

CASE: Permit # PCU-18-0001, PSD-18-0001, & PSE-18-0005

APPLICANT: Sound Transit, 401 S Jackson St., Seattle WA 98104

REQUEST: Conditional Use Permit, Site Development Plan, and Critical Areas Reasonable Use Exception to construct 2.2 miles of the Lynnwood Link light rail extension along I-5. The project consists of construction of 2.2 miles of elevated and/or at-grade guideway, the Mountlake Terrace Station at the 236th Street SW park-n-ride, other support facilities, and mitigation of impacts to properties within the City. Work includes construction staging, demolition of homes, tree removal, work in wetlands, streams, wildlife habitat, geologic hazard areas, aquifer recharge areas, and their associated buffers.

SITE ADDRESS: The proposed light rail alignment follows the I-5 corridor north from the City of Shoreline to the City of Lynnwood. Proposed improvements are located predominantly within WSDOT right-of-way. Guideway and/or support facilities are proposed at 13 individual locations in the City of Mountlake Terrace outside of the WSDOT right-of-way. See Attachment 2 for site locations.

COMPREHENSIVE PLAN AND ZONING DESIGNATIONS:¹

SITE	COMPREHENSIVE PLAN	ZONING
I-5	N/A (WSDOT ROW)	N/A (WSDOT ROW)
A	Freeway/Tourist (F/T)	Freeway/Tourist (F/T)
B	Public Facilities and Services (PFS)	Public Facilities and Services (PFS)
C	Town Center (TC)	Community Business Downtown (BC/D)
D	Urban Low Residential (ULR)	Single-Household Residential (RS7200)
E	Urban Low Residential (ULR)	Single-Household Residential (RS7200)
F	Urban Low Residential (ULR)	Single-Household Residential (RS7200)
G	N/A (ROW)	N/A (ROW)
H	General Commercial (CG)	General Commercial (CG)
I	N/A (ROW)	N/A (ROW)
J	General Commercial (CG)	General Commercial (CG)
K	General Commercial (CG)	General Commercial (CG)
L	N/A (ROW)	N/A (ROW)
M	Urban Medium Residential (UMR)	Medium Density Multi-Household (RMM)

¹ The City does not apply a comprehensive plan or zoning designation to city-owned or WSDOT right-of-way.

APPLICABLE REVIEW PROVISIONS:	MTMC 18.05 Procedures for Proposing Land Use Policy and Approving Land Use Development Projects MTMC 18.10 Comprehensive Plan MTMC 18.15 Essential Public Facilities MTMC Title 19 Zoning Code <ul style="list-style-type: none">○ MTMC 19.110.200–Conditional Use Permits○ MTMC 19.110.220 – Site Development Plans MTMC 16.15 Critical Areas <ul style="list-style-type: none">○ MTMC 16.15.360 – Reasonable Use Exceptions
ENVIRONMENTAL DETERMINATION:	Sound Transit, as lead agency, issued a Final Environmental Impact Statement (FEIS). Pursuant to WAC 197-11-315, a SEPA checklist is not required. The Hearing Examiner will make a separate determination on the reasonable use exception.
ASSIGNED STAFF:	Christy Osborn, Community and Economic Development Director
RECOMMENDATION:	Approve the Conditional Use Permit, Site Development Plan, and Reasonable Use Exception, subject to conditions.
ATTACHMENTS:	Attachment 1: Exhibit List Attachment 2: Site Descriptions and Summary of Proposed Uses Attachment 3: Applicant-Proposed Site-Specific Mitigation Measures Attachment 4: Recommended Conditions of Approval Attachment 5: Table of Acronyms

I. INTRODUCTION AND PROJECT BACKGROUND

Sound Transit is connecting the regional Link light rail system from Seattle’s Northgate neighborhood northward to Snohomish County. This extension was approved in 2008 as part of the Sound Transit 2 ballot measure. The Lynnwood Link Extension will be constructed along the I-5 corridor from the Northgate Mall through Shoreline and Mountlake Terrace to the Lynnwood Transit Center. The Lynnwood Link Extension is scheduled to begin service in 2024.

General Project Overview:

The southern end of the guideway within the City will be located on the east side of I-5 at the SR 104 interchange (NE 205th Street) at the Shoreline/Mountlake Terrace city limits. The guideway will extend northward along I-5 to the proposed Mountlake Terrace Station at 236th Street SW. From the station, the guideway will continue north to 232nd Street SW, where it will cross to the west side of I-5 and proceed north to the Mountlake Terrace/Lynnwood city limits.

The Mountlake Terrace portion of the project consists of the following work: construction of approximately 2.2 miles of at-grade and/or elevated light rail guideway; construction of the new Mountlake Terrace Station; construction of wayside facilities to support the new guideway, including traction power substations (TPSSs) and signal bungalows; construction of associated infrastructure such as roadway and sidewalk reconstruction, traffic signals, roadway illumination systems, stormwater facilities, and retaining walls; demolition of 18 structures on 23 private properties that will be acquired by Sound Transit; significant site grading; establishment of a temporary surface parking facility adjacent to the east side of the existing Mountlake Terrace Transit Center site; utility relocations including water, sewer, gas, street lighting, storm drainage, and underground and overhead electrical and telecommunications infrastructure; landscape and critical areas restoration and mitigation; and the establishment of construction staging areas.

Mountlake Terrace Station:

The new Mountlake Terrace Station will be located at the existing Mountlake Terrace Transit Center on the east side of I-5 at the 236th Street SW overpass. Construction and improvements include: modification of the existing surface parking lot on the east side of the station to add a transit-only circulation loop around the perimeter of the lot; reconfiguration and expansion of the existing bus transit center to provide two active bus bays and layover space; a platform structure containing acoustic panels, noise walls, canopies, and related pedestrian amenities; passenger lobbies and ancillary spaces; and related improvements. A detailed project overview for the Mountlake Terrace Station is provided in Section IV.

Essential Public Facility and Applicable Permitting Requirements:

The proposal is a Type A Essential Public Facility (EPF) pursuant to the definition in MTMC 18.15.020 and RCW 47.06.140. Under state law, an EPF cannot be precluded by any combination of comprehensive plan goals and policies and development regulations; pursuant to WAC 365-196-550, a local jurisdiction may, however, impose reasonable permitting requirements and require mitigation of the essential public facility's adverse impacts. An EPF is not precluded simply because the permitting and mitigation requirements would be too costly or time consuming to comply with. The City is required to consider the extent to which design conditions can be used to make an EPF compatible with its surroundings.

The City has determined, through the adoption of its Comprehensive Plan and development regulations, that the following reasonable permitting requirements apply:

- Pursuant to MTMC 18.15.050(A), Type A essential public facilities are subject to a conditional use permit application and review, public hearing, and determination. Requirements for a conditional use permit are set forth in MTMC 19.110.200.
- A site development plan review is required for nonresidential projects with structures exceeding 5,000 square feet, significant alterations to existing site development, and major redevelopment projects per MTMC 19.110.220. The proposal includes Mountlake Terrace Station, which exceeds 5,000 square feet in size; represents a significant alteration to existing site development on each of the 13 specific sites where the project exits the I-5 right-of-way and uses real property within the City; and is considered a major

redevelopment project at several of the 13 specific sites. A site development plan review is required.

- The project will alter the following regulated critical areas: wetlands, streams, wildlife habitat areas, geologic hazard areas. According to the applicant, strict adherence to the provisions of Chapter 16.15 MTMC would unreasonably prohibit the provision of light rail service and there are no feasible alternatives that will not alter regulated critical areas (Exhibits ST-A01, ST-B01, ST-C01, ST-D01, ST-E01, ST-F01, ST-G01, ST-H01, ST-I01, ST-J01, ST-K01, ST-L01, ST-M01, ST-N01). A Public Agency and Utilities Reasonable Use Exception is required for the proposed alterations pursuant to MTMC 16.15.360(C). Pursuant to the concurrence letter between the City of Mountlake Terrace and Sound Transit dated March 19, 2018, the Reasonable Use Exception is applicable only to real property within the City; the critical areas ordinance does not apply within the WSDOT right-of-way (Exhibit ST-09).

The applicant submitted the required requests for conditional use permit (CUP, file no. PCU-18-0001), site development plan review (SDP, file no. SDP-18-0001), and reasonable use exception (RUE, file no. PSE-18-0005) on September 20, 2018. The applications include construction of the EPF and long-term operation of all facilities. The applications were processed pursuant to the procedural requirements set forth in MTMC 18.05 (see Section II, below). The City consolidated the applicable review processes for each application pursuant to MTMC 18.05.350. The Hearing Examiner will conduct the required public hearing and issue a decision on the applications. To reach a decision, the Hearing Examiner will consider the criteria for approving a CUP, SDP, and RUE set forth in the City’s municipal code. Decisions made by the Hearing Examiner are appealable to Snohomish County Superior Court. Once the decisions on the applications become final, Sound Transit and/or their selected contractor is required to obtain applicable construction permits.

II. APPLICATION PROCESSING DATES AND PUBLIC NOTICING

The applications were processed as follows:

ACTION	DATE	EXHIBIT	CODE CIT.
Applications Received	September 20, 2018	MLT-02	MTMC 18.05.350
Determination of Incomplete Application	October 18, 2018	MLT-03	MTMC 18.05.370
Applicant Resubmittal	December 5, 2018		
Determination of Completeness	December 18, 2018	MLT-06	MTMC 18.05.370
Notice of Development Application	December 31, 2018	MLT-07	MTMC 18.05.400 MTMC 18.15.070
Public Open House	January 23, 2019	MLT-12	
Technical Review Session and Consistency Comments Letter	February 12, 2019	MLT-08	MTMC 18.05.380
Applicant Resubmittal	March 18, 2019		
Notice of Public Hearing:	June 16, 2019	MLT-13	MTMC 18.05.420

A Notice of Development Application with a 30-day comment period was issued on December 31, 2018, and was mailed to property owners, posted along the proposed light rail alignment and at specific sites throughout the City, and posted at other public notice locations.

The City conducted the required technical review session pursuant to MTMC 18.05.380 and issued a comment letter documenting project- or application-related items in need of correction, clarification, or additional information on February 12, 2019 (Exhibit MLT-12). The applicant resubmitted additional information on March 18, 2019.

A Notice of Public Hearing was issued on June 16, 2019 pursuant to MTMC 18.05.420 (Exhibit MLT-14). The notice was mailed to property owners, published in *The Everett Herald* newspaper, posted along the proposed light rail alignment and at specific sites throughout the City, and posted at other public notice locations.

Notices and notice locations comply with the requirements for supplemental public notification required for Type A essential public facilities set forth in MTMC 18.15.070 and Chapter 18.25 MTMC.

General Public Comments:

The City received comments from the general public on the application. The general themes of the comments were related to: plans for a future 220th Street SW light rail station; connectivity with local circulator bus routes; lack of additional parking for commuters and hide-and-ride parking; tree removal; disposition of surplus property; and noise impacts. See Exhibit MLT-12A for a summary of comments and applicant responses.

III. ENVIRONMENTAL REVIEW

The Federal Transit Administration (FTA) is the federal Lead Agency under the National Environmental Policy Act (NEPA) and Sound Transit is the state Lead Agency under the State Environmental Policy Act (SEPA, Chapter 43.21C RCW). The Draft and Final Environmental Impact Statements were jointly prepared by the FTA and Sound Transit. A Final EIS (FEIS) was issued for the Lynnwood Link Extension proposal by Sound Transit and the FTA in April 2015. As Lead Agency, Sound Transit adopted the NEPA environmental documents to satisfy SEPA requirements pursuant to WAC 197-11-610.

Sound Transit issued a SEPA Addendum to the FEIS in May 2018 to address project refinements. Sound Transit concluded that no supplemental EIS is required. For purposes of NEPA, the FTA determined that the project refinements do not require additional environmental review.

Federal Transit Administration Record of Decision:

The Federal Transit Administration (FTA) Record of Decision (ROD) was issued in July 2015. The FTA, as the federal lead agency, completed the FTA ROD for the Lynnwood Link Extension project in the cities of Seattle, Shoreline, Mountlake Terrace and Lynnwood, in King

and Snohomish Counties, and issued its finding that the requirements of the National Environmental Policy Act (NEPA) have been satisfied for the construction and operation of the Lynnwood Link Extension.

Federal Highway Administration Record of Decision:

The Federal Highway Administration (FHWA) ROD was issued in August 2015. The FHWA, as a cooperating agency under NEPA, issued the FHWA ROD for the Lynnwood Link Extension project to address FHWA's anticipated approval actions related to the elements of the project affecting interstate right-of-way.

Additional Environmental Review Not Required:

The above-described environmental documents are final. Further environmental review is not required. All environmental documents are available on Sound Transit's Lynnwood Link Extension project website.

IV. PROJECT DESCRIPTION

Introduction to the Project:

Sound Transit (the preferred name for the Central Puget Sound Regional Transit Authority created pursuant to Chapter 81.112 RCW) is proposing the construction of 2.2 miles of light rail guideway, one light rail station, several wayside facilities, and related improvements. Sound Transit is seeking a Conditional Use Permit (CUP) and Site Development Plan (SDP) approval 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 guideway extends from WSDOT right-of-way into real property within the City of Mountlake Terrace at 13 specific sites along the length of the project. The project area includes all acquired properties and easements needed for construction and operation. Sound Transit has submitted documentation to confirm possession and use or ownership of all properties subject to these applications (Exhibit ST-07). The Project is an essential public facility pursuant to the Washington State Growth Management Act. While local codes cannot preclude the siting such facilities, the Mountlake Terrace Municipal Code (MTMC) requires procedures for project review through its Conditional Use Permit process is described in MTMC 19.110.200. Provisions related to SDP apply under MTMC 18.05.350.

The project includes construction of a new light rail guideway, most of which will be located within Washington State Department of Transportation (WSDOT) right-of-way. However, some areas of the alignment will be located within City street rights-of-way and parcels, as well as privately-owned parcels. The project also will include:

- Construction of the Mountlake Terrace Station (Site B), a new light rail transit station at the existing Mountlake Terrace Transit Center on the east side of I-5 at the 236th Street SW overpass. This will include modification of the existing surface parking lot on the east side of the station to add a transit-only circulation loop around the perimeter of the lot and reconfiguration and expansion of the existing bus transit center to provide two active bus bays as well as layover space to accommodate six to seven buses. Two new

on-street bus stops will be located on 236th Street SW adjacent to the light rail station, east of the transit center entrance, providing efficient transfer between light rail and bus transit. Two existing bus stops on 236th Street SW west of the transit center operation will supplement the new stops.

- Construction of associated infrastructure such as roadway and sidewalk reconstruction, traffic signals and roadway illumination systems, Traction Power Substations (TPSS), signal bungalows, stormwater facilities, retaining walls, access roads, and other light rail transit facilities associated with the project.
- Demolition of 18 structures on 23 properties. One or more of the buildings may be repurposed as construction offices during the construction period as determined by the contractor. No demolition will be required on one permanent partial-acquisition property (fee take), or 18 temporary construction and permanent easement properties.
- Grading of existing properties to provide the design grades needed to accommodate the new construction for the guideway and associated facilities. Both excavation and filling activities will be required, and any excess material not needed for fill will be removed from the site and reused or disposed of in an approved disposal site.
- Establishment of an interim surface parking facility adjacent to the east side of the existing Mountlake Terrace Transit Center site during construction of the Mountlake Terrace Station and associated facilities.
- Utility relocations including water, sewer, gas, street lighting, storm drainage, and underground and overhead electrical and telecommunications infrastructure.
- Landscape and critical areas restoration and mitigation as a result of construction.
- Establishment of construction staging areas to accommodate the construction of one light rail transit station and other light rail facilities such as the aerial guideway and its structural support, track work, and systems installation. These staging areas would stay in operation during construction, starting in approximately 2019 and concluding after final installation and testing of the follow-on finishes and systems contracts, prior to commencement of revenue service in 2024. Staging areas will be restored to their previous condition or better following construction.

