



Millie Judge  
Hearing Examiner

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**DECISION of the SNOHOMISH  
COUNTY HEARING EXAMINER**

**DATE OF DECISION:** June 5, 2012  
**PLAT/PROJECT NAME:** THE RESERVE AT CANYON PARK

**APPLICANT/  
LANDOWNER:** KLN Construction, Inc.  
P.O. Box 760  
Edmonds, WA 98020

**FILE NO.:** 10-107154 SD

**TYPE OF REQUEST:** Planned Residential Development Approval (PRD) (Ch. 30.42B SCC)  
and Preliminary Subdivision Approval (SCC 30.41A.100 et seq.); and  
Landscaping Buffer Modification

**DECISION  
(SUMMARY):** Preliminary Subdivision and PRD Official Site Plan Approval are **GRANTED**,  
Subject to Preconditions and Conditions.

The Landscaping Buffer Modification Request is **GRANTED**.

**BASIC INFORMATION**

**LOCATION:** In the northwest quadrant of the intersection of 39<sup>th</sup> Avenue SE and 228<sup>th</sup>  
Street SE, just northeast of the city limits of Bothell, in Section 28, Township  
27 North, Range 5 East, W.M.

**ACREAGE:** 12.17 acres

**NUMBER OF LOTS:** 64

**AVERAGE LOT SIZE:** 4,187 square feet

**MINIMUM LOT SIZE:** 3,284 square feet

**GROSS DENSITY:** 5.26 du/acre (8.58 du/acre net)

**GMACP DESIGNATION:** Urban Low Density Residential (4-6 du/acre)

**ZONING:** R-9600

**UTILITIES:**

Water: Alderwood Water and Wastewater District  
Sewer: Alderwood Water and Wastewater District

Electricity: Snohomish County PUD No. 1

SCHOOL DISTRICT: Northshore School District No. 417

FIRE DISTRICT: Snohomish County Fire District No. 7

PDS STAFF RECOMMENDATION: Approve, subject to conditions.

**NOTE:** For a complete record, an electronic recording of the hearing in this case and the Tape Log is available in the Office of the Hearing Examiner.

Based on a preponderance of the evidence of record, the following Findings of Fact, Conclusions of Law and Decision are entered.

### **FINDINGS OF FACT**

1. **Regulatory Review and Vesting.** A complete application was submitted to Planning and Development Services (PDS) on September 27, 2010 for purposes of regulatory vesting. Between this date and March 28, 2012, the Applicant was required to resubmit its proposal two additional times before it was deemed adequate. As of the date of the public hearing, 131 days of the 120-day review period had elapsed.
2. **Public Hearing.** An open record hearing was held on May 16, 2012. Appearing for the Applicant was Brian Holtzclaw, Cher Anderson, Ben Giddings, and project consultants. The Applicant noted that all rights, title and interest in the purchase and sale agreement for the subject property had recently been transferred from West Ridge Land Corp. to KLN Construction, Inc., who appeared as the "Applicant." (Exhibit L.1) Bob Pemberton appeared and testified on behalf of PDS. Several concerned neighbors appeared and testified including, Deanna Haugen, Charlie Waugh, and Becky Raheer-Peery.
3. **The Record.** All of the exhibits shown on the master list of exhibits (Exhibits A through L.1) were entered into the record as evidence, along with the testimony of witnesses presented at the open record hearing and the tape log. The record was left open to allow PDS and the Applicant additional time to submit proposed language amending proposed "Condition C.VI", shown on page 18 of the Staff Recommendation. (Exhibit K) The proposed amendment is set forth in Exhibit L.2, which has been added to the record. The Hearing Examiner called for comments on Exhibit L.2 from parties of record. No comments were received. The entire record (Exhibits A through L.2) was considered by the Examiner in reaching this decision.
4. **Public Notice.** The Examiner finds that PDS concurrently gave proper public notice of the open record hearing, SEPA threshold determination, Traffic Concurrency and Impact Fee Determinations as required by the County Code. (Exhibits E.1, E.2, F.1, F.2 and F.3)

#### **A. Background Information**

5. **Applicant's Proposal.** The Applicant proposes a 64-lot PRD subdivision of 12.17 acres. Open space is provided in seven tracts totaling 145,151 square feet (3.33 acres). A Type F stream with adjacent Category 2 wetland flows north to south along the easterly boundary of the site. This stream/wetland area will be preserved with a minimum 75 foot wide critical area protection buffer. Public water and sewer service will be provided by the Alderwood Water and Wastewater District. Access is proposed to the lots by a public road with the exception of three

shared driveways serving two lots each. A landscape buffer modification request is proposed along Lots 30, 31, 41 and 42 to allow a fence in lieu of landscaping.

6. Site Description and Surrounding Uses. This property is a former active farm, with a large barn, sheds, abandoned pasture, orchard, and two houses. A second-growth conifer forest occupies the northwest corner of site. An abandoned orchard and pasture occupy most of the eastern half of the site. The houses are located in the southwest corner, along with a variety of landscaped vegetation. The topography of the site is highest in the center near the north property line. About ¼ of the site drains to the west, while the rest drains towards a stream located along the eastern edge of the property within a narrow riparian wetland.

The site is surrounded by varying densities of residential development. Immediately to the north is a 30-lot subdivision created through lot-size averaging, and a 109-lot PRD subdivision. To the east, west and southeast are large lot single-family residential subdivisions. To the southwest is a 59-lot single-family residential PRD subdivision. To the northeast is a higher density condominium development. Canyon Mobile Park (a high density mobile home park) lies ¼ mile to the west. The zoning adjacent to the north property line is R-7200 (PRD) and R-7200 (with lot size averaging). The zoning of the other surrounding properties is R-9600.

