



## **Site L Narrative Conditional Use Permit and Site Development Plan Application**

**For:**

Construction and Operation of the Lynnwood Link Extension project within the City of Mountlake Terrace, including the Light Rail Guideway and Mountlake Terrace Station, and Establishment of Construction Staging and Work Areas for Light Rail Transit Facilities

**Located at:**

The light rail alignment within the City of Mountlake Terrace will start at the Mountlake Terrace/Shoreline city limits at State Route 104/NE 205th Street and extend north along the Interstate 5 corridor for approximately 2.2 miles until the Mountlake Terrace/Lynnwood city limits at 212th Street SW.

Site L is located south of 213th Street SW, west of I-5, and east of 58th Avenue W.

**CITY OF MOUNTLAKE TERRACE PROJECT LOCATION:**

**Site L (within the 58th Avenue W right-of-way)**

**Submitted to:**

The City of Mountlake Terrace  
Department of Community and Economic Development

**Applicant:**

Central Puget Sound Regional Transit Authority (Sound Transit)  
Contact: Jonathan Childers, Senior Discretionary Permits Administrator  
Design, Engineering and Construction Management  
401 S Jackson Street  
Seattle, WA 98104  
(206) 398-5130



# TABLE OF CONTENTS

**INTRODUCTION..... 1**

**1.0 EXISTING SITE CONDITIONS..... 1**

    1.1 Size and Configuration of Site..... 1

    1.2 Zoning Designation ..... 1

    1.3 Topography..... 1

    1.4 Vegetation..... 1

    1.5 Critical Areas..... 2

        1.5.1 *Geologic Hazard Areas*..... 2

    1.6 Routes of Access to Site..... 2

    1.7 Land Use and Site Improvements..... 2

    1.8 Surrounding Land Uses..... 2

    1.9 Parking..... 2

    1.10 Noise and Vibration ..... 2

**2.0 PROPOSED USES..... 3**

**3.0 PLANNED IMPROVEMENTS..... 5**

    3.1 Structures..... 5

    3.2 Design..... 5

    3.3 Aesthetics ..... 5

    3.4 Grading ..... 5

    3.5 Routes of Access..... 5

    3.6 Retaining Walls..... 5

    3.7 Landscaping..... 5

    3.8 Noise Walls ..... 5

    3.9 Traction Power Substations/Signal Bungalows..... 5

    3.10 Stormwater Management Facilities ..... 6

    3.11 Utilities..... 6

**4.0 IMPACTS OF PLANNED USE AND IMPROVEMENTS..... 7**

    4.1 Surrounding Area and Land Uses..... 7

    4.2 Loss of Vegetation ..... 7

    4.3 Critical Areas..... 7

        4.3.1 *Geologic Hazard Areas*..... 7

    4.4 Noise and Vibration ..... 7

    4.5 Illumination and Glare ..... 8

    4.6 City Street Use..... 8

    4.7 Interim vs. Long-Term Impacts..... 8

**5.0 CONSTRUCTION..... 9**

    5.1 Anticipated Construction Schedule..... 9

    5.2 Use of City Streets and Haul Routes..... 9

    5.3 Illumination..... 9

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

5.4 Contractor Parking ..... 9

5.5 Vibration and Noise..... 9

5.6 Longevity of Construction .....10

5.7 Interim vs. Long-term Impacts .....10

**6.0 PARKING ..... 11**

6.1 Construction Worker Parking ..... 11

6.2 Hide and Ride Parking ..... 11

6.3 Functionally Equivalent Parking..... 11

**7.0 MITIGATION AND RESTORATION..... 13**

7.1 Mitigation of Impacts.....13

7.2 Restoration Proposals.....13

7.3 Interim vs. Long-Term .....13

    7.3.1 *Vegetation* .....13

    7.3.2 *Geologic Hazard Areas*.....13

    7.3.3 *Design*.....14

    7.3.4 *Aesthetics* .....14

    7.3.5 *Access*.....14

    7.3.6 *Parking*.....14

    7.3.7 *Noise*.....14

7.4 Complaint Hotline and Ombudsman.....15

**8.0 CONDITIONAL USE PERMIT DECISION CRITERIA..... 17**

**9.0 SITE DEVELOPMENT PLAN DECISION CRITERIA..... 23**

**10.0 MUNICIPAL CODE COMPLIANCE..... 25**

    10.1 Exception Requests .....32

**TABLES**

Table 1: Site L Code Compliance.....25

**ATTACHMENTS**

Attachment L: Site-Specific Drawings

## ACRONYMS AND ABBREVIATIONS

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
BMPs	Best Management Practices
CUP	Conditional Use Permit
dBA	A-weighted decibels
DCM	Design Criteria Manual
FEIS	Final Environmental Impact Statement
FTA	Federal Transit Administration
I-5	Interstate 5
IBC	International Building Code
Ldn	Day-night average sound level
Leq	dBA equivalent continuous noise level
LID	Low Impact Development
MTMC	Mountlake Terrace Municipal Code
RML	Low Density Multi-Household
ROD	Record of Decision
ROW	Right-of-Way
RS 7200	Single-Household Residential
SEPA	State Environmental Policy Act
TESC	Temporary Erosion and Sediment Control
TPSS	Traction Power Substations
WAC	Washington Administrative Code
WSDOT	Washington State Department of Transportation



## INTRODUCTION

Under this application, Sound Transit is seeking a Conditional Use Permit (CUP) for that portion of the Lynnwood Link Extension Project located within the city limits of the City of Mountlake Terrace (referred to as the Project in this Application). The Project includes approximately 2.2 miles of light rail transit facilities, including trackway, Mountlake Terrace Transit Center and Station, and associated facilities. This narrative is part of a comprehensive application package, which includes 13 site areas (Sites A through M), the Guideway narrative, and an Exhibit Book containing documents referenced in the CUP application. The Guideway narrative addresses the guideway structure, noise walls, retaining walls, and other project elements that are not site-specific.

This narrative describes Site L existing conditions and proposed site development, and responds to the CUP criteria and the Site Plan Development criteria. Site L is located south of 213th Street SW, west of Interstate 5 (I-5), and east of 58th Avenue W, as shown in the Vicinity Maps (Exhibit Book, Exhibits 1 and 2).

### 1.0 EXISTING SITE CONDITIONS

#### 1.1 Size and Configuration of Site

Site L encompasses approximately 4900 square feet (0.11 acre) of existing, vacant, City of Mountlake Terrace (City) right-of-way (ROW) at the eastern end of 58th Avenue W, where the City's ROW meets the Washington State Department of Transportation (WSDOT) limited access ROW. The location of Site L, including a minimum of 500 feet from the perimeter of the site, parcel lines, and collector arterials are shown on the Vicinity Maps (Exhibit Book, Exhibits 1 and 2). A visual overview of the site and its existing conditions, including property lines, adjacent rights-of-way, public improvements, traffic-control devices, and easements on or adjacent to the site are provided in the Existing Features Map in Attachment L – Site-Specific Drawings.

#### 1.2 Zoning Designation

As shown on the City of Mountlake Terrace (City) Official Zoning Map (adopted March 2018), Site L is located within City ROW at the eastern end of 58th Avenue W, where the City's ROW meets WSDOT ROW (I-5). Property north of Site L is within the Low Density Multi-Household (RML) zoning district or Single-Household Residential (RS 7200) district. Properties west of Site L are within the RS 7200 district. WSDOT ROW (I-5) borders Site L to the east.

#### 1.3 Topography

Site L is relatively flat and is covered by vegetation. The topography slopes uniformly downward to the northwest at a slope of approximately 7 percent. The street edges of 58th Avenue W slope downwards at approximately 30 percent towards the NE and 30 percent to the southwest. Topography details for Site L are provided in the Existing Features Map in Drawing No. SL-EFM123 Attachment L – Site-Specific Drawings.

#### 1.4 Vegetation

Existing Site L is within the ROW of 58th Avenue W and is mostly paved. There is a small area on the eastern half of the site that is covered with shrubs and low groundcover.

## **1.5 Critical Areas**

Portions of Site L are within Geologic Hazard Areas. There are no other critical areas identified at Site L (wetlands, streams, Flood Hazard Areas, Priority Habitat Areas, or Aquifer Recharge Areas), and therefore they are not discussed further.

This CUP addresses critical areas on Site L which is a City ROW. It does not address critical areas on the adjacent WSDOT limited access ROW (see Critical Areas Concurrence Letter, dated March 19, 2018) (Exhibit Book, Exhibit 9). A detailed discussion of all critical areas within 200 feet of the light rail alignment can be found in the City of Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8).