Specific sites have been designated Sites A through M, which are described below and depicted in Attachment 2. An overall map of the guideway and sites is provided as Exhibit ST-3. Sites A through M include:

- Site A – Aerial Guideway Construction and Temporary Access
- Site B – Mountlake Terrace Station, TPSS, Plaza, and Parking
- Site C – 59th Place Temporary Parking
- Site D – Partial Take and Priority Habitat Tree Removal
- Site E – 228th Bridge Underpass
- Site F – Home Demolition, High Rail Access, and Signal Bungalow
- Site G – 222nd Street SW Use of Right-of-Way
- Site H – Construction Lay Down and Right-of-Way Acquisition
- Site I – 220th Street Overpass and Utility Relocation
- Site J – Construction of Elevated Guideway over 60th Avenue W

- Site K – Site of Wetland, Drainage Pond, and Resource Conservation Area
- Site L – 58th Avenue W Street End Use of Right-of-Way
- Site M – Stormwater and TPSS at 212th Street SW

Project Background:

The Lynnwood Link extension is a component of the Sound Transit 2 Plan (ST2) and extends Sound Transit's Link light rail system along the Interstate 5 (I-5) corridor from Northgate Mall in Seattle north for 8.5 miles into the cities of Shoreline, Mountlake Terrace, and Lynnwood. Construction of the Lynnwood Link extension is expected to begin in 2019, and conclude in 2024. Revenue service is tentatively scheduled to begin in mid-2024, following systems testing of light rail vehicles. Sound Transit states that the Lynnwood Link Extension will give riders a fast, frequent, and reliable connection through some of the worst traffic congestion in Washington State. This extension includes four new light rail stations from Northgate to Lynnwood, with one station in Mountlake Terrace. Trains will arrive at the stations every four minutes during peak service, with the Mountlake Terrace Station serving an estimated 4,600 riders each weekday. The station area has been designed for safe and efficient connections with enhanced local and regional bus service to create high quality integrated transit passenger service.

Environmental Review and Permit and Project Agreements:

Sound Transit is the lead agency for compliance with the State Environmental Policy Act (SEPA). In coordination with the City, Sound Transit prepared an environmental impact statement (EIS), as well as other environmental documents, as lead agency for the Project. Therefore, a SEPA checklist is not required under Washington Administrative Code (WAC) 197-11-315. In the Permit Agreement, consistent with WAC 197-11-600, the City agreed to use and rely on the following project environmental documents to satisfy its SEPA responsibilities for review and decisions on permit applications related to the project:

- North Corridor Transit Project Alternatives Analysis Report and SEPA Addendum (September 2011)
- Project Draft Environmental Impact Statement (July 26, 2013)
- Project Final Environmental Impact Statement (April 1, 2015)
- Federal Transit Administration Record of Decision (July 10, 2015)
- Federal Highway Administration Record of Decision (August 31, 2015)

These documents may be reviewed at:

<https://www.soundtransit.org/Projects-and-Plans/Lynnwood-Link-Extension/Lynnwood-Link-Document-Archive/Lynnwood-Link-Documents/Lynnwood-Environmental-Impact-Statement>

The Final Environmental Impact Statement has since been supplemented by a SEPA Addendum, which was issued by Sound Transit in May 2018 to cover project-wide changes. WAC 197-11-625 authorizes modifications or additions to an issued FEIS with an addendum. The May 2018 SEPA Addendum identifies the following project refinements in Mountlake Terrace: the relocation of Stream SMT1 south of the Mountlake Terrace Station, trail enhancements at

Veterans Memorial Park, and the alignment shift north of the Mountlake Terrace Station where the elevated guideway crosses I-5. Sound

Transit has provided a copy of the May 2018 SEPA Addendum to the City and a copy of the addendum is also available at the locations indicated above and can be accessed at the following link:

<https://www.soundtransit.org/sites/default/files/lynnwood-link-extension-SEPA-May-2018.pdf>

The Project environmental documents, including the FEIS and the May 2018 SEPA Addendum, provide information related to procedural compliance pursuant to SEPA for all of the elements included in the project.

On October 2, 2017, Sound Transit and the City executed a Light Rail Transit Way Agreement (Transit Way Agreement), granting Sound Transit the nonexclusive use of certain City rights-of-way to construct, operate, maintain, and own the Light Rail Transit System and provides appropriate terms and conditions that satisfy Federal Transit Administration requirements for continuing control of the affected City rights-of-way.

History of Community Outreach:

Sound Transit has conducted past community outreach efforts as follows. During the final design phase of the project, Sound Transit engaged the Mountlake Terrace community at three junctures with three public meetings featuring the latest station designs and project plans. An early design public meeting was held in November 2016, a second in June 2017 for designs in progress and the third meeting was held on July 25, 2018. Each of the public meetings were well attended and an online version of the July 25, 2018 series of open house meetings attracted over 4,000 unique viewers corridor wide. In final design, 20 project updates were sent to email subscribers for the project. As of July 2018, the list has grown to over 5,700 subscribers. General project and printed information has also been made available at community kiosks that change locations in the community at key locations like libraries, community centers and other high traffic locations in neighborhoods. Project information was available at the Tour de Terrace event this past July where staff engaged over 250 residents on two days. On April 18, 2019, Sound Transit held a public open house to present information related to the light rail construction schedule for the Lynnwood Link project. The meeting provided the opportunity for the public to learn more about what to expect during construction and how to stay informed as the project is built. For those who could not attend, Sound Transit offered online participation.

In addition to outreach efforts targeted to the larger community in Mountlake Terrace, specific Sound Transit outreach efforts have included the following:

- Fieldwork – Numerous residents have been contacted about field work activities on their property or near their homes in the public right-of-way. Notifications for field work activities have included property and tree surveys, soil testing and geotech borings, noise and vibration testing, and groundwater monitoring.
- Property owner outreach – In April of 2017, notices were sent to all property owners impacted by potential plans for temporary parking in the cul-de-sac at 59th Place near the

transit centers and individual meetings were set up to discuss the process. Since that time Real Property staff have informed and guided property owners through the on-going acquisition process.

- Station Naming Process – Citizens were engaged in the station naming process at public meetings and online in 2017.
- Project updates have been provided to the Mountlake Terrace Business Association, the Citizens Advisory group for the project, City Council and Arts Commission.

The City of Mountlake Terrace held a public open house on January 23, 2019 to provide information about the Lynnwood Link project elements and guideway, as part of the land use review process for the project. A transcription of the audio from the open house can be viewed at: [Audio From Open House \(PDF\)](#).

Detailed Project Description:

Detailed descriptions of existing conditions and proposed project activities and construction related to the guideway and the 13 sites in Mountlake Terrace are provided on the following pages.

Guideway

At the southern end of the city limits, the guideway will enter the City of Mountlake Terrace (from the City of Shoreline) on the east side of I-5 at the SR-104 interchange (NE 205th Street). The guideway will extend northward along the east side of I-5 to the proposed Mountlake Terrace Station at 236th Street SW, west of Veteran's Park and within the Town Center planning area. From the station, the guideway will continue north to 232nd Street SW, where it will cross to the west side of I-5 and proceed north to the Mountlake Terrace/Lynnwood border. The guideway will be constructed in at-grade and elevated/aerial segments; no subsurface guideway is proposed. Conditions along the Guideway are summarized below. For a full narrative description of Guideway conditions and improvements, refer to Exhibits ST-N01 through ST-N03.

Land Uses along the Guideway – The guideway will be located partially within Washington State Department of Transportation (WSDOT) right-of-way (ROW) and in eight City land use zones, including Freeway/Tourist (F/T), Public Facilities and Services (PFS), Community Business Downtown (BC/D), General Commercial (CG), Single Household Residential (RS 7200), Single Household Residential (RS 8400), Low Density Multi-Household (RML), and Medium Density Multi Household (RMM).

Landscape, Trees, and Vegetation – The light rail guideway alignment of the project generally will follow the I-5 corridor, which passes through the Puget Sound lowland in a post-glaciated landscape. The existing visual and spatial elements defining the character of the corridor and the surrounding community, consist of the following:

- Glaciated landforms (a composite of steep slopes, gently rolling terrain and lowlands).
- Existing drainages, creeks, and water features.
- Vegetation dominated by coniferous evergreen forests, interspersed with clusters of deciduous trees and mowed grassy areas maintained by WSDOT.

The guideway alignment is dominated by coniferous evergreen forests, interspersed with clusters of deciduous trees and mowed grassy areas maintained by WSDOT. The focus of the urban and landscape design for the guideway, and the Project as a whole, is to visually and functionally integrate the track, stations, and other associated light rail construction into the larger landscape context. The project will provide landscape buffers to screen light rail facilities from adjacent properties. Such landscaping may be included on street frontages and property boundaries. Landscape buffers will include a variety of trees and shrubs with a focus on evergreen species to provide for year-round screening.

Field surveys were conducted to catalog all trees in the Project area. Information gathered for each tree included species, height, diameter at breast height (DBH), defects, and condition, along with other data. A total of 413 significant trees (≥ 6 inches DBH) that will be affected by the Project were identified within the City of Mountlake Terrace.² For the project as a whole, most of the trees—a total of 1,886—that will be affected are within WSDOT ROW and WSDOT property. Sound Transit is providing replacement of trees removed in accordance with City requirements (see table below, “replacement trees required”). Priority habitat trees will be replaced through a monetary value in lieu of replanting by Sound Transit. The replacement value will be agreed upon by the City, and the City will then install new trees in appropriate locations with the funding provided. Sound Transit also will be installing additional trees as part of landscaping and revegetation as shown in the table below. Documented tree species for trees to be removed shows that the trees are primarily conifers, with over 50 percent of the inventoried trees consisting of Douglas fir (*Pseudotsuga menziesii*). Red alder (*Alnus rubra*) and a variety of native and nonnative maple species (*Acer* spp.) were also common. Additional details are provided in the Draft Tree Removal and Mitigation Report and Mountlake Terrace Tree Summary and Inventory (Exhibits MLT-20 and MLT-29).

City of Mountlake Terrace Tree Removals and Replacements Lynnwood Link Light Rail Project	
<i>Private Parcels and City Rights-of-Way (MLT Jurisdiction)</i>	
Trees Removed (> 6” dbh or conifer >10 ht)	<i>Total</i> 413
Replacement Trees Required	1,239
Trees Installed	897
<i>Highway Right-of-Way (WSDOT Jurisdiction)</i>	
Trees Removed (> 6” dbh)	1,886
Trees Installed	5,069
<i>Total Tree Removals and Replacements</i>	
Trees Removed (> 6” dbh)	2,299
Replacement Trees Required (for trees removed in MLT jurisdiction)	1,239
Trees Installed	5,966

² Tree removals are estimates based on preliminary inventory and design, and are subject to change due to design adjustments or during final tree survey and/or construction.

See Critical Areas section below for additional information on removal of priority habitat trees and proposed mitigation.

Retaining Walls, and Cut and Fill

The project includes constructing retaining walls and noise walls along the guideway alignment where the guideway profile is lower or higher in elevation than the surrounding topography and the guideway structure will not be supported using columns. In areas where soil nail or mechanically stabilized earth (MSE) walls are used, the project will include permanent subterranean easements to protect the integrity of the tie backs used for these wall types. Temporary cut, fill, and retaining walls will be required during construction to provide access and work areas. When no longer needed, the area will be restored.

Noise Walls

Noise walls are associated with the guideway to meet noise mitigation requirements for light rail operations. Where existing WSDOT noise walls are impacted, they are replaced with noise walls that meet highway noise mitigation requirements. Noise walls that are located on private property are also indicated in the site narratives (Sites A through M).

Segment 1—Retaining walls are used to support an approximately 852-foot long segment of track that begins north of the Mountlake Terrace Station (just north of the bus transit loop) and continues to I-5, ending just before the guideway crosses the freeway. The wall on the west side of the guideway is an 852-foot long, cast-in-place concrete wall that varies in height between 8.2 feet and 29 feet above existing grade. This wall is used to retain fill used to support the track profile at the desired elevation. The wall on the east side of the guideway is 894 feet long. The wall begins as a 34-foot long, cast-in-place wall that retains fill used to raise the elevation of the existing topography to support the guideway profile. This wall is 16.8 feet above existing grade. The wall then transitions to a soil nail wall that is 804 feet long. This wall is used to retain existing soil along the cut slope east of the guideway. The top of the soil nail wall follows existing grades to reach a maximum height of 20 feet above the track profile. The east wall then ends with a 56-foot long cantilever soldier pile wall that is approximately 15 feet high. Noise walls will be constructed where needed on the east side of the guideway to prevent guideway noise from reaching adjacent residences. A noise wall that is 120 feet long runs just east of the cast-in-place fill wall starting approximately 38 feet from where the wall begins. A noise wall that is approximately 48 feet long will be constructed on top of the cantilever soldier pile wall where the wall ends.

Segment 2—Retaining walls and noise walls are also used along a segment of guideway that is approximately 2,700-foot long beginning on the west side of I-5 and continuing north to transition to an elevated guideway structure approximately 280 feet south of 220th Street SW. The wall on the west side of the track is 2,703 feet long and varies in height from 0 to 33 feet. The wall type varies depending on site conditions and the elevation of the track relative to the existing topography. The wall begins with 183 feet of cast-in-place concrete wall with concrete noise walls on top. This segment of the wall is used to retain fill used to raise the track profile above existing grades. The wall transitions to a cut wall consisting of 110 feet of soil nail wall;

192 feet of cast-in-place concrete wall with concrete noise walls; 1,058 feet of soil nail wall; 70 feet of gravity wall; and ending with 234 feet of soil nail wall. The wall then continues as 40 feet of cantilevered soldier pile wall, which has the dual function of retaining existing soil and mitigating for guideway noise. The wall continues as 448 feet of precast concrete noise wall on shafts (with no retaining walls) before ending with 368 feet of MSE wall used to retain existing soil. Noise wall acoustic panels are installed on top of the MSE wall for noise mitigation. The wall on the east side of the track is 2,704 feet long and varies in height from 0 to 15.24 feet. The wall type varies depending on site conditions and the elevation of the track relative to existing topography. The wall begins as 725 feet of gravity wall and then transitions to 192 feet of cantilevered soldier pile wall followed by 122 feet of gravity wall. These walls are cut walls used to retain existing soil adjacent to the tracks, which are slightly lower than existing topography. The wall transitions to a fill wall consisting of 240 feet of cast-in-place concrete wall, and then changes again to a cut wall consisting of 422 feet of gravity wall and 168 feet of cantilevered soldier pile wall. The remainder of the wall is a fill wall consisting of 660 feet of gravity wall, and ending with 175 feet of cast-in-place concrete wall. In most cases, the top of all cut walls follows the existing topography, except in the sections where a cantilevered soldier pile wall is used. In these sections, the top of wall will remain level and the wall panels will step up and down as needed to remain above proposed finish grades. The tops of fill walls follow the guideway profile.

Segment 3—The final segment of track supported by retaining walls begins approximately 900 feet (0.18 miles) north of the Mountlake Terrace City Hall at the point where 60th Ave W curves to head north. The retaining walls follow the alignment of the guideway and continue approximately 2,276 feet north to end just south of 212th Street SW. The wall on the west side of the track is 2,276 feet long and varies in height from 10 to 41.3 feet above existing grade. The wall type varies depending on site conditions, beginning with 586 feet of MSE wall with a concrete noise wall on top. This wall retains fill placed to raise existing grades to support the track profile, and the noise wall protects adjacent residents from guideway noise. The wall then transitions to a cut wall that retains the existing topography above the track profile. This cut wall starts as a 1,195-ft long soil nail wall and transitions to a cantilevered soldier pile wall with a noise wall on top for the last 45 feet. Noise walls are also constructed behind the last 113 feet of the soil nail wall using precast concrete panels on shafts. The wall then transitions to a fill wall constructed as a 450-foot-long MSE wall with a 4-foot-tall acoustic panel noise wall on top. The project will construct a 114-foot-long noise wall on WSDOT ROW west of the guideway and east of 213th Place SW to replace the existing noise wall that will be removed. This noise wall will be constructed using precast concrete noise wall panels on shafts. The noise wall will connect with an existing WSDOT noise wall and is intended to reduce highway noise. The wall on the east side of the track is 2,306 feet long and varies in height from 7.6 to 22.2 feet above existing grade. The wall type varies depending on site conditions, beginning with 1,476 feet of MSE wall, and then transitioning to 750 feet of soil nail wall, and ending with 80 feet of MSE wall. The entire length of the wall is a fill wall that supports the guideway at an elevation that is slightly higher than that of I-5. This wall separates the freeway and guideway and does not include noise walls.

