

**Ace Metal Recycling Center
Covered Storage Area
Conditional Use Permit (CUP) CUP-2018-003
11110 Mukilteo Speedway**



Mukilteo Hearing Examiner
February 26, 2019
2:00 p.m.
Mukilteo City Council Chambers
11930 Cyrus Way, Mukilteo WA 98275

City of Mukilteo, Washington
COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

To: Mukilteo Hearing Examiner


Hearing Date: February 26, 2019, 2:00 pm

From: Linda Ritter, Senior Planner

Re: Ace Metal Recycling Center Conditional Use Permit, 11110 Mukilteo Speedway
(CUP-2018-003)

Applicant:	Mr. Bill Spidell on behalf of Ace Metal Recycling Center
Owner:	Mr. James Yoo
Summary of Request:	<p>Conditional Use Permit application to allow for the expansion/intensification of a non-conforming use (Junkyard)) in the Community Business - South (CB(S)) zoning district for property located at 11110 Mukilteo Speedway. (Mukilteo Municipal Code (MMC) section 17.68.050A)</p> <p>The applicant proposes to construct a new 420 square foot non-enclosed building to cover part of an existing paved outdoor storage area. Seattle District Court mandates this cover as part of a settlement for a stormwater violation lawsuit brought forth by Puget Soundkeeper.</p> <p>The covered storage area is to protect the open bins which are filled with various metals. The covered storage area reduces potential contamination from rainwater and potential discharge into stormwater system. This covered storage area must be built in conjunction with installation of a stormwater filter system that has been reviewed and approved by the Department of Ecology and the City of Mukilteo.</p>
Staff Recommendation	That the Mukilteo Hearing Examiner APPROVE the Conditional Use Permit (CUP-2018-003) with the conditions found under the recommendation section of the staff report.

PROJECT DESCRIPTION / SITE CHARACTERISTICS

Location:	11110 Mukilteo Speedway, legally described as EVERGREEN MANOR NO 3 BLK 000 D-00 - TR 52
Area Description:	<p>The property is approximately 38,775 square feet in size and has an existing 8,709 square foot building occupied by two tenants. The westerly portion of the property, where the storage building will be placed, is generally flat. The property then gently slopes easterly towards the Mukilteo Speedway.</p> <p>The applicant's metal recycling business occupies 7,797 square feet of the building while a State licensed marijuana retail facility occupies the remaining 912 square feet. A fenced outdoor storage area is utilized by the applicant's metal recycling center to store recycled items until they are transported off the site. There are no critical areas on the property.</p>
Aerial:	

Utilities:	All utilities are available at this property. Water: Mukilteo Water and Wastewater District Sewer: Mukilteo Water and Wastewater District Electricity: Snohomish PUD	
Access / Street Imp.:	Access is from Mukilteo Speedway (SR 525) which is a Principal Arterial.	
Comprehensive Plan Designation:	Commercial	
Zoning Designation:	Community Business - South (CB(S))	
Adjacent Uses / Zoning District	North:	Auto Repair - Community Business -South (CB(S))
	South:	Storage Yard - Community Business - South (CB(S))
	East:	Airport/Flying Fields (Across Mukilteo Speedway in unincorporated Snohomish County) - Light Industrial (LI)
	West:	Manufacturing - Light Industrial (LI)
SEPA	Proposal is SEPA exempt. (WAC 197-11-800(6) - Land use decisions)	

BACKGROUND

On September 11, 2018 Mr. Bill Spidell on behalf of Ace Metal Recycling applied for a conditional use permit to construct a new 420 square foot non-enclosed building to cover a storage area on existing pavement for property located at 11110 Mukilteo Speedway. Seattle District Court mandates this covered storage area as part of a settlement for a stormwater violation lawsuit brought forth by Puget Soundkeeper.

The building will cover a storage area for the open recycling bins located within the existing fenced area. The conditional use permit is required because the new 420 square foot covered storage area constitutes an expansion/intensification of a non-conforming use (Mukilteo Municipal Code section 17.68.050A).

The property is zoned Community Business - South (CB(S)) and a metal recycling center is a legal nonconforming use as the property was rezoned in December 1999 from Light Industrial (LI) to CB(S).

The application was deemed complete on October 22, 2018. The project was circulated for review and comment on October 31, 2018. The Hearing Examiner's February 26, 2019 public hearing was noticed on February 11, 2019.

Existing Site Conditions



Storage Area



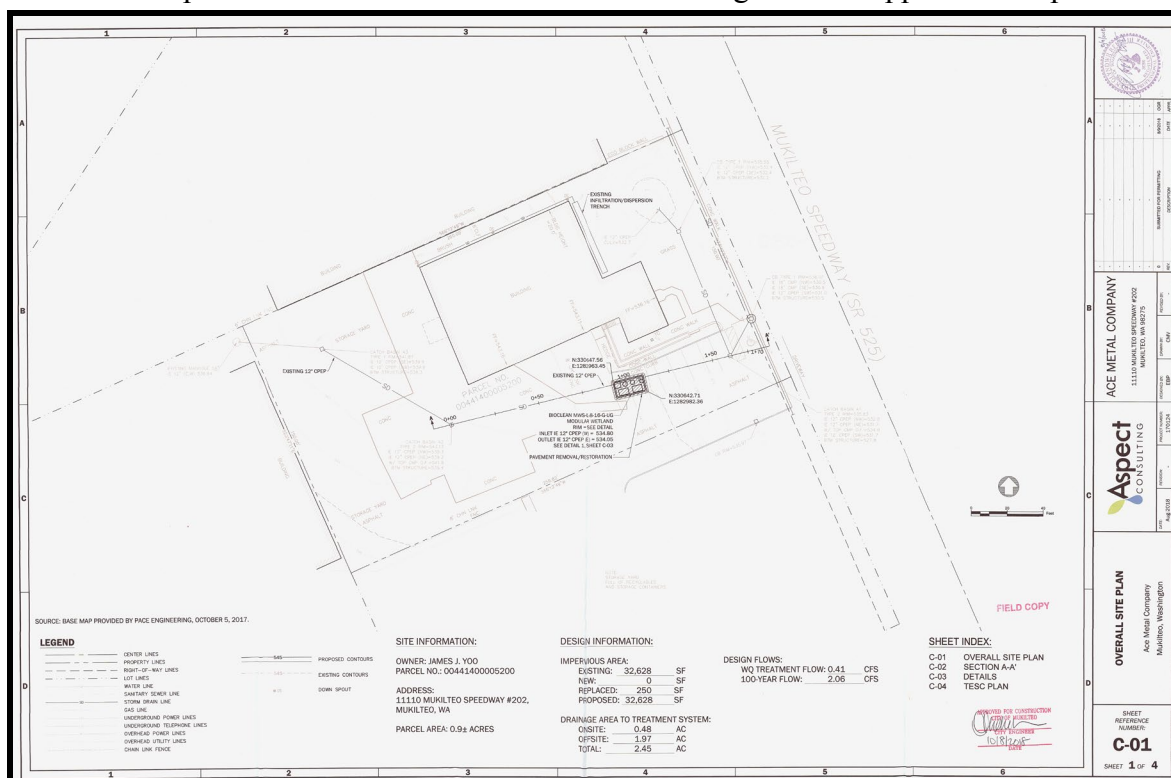
DISTRICT COURT MANDATED CORRECTIVE ACTION

In 2014 Ace Metal received a mandated corrective action from the Seattle District Court for a stormwater settlement. The lawsuit by Puget Soundkeeper was because of the facility's stormwater quality at monitoring point A2 exceeded the Industrial Stormwater General Permit (ISGP) number benchmarks for copper and zinc in three quarters of 2014. Accordingly, the ISGP required completion of a Level 3 Corrective Action by September 30, 2015.

The ISGP required the Department of Ecology (DOE) to review and approve an engineering report describing the planned Level 3 Corrective Action prior to implementation. An engineering report was prepared by Aspect Consulting, LLC in accordance with the Guidelines for the Preparation of Industrial Stormwater General Permit Reports (Ecology 2013).

DOE sent a letter dated June 21, 2018 approving the stormwater report for the Level 3 Corrective Action Requirements in the ISGP. As part of the DOE's approval, the open storage bins that store various types of metals were required to be covered to prevent runoff into the stormwater system which flows into Big Gulch Creek which is a fish bearing stream.

As part of the settlement, Ace Metal agreed to place a cover over the open metal storage containers filled with various metals to reduce potential contamination that may discharge into the stormwater system. The covered storage area requires approval by the Hearing Examiner as it constitutes an expansion/intensification of the nonconforming use. See approved site plan below.



On April 6, 1985 a certificate of occupancy was issued to Ironwood NW Inc. for a metal shop and office building located at 11110 Mukilteo Speedway. The property was zoned Light Industrial in the unincorporated area of Snohomish County at that time.

[illegible]

7

NONCONFORMING USE

MMC section 17.08.020 entitled “Definitions” defines a “nonconforming use” means:

“Nonconforming use” means a use which lawfully occupied a building or land at the time this title became effective, but which use, because of the passage or application of this title, or amendment thereof, does not conform with the use regulations of the district in which it is located.

A business similar to Ace Metal Recycling Center operated on the property prior to the annexation into the City. Today, Ace Metal’s operation is best defined as a “Junkyard” based on the handling of various discarded materials including metal for salvaging and recycling.

Per MMC Section 17.08,020 Definitions, a “junkyard” means:

“Junkyard” means a lot, land or structure, or part thereof, used for the collecting, storage or sale of wastepaper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage, salvaging or sale of parts of machinery or vehicles not in running condition.

The City of Mukilteo regulates permitted uses based on zoning districts in Mukilteo Municipal Code Chapter 17.16 entitled “Permitted, Conditional, Temporary and Interim Uses”. A Junkyard is not a permitted or conditional use in CB(S) zoning district.

Since a business similar to Ace Metal’s Recycling Center was legally established prior to being rezoned to CB(S), Ace Metal Recycling Center is considered a nonconforming use as the use has been continuous.

EXPANSION OF NONCONFORMING USES

MMC Chapter 17.68 entitled “Nonconforming Lots, Structures and Uses” provides regulations for nonconforming lots, structures and uses.

MMC Section 17.68.050A, under the heading “Nonconforming Uses” addresses the expansion and intensification of Nonconforming uses and states,

“A. Expansion or Intensification of Nonconforming Use. Expansion of an existing nonconforming use or intensification of an existing nonconforming use within the confines of an existing structure or lot may only occur subject to the following conditions:

- 1. No nonconforming use shall be enlarged, increased or extended to occupy a greater area of building or land than was occupied at the effective date of adoption or amendment of that portion of this code which rendered the use nonconforming, unless a conditional use permit has been approved by the city.*
- 2. No nonconforming use shall be moved, in whole or in part, to any portion of the building or lot other than that occupied by such use at the effective date of adoption or amendment of that portion of this code which rendered the use nonconforming, unless a conditional use permit has been approved by the city.*

3. *No nonconforming use shall be intensified unless a conditional use permit has been approved by the city.*”

The City of Mukilteo has interpreted the construction of the covered storage building as an expansion/intensification of use. Under this interpretation, a conditional use permit is required to be approved by the Hearing Examiner.