### **1.5.1 Geologic Hazard Areas**

Class II/Moderate Landslide Hazard Areas and small areas of Class IV/Very High Landslide Hazard Areas occur along the outermost edges of Site L. These geologic hazard areas are shown in the Existing Features Map on Drawing No. SL-EFM123 (Attachment I – Site-Specific Drawings) and further described in the Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8).

## **1.6 Routes of Access to Site**

Access to Site L is available from 58th Avenue W, from the northwest, and 214th Street SW from the southwest, as shown on the Vicinity Maps (Exhibit Book, Exhibits 1 and 2). Site L is bordered by I-5 to the east.

## **1.7 Land Use and Site Improvements**

Existing Site L includes City-owned ROW along 58th Street W. Details of existing land use and site improvements are shown on the Existing Features Map in Attachment L – Site-Specific Drawings, Drawing No. SL-EFM123.

## **1.8 Surrounding Land Uses**

Land uses surrounding Site L include residential houses to the north, south, and west and the I-5 corridor to the east. Property to the north is zoned RML and property to the south and southwest is zoned RS 7200.

## **1.9 Parking**

Existing Site L does not feature off-street private parking.

## **1.10 Noise and Vibration**

The noise and vibration levels occurring at Site L are primarily associated with the I-5 corridor. The existing noise level at a property directly north of Site L was measured and reported in the *Lynnwood Link Extension Final Environmental Impact Statement (FEIS)*. The day-night average sound level (Ldn) at this site was 67 A-weighted decibels (dBA) with a peak-hour level of 63 dBA equivalent continuous noise level (Leq). To supplement the data gathered during the environmental phase, an additional measurement was conducted on the north end of Site L. The measured noise level at this location was 64 dBA Leq. Per the Federal Transit Administration (FTA), these sound levels correspond to an urban environment. For additional detailed noise analysis, please refer to the L300 Noise, Vibration, and Groundborne Noise Report (Exhibit Book, Exhibit 10).

## **2.0 PROPOSED USES**

In the future, Site L will feature an emergency access pathway to the guideway. The 58th Street W ROW is required to access the WSDOT ROW for the construction of a gravel pathway for fire department access to the guideway. The pathway is on WSDOT ROW but connects to the eastern end of 58th Street W. The Site will have minimal construction activity and will include minor grading when restoration efforts occur after construction activities. This emergency access pathway will not adversely affect the established character of the surrounding vicinity, and the site will be restored to its original preconstruction condition or better after project work is done. This will include seeding any cleared areas outside the paved roadway within the site. Seeding will be applied for erosion control purposes and the existing vegetation will be preserved to the greatest extent practicable. All referenced drawings for Site L are provided on Attachment L – Site-Specific Drawings for this narrative.



## **3.0 PLANNED IMPROVEMENTS**

### **3.1 Structures**

The proposed work at Site L will not feature any structural elements. The guideway and supporting structures are located entirely within the WSDOT ROW, adjacent and to the east of Site L. For details related to the guideway, refer to the Guideway narrative, which is part of this comprehensive application package.

### **3.2 Design**

Site L will not feature any design features as it will not have any above ground structural components.

### **3.3 Aesthetics**

Site L will not feature any aesthetic elements but will be restored with landscaping. See Section 3.7 for landscape elements.

### **3.4 Grading**

Minimal grading is proposed for this site. Excavated materials not used as fill on site will be transported by truck to an approved off-site disposal site. Grading plans are provided in Drawing No. L90-CGP123 in Attachment L – Site-Specific Drawings.

### **3.5 Routes of Access**

Proposed access to Site L will be from I-5 via the 220th Street SW interchange to 64th Avenue W, 219th Street SW, 60th Avenue W, and 214th Street SW. A visual overview of existing roadways in the immediate vicinity of Site L and proposed improvements is provided in Drawing No. SL-PSP123 in Attachment L – Proposed Site Plan Map. There are no associated traffic or roadway illumination improvements proposed for Site L.

### **3.6 Retaining Walls**

There are no retaining walls currently planned for Site L.

### **3.7 Landscaping**

Approximately 2,400 square feet of erosion control seeding will be provided in unpaved areas that were disturbed by construction activities. Landscape callouts for this site are provided in Drawing No. SL-PSP123 in Attachment L – Site-Specific Drawings.

### **3.8 Noise Walls**

There is an existing noise barrier east of Site L that will mitigate noise impacts from light rail transit, in accordance with FTA criteria. There are no noise walls proposed for Site L. For additional details on the noise walls, refer to the Guideway narrative, which is part of this comprehensive application package.

### **3.9 Traction Power Substations/Signal Bungalows**

There are no traction power substations (TPSS) or signal bungalows (houses) proposed for Site L.

### **3.10 Stormwater Management Facilities**

No stormwater facilities are proposed for Site L.

### **3.11 Utilities**

Utilities will not be installed on Site L.

During construction, temporary services including water, power, sewer and communications, if required, will be coordinated with the utilities and will be removed or abandoned when no longer needed.

## **4.0 IMPACTS OF PLANNED USE AND IMPROVEMENTS**

### **4.1 Surrounding Area and Land Uses**

Use of and improvements on surrounding areas and land uses for Site L can be found in the *Lynnwood Link Extension FEIS* (Sound Transit 2015a: Chapter 4) and Appendix I-4.2 Land Use – Plans, Goals, and Policies (Sound Transit 2015b). See Section 1.8 of this narrative for more information about Site L's surrounding area and land uses. The proposed work at Site L does not include a conversion of land use, therefore there are no land use impacts anticipated to Site L.

### **4.2 Loss of Vegetation**

No trees will be removed during work at Site L. Demolition plans for this area are provided in Drawing No. SL-eCXP123; in Attachment L – Site-Specific Drawings.

### **4.3 Critical Areas**

A detailed discussion of impacts to critical areas can be found in the Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8). As discussed in Section 1.5, Class II/Moderate and Class IV/Very High Landslide Areas are present at Site L. There are no other critical areas present at Site L. Below is a summary of impacts to those Geologic Hazard Areas; detailed information is provided in the Mountlake Terrace Critical Areas Report in Exhibit Book, Exhibit 8.

#### **4.3.1 Geologic Hazard Areas**

Portions of Class II/Moderate and small areas of Class IV/Very High Landslide Hazard Areas within Site L will be temporarily impacted by the Project. Project impacts to Landslide Hazard Areas may include removal of vegetation, excavation of temporary and permanent cut slopes, placement of earth embankment fills, and construction of retaining structures.

Slopes and retaining structures will be evaluated and designed for adequate stability using appropriate techniques, such as limiting slope inclination, limiting surcharge loading, or adding slope reinforcement, therefore minimizing the potential for impacts to the Landslide Hazard Areas. The Project will be designed in accordance with the International Building Code (IBC), standards promulgated by the American Association of State Highway and Transportation Officials (AASHTO), Sound Transit design standards, and MTMC 16.15. The Project is also designed in accordance with Critical Areas Reasonable Use Provision, MTMC 16.15.

Limited clearing of vegetation and soil disturbance will expose soils in areas defined as landslide hazard areas, as shown in Drawing No. SL-EFM123 in Attachment L – Site-Specific Drawings. Best management practices (BMPs) will be implemented to limit erosion and sedimentation of exposed soils and a Temporary Erosion and Sediment Control (TESC) plan will be developed, implemented, and monitored to address potential erosion and siltation during construction.

### **4.4 Noise and Vibration**

Potential noise impacts and mitigation measures for the Project were identified in the Lynnwood Link Extension FEIS and ROD. Sound Transit is further assessing noise impacts and mitigations based on recently available design details. The L300 Noise, Vibration, and Groundborne Noise Report will be updated with the next design milestone in December 2018. As stated in the FEIS, Sound Transit will

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

mitigate noise and vibration impacts associated with construction, operation, and maintenance of the Project. There are 10 residences within 250 feet of Site L that may be impacted by noise and vibration.

Construction noise and vibration impacts on the nearest residences may occur, as detailed in Section 5.5 and 7.3.6 of this narrative.

Noise and vibration predictions for light rail operation (further addressed in the Guideway narrative portion of this package) are performed using standard FTA methodology and compared with FTA criteria to determine impacts. Noise mitigation in the form of acoustic panels and noise walls is being integrated with the final design of trackway structures with the goal of reducing noise impacts from light rail transit operations in communities adjacent to the Project in accordance with applicable FTA criteria. Attachment GW1 in the Guideway narrative shows the location of operations-related noise walls. For a detailed analysis of operational impacts conducted for the Project, please refer to the L300 Noise, Vibration and Groundborne Noise Report (Exhibit Book, Exhibit 10).

