



# CITY OF MUKILTEO

## REQUEST FOR COMMENTS

DATE: February 14, 2018

X	Alderwood Water District – (Dan Sheil / Scott Smith)	X	Puget Sound Clean Air Agency (Beth Carper)
	Burlington Northern Santa Fe Railway (Marvinique Hill)	X	Puget Sound Energy (Dom Amor)
X	City of Edmonds (Rob Chave)	X	Puget Sound Regional Council
X	City of Everett (Allan Giffen)	X	Seattle Dist. Corps of Engineers (Dept. Army-Reg. Branch)
X	City of Everett (Steve Ingalsbe)	X	Snohomish Co. Airport/Paine Field (A. Rardin/B. Dolan)
X	City of Lynnwood (Paul Krauss)	X	Snohomish Co. Assessor's Office ( <i>Ordinances Only</i> )
X	City of Mill Creek (Tom Rogers)		Snohomish Co. Conservation District
X	City of Mukilteo (Building Official)		Snohomish Co. Environmental (Cheryl Sullivan)
X	City of Mukilteo (Fire Chief)		Snohomish Co. Fire District #1 (Kevin Zweber)
X	City of Mukilteo (Fire Marshal)		Snohomish Co. Marine Res. Comm. (Kathleen Herrmann)
X	City of Mukilteo (Engineering "In-Box")	X	Snohomish Co. Planning & Dev. Svc. (Darryl Easton)
X	City of Mukilteo (Com. Dev. Dir.)( <i>Postcard/Notice only</i> )		Snohomish Co. Public Works (Shannon Flemming)
X	City of Mukilteo ( Police, Cheol Kang, Myron Travis)	X	Snohomish Co. PUD: Dist. Eng. Services (Mary Wicklund)
X	Comcast of Washington (Casey Brown, John Warrick)		Snohomish Health District (Bruce A. Straughn)
X	Community Transit (Kate Tourtellot)	X	Sound Transit Authority (Perry Weinberg)
X	Dept. of Commerce (Growth Mgmt. Svcs Rev. Team)	X	Tulalip Tribes – (Zachary Lamebull)
	Dept. of Natural Resources (James Taylor)	X	Tulalip Tribes – (Richard Young)
	FAA/Air Traffic Division, ANM-0520 (Daniel Shoemaker)		United States Postal Service (Soon H. Kim)
	FEMA (John Graves)	X	Verizon Company of the NW, Inc. (Tim Rennick.)
	Island County MRC (Rex Porter) ( <i>Shoreline Only</i> )	X	Washington Dept. of Ecology (Peg Plummer)
X	Master Builders King/Sno. Counties (Mike Pattison)		Washington Dept of Fish & Wildlife (Jamie Bails)
X	Mukilteo Beacon (Editor) ( <i>Postcard/Notice only</i> )	X	WSDOT (Scott Rodman)
X	Mukilteo School District (Cindy Steigerwald)	X	WSDOT (Ramin Pazooki)
X	Mukilteo School District (Josette Fisher)		WSDOT Ferries(Kojo Fordjour) ( <i>Shoreline Only</i> )
X	Mukilteo Tribune (Editor) ( <i>Postcard/Notice only</i> )		WRIA 7 Water Resources
X	Mukilteo Water & Wastewater District (Jim Voetberg, Manager; Rick Matthews; Kendra Chapman)	X	Planning Commission ( <i>Postcard Only</i> )
	National Marine Fishery Service		Adjacent Property Owners
	Office of Archaeology & Historic Pres. (Allyson Brooks)		Applicant/Contact Person ( <i>Notice Only</i> )
	Ogden, Murphy, Wallace (Angela Summerfield) ( <i>Ordinances Only</i> )	X	Parties of Interest
	Pilchuck Audubon Society (President)		Parties of Record
X	Port of Everett (Graham Anderson)		Property Owners within 300' ( <i>Postcard/Notice Only</i> )
			Other:

FILE NO.: CA-2018-001

PROPONENT: City of Mukilteo

PROPOSAL NAME: Title 17 Zoning Code Amendment

PROPOSAL DESCRIPTION: Amend Mukilteo Municipal Code to improve code clarity, customer service and permit processing.

