



**MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
SFR-RUP-HE 2019-001**

PROJECT NAME: Kakar Single-Family Residence Reasonable Use/Variance

DESCRIPTION OF PROPOSAL: Construction of a new single-family residence with a detached garage including associated grading, parking, landscaping and street frontage improvements on approximately 1.4 acres consisting mainly of steep slopes. The property is zoned Single-Family Residential 12.5 (RD12.5). The footprint for the conceptual house and driveway area have been placed in the southeastern portion of the site in order to minimize driveway lengths and disturbance areas on site. Water, sewer and dry utilities are to be extended into the site from existing services located in 92nd Street/63rd Place right-of-way areas. Total permanent disturbance area estimated at around 7,000 sf. The applicant is asking for a reduction in the required critical areas and zoning setbacks.

DATE OF ISSUANCE: Friday, August 9, 2019

LOCATION OF PROPOSAL: 9180 63rd Place West, Mukilteo, Washington.

LEAD AGENCY: City of Mukilteo

The lead agency has determined that this proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement is not required under RCW43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

PUBLIC COMMENT PERIOD

This MDNS is issued pursuant to WAC 197-11-350 and Mukilteo Municipal (MMC) Code section 17.84.100. The lead agency will not act on this proposal for fourteen (14) days from Friday, August 9, 2019. Comments must be submitted by **4:30 p.m., Friday, August 23, 2019.**

APPEAL PERIOD

You may appeal this determination by filling out the appeal form and submitting it with the applicable appeal fee to the City of Mukilteo Community Development Department, 11930 Cyrus Way, Mukilteo, WA 98275 within 14 days after the comment period. Appeals must therefore be filed by **4:30 p.m., Friday, September 6, 2019.**

At a SEPA hearing, all testimony shall be "under oath". You should be prepared to make specific factual objections. Contact the Community Development Department to read or ask about the procedures for SEPA appeals.

MDNS AVAILABILITY: Copies of the MDNS are available on the City of Mukilteo website at <https://mukilteowa.gov/land-use-action-notice/> and from the City of Mukilteo Community Development

Department, 11930 Cyrus Way, Mukilteo, WA 98275, or by contacting the City directly at (425) 263-8000.

DOCUMENTS INCORPORATED BY REFERENCE:

The following environmental documents, available for review at Mukilteo City Hall (address below), have been reviewed:

- Environmental Checklist prepared by Jesse Jarrell of Western Engineers and Surveyors dated January 23, 2019
- Geotechnical Engineering Studies Proposed Single Family Residence 63rd Place West & 92nd Street SW Mukilteo, WA prepared by Geo Group Northwest dated May 29, 2008 and May 17, 2019
- Targeted Drainage Report for the Kakar Property at 9180 63rd Place West prepared by Western Engineers & Surveyors dated January 11, 2019

MITIGATION MEASURES

Issued in accordance with the substantive authority described in Mukilteo Municipal Code 17.84.160.

The following goals and policies from the Mukilteo Comprehensive Plan form the basis for the mitigation measures:

- LU9: The City shall manage and regulate development in critical areas and the shoreline to allow reasonable and appropriate uses in those areas while protecting them against adverse effects and shall regularly evaluate these regulations and programs to ensure they continue to use the best available science to protect environmentally sensitive areas from negative impacts associated with development.
- UT4: Development applications shall be reviewed by the Mukilteo Water & Wastewater District or the Alderwood Water & Wastewater District for adherence to the developer extension standards of the relevant district as determined by the location of the development.
- UT7: Surface water management planning and operations shall comply with City, State, and Federal surface water regulations and be consistent with the City of Mukilteo Comprehensive Plan.
- UT7d: Drainage, flooding, and stormwater run-off impacts shall be minimized to the maximum extent practical in land use development proposals and City operations.

The lead agency has determined that this proposal will not have a probable significant adverse impact on the environment if the following mitigation measures are followed:

1. All development shall proceed in accordance with the recommendations listed in the Geotechnical Report dated May 17, 2019, prepared by Geo Group Northwest, Inc. The cost of special inspections, if any, as recommended by the Geotechnical Report shall be the responsibility of the applicant.
2. All site stormwater shall be tightlined above ground to the base of the slope area and discharged at the Burlington Northern-Santa Fe Railroad right-of-way and not discharged at or above steep slope areas.
3. The stormwater piping and discharge location shall be constructed prior to the completion of the structure roofing so that stormwater may be collected and properly discharged.
4. Stormwater improvements shall be in accordance with the approved Targeted Drainage Report for the Kakar Property at 9180 63rd Place West prepared by Western Engineers and Surveyors dated January 11, 2019.
5. Any disturbance to the slope outside of the approved disturbance area shall require a landscape revegetation plan.

- a. Prior to issuance of an engineering permit, all plantings associated with a project permit shall require the submittal of an acceptable performance bond in the amount of 150% of the cost for materials and labor.
 - b. Upon installation of the plants, a maintenance bond shall be submitted to warrant all required plantings against defects in labor and materials for a period of two (2) years after acceptance of those improvements by the City.
 - c. All plantings shall be maintained in healthy growing condition. A final inspection will be performed at the end of the two (2) year period and any dead, dying or diseased plant material shall be replaced prior to release of the maintenance bond. The City shall reserve the right to require an additional maintenance bond for up to a two (2) year period for any replaced or replanted plant material.
6. Minor modifications of the approved landscape plans may be approved by the Community Development Director or Public Works Director if the modifications do not change the findings of fact or the conditions of approval.
 7. Special inspections shall be conducted for the constructed retaining wall(s) by the Design Structural Engineer, or their designee. Special inspection reports shall be completed and turned into the City for the file. These reports shall verify that the wall(s) were built per the approved engineered design or that any deviations were approved by the Structural Engineer of record.
 8. Per the International Building Code (IBC), the City may require that the property owner obtain a special inspection to address certain construction issues (such as topography, foundation types, unstable conditions, or soil types) prior to City approval. The cost of these special inspections will be the responsibility of the property owner.
 9. Prior to permit issuance, the applicant shall submit a copy of the Burlington Northern-Sante Fe Railroad permit allowing release of the stormwater into their (Burlington Northern-Sante Fe) drainage ditch.
 10. Noise from construction activity that is audible beyond the property lines of the project site shall not be allowed between the hours of six (6) p.m. to seven (7) a.m. on weekdays, six (6) p.m. to nine (9) a.m. on Saturdays and all day on Sundays and holidays.
 11. The applicant shall comply with all other applicable codes, regulations and requirements.

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

RESPONSIBLE OFFICIAL:

David Osaki
Community Development Director
11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8042

Signature: 
 Responsible Official

Date: 8/5/19

pc: Review Agencies	Tribune	Permit Services Personnel
Project File	CDD Director	Mukilteo Beacon
Applicant/Contact Person		Parties of Interest / Record