PROPOSED ACE METAL RECYCLING STORAGE UNENCLOSED BUILDING COVER

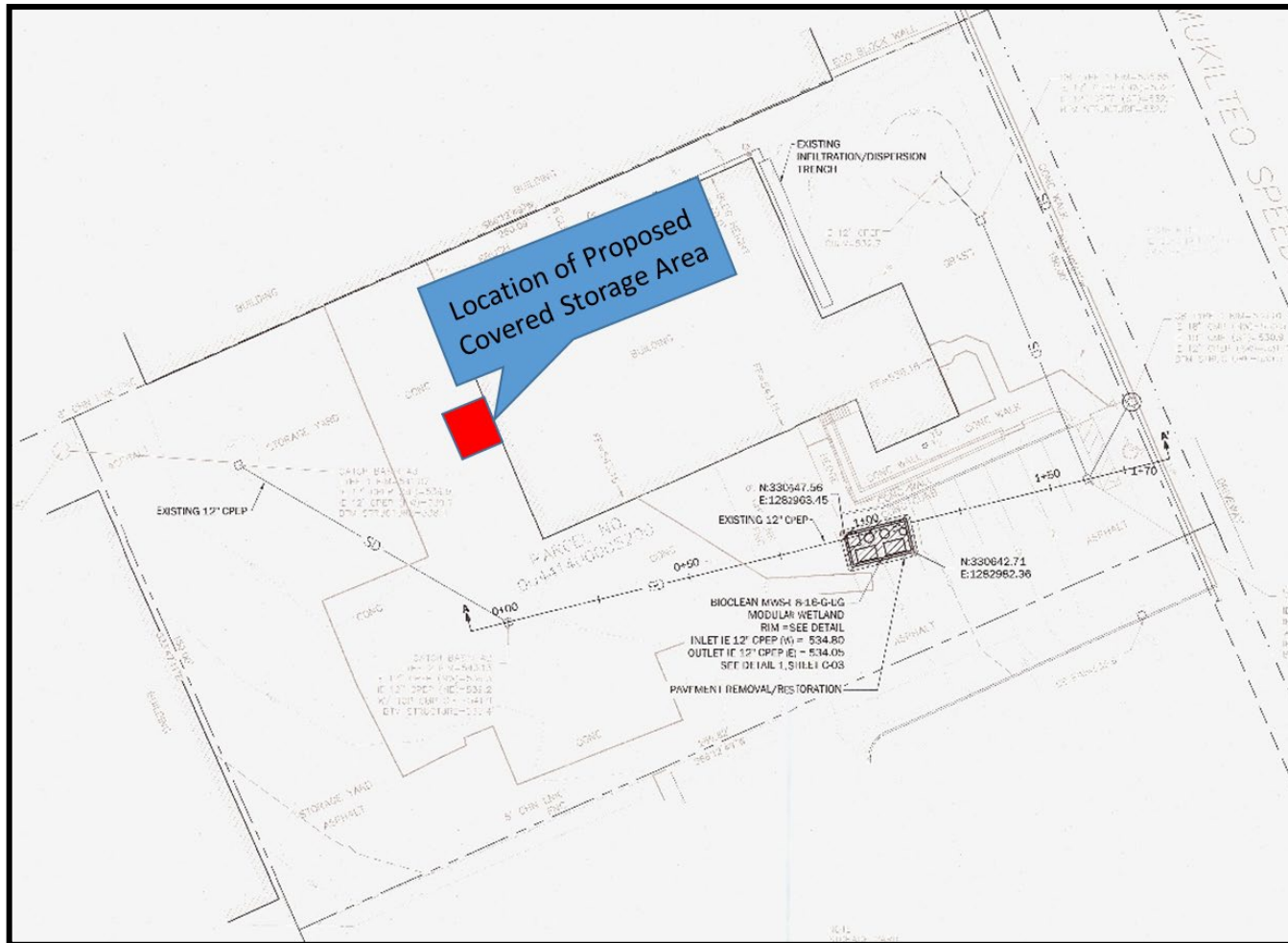
The pictures below show the proposed covered storage building, its proposed location as well as the existing fenced area. The proposed covered storage building is a pre-fabricated steel building that is less than 16 feet in height and is 420 square feet in size.

Proposed Covered Storage Building



As shown below, the storage area is completely fenced and paved and there is no expansion of the outdoor storage area. The proposed storage cover is not an enclosed building and will not be attached to the existing building. The structure will be required to be secured to the ground for safety reasons. A building permit was required for the covered structure.

Location for Proposed Covered Storage Building



ANALYSIS AND FINDINGS

1. On September 11, 2018 Mr. Bill Spidell on behalf of Ace Metal Recycling submitted a Conditional Use Permit application to allow for the expansion/intensification of a non-conforming use (Junkyard) in the Community Business - South (CB(S)) zoning district for property located at 11110 Mukilteo Speedway. (Mukilteo Municipal Code (MMC) section 17.68.050A).
2. The applicant proposes to construct a new 420 square foot (non-enclosed) building to cover part of an existing paved outdoor storage area. Seattle District Court mandates this cover as part of a settlement for a stormwater violation lawsuit brought forth by Puget Soundkeeper.
3. In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies.

The subject property is located in the Community Business - South (CB(S)) Zoning District. The following is an analysis of the proposal's consistency with adopted development regulations (See Finding #4 on conditional use permit standards for a discussion on Comprehensive Plan consistency).

CB(S) Zoning District

Regulation	Requirement	Submitted
Land Use: MMC 17.16.040	Commercial business. The Metal Recycling Center is a nonconforming use as it was a permitted use prior to the City's 1991 annexation of the area and rezoning the property in December 1999.	Non-Conforming Junkyard (Metal Recycling Center)
Setbacks: MMC 17.20.020	Front: 25' Rear: IBC, except 10' next to residential zones Sides: IBC, except 10' next to residential zones Corner: 25'	Front: 42' Rear: 91' North Side: 40' South Side: 87'
Lot Size: MMC 17.20.020	none	38,775 square feet
Building Height: MMC 17.20.020	35'	Existing Building: 30' Proposed Structure: 16'
Lot Coverage: MMC 17.20.020	50%	14%

Regulation	Requirement	Submitted
Maximum Hard Surface Limit: MMC 17.20.028	90% per lot	87%
Parking Off-Street: MMC 17.56.040	1.5 per 1,000 square feet of gross floor area, or 1 per employee, whichever is greater for the recycling center and 5.5 for the marijuana retail for a total of 16 spaces.	There is sufficient parking for the existing businesses and no additional parking is required.
Landscaping: MMC 17.156.130 & 17.58	5' Type III and Type I 10% of parking lot Parking lots containing less than 20 parking spaces need provide only perimeter screening to satisfy the 10%.	There is an existing structure on the property and the size of the addition does not warrant landscaping. Therefore no additional landscaping will be required.
Utilities:	Per the requirements of each utility provider	There are existing utilities on the site.

The applicant's proposal, as identified in the site plan dated, October 19, 2018, complies with the development standards of the City of Mukilteo zoning code. If approved, the conditional use permit should be conditioned to require development consistent with the Site Plan dated October 19, 2018.

4. MMC Section 17.64.020 entitled "Performance regulations" identifies the standards and regulations that must be met in order to qualify for a conditional use permit. The following identifies these standards and regulations, along with a staff analysis of the proposal's consistency with those standards/regulations.

Conditional Use Permit

Criteria	Analysis	Meets Criteria
<p>1. Per MMC 17.64.020(A), all conditional uses must be in accordance with the goals and objectives of the Comprehensive Plan and they must not violate the purpose of the district in which they will locate.</p>	<p>The proposal meets the goals and objectives of the City of Mukilteo Comprehensive Plan 2035.</p> <p>Expansion/intensification of a non-conforming use is a conditional use in the Community Business - South zoning district.</p> <p>The following Comprehensive Plan Land Use (LU) and Economic Development (ED) policies apply to this project:</p> <p>ED1: Programs that attract, support, and encourage businesses that will complement the City's vision and diversify its tax base shall be investigated and should be implemented if feasible.</p> <p>LU2f: Lighting regulations for development shall protect adjacent properties and public areas by allowing only non-glare shielded lighting at an intensity level that is no higher than necessary to meet safety standards.</p> <p>LU9b: Maintaining the natural hydrological functions of each watershed, and where appropriate and possible, restoring them along with freshwater and marine habitats to a more natural state and ecological functionality should be a consideration of all City of Mukilteo actions.</p>	<p>YES</p>

Criteria	Analysis	Meets Criteria
2. Per MMC 17.64.020(B), it must be demonstrated that all conditional uses if located as proposed would not be injurious or detrimental to the character of the zone or to its abutting or adjoining neighbors.	<p>Ace Metal Recycling Center is an existing business that was required as part of a lawsuit settlement to cover the outdoor open recycling storage bins. The proposed 420 square foot covered storage area will be located at the rear of the building and will not be visible from the Mukilteo Speedway.</p> <p>No additional parking or landscape screening is required for this proposal as there is adequate parking and the property is surrounded by commercial and industrial properties. Therefore, the proposed conditional use will not be injurious or detrimental to the character of the zone or to its abutting or adjoining neighbors.</p>	YES
3. Per MMC 17.64.020(C), the conditional use must employ reasonable measures of fencing, buffering, traffic restraints, sign and light controls, and any other appropriate measures to protect the surrounding properties and adjoining districts.	Ace Metal Recycling Center currently has privacy fencing around the storage yard. Existing outdoor lighting is in place and no additional lighting is purposed.	YES
4. Per MMC 17.64.020(D), all conditional uses must have adequate site area to accommodate the use. The minimum site area for a conditional use is no less than that permitted in the underlying district.	As there is no minimum lot size required for the permitted underlying zone, this standard is met. The lot is approximately 150' x 260' and contains an existing structure and a paved fenced area for the storage of the recycling containers and material. Therefore, the site area is adequate to accommodate the use.	YES
5. Per MMC 17.64.020(E), all conditional uses must conform to the dimensional regulations in the individual districts, except that additional restrictions may be imposed to ensure the uses are compatible within the district.	The existing building and proposed new building meet the zoning setback requirements. The use is nonconforming as a similar type of use was in operation prior to the property being rezoned in December 1999.	YES

Criteria	Analysis	Meets Criteria
6. Per MMC 17.64.020(F), all conditional uses having a site area in excess of one (1) acre must provide a buffer of trees and shrubs around the perimeter of lots abutting a residential zone.	Not applicable. The property does not abut a residential zone and is approximately 38,775 square feet in size which is less than one acre (43,560 square feet).	N/A
7. Per MMC 17.64.070(G), all applications for conditional uses must be accompanied by layout and development plans drawn to an appropriate scale which show at least the following: 1. Site plans showing landscaping, paving, parking, access, relationship of building to site, outdoor lighting, proposed fencing and topography; 2. Sections and elevations of proposed structure; 3. Vicinity map showing property, zoning and access; 4. Provision for sewage disposal, storm drainage and surface runoff.	The applicant submitted a scaled site plan showing the existing building and proposed storage cover on October 19, 2018. No landscaping, paving, parking or access for the development is required. All utilities exist on the site.	YES
8. Per MMC 17.64.070(H), all conditional uses must comply with the parking regulations in Chapter 17.56.	The proposed 420 square foot storage building does not require additional parking.	N/A
9. Per MMC 17.64.070(I), in the course of reviewing the Conditional Use Permit application, the City staff may request a recommendation by the Planning Commission on matters under its permit authority related to the Conditional Use Permit. The matters may include but are not limited to the Comprehensive Plan or the nature and intent of the zone in which the Conditional Use Permit is requested.	Staff concluded a review by the Planning Commission was not required as no new policy issues emerged which would merit the review. The proposal meets Comprehensive Plan and Zoning Code requirements, so a review by the Planning Commission is not necessary.	YES

Based on the above analysis, the applicant's conditional use permit application the standards and regulations that must be met in order to qualify for a conditional use permit identified in MMC section 17.64.020.

5. State Environmental Policy Act (SEPA)

The conditional use permit is SEPA exempt pursuant to WAC section 197-11-800(6), "Land use decisions" which states,

"(6) Land use decisions. The following land use decisions shall be exempt:

(a) Land use decisions for exempt projects, except that rezones must comply with (c) of this subsection.

.... "

The addition of a 420 square foot non-enclosed building for the property is exempt from the State Environmental Policy Act (SEPA) under Washington Administrative Code (WAC) subsections 197-11-800(1)(d) which states,

"(1) Minor new construction - Flexible thresholds.

...

(d) The maximum exemption levels applicable to (c) of this subsection are:

	Fully planning GMA counties		All other counties
Project types	Incorporated and unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single family residential	30 units	20 units	20 units
Multifamily residential	60 units	25 units	25 units
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 square feet	40,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 square feet and 90 parking spaces	12,000 square feet and 40 parking spaces	12,000 square feet and 40 parking spaces
Fill or excavation	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards

"

The proposal does not add additional square footage to exceed the SEPA exempt threshold of 30,000 square feet (WAC 197-11-800(1)(d)). The proposal does not involve a rezone. The conditional use permit land use decision is therefore SEPA exempt (WAC section 197-11-800(6)).

6. Public Notice

A. Notice of Application

Notice of this application has been provided in accordance with the provisions of MMC Chapter 17.13 entitled Land Use Development Procedures”. This project was circulated for review and comment on October 31, 2018, by advertising the Notice of Application in the local newspaper of record; mailing a copy of the Notice to property owners within 380 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices.