FILE NO.: CA-2018-001

PROPONENT: City of Mukilteo

PROPOSAL NAME: Title 17 Zoning Code Amendment

ATTACHED IS:

X	Notice of Proposed Ordinance		Plat Map (Reduced)
X	DNS		Site Plan (Reduced)
X	Environmental Checklist		Location Map
	Application		Vicinity Map
	Narrative Statement(s)		Other:
X	Draft Ordinance		

NOTE: \_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

Please review this project as it relates to your area of concern and return your comments with this cover sheet by, **Friday, March 2, 2018** to Linda Ritter, Senior Planner, City of Mukilteo, 11930 Cyrus Way, Mukilteo, WA 98275.

  
Linda Ritter  
Senior Planner

2/14/18  
Date

\*\*\*\*\*

RESPONSE SECTION:

\_\_\_\_ Comments Attached

\_\_\_\_ No Comments

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company

**DO YOU WANT A COPY OF OUR NOTICE OF DECISION**

**YES** \_\_ **NO** \_\_



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

City of Mukilteo, Washington  
**Notice of Proposed Ordinance**  
to update sections of Title 17- Zoning of the  
Mukilteo Municipal Code (MMC)  
&  
**Environmental Determination of  
Non-Significance**

**The City of Mukilteo** has proposed minor amendments to the Mukilteo Municipal Code (MMC) in order to improve code clarity, customer service and permit processing. This proposal and all supporting documents are available at City Hall for public viewing (File No. CA-2018-001).

**Proposal Name:** Title 17- Zoning Code Amendment

**Description of Proposal:**

- Amending Chapter 17.08 MMC - Definitions
- Amending Chapter 17.13 MMC - Land Use Development Procedures
- Amending Chapter 17.56 MMC – Off-Street Parking
- Amending Chapter 17.60 MMC - Modifications of Dimensions
- Amending Chapter 17.84 MMC - Implementing the State Environmental Policy Act

**Proponent:** City of Mukilteo

**Location of Proposal:** Citywide

**Lead Agency:** City of Mukilteo

**Environmental Documents Prepared for the Proposal:** Environmental Checklist

**List of Required Actions:** Recommendation by Mukilteo Planning Commission with final adoption of the ordinance by Mukilteo City Council.

**Optional DNS Process to be Used:**

The City of Mukilteo, as lead agency for this proposal, expects to issue a Determination of Non-Significance (DNS) for the proposal. Therefore, the optional DNS process allowed by WAC 197-11-355 is being used. This may be the only opportunity to comment on the environmental impacts of the proposal.

**Comment Period**

The plans 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 & Community Development Department at the above address by 4:30 p.m. on the date noted below.

**Notice of Proposal Issued:**

Friday, February 16, 2018

**End of SEPA Appeal and Comment Period:**

Friday, March 2, 2018

## Public Hearings

The Mukilteo Planning Commission, in accordance with State of Washington planning laws, Mukilteo Municipal Code and other regulations, has jurisdiction to hear and consider this matter and to forward their recommendation on the proposal to the Mukilteo City Council. The Planning Commission will hold a public hearing on this matter, tentatively scheduled for March/April 2018. Following that, the City Council will hold a public hearing, tentatively scheduled for April/May, 2018.

## Appeals

The Environmental Determination is appealable to the City of Mukilteo's Hearing Examiner. An appeal must be filed by 4:30 p.m. Friday, March 2, 2018. To appeal, an appeal form must be completed and nonrefundable appeal fee paid. At an Environmental Determination appeal hearing all testimony shall be under oath. Appellants should be prepared to make specific factual objections.

The final decision on this proposal is appealable to Superior Court. An appeal must be filed within 21 days after the final decision on the proposal is issued. Appellants must be a party of record, which includes any person who testified at the open record public hearing(s) on the proposal and/or any person who submitted written comments concerning the proposal.

**Contact Person:** Linda Ritter, Senior Planner

(425) 263-8043

Signature: \_\_\_\_\_



Linda Ritter, Senior Planner

Date: \_\_\_\_\_

2/12/18

**Date Issued:** Friday, February 16, 2018

**Date Advertised:** Friday, February 16, 2018

**End Comment Period:** Friday, March 2, 2018

c:     Reviewing Agencies  
       Interested Parties

CD Director  
Permit Services Supervisor

Permit Services Assistants (2)  
Property File



City of Mukilteo, Washington  
**DETERMINATION OF NONSIGNIFICANCE  
(DNS)**

11930 Cyrus Way, Mukilteo, WA 98275

**PROPOSAL NAME:** Title 17 Zoning Code Amendment Ordinance (CA-2018-001)

**DESCRIPTION OF PROPOSAL:**

Amending the Mukilteo Municipal Code (MMC) improve code clarity, customer service and permit processing as follows:

