40, maintenance 0.50.
35. The HOA shall be responsible to maintain the Plat's stormwater facilities through a drainage covenant recorded against the title of the underlying property. The covenant shall include but not be limited to operation and maintenance by the HOA of stormwater facilities including stormwater related landscaping. [CMC 15.64.190.F.3].
36. Infiltration systems shall be located a minimum of 10-feet from building foundations and property lines. In-situ testing is required to determine the existing soils' infiltration capacity. [Ecology Manual]. The infiltration rates shall include applicable correction factors for infiltration facilities as recommended in the Ecology Manual but in no case shall the maintenance correction factor assume more than infiltration of 60% of its design capacity or a correction factor, CF_m of 0.6. Stormwater runoff from all adjacent street frontage shall be managed behind the sidewalks or on-site. Stormwater facilities within the 100-ft buffer to the south is not allowed.
37. Effective erosion control and sediment measures shall be designed, installed, and maintained to minimize the discharge of pollutants. A temporary sediment pond shall be designed and constructed as part of the sediment control measures.
38. Temporary Sediment and Erosion Control and grading plans are required. Stormwater runoff from impervious surfaces shall not be directed towards City rights-of-way or adjacent properties. [CMC 15.64.220].

Potable Water

39. Water system improvements shall be consistent with the City's 2017 Combined Water and Sanitary Sewer Utility Technical Standards.

40. To provide water services for the proposed lots, a looped system with two connections is required. Proposed main lines shall connect to the existing water main on 336th Avenue NE. The developer must install a water quality testing facility per City standards. [CMC 15.60.200 and CMC 13.100]
41. The developer shall contribute a proportional share to design and construct a Booster Pump that will increase water pressure in the area of the development based on the number of lots developed. It is expected that the booster pump station will serve 151 existing and future buildable lots, the proportional share will be 10 lots/151 lots or 6.623% of the Booster Pump Station cost adjusted for inflation. Payment of the developer's proportional share shall be made to the City of Carnation before the final plat is approved.
42. Water mains and service lines shall be installed and located in order to maintain the required minimum separation from proposed and existing, sanitary sewer lines. [Carnation Utility Standards]
43. The water main shall extend to the east property line along the NE 42nd Street right-of-way for future extension. The developer must install a fire hydrant or two-inch blow-off at the east end of the water main.
44. New fire hydrant spacing and locations shall be in accordance with the International Fire Code and as directed by the Fire Marshall. Each new fire hydrant shall be fitted with a storz adapter. A fire hydrant shall be installed at the northeast corner of proposed lot 4. [Carnation Utility Standards]
45. Existing well(s) shall be properly decommissioned in accordance with King County Department of Health requirements and records shall be submitted to the City with final plat application.

Sanitary Sewer

46. The sanitary sewer improvements shall be designed by the Developer per the City of Carnation's Combined Water and Sanitary Sewer Utility Technical Standards and Aqseptence Group/Airvac's design manual. [CMC 13.100]
47. All lots shall connect to the City of Carnation vacuum sewer system. The Developer shall acquire side sewer permits for each lot connected to the City sewer system. [CMC 13.50 and CMC 13.70]
48. Sewer mains and service lines shall be installed and located in order to maintain the required minimum separation from proposed and existing water lines. [Carnation Utility Standards]
49. The vacuum sewer main shall extend to the east property line along the NE 42nd Street right-of-way for future extension.

50. Existing septic system(s) shall be properly decommissioned in accordance with King County Health Department requirements and records shall be submitted to the City with final plat application.
51. The project proponent or contractor must obtain a Public Utility Extension permit for the sewer and water main improvements which shall be constructed per the City of Carnation Utility Standards. [CMC 13.100.070]
52. Side sewers shall be constructed per City of Carnation Sewer Standards. Side sewer permits are required prior to commencing side sewer construction. [CMC 13.70.040]
53. The Developer shall transfer ownership of accepted water and sewer facilities installed by the Developer to the City of Carnation through a Bill of Sale prior to final recording. The Bill of Sale shall include but not limited to the legal description of the development and material quantities of water and sewer facilities installed. [CMC 15.60.010]

Other Utilities

54. Utilities shall be provided to each lot in accordance with CMC 15.60. All existing and proposed electric, telephone, cable, and communication lines on the site shall be placed underground. Overhead extensions are not allowed [CMC 15.60.350]. The utility designs shall include a trench detail and continuous underground warning tapes installed 12-inches above each utility line.
55. The electric utility service provider must review the proposed plans and certify to the City that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.
56. The developer shall, as soon as practicable after installation of any utility line within the City, or connection to any existing facilities within the city, is complete, and before acceptance of any utility line, furnish the City with a printed and an AutoCAD computer disk (or other format acceptable to the City Engineer) copy of a drawing that shows the exact location of such utility lines. Such drawings must be verified as accurate by the utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.
57. An Ecology Construction Stormwater General Permit is required. Conformance with the Ecology Construction Stormwater General Permit shall be ensured with weekly monitoring by the applicant or their agent and reporting of the site's best management practices for conformance of the Stormwater General Permit and SWPPP requirements including water sampling of stormwater discharged from the site. Weekly monitoring reports shall be submitted to the City of Carnation Public Works inspector. [Ecology Stormwater Manual]