B. Notice of Public Hearing

A Notice of Public Hearing was advertised in the same manner on February 11, 2019.

7. Agency/Public Comments:

The following summarizes agency and public comment received at the time of this staff report’s preparation.

A. Mukilteo School District:

The Mukilteo School District would like to be a party of record.

B. Mukilteo Water and Wastewater District (MWWD):

MWWD has no objections to the proposed covered storage area as it is located in the South West corner of the property, where no District facilities are located. The District has both water and sanitary sewer facilities in the East portion of the lot, bordering the Mukilteo Speedway. These facilities will need to be protected during construction.

Staff Response:

This shall be a condition of the permit.

C. Public Comments:

There have been no public comments submitted on the conditional use permit proposal.

CONCLUSIONS

Based on the application, analysis and findings of this staff report, the following conclusions are made:

1. The applicant’s proposal meets the minimum performance standards and regulations required for granting of a conditional use permit for a nonconforming junkyard (scrap metal recycling center.)
2. The conditional use permit will have no adverse impact to the surrounding properties, and, more generally, it will not adversely affect the public health, safety and general welfare as conditioned.

3. The applicant's proposal for a conditional use permit, if conditioned, meets the conditional use permit performance requirements in MMC section 17.64.020
4. The proposal is consistent with the City of Mukilteo Comprehensive Plan and the MMC.
5. The proposal is SEPA exempt. (See WAC 197-11-800(1)(d) and (12)(a).)
6. All required public notice requirements have been met.
7. According to the laws governing these types of applications, if the criteria contained within the code are met, thus demonstrating compatibility, then the application must be approved.

STAFF RECOMMENDATION

Based on the application, conclusions and findings of the staff report, staff recommends **APPROVAL** of the Conditional Use Permit to allow for the expansion/intensification of a nonconforming Junkyard (for Ace Metal Recycling Center, (CUP-2018-003)) through the addition of a 420 square foot outdoor storage non-enclosed building cover for property located at 11110 Mukilteo Speedway in the Community Business- South zone subject to the following conditions:

1. The non-enclosed building/covered storage area shall be constructed in substantial conformance with the approved Site Plan dated October 19, 2018 and shall be built on existing pavement.
2. MWWD has both water and sanitary sewer facilities in the East portion of the lot, bordering the Mukilteo Speedway. These facilities shall be protected during construction. Prior to building permit issuance, the applicant shall provide documentation from MWWD approving the structure location.
3. Prior to issuance of a building permit, a Land Use Binder of the Hearing Examiner's decision and conditions shall be recorded with the Snohomish County Auditor before permits are issued.
4. All contractors and subcontractors working on the project described herein shall obtain a business license from the City before initiation of any site work.
5. The applicant shall comply with all other applicable rules, regulations and ordinances.

EXHIBITS

EXHIBIT 'A'	LOCATION MAP
EXHIBIT 'B'	AERIAL MAP
EXHIBIT 'C'	APPLICATIONS
EXHIBIT 'D'	BUILDING ELEVATION AND HEIGHT WORKSHEET
EXHIBIT 'E'	LETTER OF COMPLETE APPLICATION
EXHIBIT 'F'	PROJECT NARRATIVE FOR CONDITIONAL USE PERMIT
EXHIBIT 'G'	DEPARTMENT OF ECOLOGY CORRECTIVE ACTION ENGINEERING REPORT APPROVAL
EXHIBIT 'H'	SITE PLAN
EXHIBIT 'I'	NOTICE OF APPLICATION
EXHIBIT 'J'	SNOHOMISH COUNTY DETERMINATION OF NON-SIGNIFICANCE
EXHIBIT 'K'	ORDINANCE 997
EXHIBIT 'L'	AGENCY COMMENTS
EXHIBIT 'M'	AFFIDAVITS OF PUBLICATION

O:\Dev Review\2018\CONDITIONAL USE\CUP-2018-003 11110 Mukilteo Speedway\Staff Report Ace Metal Recycling Center.doc

Project Address: 11110 Mukilteo Speedway
Parcel ID: 00441400005200

CHENNAULT BEACH RD

Project Location

MUKILTEO SPEEDWAY

RUSSELL RD



10900

10924

11012

4332

4400

4408

4420

4422

4424

11100

11110

4215

11126

4201

4301

4215

4351

4204

4212

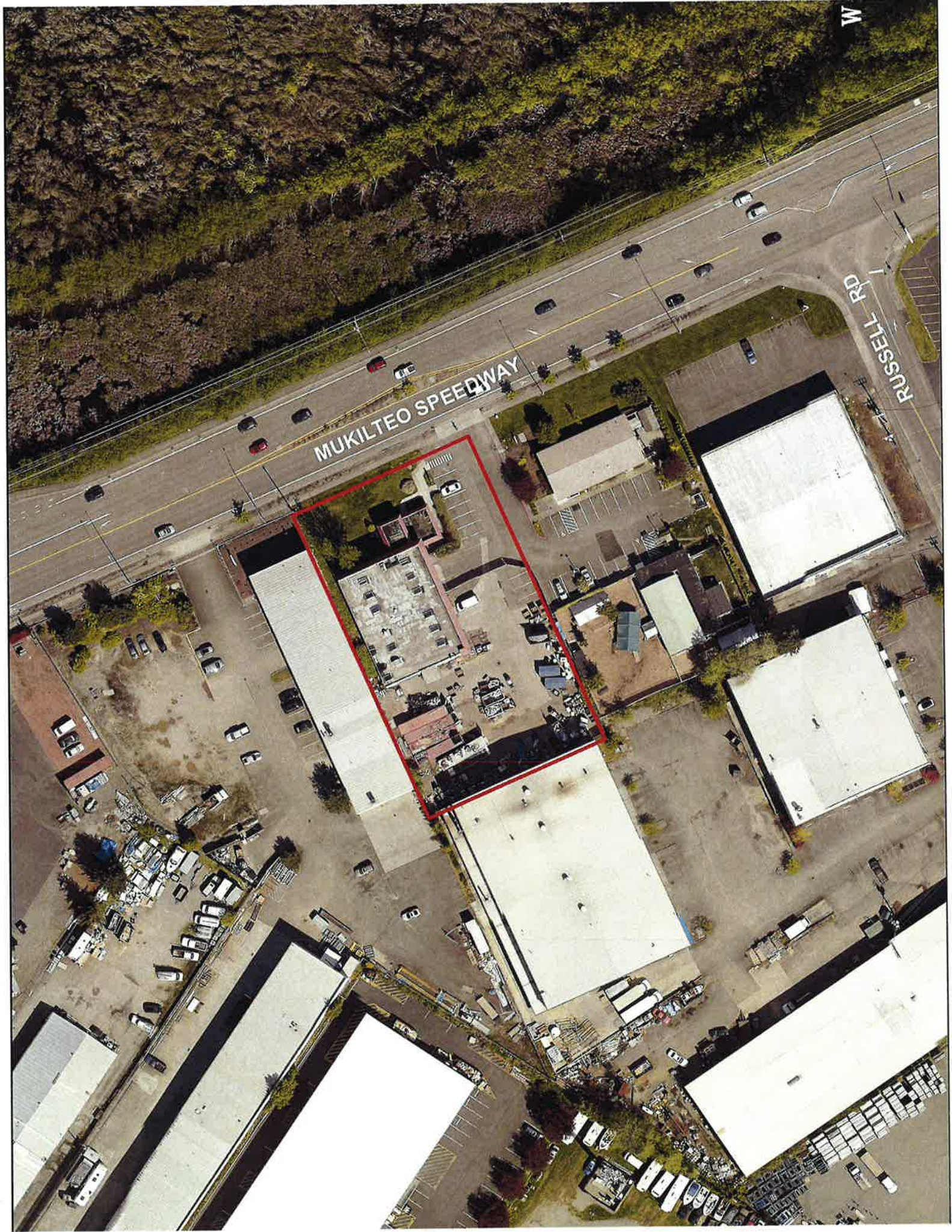
4208

4220

4314

11324

11338



MUKILTEO SPEEDWAY

RUSSELL RD

Cup-2018-003



11930 Cyrus Way Mukilteo, WA 98275
Fax (425) 212-2068

Date stamp

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SEP 11 2018

CITY OF MUKILTEO

Land Use Permit Application

PPR #

SEPA #

Misc #

Applicant:

ACE METAL

Owner:

JAMES YOO

Address:

1110 Mukilteo Speedway
Mukilteo WA 98275

Address:

1110 Mukilteo Speedway
Mukilteo WA 98275

Phone:

425 493 6802

Phone:

206 407 4988

Project Address:

1110 Mukilteo Speedway

- I-5 CORRIDOR

Legal Description of Property:

Evergreen Manor No 3 Blk 000 D-00-TR 52

Key Contact Person:

Bill Spidell

Phone:

425-246-2992

Fax:

Project Type:

- ☒ Commercial
- ☐ Multi-Family
- ☐ Industrial
- ☐ Shoreline* (JARPA)
- ☒ Conditional Use*
- ☐ Variance*

- ☐ Preliminary Subdivision*
- ☐ Final Subdivision*
- ☐ Preliminary Short Plat*
- ☐ Final Short Plat*
- ☐ Sector Plan Amendment
- ☐ Waterfront Development
- ☐ Single Family Residence

- ☐ Special Use Permit*
- ☐ Reasonable Use
- ☐ Lot Line Adjustment*
- ☐ Grading*
- ☐ Binding Site Plan
- ☐ Project Rezone
- ☐ Other, Specify _____

* Need to fill out supplemental application form with project.

Project Resume:

Existing Use:

Metal Recycling

Proposed Use:

Metal Recycling

Total Site Area:

38,775

Water District:

Building Foot Print Area:

400 S.F.

Sewer District:

Lot Coverage:

22%

of Proposed Units:

No. of Parking Stalls Provided:

0

Building Height:

12'

Comp Plan Designation:

Commercial

Zoning:

CB(S)

Gross Floor Area by Uses:

Electric Vehicle Charging Units Provided: Yes _____ No _____ If Yes, How Many? _____

Solar Panels being installed: Yes _____ No ☒ If Yes, How Many _____

Pre-application Meeting Held: (Y/N; date) _____

The information given is said to be true under the penalty of perjury by the laws of the State of Washington.

Applicant/Authorized Agent Signature

Date

Owners Signature

Date

RECEIVED

SEP 11 2018

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CITY OF MUKILTEO



11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000

Conditional Use Permit Supplemental Application Form

Date: 9/11/18 Application Number: _____

Fee Received: \$ _____ ☐ Cash ☐ Check ☐ Other Receipt #: _____

APPLICANT/OWNER INFORMATION

Applicant: Ace Metal
Address: 11110 Mukilteo Speedway
Mukilteo WA 98275
Phone:(Home) _____
(Office) 425-493-6802
(Fax) _____

Legal Property
Owner(s): James Yoo
Address: 11110 Mukilteo Speedway
Mukilteo WA 98275
Phone:(Home) 206-407-4988
(Office) _____
(Fax) _____

Applicant is: ☐ Owner in fee simple ☐ Contract purchaser ☐ Agent for Owner

PRIMARY CONTACT PERSON

Name: Bill Spidell
Address: 11110 Mukilteo Speedway
Mukilteo Wa 98275
Phone:(Home) 425 246 2992
(Office) 425 493-6802
(Fax) _____

Date of Present Ownership of Property: _____
Date of Contract if Now Purchasing Property: _____
Please provide a copy of the contact.

PROPERTY/LOT INFORMATION

Legal Description of property (attach): Evergreen Manor No 3 Blk 000 D-00-TR 52
Assessor's Tax Account Number: 00441460005200
Location/Street Address of Property: 11110 Mukilteo Speedway
Zoning District: CB(S)
Comprehensive Plan Designation: Commercial
Lot Area (Square Feet) 38,775

BUILDING INFORMATION

Area of all Existing Building(s) (Square Feet): _____

Area of all Proposed Building(s) (Square Feet): _____

Area of all Proposed Additions: _____

CONDITIONAL USE REQUEST INFORMATION

Cite Code Section for Which Conditional Use is Being Requested: _____

NARRATIVE EXPLANATION OF REQUEST: Please submit a written detailed explanation of the purpose of the request and discuss how the Conditional Use Permit application meets the criteria for approval and the project's relationship to current plans, policies, and regulations. Refer to the Conditional Use Permit brochure for the criteria.