#### **4.5 Illumination and Glare**

Permanent lighting improvements are not required for Site L. For a description of temporary lighting improvements required during construction. See Section 5.3 of this narrative.

#### **4.6 City Street Use**

Sound Transit proposes to control traffic during construction of the Project through a variety of methods to ensure the safety of the public. See Section 5.2 of this narrative for information regarding use of city streets and haul routes.

#### **4.7 Interim vs. Long-Term Impacts**

Although there are only minor restoration improvements to be constructed at Site L at the end of the Project, this site will be used as construction access to the guideway throughout the Project. The overall project construction is estimated to last approximately 6 years. The site will be restored in accordance with Section 3.7 of this narrative. For non-landscaped areas, the site will be restored to its preconstruction condition or better after work has been completed. Long-term impacts related to operational noise will be mitigated as described in the Guideway narrative, which is part of this comprehensive application package, and as described in additional detail in the L300 Noise, Vibration, and Groundborne Noise Report (Exhibit Book, Exhibit 10).

## **5.0 CONSTRUCTION**

### **5.1 Anticipated Construction Schedule**

Construction of the Project is expected to begin in 2019 and conclude in 2024. Revenue service is scheduled to begin in 2024, following completion of track work and systems testing. Sound Transit will provide the City a detailed construction schedule before commencement of activities.

### **5.2 Use of City Streets and Haul Routes**

Haul routes to and from Site L will provide access to the I-5 corridor as directly as possible using collector and arterial streets. Preliminary haul routes are provided in Drawing No. SL-eCHP002 in Attachment L – Site-Specific Drawings. Final haul routes will be developed by the contractor. The access and haul routes were chosen to result in minimal pedestrian/vehicle conflict by using the most direct route to arterials. Detailed construction phasing and access, final haul routes, a Traffic Control Plan, and a Maintenance of Traffic Plan will be developed by the contractor during the latter portions of the final design process and during construction, and will be included in any Right-of-Way Use Permit and/or Site Development Permit applications submitted to the City. The Maintenance of Traffic Plan will conform to City Engineering Standards for Temporary Traffic Control.

### **5.3 Illumination**

Because the final layout of the work areas will be determined by the construction contractor prior to mobilization, this narrative describes in general terms the kinds of illumination that can be expected at Site L. Lighting during work hours will likely include mobile light plants and light poles on equipment. Lights will be pointed inward toward the work site, away from adjacent properties, and luminaire fixture shielding will be provided as required to reduce light spillage at adjacent properties. During nonworking hours, a reduced amount of lighting will be provided to maintain security.

### **5.4 Contractor Parking**

See Section 6.1, Construction Worker Parking, for discussion of the options planned for contractor parking.

### **5.5 Vibration and Noise**

A detailed construction noise and vibration analysis was prepared for the Project as described in the L300 Construction Noise, Vibration, and Groundborne Noise Report (Exhibit Book, Exhibit 15). Construction noise impacts are being further assessed based on recently available design details with respect to state and local noise ordinances. The report will be updated with the next design milestone in December 2018.

As stated in the FEIS, Sound Transit will mitigate noise and vibration impacts associated with construction, operation, and maintenance of the Project. Standard mitigation, where necessary and to the extent practicable, may consist of but not be limited to portable noise walls, temporary noise barriers (acoustic blankets on fencing), and vehicle broadband backup alarms or smart alarms for nighttime to lessen impacts from construction activities. Where feasible, temporary noise walls that provide partial mitigation will be installed to replace existing traffic noise walls to partially compensate during periods when these walls must be taken down for construction of the Project. Construction activity schedules, to the extent reasonable, will be structured so that noisier activity will be restricted to daytime hours, and

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

quieter activity will be performed at night. However, some activities must be performed at night as dictated by Maintenance of Traffic requirements associated with restrictions on lane and roadway closures on I-5 and other adjacent arterial roadways. These activities will be considered for localized, temporary noise control where feasible.

A Construction Noise and Vibration Mitigation and Monitoring Plan will be developed by the construction contractor and approved by the Sound Transit Construction Management Consultant Resident Engineer prior to commencement of construction activities outside normal daytime working hours. In general, the plan will specify the construction activities, monitoring locations, equipment, procedures, characterization of the noise produced with equipment, schedule of measurement, reporting methods to be used local outreach, and response to community concerns. The contractor will retain the services of an acoustic specialist to perform the detailed analyses for construction noise and vibration, and to develop the plan. The plan will be provided to the City for review prior to commencement of construction activities outside normal daytime working hours.

See Sections 4.4 and Section 7.3.6 of this narrative for additional information regarding noise impacts and mitigation.

### **5.6 Longevity of Construction**

Although construction restoration activities at Site L are anticipated to last for a few weeks at the end of the Project, access to the guideway will be required through most of the approximate 6-year construction period beginning in 2019.

### **5.7 Interim vs. Long-term Impacts**

Construction restoration impacts associated with work at Site L are anticipated to last for a few weeks at the end of the project, but beginning in early 2019 access to the guideway will be necessary through the approximate six-year construction schedule. The construction impacts to the site will be addressed through restoration. See Section 7.0 for restoration details. The access path will be permanent but is outside the Site L limits and will have no adverse impacts.

## **6.0 PARKING**

### **6.1 Construction Worker Parking**

Contractor parking on local streets will be prohibited. As required by the ROD, parking areas for construction workers will be provided if necessary. For more information please refer to the Lynnwood Link Extension Record of Decision (ROD) Including ROD Mitigations (ROD Table B-1) (Exhibit Book, Exhibit 17). As stated, it is the responsibility of the contractor to provide temporary parking areas for construction workers. The contractor will be required to submit a Construction Worker Parking Plan to Sound Transit before commencement of construction, and this plan will be provided to the City for review as part of the overall Project Temporary Parking Planning. There are several options available for the contractors to accomplish this, including:

- Providing parking in limited areas of the construction staging area.
- Establishing satellite parking lots and shuttling workers to the construction site.
- Encouraging and/or providing incentives to construction workers to use carpools, vanpools, and public transportation that lessen the demand for vehicular parking.

### **6.2 Hide and Ride Parking**

Site L is located 2.1 miles walking distance from the Mountlake Terrace Station; therefore, “hide and ride” parking is not expected to occur.

### **6.3 Functionally Equivalent Parking**

Site L has no off-street private parking spaces; therefore, equivalent replacement parking is not necessary for this site.



## **7.0 MITIGATION AND RESTORATION**

### **7.1 Mitigation of Impacts**

Critical areas on Site L are discussed in Section 1.5 of this narrative and shown in Drawing No SL-EFM123 (Attachment I – Site-Specific Drawings). Unavoidable impacts to Geologic Hazard Areas are discussed in Section 4.3.1 of this narrative. A summary of the mitigation measures that have been established to address Project impacts are described below. More detailed information can be found in the City of Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8).

### **7.2 Restoration Proposals**

Project-wide, including within the WSDOT limited access ROW, any critical areas temporarily impacted by project construction activities will be restored to pre-construction conditions or better. Temporarily disturbed Geologic Hazard Areas will be revegetated and restored as soon as practical to minimize the risk of erosion.

For non-landscaped areas, the site will be restored to its preconstruction condition or better at the end of construction. Seed mix will be applied in cleared areas between the street end and WSDOT ROW at the end of construction.

### **7.3 Interim vs. Long-Term**

The construction work, access and staging associated with Site L and the additional use of the site for construction access to the guideway will be necessary for approximately 6 years, starting in approximately 2019 and ending before commencement of revenue service in 2024. A description of interim versus long-term mitigation and restoration measures are discussed by subject area below.

#### **7.3.1 Vegetation**

No trees are planned for removal from Site L. Any areas where vegetation is removed during construction will be reseeded with grass seed to restore the areas.

#### **7.3.2 Geologic Hazard Areas**

As required by MTMC 16.15.430.C.4.a, geotechnical engineers evaluated the geologic hazard areas in the vicinity of the Project, and it is their opinion that the risks of damage from the Project, both on-site and off-site, are minimal, provided the Project is constructed as designed. The Project will be designed in accordance with the International Building Code (IBC) standards promulgated by the American Association of State Highway and Transportation Officials (AASHTO), Sound Transit design standards, and MTMC 16.15. Additionally, it is the geotechnical engineers' opinion the Project as designed will not increase the risk of occurrence of the potential geologic hazards and that measures to eliminate or reduce the potential geologic hazards have been incorporated into the design, in accordance with their recommendations presented in their geotechnical reports.