7. Issues of Concern:

- A. Agency Comments. The Muckleshoot Indian Tribe submitted questions arising out of its review of the SEPA Checklist. (Exhibit H.4) The Applicant provided adequate responses to said questions in a submittal letter dated February 9, 2012. (Exhibit J.1) No additional issues were raised by agency reviews.
- B. Citizen Comments. Six letters were received from neighboring property owners expressing questions or concerns about the development. (Exhibits I.1 through I.6) Additional concerns were raised at the open record hearing through testimony by citizens. PDS and the Applicant have each considered the issues raised and provided an adequate response to the same. Additionally, the Applicant answered questions posed by citizens during public testimony at the open record hearing and demonstrated their willingness to listen to their concerns and address them within the confines of the County's regulations. (See, Exhibit J.1; Testimony of Bob Pemberton, Brian Holtzclaw and Ben Giddings)

**C. Compliance with Codes and Policies**

**Subdivision Approval**

In order to grant preliminary subdivision approval, the Hearing Examiner must find that the applicant has met the approval criteria set forth in SCC 30.41A.100 *et seq.*

8. Park and Recreation Impact Mitigation (Chapter 30.66A SCC) The proposal is within Park District No. 307, and is subject to Chapter 30.66A SCC, which requires payment of \$1,233.49 per each new single-family residential unit, to be paid prior to building permit issuance for each unit. The Examiner finds that such payment or contribution of in-kind mitigation is acceptable as mitigation for parks and recreation impacts in accordance with County policies.
9. Traffic Mitigation and Road Design Standards (Title 13 SCC, & Chapters 30.24 and 30.66B SCC) The Hearing Examiner has considered the impacts of the development in light of the

requirements under Title 13 SCC and Chapters 30.24 and 30.66B SCC and finds that the development proposal, as conditioned based on the information in the record, and in the PDS Staff Recommendation, meets the County's traffic mitigation and road design standards.

A. Road System Impacts, Concurrency and Inadequate Road Conditions (IRC).

- i. Road System Capacity Impacts (SCC 30.66B.330) In terms of addressing the capacity issues raised by citizens, according to SCC 30.66B.330(1), a development shall mitigate its impact upon the future capacity of the road system by paying a road system impact fee reasonably related to the impacts of the development on arterial roads located in the same transportation service area as the development, at the rate identified in SCC 30.66B.330 for the type and location of the proposed development. A development's road system impact fee will be equal to the development's new average daily traffic (ADT), based on the latest edition of the ITE Trip Generation report published by the Institute of Transportation Engineers, times the per trip amount for the specific transportation service area identified in SCC 30.66B.330, with a few exceptions.

The impact fee for the subject development is based on the new ADTs generated by 64 single-family residences. The development will generate 602.91 new ADT and has a road system capacity impact fee of \$131,735.84 (\$2,058.37/lot), which amount includes a 5% credit given for on-site TDM measures and a credit for 9.57 existing ADT. Payment of such impact fees as mitigation for impacts to county roads demonstrates compliance with SCC 30.66B.330.

- ii. Concurrency (SCC 30.66B.120) The County makes a concurrency determination for each development application to ensure the development will not impact a county arterial unit in arrears or cause a county arterial to go in arrears. The subject development is located in TSA F, which, as of the date of submittal, had no arterial units in arrears.

The subject development generates 44.89 new A.M. peak-hour trips and 60.45 new P.M. peak-hour trips, which is more than the threshold of 50 peak-hour trips, and thus, the developer was also evaluated under SCC 30.66B.035. Pursuant to 30.66B.035(1), the Applicant has evaluated the future level-of-service on the road system consistent with the specific traffic study requirements imposed by the County and has found that there are no arterial units in arrears in the TSA based on forecast level-of-service conditions and the development is deemed concurrent under 30.66B.130(4).

The development was determined to be concurrent as of March 14, 2012. The concurrency determination expires six years from the date of the determination. (Exhibit H.12)

- iii. Inadequate Road Conditions (IRC) (SCC 30.66B.210) Regardless of the existing level of service, development which adds three or more P.M. peak-hour trips to a location in the road system determined to have an existing IRC at the time of imposition of mitigation requirements, or development whose traffic will cause an IRC at the time of full occupancy of the development, must eliminate it. To eliminate an IRC means to make sufficient changes to the road system to allow the County Engineer to determine that the location no longer constitutes an IRC. (SCC 30.66B.210(1)) An IRC means "any road condition, whether existing

*on the road system or created by a new development's access or impact on the road system, which jeopardizes the safety of road users, including non-automotive users, as determined by the county engineer.” (SCC 30.911.020)*

The County Engineer determines whether or not a location constitutes an IRC in accordance with the Department of Public Works' (DPW) adopted Administrative Rule 4223, using a 3-step process. First a technical evaluation of hazards is done in accordance with the 1997 Federal Highway Administration, Department of Transportation's Report No. FHWA-RD-77-82, "Identification of Hazardous Locations." Second, a 3-person review board, consisting of DPW senior level transportation professionals, meets to confer as to whether the location constitutes an IRC. Third, the County Engineer makes a final evaluation and signs off on the IRC determination. (DPW Rule 4223) The County Engineer's determination that a location constitutes an IRC is final and is not subject to review or appeal pursuant to SCC 30.66B.820, but the effect of an IRC location determination on a development may be appealed in accordance with SCC 30.66B.820.

Here, the subject development proposal will not impact any IRC locations identified within TSA F with three or more of its P.M. peak hour trips, nor will it create any. Therefore, no IRC-related mitigation is required.

- B. Frontage Improvements (SCC 30.66B.410) All developments will be required to make frontage improvements along the parcel's frontage on any opened, constructed, and maintained public road. The required improvement shall be constructed in accordance with the EDDS, including correction of horizontal and vertical alignments, if applicable. Construction of frontage improvements is required prior to recording unless bonding of improvements is allowed by PDS, in which case construction is required prior to any occupancy of the development.

According to DPW Rule 4222.020(1), full urban frontage improvements are required along the subject parcel's frontage on 39<sup>th</sup> Ave SE. The improvements for 39<sup>th</sup> Ave SE will be altered due to a deviation request, which was granted by the County Engineer, in order to reduce impacts to critical areas. (Exhibit G.1) The Applicant will be required to construct a seven-foot-wide, raised, paved shoulder.

On 228<sup>th</sup> Street SE, road widening with asphalt pavement consisting of 25 feet in width (measured from the roadway centerline to the face of curb) is required, along with a cement concrete curb and gutter, a five-foot wide planter strip, and a five-foot wide cement concrete sidewalk.

Since this area of 228<sup>th</sup> St SE is within the City of Bothell's Urban Growth Area (UGA), comments were solicited from the City as to its preferred location for curbs. No response was received. There is a County project in the design stage for 228<sup>th</sup> St SE, east of the subject parcel. The curb location for that project is 25 feet from the right-of-way centerline. PDS has determined that this project will require curbs to be similarly aligned, located 25 feet from the centerline of the right-of-way.

