



NOTICE OF APPLICATION AND SEPA MITIGATED THRESHOLD DETERMINATION (MDNS)

File Name: Arlington Townhomes
File Number: PLN #897
Applicant: Tic Toc, LLC
Location: Southwest of the Highland Drive and 81st Drive Intersection
Parcel No.: 31051100407600
Date of Application: May 4, 2022
Date of Completeness: May 12, 2022
Date Notice of Application: May 16, 2022
Date SEPA Checklist Prepared: November 1, 2021
Date of Threshold Determination: May 16, 2022
Lead Agency: City of Arlington Community and Economic Development Department
Lead Agency Contact: Amy Rusko, arusko@arlingtonwa.gov, 360-403-3550

PROJECT DESCRIPTION: The applicant is proposing an 18-lot preliminary unit lot subdivision to divide the subject parcel into 18 townhouse fee simple lots. The proposal consists of three buildings with 6-units each. Access to the site includes a paved 20-foot looped private drive road. City water and sewer will be extended into the site. The site grading includes 300 cubic yards of cut and 300 cubic yards of fill.

APPROVALS REQUIRED: City of Arlington: Preliminary Major Unit Lot Subdivision, Final Major Unit Lot Subdivision, SEPA Review, Site Civil Permit, Utility Permit, Complete Streets, and Building Permit. Department of Ecology: Stormwater General Permit.

Notice of Application Public Comment Period: Any person may comment on this application by writing to the mailing or email address below. Comments on this application must be received by **5:00 PM on Tuesday, May 31, 2022.**

SEPA THRESHOLD DETERMINATION: The City has determined that with the mitigation measures identified herein, this proposal would not have a probable and unavoidable 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. However, we have identified impacts by the proposed project that requires mitigation. In addition to the requirement that the development must comply with all City of Arlington zoning and development regulations, the following conditions of approval of the permit decision apply:

(B)(1) Earth: In order to mitigate for potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction.

(B)(2) Air: In order to mitigate for potential air impacts, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

(B)(3)(b) Ground Water: In order to mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.

(B)(3)(c) Water Runoff: In order to mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater.

(B)(4)(b) Plants: In order to mitigate for the removal of significant trees on the property the applicant has proposed to replant trees on the site at a 3:1 ratio.

(B)(7)(A) Environmental Health: Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.

(B)(7)(b) Noise: City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from light vehicle traffic will be generated during business hours at project completion.

(B)(10) Aesthetics: The proposal is required to meet the City of Arlington Development Design Standards of AMC 20.46, through Design Review Board prior to building permit submittal.

(B)(11)(a) Light and Glare: To mitigate for potential light pollution, the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict D – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.

(B)(12)(c) Recreation: To mitigate the impacts on recreation, the applicant shall pay Community Park Impact Fees in the amount of \$1,497.00 per dwelling unit.

(B)(13) Historic and Cultural Preservation: If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The applicant shall notify the Stillaguamish Tribe and submit an Unanticipated Discovery Plan prior to ground disturbance.

(B)(14)(d) Transportation: The proposal is required to construct frontage improvements and dedicate right-of-way along 81st Drive NE.

(B)(14)(f) Transportation: Trip generation has been calculated by Gibson Traffic Consultants through a Traffic Impact Analysis. The report references land use code 220 for low rise multi-family per the ITE Trip Generation Manual, 10th Edition and calculates the rate at 0.56 PM trips per unit. The project proposes 18 units, which results in 11 PM Peak Hour Trips. The Applicant is required to pay Traffic Mitigation fees in the amount of \$36,905.00 to the City of Arlington. City traffic mitigation fees shall be paid prior to building permit issuance.

(B)(15) Public Services: The applicant shall pay Arlington School District Mitigation Fees in the amount of \$3,455.00 for each multi-family unit. The applicant shall provide proof of payment prior to building permit issuance.

(B)(16)(a) Utilities: The applicant shall connect to the City of Arlington water and wastewater systems, extend utility lines as necessary and pay water and sewer connection fees. The well and septic shall be removed from the site. All improvements shall be installed during the Site Civil Construction phase of the project. Connection fees shall be paid at the time of building permit issuance. All utilities shall be installed underground.

DISCLAIMER: The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. The City of Arlington codes governing noise control, land use performance standards, construction, and improvements of roads, off site road improvement obligations, drainage control, traffic, school, park, stormwater, and utility mitigations, fire protection; and building practices will provide substantial mitigation of the aforementioned impacts.

The issuance of this MDNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Arlington reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interest of the city and/or necessary for the general health, safety, and welfare of the public to do so.

Public SEPA Threshold Determination Comment Period: There is a 14-day comment period for this MDNS. If you would like to comment on this Threshold Determination, written comments must be received by **5:00 PM on Tuesday, May 31, 2022**. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

SEPA Responsible Official: Marc Hayes, Director of Community and Economic Development

May 13, 2022	Marc Hayes
DATE	SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

TO APPEAL A DECISION: An agency or person may appeal the City's procedural compliance with WAC Chapter 197-11 (SEPA) for issuance of this MDNS. The MDNS is appealable to the Hearing Examiner. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by **5:00 PM on Tuesday, May 31, 2022**, and the appeal fee as set by resolution is paid.