TESC measures are incorporated in the project construction requirements to reduce the risk of erosion during construction, and permanent landscaping has been incorporated into the project design to provide permanent erosion protection. The Project has been designed with consideration of static and seismic slope stability for all structures located in areas with sloping ground to reduce the risk of potential landslides.

All Landslide Hazard areas will be mitigated by the design such that the finished Project is expected to result in no impact or improved stability in Landslide Hazard Areas. Slopes will be evaluated and designed for adequate stability using appropriate techniques, such as limiting slope inclination, limiting surcharge loading, or adding slope reinforcement, therefore minimizing the potential for impacts to the Landslide Hazard Areas. In addition, vegetation cleared in these areas will likely be replanted with native vegetation.

### **7.3.3 Design**

The Project will be designed in accordance with International Building Code (IBC), American Association of State Highway and Transportation Officials (AASHTO) and/or Sound Transit design standards, as appropriate.

### **7.3.4 Aesthetics**

Refer to Sections 3.7 of this narrative for information regarding landscaping. No further aesthetic mitigation is proposed for Site L.

### **7.3.5 Access**

Refer to Section 3.5 of this narrative for information regarding site access improvements. A Traffic Control Plan and a Maintenance of Traffic Plan will be developed by the contractor in order to avoid or minimize impacts to traffic as a result of construction. Additional measures to mitigate traffic impacts will be implemented as necessary, and may include providing flaggers at construction vehicle access points; minimizing roadway, lane, shared-use path, and sidewalk closures, and limiting closures to non-peak traffic flow hours; coordinating and seeking approval of street and lane closures and other in-street work activities with transit agencies, emergency service providers, WSDOT, and the City; and providing advance notice of closures to the public.

### **7.3.6 Parking**

No parking mitigation or restoration is proposed for Site L, due to the lack of any current off-street parking uses on this site.

### **7.3.7 Noise**

The Project includes mitigation of noise and vibration impacts in the adjacent communities associated with operation and maintenance of the light rail transit system. For a discussion of operational noise and vibration mitigation, refer to the ROD and the Guideway narrative and the L300 Noise, Vibration, and Groundborne Noise Report (Exhibit Book, Exhibit 10), which are part of this application package.

Temporary construction noise and vibration will be mitigated to the extent practical, and may include the use of portable noise walls, temporary noise barriers (acoustic blankets on fencing), and vehicle broadband backup alarms or smart alarms for nighttime to lessen impacts from construction activities. Where feasible, temporary noise walls that provide partial mitigation will be installed to replace existing traffic noise walls to partially compensate during periods when these walls must be taken down for construction of the Project. Construction activity schedules, to the extent reasonable, will be structured so that noisier activity will be restricted to daytime hours, and quieter activity will be performed at night. However, some activities must be performed at night as dictated by Maintenance of Traffic requirements

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

associated with restrictions on lane and roadway closures on I-5 and other adjacent arterial roadways. These activities will be considered for localized, temporary noise control where feasible.

A Construction Noise and Vibration Mitigation and Monitoring Plan will be developed by the construction contractor and approved by the Sound Transit Construction Management Consultant Resident Engineer prior to commencement of construction activities outside normal daytime working hours. In general, the plan will specify the construction activities, monitoring locations, equipment, procedures, characterization of the noise produced with equipment, schedule of measurement, reporting methods to be used local outreach, and response to community concerns. The contractor will retain the services of an acoustic specialist to perform the detailed analyses for construction noise and vibration, and to develop the plan. The plan will be provided to the City for review prior to commencement of construction activities outside normal daytime working hours.

#### **7.4 Complaint Hotline and Ombudsman**

Per the ROD mitigation plan, Sound Transit will provide a 24-hour construction telephone hotline and a community ombudsman throughout the construction period (FEIS, Section 4.3). See the Lynnwood Link Extension ROD Including ROD Mitigations (ROD Table B-1) (Exhibit Book – Exhibit 17).



## 8.0 CONDITIONAL USE PERMIT DECISION CRITERIA

The following sections enumerate and discuss the Project's compliance with each of the CUP decision criteria set forth in MTMC 19.110.200.

- 1) *The proposal is in accordance with the goals, policies, and relevant land use designations of the Comprehensive Plan.*

**RESPONSE: The Project has been designed to be consistent with the City's Comprehensive Plan (as adopted in 2015 and amended in 2017). Exhibit 18 of the Exhibit Book provides a detailed narrative of the ways in which the Project meets the goals and policies of each applicable element of the Comprehensive Plan.**

- 2) *The proposal will not adversely impact the established character of the surrounding vicinity. For purposes of this section, "character" shall mean:*

- a. *The distinctive features or attributes of building and site design, including but not limited to building façade, scale, building modulation, tree cover, landscaping, size and location of signs, amount and location of parking, fencing and walkability:*

**RESPONSE: As described in Section 1, Site L is currently vacant City ROW at the eastern end of 58th Avenue W, where the City's ROW meets the WSDOT limited access ROW. The design and use of Site L for the Project will not adversely impact the surrounding vicinity's established character**

**The established character of the surrounding area is primarily residential homes, with the I-5 corridor east of the site. In the future, Site L will feature an emergency access pathway to the guideway.**

**The Site will have minimal construction activity and will include minor grading as part of restoration efforts following construction activities. The permanent emergency access pathway will not adversely affect the established character of the surrounding vicinity, and the site will be restored to its original preconstruction condition or better after project work is done. This will include seeding any cleared areas outside the paved roadway within the site. Seeding will be applied for erosion control purposes and the existing vegetation will be preserved to the greatest extent practicable. Section 3.0 addresses in detail the planned improvements for each of these facilities, which are briefly summarized below. The proposed site layout is provided on Drawings No. SL-PSP123 of Attachment L– Site-Specific Drawings.**

### **Building Façade, Scale and Modulation Impacts**

**Buildings surrounding Site L include one-story single-family homes. The project work at Site L will not adversely affect the character of the surrounding building facades, scale, or modulation. This does not apply to Site L, as there are no buildings proposed for this site.**

**Tree Cover and Landscaping Impacts**

The character of Site L's surrounding vicinity is unique due to its native vegetation, predominantly consisting of evergreen and deciduous trees and grass covered areas. The project work at Site L will not adversely affect the character of surrounding tree cover or landscaping. The landscaping approach for Site L is to develop an integrated strategy and maintain this natural character through tree and vegetation protection to the greatest extent possible.

Within the built environment of the site, the landscape approach will enhance and provide continuity with the surrounding vegetation by using native, drought-tolerant plant materials, which for Site L will consist primarily of erosion control seeding of disturbed soil, as described in section 3.7.

**Signage (Sign and Location)**

Signage surrounding Site L is related to roadways and residential houses. The proposed work at Site L will not adversely impact that surrounding signage. There are no signs proposed for this site.

**Parking Impacts (Amount and Location)**

Parking around Site L is associated with single-family homes. The project work at Site L will not adversely affect parking in the surrounding vicinity. There is no proposed parking included with the work at Site L.

**Fencing Impacts**

Fences surrounding Site L include chain link fencing along the WSDOT ROW and residential fences. The proposed work at Site L will not adversely affect the character of surrounding fences. All constructed light rail facilities and acquired property will be protected by security fence and/or screen wall during construction.

**Walkability Impacts**

There are no existing sidewalks along 214th Street SW and 58th Avenue W has sidewalks along the south side of the street. The sidewalks along 58th Avenue do not extend to Site L. The work at Site L will not adversely impact neighborhood walkability.

**Additional Public Amenities**

The project work at Site L will not adversely affect the established character of the surrounding vicinity with respect to public amenities, but will greatly increase access to public amenities by providing the citizens of Mountlake Terrace with access to high capacity multimodal public transit.

b. *The level of noise, vibrations or odors;*

**RESPONSE:**

**Noise and Vibration Impacts**

The sources of existing noise and vibration at Site L are primarily associated with the I-5 corridor. Per the Federal Transit Administration (FTA) manual, noise levels at existing Site L, correspond to an urban environment.

To ensure that the established character of noise and vibration in the surrounding vicinity is not adversely impacted, Sound Transit is further assessing noise impacts and mitigations based on recently available design details. The L300 Noise, Vibration, and Groundborne Noise Report will be updated with the next design milestone in December 2018. As stated in the FEIS, Sound Transit will mitigate noise and vibration impacts associated with construction, operation, and maintenance of the Project. There are 10 residences within 250 feet of Site L that may be impacted by noise and vibration.