In areas where cut walls are proposed, excavation for the guideway will be approximately 40 feet wide with a variable depth. Excavated materials will be reused by the Project, provided they meet requirements, or transported by truck to a licensed disposal site. Grading on slopes will be no steeper than 2:1 (H:V) ratio, with retaining walls used where 2:1 slopes cannot be provided. The total quantities of cut are 24,200 cubic yards of material, and the total fill quantities are 21,300 cubic yards of material. For cut and fill quantities at Sites A through M, see the narratives for each site.

Access

Emergency and maintenance access to the guideway will be provided along the corridor as required for operations and agreed to by the Mountlake Terrace Fire Department. Fire Department Connection (FDC) standpipes are provided in locations along the guideway as agreed to with the fire department. A total of six fire department connections will be installed at the Mountlake Terrace Station in a cluster located across the bus transit loop from the north station entrance. The Station platform can be accessed by ladder truck from 236th Street SW. The south portion of the platform can be accessed by ladder truck from an access road from the future Gateway Boulevard, and the north portion of the platform can be accessed by ladder truck from the bus transit loop. There are also staircases at both ends of the platform for use during emergencies. The elevated guideway can also be accessed using a ladder truck from the shoulders of both northbound and southbound I-5, as well as from 220th Street SW, 60th Avenue W, and 212th Street SW. A total of 100 fire hose valves will be installed in the City, with a minimum of two valves installed every 200 feet along the guideway. In addition, the Project will install a pair of fire department connections adjacent to 60th Ave W, south of 212th Street SW, and where 227th Street SW dead-ends on the west side of I-5. In addition, emergency access to the elevated guideway is provided by a driveway and paved area off 62nd Ave W just south of 222nd Street SW on the west side of I-5. The paved area includes a fire hydrant as well as two fire department connections (N20-FDC-04 and N20-FDC-05) that can be accessed at grade through a door in the noise wall.

Noise

The primary existing sources of ambient noise and vibration levels in the project area are associated with the I-5 corridor, with some additional traffic noise from arterial roads. Ambient sound level measurements were conducted along the alignment during the environmental analysis, and those existing noise levels are reported in the project environmental documents. Supplemental data were collected during the final design phase. Averaged over 24-hour periods, the sound levels range between 56 and 81 A-weighted decibels (dBA) day-night average sound level (Ldn). Note that the Ldn is a 24-hour average noise level with a 10 dB “penalty” added to noise levels generated during nighttime hours. Peak-hour levels of 51 to 78 dBA equivalent continuous noise level (1-hr Leq) were measured during the hour of the day with the highest noise level (typically between 6 AM and 9 AM). The noise levels at the first and second row of homes adjacent to I-5 are generally in excess of 70 dBA Ldn. These data are incorporated in the L300 Noise, Vibration, and Groundborne Noise Report. Two sources of noise will occur as a result of the project, construction noise and operational noise, as further described below.

Construction Noise—Washington Administrative Code (WAC) Chapter 173-60-40 provides the maximum permissible sound levels at various property use types and is often used as a basis for noise level criteria in municipal noise codes (e.g. City of Shoreline Municipal Code Chapter 9.05 Noise Control and Snohomish County Code Chapter 10.01 Noise Control). WAC Chapter 173-60-40 indicates construction noise is exempted during daytime working hours, but not during nighttime working hours; similarly, construction activity noise during nighttime hours is considered a nuisance affecting public peace in accordance with City code chapter 8.20.010(D)(3). When applicable, impacts are assessed at the nearest receptors, in this case mostly consisting of residential properties bordering the alignment. In accordance with WAC Chapter 173-60-40, the noise levels received at residences are limited to 55 and 57 dBA depending on the source of the noise (residential or commercial, respectively), and are reduced by 10 dBA during nighttime noise hours. Focused analysis and appropriate mitigation based on final design and construction plans will be applied for any activity required to be performed at night. Construction noise impacts are being further assessed based on recently available design details. For a detailed analysis conducted for the Project, please refer to Exhibit ST-15, L300 Construction Noise, Vibration, and Groundborne Noise Report. Standard mitigation, where necessary and to the extent feasible, may consist of but not be limited to temporary noise barriers (acoustic blankets on fencing), vehicle broadband backup alarms or smart alarms, and/or receiver-based treatments (e.g. sound insulation of residential property windows or doors). Where feasible, temporary noise barriers 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 associated with restrictions on lane and roadway closures on I-5 and other arterial roadways. Sound Transit indicates that these activities will be considered for localized, temporary noise control where feasible, and that where necessary, variance from the City's noise code will be requested in writing for specific work elements, subject to the City's discretionary approval. Conditions of approval have established a process for making these requests.

Consistent with the project specifications, a Construction Noise and Vibration Mitigation and Monitoring Plan for nighttime work will be developed by the construction contractor and approved by the Sound Transit Construction Management Consultant (CMC) Resident Engineer. The plan will be provided to the City for its review before commencement of construction activities outside normal daytime working hours. In general, the plan will specify construction activities, monitoring locations, equipment, procedures, characterization of the noise produced with equipment, procedures, characterization of the noise produced with equipment usage, comparison with noise levels provided in WAC 173-60-40 or otherwise conditions by the City, schedule of measurements, reporting methods to be used, on-site mitigation, local outreach, and responses to community concerns. To account for current ambient noise levels along the project corridor that exceed criteria of WAC Chapter 173-60-40, the City will consider the maximum permissible sound level at receiving properties in those instances as five dB(A) above the ambient noise level, where a five dB(A) change is a readily perceptible change in loudness for

most people.³ 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.

Operational Noise—Potential noise impacts and mitigation measures for the Project were identified in the Project Environmental Documents. Sound Transit is further assessing noise impacts and mitigation measures based on recently available design details. As stated in the Final Environmental Impacts Statement (FEIS), Sound Transit will be mitigating noise and vibration impacts associated with operation and maintenance of the light rail transit system and bus transit centers. Noise and vibration predictions for light rail operations were performed using standard FTA methodology and compared with FTA criteria to determine impacts. For a detailed analysis conducted for the Project, please refer to Exhibit ST-10, L300 Noise, Vibration, and Groundborne Noise Report. Existing ambient highway noise levels at the residences that will be closest to the future light rail vehicles (in locations where the alignment borders the highway) along most of the alignment are greater than the baseline noise criteria put forth in the WAC in many cases, according to Sound Transit. 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 properties adjacent to the Project in accordance with applicable FTA criteria. In addition, light rail transit stations will be designed to reduce noise from I-5 for patrons moving about the platform, and to control reverberation so that public address announcements, including those for emergencies, can be clearly heard and focused within the station environment.

Critical Areas

All critical areas within 200 feet of the light rail alignment are discussed in the attached City of Mountlake Terrace Critical Areas Report (Exhibit MLT-08), including wetlands, streams, wildlife habitat areas, geologic hazard areas, flood hazard areas, and aquifer recharge areas. Most of the critical areas potentially impacted along the Project alignment are within WSDOT limited access ROW, where the City's critical areas code does not apply (see Critical Areas Concurrence Letter, dated March 19, 2018). With the exception of geological hazard areas, the vast majority of critical areas potentially impacted by the Project on parcels/private property outside the WSDOT limited access ROW are addressed as part of the site-specific narratives. In order to avoid duplication, the Guideway narrative does not include a discussion of any critical areas already addressed in the site-specific narratives. Below is a summary of the remaining critical areas outside the WSDOT limited access ROW, and the impacts and mitigation for those impacts. More detailed information is provided in the City of Mountlake Terrace Critical Areas Report.

Wetlands and Streams—All wetlands, streams, and their associated buffers potentially impacted by the project outside of the WSDOT limited access ROW are discussed in site specific narratives. Information on all wetlands, streams, and associated buffers within 200 feet of the light rail alignment, including those within the WSDOT limited access ROW, can be found in the City of Mountlake Terrace Critical Areas Report.

³ Refer to Federal Highway Administration guidance:
https://www.fhwa.dot.gov/enviroMent/noise/regulations_and_guidance/polguide/polguide02.cfm

Wildlife Habitat Areas—A designated priority habitat area mapped by the Washington Department of Fish and Wildlife (WDFW) is located in the vicinity of the Mountlake Terrace Transit Center and extends onto private property. The removal of trees in the portion of this critical habitat (as defined by the City) located outside of the WSDOT limited access right-of-way is discussed in site specific narratives. As mitigation, trees will be replaced through a monetary value in lieu of installation of trees by Sound Transit. The tree replacement value has been agreed upon by the City and Sound Transit, and is outlined in the attached concurrence letter (Exhibit ST-09). The City is responsible for installing and maintaining the trees in appropriate locations of their choice with the funding provided.

Geologic Hazard Areas—Erosion Hazard Areas, Landslide Hazard Areas, and Seismic Hazard Areas occur along the length of the Project area as shown in Figure 11 in the Mountlake Terrace Critical Areas Report. As shown on the City’s Official Critical Areas: Geologic Features map (June 2016), there is a Critical Erosion Hazard Area east of I-5 in the Project area, extending from the City of Shoreline boundary to approximately 228th Street SW. There are also two Critical Erosion Hazard areas west of I-5 in the Project area, extending from 232nd Street SW to approximately 224th Street SW. Two areas of potentially liquefiable or seismic hazards bisect the I-5 corridor; one near the southern boundary of Mountlake Terrace east of Lake Ballinger, and the other at the northern end.

As discussed in the L300 geotechnical analysis included in the Mountlake Terrace Critical Areas Report, areas with moderate slopes of 15 to 40 percent and steep slopes 40 percent or greater were mapped based on available elevation data for the project area. Based on City code, these meet the criteria for Class II/Moderate Landslide Hazard Areas and Class IV/Very High Landslide Hazard Areas. Many portions of the slopes along the I-5 corridor are steeper than 40 percent and are mapped as steep slope hazards even though these slopes have been engineered by WSDOT. Based on the review of the data sources previously listed, there have been no documented landslides within the project alignment. Although there are steep slopes within the project area, based on the density and composition of the soils, the steep slopes do not represent significant landslide hazards.

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. The Project is also designed in accordance with Critical Areas Reasonable Use Provision, 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.

Critical Erosion Hazard Areas and Class II/Moderate and Class IV/Very High landslide hazard areas along the Project will be temporarily impacted during construction. Project temporary 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. All landslide hazards will be mitigated by the design such that the finished Project is expected to result in no impact or improved stability in potential Landslide Hazard Areas. 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. Temporary erosion and sedimentation control (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. Stormwater facilities have been designed appropriately manage stormwater runoff throughout the project area.

Limited clearing of vegetation and soil disturbance will temporarily expose soils in areas defined as Critical Erosion Hazard Areas. To mitigate impacts to Erosion Hazard areas, 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 by the contractor to address potential erosion and sediment transport during construction. Temporarily disturbed areas will be restored as soon as practical to minimize the risk of erosion.

Sound Transit states that vegetation cleared in all Geologic Hazard Areas will likely be replanted with native vegetation. As long-term mitigation for trees removed within Geologic Hazard Areas, replacement trees will be planted at a ratio to be agreed upon by the City and Sound Transit. As long-term mitigation for trees removed within Geologic Hazard Areas, replacement trees will be planted at a ratio to be agreed upon by the City and Sound Transit. Replacement trees will likely be native species and be planted in accordance with an approved restoration plan.

Flood Hazard Areas—There are no Flood Hazard Areas potentially impacted by the project on real property within the City of Mountlake Terrace.

Aquifer Recharge Areas—The City of Mountlake Terrace has not mapped any aquifer recharge areas within its jurisdiction. The U.S. Geologic Survey geographic information system (GIS) information from Snohomish County maps most of the Project area as having low aquifer sensitivity, with some isolated areas of moderate aquifer susceptibility located in the I-5 vicinity at the southern and northern portions of the corridor, particularly near Hall Lake and Ballinger Lake. Based on the Natural Resources Conservation Service's soil mapping of the area, these moderate aquifer susceptibility areas correspond with the City's definition of Aquifer Recharge Areas of medium significance in MTMC 16.15.080(F). This information is shown on Figure 12

in the Mountlake Terrace Critical Areas Report. There are no mapped wellhead protection areas or sole source aquifers mapped in the project area.

The project is not anticipated to negatively impact aquifer recharge areas, either during construction or operations. During construction, clean fill soils will be used for retaining walls and other structures. BMPs will be used to reduce the potential for leaks and spills associated with construction equipment and materials. Sound Transit states that the project will adhere to a contractor-generated hazardous and contaminated waste management plan; a spill prevention, control, and countermeasures plan; a storm water pollution prevention plan; and a TESC plan. During light rail operations, Sound Transit does not anticipate using the project regularly for the transport or disposal of regulated chemicals, substances, or materials that are toxic, dangerous, or hazardous. The risk of groundwater contamination is low. More detailed information can be found in the City of Mountlake Terrace Critical Areas Report.

Specific Sites A through M:

Site A

Site Description and Existing Improvements – Site A is located south of 237th Street, north of Gateway Place, and is the former location of an elementary school, which was demolished. The site encompasses approximately 632,374 square feet (14.5 acres) of land and includes two parcels (parcel numbers 27043200400700 and 27043200401600) adjacent to, and east of the Washington State Department of Transportation (WSDOT) right-of-way (ROW) within the City of Mountlake Terrace. The site is zoned Freeway/Tourist (F/T).

The topography slopes south and west towards I-5, at gradients ranging from 0.5 to 6.2 percent and is primarily covered in vegetation. Existing vegetation at Site A consists of remnant, unmaintained areas with grasses, shrubs, deciduous and evergreen trees, with many patches of noxious weeds. Vegetation along the western edge of Site A consists of mostly younger deciduous trees, with conifers at the east end of the site. Critical areas on Site A include wetlands, a stream, geologic hazard areas, and a flood hazard area. Additionally, Site A is located within an area of moderate aquifer recharge susceptibility.

Proposed Improvements – Planned improvements include one column on site and five additional columns on the western property line to support the aerial guideway, which will be over or adjacent to Site A in the WSDOT ROW. Curb and gutters removed for construction access will be replaced. Approximately 38 linear feet of retaining walls (one two-foot section and one 36-foot section) will be removed and replaced after construction of the guideway columns. No other hardscape features are planned for the site.

The proposed improvements will require approximately 100 cubic yards of cut and 200 cubic yards of fill for grading (Exhibit ST-A01), removal of 15 significant trees (Exhibit ST-29),⁴ and

⁴ Tree removal is calculated based on the Mountlake Terrace Tree Summary and Inventory by counting all trees not listed as retained. This includes trees noted for removal and trees to be removed “by others.”

temporary impacts in geologic hazard areas. After construction, disturbed areas will be restored and approximately 6,313 square feet of lawn seeding mix will be planted.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site A will begin in 2019 and will be completed in phases over the six-year course of construction. Construction uses at Site A include construction access and staging activities for work within or adjacent to the site boundary.

Site B

Site Description and Existing Improvements – Site B is the Mountlake Terrace Transit Center, located north of 236th Street SW, east of I-5, and west of 59th Place W. The site is approximately 352,555 square feet (8.0 acres) in size and is comprised of tax parcel no. 27043200100200 and adjacent City right-of-way. Existing improvements include the Transit Center, a parking garage, two surface parking lots, bus bays, a bus turn-around queueing area, covered bus shelters, passenger drop-off areas, and bike lockers and racks. The site is zoned Public Facilities and Services (PFS).

The portion of Site B on the north side of 236th Street SW is relatively flat. The topography to the northeast, north, and south slope away at gradients of 24 to 27 percent. The developed portion of the site is substantially paved, and existing vegetation consists primarily of street trees near the parking area and mature vegetation in undisturbed portion of the site. Critical areas on Site B include wetland and stream areas, wildlife habitat areas, geologic hazard areas, and an area of moderate aquifer susceptibility.

Proposed Improvements – Site B will remain a transit facility and the existing parking garage will remain. The Transit Center will be expanded to include the Mountlake Terrace Light Rail Station. Related site improvements include replacing the existing surface parking, expanding passenger pickup and drop-off areas, a public plaza for transfers, stormwater facilities, a Traction Power Substation (TPSS), and wet and dry utilities.