REQUIRED SIGNATURES

THE INFORMATION GIVEN IS SAID TO BE TRUE UNDER THE PENALTY OF PERJURY BY THE LAWS OF THE STATE OF WASHINGTON.



Applicant/Authorized Agent

Date



Legal Property Owner*

Date

Legal Property Owner*

Date

* NOTE: If legal owner is a corporation or partnership, proof of ability to sign for the corporation or partnership shall be submitted to the City of Mukilteo with this application.

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SEP 11 2018

Permit # _____

Building Permit Application

Comm - New
Comm - 2018-002



CITY OF MUKILTEO
MUKILTEO

11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8000

www.mukilteowa.gov

Type of Permit:

- ☒ Commercial
☐ Residential
☐ Combination

- ☐ Building
☐ Mechanical
☐ Plumbing

Class of Work:

- ☐ New
☐ Repair
☐ Sign

- ☐ Addition
☐ Garage
☐ Demolition

- ☐ Alteration
☐ Retaining Wall/Rockery
☐ Other

- ☐ Sprinkler Cert.

☐ Fire Alarm Cert.

OWNER/APPLICANT

Name:

James Yoo

Address:

1110 Mukilteo Speedway

City:

Mukilteo

State:

WA

Zip:

98275

Phone #:

425 493 6862

Email Address:

info@acemetalco.com

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MANUFACTURED BY:



5232 Salem Dallas Hwy NW
Salem, OR. 97304
Tel: 1-866-404-7788, Fax: 1-503-566-8833

ENGINEERED BY:



A&A ENGINEERING
CIVIL - STRUCTURAL
5911 Remittance Place, Suite B • Toledo, OH 43628
Tel: 419-992-1983 • Fax: 419-992-0855
www.a-a-engineers.com

DRAWING INFORMATION

PROJECT: 20'-0" WIDE BUILDINGS
LOCATION: STATE OF WASHINGTON
PROJECT NO.: 037-18-2296
SHEET TITLE:

COVER SHEET

SHEET NO.: 1 / 11

DRAWN BY: LAK DATE: 1/15/19

CHECKED BY: OAA DATE: 1/15/19

LEGAL INFORMATION

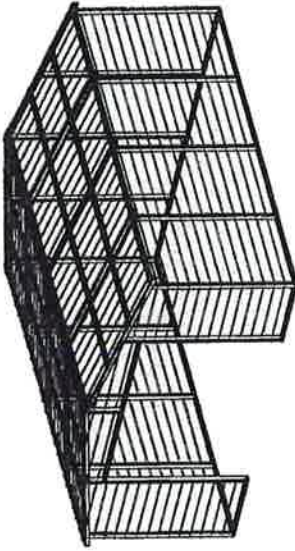
- ANY DUPLICATION OF THIS DRAWING IN WHOLE OR PART IS STRICTLY FORBIDDEN. ANYONE DOING SO WILL BE PROSECUTED UNDER THE FULL EXTENT OF THE LAW.
- DRAWINGS VALID UP TO 1 YEAR FROM DATE OF ISSUE

SEAL:



DATE EXPIRES: 11/09/2020

DATE SIGNED: JAN 15 2019



REGULAR / A-FRAME

20'-0" WIDE

CARPORT STYLE BUILDINGS

RECEIVED

JAN 30 2019

CITY OF MUKILTEO

DESIGN NOTES

1. ALL CONSTRUCTION SHALL BE PROVIDED IN ACCORDANCE WITH IBC 2015, OSHA, AISC 360, ASCE 7-10, AWS D 1.1 CODES AND ALL APPLICABLE LOCAL REQUIREMENTS.
2. BASE CONNECTIONS SHALL BE PROVIDED AS SHOWN ON FOUNDATION DETAILS SHEET.
3. ALL MATERIALS IDENTIFIED BY MANUFACTURER NAME MAY BE SUBSTITUTED WITH MATERIAL EQUAL OR EXCEEDING ORIGINAL.
4. ALL SHOP CONNECTIONS SHALL BE WELDED CONNECTIONS.
5. ALL FIELD CONNECTIONS SHALL BE #12x1" SDPS (ESR-2196 OR EQ).
6. STEEL SHEATHING SHALL BE 29GA. CORRUGATED GALV. OR PAINTED STEEL - MAIN RIB HT. 3/4" (FY=60KSI) OR EQ.
7. ALL STRUCTURAL LIGHT GAUGE TUBING AND CHANNELS SHALL BE GRADE 50 STEEL.
8. STRUCTURAL TUBE T52 1/2"x2 1/2" - 14GA. IS EQUIVALENT TO T52 1/4"x2 1/4" - 12GA AND EITHER ONE MAY BE USED IN LIEU OF THE OTHER.

DRAWING INDEX

- | | |
|---------------------------------------|--------------|
| COVER SHEET | 1 |
| SCHEDULES & MEMBER SECTIONS | 2 |
| FRAME SECTIONS & DETAILS | 3-A, 3-B |
| SPACING SCHEDULES - & ENCLOSURE NOTES | 4 |
| PURLIN & GIRT SCHEDULES | 5 |
| SHEATHING OPTIONS | 6 |
| SIDE WALL FRAMING & OPENINGS | 7 |
| END WALL FRAMING & OPENINGS | 8-A, 8-B |
| CORNER BRACING DETAILS | 9 |
| OPTIONAL LEAN-TO ADDITION | 10 |
| FOUNDATION OPTIONS | 11-A TO 11-D |

DESIGN CRITERIA

- PREVAILING CODE: WSCC (IBC 2015)
USE GROUP: U (CARPORTS, BARN5)
RISK CATEGORY: 1
1. DEAD LOAD (D) D = 4 PSF
 2. ROOF LIVE/SNOW LOAD (Lr)
Lr = 20 - 61 PSF
(AS PER SNOW LOAD SEE TABLE 4)
 3. SNOW LOAD (S)
GROUND SNOW LOAD Pg = 20 - 90 PSF
IMPORTANCE FACTOR Is = 0.8
THERMAL FACTOR Ct = 12
EXPOSURE FACTOR Ce = 1.0
ROOF SLOPE FACTOR Cs = 1.0
 4. WIND LOAD (W)
BASIC WIND SPEED VASD = 105 - 180 MPH
EXPOSURE C
 5. SEISMIC LOAD (E)
DESIGN CATEGORY D
IMPORTANCE FACTOR Ie = 1.00

LOAD COMBINATIONS:

1. D + (Lr OR S)
2. D + (0.6W OR ±0.7E)
3. D + 0.75 (0.6W OR ±0.7E) + 0.75 (Lr OR S)
4. 0.6D + (0.6W OR ±0.7E)

CUSTOMER INFORMATION

OWNER: Ace Metal-Bills Spide!!
ADDRESS: 11110 Mukilteo Speedway
Mukilteo, WA 98275

DESIGN LOADS

GROUND SNOW: 40
ROOF LIVE LOAD: 25
BASIC WIND SPEED: 110

BUILDING INFORMATION

WIDTH: 20
LENGTH: 21
HEIGHT: 12

CERTIFICATION VALIDITY NOTICE

DATE OF EXPIRATION: JAN 15 2020
CERTIFICATION ON THESE DRAWINGS IS VALID FOR ONE YEAR FROM DATE OF ISSUE

RECEIVED

SEP 11 2018

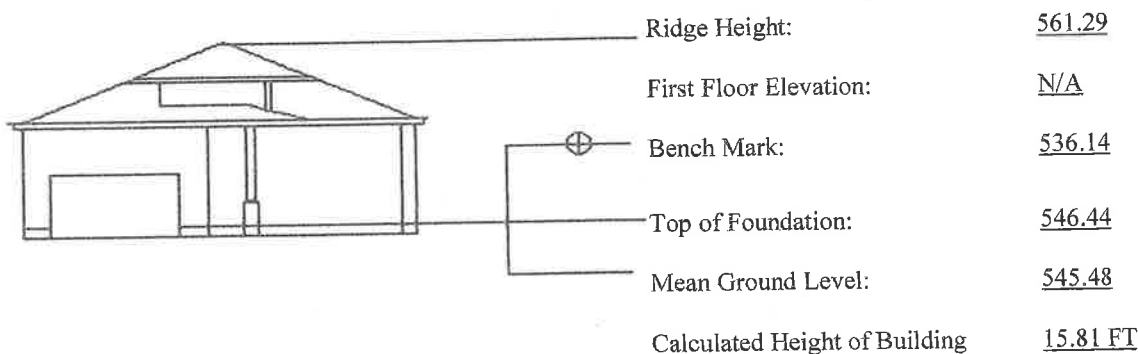
CITY OF MUKILTEO

City of Mukilteo, Washington
Building Height Worksheet

Building Location: 11110 Mukilteo Speedway

Legal: Lot 52, Evergreen Manor No. 2

Description of permanent bench mark: CP #5



Mean Ground Level = 545.48

A = 544.59

Prepared By:

B = 545.27

Owen G. Reese, P.E., Aspect Consulting, LLC

C = 546.44

D = 545.63

Note: Attach map showing bench mark and elevations of all points used to determine mean ground level. Reference map attachment.

NOTICE

If the height of the building is at or within three (3) feet of the maximum building height, a certificate prepared by a Professional Land Surveyor and recertification after the roofing is installed, by framing inspection (framing cannot be signed off without this certification).



CITY OF
MUKILTEO

*Planning and Community
Development Department*

11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000
Fax: (425) 290-1009

City of Mukilteo, Washington
**Application Submittal
Notification**

Applicant: Ace Metal Recycling Center **Date:** 10-22-18
Address: 11110 Mukilteo Speedway
Mukilteo WA 98275
Contact Number: 425-246-2992
Project: Ace Metal Storage Cover
Site Address: 11110 Mukilteo Speedway
Mukilteo WA 98275

Thank you for your application submittal. This letter is your official notice that your application submitted on September 11, 2018, is considered:


- ☒ Complete on October 22, 2018
☐ Incomplete Please submit the following items:

Complete Applications. Processing and review of a permit application may begin when it is deemed complete. A COMPLETE APPLICATION IS NOT AN APPROVED APPLICATION. A permit application is complete when it meets the submission requirements outlined in the Table on the back side of this notice. The City's determination of completeness does not preclude the City from requesting revisions, additional information or studies if new information is required, corrections are needed, or where there are substantial changes in the proposed action.

Incomplete Applications. An incomplete application will not be processed. The Applicant has 90 calendar days to submit all the required information to receive a notice of complete application. If the required information is not submitted within the 90 calendar day period, the application will be considered lapsed for failure to submit the necessary information in a timely manner and the file will be closed. The Applicant may request, in writing, an extension of up to an additional 90 calendar days. Extensions are granted at the sole discretion of the Planning Director.

If you have questions regarding the City's permit review process, please do not hesitate to call the City at (425) 263-8000. Our office hours are 7:30 a.m. – 5:00 p.m., Monday through Thursday and 7:30 a.m. – 4:30 p.m. on Fridays.

Sincerely,


Linda Ritter
Senior Planner

pc: Orig. to Applicant
Project File

Permit Services Supervisor
Correspondence

Ace Metal Company

11110 Mukilteo Speedway, Ste 202
Mukilteo, WA 98275
Office: 425-493-6802
Fax: 425-493-6809
info@acemetalco.com

RECEIVED

SEP 11 2018

CITY OF MUKILTEO



September 5, 2018

City of Mukilteo,

Ace Metal Company in Mukilteo, is applying for cover storage area. This is mandated by Seattle District Court, for Storm Water Settlement. The suit is brought forth by Puget Sound Keepers. This cover storage area must be built in conjunction with installation of Storm Water Filter System. The cover storage area is being used for storing open Bins filled with various metals and by doing so, it can reduce any potential contamination from rainwater, by open exposure in the Bins- preventing any potential discharge into Storm Water.

The structure is to be built at Ace Metal Company at 11110 Mukilteo Speedway, Mukilteo WA 98275 the square footage of this proposed structure is 420 square feet. This will be installed on our lot that is already paved with drainage already in place. There will be no grading or landscaping needed for this project.

The Project will be completed as soon as this permit is accepted by City of Mukilteo, it will be completed in the 24-hour time period after the materials have been delivered. This property is owned by James Yoo- President of Ace Metal Company.