Standard mitigation, where necessary and to the extent practicable, may consist of but not be limited to portable noise walls, temporary noise barriers (acoustic blankets on fencing), and vehicle broadband backup alarms or smart alarms for nighttime to lessen impacts from construction activities. Where feasible, temporary noise barriers that provide partial mitigation will be installed to replace existing traffic noise walls to partially compensate during periods when these walls must be taken down for construction of the Project. There is an existing noise barrier east of Site L that will mitigate noise impacts from light rail transit, in accordance with FTA criteria. There are no noise walls proposed for Site L. For additional details on the noise walls, refer to the Guideway narrative, which is part of this comprehensive application package.

Construction activity schedules, to the extent reasonable, will be structured so that noisier activity will be restricted to daytime hours, and quieter activity will be performed at night. However, some activities must be performed at night as dictated by Maintenance of Traffic requirements associated with restrictions on lane and roadway closures on I-5 and other adjacent arterial roadways. These activities will be considered for localized, temporary noise control where feasible.

A Construction Noise and Vibration Mitigation and Monitoring Plan will be developed by the construction contractor and approved by the Sound Transit Construction Management Consultant Resident Engineer prior to commencement of construction activities outside normal daytime working hours. In general, the plan will specify the construction activities, monitoring locations, equipment, procedures, characterization of the noise produced with equipment, schedule of measurement, reporting methods to be used local outreach, and response to community concerns. The contractor will retain the services of an acoustic specialist to perform the detailed analyses for construction noise and vibration, and to develop

the plan. The plan will be provided to the City for review prior to commencement of construction activities outside normal daytime working hours.

See Sections 4.4, and Section 7.3.6 of this narrative for additional discussion regarding noise impacts and mitigation. For a discussion of operational noise and vibration mitigation, refer to the ROD and the Guideway narrative and the L300 Noise, Vibration, and Groundborne Noise Report (Exhibit Book, Exhibit 10), which are part of this application package.

#### Odor Impacts

Odors associated with the surrounding community are primarily related to traffic and vehicle exhaust along the I-5 corridor. Potential short-term odors from construction at Site L could occur from diesel and exhaust fumes from construction vehicles such as excavation equipment. The surrounding vicinity will not be adversely affected by these odors, which are generated while equipment is in use, localized to the construction site, and will dissipate once work is completed in each localized area. Potential odors from longer-term operation of the Project will be consistent with other transportation facilities, such as vehicle exhaust from commuters utilizing the light rail station's park-and-ride facilities. These occasional odors are common in the I-5 corridor and are not expected to adversely affect the surrounding vicinity.

- c. *The type of vehicular traffic and traffic patterns associated with the permitted uses in the zoning district.*

**RESPONSE:** Traffic surrounding Site L is primarily associated with the I-5 corridor and residential streets. Sound Transit expects a minimal traffic increase at Site L, but not to an extent that will have adverse impacts to the established character of the surrounding community. For the Project as a whole, levels of service at key intersections affected by increases in traffic associated with the Project would meet City and WSDOT level of service criteria with forecast year 2035 AM and PM peak hour traffic volumes, as documented in the *Lynnwood Link Extension FEIS*. Additional information for traffic improvements is provided in the L300 Traffic Engineering Report (Exhibit Book – Exhibit 13).

- 3) *The proposed use will not endanger the public health, safety, and general welfare of the community or create obstacles to neighborhood circulation.*

**RESPONSE:** In the future, Site L will feature an emergency access pathway to the guideway. The 58th Street W ROW is required to access the WSDOT ROW for the construction of a gravel pathway for fire department access to the guideway. The pathway is on WSDOT ROW but connects to the eastern end of 58th Street W. The Site will have minimal construction restoration activity and will include minor grading when restoration efforts occur after construction activities. This emergency access pathway will not adversely affect the established character of the surrounding vicinity, and the site will be restored to its original preconstruction condition or better after project work is done. This will include

seeding any cleared areas outside the paved roadway within the site. Seeding will be applied for erosion control purposes and the existing vegetation will be preserved to the greatest extent practicable.

During construction, work areas on Site L will be fenced off to ensure safety for both the public, as well as construction staff. Following the completion of project construction, the site will be restored. There is no public access to this site, and there will be no impacts on public health, safety, or neighborhood circulation.

Before beginning any onsite work, the contractor will submit for Sound Transit review and approval the Site Safety and Security Plan (SSSP). The SSSP will include sections to specifically address protection of the public when work is occurring above areas that are open to public access and how access to the all work areas will be controlled. The contractor will be required to maintain good housekeeping both onsite and adjacent public facilities. The contractor will be required to maintain both vehicle and pedestrian traffic circulation adjacent to the site in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and approved traffic control plans, which may include signage, barriers, lighting, flaggers, and/or uniformed police officers.

With these provisions for public safety and neighborhood circulation, no additional impacts to public health or general welfare are expected.

- 4) *The proposal complies with the purpose and all requirements of the zoning district classification in which it is located and with the general provisions of the municipal code.*

**RESPONSE:** Site L is located within City ROW and south of an RML zoning district and north of a RS 7200 district. The Project is a Type A essential public facility and is allowed in any zoning district through the conditional use permit process as described in MIMC Titles 18 and 19. See Section 10 of this narrative for more information on Site L, regarding compliance with municipal code and development standards.

- 5) *The proposal will be served by existing public facilities as may be necessary. This standard may be met if the applicant pays the cost of or installs any additional facilities needed.*

**RESPONSE:** The Project use of Site L is required for construction of a public infrastructure project that will serve Mountlake Terrace residents and visitors. A gravel path will be improved to provide emergency access to the guideway. The construction activities on site will not adversely impact the service of existing public facilities (sewer, water, fire stations, hospitals, schools, etc.), and will not require changes or upgrades to existing utilities. As indicated in Sections 3.10 and 3.11, there are no proposed utility improvements included in the Project for Site L.



## 9.0 SITE DEVELOPMENT PLAN DECISION CRITERIA

The following sections enumerate and discuss the Project's consistency with each of the site development plan criteria set forth in MTMC 19.110.220(C), and summarized in a Project-specific checklist developed by the City.

- 1) ***Type of Land Use.** Describe how the proposal is in conformance with the goals and policies of the Comprehensive Policy Plan and that the type of land use proposed is permitted in the applicable zoning district.*

**RESPONSE:** The Project has been designed to be consistent with the City's Comprehensive Plan (adopted June 2015, amended 2017), as detailed Exhibit 18. As essential elements to the overall project, the proposed facilities at Site L are integral to achieving policies and goals of the Comprehensive Plan, specifically, policies in favor of density and improved transit services within the City. The Project is a Type A essential public facility and is allowed in any zoning district through the CUP process as described in MTMC Titles 18 and 19.

- 2) ***The Level of Development.** Describe how the density, or intensity, of the use is consistent with the Comprehensive Plan and the applicable zoning designation.*

**RESPONSE:** In the future, Site L will feature an emergency access pathway to the guideway. Site L is located within City ROW and adjacent to RML and RS 7200 City zoning districts, which correspond with City Comprehensive Plan Urban Low Residential (ULR) and Urban Low Medium Residential (ULMR), as shown on the Comprehensive Plan Map adopted February 2018.

As an essential public facility, the Project will introduce a fast, efficient, and reliable transportation system that will provide the Mountlake Terrace community linkages to surrounding areas, and an alternative to single-occupancy vehicles. The Project will support active communities, and connect passengers to other travel modes including rail, buses, biking and walking. This will facilitate denser development in designated urban growth areas and help focus much of the growth around the Mountlake Terrace Station (the City's public access point to light rail), where existing zoning and land use codes allow for greater density and intensity of development. Consistent with the Comprehensive Plan, such increased density constitutes efficient land use, allowing for cost-effective provision of services and facilities, and promoting walkable and cohesive neighborhoods.

- 3) ***Development Standards.** Describe how the proposal complies with all requirements of the zone classification and the general provision of the Zoning Ordinance (bulk requirements).*

**RESPONSE:** Site L's compliance with all requirements of the MTMC, including all applicable development standards of the RML zone, is described in Section 10.0.