39<sup>th</sup> Ave SE, on which frontage improvements are required, is in the impact fee cost basis (Appendix D of the County's Transportation Needs Report). Therefore, the Applicant will be granted credit toward applicable County road impact fees for any

frontage improvements that can be used in the ultimate build-out of the road. No credit is available for improvements to 228<sup>th</sup> St SE.

- C. Access and Circulation (SCC 30.66B.420 and Chapter 30.24 SCC) All developments are required to: (1) Provide for access and transportation circulation in accordance with the comprehensive plan and this chapter applicable to the particular development; (2) Design and construct such access in accordance with the EDDS; (3) Improve existing roads that provide access to the development in order to comply with adopted design standards, in accordance with SCC 30.66B.430; (4) Access to state highways and city streets must be made in accordance with the applicable state or city standards and requirements; and (5) All developments that propose to take access via an existing public or private road which, for the vehicle trips projected to use the road after full occupancy of the development, is not designed and constructed in accordance with the EDDS, must improve such road to bring it into compliance with the EDDS, when the DPW Director determines it necessary to provide for safety and the operational efficiency of the road. The extent of improvements is established by the Director of the DPW in accordance with SCC 30.66B.430.

PDS staff considered the application in light of its proposed access and road circulation, the extent of existing facilities and right-of-way, sight-distances and any needed improvements to any of these items. Their analysis is shown in Exhibit K (at pages 6-8), which is incorporated herein by this reference as if set forth in full.

- D. Road Classification and Right-of-Way Requirements (SCC 30.66B.510 and 30.66B.520) The extent of right-of-way and improvements required from a developer is based on an analysis of various factors including the road classification(s) serving the development (both internally and externally), access and circulation requirements, sight distance, and the factors described below in SCC 30.66B.430, above. In the present case, both external roads serving the development (39<sup>th</sup> Avenue SE and 228<sup>th</sup> Street SE) are designated as minor arterials with a 40-foot right-of-way requirement. The development will connect to the existing 37<sup>th</sup> Avenue SE to the north (which serves an adjacent plat), and 38<sup>th</sup> Avenue SE and 228<sup>th</sup> Street SE to the south. 39<sup>th</sup> Avenue SE runs along the eastern edge of the development. The internal roads will be the extension of 37<sup>th</sup> Avenue SE, and Roads A, B, C and D serving individual lots.
- E. Extent of Improvements (SCC 30.66B.430) In determining the extent of required improvements, the Director of DPW considers, among other relevant factors, the criteria set forth in SCC 30.66B.430(a) through (p). (Exhibit K) The Hearing Examiner has reviewed those factors and finds that the recommended extent of improvements are consistent with SCC 30.66B.430 and the facts set forth in the entire record.
- F. Impacts to State Highways (SCC 30.66B.710) The Washington State Department of Transportation (WSDOT) has indicated that the project does not impact any State highways. Therefore, no mitigation is required. (Exhibits H.1 and H.2)
- G. Impacts to City Streets and Roads (SCC 30.66B.720) The DPW will recommend mitigation measures of the development's direct traffic impact on the city, town or other county roads to the approving authority and the approving authority will impose such measures as a condition of approval of the development in conformance with the terms of the Interlocal Agreement (ILA) referred to in SCC 30.61.230 between the County and the other agency. An ILA has been executed between the County and the City of Bothell for traffic mitigation for impacts on the City's road system.

The Applicant has offered to meet their obligation to the City by offering to pay \$118,202.50. This offer does not include credit for on-site TDM measures. The City accepted the mitigation offer on October 18, 2010. (Exhibit H.3). Since this offer was submitted there has been a reduction in the number of lots (66 to 64). In light of the reduction in lots (and traffic linked to those lots), the Applicant's obligation to the City is reduced accordingly to \$108,837.23 (\$1,700.58/lot). This amount includes credit for TDM measures. Mitigation for impacts to City of Bothell streets is a required condition of approval.

- H. Transportation Demand Management (TDM) (SCC 30.66B.630) The County requires TDM of developments inside the UGA and developments that impact arterial units designated as ultimate capacity. TDM Measures shall have the potential to remove a minimum of five percent of a development's P.M. peak hour trips from the road system. This requirement shall be met by site design requirements provided under SCC 30.66B.630 or SCC 30.66B.630, as applicable, except where the development proposes construction or purchase of specific off-site TDM measures or voluntary payment in lieu of site design, in accordance with SCC 30.66B.645. (See, SCC 30.66B.650). The Applicant submitted a TDM Plan that was reviewed and accepted by PDS as fulfilling the requirements of the County Code. (Exhibit B.4) TDM credit has been applied to the impact fee above. The City of Bothell accepts TDM credit for an acceptable on-site TDM plan.

Based on the Findings of Fact set forth above, the Hearing Examiner finds that the proposed development, as conditioned, will meet the County's traffic mitigation and road design standards.

10. Pedestrian Facilities (RCW 58.17.110)

- A. Safe Walkways for School Children. The County is required to make findings regarding safe walking conditions for school children that may reside in the subject development. Comments dated March 20, 2012 were received from the Northshore School District No. 417, stating that the bus stop location for all public school grade levels would be at the intersection of 39<sup>th</sup> Avenue SE and 226<sup>th</sup> Street SE. This is a fairly long distance for school children within this new development to walk to a school bus stop. Due to the existence of critical areas and a stream, children cannot take a straight route from the development to the intersection where the bus stop will be located. School children will be required to exit the development either to the north at 37<sup>th</sup> Avenue SE, walking along 226<sup>th</sup> Street for several blocks to the bus stop at 39<sup>th</sup> Avenue, or children will exit the development along 37<sup>th</sup> Avenue to the south, connecting with 39<sup>th</sup> Avenue to the west, walking north along the entire frontage of the development on 39<sup>th</sup> Avenue to its intersection with 226<sup>th</sup> Street SE and the bus stop. The development will have sidewalks along the interior public roads and new frontage improvements are required along 39<sup>th</sup> Avenue SE, so that there will be safe walking conditions all the way to the bus stop location. (Exhibit H.9; B.1)

A condition has been included for construction of the pedestrian facilities. The Examiner finds that existing and proposed facilities are consistent with the County Code and EDDS, that no school children will be required to walk to school from the site, but will be required to walk to bus stops for which adequate facilities will be provided. The Examiner finds that the frontage improvements along 39<sup>th</sup> Avenue SE are directly linked to the need to provide safe walking conditions for school children from the development

to the bus stop at the intersection of 39<sup>th</sup> Avenue SE and 226<sup>th</sup> Street SE, and that the facilities will provide for the general public health, safety and welfare.