Sincerely,

James Yoo

President



RECEIVED

AUG 14 2018

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

CITY OF MUKILTEO

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 21, 2018

James Yoo
Ace Metal Company
11110 Mukilteo Speedway, Ste. 202
Mukilteo, WA, 98275 – 5450

Re: Ace Metal Company Level 3 Corrective Action Engineering Report Approval

Dear Mr. Yoo,

The Washington State Department of Ecology (Ecology) received your company's Level 3 Corrective Action Engineering Report (Report) Aspect Consulting, LLC had submitted on behalf of Ace Metal Company describing using Modular Wetland System as treatment systems to comply with Level 3 Corrective Action requirements in the Industrial Stormwater General Permit (ISGP), Permit # WAR125520. The original report was received by Ecology Northwest regional office (NWRO) on May 17, 2018, and revised on June 5, 2018. This report has been reviewed by Robert Nolan, PE, at Ecology's NWRO.

In accordance with RCW 90.48.110 and Chapter 173-240 WAC, the subject document is hereby APPROVED as meeting the intent of an Engineering Report and meeting the goal of achieving the applicable benchmark values of the Industrial Stormwater General Permit (ISGP).

This office is to be notified immediately of any proposed changes or revisions to the approved document. Any such changes or revisions must be issued in the form of addenda, technical appendices, or supplemental reports to the original approved documents and must be approved in writing by Ecology.

Ecology review and approval of this document is to assure compliance and consistency with the appropriate rules, regulations, guidelines, planning and design criteria, and/or other similar documents. Ecology's review shall not be construed as a quality control check or as approval with respect to the completeness, accuracy, or adequacy of this document.

This approval does not relieve the owner(s) of the proposed facilities from any other approvals as may be required by other governmental reviewing agencies. In addition, this approval does not relieve the owner or owner's engineer from the responsibilities and liabilities that result from noncompliance with water pollution laws and regulations during the design, construction, or

operation of the proposed facilities. Also, this approval does not relieve the owner or the owner's engineer from the responsibilities for the technical adequacy and/ or accuracy of the contents of this document.

If you have any questions or need any additional information, please do not hesitate to contact Robert Nolan, PE. at Robert.Nolan@ecy.wa.gov, or call him at (425) 649-7197; or Evan Dobrowski at Evan.Dobrowski@ecy.wa.gov, or call him at (425) 649- 7276.

Sincerely,



Rachel McCrea
Water Quality Section Manager
Northwest Regional Office

cc: Central File: WQ 9.5, Ace Metal Company, **WAR-125520**
Robert Nolan, NWRO, Ecology
Greg Stegman, NWRO, Ecology
Evan Dobrowski, NWRO, Ecology
Owen Reese, PE, oreese@aspectconsulting.com
Alyssa Englebrecht, Puget Soundkeeper Alliance, alyssa@smithlowney.com



11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8000

**Notice of Application
for Ace Metal Recycling Center
Covered Storage Area
at 11110 Mukilteo Speedway
by Bill Spidell on behalf of Ace
Metal Recycling Center**

Bill Spidell on the behalf of **James Yoo**, Owner of **Ace Metal Recycling Center** applied for a Conditional Use Permit with the City of Mukilteo on September 11, 2018. The application became complete on October 22, 2018. This application and all supporting documents are available at City Hall for public viewing. (File No. CUP-2018-003).

Description of Proposal: Construction of a new 420 square foot covered storage area to be built on existing pavement. Seattle District Court mandates this covered storage area as part of a settlement for a stormwater violation lawsuit brought forth by Puget Sound Keepers. The purpose of the covered storage area is protect the open bins which are filled with various metals. The covered storage area reduces any potential contamination from rainwater and any potential discharge into stormwater system. This covered storage area must be built in conjunction with installation of a stormwater filter system that has been reviewed and approved by the Department of Ecology and the City of Mukilteo.

Location of Proposal: EVERGREEN MANOR NO 3 BLK 000 D-00 - TR 52; otherwise known as 11110 Mukilteo Speedway, Mukilteo, Washington.

Environmental Documents Prepared for the Proposal

The proposal does not require or include any environmental documents. The proposal is exempt from the State Environmental Protection Act (SEPA) under WAC 197-11-800(1)(d), (2)(f) and (12)(a).

List of Required Permits

- CUP Approval
- Building Permit
- Any State and Federal Permits if applicable.

Applicable Policies and Requirements

The project will be reviewed for consistency with the following policies, standards and regulations:

- | | |
|--|--|
| <input type="checkbox"/> Possession Shores Master Plan | <input type="checkbox"/> Sector Plan & Amendments |
| <input checked="" type="checkbox"/> Comprehensive Plan, Shoreline Master Plan | <input checked="" type="checkbox"/> Mukilteo Municipal Code |
| <input checked="" type="checkbox"/> International Building Code (2015 Edition) | <input checked="" type="checkbox"/> City of Mukilteo Development Standards |
| <input checked="" type="checkbox"/> International Fire Code (2015 Edition) | |

Comment Period

The application and supporting documents are available for review at the City of Mukilteo, 11930 Cyrus Way, Mukilteo, WA 98275. Contact: Linda Ritter, Senior Planner at (425) 263-8043. The public is invited to comment on the project by submitting written comments to the Planning Department at the above address by 4:30 p.m. on the date noted below.

Notice of Application Issued: Wednesday, October 31, 2018

End of Comment Period: Wednesday, November 14, 2018

The City will not act on this application until the end of the 14 day public comment period. Upon completion of project review a public hearing will be scheduled with the Mukilteo Hearing Examiner who will approve, approve with conditions, or deny the project. You may request a copy of the final decision on the project by making a written request to the City contact person named below.

Public Hearing

There will be a public hearing conducted on this project. You have the right to request notice of and to participate in the public hearing. If you want to receive notice of the hearing, you may make a written request to the City contact person named below.

Appeals

The final decision on this project is not administratively appealable. An appeal must be filed within 21 days with Snohomish County Superior Court after the final decision on the project is issued. Only persons who file written comments on the project in response to the Notice of Application are considered parties of record who may appeal the decision. If you do not file written comments within the comment period, you may not appeal the final decision.

Contact Person: Linda Ritter, Senior Planner (425) 263-8043

Signature: 

Linda Ritter, Senior Planner

Date: 10/29/18

For
Permit

FINAL DECLARATION OF NON-SIGNIFICANCE

SITE ADDRESS: 11110 SR # 525, Everett, Washington 98204

TAX ACCOUNT PARCEL NUMBER: 4414-000-052-0009

DESCRIPTION OF PROPOSAL: INICO has applied for a commercial building permit to construct a 7,659 square foot (approximately 70 feet by 92 feet in size) industrial structure for shop, office and warehousing purposes. The site is located in the southwest quarter of Section 22, Township 28, Range 04, EWM, fronting on the west side of SR # 525 (Mukilteo Speedway) almost two (2) miles north of its intersection with Old Highway 99, further described as Lot 52, Plat. of Evergreen Manor # 3.

Current zoning is Light Industrial (LI), and on the Paine Field Area Comprehensive Plan, this site is designated for Light Industrial land usage. There is a Draft Revision to the Paine Field Area Plan which shows the site for Light Industrial/Industrial Park (LI/IP) uses, subject to an Environmentally Sensitive Area overlay (due primarily to the site's closeness to the Snohomish County Airport (Paine Field)). At this time, the said plan revision is on hold awaiting County Council action on a Growth Management Strategy.

Access to the site will be off of SR # 525 from a single commercial driveway approach to be approved by the Washington State Department of Transportation. It is estimated that this project will generate an additional 42 ADT's (Average Daily (Vehicle) Trips) onto surrounding roads per the 1979 edition of the Institute of Transportation Engineers Trip Generation Factors (Land Use Code 110-General Light Industrial).

Temporary and permanent storm water runoff must be controlled in accordance with the provisions outlined by the Snohomish County Drainage Ordinance, Title 24. Temporary erosion and sedimentation control measures must be implemented as necessary prior to and during the site development activities.

Prior to issuance of a Certificate of Occupancy, the following items must be satisfied:

1. Submit recorded copies of, (a) conveyance document for transfer or easement rights over ten (10) feet along SR # 525 frontage from applicant to Washington State Department of Transportation (WSDOT); and (b) APPROVED WSDOT Access Permit.
2. Completion of parking area, parking area landscaping and twenty (20) foot wide greenbelt required along SR # 525, per Snohomish County Code (SCC) Title 18.52.110(g) and 18.72.130(k).

The submittal of this Declaration of Non-Significance should not be interpreted as acceptance or approval of the subject proposal as

presented. Snohomish County reserves the right to deny said proposal or approve said proposal subject to conditions if it is determined to be in the best interest of the County and/or necessary to the general health, safety and welfare of the public to do so.

PROPONENT: INICO
c/o Gary Meyers, Partner
9615 7th Avenue S.E.
Everett, WA 98204

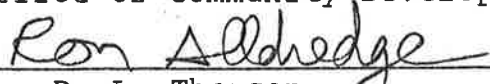
LEAD AGENCY: SNOHOMISH COUNTY
Office of Community Development
Division of Technical Review

THRESHOLD DETERMINATION: This proposal has been determined to NOT have a significant adverse impact upon the environment. An EIS IS NOT required under RCW 43.21C.030(2)(c). This decision was made after review by Snohomish County of a completed environmental checklist and other information on file with this agency.

RESPONSIBLE OFFICIAL: D. L. Thomson
POSITION/TITLE: Director, Office of Community Development

DATE: April 4, 1983

SIGNATURE:


for D. L. Thomson

DISTRIBUTION:

Other Departments with apparent jurisdiction:

Department of Public Works

Office of Community Development

Other Agencies with apparent jurisdiction:

Washington State Department of Transportation

CITY OF MUKILTEO
MUKILTEO, WASHINGTON

ORDINANCE NO. 997

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO CHANGE THE ZONING DESIGNATION OF THE 7824 MUKILTEO SPEEDWAY FROM SINGLE-FAMILY RESIDENTIAL RD12.5 (RD12.5) TO COMMUNITY BUSINESS (CB); TO CHANGE THE ZONING DESIGNATION OF THE LIGHT INDUSTRIAL (LI) PROPERTY ALONG THE MUKILTEO SPEEDWAY TO COMMUNITY BUSINESS-SOUTH (CB(S)).

WHEREAS, the Mukilteo Water District has requested a rezone of 7824 Mukilteo Speedway from Single-Family Residential RD 12.5 (RD 12.5) to Community Business (CB) District (Exhibit B);

WHEREAS, the City of Mukilteo has initiated a rezone of Light Industrial zoned property along the Mukilteo Speedway to Community Business-South. The rezone includes the following properties: Lots 1, 2, 21, 11, & 50-53 Puget Acres; Lot 1-15 & 27-29 Evergreen Manor #3; Lots 1-12 & 46-47 Evergreen Manor #2; Lots 23-28 Evergreen Manor; (Exhibit C);

WHEREAS, The Planning Commission held a public hearing on October 21 and November 4, 1999 for the purpose of considering the requested rezones, along with the 1999 Comprehensive Plan Amendment, and at the conclusion of the hearing, recommended approval of the rezones to the City Council; and

WHEREAS, The City Council held an additional public hearing on the rezone requests on December 6, 1999, and at the conclusion of the hearing, determined that the rezones should be approved.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MUKILTEO, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings, Conclusions and Decision. The Findings of Fact and Conclusions as attached Exhibit 'A' is hereby adopted and incorporated herein by this reference as if set forth in full.

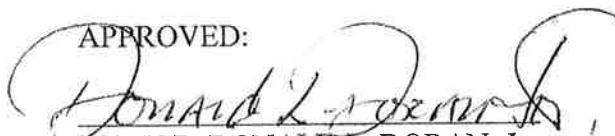
Section 2. Rezone. The Official Zoning Map of the City of Mukilteo as adopted by Section 17.12.020 of the Mukilteo Municipal Code, is hereby amended to revise the zoning designations of the properties shown on Exhibits 'B' & 'C'. The official zoning map shall read as set forth on Exhibit 'D' attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Duties of Planning Director. The Planning Director is hereby instructed to make the necessary amendments to the Official Zoning Map of the City of Mukilteo pursuant to this ordinance.


Section 4. Effective Date. The ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

PASSED by the City Council and APPROVED by the Mayor this 6th day of December, 1999.

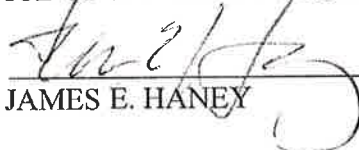
APPROVED:


MAYOR, DONALD L. DORAN, Jr.