The proposed station will be elevated on the east side of I-5 at the 236th Street SW overpass. The station guideway and platform structures will be built across 236th Street SW, approximately 33 to 35 feet above ground level. The design of Site B includes a number of vehicular and pedestrian pathways, at-grade public plazas, and bicycle storage. The existing bus transit center will be reconfigured. The project includes construction of several retaining walls to support grade changes, approximately 52,900 square feet of landscaping, and noise walls.

Proposed improvements will require approximately 9,820 cubic yards of cut and 20,700 cubic yards of fill for grading (Exhibit ST-B01) and removal of 169 significant trees (Exhibit ST-29). Approximately 135 trees⁵ will be removed from wildlife habitat areas categorized as priority habitat areas, and temporary impacts will occur in geologic hazard areas categorized as landslide

⁵ Sound Transit has indicated that approximately 130 trees will be removed on this site, but has not updated application materials to reflect this change. A reduction by five priority habitat trees is consistent with the concurrence letter included in Exhibit ST-09.

hazard areas. No other impacts to critical areas outside the WSDOT limited access right of way on Site B are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site B will begin in 2019 and will be completed in phases over the six-year course of construction. Construction uses at Site B include construction access and staging activities for work within or adjacent to the site boundary.

Site C

Site Description and Existing Improvements – Site C is located north of 236th Street SW, east of the Mountlake Terrace Transit Center and south of Veterans Park. The site is the location of a small residential development consisting of eight parcels (no. 00524100000800, 00524100000900, 00524100001000, 00524100001100, 00524100001200, 00524100001300, 00524100001400, 00524100001500) and the 59th Place W right-of-way. Each parcel is developed with a single-family residence and related site improvements. 59th Place W is a cul-de-sac serving only the eight lots that are part of Site C. The site is zoned Community Business Downtown (CBD).

Site C slopes southward at an average grade of approximately 8.6 percent. Existing vegetation includes coniferous and evergreen trees and shrubs and ornamental landscaping. Critical areas on Site C include wildlife habitat areas categorized as priority habitat areas and geologic hazard areas.

Proposed Improvements – Site C will be used as a temporary surface parking lot with bus bays, layover space, and a bus loop to replace capacity that is unavailable at Site B during construction. The site will be substantially paved and will include approximately 24,571 square feet of temporary landscaping. Retaining walls around the perimeter of the site will support the grade changes necessary for vehicular access. No other above-ground structures are proposed.

The proposed improvements require approximately 37,440 cubic yards of cut and approximately 2,930 cubic yards of fill for grading (Exhibit ST-C01) and removal of approximately 85 significant trees (Exhibit ST-29). All of the trees to be removed are within wildlife habitat areas categorized as priority habitat areas. Temporary impacts will occur to geologic hazard areas classified as landslide hazard areas. No other impacts to critical areas are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site C will begin in 2019 and will be completed within approximately 18 months. After construction of the Lynnwood Link Extension, and the property will be reviewed for potential disposition. Sound Transit does not propose the removal of temporary facilities.

Site D

Site Description and Existing Improvements – Site D is located east of I-5, at the intersection of 232nd Street SW and 61st Avenue W. Site D consists of approximately 10,194 square feet of a privately-owned parcel (no. 00522000302300). The site is developed with a single-family

residence and related site improvements. The site is zoned Single-Household Residential (RS-7200).

The eastern (developed) portion of Site D is relatively flat. The western portion slopes steeply away at a grade of approximately 75 percent. Existing vegetation at the site includes native forest interspersed with groupings of deciduous trees on the western half of the site and ornamental landscaping on the eastern half of the site. Critical areas on Site D include wildlife habitat areas categorized as priority habitat and geologic hazard areas.

Proposed Improvements – Site D will be used temporarily during construction for access to adjacent work areas. Subsurface tieback anchors to support the adjacent guideway retaining wall will be installed on Site D. No other structures are proposed.

Site D will require approximately two cubic yards of cut for grading (Exhibit ST-D01). No fill is required. Approximately three trees will be removed, all from the wildlife habitat areas categorized as priority habitat. Temporary impacts will occur to geologic hazard areas categorized as landslide hazard areas. There have been no documented landslides at or in the vicinity of the project site and, based on soil density and composition, construction of the Lynnwood Link Extension is not anticipated to cause significant landslide hazards. No other impacts to critical areas are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site D will begin in 2019 and will be completed in phases over the six-year course of construction. Construction uses at Site D include access and staging activities for work adjacent to the site boundary. After construction of the Lynnwood Link Extension, the property will be restored with 866 square feet of landscaping.

Site E

Site Description and Existing Improvements – Site E is located at the 228th Street SW bridge underpass and is approximately 23,342 square feet in size. Site E includes the residential lot north of 227th Street SW (parcel no. 0052400000500), vacant land south and west of the cul-de-sac, and a small portion of 228th Street SW. The residential lot is developed with a single-family home and related site improvements. The real property in Site E is zoned Single-Household Residential (RS-7200).

From 228th Street SW, the topography slopes northward down to 227th Street SW at a 50 percent average grade. The north end of Site E slopes southward down to 227th Street SW at a 40 percent average slope. Existing vegetation at Site E consists of coniferous evergreen trees intersperse with groupings of deciduous trees, shrubs, and mowed grassy areas. Critical areas on site include geologic hazard areas and an area of moderate aquifer recharge susceptibility.

Proposed Improvements – Site E will be temporarily used for construction, staging, and access to the light rail guideway. Permanent improvements include enlarging the cul-de-sac to provide

adequate room for fire truck turn-around, installing a new fire hydrant and associated water main connection, and installing a new stormwater inlet to collect runoff.

Site E will require approximately 140 cubic yards of cut and approximately 680 cubic yards of fill for grading (Exhibit ST-E01) and removal of approximately 19 significant trees (Exhibit ST-29). Temporary impacts to erosion hazard areas and landslide hazard areas categorized as geologic hazard areas will occur. No other critical areas impacts are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site E will begin in 2019 and will be completed in phases over the six-year course of construction. Construction uses at Site E include access and staging activities for work on or adjacent to the site boundary.

Site F

Site Description and Existing Improvements – Site F is located between 62nd Avenue W on the west side and I-5 on the east side and bounded by 224th Street SW and 222nd Street SW to the south and north. Site F is approximately 66,146 square feet (1.5 acres) and is comprised of seven residential parcels (no. 00524000004900, 00524000005000, 00524000005100, 00524000005400, 00524000005500, 00524000005600, 00524000005700) and City right-of-way. The site is developed with a total of six single-family residences and related site improvements. Real property in Site F is zoned Single-Household Residential (RS-7200).

The site generally slopes gently at a two percent grade from south to north. At the north end, portions of the eastern edge of the properties slope toward I-5 at a grade of 28 percent. Existing vegetation consists of mixed coniferous evergreen and deciduous forest, ornamental vegetation, and lawn areas. Geologic hazard areas are present on the eastern edge of the site.

Proposed Improvements – Proposed improvements at Site F include a portion of guideway along the eastern edge of the site, a signal bungalow and associated maintenance vehicle parking, a high-rail access point for the guideway, street improvements, drainage improvements, and related site improvements. Street improvements include a five-foot sidewalk along the east side of 62nd Avenue W and street lighting. Drainage improvements will be in the form of a bioswale north of the signal bungalow. Approximately 17,437 square feet of landscaping will be installed west of the guideway and approximately 7,615 square feet of landscaping will be installed east of the guideway.

Work at Site F will include approximately 120 cubic yards of cut and 660 cubic yards of fill for grading (Exhibit ST-F01) and removal of approximately 28 significant trees (Exhibit ST-29). Temporary impacts will occur to landslide hazard areas categorized as geologic hazard areas. No other impacts to critical areas are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site F will begin in 2019 and will be completed in phases over the six-year course of construction.

Construction uses at Site E include access and staging activities for work on or adjacent to the site boundary.

Site G

Site Description and Existing Improvements – Site G is the easternmost end of 222nd Street SW, adjacent to the I-5 right-of-way. Site G is approximately 8,076 square feet (0.2 acre) in size and is undeveloped and unpaved.

Site G has rolling topography. The north side slopes southward toward the center of the site at a grade of approximately 30 percent, and eastward at an approximate average slope of 12 percent. Existing vegetation includes coniferous evergreen and deciduous trees and grassy areas. Geologic hazard areas are present on Site G.

Proposed Improvements – Site G is located beneath the guideway and no buildings or above-ground structures are proposed. Drainage improvements will be installed to accommodate stormwater from the 62nd Avenue W street improvements at Site F, and will include new drainage catch basins, storm drain pipe, and a new bioretention swale.

Work at Site G will include approximately 50 cubic yards of cut and 450 cubic yards of fill for grading (Exhibit ST-G01) and removal of approximately 10 significant trees (Exhibit ST-29). Temporary impacts to landslide hazard areas will occur during construction. No other impacts to critical areas are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site G will begin in 2019 and will be completed in phases over the six-year course of construction. Construction uses at Site E include access and staging activities for work on or adjacent to the site boundary.

Site H

Site Description and Existing Improvements – Site H is located at 6205 222nd Street SW, west of I-5 and is comprised of a single parcel (no. 00378200300600). Site H is the location of the former Melody Hill Elementary School, which has been demolished. The site is approximately 293,894 square feet (6.7 acres) in size. The property is now primarily vacant, with some remnants of the school use including a parking area, building foundations, and sports field. The site is zoned General Commercial (CG).

Site H is relatively flat at the center and slopes down to the northwest and southwest with an average slope of approximately 0.5 percent. A mix of coniferous evergreen and deciduous trees grow along the north, west, and east side boundaries. Lawn and shrub areas are interspersed. Critical areas on site are limited to geologic hazard areas in a narrow band through the middle of the site and at the northern edge of the property along 220th Street SW.

Proposed Improvements – Site H is a primary construction staging location for the Lynnwood Link Extension, and will also include a portion of guideway along the eastern edge. Other

permanent improvements are limited to retaining walls supporting the guideway, utilities, a new fire hydrant, and stormwater improvements. Temporary construction-related uses could include siting construction trailers, construction worker parking, storage and maintenance of materials and equipment, track welding, and similar activities.

Work at Site H will include approximately 55 cubic yards of cut and 2,280 cubic yards of fill for grading (Exhibit ST-H01) and removal of approximately 54 significant trees (Exhibit ST-29). Temporary impacts to landslide hazard areas categorized as geologic hazard areas will occur during construction.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site H will begin in 2019 and will continue until revenue service begins in 2024. Construction uses at Site H could include but are not limited to the uses described above. Additional information will be provided by Sound Transit or their selected contractor as construction-related plans are developed. After construction of the Lynnwood Link Extension, the property will be restored with a hydroseed mix.

Sound Transit will retain this property, which is listed as a “provisional” station in the ST3 system expansion.

Site I

Site Description and Existing Improvements – Site I is the eastern terminus of 220th Street SW right-of-way ending at the I-5 ramps and is approximately 49,083 square feet (1.1 acres) in size. The City of Mountlake Terrace does not apply a zoning designation to right-of-way. Site I is relatively flat and slopes westward at a grade of approximately 5 percent. Existing vegetation is limited to the south side of 220th Street SW and consists of a few coniferous and deciduous trees. Geologic hazard areas are mapped on the east side of Site I, adjacent to Site H.

Proposed Improvements – Site I will be used temporarily for construction staging and access. Permanent improvements include installing a storm drainage connection, re-routing a water line, installing an irrigation meter, and restoration of pavement, sidewalks, and curb and gutter after construction. The guideway will pass over Site I and one guideway column will be constructed at the southeast end of the site.

Work at Site I will require approximately 20 cubic yards of cut and 15 cubic yards of fill for grading (Exhibit ST-I01) and removal of approximately one significant tree (Exhibit ST-29). Landslide hazard areas categorized as geologic hazard areas will be temporarily impacted during construction. No other critical areas impacts are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site I will be performed in stages and will take one to two years to complete. Access to the guideway through Site I is anticipated for the duration of construction.

Site J

Site Description and Existing Improvements – Site J is located north of 220th Street SW, west of I-5 and consists primarily of City right-of-way and a small portion of parcel no. 00747600000100. The real property is zoned General Commercial (CG).

Site J is relatively flat, generally sloping at a grade of one to four percent. The northeast one-third of the site slopes uniformly at a six percent grade and the southeastern corner slopes up at a 10 percent grade. The site is paved, with small areas of existing vegetation along the east side of 60th Avenue W. Critical areas on site include a portion of one wetland and its buffer and geologic hazard areas.

Proposed Improvements – Proposed improvements at Site J include utility relocations, stormwater improvements, roadway illumination system modifications, sidewalk improvements along 60th Avenue W, an access drive on 60th Avenue W for a stormwater vault east of Site J, a new crosswalk, a new fire department connection, and fencing and landscape restoration. Site J will be used for construction staging and access.

Work on Site J will include approximately 30 cubic yards of cut and 20 cubic yards of fill for site grading (Exhibit ST-J01) and removal of approximately five significant trees (Exhibit ST-29). Temporary impacts to the on-site wetland and its buffer and to the landslide hazard area categorized as a geologic hazard area will occur during construction. No other critical areas impacts are anticipated. After construction, the wetland impacts will be mitigated pursuant to MTMC 16.15.400 and the site will be restored to pre-construction condition or better. Construction of the Lynnwood Link Extension will take approximately six years. Work at Site J will be performed in stages and will take one to two years to complete. Access to the guideway through Site J is anticipated for the duration of construction.

Site K

Site Description and Existing Improvements – Site K is located west of I-f, south of 214th Street SW and east of 60th Avenue W. The site is comprised of two parcels (no. 00619900005000 and 0069900004800) and City right-of-way. Site K is undeveloped and is zoned General Commercial (CG).

Site K is relatively flat with a low area in the center and is covered with mature trees and vegetation. Existing vegetation consists primarily of stands of conifers mixed with deciduous trees and interspersed shrubs. Critical areas at Site K include a wetland, a stream, and small areas of geologic hazard areas.

Proposed Improvements – Site K will be used for temporary construction staging, guideway construction access, stormwater detention, resource conservation area (RCA) mitigation, and wetland and combined wetland/stream buffer mitigation in the form of enhancement where practical. Stormwater detention includes a stormwater pond, access road, and storm drain pipes. Frontage improvements will be installed along 60th Avenue W and will include street trees, illumination, sidewalk improvements, a new crosswalk, and landscaping. Site K wetlands and

buffers will be enhanced by removing invasive species throughout the entire wetland, planting native vegetation, including trees, within the temporarily impacted wetland and its buffer area, and installing habitat features such as brush piles, snags, and large woody debris.

Work on Site K will require approximately 120 cubic yards of cut and 665 cubic yards of fill for site grading (Exhibit ST-K01) and removal of approximately nine significant trees (Exhibit ST-29). Temporary impacts will occur in the on-site wetland and its buffer and will be mitigated pursuant to MTMC 16.15.400. Approximately 0.011 acres of permanent wetland vegetation conversion will occur within the wetland on the eastern edge of Site K near the guideway. Approximately 0.078 acre of the wetland and 0.468 acre of the wetland buffer will be temporarily impacted by construction activities for the stormwater pond. Approximately 0.209 acre of the wetland buffer will be permanently impacted to construct the stormwater pond, access road, and sidewalk improvements. Removal of trees within the buffer area will cause a functional loss of 0.082 acre of the buffer. Mitigation consists of replacing trees on site and enhancing 0.358 acre of the wetland to ensure overall functional lift. Temporary impacts will be restored. Temporary impacts to geologic hazard areas will occur during construction. No other impacts to critical areas are anticipated.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site K will begin in 2019 and will be performed in stages for the duration of the project. Access to the guideway through Site K is anticipated for the duration of construction.

Site L

Site Description and Existing Improvements – Site L is the eastern end of 58th Avenue W, adjacent to I-5, and is approximately 4,900 square feet (0.11 acre) in size. The right-of-way is vacant. The City of Mountlake Terrace does not apply a zoning designation to right-of-way.