B. Bicycle Facilities. The County's current adopted Countywide Bicycle Facility System Map (Map) became effect on February 1, 2006 and is part of the County's GMA Comprehensive Plan (GMACP). The subject development borders on a right-of-way that has been identified on the adopted Map. A bicycle path is required along the development's frontage on 39<sup>th</sup> Avenue SE and 228<sup>th</sup> Street SE according to the Map. The proposed right-of-way improvements will accommodate a bicycle lane.

11. Mitigation for Impacts to Schools (Chapter 30.66C SCC) Chapter 30.66C SCC provides for collection of school impact mitigation fees at the time of building permit issuance based upon certified amounts in effect at that time. Pursuant to Chapter 30.66C SCC, school impact mitigation fees will be determined according to the Base Fee Schedule in effect for the Northshore School District No. 417 at the time of building permit submittal and collected at the time of building permit issuance for the proposed units. (Exhibits H.9 and K) Credit is to be given for one (1) existing lot. Payment of school impact fees has been included as a condition of approval of the development.

12. Drainage and Land Disturbing Activities (Clearing and Grading) (Chapters 30.63A and 30.63B SCC) The project site lies within two separate drainage basins, both tributaries to North Creek, which is known habitat for ESA-listed salmonids. Stormwater runoff from the proposed impervious surfaces will be routed to two separate detention tanks. The western basin discharges to Palm Creek located approximately ¼ mile west of the site. The easterly basin discharges to Coal Creek, which is located on-site. Discharge from the tanks will be controlled to release the developed 2-year, 24-hour storm at 50% of the pre-developed 2-year rate, the developed 10-year, 24-hour storm at the pre-developed 10-year rate, and the developed 100-year, 24-hour storm at the pre-developed 100-year rate. Water quality will be maintained by the provision of stormfilter cartridges.

PDS (Engineering) has reviewed the concept offered and recommended approval of the project, subject to conditions which would be imposed during full drainage plan review pursuant to Chapter 30.63A SCC.

Grading quantities are anticipated to be approximately 25,000 cubic yards of cut and 25,000 cubic yards of fill, primarily for road, drainage facility, and home site construction. Water quality will be controlled during construction by use of silt fences and straw bales in accordance with a Temporary Erosion and Sedimentation Control Plan (TESCP) required by Chapter 30.63A SCC. The Applicant will be required to obtain a Land Disturbing Activity Permit.

13. Critical Areas Regulations (Chapter 30.62 SCC) There are two critical areas on the subject property, a wetland with a stream running through it lying in the eastern portion of the property, and Coal Creek, a Type F stream. The wetland is a riverine palustrine emergent/palustrine forested wetland. The stream/wetland area will be preserved and protected with native vegetation buffers ranging from 75 to 113 feet in width. Buffer impacts from road widening will result in impacts to 6,034 square feet of buffer area. Wetland buffer enhancement of 35,000 square feet will occur as mitigation for this impact.

PDS has reviewed the Critical Areas Study and Mitigation Plan (Exhibit C.4) and determined that the application is in conformance with Chapter 30.62A SCC (critical areas regulations) and is consistent with the purpose and objectives of the chapter to safeguard the public health, safety and welfare.



14. International Fire Code – (Chapter 30.53A SCC) PDS sent a request for review document to Fire District #7. Fire District #7 responded on October 14, 2010 (Exhibit H.8). The County Fire Marshall also conducted an internal review of the proposed plat and recommended approval of the preliminary plat on February 12, 2011. (Exhibit H.10) The Fire Marshall recommended the following:
- A. Fire flow and fire hydrants shall be provided in accordance with Snohomish County Code 30.53A.514 through 30.53A. 520. Fire hydrants serving single-family dwellings shall have a maximum lateral spacing of 600 feet with no lot or parcel in excess of 300 feet from a hydrant. Hydrant locations shall be depicted on the face of the plat, and locations for new hydrants shall be approved by this office. The following requirements shall apply to the installation of any required hydrant:
    - o Four (4) inch storz type steamer port fittings shall be provided on new hydrants.
    - o The top(s) of the hydrant(s) shall be colored green.
    - o Install blue street reflector(s) on the hydrant side of centerline to indicate hydrant location(s).
  - B. The minimum required fire flow for this project has been determined to be 1,000 GPM at 20 psi for a one-hour duration. Prior to final plat approval, in order to assure consistency with the applicable provisions of Snohomish County Code 30.53A.520(16), the developer shall provide the required fire hydrants and written confirmation from the water purveyor that the minimum required fire flow of 1,000 gallons per minute (gpm) at 20 psi for a one-hour duration can be provided. *If the required fire flow cannot be provided the new dwellings shall be provided with NFPA 13-D fire suppression systems. If there are dwellings that exceed 3,600 square feet the required fire flow shall be determined using Appendix B of the 2006 edition of the International Fire Code. It shall be noted as a restriction in the recording of the final plat that the new dwellings shall not exceed 3,600 square feet.* (Emphasis added).
  - C. Fire apparatus access shall not be obstructed in any manner including the parking of vehicles. The Applicant shall provide signage or pavement striping on both sides of the access road if it is less than 28' in width, one side of the road if it is 28' wide but less than 36' wide stating "NO PARKING – FIRE LANE" to ensure access availability. If pavement striping is used the curbs shall be painted yellow with black lettering.
  - D. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Street signage shall be in place prior to occupancy. Numbers shall contrast with their background. (Section 505.1 IFC)

The Fire Marshall found that fire apparatus access as depicted on the Official Site Plan meets the minimum requirements of Snohomish County Code 30.53A.51. However, PDS and the Applicant recommend changing the italicized portion of the Fire Marshall's recommended condition in Paragraph "B," above, to read as follows:

*If there are dwellings that exceed 3,600 square feet, the fire flow shall be determined by Using Appendix B of the 2009 edition of the International Fire Code. If the required fire flow cannot be provided, and there are dwellings that*

*exceed 3,600 square feet, the dwellings shall be provided with NFPA 13D Fire Suppression systems.*

(See, Exhibit L.2) A proposed change to the Conditions of Approval C.vi. was also proposed consistent with the language set forth above. The Hearing Examiner offered an opportunity for parties of record to comment on the proposed language, and no comments or concerns were received. The Hearing Examiner finds that the revised language is more closely reflective of the standards set forth in the IFC and the County's regulations, and accepts those proposed changes to the Fire Marshall's recommendations and proposed Conditions of Approval.