- 4) ***Infrastructure.** How will the proposal be served by existing public facilities? Is there sufficient capacity for sewer, water, storm water, and power to serve the site? If not, what provisions will be made to extend or provide those services?*

**RESPONSE:** Sound Transit is coordinating with City staff to ensure the proposed improvements complement and enhance existing public facilities. As previously noted in

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

**Sections 3.0 and 8.0 of this narrative, the Project will incorporate improvements to public facilities to any extent that existing capacity is insufficient at Site L including an emergency access to the guideway. There are no utility services required to serve Site L, and the Project will not require changes or upgrades to existing utilities or public facilities at Site L.**

*Environmental Impacts. Describe how the environment impacts are, or can be made, consistent with the applicable development regulations, or in the absence of applicable regulations, the Comprehensive Plan.*

**RESPONSE: Sections 9.0 and 10.0 of the Guideway narrative of this application describe how the Project has been subject to procedural and substantive SEPA review through issuance of the Project Environmental Documents that identify the applicable mitigation measures. Exhibit 8 of the Exhibit Book includes a Critical Areas Report to demonstrate Project compliance with critical areas development standards in MIMC 16.15.**

- 5) *Other Factors Relevant to the Proposal. Describe what other factors such as previous approvals, engineering standards, other City Codes, regulations and standards, ADA requirements etc. are relevant to the proposal.*

**RESPONSE: The Project will comply with accessibility rules as adopted by the Washington State Building Code Council for making buildings and facilities accessible to and usable by physically disabled or elderly persons (adopted by reference in MIMC 15.05.170). Site L's compliance with the MIMC is discussed in Section 10.0 of this narrative.**

## 10.0 MUNICIPAL CODE COMPLIANCE

The Project has been designed to comply with all applicable provisions of MTMC. The following table summarizes applicable elements of the MTMC with reference to the relevant sections, and discusses how the project facilities at Site L comply with each requirement.

**Table 1: Site L Code Compliance**

<b>Chapters</b>	<b>Summary Description</b>	<b>Project Compliance</b>
8.20 – REGULATION OF NOISE AND SOUND	This chapter regulates nuisance noise in public spaces within the City. It is unlawful for any person knowingly to cause or make, or for any person in possession of property knowingly to allow to originate from the property, unreasonable noise that disturbs another.	As illustrated in Sections 3.8 and 5.5 of this narrative, the Project will comply with the City noise code during construction activities on Site L. Project noise during operations is controlled by mitigation measures incorporated into the design (e.g., noise walls) according to FTA guidelines. Additional details of the analysis and proposed mitigation is provided in the L300 Noise, Vibration and Groundborne Noise Report in (Exhibit Book, Exhibit 10), and the L300 Construction Noise, Vibration and Groundborne Noise Report in (Exhibit Book, Exhibit 15). The MTMC does not regulate operational noise associated with the Project.
12.05 – SIDEWALKS – REPAIR AND MAINTENANCE RESPONSIBILITY	This chapter establishes a City-wide policy towards sidewalk maintenance and repair that addresses standards for construction, responsibilities of abutting property owners, and a process by which sidewalks are to be repaired or replaced.	MTMC 12.05 does not apply to Site L. There are no new or existing sidewalks at Site L.
12.20 – COMMUNICATIONS – USE OF RIGHT-OF-WAY BY WIRELINE SERVICE PROVIDERS	The chapter establishes guidelines to permit and manage reasonable access to City right-of-way for communication purposes.	MTMC 12.20 does not apply to Site L. There are no new or existing communications facilities at Site L.
13.10 – SOLID WASTE	This chapter establishes a uniform system for the collection and disposal of solid waste, including garbage, recyclables, and yard debris. Such collection and disposal shall be provided by a solid waste service provider under written agreement with the City.	MTMC 13.10 does not apply to Site L. There will be no solid waste produced at Site L during operation.
13.15 – RECYCLING RECEPTACLES	This chapter regulates the use of recycling receptacles within the City.	MTMC 13.15 does not apply to Site L. There will be no recycling produced at Site L during operation.
13.20 – SANITARY SEWERS	The chapter establishes regulations for the construction and operation of sanitary sewers, including construction standards, and the permitting process.	MTMC 13.20 does not apply to Site L because there will be no new sanitary sewers installed within Site L.

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

<b>Chapters</b>	<b>Summary Description</b>	<b>Project Compliance</b>
13.25 – SANITARY SIDE SEWERS	This chapter regulates the construction and operation of sanitary side sewers.	MTMC 13.25 does not apply to Site L because there will be no new sanitary side sewers installed within Site L.
13.35 – WATER PRESSURE REGULATING VALVES	This chapter provides requirements for pressure regulating valves for existing and new water service.	MTMC 13.35 does not apply to Site L because there are no new or existing water pressure regulating valves within Site L.
13.50 – IMPROVEMENTS	This chapter provides a permitting process and construction standards for all “public or private improvements.” Improvements are defined by the City as all construction constituting a valuable addition to or modification of all public and private lands by the installation of any and all facilities conveying water, sanitary sewage, storm waters, grading, clearing, electricity, heating gases, telephone and television signals, and vehicular and pedestrian traffic, and by creating in accordance with City ordinances vehicular parking, landscaping, irrigation, and sight-screening on private property.	The Project will comply with the City permitting process and construction standards for work required at Site L. Improvements consist of a new gravel pathway as described in section 2.0. Illustrations of the proposed improvements are provided in Attachment L– Site-Specific Drawings. Sound Transit will apply for all construction permits later in the construction phase of the Project, prior to the commencement of any associated work.
13.55 – FIRE HYDRANT INSTALLATION	This chapter ensures the installation of fire hydrants within the City compliance with the City Engineer’s plans MT-G1, MT-G2, MT-G3, and MT-G4.	MTMC 13.55 does not apply. There are no proposed fire hydrants for Site L.
14 – WASTEWATER PRETREATMENT	This title sets forth uniform requirements for users of the publicly owned treatment works operated by the city of Edmonds and/or King County, and enables the City to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR Part 403).	MTMC 14 does not apply to Site L. There will be no wastewater generated on Site L.
15.05 – BUILDING CODE	This chapter regulates all structures within the city. The City has adopted several International Building, Mechanical, Performance, Green,	Sound Transit will apply for all required construction permits during the construction phase of the Project, before commencement of any associated work.

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
	<p>Fuel Gas, National Electrical, Energy Conservation, Uniform Plumbing, and Fire Codes, among others. It also lays out the process of the associated local permits, tree removals, public right-of-way protection, and site improvements.</p>	<p><b>Building Codes and Permits:</b> There are no proposed facilities at Site L.</p> <p><b>Tree Removal Standards and Permits:</b> Sound Transit will protect and preserve trees on Site L to the extent possible, and will conduct any removal in compliance with MTMC 15.05. No tree removal is currently planned. Exhibit 20 of the Exhibit Book provides the Draft Tree Removal and Mitigation Report.</p> <p><b>Public Right-of-way Protection:</b> All constructed light rail facilities and acquired property will be protected by security fence and/or screen wall. Fencing will be designed and constructed in accordance with Sound Transit Design Criteria Manual (DCM) Chapter 6.7 (Exhibit Book, Exhibit 21), and will also conform to MTMC 19.120.200. All fencing on private property within the City will only be constructed after acquiring such permits from the City as may be necessary.</p> <p><b>Public and Site Improvements:</b> As part of this Application, Sound Transit is submitting plans for all public and site improvements required at Site L. Plans of these improvements are provided in Drawing No. SL-PSP123 - Attachment L – Site-Specific Drawings.</p>
<p>15.10 – FIRE CODE</p>	<p>This chapter regulates fire protection development standards for all infrastructure within the city. The City has adopted the International Fire Code (2015 Edition), as amended. In addition, the City has adopted several local amendments to the International Fire Code to add, amend, delete or replace sections.</p>	<p>MTMC 15.10 is not applicable to Site L. No fire protection equipment will be constructed at Site L.</p>
<p>15.35 – PERFORMANCE GUARANTEES AND WARRANTIES</p>	<p>The chapter sets forth the regulations for all performance guarantees and warranties, which are required prior to the approval of any City permit.</p>	<p>Consistent with MTMC 15.35.030 and RCW 35.21.470, the Project is exempt from the requirements of MTMC 15.35 for financial security devices. Sound Transit will provide written assurance to the City that adequate provisions have been made guarantee the required performance or maintenance.</p>
<p>16.05 – PROCEDURES UNDER THE STATE ENVIRONMENTAL POLICY ACT</p>	<p>The City adopted this chapter to implement the SEPA and the State Environmental Policy Act Rules (WAC 197-11).</p>	<p>As noted in the Background section of this application Sound Transit is the lead agency for the Project’s compliance with SEPA, and the Project has been subject to procedural and substantive SEPA review through issuance of the Project environmental documents. Section 7.0 of this narrative describes the mitigation measures from the FEIS and ROD that are applicable to construction of the Project.</p>