Site L is relatively flat and slopes uniformly northwest at a grade of approximately seven percent. Existing vegetation is limited to unpaved portions, which are covered with shrubs and low groundcovers. Critical areas on Site L include portions of geologic hazard areas along the edges of the site.

Proposed Improvements – Proposed improvements at Site L include an emergency access path to the guideway. Minimal site grading is proposed, and no trees will be removed. After construction, the site will be restored to pre-construction condition or better. Temporary impacts to landslide hazard areas categorized as geologic hazard areas will occur during construction.

Construction of the Lynnwood Link Extension will take approximately six years. Work at Site L will be completed over the course of several weeks toward the end of the project. Access to the guideway through Site L is anticipated for the duration of construction.

Site M

Site Description and Existing Improvements – Site M is located northwest of I-5, south of 212th Street SW, and east of 58th Avenue W. Site M is approximately 37,709 square feet (0.9

acre) in size and is comprised of four parcels (no. 27042800202100, 27042800202200, 27042800202300, 27042800202400) and City right-of-way on 212th Street SW. The site is developed with three single-family residences, a cul-de-sac roadway, and related site improvements. The real property in Site M is zoned Medium Density Multi-Household (RMM).

Site M slopes moderately northward at an average slope of 13 percent and the eastern portion of the site slopes toward I-5. Existing vegetation consists of mixed coniferous evergreen and deciduous forest, ornamental landscaping, and lawn. Portions of Site M are located within geologic hazard areas. There are no other critical areas on site.

Proposed Improvements – Site M will be developed with multiple retaining walls, a screening wall, a traction power substation (TPSS), a stormwater facility, lighting, and utility upgrades. The retaining walls will support the grade changes necessary for access and construction. Retaining walls on the north side will serve as screening for on-site improvements. The stormwater facility is a detention vault and requires maintenance access.

Work on Site M will require approximately 6,700 cubic yards of cut and 340 cubic yards of fill for site grading (Exhibit ST-M01) and removal of 15 significant trees (Exhibit ST-29). Temporary impacts to landslide hazard areas categorized as geologic hazard areas will occur during construction. No other critical areas impacts are anticipated.

V. CRITERIA FOR REVIEW AND CONCLUSIONS OF LAW

According to Sound Transit, the Lynnwood Link Extension is designed, as much as possible, to be consistent with the Mountlake Terrace Municipal Code. As an Essential Public Facility (EPF), the project is not always able to comply with all adopted standards and the City is required to reasonably accommodate the siting and operation of the EPF under state law. The City has recommended conditions of approval to mitigate impacts to Mountlake Terrace residents caused by any inconsistencies while reasonably accommodating the proposed Lynnwood Link Extension and facilities. The project should be considered **consistent and compliant** with the criteria for approval as designed or conditioned, unless otherwise described below.

Conditional Use Permit:

Pursuant to MTMC 19.110.200(D), a conditional use permit may be approved only if the request conforms to the applicable criteria of approval or will conform under applicable codes and specified conditions. The Hearing Examiner is required to make written findings and conclusions in support of the decision on the application. The criteria for approval and staff's analysis and conclusions related to the criteria are presented below:

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

Summary of Applicant Response – The project has been designed to be consistent with the City of Mountlake Terrace Comprehensive Plan. Sound Transit reviewed the Community

Livability, Environment, Economic Vitality, Land Use, and Transportation elements of the Comprehensive Plan and summarized conformance with applicable goals and policies in Exhibit ST-18.

Community Livability Element

The project will provide the city with access to a fast, efficient, and reliable transportation system that offers an alternative to single-occupancy vehicles. This aligns with the priorities identified in the Community Vision and will help support future development that encourages diverse lifestyles and neighborhoods. Each light rail station that is part of the Lynnwood Link extension has been designed in coordination with the City and with input from its citizens. The project includes design features and mitigations to support community health and safety, provide safe and convenient pedestrian circulation, and protect sensitive resources. Sound Transit designs its infrastructure, including stations, to include sustainability features. The site of the Mountlake Terrace Station will include at-grade public plazas at each station entrance and non-motorized multiuse pathways.

Environment Element

The project is designed to include sustainability practices, including using low impact development (LID) techniques where feasible, efficient use of materials, minimizing waste, and employing construction best management practices (BMPs). The station will be designed with U.S. Green Building Council, Leadership in Energy and Environmental Design (LEED) sustainable building practices, including daylighting and weather protection, extra insulation, and energy-efficient lighting. Facilities support alternative commute options (bicycling and carpooling). Landscaping is designed to use native and/or adaptable plant species that will not require long-term irrigation.

The project will avoid or minimize impacts to critical areas and their buffers as much as possible. All temporary and permanent impacts will be mitigated in compliance with Chapter 16.15 MTMC. Mature vegetation will be preserved as much as possible and will be protected during construction. Trees to be removed will be mitigated per the concurrence letter signed by Sound Transit and the City of Mountlake Terrace (for priority habitat trees) and City code (for all other trees).

Economic Vitality Element

The project will support mixed-use development in a designated urban growth area, which promotes efficient use of land and provision of services and facilities, walkable and cohesive neighborhoods, and economic development. The station is a multi-modal hub designed to be high-quality and visually attractive. Light rail service will increase regional accessibility to Mountlake Terrace and will enhance connectivity between the City and regional destinations. Sound Transit coordinated with the City to ensure the station design and location supports and encourages transit-oriented and mixed-use development.

Land Use Element

The project will provide multi-modal connections between Town Center and regional destinations. The project creates access and connections between many modes of transportation, creates a community amenity, and integrates the light rail system into existing neighborhoods and the larger landscape. By locating the project within previously-developed areas, a minimum amount of land is needed for the project. The project will support future growth and mixed-use development in the Town Center, a designated urban growth area. The project was sited in compliance with state law, countywide planning policies, and the City's plans and development regulations.

Transportation Element

The project was designed to maximize safety and provide fast and reliable transit access between urban centers and regional destinations. The project includes required safety features and a number of equitable features to make the facilities accessible to all riders. Lighting levels are designed to enhance safety and create a secure environment while reducing impacts to neighboring properties. Landscaping, LID, and environmental mitigation features are part of the project.

The project is an Essential Public Facility providing regional transportation options to address traffic congestion. The station will support multi-modal connections between light rail, high-capacity transit, and non-motorized circulation. Sound Transit lists a station at 220th Street SW (Melody Hill neighborhood) as "provisional" in the ST3 system expansion. Reconfigured local and regional transit service will facilitate access to the light rail system. The station will increase pedestrian and vehicular traffic in the vicinity of the station, but the system as a whole will relieve traffic congestion and safety impacts throughout the City and the region.

Staff Analysis and Findings – The proposal is consistent with the Comprehensive Plan's thematic goal to create an attractive, walkable city with a revitalized Town Center, pleasant neighborhoods, healthy environment, regional transit access, and ample opportunities for its residents. Light rail will provide fast, efficient, and reliable connections from the city to regional destinations in King and Snohomish Counties. The proposal includes Mountlake Terrace's preferred alignment and station location. The Lynnwood Link Extension, as designed by Sound Transit and conditioned by the City of Mountlake Terrace, is consistent with the implementation goals and policies set forth in the Community Livability, Environment, Economic Vitality, Land Use, and Transportation elements of the City's Comprehensive Plan.⁶ Specific analysis of consistency with the above-listed elements follows:

Community Livability Element

The proposal is consistent with protecting and improving livability within the City of Mountlake Terrace (Goal CL-1 and Policy CL-1.2). Light rail provides a safe, modern, efficient, and reliable method of transportation from the city to regional destinations and will contribute to the positive image of the city (Policy CL-1.1). Construction of the Mountlake Terrace Station will incentivize new development in the area around the station, supporting a diversity of lifestyles

⁶ The Mountlake Terrace Comprehensive Plan was adopted in 2015 and was amended in 2017 and 2018.

and neighborhoods and contributing to new economic development opportunities (Policies CL-1.8 and CL-1.13). The station is at the Mountlake Terrace Transit Center in the Town Center and is well-connected to alternative modes of transportation including bus transit and pedestrian networks (Policy CL-1.5) and will contribute to a strong downtown commercial core (Policies 1.13 and 1.16).

Light rail is an environmentally-friendly transportation option that will reduce the number of single-occupancy vehicles traveling within Mountlake Terrace and the region (Policy CL-1.7). As conditioned, Sound Transit will be responsible for maintenance of its properties and facilities and will contribute to a well-kept environment (Policy CL-1.14). Sound Transit and the City have provided ample opportunities for public participation during the design and permitting process (see Section II, above) and Sound Transit will continue to involve members of the public in the development process in accordance with existing agency policies and through staff-recommended conditions of approval (Policy 1.6).

Environment Element

The City has adopted regulations to protect the local environment and Sound Transit is required to comply with those regulations throughout the design, construction, and operation of the Lynnwood Link Extension project (Policy EN-1.3). Project-related environmental impacts have been identified through the NEPA/SEPA process and appropriately mitigated through project design or conditions of approval (see Section III, above). Sound Transit will be required to implement erosion and sediment control methods (Policy EN-1.11), incorporate low-impact stormwater techniques as appropriate (Policies EN-1.7 and EN-1.12), and retain or replace significant vegetation wherever possible (Policies EN-1.13 and EN-1.16). As part of the project, Sound Transit will plant a substantial amount of trees and other vegetation to mitigate for removal of significant trees and other project impacts (Policy EN-1.14).

Light rail is an environmentally-friendly transportation option that will reduce the number of single-occupancy vehicles traveling within Mountlake Terrace and the region, reducing greenhouse gas emissions in the community (Policy EN-1.18) and contributing to the relief of traffic congestion.

The project will impact regulated critical areas, including wetlands, streams, habitat areas, and geologically hazardous areas. Although impacts are unavoidable, work will be done in accordance with Chapter 16.15 MTMC and the critical areas report (Exhibit ST-08) (Goal EN-2). Following these regulations and incorporating adequate buffers and setbacks will ensure the function and ecological value of affected critical areas are protected as much as possible during construction and throughout operation of the Lynnwood Link Extension (Policies EN-2.2, 2.9, and 2.10). All temporary and permanent impacts will be appropriately mitigated in accordance with code requirements (Policies EN-2.7 and 2.8). The City has worked closely with Sound Transit to minimize critical areas impacts as much as possible and has provided opportunities for public involvement through the permitting process (Goal EN-3, Policy EN-3.5 and see Section II, above).

Economic Vitality Element

The Lynnwood Link Extension will create opportunities for economic development by serving as a catalyst to drive new transit-oriented development (TOD) opportunities in the area around the station (Goals EV-1 and EV-2). TOD is characterized by compact, pedestrian-oriented development patterns that mix residential and a variety of smaller-scale commercial uses to create a vibrant urban environment. The station will support mixed-use and TOD in Town Center, a designated urban growth area with lots of opportunity to attract people and businesses (Policies EV-1.6, EV-2.8, EV-2.12, EV-2.19).

Land Use Element

The project will contribute to the city's sense of place and connectedness (Goal LU-1) by encouraging a desirable pattern of land use, especially around the station area. The station is a multi-modal hub that will encourage mixed-use and TOD projects (Policies LU-1.1, LU-1.2, LU-2.2, LU-2.3 and Goal LU-2) and will provide urban levels of transit service (Goal LU-6 and policies LU-6.1 and LU-6.2). Frequent and reliable transit will encourage pedestrian activity, transit use, and/or multi-modal transportation options and will contribute to a revitalized Town Center that offers a wide range of land uses (Policies LU-1.1, LU-1.3, LU-1.8).

Location of a substantial portion of the guideway within the WSDOT right-of-way will retain natural topography of sites within the city (LU-1.4), preserving the existing character of neighborhoods as much as possible.

The station and wayside facilities include design features and landscaping that contribute to a high-quality urban environment (Policies LU-1.6 and LU-1.7). The station area provides an opportunity for a gateway to the city, including new public spaces that facilitate interaction between city residents (Policy LU-1.9). The station location will encourage a variety of land uses (Goals LU-3 and LU-5) that provide for the needs of a diverse population (Policy LU-3.4). The project will encourage high-quality infill and redevelopment projects to maximize the development potential in the Town Center and offer opportunities for revitalization, mixed uses, and TOD (Policies LU-5.1, LU-5.4, LU-5.5, LU-5.6, LU-6.10, LU-6.11, LU-6.13).

The guideway and station include many sustainability design features that will minimize impacts on the community and the environment (Goal LU-4). The City requires implementation of best management practices (BMPs) during construction (Policy LU-4.3). See *Environment Element* for additional information.

The guideway, station, and wayside facilities were sited in compliance with state law, Snohomish County countywide planning policies, and the City's development regulations (Goal LU-6 and Policies LU-6.5, LU-6.6, LU-6.7).

Transportation Element

The light rail system is designed to be a safe, reliable, and efficient mode of transportation (Goals TR-1 and TR-3). The proposal integrates the needs of transit riders, pedestrians, commuters, and motorists by maximizing connectivity within an existing transit hub, providing

multi-modal options and infrastructure for pedestrians and bicyclists, and making use of existing on-site parking for motorists; safety for all users is prioritized throughout the design of the station (Policies TR-1.1, TR-1.3, TR-1.5, TR-3.1). The project is designed in compliance with the Americans with Disabilities Act (ADA) (Policy TR-1.2). Light rail will facilitate a shift from single-occupancy vehicles to transit (Policy TR-2.8).

The guideway and station include sustainability design features that will minimize impacts on the community and the environment (Goal TR-2). The project will contribute to meeting air and water quality standards (Policy TR-2.1), incorporate LID and stormwater management techniques and landscaping (Policies TR-2.2, TR-2.6), and incorporate BMPs during construction (Policy TR-2.3). All unavoidable environmental impacts are mitigated as designed or through staff-recommended conditions of approval (Policy TR-2.4). See *Environment Element* for additional information.

The project will improve mobility within the city and around the region (Goal TR-4). The new station in the city will help reduce the number of cars on Mountlake Terrace's roads and is located to support non-motorized modes of transportation within the Town Center urban growth area (Policies TR-4.4, TR-4.5, TR-4.7, TR-4.8). The project is a critical transit improvement that will enable faster and more efficient movement in the city and to destinations throughout the region (Policy TR-4.11).

The Lynnwood Link Extension is consistent with community and regional needs (Goal TR-5) as described in the *Land Use Element* section above (Policy TR-5.1) and will help Mountlake Terrace accommodate its population and employment growth targets (Policy TR-5.6). Existing park-and-ride facilities will serve both the Mountlake Terrace Station and the Mountlake Terrace Transit Center (Policy TR-5.4).

Light rail is an effective method of public transit from Mountlake Terrace to regional destinations in King and Snohomish Counties (Goal TR-6 and Policies TR-6.1, TR-6.6). As part of the project, Community Transit buses will be rerouted to improve connectivity and efficiency (Policies TR-6.2, TR-6.6). Sound Transit selected the City's preferred alignment and station location alternatives (Policies TR-6.5, TR-6.10). The station will be well integrated into the Town Center to support multi-modal and nonmotorized transportation options (Policy TR-6.8). The station will encourage mixed-use and TOD in the Town Center (Policy TR-6.11). See *Land Use Element* for additional information.

Light rail will improve active transportation options (Goals TR-7 and TR-8). Pedestrian improvements will be made by Sound Transit around the station and as part of required frontage improvements at other sites in the city (Policies TR-7.1, TR-7.2, TR-7.3, TR-7.5, TR-7.7). As part of the project, landscaping, lighting, street furniture, and other pedestrian amenities will be provided at the station (Policy TR-7.6). The station will include bicycle racks and bike lockers that are safe and convenient for cyclists (Policy TR-8.1). A fast and efficient transit connection will encourage multi-modal connectivity that enables walking and bicycling to regional destinations (Policies TR-7.8, TR-8.7, TR-8.8).

Sound Transit indicates that adequate parking for the station has been provided through use of existing park-and-ride facilities at the Mountlake Terrace Transit Center. Public comments indicate that additional station parking is desirable and warranted because the Mountlake Terrace Transit Center parking garage and surface lot are full during weekdays. Additional parking within Mountlake Terrace was not funded as part of the voter-approved ST-2 package and it is not reasonable to require Sound Transit to provide additional parking. The City will, however, consider future opportunities to create new parking around the station through Town Center design standards, development regulations, and similar tools (Goal TR-9).

