



PLANNED ACTION DETERMINATION
SEPA16-034
Community Transit
12/27/2016

DESCRIPTION OF PROPOSAL: The proposed action is to construct a new transit center for Swift II Bus Rapid Transit. Project includes passenger shelters, lighting, paved internal circulation, signage, landscaping and stormwater management. Approximately 810 cubic yards of fill (including crushed surfacing base, top course for pavement and topsoil for planting; and 31,360 cubic yards of soil will be cut (including road excavation, foundation excavation, and gravel borrow haul-away). A landscape modification decision has been issued as part of this project under file number REVI16-025.

PROponent: Community Transit
Attn: Dan Jerome
7100 Hardeson Road
Everett, WA 98203

LOCATION: Southeast of intersection of 75th St W & Seaway Blvd

ZONING: M-M, Business Park

LEAD AGENCY: City of Everett Planning Department

STAFF CONTACT: Teresa Weldon Phone: (425) 257-8731

The City of Everett Planning and Community Development Director has determined that:

- The project is located within the boundaries of the Southwest Everett Subarea Plan.
- The zoning designation of the property upon which the project is proposed is consistent with those designations analyzed in the Southwest Everett/Paine Field Subarea Plan and EIS, December 1996.
- The proposed use is consistent with the uses and intensities allowed in the City's development regulations and is listed as a use analyzed in the final EIS, Tables 3.1-1 and 3.1-2.
- The project is a use that implements the Subarea Plan and the project's significant environmental impacts have been adequately addressed in the SW Everett/Paine Field Subarea Plan EIS.
- The project's significant adverse environmental impacts will be mitigated through the application of the mitigation decision document. These mitigation measures, along with other City requirements and conditions, constitute sufficient mitigation for the significant environmental impacts associated with the proposed project.
- The proposed project must comply with all applicable local, state and federal regulations and development standards.
- The proposed project is not an essential public facility.

The project proponent has agreed to comply with the SW Everett Subarea Plan Mitigation Decision Document. **The project is hereby designated a Planned Action** pursuant to RCW 43.21C.031(2)(a) and City of Everett Ordinance No. 2213-97. A SEPA threshold determination is not required for this proposal per 43.21C.031 RCW. This determination is dependent upon compliance with the SW Everett Subarea Plan Mitigation Decision Document and all local, state, and federal regulations related to general environmental protection including, but not limited to, right-of-way improvement requirements, drainage, etc. This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

There is no public comment period provided for this determination.

Responsible

Official: Allan Giffen, Director Phone: (425) 257-8731

Title: Planning and Community Development Interim Responsible Official

Address: 2930 Wetmore Avenue, Suite 8-A, Everett, WA 98201

Date: 12/27/2016

Signature:  JFW for Allan Giffen

There is no administrative appeal provided for this determination.

NOTE: This Planned Action Determination may be withdrawn in the event of significant changes in the proposal, disclosure of new significant information, misrepresentation by the applicant, or failure to comply with the existing regulations or the conditions in the Mitigation Decision Document.

**PLANNED ACTION DETERMINATION INFORMATION
SEPA16-034**

AGENCIES WITH JURISDICTION

1. A Construction Stormwater General Permit, administered by the Department of Ecology, will be required for this project if it will disturb an acre or more of land. Additional information as well as an application form can be found on the DOE website at: www.ecy.wa.gov/programs/wq/stormwater/construction.

APPLICABLE CONDITIONS FROM SW EVERETT MITIGATION DECISION DOCUMENT:

Section 1: LAND USE

1. Rockeries and retaining walls greater than 4 feet in height and 40 feet in length that are visible from adjacent properties or public right of way shall be substantially screened with landscaping or architecturally designed and landscaped to break up the appearance of length/height in a manner approved by the Planning Director. Rockeries and retaining walls within required landscape areas shall not be counted in the required landscaping width. (SEPA Land and Shoreline Use Policies)
2. If any archaeological resources or human remains are found during construction, the project proponent shall contact the Stillaguamish Tribe, Tulalip Tribes, the City of Everett Planning and Community Development Department, and the State Office of Archaeology and Historic Preservation. This contact will initiate a consultation process for determining subsequent actions. (SEPA Land and Shoreline Use Policies)

Section 2: TRANSPORTATION

No additional mitigation identified.