ATTEST/AUTHENTICATED:


CITY CLERK, THOMAS G. CARLSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 
JAMES E. HANEY

Filed with the City Clerk:	12-06-99
Passed by the City Council:	12-06-99
Published:	12-10-99
Effective Date:	12-15-99
Ordinance No.	997

EXHIBIT A

City of Mukilteo, Washington

FINDINGS OF FACT AND CONCLUSIONS
for the
APPROVAL
of the
1999 COMPREHENSIVE PLAN AMENDMENTS

I. Comprehensive Plan:

1. The Growth Management Act, Chapter 36.70A RCW, requires all cities within Snohomish and other counties experiencing rapid growth to adopt comprehensive plans meeting the goals and policies of the GMA no later than December 31, 1994.
 2. The City of Mukilteo adopted it's GMA based Comprehensive Plan on December 27, 1994.
 3. The GMA allows cities and counties planning under the Act to amend their comprehensive plans no more than once a year.
 4. The 1999 Comprehensive Plan amendment was prepared to reflect the changes that resulted from the approved rezones as part of the comprehensive planning process.
 5. A SEPA Addendum was issued on the Comprehensive Plan amendments and proposed rezones on September 27, 1999.
 6. An open house on the 1999 Comprehensive Plan amendments and rezone requests was held on October 21, 1999, to give the public the opportunity to review the revisions and ask questions of staff prior to the public hearing.
 7. In general, the 1999 Comprehensive Plan amendments include: 1) the land use element has been revised to reflect the proposed rezones, 2) the general development goals and economic development policies were amended to better reflect the future growth for the City, and 3) a new "Public Use" land use designation has been added to the zoning map reflecting the location of City facilities, utilities, and schools.
 8. The population and land use allocations of the Comprehensive Plan have been updated to reflect the changes the rezones will have on the City. The revised population estimate of 22,231 people, due to the land use changes has no impact on the City's population allocation from Snohomish County of 21,470 people.
-

9. The Mukilteo Speedway rezone which rezones approximately 30 acres of land from Light Industrial to Community Business-South reduces the City's industrial land supply by one (1) percent; from sixteen (16) percent to fifteen (15) percent.
10. An analysis of the City's land use area available to adult entertainment uses has been conducted to determine the affect of the land use changes associated with the Comprehensive Plan amendments. The Speedway rezone will eliminate approximately 50 percent of the existing LI zoned property that can be used for adult entertainment uses. The net affect is that approximately 40 to 60 sites are still available in the City of Mukilteo for these types of businesses.
11. The Planning Commission held an open house and a public hearing on the draft comprehensive plan amendment on October 21, 1999, at which time the Commission considered staff comments, written comments and public testimony.
12. After reviewing the Comprehensive Plan Amendment documentation, considering public testimony and the written record, the Planning Commission recommended approval of the 1999 Comprehensive Plan Amendments to the Mukilteo City Council.

For all of the reasons set forth above, the Mukilteo City Council hereby approves the 1999 Mukilteo Comprehensive Plan Amendments.

FINDINGS OF FACT AND CONCLUSIONS
for the
APPROVAL
of the
MUKILTEO WATER DISTRICT REZONE

1. The District purchased the property located at 7824 Mukilteo Speedway in 1990 with the intent of moving their offices from their current location on 5th Street to the Mukilteo Speedway site.
 2. At the time of their purchase, the property had a Comprehensive Land Use designation of Planned Community Business that would allow utility office facilities and a zoning designation of Single-Family Residential RD 12.5.
 3. With the adoption of the 1994/95 Comprehensive Plan, the Planned Community Business land use designation was removed and the Single-Family Residential, Low Density designation established to correspond with the zoning designation.
 4. The property is currently zoned SFR RD12.5.
 5. The Water District's 3.1 acre site is currently vacant.
 6. The property to the south was rezoned to Community Business two (2) years ago; the property to the west and north is zoned low density, SFR, RD 12.5. Three (3) single-family homes are located on large lots adjacent to the District's property. This buffer will continue to be a condition of the rezone.
 7. The District has worked with the adjacent property owners to the west and has installed a six (6) foot vinyl fence, planted four (4) foot pyramidalis three (3) feet on center, and has provided a thirty-five (35) foot planted buffer with evergreen trees.
 8. The east side of the District's property abuts the Mukilteo Speedway which carries a large volume of local and ferry traffic.
 9. Due to the buffering of the site and an adjacent ravine, the properties to the west will not be impacted by the rezone.
 10. The single-family residential property to the north will be buffered from the commercial zoning as conditioned by the rezone.
-

11. The 3.1 acre site is large enough to accommodate the Water District's use or some other commercial use, if not used by the Water District, while providing 35 foot buffers on two (2) sides next to the adjacent single-family homes.
12. Access to the site can be combined with the commercial property to the south thereby limiting the number of access points on to the Speedway.
13. Requiring a Conditional Use Permit for the development of the site guarantees that the adjacent residential properties are noticed and have an opportunity to evaluate specific detail of the development for the site.
14. The heavy traffic generated on SR 525 creates traffic noise and congestion that is undesirable for single-family residential neighborhoods. The proposed commercial designation and eventual development is not as sensitive to traffic noise, congestion, and limits any potential pedestrian (small children) and vehicular conflicts.
15. Ingress and egress to the site can be conditioned to limit the number of entry points on the Mukilteo Speedway and the adjacent single-family residential homes will be provided with buffers greater than that required by the minimum standards of the zoning code.

For all of the reasons set forth above, the Mukilteo City Council hereby approves the Mukilteo Water District Rezone.

City of Mukilteo, Washington

FINDINGS OF FACT AND CONCLUSIONS
for the
APPROVAL
of the
MUKILTEO SPEEDWAY REZONE
December 13, 1999

1. Land use policy LU8 of the Comprehensive Plan states that the City should consider adopting commercial zoning along the Mukilteo Speedway which is currently zoned Light Industrial.
2. To implement this policy and to reduce the potential for incompatible land uses along the Speedway, the City initiated a rezone of approximately seventy-six (76) acres of Light Industrial property next to the Mukilteo Speedway, Harbour Pointe Blvd. South, and along a portion of Beverly Park Road to Community Business - South District.
3. In 1998 the City Council denied a rezone of the same area to Community Business – South from Light Industrial. As part of the 1999 rezones, the Council requested that the staff prepare a proposal which would meet the City's goal to retain commercial uses along the Mukilteo Speedway while eliminating heavier industrial uses along the City's major arterial and entrance to the City.
4. The proposed change in land use designation and zoning would mean an increase in commercially designated property and a corresponding reduction in industrial designated property. However, the change also eliminates the potential for significant land use incompatibility issues that now occur in the existing LI zone that allows for a variety of commercial and industrial activities.

Findings of the rezone of properties north of the Bank of America Property and the first row of lots fronting on the south side of Harbour Pointe Blvd. South to the eastern boundary of Sector 20:

5. The Community Business-South zoning designation will allow a combination of commercial, service and light manufacturing uses along the Speedway which will not conflict with existing commercial uses or the City's goal of reducing heavier industrial uses along the Mukilteo Speedway. Along with commercial uses, the rezone will allow cold storage facilities, fabrication shops, laboratories, some light manufacturing and warehousing businesses.
6. The Mukilteo Speedway, south of Chennualt Beach Road, is developing with commercial uses: shopping centers, strip malls, banks, gas stations, personal and professional services, and restaurants. The rezone will also allow some light manufacturing uses allowed under the

current Light Industrial zoning, which will not cause life, health, safety and aesthetic conflicts between adjacent land uses.

7. The traffic impacts, or average daily trips, are similar between industrial and commercial uses. The Engineering Department has calculated no significant increase in traffic as a result of the proposed rezone due to the fact that the current LI zoning allows almost all of the commercial uses in the Community Business-South zone
8. Large truck traffic (14 wheelers/semi-trucks) turning movements will be reduced and focused to signalized intersections, thereby reducing passenger vehicle and freight delivery conflicts along SR 525.
9. The rezone will encourage the development of commercial based businesses along the Mukilteo Speedway while still providing for some light manufacturing uses which do not conflict with the City's goals to beautify the entrances into the City of Mukilteo and to present a consistent boulevard affect with the redesign of SR 525.
10. The industrial uses allowed under the Community Business-South zoning designation require all storage areas to be contained within the confines of a structure, buffers and parking lot and frontage landscaping, environmental compatibility, and regulates access points on to the Mukilteo Speedway to reduce the number of entrances and driveway cuts.
11. For those properties which lie under the flight path of Paine Field Airport, the proposed rezone gives those property owners the flexibility to either develop their land in commercial uses, such as those on the east side of the Speedway (McDonalds, Banks, and Strip Malls), or they can be used as light manufacturing/fabrication buildings, warehouses, or high-tech laboratories which are not as noise sensitive.
12. Because there is a need to have some land zoned which allows typical light industrial uses (some which may have noise and odor impact), it was found that the City should not alter the "permitted uses" in the Light Industrial zone to be more restrictive, but to create new zones that are more commercial in nature. This rezone allows the light industrial and mixed-use fabrication buildings that exist along the Mukilteo Speedway to continue to be "permitted uses" thereby reducing any hardship on those properties currently operating as such.
13. With the rezone of a portion of the Mukilteo Speedway to Community Business-South, some properties will be made nonconforming. However, those properties with inconsistent land uses will be considered nonconforming and will be allowed to continue operation as outlined in the Non-Conforming Chapter of the Mukilteo Municipal Code.
14. As the proposed rezone was designed to allow both commercial and non-intrusive manufacturing uses, all of the properties subject to the rezone will maintain the right to be used for, marketed, and/or sold for cold storage facilities, fabrication shops, laboratories, light manufacturing and warehousing businesses thereby retaining not only the commercial value of the land, but also some industrial value as well.

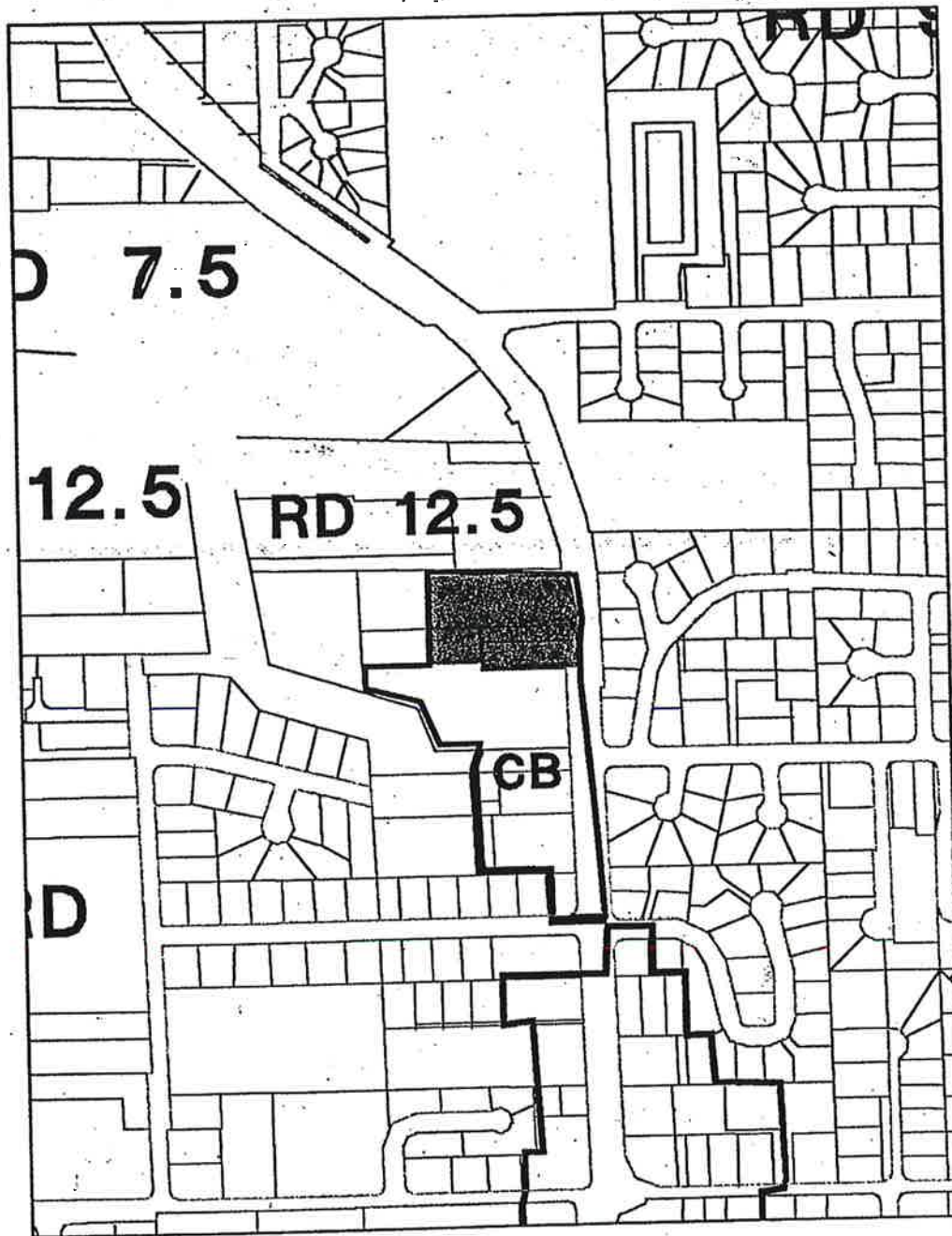
15. Because the mix of commercial and manufacturing uses allowed within the proposed Community Business-South zoning designation, the rezone does not preclude all reasonable economic use of the property.