- Amending Chapter 17.08 MMC - Definitions
- Amending Chapter 17.13 MMC - Land Use Development Procedures
- Amending Chapter 17.56 MMC – Off-Street Parking
- Amending Chapter 17.60 MMC - Modifications of Dimensions
- Amending Chapter 17.84 MMC - Implementing the State Environmental Policy Act

**PROPONENT:** City of Mukilteo

**LOCATION OF PROPOSAL:** Citywide

**LEAD AGENCY:** City of Mukilteo

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

**COMMENT/APPEAL PERIOD**

This DNS is issued under WAC 197-11-355; the lead agency will not act on this proposal for fourteen (14) days from **Friday, February 16, 2018**. Comments/Appeals must be submitted by **Friday, March 2, 2018**.

**CONTACT PERSON:** Linda Ritter, Senior Planner (425) 263-8043

RESPONSIBLE OFFICIAL: *Patricia Love*  
TITLE: *Community Development Director*  
TELEPHONE: *(425) 263-8041*  
ADDRESS: *11930 Cyrus Way, Mukilteo, WA 98275*

Signature:

*David Oszek*

Responsible Official

Date: *Feb 8, 2018*

**DATE OF ISSUANCE:** Friday, February 16, 2018

## APPEALS

You may appeal this determination by filling out the appeal form and submitting it with the applicable appeal fee, which is non-refundable, to the "City of Mukilteo." Submit the appeal form and fee to the City of Mukilteo Department of Planning & Community Development at 11930 Cyrus Way, Mukilteo, WA 98275 by written comment no later than 4:30 pm. on **Friday, March 2, 2018**.

At a State Environmental Policy Act (SEPA) hearing, all testimony shall be "under oath". You should be prepared to make specific factual objections. Contact the Department of Planning & Community Development to read or ask about the procedures for SEPA appeals.

pc: Review Agencies  
Mukilteo Beacon

SEPA File  
Project File

CD Director  
Permit Tech.



# CITY OF MUKILTEO

## SEPA ENVIRONMENTAL CHECKLIST

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## **A. Background**

1. Name of proposed project, if applicable:  
**Title 17 Zoning Code Amendment**
2. Name of applicant:  
**City of Mukilteo**
3. Address and phone number of applicant and contact person:  
**Linda Ritter  
Senior Planner  
11930 Cyrus Way  
Mukilteo WA 98275  
425-263-8043**
4. Date checklist prepared:  
**February 8, 2018**
5. Agency requesting checklist:  
**City of Mukilteo**
6. Proposed timing or schedule (including phasing, if applicable):  
**The Mukilteo Planning Commission is expected to hold public hearings on the proposed code amendment March or April 2018 with the City Council taking final action on the code amendment April or May 2018.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
**N/A**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**This checklist**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.  
**N/A**
10. List any government approvals or permits that will be needed for your proposal, if known.  
**The proposed amendments are to be reviewed by the Washington State Department of Commerce. The Mukilteo City Council approves the amendments.**



11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

***Amending the Mukilteo Municipal Code to improve code clarity, customer service and permit processing as follows:***

- ***Amending Chapter 17.08 MMC - Definitions***
- ***Amending Chapter 17.13 MMC - Land Use Development Procedures***
- ***Amending Chapter 17.56 MMC – Off-Street Parking***
- ***Amending Chapter 17.60 MMC - Modifications of Dimensions***
- ***Amending Chapter 17.84 MMC - Implementing the State Environmental Policy Act***

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

***These amendments apply citywide.***

## ***B. Environmental Elements***

***As provided for in WAC 197-11-315(1)(e), Part B is not being completed as the lead agency has determined that the questions in Part B do not contribute meaningfully to the analysis of this non-project proposal.***

### ***1. Earth***

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

b. What is the steepest slope on the site (approximate percent slope)?

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

## **2. Air**

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

## **3. Water**

### **a. Surface Water:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**4. Plants**

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.

\_\_\_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other  
\_\_\_\_\_ water plants: water lily, eelgrass, milfoil, other  
\_\_\_\_\_ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?
- c. List threatened and endangered species known to be on or near the site.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
- e. List all noxious weeds and invasive species known to be on or near the site.