Section 3: EARTH/GEOLOGICALLY HAZARDOUS AREAS

1. Prior to issuance of grading permits for removing earth from a site, the applicant must demonstrate that permits have been obtained for placement of the earth off-site. (SEPA Earth and Water Policies)
2. In order to minimize erosion during construction, all soil piles shall be covered with plastic sheeting or other impervious covering staked to the ground or anchored with rocks or sandbags. Berms, earthen or otherwise, must be constructed at the perimeter of excavated areas to prevent adjacent site runoff from entering the excavations. (SEPA Earth and Water Policies)

3. Grading/filling on-site shall not adversely affect adjoining sites. (SEPA Earth and Water Policies)
4. Clearing limits shall be staked, flagged, and/or fenced off prior to initiation of any clearing or land alteration activities as approved. Temporary erosion control measures for construction activity must be operational prior to commencement of any clearing or earthwork.
5. City streets and alleys are to be kept clear of dirt and debris at all times during construction. Dust suppression and street cleaning must occur as directed by the Public Works Inspector.
6. All exposed ground must be reseeded within 30 days of completion of construction. If reseeded is not practical due to weather or seasonal problems, the ground must be covered with mulch as directed by the City Engineer/Public Works Inspector.

Section 4: SURFACE/GROUNDWATER, PLANTS AND ANIMALS

1. Stormwater shall be managed in accordance with the applicable City of Everett stormwater management standards. The City will be adopting new stormwater management standards to become effective on 1/1/2017.
2. Construction Stormwater Pollution Prevention will be required for this project in compliance with applicable City standards. In addition, if the overall project will disturb more than an acre of land, the applicant must apply for coverage under the Washington State Department of Ecology's Construction Stormwater General Permit.
3. Lack of comment on the submitted site plan and storm drainage report does not constitute approval of these submittals. The City of Everett does not conduct detailed stormwater reviews of documents until after a project has received a land use approval.

Section 5: AIR QUALITY AND ODOR

No additional mitigation identified.

Section 6: ENERGY AND NATURAL RESOURCES

All power lines carrying a voltage of less than 15kV must be undergrounded.

Section 7: ENVIRONMENTAL HEALTH

All development in Everett must be in conformance with the requirements of EMC 20.08, the Noise Control Ordinance.

7.2 Toxic/hazardous materials and explosives:

Construction Phase

1. Construction equipment and vehicles must be maintained so they do not leak fuels or lubricants. During construction, a staging area must be specified for all vehicle maintenance activities. The staging area must be located well away from all drainage courses. Where possible, all stormwater from related maintenance areas must be directed to the sanitary sewer, rather than the stormwater system. (SEPA Earth, Water and Environmental Health Policies)
2. During construction activities, all spills of fuel and hazardous materials must be contained and removed in such a manner as to prevent their entering the waters and soils of the State. Cleanup of spills must take precedence over other work on site. (SEPA Earth, Water and Environmental Health Policies)
3. During construction, all petroleum products, chemicals, and building materials that could contaminate runoff must be stored in a lined covered area. An impervious berm must be constructed around the perimeter of the storage area. The storage area must be located away from environmentally sensitive areas. (SEPA Earth, Water and Environmental Health Policies)

Operation Phase

4. Dumpsters must be covered and maintained, so that stormwater runoff from refuse does not enter storm drains or infiltrate into soil. (SEPA Earth, Water and Environmental Health Policies)
5. On sites containing hazardous materials, procedures to use in case of spills must be posted. (SEPA Earth, Water and Environmental Health Policies)
6. All chemicals or products of a hazardous or toxic nature that may be used or stored on the site must be stored under cover and isolated from the storm drainage system. (SEPA Earth, Water and Environmental Health Policies)

Section 8: PUBLIC SERVICES AND UTILITIES – No additional mitigation identified.

ADDITIONAL INFORMATION FOR DEVELOPER:

The following information is provided for the developer's benefit. These are not SEPA conditions but are associated with implementing the Planned Action and other laws or requirements. All requirements are preliminary in nature, and are based upon the preliminary site plan and the ordinances in effect at time of submittal for SEPA review. The proposal must

comply with all ordinances in effect at the time a complete building permit application is filed, including those not specifically set forth herein.