Land Use and Zoning

58. Development of all lots within this subdivision shall be in accordance with all the requirements of CMC 15.48, Density and Dimensions, including front, side, and rear setbacks and limitations on building height and on impervious surface.
59. The existing row of fir trees located within the 336th Avenue NE right-of-way adjacent to Tract A must be retained unless it would cause an undue burden upon the development as determined by the City Planner based on the function or safety of the site, the health and vitality of the trees, and whether retaining the trees would result in a safety hazard.
60. Prior to final plat, provide documentation of a homeowners' association agreement to maintain in perpetuity any and all street trees provided on private property that are intended to meet the requirements of CMC 15.76.100.
61. Landscape plans are required, and the plans shall include trees designated for protection and retention, as well as irrigation of new landscape plantings. The Landscape Plan and Tree Preservation Plan must contain the same information and configuration of lots and rights-of-way prior to issuance of the final plat.
62. Prior to final plat, a certified arborist hired by the applicant shall be required to inspect all trees remaining on the site and provide a written report as to the status of such trees. Any protected tree found to be irreparably damaged, severely stressed or dying shall be replaced as provided for in CMC 15.76.130(C).
63. A 20-foot-wide public trail easement through the open space Tract A is required as shown on the application materials.
64. Signage (to be approved by the Shoreline Administrator) shall be conspicuously installed along the public access easements to indicate the public's right of use and the hours of operation. The Proponent [developer, and then HOA] shall bear the responsibility for establishing and maintaining such signs.

Shoreline Master Program (SMP)

65. All applicable Shoreline Master Program policies and regulations shall be followed at all times during development.
66. Public access requirements imposed pursuant to the issuance of an approval or permit under the Shoreline Master Program shall run with the land and shall be enforceable against successor owners in interest. Subsequent owners shall not adversely affect or diminish the usefulness or value of the public access requirements imposed pursuant to the Shoreline Master Program.
67. Although the features of the OHWM, the floodway, the CMZ, and subsequent buffers have been accurately depicted on the plans, sheet C3.00 [or future submittals such as

construction documents showing similar detail] must be corrected to show the accurate labels for the OHWM and floodway.

68. The applicant must provide permanent survey stakes delineating the boundary between adjoining property and Tract A using iron or concrete markers as established by current survey standards. The applicant shall identify the boundary between a critical area tract and contiguous land with permanent signs. Critical area signage must be provided at the edge of the shoreline buffer to identify the protected area.
69. The known characteristics, locations and boundaries of the following areas and sites shall be recorded upon the face of the plat: critical areas; flood zones; shoreline buffers and setbacks; permit conditions; and access and open space easements. Landowners shall file these notations with the King County Assessor's Office at the time of any plat approval or prior to the sale of any lot within the platted property. Additionally, a notice on title must be recorded with the records division of King County documenting the presence of the regulated critical areas and buffer. The notice shall include all information listed in SMP Appendix 1.117.
70. Mitigation/revegetation of the shoreline buffer must be completed immediately following demolition of the existing structures located within the shoreline buffer and existing septic system and prior to use or occupancy of the activity or development.
71. In order to mitigate potential impacts to the buffer and incorporate measures to ensure no net loss, the right-of-way area within the shoreline buffer shall be planted with native trees and shrubs that will support buffer function and that will be protected in perpetuity. Planting specifications must be provided in a final landscape plan prior to final plat.
72. A final landscape plan must be provided which shows the revised road layout, the correct shoreline buffer, and indicating planting of the undeveloped right-of-way within the buffer. The plan must include five years of monitoring for the shoreline revegetation area. The applicant shall submit monitoring reports prepared by a qualified biologist to the City annually documenting the success of the restoration against the performance standards. The plan currently includes a single performance standard of 90% survival of plant material after three years. A 90% survival standard is acceptable; however, the restoration must be monitored for five years. The following additional performance standards should be included:
 - a. Plant Diversity: establish at least three native trees, four native shrubs, and two native groundcover species by Year three and maintain this diversity through Year five.
 - b. Native Plant Cover:
 - i. Achieve 50% areal cover of native woody vegetation by year three.
 - ii. Achieve 65% areal cover of native woody vegetation by year four.
 - iii. Achieve 80% areal cover of native woody vegetation by year five.
 - c. Invasive plant cover: areal cover for invasive plants will not exceed 10% at any year during the monitoring period. Invasive plants include those designated by the King County Noxious Weed Board.