## **5. Animals**

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

- b. List any threatened and endangered species known to be on or near the site.
- c. Is the site part of a migration route? If so, explain.
- d. Proposed measures to preserve or enhance wildlife, if any:
- e. List any invasive animal species known to be on or near the site.

## **6. Energy and Natural Resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

- b. Would your project affect the potential use of solar energy by adjacent properties?  
If so, generally describe.
- c. What kinds of energy conservation features are included in the plans of this proposal?  
List other proposed measures to reduce or control energy impacts, if any:

## **7. Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?  
If so, describe.
  - 1) Describe any known or possible contamination at the site from present or past uses.
  - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
  - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
  - 4) Describe special emergency services that might be required.
  - 5) Proposed measures to reduce or control environmental health hazards, if any:

### **b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
- 3) Proposed measures to reduce or control noise impacts, if any:

## **8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

c. Describe any structures on the site.

d. Will any structures be demolished? If so, what?

e. What is the current zoning classification of the site?

f. What is the current comprehensive plan designation of the site?

g. If applicable, what is the current shoreline master program designation of the site?

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

i. Approximately how many people would reside or work in the completed project?

j. Approximately how many people would the completed project displace?

k. Proposed measures to avoid or reduce displacement impacts, if any:

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

## **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. Proposed measures to reduce or control housing impacts, if any:

## **10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
- b. What views in the immediate vicinity would be altered or obstructed?
- b. Proposed measures to reduce or control aesthetic impacts, if any:

## **11. Light and Glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts, if any:

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

- b. Would the proposed project displace any existing recreational uses? If so, describe.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

### **13. *Historic and cultural preservation***

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

### **14. *Transportation***

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).



- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- h. Proposed measures to reduce or control transportation impacts, if any:

### **15. Public Services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
- b. Proposed measures to reduce or control direct impacts on public services, if any.

### **16. Utilities**

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_
- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

### **C. Signature**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

Name of signee \_\_\_\_\_

Position and Agency/Organization \_\_\_\_\_

Date Submitted: \_\_\_\_\_

## **D. Supplemental sheet for nonproject actions**

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

***This is a non-project action. Subsequent development will increase stormwater discharge and construction activity will generate noise.***

Proposed measures to avoid or reduce such increases are:

***This is a non-project action. All subsequent development will have to adhere to the regulations governed by the DOE for stormwater regulations, air quality control, and City of Mukilteo construction hours for noise regulations.***

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

***N/A. This is a non-project action. Subsequent development will have to adhere to the City project and environmental review, and all applicable regulations and restrictions.***

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

***Subsequent development will have to adhere to all applicable regulations and restrictions resulting from the City's project and environmental review.***

3. How would the proposal be likely to deplete energy or natural resources?

***The proposed code amendment is not likely to deplete energy or natural resources. Project impacts will be evaluated individually.***

Proposed measures to protect or conserve energy and natural resources are:

***None proposed. Subsequent development will have to adhere to the regulations governed by the utility companies.***

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

***The proposed code amendment will not affect these areas any more than the existing code.***

Proposed measures to protect such resources or to avoid or reduce impacts are:

***If there are project impacts they will be evaluated individually.***

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

***Subsequent development will have to adhere to the regulations governed by the utility companies.***

Proposed measures to avoid or reduce shoreline and land use impacts are:

***Project impacts will be evaluated individually.***

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

***Subsequent development will have access to public transportation and other public services in the area.***

Proposed measures to reduce or respond to such demand(s) are:

***Subsequent development will have to adhere to the regulations governed by the public utility companies as well as other public services.***

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

***If applicable, all subsequent development will have to comply with all local, state or federal laws or requirements for the protection of the environment.***

## **Exhibit 1**

### **DRAFT ORDINANCE NO. 1411**

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, RELATING TO LAND USE PERMIT PROCESSING; AMENDING CHAPTER 17.08 MMC – DEFINITIONS TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.13 MMC – LAND USE AND DEVELOPMENT REVIEW PROCEDURES; AMENDING CHAPTER 17.56 OFF-STREET PARKING TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.60 MODIFICATIONS OF DIMENSIONS TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.84 IMPLEMENTING THE STATE ENVIRONMENTAL POLICY ACT TO THE MUKILTEO MUNICIPAL CODE TO PROVIDE CODE CLARITY AND IMPROVE PERMIT PROCESSING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, from time to time it is appropriate to review and amend development regulations to provide clarity and improve processes; and