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
16.15 – CRITICAL AREAS	Chapter 16.15 regulates development within critical areas in the City, including wetlands, streams, wildlife habitat areas, geologic hazard areas, and aquifers.	As described in detail in the City of Mountlake Terrace Critical Areas Report (Exhibit Book – Exhibit 8), Site L is designed to avoid and minimize impacts on critical areas, to the where possible. Sound Transit will comply with all development restrictions applicable to critical areas outside WSDOT limited access ROW, and is seeking the exception request described in Section 10.1 of this narrative.
16.20 – CONTROLLING STORMWATER RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITES	This chapter regulates stormwater during both construction and operation of infrastructure within the City.	There are no stormwater management facilities planned for Site L.  Sound Transit’s contractors will be responsible for developing and implementing the Stormwater Pollution Prevention Plan, TESC Plans which will be reviewed by the City and Ecology, inspecting and maintaining best management practices, and monitoring and reporting. TESC measures will be provided for the Project in accordance with the City of Mountlake Terrace Engineering Standards, Washington State Department of Ecology Stormwater Management Manual for Western Washington, and Sound Transit Individual Construction Stormwater Permit.
18.10 – COMPREHENSIVE PLAN	This chapter adopts the Comprehensive Plan, as amended, to serve as the guiding framework for decisions relating to land use, environment, economic vitality, housing, capital facilities, recreation, parks and open space, transportation, and utilities.	As noted above, Exhibit 18 of the Exhibit Book provides a detailed narrative of the Project’s consistency with the Comprehensive Plan.
18.12 – SUSTAINABILITY	This chapter adopts the City of Mountlake Terrace Sustainability Strategy set forth in Ordinance 2487 § 1, 2008.	Light rail transit service supports Mountlake Terrace Sustainability Strategy Goal II: Facilitate Desirable Development Patterns and Economic Vitality, insofar as the City encourages development in close proximity to the transit station (Transit Oriented Development). The Project’s approach to stormwater management prioritizes Low Impact Development, which also supports Goal II (see MTMC Chapter 16.20 of this table).  Light rail transit service inherently supports Mountlake Terrace Sustainability Strategy Goal III: Maximize Energy-Efficient Mobility Options that Connect City Residents to the Places Where They Live, Work, and Play.  Site L design minimizes the removal of trees and other impacts to existing green space. This supports Mountlake Terrace Sustainability Strategy Goal IV: Enhance and Expand the City’s Green Spaces and Systems.  The Project conforms to all Sound Transit sustainability requirements as expressed in Chapter 30 of the Sound

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
		<p>Transit DCM (Exhibit Book – Exhibit 21). These requirements include energy and water efficiency as well as efficient use of materials and minimizing construction and demolition waste. These practices support Mountlake Terrace Sustainability Strategy Goal V: Increase Energy and Water Efficiency and Goal VI: Encourage Material Conservation, Reuse, and Recycling. For additional information, see the L300 Sustainability Checklist (Exhibit Book, Exhibit 22).</p>
<p>18.15 – ESSENTIAL PUBLIC FACILITIES</p>	<p>This chapter describes specific City requirements for reasonably accommodating essential public facilities, including where they can be located and what land use process they will be subjected to.</p>	<p><u>Allowable Uses:</u> As noted above, the Project is a Type A essential public facility, which is allowed in any zoning district through a Conditional Use Permitting process.</p> <p><u>Fencing:</u> Constructed light rail facilities and properties will be protected by a security fence in accordance with Sound Transit DCM Chapter 6.7. Fencing will conform to MTMC 19.120.200. All fencing on private property within the City will be constructed after acquiring such City permits as may be necessary.</p> <p><u>Supplemental Public Notification:</u> In compliance with Section 18.15.070(A) and Chapter 18.25 of the MTMC, Sound Transit will coordinate with the City to place public notice signs at key locations and provide notification of a public hearing. See the background section of the Introduction to the Application Package for information regarding Sound Transit’s public outreach for the Project.</p>
<p>18.25 – PUBLIC NOTIFICATION – MAJOR LAND USE</p>	<p>This chapter establishes requirements for the proponents of certain types of major land use proposals to provide additional public notice signs to supplement the City’s normal public hearing postings.</p>	<p>Sound Transit will coordinate with the City to place public notice signs throughout the City at key locations for the Conditional Use Permitting process.</p>
<p>18.30 – IMPACT FEES</p>	<p>This chapter establishes a process for the City to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site park and transportation facilities reasonably related to new development. These fees are necessary to maintain adopted levels of park service, and to maintain adopted levels of service in the City’s transportation facilities at the time of new development.</p>	<p>The Project is not subject to impact fees pursuant to state law, RCW 82.02.090.</p>

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
19.23 – DEVELOPMENT STANDARDS – USES	This chapter provides a selection of allowable use standards that are applicable to the Project, specifically where transportation and certain types of electrical vehicle infrastructure are allowed.	There are no opportunities for construction of electrical vehicle facilities within Site L as there are no vehicle facilities at Site L.
19.35 – RM – MULTIPLE-HOUSEHOLD RESIDENTIAL DISTRICTS	This chapter provides specific development standards for the RM – Multiple-Household (RM) zoning district.	<p>Site L is located within City ROW and adjacent to the RML zoning district.</p> <p><u>Allowable Uses:</u> Pursuant to Chapter 18.15, the Project is a Type A essential public facility, and is allowed in any zoning district through issuance of a Conditional Use Permit.</p> <p><u>Dimensional Requirements:</u> The Project conforms to all development standards, where possible, including height, bulk, scale, and dimensional regulations, established in the MTMC. The Project is a Type A essential public facility and local codes cannot preclude the siting of such facilities. Scaled plans of all proposed facilities are provided in Attachment L – Site-Specific Drawings.</p>
19.95 – TRANSPORTATION CODE	This chapter provides general transportation development standards regardless of zoning district. This includes regulations such as street design and access standards, street excavation and construction standards, special street regulations, performance and maintenance guarantees, transportation impact fees, and transportation concurrency requirements.	<p><u>Design Standards and Permits:</u> There are no proposed street improvements in Site L. Construction is limited to minor grading and installation of a gravel pathway to be used for emergency access to the guideway. A visual overview is provided in Drawing No. SL-PSP123 in Attachment I – Site-Specific Drawings. Right-of-way use and construction permits will be applied for later during the construction phase of the Project, prior to the commencement of any associated work.</p> <p><u>Transportation Mitigation, Impact Fees, and Concurrency:</u> As part of a region-wide effort to improve access to modes of transportation that offer alternatives to traffic congestion associated with peak-period trips, the Project will function as an essential public facility providing the public access to high capacity multimodal connections between light rail, bus transit, and non-motorized modes of circulation. Although the Project is not subject to concurrency requirements as a transportation facility of statewide significance, see RCW 36.70A.070(6)(c) and 47.06.140(1), Sound Transit will implement the mitigation measures established through environmental review, including the impacts to the City’s transportation facilities identified in the FEIS and ROD.</p>
19.110 – PERMITS AND PROCEDURES	This chapter sets forth the procedures and standards for review of land use applications regulated by Title 19, which includes the Project.	Sound Transit is coordinating with the City to permit the Project through all applicable permitting processes. As directed by the City, Sound Transit is complying with the conditional use permitting process with the submittal of this Application, which will be evaluated under both the conditional use permit and site development plan criteria. To the extent that the Project’s unique nature prevents it

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
		<p>from conforming to particular requirements, Sound Transit will request modifications pursuant to the appropriate MTMC section.</p> <p>See Section 10.1 of this narrative, which states there are no code modifications requested for Site L.</p>
<p>19.120 – GENERAL PROVISIONS</p>	<p>This chapter provides a selection of general performance standards to minimize environmental impacts associated with land uses, regardless of zoning district. This chapter also establishes standards applicable to special uses that, by their nature, necessitate specific land use regulations that address the development and operation of such uses and activities to accomplish the purposes of Title 19 (Zoning).</p>	<p>As illustrated in the <i>Lynnwood Link Extension FEIS</i>, the Project has been designed to avoid, minimize, and mitigate environmental impacts. Section 7.0 of the narrative of this narrative contains mitigation measures from the FEIS and ROD that are applicable to both operation and construction of the Lynnwood Link extension within the City. Table B-1 of the ROD (Exhibit 17) includes mitigations</p> <p><u>Air Quality and Fugitive Dust:</u> The activities at Site L will comply with all local, state, and federal air quality and fugitive dust standards throughout construction and operation. Sound Transit will use best management practices to prevent and reduce air quality impacts resulting from construction activities.</p> <p><u>Lighting:</u> As discussed in Sections 4.5 and 5.3 of this narrative, both construction and operation lighting is designed to minimize impacts on adjacent properties as required by 19.120.030.</p> <p><u>Noise and Vibration:</u> As discussed in Section 4.4 and 5.5, a Construction Noise and Vibration Mitigation and Monitoring Plan will be developed by the construction contractor and approved by the Sound Transit Construction Management Consultant Resident Engineer prior to commencement of construction activities outside normal daytime working hours. The plan will be provided to the City for review prior to commencement of construction activities outside normal daytime working hours.</p> <p>Sound Transit is further assessing noise impacts and mitigations based on recently available design details. The L300 Noise, Vibration and Groundborne Noise Report will be updated with the next design milestone in December 2018. As stated in the FEIS, Sound Transit will mitigate noise and vibration impacts associated with construction, operation, and maintenance of the Project.</p> <p>Standard mitigation, where necessary and to the extent practicable, may consist of but not be limited to portable noise walls, temporary noise barriers (acoustic blankets on fencing), and vehicle broadband backup alarms or smart alarms for nighttime to lessen impacts from construction activities. Where feasible, temporary noise barriers that provide partial mitigation will be installed to replace existing traffic noise walls to partially</p>