Conclusion – The proposal, as conditioned, meets this criterion. City staff concurs with the Comprehensive Plan Review set forth in Exhibit MLT-18 except as noted above.

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 buildings and site design, including but not limited to building facade, scale, building modulation, tree cover, landscaping, size and location of signs, amount and location of parking, fencing and walkability;

Summary of Applicant Response – Summary of Applicant Response focuses on sites where major disturbances and/or permanent project-related improvements will occur. Site A (elevated guideway), Site D (tree removal), Site E (at-grade guideway), Site G (use of right-of-way), Site I (use of right-of-way), Site J (elevated guideway), Site K (drainage pond), and Site L (use of right-of-way) are not individually summarized. Sound Transit indicates that there will be no adverse impact to the established character of the surrounding vicinity from improvements at these sites.

Guideway

The guideway alignment generally follows the I-5 corridor through the city. The project was developed with an integrated design strategy that provides multi-modal access and connections and creates a community amenity. Design features complement the existing transportation network by minimizing disruptions to arterial roadways and integrating city streetscape landscaping and furnishing requirements into the design. Landscaping plans complement the existing landscape by protecting trees and mitigation for tree removal. The alignment complements the existing communities by blending into the I-5 corridor and providing noise mitigation.

Mountlake Terrace Station (Site B)

The station will be co-located at the Mountlake Terrace Transit Center and will maintain this current use as a transit facility. The design of the station includes aesthetic treatments (material selection, scale, and modulation of the station, provision of public plazas and art) to ensure the station does not adversely impact the surrounding residential neighborhood. Signage will be integrated into the station design. Landscaping impacts will be limited through the protection and enhancement of existing mature vegetation wherever possible.

During construction, Sound Transit will provide temporary and interim parking facilities that will mitigate impacts to parking around the station. The existing surface parking lot will be replaced after construction and will be functionally improved. No additional parking will be provided.

Construction of the station includes improvements to pedestrian connections and sidewalks, new bicycle storage facilities, garbage and recycling receptacles, and amenities for system users (seating, weather protection, restrooms).

Temporary Parking Lot (Site C)

The temporary parking lot will mitigate for the temporary loss of the surface parking lot at the Mountlake Terrace Transit Center (used as staging during construction). The temporary parking lot will have no impact on the surrounding residential neighborhood. No structures are proposed at Site C. Vegetation and signage will be maintained. There will be an increase in parking temporarily while the station is under construction. There will be no impacts to fencing, walkability, or other public amenities.

Signal Bungalow (Site F)

Proposed improvements at Site F include at-grade guideway, a signal bungalow with driveway and parking, infrastructure improvements, a high-rail access point, and related noise and retaining walls. These proposed site improvements will not adversely impact the established character of the community. The signal bungalow will be screened, and landscaping will be installed around the signal bungalow and the site. Trees removed from Site F will be mitigated through replacement in other parts of the city. There will be no signage, parking, fencing, walkability, or public amenities impacts from the improvements.

Melody Hill Staging Area (Site H)

Site H will be used temporarily for construction staging and a portion of the guideway will be built on the easternmost side of Site H, adjacent to the I-5 right-of-way. No permanent impacts are anticipated. Temporary potential impacts from construction and staging activities will be mitigated. The guideway will not adversely impact the building character, landscaping, signage, parking, fencing, walkability, or public amenities in the immediate vicinity.

North TPSS Site (Site M)

Work at Site M will include retaining walls, a screening wall, a TPSS, a stormwater facility, and the relocation of a fire hydrant and water main. The TPSS and related facilities will be screened from the street by the retaining walls and/or vegetation. There will be no adverse impact to surrounding building character, landscaping, signage, parking, fencing, walkability, or public amenities.

Staff Analysis and Findings – The project is designed as much as possible to blend in with the established character of the surrounding community and the landscape. The guideway alignment makes use of the I-5 corridor as much as possible, with limited encroachments onto real property in the City of Mountlake Terrace. The guideway and station locations are the City’s preferred

alignment and location alternatives. The City has, however, identified a number of impacts related to project design and construction that need to be addressed to ensure no adverse impact on the surrounding community.

Construction Impacts

Construction for a project of this magnitude will cause temporary impacts in the Mountlake Terrace community as a whole and in specific neighborhoods where construction will occur. Sound Transit relies on the construction mitigation measures listed in the Record of Decision (ROD, Exhibit ST-17). To address construction impacts described in the Final EIS, the ROD identifies proposed mitigation measures for the following topic areas:

- Transportation (including parking, transit, freeway operations, arterials and local streets, nonmotorized vehicles, freight mobility and access, and cumulative impacts)
- Acquisitions, displacements, and relocations
- Economics
- Visual and aesthetic resources
- Air quality and greenhouse gases
- Noise
- Vibration
- Ecosystem resources (including environmentally sensitive resources, aquatic habitat, surface water, vegetation and wildlife)
- Hazardous materials
- Public services
- Utilities
- Cultural, archaeological, and historic resources
- Parks and recreational resources

The City is in agreement with the impacts identified in the ROD. The ROD identifies general mitigation measures (such as developing a mitigation-related plan) but does not provide enough detail (such as the specific contents or mitigation measures to include in the plan) to adequately mitigate construction impacts. The ROD requires Sound Transit to coordinate with the City and other affected agencies to implement construction mitigation measures. Staff has recommended conditions of approval intended to provide additional detail about acceptable construction mitigation measures and add a framework and set expectations for the required coordination between Sound Transit and City staff. The recommended conditions of approval and the ROD also set standards for communication with Mountlake Terrace residents that will be affected by construction, identify specific mitigation actions that should be included in plans required by the ROD, and establish performance measures to determine if construction-related impacts have been adequately mitigated (see Attachment 4).

Recommended conditions of approval related to construction mitigation include:

- Establishing a single point of contact at Sound Transit to resolve construction-related complaints from the City. This is consistent with the ROD requirement to coordinate with Mountlake Terrace and with Sound Transit's proposal for a complaint hotline and ombudsman.

- Requiring a construction schedule (to be updated periodically), including details on the estimated timeline, project phases, planned night work, and planned noisy work. This is consistent with the ROD requirement to coordinate with the City of Mountlake Terrace and to keep affected residents informed of construction activities and impacts.
- Establishing work hours consistent with the municipal code for general construction activities, establishing noise standards for work not occurring during typical work hours, establishing monitoring and reporting requirements, and requiring adherence to noise-related best management practices. This is consistent with the ROD requirement to minimize and monitor noise and vibration.
- Requiring a noise mitigation and monitoring plan as described in the application materials for review and approval by the City.
- Requiring a tree protection plan as described in the application materials for review and approval by the City.
- Requiring a hazardous and contaminated waste management plan as described in the ROD for review and approval by the City.
- Requiring a spill prevention, control, and countermeasures plan as described in the application materials and required by the Environmental Protection Agency (EPA) for review by the City.
- Requiring a stormwater pollution prevention plan and a temporary erosion and sediment control plan as required by the Washington State Department of Ecology for review by the City.
- Requiring a site safety and security plan as described in the application materials for review and approval by the City.
- Requiring a traffic control plan and a maintenance of traffic plan as described in the ROD and by Mountlake Terrace Public Works for review and approval by the City.
- Requiring adequate site maintenance to mitigate nuisances consistent with MTMC 8.15.040.
- Restricting truck travel to specific haul routes and requiring signage and maintenance and repair of the routes during construction. This is consistent with the ROD requirement to implement a construction mitigation plan in coordination with the City.
- Requiring certified flaggers to control construction-related vehicles where conflicts with normal vehicular, bicycle, or pedestrian traffic could occur. This is consistent with construction best management practices and will ensure safety of Mountlake Terrace residents and others using City streets.
- Requiring communication with residents, affected City departments, and emergency services during lane closures and other work that will affect access in the public right-of-way. This is consistent with ROD requirements to coordinate with the City, communicate public information about construction activities, and coordinate access closures with businesses and residents. It will also ensure emergency services (police and fire) are aware of lane closures and can take alternative routes in any response scenario.
- Submitting a construction worker parking plan as described in the application materials for review and approval by the City.

- Requiring construction-related vehicles be parked on property owned or controlled by Sound Transit to ensure streets remain free from obstruction.
- Requiring work in critical areas to be performed in accordance with City critical areas regulations in MTMC 16.15 and the critical areas report. This is consistent with ROD requirements for work near environmentally sensitive resources.
- Requiring Sound Transit to install and maintain landscaping consistent with the City's landscaping requirements in MTMC 19.130.
- Submitting a final tree removal and mitigation report as described in the application materials for review and approval by the City and requiring tree removal to be monitored by a project arborist.

Given the unique nature of the project and the need to coordinate with various affected agencies and residents, the City has constructed its recommended conditions to allow flexibility, relief, and/or departures from specific performance standards and requirements on an as-needed and case-by-case basis. Sound Transit will be required to request a departure or relief from conditions of approval in writing as a method for ensuring continued communication and coordination between the agency and the City. Requesting approval in writing will keep the City informed of changing conditions and help City staff respond to questions and complaints from affected residents. The recommended conditions of approval will protect the character of the community and of the specific neighborhoods where construction will occur.

Mountlake Terrace Station (Site B)

The City has identified permanent impacts related to station siting, design, and construction:

Pedestrian Access. Pedestrian access to the Mountlake Terrace Transit Center is currently provided by multi-use trail through Veterans Park. Sound Transit needs to close a portion of the trail during construction to safely construct the project. Closure of the trail between Veterans Park and the Transit Center may result in illicit use; securing the closed section of the trail for the duration of construction on Sites B and C is essential to protect public safety.

The multi-use trail will be relocated after construction, providing an alternate path. As currently proposed, the new trail will end in stairs that are not ADA-accessible. Per federal guidelines and law, new or replaced public improvements should provide equitable access for all trail users, including those with mobility devices or who can otherwise not use a staircase.

Aesthetic Elements. Sound Transit proposes the use of chain-link fencing around the site, including areas that are publicly accessible or visible to the general public. Chain-link fencing is a utilitarian fencing style inconsistent with high-quality design and is undesirable for the pedestrian experience in a very public space such as the station. The use of chain-link fencing is inconsistent with the vision in the Town Center design standards. While site security is important to protect the public, fencing should blend aesthetically with the surroundings and provide an open, welcoming, and beautiful space for system users.

As currently designed, utility elements are inadequately screened or treated to blend in to the site and surrounding community. Visible and untreated utility vaults are unsightly and inconsistent with the Town Center's intent to encourage visual interest on the ground level in support of a pedestrian-oriented streetscape. Utility elements should be screened to blend into the background or be wrapped to provide an element of visual interest and reduce aesthetic impacts on the community.

Bicycle parking facilities, like utility vaults, should blend aesthetically with the architectural style of the station to mitigate visual impacts from these utilitarian elements. Sound Transit is currently proposing bicycle lockers, which are a minimum of 104 inches (8 feet 8 inches) in height and each bay is approximately 84 inches (7 feet) in depth (Exhibit ST-27). Front panels are perforated metal and side panels are blank solid metal. fire-rated covering .

Existing fused glass art tiles at the Mountlake Terrace Transit Center are not anticipated to be removed or otherwise disturbed by Sound Transit (Exhibit ST-34). A recommended condition of approval will ensure that the art is preserved and reused if plans change during construction.

Electric Vehicle Charging Stations. There are 20 existing electric vehicle charging stations that will be relocated by Sound Transit when the existing surface parking lot at the Mountlake Terrace Transit Center is demolished. Sound Transit intends to relocate the charging stations to the 20-stall surface parking lot south of the garage, which will not be disturbed during construction. To continue supporting the use of electric vehicles, the City recommends conditions of approval to ensure the charging stations remain operable for the duration of construction. The charging stations will be allowed to be inoperable for no more than nine months during relocation.

The City has recommended conditions of approval to address these impacts (see Attachment 4).

Temporary Parking Lot (Site C)

The City disagrees that there will be no structures built at Site C. Site C includes a temporary/interim surface parking lot and retaining walls. These are considered structures pursuant to MTMC 19.15.200, which says that "structure" means "that which is built or constructed or any piece of work composed of parts joined together in some definite manner including, but not limited to, buildings, carports, decks, and fences."

Site C is comprised of single-family residential properties and cul-de-sac, which will be consolidated by Sound Transit for use as a temporary/interim parking lot to replace an existing surface lot at Site B that will be demolished for construction staging space. The temporary/interim parking lot will be used for the duration of construction until a new permanent surface parking lot is rebuilt at Site B.

Construction-related impacts will be adequately mitigated through the conditions of approval recommended by staff and described above. Permanent⁷ impacts from construction of a temporary/interim parking lot are primarily aesthetic. The temporary/interim parking lot will accommodate users of the Mountlake Terrace Transit Center and is therefore considered accessory to the transit use. The temporary/interim parking lot will be located west of the surface parking lot on Site B and constitutes an expansion of transit use further into the residential neighborhood surrounding the Mountlake Terrace Transit Center. The temporary/interim parking lot will be similar in size to the surface parking lot demolished at the Mountlake Terrace Transit Center and traffic, noise, and lighting within the neighborhood are not anticipated to change in intensity. Additional screening vegetation will mitigate impacts related to the temporary expansion of the transit use. After demolition of the temporary/interim parking lot, the parcel will be redeveloped as a use consistent with the Town Center vision and design standards.

Signal Bungalow (Site F)

Site F is comprised of single-family properties and is located within a residential neighborhood. A portion of the properties will be dedicated as right-of-way and portions of the remnant will be used for wayside facilities and a high-rail maintenance access point. Wayside facilities include a signal bungalow and surface parking for maintenance vehicles. The signal bungalow is a modular building and is proposed to be screened with an eight-foot-high chain-link fence with vine plantings.

Wayside facilities and related improvements should fit aesthetically within the neighborhood or should be adequately screened to mitigate aesthetic impacts on community character. The signal bungalow is a prefabricated aluminum building, which is inconsistent with the architectural character of the community. Sound Transit proposes to screen the signal bungalow with an eight-foot-high chain-link fence with evergreen clematis vine plantings. It is unclear if the fence/vine combination is intended to provide 100 percent sight-obscuring screening; the City anticipates that the fence/vine combination will not achieve this level of screening. The aesthetics of the modular building require full and complete screening; additional screening provided by a masonry wall is necessary to mitigate aesthetic impacts.

According to project drawings, the signal bungalow includes exterior mechanical equipment (Exhibit ST-24). Noise from the mechanical equipment should not increase ambient noise levels outside the Site F property boundaries, i.e. should not reach neighboring residential properties.

Site F includes screening and ornamental landscaping intended to soften the appearance of noise walls and the signal bungalow. This and other tree planting throughout the city will mitigate for the proposed tree removal.

No traffic, signage, walkability, or public amenities impacts are anticipated.

⁷ Although the parking lot is temporary, it will be constructed as a permanent facility and will operate for the duration of the construction project.

Melody Hill Staging Area (Site H)

Site H is located in the Melody Hill neighborhood. Single-family homes surround the site on the south and west; Site H shares a property line with eight residential properties on the west side. In addition to a permanent guideway section on the east end of the site, Sound Transit is proposing to use Site H as a construction staging location for the duration of the Lynnwood Link Extension project. Construction staging is a broad category of uses that could include any or all of the following: site office, coordination, and worker meeting location; materials/equipment staging and storage; equipment and vehicle servicing; debris collection and storage; worker parking; fabrication or assembly of components; and other uses. Each of these uses includes potential noise, vibration, lighting, odors, aesthetic, transportation, and air quality impacts that need to be adequately mitigated for the community.

Sound Transit wants to maintain flexibility for its contractor to use the site and no detailed information about the intended specific construction staging use(s) of the site has been provided. Without understanding the specific staging activities that will or may occur on Site H, the City considers any and all construction staging uses and has proposed conditions of approval to mitigate highest potential impacts of proposed uses. Conditions of approval are proposed to provide adequate buffering for surrounding residences for any type of construction staging use, including both vegetation and a solid visual and noise barrier. This will address potential impacts from noise, vibration, lighting, odors, aesthetics, and, to a limited extent, air quality resulting from activity occurring in the staging area. Limiting construction vehicle traffic in the residential neighborhood by restricting access to the north driveway will protect the neighborhood from transportation impacts, including vehicular traffic and walkability. Limiting the duration of use of the site to the Lynnwood Link Extension's Mountlake Terrace segment will ensure impacts remain temporary and do not create long-term impacts to residents for segments unrelated to the immediate community. Requirements are also recommended to ensure temporary site or work lighting is aimed downward to avoid trespass onto neighboring properties.