WHEREAS, Statewide Planning Goal 7 (RCW 36.70A.020 (7)), intended to guide the development and adoption of comprehensive plans and development regulations, states “(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.” and

WHEREAS, City of Mukilteo Comprehensive Plan 2035 sub-policy ED1e states, “Permitting and licensing processes shall be efficient, clear, and concise so they do not unduly inhibit conducting business in the city (ED1e).”; and

WHEREAS, the code amendments contained in this ordinance are consistent with Statewide Planning Goal No. 7 and the City of Mukilteo Comprehensive Plan 2035; and

WHEREAS, the City has the authority under RCW Title 35A to adopt regulations related to the establishment of permit and appeal procedures; and

WHEREAS, on \_\_\_\_\_, 2018, the City of Mukilteo issued SEPA Determination of Non Significance were noticed in accordance with City of Mukilteo procedures and regulations; and

WHEREAS, on \_\_\_\_\_, 2018 a notice of the intent to adopt development regulation was sent to the Washington State Department of Commerce pursuant to RCW 36.70A.106 and expedited review was requested in accordance with RCW 36.70A.106 (3)(b); and;

WHEREAS, on \_\_\_\_\_ the Washington State Department of Commerce granted expedited review pursuant to RCW 36.70A.106; and

WHEREAS, on \_\_\_\_\_, 2018 the City of Mukilteo Planning Commission held a duly noticed public hearing on the amendments and, upon considering testimony, forwarded a recommendation to the City Council; and

WHEREAS, on \_\_\_\_\_, 2018, the Mukilteo City Council held a public hearing to accept public testimony on the proposed code amendments and has reviewed the Planning Commission's recommendation;

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

**Section 1. Chapter 17.08 MMC.** Chapter 17.08.020 MMC, Definitions, shall be amended to read as follows:

**"17.08.020 Definitions.**

Automobile Repair, Major. For "Major automobile repair" see "Garage, public." **means property devoted to the storage and repair of trucks and automobiles, including body and fender works and painting. The term does not encompass the business of wrecking automobiles or impound car lots when conducted outside of a structure.**

**Automobile Towing. "Auto Towing" means the business of wrecking automobiles or impound car lots when conducted outside of a structure.**

~~Garage, Public. "Public garage" means property devoted to the storage and repair of trucks and automobiles, including body and fender works and painting. The term does not encompass the business of wrecking automobiles or impound car lots when conducted outside of a structure.~~

~~Garage, Private. "Private garage" means a building or a portion of a residential building designed or used primarily for shelter or storage of vehicles or boats, but not airplanes. Where any vehicles or boats are equipped for operation, repaired or kept for remuneration, hire or sale, the term "private garage" does not apply.~~

~~"Group care facility" means a structure which is used to house up to fifteen individuals who are not related to the permanent resident of the household and which is licensed by the state to provide shelter, supervision, and treatment, and/or training for **functionally disabled persons, and which are not licensed as an adult family home pursuant to Chapter 70.128 RCW.** Residential care facilities are subject to the following: the following populations: disadvantaged (troubled/homeless) and abused children, abused women, mentally ill and/or retarded, elderly and the handicapped. The definition excludes the following population groups: criminals, drug/alcohol abusers, sexual deviants, psychotics, severely mentally retarded, ex-offenders, those who demonstrate a~~

~~known pattern of violence and/or property destruction, and residents of foster homes.~~

“Variance” is the means by which an adjustment is made in the application of the specific regulations of this title to a particular piece of property. ~~The property would be unbuildable because of special hardship conditions.”~~

**Section 2. Chapter 17.13 MMC** Chapter 17.13 Land Use and Development Review Procedures Application shall be amended to read as follows:

**17.13.030 Land use and development permit application.**

A. Review of all permit applications related to a land use action, development of vacant land, redevelopment of land, and changes in use or rezoning shall be carried out by the city planning, engineering, building, and fire departments.

B. Major Review. The following types of land use development permit applications shall be subject to the major review procedures of this chapter:

1. Preliminary plats;
2. Cottage housing projects;
3. Commercial and industrial land use development permits with a total gross floor area greater than eight thousand square feet;
4. Parking lots with twenty-one or more parking stalls;
5. Multifamily residential projects of five or more dwelling units;
6. Project rezones;
7. Binding site plans;
8. Grading permits where the combined total of cut and fill is greater than ~~five hundred~~ **one thousand** cubic yards;
9. Projects subject to SEPA review;
10. Variances;
11. Conditional use permits;
12. Major sector plan amendments;
13. Attached and detached wireless communication facility applications;
14. Essential public facilities; and
15. Stormwater minimum requirement exception.

