



NOTICE OF APPLICATION & SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

File Name: King Short Plat
File Number: PLN #1191
Applicant: Jon King and Jordan King
Location: 4405 188th St NE
Parcel No.: 31051600400300
Date of Application: February 7, 2024
Date of Completeness: February 8, 2024
Date Notice of Application: February 22, 2024
Date SEPA Checklist Prepared: December 31, 2023
Date of Threshold Determination: February 21, 2024
Date of Publication/Posting: **February 22, 2024**
Lead Agency: City of Arlington
Lead Agency Contact: Ameresia Lawlis, alawlis@arlingtonwa.gov, 360-403-3548

PROJECT DESCRIPTION: The applicant is proposing to subdivide the current lot into three lots containing one single family residence and two duplexes. The short plat includes the dedication of right-of-way (ROW) for a public road and the creation of recreational open space.

APPROVALS REQUIRED: City of Arlington: Preliminary Short Plat, Final Short Plat, SEPA Review, Civil Permit, Utility Permit, Complete Streets, Building Permits and Demolition Permits.

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 reviewing 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:

1. **(B)(1) Earth:** The applicant proposes an estimated total cut and fill of 1,680 cubic yards. 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.
2. **(B)(2) Air:** 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.

3. **(B)(3)(b) Ground Water:** To mitigate 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.
4. **(B)(3)(c) Water Runoff:** 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.
5. **(B)(4)(b) Plants:** To mitigate for the removal of significant trees on the site the Applicant shall replant at a ratio of 3:1 for every significant tree removed. A total of 4 significant trees are proposed to be removed from the site. Tree mitigation is required for 12 trees. The applicant has proposed planting 18 replacement trees on the site.
6. **(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.
7. **(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 vehicle traffic and residential units will be generated after project completion.
8. **(B)(8) Land and Shoreline Use:** The property is located within Subdistrict B & ITZ 3 and shall comply with the Federal Aviation Regulations (FAR) Part 77 and complete a Federal Aviation Administration form 7460. An Avigation Easement shall be placed on the final plat and recorded at the Snohomish County Auditor's Office. Approval from the Airport has been received to allow for higher density than 1 dwelling unit per 5 acres on this parcel.
9. **(B)(10)(c) Aesthetics:** The applicant shall obtain design approval for the proposed structures with the building permits when submitted. The proposal is required to adhere to the development design standards.
10. **(B)(11)(a) Light and Glare:** To mitigate 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 B & ITZ 3.
11. **(B)(12)(c) Recreation:** The proposed residential development of one single family residence and two duplexes shall pay the following Community Park Impact Fees and Neighborhood/Mini-Park In-Lieu Fees:
 - Community Park Impact Fees:
 - 4 residential units (2 Duplexes) = \$6,648 (\$1,662 x 4 units)
 - 1 credit applied for existing single family residence
 - Neighborhood/Mini Park In-Lieu Fees:
 - 4 residential units (2 Duplexes) = \$1,936 (\$484 x 4 units)
 - 1 credit applied for existing single family residence

The applicant shall pay all community park impact fees and neighborhood/mini-park in-lieu fees prior to building permit issuance.
12. **(B)(13) Historic and Cultural Preservation:** The applicant submitted an Unanticipated Discovery Plan. 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 provide ground disturbance notification to the Stillaguamish Tribe of Indians and allow for monitoring on the site.
13. **(B)(14)(c) Transportation:** The proposal is required to improve the public right of way along 188th St NE, and the local access road will need to be installed. All public improvements and private access shall be approved with the Civil Construction plans.

14. **(B)(14)(f) Transportation:** The proposal is for a single-family residence and duplexes, which are equivalent to single-family homes per the Arlington Municipal Code for calculating traffic impact fees. Each duplex unit is calculated with 1 PM Peak Hour Trip.
 - 4 residential units (2 Duplexes) = \$13,420 (\$3,355 x 4 units)
 - 1 credit applied for existing single family residence
 The applicant shall pay the required fees prior to building permit issuance.
15. **(B)(15)(b) Public Services:** The proposal is within the Arlington School District and is required to pay \$4,002 for every single-family dwelling unit. For the proposed 5 units the total is \$20,010 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Arlington School District prior to building permit issuance.
16. **(B)(16)(a) Utilities:** The applicant shall remove existing well and septic on the property and receive approval for connection to the City of Arlington water and wastewater systems, extend utility lines as necessary, and pay water and sewer connection fees. All improvements shall be installed during the Civil Construction phase of the project. 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/or 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 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: This MDNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of the published decision. Written comments must be submitted no later than **5:00 p.m. on March 7, 2024**. 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

February 21, 2024	 <small>Marc Hayes (Feb 21, 2024 11:50 PST)</small>
DATE	SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

Appeal Process: The MDNS may be appealed pursuant to the requirements of AMC 20.98.210, AMC 20.20, and AMC 20.24. The fourteen (14) day appeal period commences on the date of publication of notice. Any appeal to the Hearing Examiner must be addressed to the City Hearing Examiner, accompanied by an application, written findings, a filing fee of \$600.00 (plus the actual cost of the Hearing Examiner), and be filed in writing at the City of Arlington, Community and Economic Development Department, 18204 59th Avenue NE, Arlington, WA 98223. An appeal hearing of the MDNS shall be combined with the Public Hearing for the project. The appeal must be received by **5:00 p.m. on March 7, 2024**.