Planning Department Comments – Teresa Weldon (425) 257-8731

1. This development proposal must meet the applicable requirements of Title 19 Zoning of the Everett Municipal Code. The comments provided below are preliminary.
2. The use of the proposed site must be a permitted use as listed in the M-M zone. The proposed use is a 'transit station', which is a permitted use in the M-M zone.
3. Setback Requirements. The M-M zone requires building structure setbacks. The front setback is 20 feet from the property line (Seaway Blvd), street side setback is 15 feet (75th St SW) and the side interior setback is 10 feet. Note: If submitting for a BLA or BSP, the bus shelters along the proposed new property line on the south side would be encroaching into a required 10 foot side interior setback. A possible solution to this is to move the proposed lot line further south so that there is a 10 foot setback clearance from the shelters.
4. The maximum building height in the M-M zone is 65 feet.
5. A lighting plan will be required at the time of building permit submittal. Parking lot illumination shall be designed and constructed so as to:
 1. Provide security lighting to all parking spaces;
 2. Be shielded in a manner that does not disturb residential uses;
 3. Parking area lighting fixtures shall be full cut-off (zero percent candlepower at ninety degrees horizontal and ten percent maximum candlepower at eighty degrees from vertical), dark-sky rated, and mounted no more than thirty feet above the ground, with lower fixtures preferable so as to maintain a human scale.
6. A pedestrian circulation system for the site must be approved by the Planning Director and Traffic Engineer prior to the issuance of any building permits. Walkways must allow pedestrians and wheelchairs to gain easy access from sidewalks and bus stops to building entrances through the use of paths which are physically separated from vehicle traffic and maneuvering areas. (See the city's Design and Construction Standards and Specifications Manual and the Transportation Compatibility section, Section 39.165 of the Zoning Code.)
7. Placement and screening of refuse disposal areas must be provided per Section 39.080 of the Zoning Code as follows: Garbage receptacles, dumpsters, and recycle bins shall be provided. All garbage dumpsters and recycle bins must be screened from view from the street and from adjacent properties. This screening may be done using dense vegetation or by placing the dumpster or recycle bin in a structural enclosure. A shed roof covering over the dumpster is strongly encouraged.

8. The development must show any proposed retaining walls or rockeries. Any rockeries or retaining walls proposed in required setback areas must be in conformance with Section 39.150 of the Zoning Code.
9. Landscaping is required for this development as required by Category D of the landscaping code in Title 19, Chapter 35. A landscape modification decision has been issued for this property. See the Landscape Modification Decision and the approved Landscape Concept Plan, Exhibit "A" for landscaping requirements. The project number is REVI16-025.
10. Landscaping Plans shall be prepared by Licensed Professionals. Landscape plans shall be prepared by professionals licensed or certified in Washington State, such as licensed landscape architects, architects, engineers, or certified professional horticulturists, nurserypersons, or landscape designers. Prior to issuance of any permits, landscaping plans must be reviewed and approved by the Planning Department per Landscape Plan Requirements of Section 35.100 of the Zoning Code.
11. Irrigation systems must be provided in all landscaped areas per Section 35.130 of the Zoning Code.
12. Landscaping on the north side of the PUD Substation: 10 feet of Type III landscaping is required along the north side of the PUD substation.
13. Final Inspection by the Planning Department. A final inspection of the landscaping will be required by the Planning Department prior to final project approval.
14. Business signs, such as wall signs and monument signs, are regulated by Sign Category C of Chapter 36, Title 19 Zoning Code.
15. Your real property is located within the Airport Influence Area of Paine Field. Occupants of properties within the Airport Influence Area may be subject to inconveniences or discomforts arising from aviation activities, including but not limited to noise, odors, fumes, dust, smoke, hours of operation, low overhead flights and other aeronautical activities. Everett Municipal Code (EMC) 19.17.080 requires that you receive this disclosure notice in connection with permits you are or may be seeking. A provision of EMC 20.08.100 provides that "Noise originating from aircraft in flight and sounds which originate at airports and are directly related to flight operations" is exempt from noise control regulations. The City of Everett has adopted airport compatibility regulations in Chapter 19.17 EMC which may affect you and your land. You may obtain a copy of Chapter 19.17 EMC from the City of Everett. In addition, current and future property owners are notified that the Federal Aviation Administration establishes standards and notification requirements for potential height hazards that may be caused by structures, buildings, trees and other objects affecting navigable air space through 14 Code of Federal Regulations Federal Aviation Regulations Part 77. This disclosure may no longer be applicable if the subject property is removed from the Airport Influence Area.

Public Works/Engineering Comments – Kirk Brooks (425) 257-8814

A review of this project by the Engineering/Public Services Department indicates that the following conditions should apply:

1. A Public Works Permit is required for this project. Detailed drawings in accordance with City Design and Construction Standards shall be submitted to the Public Works Department, showing site parking layout, landscaping, utilities, storm drainage, temporary construction erosion control, and all required improvements in the public right-of-way. Public Works Department approval of these drawings is required prior to any permits being issued. All improvements shall be completed, approved and warranted before the Occupancy Permit is issued/final approval is granted.
2. Full standard half street improvements are required to Seaway Blvd & 75th Street SW, including but not limited to curb, gutter, sidewalks, street widening and drainage control per City Design Standards.
3. Right-of-way as applicable is to be dedicated to the City for street/alley purposes on the proposal's frontage.
4. Any grading/fill on this site shall be done so as to not impact the surrounding properties.
5. Special charges for connection to the sewer and water systems in accordance with Ordinance 1998-94 and subsequent revision are applicable. These charges are based on projected water usage and can be substantial. Applicant is encouraged to obtain a copy of the Ordinance and determine estimated charges prior to building permit application. The actual charges shall be computed by the Public Works Department per the ordinance in effect at the time and according to the information on the approved plans at the time of building permit issuance.
6. Approval of construction plans will require demonstration that all pertinent standards and regulations are met.
7. City streets and alleys are to be kept clear of dirt and debris at all times during construction. Dust suppression and street cleaning must occur as directed by the Public Works Inspector.
8. As-builts of storm sewer, sanitary sewer, and water systems will be required to be submitted per City Design and Construction Standards and Specifications for Development.
9. Any broken or damaged sidewalk shall be repaired/replaced per the City Public Works Inspector.

10. The construction plans must be designed from a site survey performed by a licensed State of Washington land surveyor.
11. All exposed ground must be reseeded within 30 days of the completion of construction. If reseeding is not practical due to weather or seasonal problems, the ground must be covered with mulch as directed by the City Engineer.
12. Temporary erosion control measures for construction activity must be operational prior to commencement of any clearing or earthwork.
13. Side sewer and water services must meet City of Everett standards.
14. Stormwater shall be managed in accordance with the applicable City of Everett stormwater management standards. The City will be adopting new stormwater management standards to become effective on 1/1/2017. At this time, the City's policies regarding vested rights are contained in EMC 15.28 and Planning Director Interpretation #09-02.
15. Construction Stormwater Pollution Prevention will be required for this project in compliance with applicable City standards. In addition, if the overall project will disturb more than an acre of land, the applicant must apply for coverage under the Washington State Department of Ecology's Construction Stormwater General Permit.
16. Install a traffic signal at the intersection of 75th St SW with the project driveway.
17. Completely reconstruct the traffic signal at the intersection of 75th St SW with the PUD driveway just east of the project driveway.
18. Provide data infrastructure between the new traffic signal at the project driveway and the City of Everett's Traffic Management Center.
19. The site access driveway from Seaway Blvd shall be restricted to right turn ingress and right turn egress only with no left turns.
20. Site design and development within City of Everett Right-of-Way shall not preclude future construction of a northbound right turn lane along the project frontage on Seaway Blvd or 75th St SW.
21. Additional Information for Developer. Lack of comment on the submitted site plan and storm drainage report does not constitute approval of these submittals. The City of Everett does not conduct detailed stormwater reviews of documents until after a project has received a land use approval. However, preliminary review by Erik Emerson of the Public Works Department has yielded the following comments:

1. Runoff from City streets shall be kept separate from the private system unless a hold harmless agreement is provided to the City from Community Transit. The current proposal provides for two separate storm systems, one for private stormwater runoff and one for runoff from the public Rights of Way, which adequately addresses the concerns about mixing public and private stormwater runoff.
2. The detention tank proposed for the public system is acceptable in concept with the caveat that steel pipe will not be accepted.
3. Oil control measures will be required for the bus traffic areas due to the high frequency of bus traffic.
4. The project shall demonstrate compliance with Minimum Requirement #5 for on-site stormwater management.
5. The City requires strict compliance with Ecology's General Use Level Designation (GULD) for Modular Wetland Systems proposed in the City of Everett. The GULD includes the requirement for site plan review and approval by the manufacturer to ensure that site grading and slope are appropriate for use of a MWS-Linear Modular Wetland.
6. Reconstruction of the traffic signal is necessary because the proximity of the two driveways requires that a signal traffic signal controller operates both traffic signals.
7. This project shall not be required to construct the northbound right turn lane improvement but no elements of the project shall be located within any portion of the Right-of-Way that Public Works deems necessary for the future construction of this improvement.

Fire Department Comments – Jim Ventura – (425) 257-8124

No Comments.

Snohomish County PUD Comments – Edward Pride – 425.783.4300

The District presently has sufficient electrical system capacity to serve the proposed development. However, the existing District facilities in the local area may require upgrading. Any relocation or removal of District facilities to accommodate this project shall be at the expense of the project developer. Cost of any work, new or upgrade, to existing District facilities shall be at the expense of the project developer and shall be in accordance with the applicable District policy. The developer will be required to supply the District with suitable locations/easements upon its property for any electrical facilities that must be installed to serve the proposed development. We recommend contact with the District prior to design of the proposed project. For information about specific electrical service requirements, please call the District's Everett office at 425.783.8272 to contact a Customer Engineer.