C. Minor Review. The following types of land use development permit applications shall be subject to the minor review procedures of this chapter:

1. Historic register applications;
2. Street vacations;
3. Lot line adjustments;
4. Accessory dwelling unit permits;
5. Building permits;
6. Sign permits;

7. Right-of-way permits;
8. Commercial and industrial land use development permits with a total gross floor area less than eight thousand one square feet;
9. Grading permits where the combined total of cut and fill is one thousand cubic yards or less;
10. Parking lots with twenty or less parking stalls;
11. Multifamily residential projects of four or less dwelling units;
12. Final plats;
13. Land use development permits for which environmental review has been completed in connection with other land use development permits;
14. Administrative amendments to previously approved projects;
15. Fence height variances.

**Table 1**  
**Permit Review Process**

	<b>Major Review</b>	<b>Minor Review</b>
<b>Procedural Step</b>		
Application and submittals	Yes	Yes
Determination of complete application	Yes	Yes
Public notice	Potentially <sup>1</sup>	Potentially <sup>1</sup>
Notice of application	Yes	No
Review by city departments for consistency and applicable outside agencies	Yes	Yes
SEPA analysis	Potentially <sup>2</sup>	No
SEPA determination	Potentially <sup>2</sup>	No
Public hearing	Possible <sup>3</sup>	No
Notice of decision	Yes	No
Construction notice	Yes	Yes

1. See Table 5 for types of permits that require a public notice.
2. See Chapter 17.84, Implementing the State Environmental Policy Act, and specifically Section 17.84.070, Flexible thresholds for categorical exemptions, to determine if SEPA review is required.
3. See Table 6 for types of permits that require a public hearing.

D. Exemption. Because procedures for the review of shoreline permits are contained in Title 17B, Mukilteo Municipal Code, shoreline permits shall be exempt from the procedures listed in this chapter.

E. Review Process. The land use development permit application review shall follow the underlying permit review process as described in the Mukilteo Municipal Code. Depending on the application, land use development permit application review may be administrative or require a public hearing by a city designated official, commission or board. In addition to the other requirements of this title, the land use development permit application shall only be approved after the project has been reviewed and approved by the City of Mukilteo planning, building, engineering and fire departments.

F. An approved land use development permit shall be issued by the city only after the proposal has met all the requirements of the Mukilteo Municipal Code. Any land use development permit approved pursuant to this code shall be commenced, performed and completed in compliance with the provisions and conditions of the permits under which the project was approved. The permit shall be valid as outlined in Table 2 from the date that the permit is approved.

G. An approved land use development permit shall expire and become null and void if a grading or building permit is not obtained within the required time frame.



**Table 2**  
**Permit Approval Time Frames**

<b>Permit Type</b>	<b>Approval Period</b>	<b>One Extension Allowed</b>
Permits subject to major review (not otherwise listed)	4 years	1 year
Permits subject to minor review (not otherwise listed)	2 years	1 year
Conditional use permits and variances	2 years	None
Short plats	<ul style="list-style-type: none"> <li>• 7 years</li> <li>• 5 years (after December 31, 2014)</li> </ul>	1 year for short plats tentatively approved after December 31, 2014
Subdivisions	<ul style="list-style-type: none"> <li>• 10 years (if preliminarily approved before January 1, 2008)</li> <li>• 7 years</li> <li>• 5 years (after December 31, 2014)</li> </ul>	1 year for subdivisions preliminarily approved after December 31, 2014

H. Minor modifications to the approved land use development permit may be authorized by the planning and community development director and/or public works director, or his/her designee. Major modifications shall be approved by following the original review and approval process. Major modifications shall be changes which add additional unmitigated impacts or changes which affect the conditions of the original approval.