15. Utilities.

- A. Sewer. Sewer will be supplied by the Alderwood Water and Wastewater District. (Exhibit H.6)
- B. Electricity. The Snohomish County PUD No. 1 notified the County on August 12, 2010, that they can provide electrical service to the development. (Exhibit H.7)
- C. Water. Potable water will be supplied by the Alderwood Water and Wastewater District. The District has indicated that adequate water supply is available to serve the development. (Exhibits H.5)

16. Zoning (Chapter 30.2 SCC) This project will meet zoning code requirements for lot size, bulk regulations and other zoning code requirements, including those required under the PRD Code, as discussed below.

17. State Environmental Policy Act (SEPA) (Chapter 30.61 SCC) PDS issued a Determination of Nonsignificance (DNS) for the subject application on April 18, 2012 (Exhibit E.2). The DNS was not appealed. Accordingly, the Hearing Examiner finds that compliance with the procedural requirements of SEPA has been met.

18. Subdivision Code (Chapter 30.41A SCC) The proposed plat also meets Chapter 30.41A SCC requirements. As conditioned, the plat will meet all of the County's transportation and road regulations and design standards. The Examiner finds that all lots as proposed are outside of all regulated flood hazard areas and that none of the lots are proposed in areas that are subject to flood, inundation or swamp conditions. (SCC 30.41A.110) The Fire Marshall has determined that the project will meet the County's fire regulations subject to the proposed conditions included in the PDS Staff Recommendation, as amended. (Exhibits K, L.2) Accordingly, the Hearing Examiner finds that the proposed plat, as conditioned, also meets the general requirements under SCC 30.41A.100 with respect to health, safety and general welfare of the community.

19. Plats – Subdivisions – Dedications (Chapter 58.17 RCW) The subdivision has been reviewed for conformance with criteria established by RCW 58.17.100, .110, .120, and .195. The criteria require that the plat conform with applicable zoning ordinances and comprehensive plans, and make appropriate provisions for the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe pedestrian facilities for students.

The proposed subdivision conforms generally with the development regulations of the UDC. There is open space provided within the subdivision in the form of active open space, wetland, stream and buffer areas. The single-family homes within the subdivision will be in character with the urban area and meet the new Urban Residential Design Standards (URDS). Provisions for adequate drainage have been made in the conceptual plat design which indicates that the final design can conform to Chapter 30.63A SCC and Chapter 30.63C SCC. The plat, as conditioned, will conform to Chapters 30.66A, 30.66B and 30.66C SCC, satisfying County requirements with respect to parks and recreation, traffic, roads and walkway design standards, and school mitigation. Adequate drinking water and sewage disposal will be provided by the Alderwood Water and Wastewater District.

### **Planned Residential Development Criteria**

In addition to meeting the requirements of the County's subdivision regulations, the Applicant is seeking to develop PRD, and must meet the additional requirements of Chapter 30.42B SCC.

20. Unit Yield (SCC 30.42B.040) For all PRDs (except certain retirement housing), the maximum number of dwelling units permissible shall be 120 percent of the maximum number of units permitted by the underlying zoning (here R-9600). In the R-9600 zone, the maximum number of dwelling units allowed is reduced so that the maximum net density does not exceed nine (9) dwelling units per net acre (du/ac). PDS has determined that the net density for the subject application is 8.58 du/acre. Accordingly, the requirement has been met.
21. Design Criteria (SCC 30.42B.100) The proposed project has been reviewed by PDS and was found to meet the requirements of the applicable zoning regulations. There are no proposed condominiums or multi-family dwellings proposed in the subject development.

The development is subject to the URDS as set forth in Chapter 30.23A SCC. The Applicant provided the Official Site Plan and the architect's rendering of the proposed residences (Exhibit A.4), demonstrating that the five different designs they propose to build can meet the architectural design requirements set forth in SCC 30.23A.040.

22. Open Space (SCC 30.42B.115)

(1) Open Space: A minimum of twenty percent of the gross site area which is 530,329 square feet, or 106,066 square feet of open space, is required. The total open space provided is 145,151 square feet. Total open space areas would be used for perimeter landscape areas, critical areas and buffers as well as passive and active recreation uses. Total open space will be permanently established in clearly designated separate tracts. The tracts in this development will be owned by all lot owners per SCC 30.42B.115(1)(e)(iii). Required covenants, conditions and restrictions will be recorded to provide for maintenance of the total open space in a manner which will assure its continued use as approved. (Exhibit B.3, K)

(2) On-site Recreation: Total open space must contain on-site recreation space in the amount of 600 square feet per dwelling unit. The minimum requirement in this case is 64 units x 600 = 38,400 square feet; the developer has designated 46,784 square feet of the open space as recreation areas, exceeding the County's requirements. Open space will be developed with a trail system/pedestrian path and open play fields. Forty percent (15,360 square feet) of the required usable open space shall be located in a single open space tract or permanent easement, which is provided in Tract 997. The on-site recreation space shall be accessed by all-weather pedestrian pathways or sidewalks from all lots and dwellings in the PRD. The proposal complies with these provisions. (Exhibits B.3 & K)

(3) Active Recreation Uses: Thirty percent of the required on-site recreation space is to be developed for active recreation uses. Based upon the recreation space requirement of 38,400 square feet, 11,520 square feet of active recreation area is required. The Applicant proposes 12,000 square feet of active recreation area, exceeding the County's requirements. The trail system and open play area comprise the active recreation spaces. Areas proposed for active recreation meet the maximum slope criteria of less than 6 percent. (Exhibits B.3 & K)

23. Tree Retention and Landscaping (SCC 30.42B.125) – Landscaping Buffer Modification Request PRDs must meet the requirements of Chapter 30.25 SCC relating to landscaping and tree retention. The proposed landscaping meets these requirements with the exception of the perimeter adjacent to proposed Lots 30, 31, 41 and 42. The Applicant has requested approval of a Landscaping Buffer Modification to allow the placement of a fence, instead of the landscaping, adjacent to these lots. (Exhibit A.2) According to SCC 3.025.050:

The Hearing Examiner may approve a request for modification when:

- (a) The proposed landscaping represents an equal or better result than would be achieved by strictly following the requirements of the code; and
- (b) The proposed landscaping fulfills the purpose of this chapter set forth in SCC 30.25.011(1).