Conditions are also recommended to provide a site-specific Staging Area Management Plan identifying the types of activities and estimated phasing and duration of use on Site H. A site-specific Staging Area Management Plan will help in coordination between the City and Sound Transit and will enable both the City and Sound Transit to more accurately respond to questions, comments, or complaints from affected residents.

North TPSS Site (Site M)

Site M is comprised of single-family properties and is located in a residential neighborhood. Proposed improvements include a traction power substation (TPSS), site walls, and related improvements. The TPSS is a prefabricated building composed of galvanized steel sheet panels and is proposed to be screened with a site wall.

Wayside facilities and related improvements should fit aesthetically within the neighborhood or should be adequately screened to mitigate aesthetic impacts on community character. The TPSS is a prefabricated steel building, which is inconsistent with the architectural character of the

community. Sound Transit proposes to screen the TPSS with a 12-foot-high decorative concrete block wall (also called a polished-face block wall in application materials).

According to project drawings, the TPSS includes exterior mechanical equipment (Exhibit ST-24). Noise from HVAC, generator, or other mechanical equipment associated with the TPSS should be attenuated to mitigate auditory impacts on neighboring properties. It is anticipated that noise will be adequately attenuated by the concrete wall.

No traffic, signage, walkability, or public amenities impacts are anticipated.

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

Summary of Applicant Response – Summary of Applicant Response focuses on sites where major disturbances and/or project-related improvements will occur. Site A (elevated guideway), Site D (tree removal), Site E (at-grade guideway), Site G (use of right-of-way), Site I (use of right-of-way), Site J (elevated guideway), Site K (drainage pond), and Site L (use of right-of-way) are not individually summarized. Sound Transit indicates that there will be no adverse impact to the noise, vibration, and odor levels of the surrounding vicinity from improvements at these sites.

Construction Impacts and Mitigation

Construction mitigation will include temporary noise barriers, and vehicle broadband backup alarms or smart alarms. Other mitigation measures may be used as appropriate. Temporary noise barriers will replace removed permanent noise walls where feasible, and may be placed in other locations where existing noise walls do not occur along the corridor to mitigate noise impacts during construction. Construction activity will be scheduled to restrict noisy activity to daytime hours as much as reasonable. Night work is necessary due to Maintenance of Traffic requirements on I-5 and arterial roadways and noise control will be implemented where feasible.

A Construction Noise and Vibration Mitigation and Monitoring Plan will be prepared by the contractor and will specify construction activities, monitoring locations, equipment procedures, characterization of equipment noise, schedule of measurement, reporting methods, and response to community concerns.

Potential short-term odors could occur from construction materials and equipment. Odors are localized and will dissipate when work is completed in each area.

Guideway

Sound Transit has assessed and is mitigating noise and vibration impacts associated with construction and operation of the project. Operational noise mitigation includes acoustic panels integrated into the final design of guideway structures or adjacent noise walls. Operational vibration mitigation includes using resilient materials or alternative track slab configurations where necessary.

Long-term odors are consistent with other transportation facilities and are not expected to adversely impact the community.

Mountlake Terrace Station (Site B) and Temporary Parking Lot (Site C)

The Mountlake Terrace Transit Center, where the Mountlake Terrace Station will be located, has existing noise levels consistent with a noisy urban residential area. Sound Transit is acquiring the residences likely to be impacted by increased noise levels at the station as part of Site C, and no other residences are anticipated to experience operational noise impacts. The station is designed to reduce noise from I-5, and includes a noise wall to be constructed along the station platform. A noise wall extending at least nine feet above the parking lot surface along the east side of the site will also reduce impacts on existing homes. Permanent noise walls will be provided along the guideway alignment consistent with the ROD.

Odors associated with the surrounding community are related to I-5. Any odors associated with Sites B and C will be consistent with other transportation facilities and are not expected to adversely impact the community.

Signal Bungalow (Site F)

Site F has existing noise levels consistent with a suburban/urban environment. There are 16 residences within 250 feet of Site F that may be impacted by noise and vibration during construction. A temporary noise barrier will be installed along the perimeter of Site F during construction, and permanent noise impacts are not anticipated.

Odors associated with the surrounding community are related to I-5. Any permanent odors associated with the signal bungalow will be consistent with other transportation facilities and are not expected to adversely impact the community.

Melody Hill Staging Area (Site H)

Site H has existing noise levels consistent with the I-5 corridor and a suburban/urban environment. There are 30 residences within 250 feet of Site H that may be impacted by noise and vibration during construction. Impacts on Site H are primarily related to construction and construction impacts will be mitigated through the provision of temporary noise barriers; permanent noise impacts are not anticipated.

Odors associated with the surrounding community are related to I-5. Any permanent odors from long-term operation of the project will be consistent with other transportation facilities and are not expected to adversely impact the community.

North TPSS Site (Site M)

Site M has existing noise levels consistent with the I-5 corridor and an urban environment. There are 10 residences within 250 feet of Site M that may be impacted by noise and vibration during construction and temporary noise barriers will be provided to mitigate such impacts. Permanent noise impacts are not anticipated.

Odors associated with the surrounding community are related to I-5. Any permanent odors from long-term operation of the project will be consistent with other transportation facilities and are not expected to adversely impact the community.

Staff Analysis and Findings – Sound Transit has designed and located the Lynnwood Link Extension within the I-5 right-of-way as much as possible, reducing long-term operational impacts on the community. Permanent noise mitigation includes noise walls, acoustical panels, and similar methods constructed at the guideway where noise is anticipated to be loudest. Sound Transit has also identified vibration mitigation such as the use of resilient materials such as rubber or specially designed trackway sections.

Construction Impacts and Mitigation

City staff anticipates that most noise, vibration, and odor-related impacts will be caused by construction. Sound Transit has identified 143 single-family homes and four apartment buildings within 250 feet of the project that are likely to experience increased noise, vibration, or odors associated with the project. Table 1, below, summarizes the number of impacted residences by site:

Table 1: Residences anticipated to be impacted by construction noise, vibrations, or odors.⁸

Site	Impacted Residences (w/in 250 feet)
Site A	20
Site B	4
Site C	16
Site D	17
Site E	6
Site F	16
Site G	3
Site H	30
Site I	5
Site J	4 ⁹
Site K	6
Site L	10
Site M	10
Total	143 single-family homes 4 apartment buildings

Sound Transit has proposed construction-related noise and vibration mitigation but has not provided sufficient detail for the City to determine if these impacts will be adequately mitigated.

⁸ Impacted residence count based on information presented in site-specific narratives. Refer to Exhibits ST-A01, ST-B01, ST-C01, ST-D01, ST-E01, ST-F01, ST-G01, ST-H01, ST-I01, ST-J01, ST-K01, ST-L01, and ST-M01.

⁹ Apartment buildings

The City has recommended conditions of approval to reduce and eliminate these impacts on the community to the extent feasible (see discussion under criterion 2(a), above).

Any changes to odors in the vicinity of the project are expected to be related to construction, rather than operation of the light rail. Odors will be caused by equipment, machinery, vehicles, and materials used for construction and will be localized to a given site. Odors will dissipate as equipment, machinery, and vehicles are turned off and as materials dry, cure, or are cleaned. No additional mitigation is necessary.

Melody Hill Staging Area (Site H)

Site H, as a major staging area, is likely to cause more acute noise, vibration, and odor impacts on the surrounding residential community. Construction is anticipated to occur at night and may also involve particularly noisy activities. The use of large machinery may increase vibrations felt by surrounding residents. Odors related to the equipment, materials, or activities used or conducted on the site may also impact surrounding residents. Sound Transit estimates 30 homes will be impacted by work at this site. In addition to the general conditions of approval, staff recommends site-specific conditions of approval to install adequate buffers and temporary noise barriers around the perimeter of the property and limit vehicle traffic in the residential neighborhood.

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

Summary of Applicant Response – Summary of Applicant Response focuses on sites where major disturbances and/or project-related improvements will occur. Site A (elevated guideway), Site D (tree removal), Site E (at-grade guideway), Site G (use of right-of-way), Site I (use of right-of-way), Site J (elevated guideway), Site K (drainage pond), and Site L (use of right-of-way) are not individually summarized. Sound Transit indicates that there will be no adverse impact to the vehicular and traffic patterns of the surrounding vicinity from improvements at these sites.

Sound Transit completed a traffic engineering report (Exhibit ST-13) confirming that key intersections around all sites will perform at adopted level of service (LOS) standards during construction and after revenue service begins.

Guideway

Prior to construction, Sound Transit will develop detailed construction phasing and access plans, final haul routes, a traffic control plan, and a maintenance of traffic plan to mitigate traffic impacts occurring during construction. Mitigation measures will be implemented as necessary and may include use of flaggers, minimizing closures for motorized and non-motorized traffic, limiting closures to non-peak traffic flow hours, coordinating with affected agencies and emergency services, and providing advance notice of closures to the public.

Increases in traffic are anticipated once revenue service begins. At key intersections affected by those increases, levels of service are anticipated to meet adopted LOS standards.

Mountlake Terrace Station (Site B)

Traffic around Site B is associated with the I-5 corridor, the existing transit center, and residential neighborhoods. Site B is zoned PFS, which is supportive of transportation and other public facilities. Sound Transit anticipates an increase in traffic at Site B from buses and other vehicles but does not anticipate this increase to have an adverse effect on the surrounding community. Levels of service at key intersections will meet adopted LOS standards.

Temporary Parking Lot (Site C)

Traffic surrounding Site C is associated with the I-5 corridor, the existing transit center to the west, and a residential neighborhood. Sound Transit anticipates an increase in traffic at Site C from transit buses and other vehicles but does not anticipate this increase to have an adverse effect on the surrounding community. Levels of service at key intersections will meet adopted LOS standards.

Signal Bungalow (Site F)

Traffic surrounding Site F is consistent with a residential neighborhood and the I-5 corridor. No permanent impacts to traffic are anticipated. Levels of service at key intersections will meet adopted LOS standards.

Melody Hill Staging Area (Site H)

Traffic surrounding Site H is consistent with a residential neighborhood and the I-5 corridor. During construction, a minor increase in traffic is expected to access the staging area. No permanent impacts to traffic are anticipated. Levels of service at key intersections will meet adopted LOS standards.

North TPSS Site (Site M)

Traffic surrounding Site M is consistent with a residential neighborhood and the I-5 corridor. There may be an increase in traffic during construction. No long-term traffic impacts are anticipated. Levels of service at key intersections will meet adopted LOS standards.

Staff Analysis and Findings – City staff anticipates traffic-related impacts to occur during construction and after starting revenue service based on the EIS and application documents. During construction, impacts will occur at all project sites to a greater or lesser degree. After starting revenue service, impacts are anticipated to occur primarily around the Mountlake Terrace Transit Center (Site B). Sound Transit has identified mitigation for many impacts, but additional conditions of approval are necessary as follows:

Construction Impacts

Construction will impact many City roads through lane closures, detours, temporary blockages by equipment or vehicles, and similar activities occurring in the City right-of-way that are necessary to build the Lynnwood Link Extension. Sound Transit has proposed mitigation

measures consistent with the ROD but has not provided adequate detail to fully understand when and how impacts will occur and the degree or duration of those impacts. Staff has recommended conditions of approval for activities occurring in the right-of-way, including establishing when and how the right-of-way can be used, requiring review and approval of various traffic mitigation plans, requiring ample communication with City staff and residents, and requiring adherence to safety measures and best management practices. See discussion under criterion of approval 2(a), above, and Attachment 4.

Guideway

City staff anticipates that traffic impacts from the guideway will be limited to construction activities only. The guideway makes use of the WSDOT right-of-way and avoids the Mountlake Terrace street grid as much as possible. Adverse traffic-related impacts are not anticipated after revenue service begins. Requirements in the ROD and City-recommended conditions of approval will adequately mitigate construction impacts.

Mountlake Terrace Station (Site B)

Traffic-related impacts at Mountlake Terrace Station are expected to occur during construction and after revenue service begins. Conditions of approval will adequately mitigate construction impacts. After beginning revenue service, traffic impacts are not expected to cause any intersections to fall below adopted LOS standards and no additional mitigation is required. Traffic increases will be consistent with a transit-related use, an allowable use in the PFS zone.

Temporary Parking Lot (Site C)

Impacts from the temporary parking lot are expected to be limited to construction only. The parking lot is similar in size to the surface lot at Mountlake Terrace Station and additional traffic while the temporary parking lot is in operation is not expected. Conditions of approval will adequately mitigate construction impacts.

Signal Bungalow (Site F)

Impacts from the signal bungalow are expected to be limited to construction only. After revenue service begins, workers will occasionally visit the signal bungalow. The signal bungalow will not be staffed full-time and the City therefore does not anticipate traffic impacts at this location during operation of the project. Conditions of approval will adequately mitigate construction impacts.

Melody Hill Staging Area (Site H)

Impacts from the Melody Hill staging area are expected to be limited to construction only. Conditions of approval will adequately mitigate construction impacts on the residential neighborhood surrounding the site. No impacts are anticipated when the site is no longer used for staging.

North TPSS Site (Site M)

Impacts from the TPSS site are expected to be limited to construction only. After revenue service begins, workers will occasionally visit the TPSS site. The TPSS will not be staffed full-

time and the City therefore does not anticipate traffic impacts at this location during operation of the project. Conditions of approval will adequately mitigate construction impacts.

Conclusion – The proposal, as conditioned, meets this criterion and sub-parts.

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

Summary of Applicant Response – The proposed use will not endanger public health, safety, and general welfare and will not create obstacles to neighborhood circulation.

Construction Impacts

Prior to beginning construction, Sound Transit will approve a Site Safety and Security Plan for each site to address on-site safety and protection of the public when work is occurring in areas with public access. Vehicular and pedestrian traffic circulation will be maintained throughout construction in accordance with the MUTCD and maintenance of traffic plans.

Operational Impacts

The guideway has been designed with one public access point (at the Mountlake Terrace Station/Site B), where safety personnel will be present during hours of operation once revenue service begins. The remainder of the guideway will be fenced with secure access points for approved maintenance personnel and emergency services. Emergency exits are proposed at Mountlake Terrace Station and 58th Avenue W, and a high-rail maintenance access point is proposed at 62nd Avenue W. The guideway is elevated above arterial corridors. The project includes pedestrian access paths.

Site B will maintain and expand the current transit facility use. The station is designed to incorporate Crime Prevention through Environmental Design (CPTED) principles and to prioritize the health, safety, and welfare of patrons. The design includes improving pedestrian movements, accounting for increased vehicular traffic, and landscaping improvements designed for clear sight lines. Emergency safety features include egress stairs, emergency phones, safety signage, fire alarms, and automatic fire sprinklers. Fences, walls, and other barriers will keep patrons out of operational areas to improve the safety of system users. Audible alarm systems will be used at the station to prevent unauthorized access to the guideway.

Staff Analysis and Findings – City staff anticipates that health, safety, welfare, and neighborhood circulation impacts are most likely to occur during construction. The environmental review process adequately addresses the design and operation of the Lynnwood Link Extension to avoid, reduce, and mitigate health, safety, and welfare impacts. The project's use of an existing transportation corridor will eliminate impacts to neighborhood circulation.

Construction Impacts

Sound Transit has delegated a number of construction safety elements to its selected contractor, providing general guidance that the contractor will need to adhere to. Without specific plans,

City staff cannot fully evaluate potential impacts and determine if they have been adequately mitigated to protect the public health, safety, and general welfare and to reduce obstacles to neighborhood circulation. Sound Transit is requiring the following plans related to public health, safety, and welfare to be prepared by its contractor for review and approval by Sound Transit: noise mitigation and monitoring plan; site safety and security plan; hazardous and contaminated waste management plan; spill prevention, control, and countermeasures plan; stormwater pollution prevention plan; and temporary erosion and sediment control plan. The City will review and approve these plans prior to Sound Transit beginning construction activities to ensure they include adequate measures to protect public health, safety and welfare. The City has also recommended additional conditions of approval requiring adequate site maintenance to mitigate nuisances and requiring work in critical areas to incorporate recommendations set forth in the critical areas report.