Lynnwood Link Light Rail Extension  
 City of Mountlake Terrace  
 Conditional Use Permit and Site Development Plan Application

Chapters	Summary Description	Project Compliance
		<p>compensate during periods when these walls must be taken down for construction of the Project.</p> <p><u>Fences and Hedges</u>: The landscape design at Site L includes erosion control hydroseeding where existing landscaping is impacted during project work activities.</p> <p><u>Grading and Drainage</u>: As part of this Application, Sound Transit is submitting all necessary information for a site development plan needed for grading and drainage activities at Site L. Proposed plan is provided in Drawing No. SL-PSP123 in Attachment L – Site-Specific Drawings.</p> <p><u>Street Lighting</u>: There is no street lighting proposed for Site L.</p>
19.125 – OFF-STREET PARKING AND LOADING	This chapter provides standards for off-street parking and loading areas, including their location, size, and capacity.	MTMC 19.125 does not apply. There are no planned parking facilities for Site L.
19.126 – ELECTRIC VEHICLE INFRASTRUCTURE	This chapter establishes regulations for electric vehicle infrastructure, including permitted locations, infrastructure requirements, and signage.	MTMC 19.126 does not apply. There are no planned parking facilities for Site L; therefore, no electric vehicle infrastructure is needed for Site L.
19.130 – LANDSCAPE DEVELOPMENT AND SITE BUFFERING	This chapter provides landscape development, site buffering, and maintenance requirements for all proposed and existing developments.	Landscape for Site L will consist of erosion control seeding in any areas where unpaved areas were disturbed during the construction of the emergency access pathway. Construction permits will be applied for later during the construction phase of the Project, prior to the commencement of any associated work.
19.135 – SIGN REGULATIONS	This chapter regulates the use of exterior signs and displays.	There are no planned exterior signs or displays for Site L, therefore MTMC 19.135 does not apply.

**10.1 Exception Requests**

As noted earlier in this application, the Project is a Type A essential public facility and local codes cannot preclude the siting of such facilities. In addition, the MTMC provides a process for requesting a reasonable use exception as follows:

*MTMC 16.15.360 Reasonable use exceptions.*

- A. *Applicability. A reasonable use exception is required when strict adherence to the provisions of the chapter would deny all reasonable use of the subject property as a whole, due to the property’s size, topography, or location relative to the critical area and any associated buffer.*
  - 1. *A reasonable use exception shall only be granted if no other reasonable alternative method of development is provided, subject to review and criteria under this section.*

Sound Transit is requesting a reasonable use exception to MTMC 16.15.430 for work in the portions of Site L that are designated as Class IV Landslide Hazard Areas. These areas occur along the outermost edges of Site L. Based on the geotechnical investigations, the project as designed will not increase the risk

of occurrence of the potential geologic hazards and that measures to eliminate or reduce the potential geologic hazards have been incorporated into the design, in accordance with the geotechnical engineers' recommendations

### *MTMC 16.15.430 Geologic Hazard*

*1. General Standard. The City may approve, condition or deny proposals for the alteration of geologic hazard areas based on the degree to which significant risks posed by critical hazard areas to public and private property and to public health and safety can be mitigated. The objective of mitigation measures shall be to render a site containing a critical geologic hazard site as safe as one not containing such hazard or one characterized by a low hazard. In appropriate cases, conditions may include limitations of proposed uses, modification of density, alteration of site layout and other appropriate changes to the proposal. Where potential impacts cannot be effectively mitigated, or where the risk to public health, safety and welfare, public or private property, or important natural resources is significant notwithstanding mitigation, the proposal shall be denied, unless permitted as a reasonable use exception under MTMC 167.15.380.*

*2. Class IV Landslide Hazard Areas. Alteration shall be prohibited in Class IV (very high) landslide hazard areas, subject to the reasonable use provisions of this chapter.*

**Exception Request:** A very small portion of Site L is within a Class IV Landslide Hazard Area. Site L is needed for access to the guideway, and will have minimal construction activity, which will include minor grading to restore the site after construction activities have been completed. The permanent use of the site will be for the emergency access pathway to the guideway.

The entire site area is needed to accommodate all of the project facilities on Site L. There are no reasonable alternatives available to replace the proposed Site L uses, which are a necessary part of the Project, an essential public facility. The development of the site as proposed will require that an exception be granted for construction of the activities described above.

**Justification:** The design of the improvements at Site L avoids and minimizes impacts to Class IV landslide hazard areas to the maximum extent practicable. The emergency access pathway and guideway construction access within Site L is crucial for construction and operation of the Project in Mountlake Terrace.

### **Criteria Justification:**

1. The application of the critical areas regulations would unreasonably restrict the ability to provide transit services to the public because Site L is the most reasonable construction access point to construct LLE elements adjacent to Site L. In addition, the emergency access pathway and guideway construction access within Site L is crucial for construction and operation of the Project.
2. There is no other practical alternative to the proposed improvements with less impact on Class IV landslide area. Site L is located adjacent to the preferred alternative guideway alignment. Construction access from all other adjacent areas is not suitable. Adjacent areas would either have more impacts to Class IV Landslide Hazard Areas and/or impact residential properties. The work

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

within Site L is a necessary part of the Project, an essential public facility. Therefore, construction in the landslide hazard area is unavoidable.

3. Planned improvements on Site M do not pose an unreasonable threat to the public health or safety on, or off, and are not materially detrimental to property. The L300 Geotechnical Recommendations Report referenced in the Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8) includes the geotechnical analysis and recommendations for Site L. Sound Transit facilities are designed in accordance with International Building Code (IBC), American Association of State Highway Transportation Officials (AASHTO), and Sound Transit design standards as appropriate to meet all safety requirements. Based on the geotechnical information, the Project will not decrease the factor of safety for landslide occurrences. Slopes and retaining structures will be evaluated and designed for adequate stability using appropriate techniques such as limiting slope inclination, limiting surcharge loading, or adding slope reinforcement such as ground anchors.
4. Sound Transit plans to mitigate unavoidable temporary impacts to landslide hazard areas by regrading and planting vegetation after construction is complete to provide final slope stability that, at a minimum, meets current conditions. Anticipated disturbed areas are limited to unpaved areas from construction activities. For the areas where impacts cannot be avoided, all regrading will be restored to match previous slopes and seeding will be installed for slope protection. This approach mitigates temporary impacts to the existing critical area functions and values because it lessens the risk of sloughing, erosion, and sediment transport within the site boundary. No net loss of functions and values associated with the landslide hazard area is expected. Best management practices will be used during construction as indicated in the L300 Geotechnical Recommendations Report, which is referenced in the Mountlake Terrace Critical Areas Report (Exhibit Book, Exhibit 8).
5. The impacts to Class IV landslide hazard areas and alterations permitted are the minimum necessary to develop the LLE and will be mitigated consistent with the mitigation standards. Plans for the project include a drainage plan, and restoration plans. Temporary Erosion and Sedimentation Control Plans (TESC) will be prepared by the contractor and submitted to Sound Transit for approval prior to construction. Stormwater will be treated in accordance with the L300 NPDES permit issued by Ecology.
6. Sound Transit's evaluation of avoidance and minimization measures are documented in the LLE Final Environmental Impact Statement. Further efforts to avoid and minimize impacts to sensitive resources were evaluated during preliminary engineering and final design. All temporary impacts to sensitive resources will be restored after construction is complete.
7. The Project is consistent with all other applicable regulations and standards.

Lynnwood Link Light Rail Extension  
City of Mountlake Terrace  
Conditional Use Permit and Site Development Plan Application

## **ATTACHMENT L: SITE-SPECIFIC DRAWINGS**