I. All applications shall be submitted with the appropriate fees as established by city council resolution. The fees are necessary to reimburse the city for costs associated with processing permits including, but not necessarily limited to, staff time, postage, legal notices, paper, duplicating costs, and mileage

**Section 3. Chapter 17.56 MMC.** Chapter 17.56 MMC - Off-Street Parking, shall be amended to read as follows:

17.56.055 Parking Credit for Alternatives to Automobile Access

Upon demonstration to the ~~planning commission~~ **Community Development Director** that effective alternatives to automobile access are proposed, the ~~commission~~ **Community Development Director** may reduce by not more than forty percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites. The extent of the reduction shall be commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand effectuated by such alternative programs. Alternative programs which may be considered by the ~~planning commission~~ **Community Development Director** under this provision include, but are not limited to van pooling, ride matching for carpools, and provision of subscription bus service.”

**Section 4. Chapter 17.60 MMC.** Chapter 17.60 MMC – Modifications of Dimensions” shall be amended to read as follows:

17.60.060 Exceptions for architectural features.

In cases where there are certain architectural elements of buildings which have characteristics different from the rest of the main structure, allowances are made in the setback, coverage and area requirements:

- A. Eaves, cornices, chimneys, flues, projecting windows and ornamental features may project no more than two feet into a required front ~~yard~~ **rear** or side yard.
- B. In cases where there are uncovered porches, decks or steps, the structures may project eight feet into a required front **or rear** yard and two feet into a required side yard, so long as they do not exceed the height of four feet at the point of connection to the building.”

**Section 5. Chapter 17.84 MMC.** Chapter 17.84 MMC - Implementing the State Environmental Policy Act, shall be amended to read as follows:

17.84.190 Critical areas.

- A. ~~Under the Growth Management Act, the city has designated critical areas and adopted regulations to protect the same, all as provided in Chapter 17.52 of the Mukilteo Municipal Code. Pursuant to WAC 197-11-908, the categorical exemptions set forth in the following subsection of WAC 197-11-800 shall not apply to proposals in critical areas: (1), (2)(a) through (h), (3), (5), (6)(a), (14)(c), (24)(a) through (g), and (25)(d), (f), (h), and (I). All other categorical exemptions apply whether or not the proposal will be located within a critical area.~~
- B. ~~The scope of environmental review of actions within critical areas shall be limited by:~~

~~1. Documenting whether the proposal is consistent with the requirements of Chapter 17.52; and~~

~~2. Evaluating potentially significant impacts of the critical area resources not adequately addressed by GMA planning documents and development regulations, if any, including any additional mitigation measures needed to protect the critical areas in order to achieve consistency with SEPA and other environmental review laws.~~

~~C. Except as provided in subsection (B) of this section,~~ pProposals that will be located within a critical area are to be treated no differently than other proposals under SEPA.

A threshold determination shall be made for all such actions, and an EIS shall not be automatically required for a proposal merely because it is proposed for location in a critical area.

**Section 6. Findings, Conclusions, and Analysis.** In support of the amendments approved in this ordinance, the Mukilteo City Council adopts the findings, conclusions, and analysis contained in the Staff Report on the amendments, attached hereto as Exhibit “x” and incorporated herein by reference.

**Section 7 Severability.** If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 8. Authority to make necessary corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 9. Conflict.** In the event that there is a conflict between the provisions of this Ordinance and any other City ordinance, the provisions of this Ordinance shall control.

**Section 10. 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 xx day of [month], 2018.

CITY OF MUKILTEO

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MAYOR JENNIFER GREGERSON

ATTEST/AUTHENTICATED:

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CITY CLERK, JANET KEEFE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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ANGELA G. SUMMERFIELD

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO: 1411

**SUMMARY OF ORDINANCE XXXX**  
of the City of Mukilteo, Washington

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On \_\_\_\_\_, 2018, the City Council of the City of Mukilteo, Washington, approved Ordinance No. 1411, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON, RELATING TO LAND USE PERMIT PROCESSING; AMENDING CHAPTER 17.08 MMC – DEFINITIONS TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.13 MMC – LAND USE AND DEVELOPMENT REVIEW PROCEDURES; AMENDING CHAPTER 17.56 OFF-STREET PARKING TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.60 MODIFICATIONS OF DIMENSIONS TO THE MUKILTEO MUNICIPAL CODE; AMENDING CHAPTER 17.84 IMPLEMENTING THE STATE ENVIRONMENTAL POLICY ACT TO THE MUKILTEO MUNICIPAL CODE TO PROVIDE CODE CLARITY AND IMPROVE PERMIT PROCESSING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

APPROVED by the City Council at their meeting of \_\_\_\_\_, 2018.

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CITY CLERK, JANET KEEFE