73. All persons shall immediately stop work and notify the City, DAHP, and potentially affected tribes if any phenomena of potential archaeological interest are uncovered during excavations. In such cases, the developer shall be required to provide for a site inspection and evaluation by a professional archaeologist to ensure that all possible valuable archaeological data are properly salvaged.
74. During construction, the applicants and/or any contractor(s) or agents performing construction or site development work shall immediately cease operation and notify the City upon discovery/disturbance of any cultural resources or archaeological materials. The City will refer the owner to the appropriate state or federal agency and/or tribal authority for direction. Compliance with any such direction, including without limitation any required site monitoring, shall be at the applicants' sole expense.

Public Facilities

75. A School Impact Fee as imposed by the Riverview School District for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy.
76. A Parks Impact Fee for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy.
77. A Transportation Impact Fee for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy.

SIGNED THIS 6th DAY OF AUGUST, 2022.



Jean Lin, City Planner
City of Carnation

Tolt Place Preliminary Plat Public Hearing Exhibits List:

1. Master Land Use Application
2. Revised Preliminary Plat Drawings by KPFF Consulting Engineers, dated June 8, 2022
3. Revised Landscape Drawings by Lane & Associates, dated April 7, 2022
4. Revised Tree Preservation Plan by Lane & Associates, dated April 7, 2022
5. Arborist Report/Tree Plan by Layton Tree Consulting, LLC, dated February 22, 2021
6. Revised Traffic Impact analysis by Transpo Group, dated February 10, 2022
7. Revised Critical Area Report by Sewall Wetland Consulting, Inc, dated September 16, 2021
8. Revised Stormwater Technical Information Report by KPFF Consulting Engineers, dated October 5, 2021
9. Subsurface Exploration, Geologic Hazards, and Design Recommendations by South Fork Geosciences, PLLC, dated February 5, 2022.
10. Design Infiltration Rate Report by South Fork Geosciences, PLLC, dated December 22, 2020
11. Title Report
12. 300' Adjacent Property Owner List
13. King County Assessor's Vicinity Map
14. Plat Name Reservation
15. Certificate of Water Availability, issued November 20, 2020
16. Certificate of Sewer Availability, issued November 20, 2020
17. Revised SEPA Environmental Checklist, dated February 11, 2022, annotated by the City on March 15, 2022
18. SEPA Mitigated Determination of Non-significance, issued July 15, 2022
19. Determination of Completeness, issued April 5, 2021
20. Notice of Application, April 16, 2021
21. Affidavit of Sign Posting for Notice of Application, April 7, 2021
22. Affidavit of Mailing for Notice of Application, April 15, 2021
23. Snoqualmie Valley Record publication confirmation for Notice of Application, April 16, 2021 and April 23, 2021
24. SEPA Mitigated Determination of Non-significance sent to agencies and parties of record, dated July 15, 2022
25. Snoqualmie Valley Record publication for SEPA Mitigated Determination of Non-significance, July 15, 2022
26. Notice of Hearing Examiner Public Hearing
27. Affidavit of Sign Posting for Notice of Hearing Examiner Public Hearing, July 27, 2022
28. Affidavit of Mailing for Notice of Hearing Examiner Public Hearing, July 28, 2022
29. Notice of Hearing Examiner Public Hearing sent to agencies and parties of record, dated July 29, 2022 and August 1, 2022
30. Snoqualmie Valley Record publication confirmation for Notice of Hearing Examiner Public Hearing, July 29, 2022 and August 5, 2022
31. SMP Regulatory Channel Migration Zone Map and Shoreline Environment Designation Map (from the City of Carnation Shoreline Master Program)

32. Public comments received on the Notice of Application:
 - a. Adam Osbekoff, Snoqualmie Indian Tribe, dated March 15, 2022
 - b. Laura and Tracey Bailey, dated May 7, 2021 and May 17, 2021, and City's responses dated May 7, 2021 and May 10, 2021
 - c. Laura Bailey, dated February 4, 2022
 - d. Amy Koehnen, dated April 30, 2021
 - e. Jake Koehnen, dated April 30, 2021, and City's initial response dated August 10, 2021
 - f. Deary Panek, dated March 5, 2022
33. Public comments received on the SEPA Mitigated Determination of Non-significance:
 - a. Laura and Tracey Bailey, dated July 26, 2022
 - b. Matthew Baerwalde, Snoqualmie Indian Tribe, dated July 26, 2022
 - c. Kayla Eicholtz, Regional Floodplain Planner, Washington Department of Ecology, dated July 27, 2022
 - d. Kelli Sheldon, Washington Department of Ecology, dated July 29, 2022