The County Code does not contain a section SCC 30.25.011(1). Assuming this is a typographical error, and instead refers to SCC 30.25.010(1), the Examiner evaluates the modification request as follows:

The four lots for which this modification is requested are physically lower than surrounding properties. Each of the lots will be graded so that they will be approximately 6 to 8 feet lower than adjoining off-site residential uses. Each lot will have a cut rockery along the rear property line. Rockeries must be fenced in accordance with EDDS standards. As such, the landscaping required would not be visible from adjoining properties, nor is there adequate room on top of the proposed rock retaining walls to plant vegetation. PDS has recommending approval of the landscape modification request. The Hearing Examiner finds that a fence would provide better screening for the adjacent properties than the landscaping, and that the construction of a wooden fence will fulfill the screening purpose of SCC 30.25.010(1). The Hearing Examiner finds that the landscaping buffer modification request should be approved.

24. Roads, Access, Circulation, Pedestrian Facilities and Parking (SCC 30.42B.140) In a PRD, roads, access, circulation, and pedestrian facilities shall be provided pursuant to Chapter 30.24 SCC. The configuration and design of the roads and access facilities in this development have been reviewed extensively and have been found to be accordance with Chapter 30.24 SCC, 30.66B SCC, Chapter 30.53A SCC, and the Engineering Design and Development Standards (EDDS). These issues are addressed in Findings of Fact Nos. 9 and 10, above, and will not be repeated here.

The PRD shall also provide for parking as required in Chapter 30.26 SCC, which requires two (2) parking spaces per unit. In addition, guest parking shall be provided at the rate of one-half space per single-family dwelling. With 64 units this would total 160 parking spaces. The PRD official site plan submitted shows 256 parking spaces. (Exhibit B.3) Accordingly, the Applicant has exceeded the County's parking requirements.

25. Bulk Requirements (SCC 30.42B.145(1)) The proposed PRD site plan has been determined to comply with the dimensional standards within Table 1 for single-family residential development,

including lot width, lot area, setbacks and lot coverage. The Applicant has demonstrated that all lots meet the bulk requirements.

26. Dedication Requirements (SCC 30.42B.200) Dedications require an individualized determination that the dedication is reasonably related in nature and extent to the impact of the proposed development. Here, PDS's traffic engineers performed an individualized determination as to the extent of right-of-way needed to meet the County's urban design standards. The 66 single-family residences from the development will generate a total of 572.76 new average daily trips (ADT) on the road system. The current number of ADT on 39<sup>th</sup> Avenue is 7,100 ADT. The roads serving the development (39<sup>th</sup> Avenue SE and 228<sup>th</sup> Street SE) are both designated as minor arterials, and require a right-of-way width of 40 feet on each side of the centerline. Along 39<sup>th</sup> Avenue SE, 30 feet and 40-50 feet exist on the development's side of the right-of-way. The current standard meets a rural design standard. The improvements are required to meet the County's urban design standards for these designated minor arterial roads. The improvements will provide continuity with existing and future proposed developments along 39<sup>th</sup> Avenue SE. The traffic engineers determined that the Applicant should be required to dedicate 10 feet of additional right-of-way along 39<sup>th</sup> Avenue SE to meet the County's design standard. They determined that no additional right-of-way is needed along 228<sup>th</sup> Street SE. Based on the analysis provided, the Hearing Examiner finds that an individualized determination was made relating to the dedication of 10 additional feet of right-of-way along 39<sup>th</sup> Avenue SE to create an urban minor arterial roadway. Given the amount of trips generated by the development, the Examiner finds that the dedication proposed is rationally related to the impact of the development on the road system. (Exhibits C.2 & K)
27. Official Site Plan(SCC 30.42B.200) The Hearing Examiner finds that, based on Findings of Fact Nos. 8 through 26, the Applicant has met the requirements of the PRD regulations and the Official Site Plan should be approved.
28. Any Finding of Fact in this Decision, which should be deemed a Conclusion of Law, is hereby adopted as such.

### CONCLUSIONS OF LAW

1. The Examiner has original jurisdiction over subdivision applications pursuant to Chapter 30.72 SCC and Chapter 2.02 SCC.
2. The Examiner must review the proposed subdivision application under RCW 58.17.110, the legal standard for approval of a preliminary subdivision. The Examiner must find that:

The proposed subdivision complies with the established criteria therein and makes the appropriate provisions for public, health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students . . . .

RCW 58.17.110. The Examiner concludes that the Applicant has met its burden in showing the established criteria have been met. The proposal is consistent with the state subdivision statute, the GMACP; GMA-based county codes, the type and character of land use permitted on the project site, the permitted density and applicable design and development standards.

3. Given the information provided in the record and the Findings of Fact made above, the Examiner also concludes that the Applicant has met its burden in showing that the subdivision application meets the requirements of Chapter 30.41A SCC.
4. The Hearing Examiner has reviewed the requirements for PRDs (Chapter 30.42B SCC), and concludes that the development, as designed, meets the design and performance standards of the PRD regulations.
5. The Examiner concludes that adequate public services exist to serve this proposal.
6. If approved with the recommended preconditions and conditions, the proposal will make adequate provisions for the public health, safety, and general welfare.
7. Any Conclusion of Law in this Decision, which should be deemed a Finding of Fact, is hereby adopted as such.

### DECISION

Based on the foregoing Findings of Fact and Conclusions of Law, the Hearing Examiner hereby issues the following final decision and order:

1. The Proposed Landscaping Buffer Modification is GRANTED.
2. The application for Preliminary Subdivision Approval and Planned Residential Development are GRANTED subject to the following PRECONDITION and CONDITIONS:

#### PRECONDITION

The Official Site Plan and Preliminary Plat Map (Exhibit B.1) shall be corrected with regard to the statement as to “**Tract Ownership and Maintenance**” to reflect that there are now only 64 lots, rather than 66 lots, proposed as part of the development.