Findings South of the Bank of America Property:

16. Based on the written and oral testimony provided by Mr. Pickering and Mr. Emmerson, the Council finds no compelling reason to rezone the properties south of the Bank of America Property (lots 23-28 Evergreen Manor).
17. As property abutting the Mukilteo Speedway will continue to develop according to the market pressures and will eventually turn to commercial uses, the Council finds no great threat in maintaining the existing zoning.
18. Due to the ravine that runs through a portion of the rezone property, those lots affected would have difficulty developing with viable commercial uses.
19. The widening of the Mukilteo Speedway over the next few years may limit the access and turning movements along the Speedway which could have a negative affect on the existing businesses, therefore it is prudent to wait until after the widening project to evaluate any future rezones along the southern boundary of the City.
20. Due to the Snohomish County Zoning for the east side of the Mukilteo Speedway of Light Industrial, any future rezoning along the southern portion of the Mukilteo Speedway and Beverly Park Road should be coordinated with either Snohomish County or an annexation of the east side of the Mukilteo Speedway.

For all of the reasons set forth above, the Mukilteo City Council hereby approves of the Mukilteo Speedway Rezone between the Mental Health Clinic and north of the Bank of America Property and the first row of lots fronting on the south side of Harbour Pointe Blvd. South only, and denial of the rezone south of the Bank of America property legally described as Lots 23-28 Evergreen Manor.

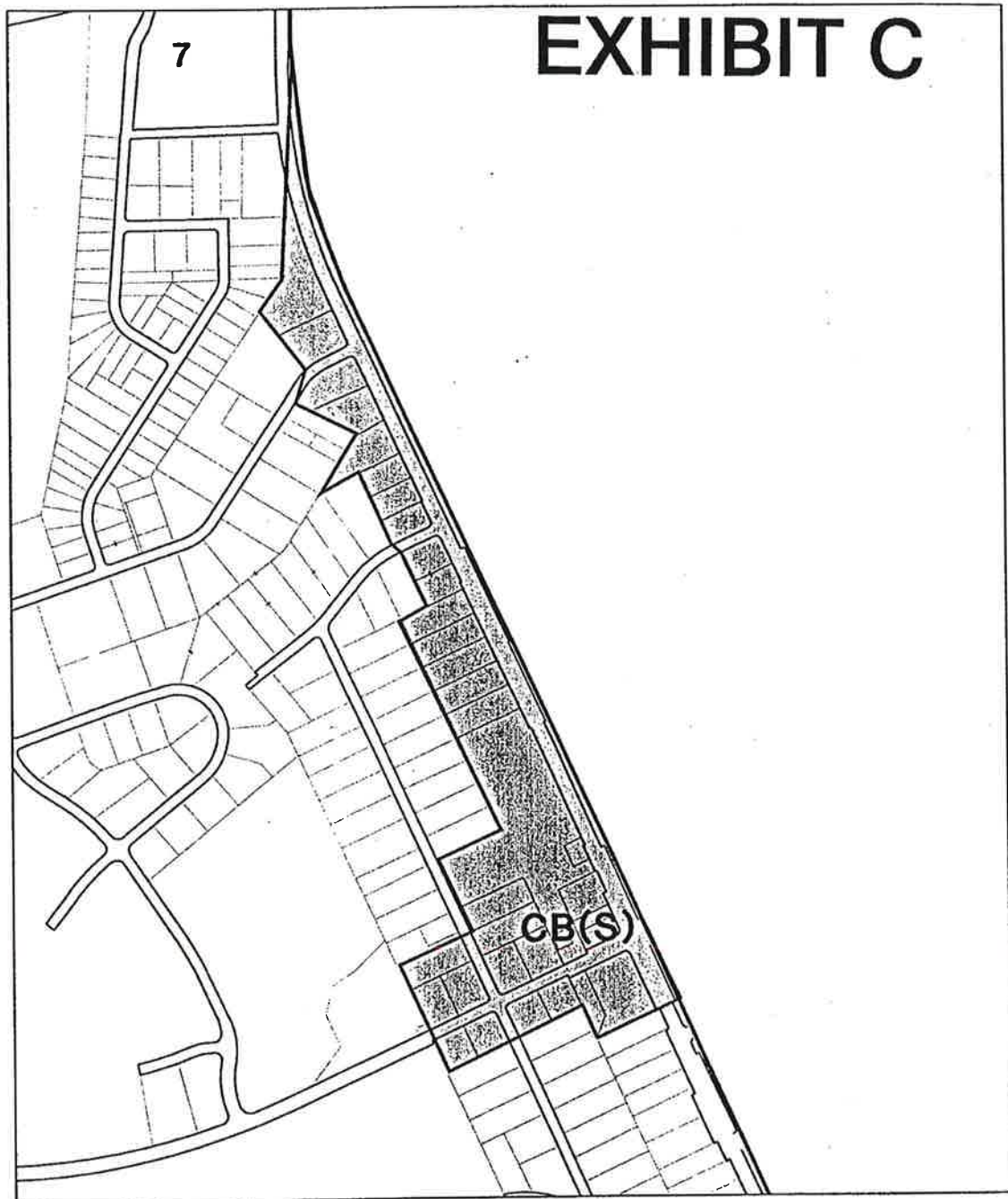
EXHIBIT B
WATER DISTRICT REZONE
RD 12.5 TO CB



LEGAL DESCRIPTION:

Mukilteo Speedway at 7824 Mukilteo Speedway;
Legally described as a portion of Tracts 47 & 48
West and Wheeler's Seaview 5 Acre Tracts.

LI REZONE TO CB(S)



LEGAL DESCRIPTION:

Lots 1, 2, 21, 22 & 50 - 53 Puget Acres
Lots 1 - 15 & 27 - 29 Evergreen Manor #3
Lots 1 - 12, 46, & 47 Evergreen Manor #2
Lots 23 - 28 Evergreen Manor

EXHIBIT D

CITY OF MUKILTEO ZONING MAP

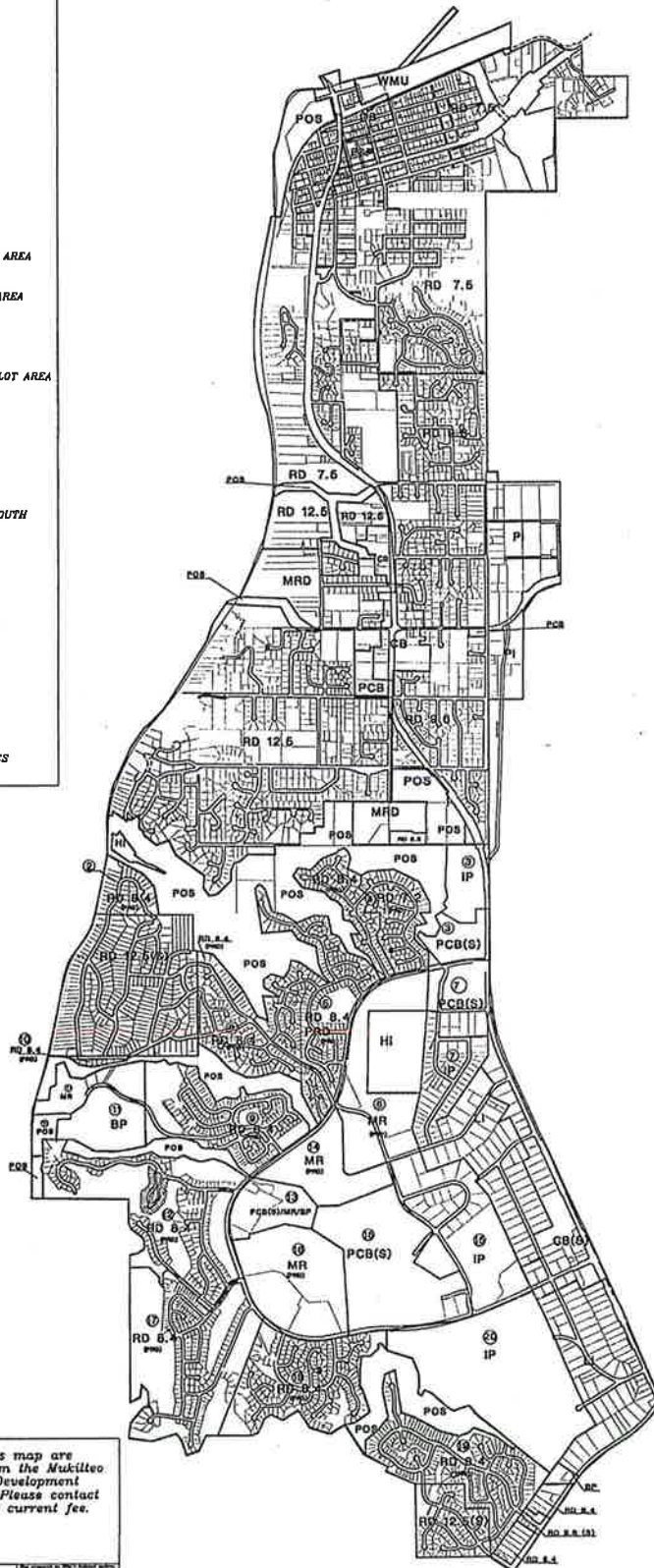
Ordinance No. 997

Adopted 12/6/99

LEGEND

RD 20.0	—	SFR DISTRICT, 20,000 S.F. MIN. LOT AREA
RD 12.5	—	SFR DISTRICT, 12,600 S.F. MIN. LOT AREA
RD 12.6(S)	—	SFR DISTRICT-SOUTH, 12,600 S.F. MIN. LOT AREA
RD 9.6	—	SFR DISTRICT, 9,600 S.F. MIN. LOT AREA
RD 9.6(S)	—	SFR DISTRICT-SOUTH, 9,600 S.F. MIN. LOT AREA
RD 8.4	—	SFR DISTRICT, 8,400 S.F. MIN. LOT AREA
RD 7.5	—	SFR DISTRICT, 7,600 S.F. MIN. LOT AREA
RD 7.2	—	SFR DISTRICT, 7,200 S.F. MIN. LOT AREA
WFB	—	WATERFRONT BEACH, (SFR) 7,200 S.F. MIN. LOT AREA
MRD	—	MFR DISTRICT, 3,360 S.F. USABLE LAND/DU
MR	—	MFR DISTRICT, 2,000 S.F. USABLE LAND/DU
DB	—	DOWNTOWN BUSINESS DISTRICT
CB	—	COMMUNITY BUSINESS DISTRICT
CB(S)	—	COMMUNITY BUSINESS DISTRICT-SOUTH
PCB	—	PLANNED COMMUNITY BUSINESS DISTRICT
PCB(S)	—	PLANNED COMMUNITY BUSINESS DISTRICT-SOUTH
BP	—	BUSINESS PARK DISTRICT
PI	—	PLANNED INDUSTRIAL DISTRICT
IP	—	INDUSTRIAL PARK DISTRICT
LI	—	LIGHT INDUSTRIAL DISTRICT
HI	—	HEAVY INDUSTRIAL DISTRICT
PSP	—	PUBLIC/SEMI-PUBLIC DISTRICT
WMU	—	WATERFRONT MIXED-USE
POS	—	PARKS AND OPEN SPACE

- Ⓢ — DENOTES SECTORS IN HARBOUR POINTE MASTER PLAN AREA
- ▨ — LOCAL, STATE AND FEDERAL HISTORIC PLACES



The purpose of this map is to depict the location of the zoning district boundaries. The numbers of this map are drawn using the best available information known to the City of Mukilteo. Please use as a reference tool only.