#### CONDITIONS

- A. The preliminary plat received by PDS on February 10, 2012 (Exhibit B.1), as revised by the Precondition above, shall be the approved plat configuration. Changes to the approved plat are governed by SCC 30.41A.330. Additionally, the PRD official site plan received by PDS on February 10, 2012 (Exhibit B.1), as revised by the Precondition above, shall be the PRD official site plan. SCC 30.42B.220 governs changes to the planned residential development official site plan.
- B. Prior to initiation of any site work; and/or prior to issuance of any development/construction permits by the County:
  - i. All site development work shall comply with the requirements of the plans and permits approved pursuant to Condition A, above.
  - ii. The plattor shall mark with temporary markers in the field the boundary of all Critical Area Protection Areas (CAPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the CAPA using methods and materials acceptable to the county.

- iii. A final mitigation plan based on the *Critical Areas Study* prepared by David Evans and Associates, Inc. dated October 2011 (Exhibit C.4) shall be submitted for review and approval during the construction review phase of this project.
- iv. A detailed landscape and recreational facilities plan shall have been submitted to and approved by PDS. The plan shall be prepared in general conformance with Exhibit B.3 and in conformance with all required landscape standards for perimeter, streetscape and open space treatment, and shall include a significant tree retention plan.
- v. PRD covenants, deeds and homeowners' association bylaws and other documents shall have been submitted to and approved by PDS guaranteeing maintenance of open space, community facilities, private roads and drives, and all other commonly-owned and operated property. The documents shall have been reviewed by and accompanied by a certificate from an attorney that they comply with Chapter 30.42B SCC requirements prior to approval by PDS. To ensure permanent, ongoing maintenance of landscape areas, landscape maintenance covenants shall be prepared by the applicant and submitted together with documents otherwise required for maintenance of site improvements pursuant to SCC 30.42B.250.

C. The following additional restrictions and/or items shall be indicated on the face of the final plat:

- i. "The dwelling units within this development are subject to park impact fees in the amount of \$1,244.49 per newly approved dwelling unit pursuant to Chapter 30.66A SCC. Payment of these mitigation fees is required prior to building permit issuance; provided that the building permit has been issued within five years after the application is deemed complete. After five years, park impact fees shall be based upon the rate in effect at the time of building permit issuance."
- ii. "Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit:  
 \$2,058.37 per lot for mitigation of impacts on county roads paid to the County (Transaction Code 5212). Credit for certain expenditures may be allowed against said payments to the extent authorized by code. Any reduction in the per-lot amount shall be documented in the RECORDS OF DEVELOPER OBLIGATIONS FORM.  
 \$1,700.58 per lot for mitigation of impacts to City of Bothell streets paid to the City. Proof of payment of the above amount shall be provided to the County.  
 These payments are due prior to or at the time of building permit issuance for each single family residence. Notice of these mitigation payment obligations shall be contained in any deeds involving this subdivision or the lots therein."
- iii. "The lots within this subdivision will be subject to school impact mitigation fees for the Northshore School District No. 417 to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for one (1) existing parcel. Lot 1 shall receive credit."
- iv. All critical areas shall be designated Critical Area Protection Areas (CAPA) with the following language indicated on the face of the plat:

"All CRITICAL AREA PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or

placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 30.91N.010 are allowed when approved by the County.”

- v. “All open space shall be protected as open space in perpetuity. Use of the open space tracts within this subdivision is restricted to those uses approved for the planned residential development, to include open play areas, trail system, drainage facilities, and required landscape improvements as shown on the approved site plan and the approved landscape plan. Covenants, conditions and restrictions as recorded with the plat, and as may be amended in the future, shall include provisions for the continuing preservation and maintenance of the uses, facilities and landscaping within the open space as approved and constructed.”
- vi. If the new dwellings exceed 3,600 square feet in size, fire flow to the dwellings must be provided in accordance with Appendix B of the 2009 International Fire Code or NFPA 13D Fire Suppression Systems shall be installed in the dwellings.

D. Prior to recording of the final plat:

- i. The features on the approved TDM Plan shall have been constructed/installed.
- ii. Urban frontage improvements shall be constructed along the parcel's frontage on 39<sup>th</sup> Avenue SE and 228<sup>th</sup> Street SE to the satisfaction of the County.
- iii. Critical Area Protection Areas (CAPA) boundaries shall have been permanently marked on the site prior to final inspection by the county, with both CAPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The plat may use other permanent methods and materials provided they are first approved by the county. Where a CAPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

CAPA signs shall have been placed no greater than 100 feet apart around the perimeter of the CAPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the CAPA, unless otherwise approved by the county biologist. The design and proposed locations for the CAPA signs shall be submitted to PDS for review and approval prior to installation.

- iv. The final wetland mitigation plan, based on Chapter 8 of the Critical Areas Study, shall be completely implemented.
- v. The landscape plan shall be completely implemented. A bond or other guarantee of performance shall have been submitted to and accepted by PDS to assure compliance with the provisions of SCC 30.42B.125.

Nothing in this approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the County are valid for seven (7) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.300.



Decision issued this 6th day of June, 2012.



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Millie Judge, Hearing Examiner

<b>EXPLANATION OF RECONSIDERATION AND APPEAL PROCEDURES</b>
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The decision of the Hearing Examiner is final and conclusive with right of appeal to the County Council. However, reconsideration by the Examiner may also be sought by one or more parties of record. The following paragraphs summarize the reconsideration and appeal processes. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council Rules of Procedure.

**Reconsideration**

Any party of record may request reconsideration by the Examiner **within 10 days** from the date of this decision. A petition for reconsideration must be filed in writing with the Office of the Hearing Examiner, 2<sup>nd</sup> Floor, Robert J. Drewel Building, 3000 Rockefeller Avenue, Everett, Washington, (Mailing Address: M/S No. 405, 3000 Rockefeller Avenue, Everett WA 98201) **on or before JUNE 18, 2012**. There is no fee for filing a petition for reconsideration. "The petitioner for reconsideration shall mail or otherwise provide a copy of the petition for reconsideration to all parties of record on the date of filing." [SCC 30.72.065]

A petition for reconsideration does not have to be in a special form but must: contain the name, mailing address and daytime telephone number of the petitioner, together with the signature of the petitioner or of the petitioner's attorney, if any; identify the specific findings, conclusions, actions and/or conditions for which reconsideration is requested; state the relief requested; and, where applicable, identify the specific nature of any newly discovered evidence and/or changes proposed by the Applicant.