The City of Mukilteo does not warrant the accuracy of the information on this map. The City of Mukilteo does not warrant the accuracy of the information on this map. The City of Mukilteo does not warrant the accuracy of the information on this map.

FOR MORE INFORMATION CONTACT:

CITY OF MUKILTEO
PLANNING DEPARTMENT
4480 CHENNAULT BEACH RD.
MUKILTEO, WA 98275

PHONE: (425) 355-4141
FAX: (425) 347-4544

Copies of this map are available from the Mukilteo Community Development Department. Please contact City Hall for current fee.

NOT A CITY OF MUKILTEO OFFICIAL
Map of Mukilteo, WA
Printed by [Signature]

SUMMARY OF ORDINANCE NO. 997
of the City of Mukilteo, Washington

On December 6, 1999, the City Council of the City of Mukilteo, Washington, approved Ordinance No. 997, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO CHANGE THE ZONING DESIGNATION OF THE 7824 MUKILTEO SPEEDWAY FROM SINGLE-FAMILY RESIDENTIAL RD12.5 (RD12.5) TO COMMUNITY BUSINESS (CB); TO CHANGE THE ZONING DESIGNATION OF THE LIGHT INDUSTRIAL (LI) PROPERTY ALONG THE MUKILTEO SPEEDWAY TO COMMUNITY BUSINESS-SOUTH (CB(S)).

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their meeting of December 6, 1999.



Deputy City Clerk, Christina Boughman



Mukilteo Water & Wastewater District

7824 Mukilteo Speedway • PO Box 260

Mukilteo, WA 98275-0260

Ph. 425-355-3355 • Fx. 425-348-0645

City of Mukilteo
11930 Cyrus Way
Mukilteo WA 98275
Attn: Linda Ritter, Senior Planner


RE: **Project Name:** Ace Metal Covered Storage Building
 Proponent: Bill Spidell on behalf of Ace Metal Recycling Center
 File No.: CUP-2018-003
 Location: 11110 Mukilteo Speedway

Project Description: Construction of a new 420 square foot covered storage area to be built on existing pavement. Seattle District Court mandates this covered storage area as part of a settlement for a stormwater violation lawsuit brought forth by Puget Sound Keepers. The purpose of the covered storage area is protect the open bins which are filled with various metals. The covered storage area reduces any potential contamination from rainwater and any potential discharge into stormwater system. This covered storage area must be built in conjunction with installation of a stormwater filter system that has been reviewed and approved by the Department of Ecology and the City of Mukilteo.

The District has no objections to the above described covered storage area as it is located in the South West corner of the property, where no District facilities are located. The District has both water and sanitary sewer facilities in the East portion of the lot, bordering the Mukilteo Speedway. These facilities will need to be protected during construction.

Thank you for providing the District the opportunity to comment.

For: Linda Ritter
lr Ritter@mukilteowa.gov
(425) 263-8043


Jim Voetberg, General Manager
January 2, 2019



Mukilteo
School District

District Office

9401 Sharon Drive • Everett WA 98204
(425) 356-1274 • Fax (425) 356-1310

Date: October 31, 2018
To: City of Mukilteo
Linda Ritter, Senior Planner
File Name: Ace Metal Recycling Center Covered Storage Area
PFN: CUP 2018-003
Location: 11110 Mukilteo Speedway, Mukilteo

In reference to Ace Metal Recycling Center Covered Storage Area, please make Mukilteo School District a Party of Record and send all notifications to Josette Fisher; Mukilteo School District, 9401 Sharon Drive, Everett, WA 98204.

Transportation comments, if any, will be mailed separately. Direct transportation questions to the Director of Transportation and Safety, Cindy Steigerwald @ 425-356-1306.

Sincerely,

A handwritten signature in black ink that reads "Josette Fisher".

Josette Fisher
Budget Analyst
Mukilteo School District
425-356-1236

Committed to Success for Every Student

An Equal Opportunity Employer and Educational Agency

Linda Ritter

From: Bowyer Kathy E. <BowyerKE@mukilteo.wednet.edu>
Sent: Monday, October 29, 2018 1:33 PM
To: Linda Ritter
Cc: Feaster Ann M.
Subject: FW: Request for Comments - Ace Metal Covered Storage Building 11110 Mukilteo Speedway
Attachments: Agency Review Packet.pdf

Mukilteo Transportation has no comments. Thank you

From: Steigerwald Cindy L.
Sent: Monday, October 29, 2018 11:12 AM
To: Bowyer Kathy E. <BowyerKE@mukilteo.wednet.edu>
Subject: FW: Request for Comments - Ace Metal Covered Storage Building 11110 Mukilteo Speedway

Cindy Steigerwald
Director of Transportation and Safety
Mukilteo School District

From: Sarah Kress [<mailto:skress@mukilteowa.gov>]
Sent: Monday, October 29, 2018 11:02 AM
To: Linda Ritter <lr Ritter@mukilteowa.gov>
Cc: permittech <permittech@mukilteowa.gov>
Subject: [BULK] Request for Comments - Ace Metal Covered Storage Building 11110 Mukilteo Speedway

REQUEST FOR COMMENTS

NOTE: A hard copy of this request will not be mailed. In an effort to reduce cost and staff time, the City of Mukilteo will now be notifying you of projects via e-mail. Please let us know if there is a different e-mail address we should be using.

File No.: CUP-2018-003 Proponent: Bill Spidell on behalf of Ace Metal Recycling Center

Location: 11110 Mukilteo Speedway

Project Description:

Construction of a new 420 square foot covered storage area to be built on existing pavement. Seattle District Court mandates this covered storage area as part of a settlement for a stormwater violation lawsuit brought forth by Puget Sound Keepers. The purpose of the covered storage area is protect the open bins which are filled with various metals. The covered storage area reduces any potential contamination from rainwater and any potential discharge into stormwater system. This covered storage area must be built in conjunction with installation of a stormwater filter system that has been reviewed and approved by the Department of Ecology and the City of Mukilteo.

Attached please find the following documents for the project:

1. Request for Comments
2. Notice of Application
3. Application

4. Narrative Statement(s)
Building Elevations
Site plan (reduced)
Location Map
Other: letter from the Department of Ecology for storm drainage
Height Worksheet

Please review this project as it relates to your area of concern and return your comments in writing either by mail or e-mail by **Wednesday, November 14, 2018** to Linda Ritter, Senior Planner, City of Mukilteo, 11930 Cyrus Way, Mukilteo, WA 98275, LRitter@mukilteowa.gov

If you have any questions, please call Linda Ritter 425-263-8043.

Sarah Kress
Permit Services Assistant
City of Mukilteo
11930 Cyrus Way, Mukilteo, WA 98275
425-263-8061
skress@mukilteowa.gov



CERTIFICATION OF PUBLIC NOTICE

CITY OF MUKILTEO

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

DECLARATION OF POSTING

I, Cheryl Martinis, declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On the 30th day of October, 2018 she/he caused to be posted a true and correct copy of:

Type of Notice:	Notice of Application – 11110 Mukilteo Speedway Ace Metal Covered Storage Building
Date Issued:	Wednesday, October 31, 2018
Comments:	Wednesday, November 14, 2018

at the following posting locations for City notices:

Rosehill Community Center
304 Lincoln Avenue

United States Post Office
8050 Mukilteo Speedway

Harbour Pointe Shopping Centre
11700 Mukilteo Speedway

Mukilteo City Hall
11930 Cyrus Way

EXECUTED at Mukilteo, Washington this 30th day of October, 2018.



DECLARANT

CERTIFICATION OF PUBLIC NOTICE

CITY OF MUKILTEO

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

DECLARATION OF POSTING

I, Linda Ritter, declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On the 30th day of October, 2018 she/he posted a true and correct copy of:

Type of Notice:

Notice of Application – 11110 Mukilteo Speedway
Ace Metal Covered Storage Building

Date Issued:

Wednesday, October 31, 2018

Comments:

Wednesday, November 14, 2018

at the following posting location for City notices:

- ☒ Location(s) on or near the site

EXECUTED at Mukilteo, Washington this 30th day of October, 2018.



DECLARANT



11930 Cyrus Way, Mukilteo, WA 98275

Notice

Pending Land Use Action



Notice of Application
The City of Mukilteo is currently reviewing an application for a pending land use action. The application is for a proposed change in land use from [illegible] to [illegible]. The application was received on [illegible] and is being reviewed by the Planning Department. The application is subject to public review and comment. The public hearing will be held on [illegible] at [illegible]. The application is available for review at the Planning Department, 11930 Cyrus Way, Mukilteo, WA 98275. For more information, please contact the Planning Department at [illegible].

Planning Department
11930 Cyrus Way, Mukilteo, WA 98275

City of Mukilteo

425-263-8000 • www.mukilteo.gov

10/30/2018 10:05

CERTIFICATION OF PUBLIC NOTICE

CITY OF MUKILTEO

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

DECLARATION OF MAILING

I, Sarah Kress, declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On the 29 day of October, 2018 she/he e-mailed or mailed a true and correct copy of:

Type of Notice:	Notice of Application – 11110 Mukilteo Speedway Ace Metal Covered Storage Building
Date Issued:	Wednesday, October 31, 2018
Comments:	Wednesday, November 14, 2018

to the applicant/contact(s), each property owner, and interested party whose name and address appear on the attached list, by first class mail.

EXECUTED at Mukilteo, Washington this 29 day of October, 2018

Sarah Kress
DECLARANT

Everett Daily Herald

Affidavit of Publication

State of Washington }

County of Snohomish } ss

RECEIVED
NOV 13 2018

BY: planner - cy

Dicy Sheppard being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH832326 APPLICATION as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 10/31/2018 and ending on 10/31/2018 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$56.76.

Dicy Sheppard

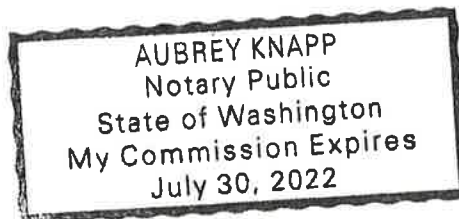
Subscribed and sworn before me on this

31 day of October,
2018.

Aubrey Knapp

Notary Public in and for the State of Washington.

City Of Mukilteo/Legal ads | 14103318
SARAH KRESS



CITY OF MUKILTEO
11930 Cyrus Way, Mukilteo WA
Notice of Application
Ace Metal Recycling Center Covered Storage Area
11110 Mukilteo Speedway
By Bill Spidehl on behalf of Ace Metal Recycling Center
Notice of Application Summary: 11110 Mukilteo Speedway -
October 31, 2018

Project Information: Construction of a new 420 square foot covered storage area to be built on existing pavement. Seattle District Court mandates this covered storage area as part of a settlement for a stormwater violation lawsuit brought forth by Puget Sound Keepers. The purpose of the covered storage area is protect the open bins which are filled with various metals. The covered storage area reduces any potential contamination from rainwater and any potential discharge into stormwater system. This covered storage area must be built in conjunction with installation of a stormwater filter system that has been reviewed and approved by the Department of Ecology and the City of Mukilteo.

Environmental documents prepared: The proposal does not require or include any environmental documents. The proposal is exempt from the State Environmental Protection Act (SEPA) under WAC 197-11-800(1)(d), (2)(f) and (12)(a).

Notice of Application Date: Wednesday, October 31, 2018
End of Comment Period: Wednesday, November 14, 2018

The public is invited to comment on the project by submitting written comments to the Planning Department at the above address by 4:30 p.m. on Wednesday, November 14, 2018. You are receiving this notice because you are within the noticing area for this project. To obtain a complete Notice of Application contact the City at (425) 263-8000 go to our website:
<http://www.mukilteowa.gov/Land-Use-Action-Notice>
Published: October 31, 2018. EDH832326