The grounds for seeking reconsideration are limited to the following:

- (a) The Hearing Examiner exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching the Hearing Examiner's decision;
- (c) The Hearing Examiner committed an error of law;
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by the record;
- (e) New evidence which could not reasonably have been produced and which is material to the decision is discovered; or
- (f) The Applicant proposed changes to the application in response to deficiencies identified in the decision.

Petitions for reconsideration will be processed and considered by the Hearing Examiner pursuant to the provisions of SCC 30.72.065. Please include the County file number in any correspondence regarding this case.

**Appeal**

An appeal to the County Council may be filed by any aggrieved party of record **within 14 days from the date of this decision**. Where the reconsideration process of SCC 30.72.065 has been invoked, no appeal may be filed until the reconsideration petition has been disposed of by the hearing examiner. An aggrieved party need not file a petition for reconsideration but may file an appeal directly to the County Council. If a petition for reconsideration is filed, issues subsequently raised by that party on appeal to the County Council shall be limited to those issues raised in the petition for reconsideration.

Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with the Department of Planning and Development Services, 2<sup>nd</sup> Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S No. 604, 3000 Rockefeller Avenue, Everett, WA 98201) **on or before JUNE 20, 2012**, and shall be accompanied by a filing fee in the amount of five hundred dollars (\$500.00) for each appeal filed; PROVIDED, that the fee shall not be charged to a department of the County. The filing fee shall be refunded in any case where an appeal is summarily dismissed in whole without hearing under SCC 30.72.075.

An appeal must contain the following items in order to be complete: a detailed statement of the grounds for appeal; a detailed statement of the facts upon which the appeal is based, including citations to specific Hearing Examiner findings, conclusions, exhibits or oral testimony; written arguments in support of the appeal; the name, mailing address and daytime telephone number of each appellant, together with the signature of at least one of the appellants or of the attorney for the appellant(s), if any; the name, mailing address, daytime telephone number and signature of the appellant's agent or representative, if any; and the required filing fee.

The grounds for filing an appeal shall be limited to the following:

- (a) The decision exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching his decision;
- (c) The Hearing Examiner committed an error of law; or
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by substantial evidence in the record. [SCC 30.72.080]

Appeals will be processed and considered by the County Council pursuant to the provisions of Chapter 30.72 SCC. Please include the County file number in any correspondence regarding the case.

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**Staff Distribution:**

Department of Planning and Development Services: Bob Pemberton

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation." A copy of this Decision is being provided to the Snohomish County Assessor as required by RCW 36.70B.130.

**This decision is binding but will not become effective until the above precondition(s) have been fulfilled and acknowledged by the Department of Planning and Development Services (PDS) on the original of the instant decision. Document(s) required for fulfillment of the precondition(s) must be filed in a complete, executed fashion with PDS not later than JUNE 6, 2013.**

1. "Fulfillment" as used herein means recordation with the County Auditor, approval/acceptance by the County Council and/or Hearing Examiner, and/or such other final action as is appropriate to the particular precondition(s).

2. One and only one six month period will be allowed for resubmittal of any required document(s) which is (are) returned to the applicant for correction.
3. This conditional approval will automatically be null and void if all required precondition(s) have not been fulfilled as set forth above; PROVIDED, that:
  - A. The Examiner may grant a one-time extension of the submittal deadline for not more than twelve (12) months for just cause shown if and only if a written request for such extension is received by the Examiner prior to the expiration of the original time period; and
  - B. The submittal deadline will be extended automatically an amount equal to the number of days involved in any appeal proceedings.

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### ACKNOWLEDGMENT OF FULFILLMENT OF PRECONDITIONS

The above imposed precondition(s) having been fulfilled by the applicant and/or the successors in interest, the Department of Planning and Development Services hereby states that the instant decision is effective as of \_\_\_\_\_, \_\_\_\_\_.

Certified by:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

PARTY OF RECORDS REGISTER  
10-107154-SD THE RESERVE AT  
CAYON PARK

SNO CO PUD NO 1  
DEAN SAKSENA  
PO BOX 1107  
EVERETT WA 98206-1107

WA ST DEPT OF TRANSPORTATION  
SCOTT RODMAN  
PO BOX 330310  
SEATTLE WA 98133-9710

SNO CO PLANNING & DEV/LAND USE  
PEMBERTON/WHEELER  
3000 ROCKEFELLER AVE M/S 604  
EVERETT WA 98201

SNO CO DEPT OF PUBLIC WORKS  
COUNTY ENGINEER  
3000 ROCKEFELLER AVE # 607  
EVERETT WA 98201

WEST RIDGE LAND CORP  
PO BOX 1648  
BOTHELL WA 98041

MARK FLURY  
3409 MCDOUGALL AVENUE  
EVERETT WA 98201

CITY OF BOTHELL  
WASIM KHAN  
9654 NE 182ND ST  
BOTHELL WA 98011

MUCKLESHOOT TRIBE  
KAREN WALTER  
39015 172ND AVE SE  
AUBURN WA 98092

ALDERWOOD WATER DISTRICT  
DAN SCHEIL  
3626 156TH ST SW  
LYNNWOOD WA 98087-5021

SNOHOMISH COUNTY FIRE  
DISTRICT 7  
GARY MEEK  
8010 180TH ST SE  
SNOHOMISH WA 98296

NORTHSHORE SCHOOL DISTRICT  
3330 MONTE VILLA PARKWAY  
BOTHELL WA 98021

TED HAUGEN  
NO ADDRESS GIVEN

SHERRI & JESS LABAYEN  
3732 226TH ST SE  
BOTHELL WA 98021

BOB & BECKY PEERY  
3806 226TH ST SE  
BOTHELL WA 98021

BRIAN TERRIL  
3802 26TH ST SE  
BOTHELL WA 98021

CHARLES WAUGH  
3812 226TH ST SE  
BOTHELL WA 98021

KLN CONSTRUCTION  
B HOLTZCLAW, C ANDERSON & B  
GIDDINGS  
PO BOX 760  
EDMONDS WA 98020

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