Sound Transit is requiring the following plans related to maintenance of vehicular and pedestrian circulation to be prepared by its contractor for review and approval by Sound Transit: traffic control plan; maintenance of traffic plan; construction worker parking plan. The City will review and approve the plans prior to Sound Transit beginning construction activities to ensure they include adequate measures to avoid creating obstacles to neighborhood circulation. The City has also recommended additional conditions of approval restricting truck travel to specific haul routes, requiring certified flaggers to assist with construction-related vehicle maneuvers, requiring construction-related vehicles to be parked on a construction site, and requiring communication with the City and affected residents when circulation is impacted.

Operational Impacts

The design of the project has incorporated adequate measures to protect public health, safety, and welfare and will not create new obstacles to neighborhood circulation.

Conclusion – The proposal, as conditioned, meets this criterion.

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.

Summary of Applicant Response – The Lynnwood Link Extension is an Essential Public Facility (EPF) located in the following zoning districts: REC, F/T, PFS, CG, RS7200, RS4800, RML, and RMM. The project is allowed in any of these districts through a conditional use permit process. The project is compliant with all requirements of all zone classifications and the general provisions of Title 19 as described in the Municipal Code Compliance section of the guideway narrative (Exhibit ST-N01) and each site-specific narrative (Exhibits ST-A01, ST-B01, ST-C01, ST-D01, ST-E01, ST-F01, ST-G01, ST-H01, ST-I01, ST-J01, ST-K01, ST-L01, ST-M01) wherever possible. Adequate mitigations for the project have been provided.

Staff Analysis and Findings – The project complies with applicable zoning requirements and provisions of Title 19 wherever possible. As an EPF, the project is not always able to comply with all adopted standards. The City is required to reasonably accommodate the siting and

operation of the EPF and no development regulation can preclude the siting of an essential public facility pursuant to RCW 36.70A.200(5). The project is envisioned in the Comprehensive Plan and is a desirable amenity for Mountlake Terrace residents. The City has proposed conditions of approval to mitigate impacts where the project is not able to comply with applicable zoning requirements.

Sound Transit has requested the following departures from the Mountlake Terrace Municipal Code requirements:

Site H Design Waiver Request

Sound Transit is requesting to waive MTMC 19.95.030(D)(2) for full frontage improvements on the north side of 222nd Street SW adjacent to Site H. Site H is being used as a staging area and will not have permanent facilities constructed aside from the guideway (located on the far east side of the property). Construction of full street frontage improvements may require substantial modifications in the future to meet the needs of future development on the site, whether the development is a second Mountlake Terrace light rail station or a commercial development. Pursuant to MTMC 19.95.030(D), these frontage improvements can be waived by the Community and Economic Development Director where she has determined that geographic constraints make installation not reasonably feasible or there is no need, including future need, for pedestrian access or circulation.

There are no apparent geographic constraints to make installation of frontage improvements infeasible. There is no current need for pedestrian access and circulation to or within the Site H property, and it is undesirable to encourage pedestrian activity along Site H at 222nd Street SW during construction. Future frontage improvements will be made by Sound Transit (if the site becomes another light rail station) or a developer (if the site is redeveloped for commercial use) that will be tailored to the needs of a future use and facilitating pedestrian access.

Site K Design Waiver Requests

Sound Transit is requesting to waive MTMC 19.120.200 for fencing surrounding the drainage pond site located south of 214th Street SW on 60th Avenue W. The site contains a storm drainage pond designed to comply with the 2012 Stormwater Management Manual and a gravel maintenance access road. The Manual requires the pond to be fenced with a six-foot-high security fence. The site is not large enough to allow the fence to be set back 20 feet from the right-of-way line in compliance with the GC zoning designation. The four-foot fence allowed in the setback area is not adequate to provide safety and security. The applicant will be required to install the six-foot security fence around the perimeter of the pond as shown in the site plans (Exhibits ST-K02 and ST-K04).

Sound Transit is also requesting to waive MTMC 19.95.030(D) for sidewalk improvements on the east side of 60th Avenue W, south of 214th Street SW. The property required to receive frontage improvements is zoned GC but is not considered developable due to the presence of wetlands on a significant portion of the site. MTMC 19.95.030(D) requires a minimum of seven feet of width for the sidewalk and an additional five feet of width for landscaping improvements,

for a total required width of 12 feet. Existing vegetation and street furnishings (light pole and fire hydrant) are located behind the existing curb. Sound Transit is requesting to construct the new sidewalk against the existing back-of-curb at a width of six feet. This will minimize the amount of fill and its impact on the existing wetland and vegetation and will be adequate to provide pedestrian circulation.

Site M Design Waiver Request

Sound Transit is requesting to waive MTMC 19.95.030(D)(3) at the location of transition from the existing vegetated strip and sidewalk on 212th Street SW. Improvements to the 212th Street SW TPSS site will include a five-foot-wide vegetated strip and a seven-foot-wide sidewalk. The existing vegetated strip is approximately two feet wide and the existing sidewalk is approximately five feet wide. The new sidewalk and vegetated strip will terminate within the WSDOT right-of-way at a retaining wall that provides only nine feet of space for frontage improvements. Sound Transit is proposing to transition from the code-compliant widths to the existing widths within the limits of the TPSS site to avoid impacting the retaining wall and adjacent properties.

Conclusion – The proposal, as conditioned, meets this criterion. The requested design waivers for Site H, Site K, and Site M are approved.

- 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.*

Summary of Applicant Response – Electrical service for the guideway, station operations, and wayside facilities has been coordinated with the Snohomish Public Utility District. Standard utility service connections to existing municipal utility mains provide adequate capacity. Fire suppression for the guideway and station included flow tests to confirm adequate capacity in the event of an emergency. Stormwater runoff will be managed on-site at facilities owned and operated by Sound Transit. The light rail system will complement and enhance existing transportation facilities. The project will incorporate improvements to existing public facilities as necessary. The project includes provisions for stormwater management, wet and dry utilities, waste receptacles, and pedestrian and vehicular access.

Staff Analysis and Findings – The proposal will be served by existing public facilities where possible and includes upgrades, enhancements, or extensions of public facilities where existing public facilities are inadequate. Adequate provisions have been made for electric, water, stormwater, sewer, telecom, and other utilities for normal and emergency operations. Frontage improvements and pedestrian improvements as designed or through conditions of approval will provide adequate capacity to access the station and wayside facilities by patrons and maintenance workers.

Conclusion – The proposal, as conditioned, meets this criterion.

Site Development Plan:

Pursuant to MTMC 19.110.220(C), a site development plan may be approved only if the request conforms to the applicable criteria of approval. The Hearing Examiner is required to make written findings and conclusions in support of the decision on the application. The criteria of approval and staff's analysis and conclusions are presented below:

1. *The proposal is in accordance with the goals and policies of the Comprehensive Plan and the type of land use that is permitted in the zone.*

Summary of Applicant Response – The project has been designed to be consistent with the City of Mountlake Terrace Comprehensive Plan. Sound Transit reviewed the Community Livability, Environment, Economic Vitality, Land Use, and Transportation elements of the Comprehensive Plan and summarized conformance with applicable goals and policies in Exhibit ST-18. See discussion under *Conditional Use Permit* criterion 1, above.

Staff Analysis and Findings – The proposal is consistent with the goals and policies of the Comprehensive Plan. See discussion under *Conditional Use Permit* criterion 1, above.

Conclusion – The proposal, as conditioned, meets this criterion. City staff concurs with the Comprehensive Plan Review set forth in Exhibit MLT-18.

2. *The level of development is consistent with the Comprehensive Plan and zoning.*

Summary of Applicant Response – The project is an Essential Public Facility located in the following zoning districts: REC, F/T, PFS, CG, RS7200, RS4800, RML, and RMM. The project is allowed in any of these districts through a conditional use permit process. The Lynnwood Link Extension will introduce a fast, efficient, and reliable transit system that provides an alternative to single-occupancy vehicles and linkages with other modes of travel. This will facilitate development as envisioned in the Comprehensive Plan.

Staff Analysis and Findings – The level of development is consistent with the Comprehensive Plan and zoning. See *Conditional Use Permit* criterion for approval 1, above. The light rail system will provide city residents with an alternative mode of transportation and will contribute to the revitalization of Town Center as the catalyst for mixed-use and transit-oriented development. The station, at its proposed location, is envisioned in the Comprehensive Plan.

Conclusion – The proposal, as conditioned, meets this criterion.

3. *The proposal complies with all requirements of the zone classification and general provisions of [Title 19], except in the case where a variance has been approved in accordance with the requirements of MTMC 19.110.210.*

Summary of Applicant Response – The project is compliant with all requirements of all zone classifications and the general provisions of Title 19 as described in the Municipal Code

Compliance section of the guideway narrative (Exhibit ST-N01) and each site-specific narrative (Exhibits ST-A01, ST-B01, ST-C01, ST-D01, ST-E01, ST-F01, ST-G01, ST-H01, ST-I01, ST-J01, ST-K01, ST-L01, ST-M01).

Staff Analysis and Findings – The project complies with applicable zoning requirements and provisions of Title 19 wherever possible. As an Essential Public Facility (EPF), the project is not always able to comply with all adopted standards. The City is required to reasonably accommodate the siting and operation of the EPF and no development regulation can preclude the siting of an essential public facility pursuant to RCW 36.70A.200(5). The project is envisioned in the Comprehensive Plan and is a desirable amenity for Mountlake Terrace residents. The City has proposed conditions of approval to mitigate impacts where the project is not able to comply with applicable zoning requirements.

Conclusion – The proposal, as conditioned, meets this criterion.

4. *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.*

Summary of Applicant Response – Electrical service for the guideway, station operations, and wayside facilities has been coordinated with the Snohomish Public Utility District. Standard utility service connections to existing municipal utility mains provide adequate capacity. Fire suppression for the guideway and station included flow tests to confirm adequate capacity in the event of an emergency. Stormwater runoff will be managed on-site at facilities owned and operated by Sound Transit. The light rail system will complement and enhance existing transportation facilities. The project will incorporate improvements to existing public facilities as necessary. The project includes provisions for stormwater management, wet and dry utilities, waste receptacles, and pedestrian and vehicular access.

Staff Analysis and Findings – The proposal will be served by existing public facilities where possible and includes upgrades, enhancements, or extensions of public facilities where existing public facilities are inadequate. Adequate provision has been made for electric, water, stormwater, sewer, telecom, and other utilities for normal and emergency operations. Frontage improvements and pedestrian improvements as designed or through conditions of approval will provide adequate capacity to access the station and wayside facilities by patrons and maintenance workers.

Conclusion – The proposal, as conditioned, meets this criterion.

Reasonable Use Exception:

Sound Transit has requested a reasonable use exception for temporary and/or permanent impacts to various critical areas and their buffers at each of the sites A-M. Impacts to critical areas within the WSDOT right-of-way are not regulated by the City of Mountlake Terrace pursuant to the concurrence letter (Exhibit ST-09) and the requested reasonable use exceptions are applicable only

to work on real property within the city. Reasonable use exceptions are administered in MTMC 16.15.360.

Sound Transit is seeking the following reasonable use exceptions:

Site	Request	Summary of Impact
A	Class IV Landslide Hazard Areas	Construction access and staging, columns and aerial guideway, replacement of curb and gutter, access road apron
	Critical Seismic Hazard Areas	
B	Class IV Landslide Hazard Areas	Parking, bus loop
	Critical Wildlife Habitat Areas	Tree removal
C	Class IV Landslide Hazard Areas	Temporary parking lot, retaining walls, site grading
	Critical Wildlife Habitat Areas	Tree removal
D	Class IV Landslide Hazard Areas	Tieback anchors, construction access
	Critical Wildlife Habitat Areas	Tree removal
E	Class IV Landslide Hazard Areas	Expansion of 227 th Street SW, installation of guideway retaining wall tieback anchors, and construction access
F	Class IV Landslide Hazard Areas	Construction of signal bungalow, stormwater features, streetscape elements, and construction access
G	Class IV Landslide Hazard Areas	Grading (fill), stormwater improvements, construction staging
H	Class IV Landslide Hazard Areas	Construction staging and laydown yard, guideway
I	Class IV Landslide Hazard Areas	Stormwater and street frontage improvements, construction access and staging
J	Class IV Landslide Hazard Areas	Utility relocations, sidewalk improvements, stormwater vault and access, fencing, landscaping
K	Class IV Landslide Hazard Areas	Construction and staging, guideway access, stormwater detention and drainage, mitigation
L	Class IV Landslide Hazard Areas	Guideway access, grading and restoration, emergency access
M	Class IV Landslide Hazard Areas	Construction and staging, retaining walls, grading, TPSS, stormwater flow control
	Critical Seismic Hazard Areas	

Geologic Hazard Areas

Pursuant to MTMC 16.15.430, alterations to class IV landslide hazard areas are prohibited without a reasonable use exception. Alterations to other geologic hazard areas, including class I-III landslide hazard areas and seismic hazard areas, can be approved 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. Where potential impacts cannot be effectively mitigated, or where risk to public health, safety, and welfare, public or private property, or important natural resources

is significant notwithstanding mitigation, a reasonable use exception is required. The critical areas report evaluated potential impacts to the geologic hazard areas and determined that the “finished project will result in either no impact or improved stability in potential landslide hazard areas, seismic hazard areas, and erosion hazard areas” (Exhibit ST-08 pg. 50). Mitigation measures for work in the geologic hazard areas include the following:

- Implementation of temporary erosion and sediment control (TESC) plans, including monitoring to address potential erosion and siltation during construction.
- Regrading and/or replanting and/or restoration of temporarily disturbed areas as soon as practical to minimize the risk of erosion and to provide permanent slope stability.
- Design of project components to withstand the effects of seismic ground shaking, including design standards based on the occurrence of a rare and large seismic event.
- Design of project components in compliance with standards to reduce risks set forth in the International Building Code (IBC), American Association of State Highway and Transportation Officials (AASHTO), and Sound Transit design standards.

By restoring vegetation in geologic hazard areas and complying with geotechnical design standards, Sound Transit considers the project to be self-mitigating with respect to geologic hazard areas (Exhibit ST-08, pg. 50). Sound Transit does not propose any other mitigation measures for geologic hazard areas.

Third-party review of the critical areas report found it is in conformance with the requirements set forth in MTMC 16.15.430(D) (Exhibit MLT-09). Geologic hazard area buffers and setbacks have not been delineated as part of the critical areas report or project due to the need for alterations within the geologic hazard areas.

Wildlife Habitat Areas

Pursuant to MTMC 16.15.420(D), alterations of critical wildlife habitat areas are prohibited without a reasonable use exception. Secondary wildlife habitat can be altered subject to the mitigation requirements set forth in MTMC 16.15.420(E). The critical areas report determined that impacts are anticipated in a biodiversity/terrestrial priority habitat area designated by WDFW within the City of Mountlake Terrace (Exhibit ST-08 pg. 43). Impacts are related to the removal of approximately 218 trees within the project area.

Mitigation

Mitigation of these impacts is required, and Sound Transit followed mitigation sequencing provisions set forth in MTMC 16.15.210(A). The project, as designed, avoided wetlands and stream impacts where practicable by siting project elements away from critical areas as much as possible and by incorporating best management practices (BMPs) for implementation during construction and operation of the project to minimize sedimentation to wetlands and streams and pollutants within stormwater runoff. Sound Transit is proposing to mitigate the removal of 218 trees within the wildlife habitat area by providing a payment to the City in lieu of Sound Transit installing, monitoring, and maintaining trees. The funding amount assumed a tree replacement ratio of 3:1 for each tree removed including nonsignificant trees. This ratio was approved by the

City of Mountlake Terrace in a concurrence letter (Exhibit ST-09). A total of 654 trees will be planted at areas identified by the City of Mountlake Terrace (Exhibit ST-08, pg. 60).

Third-party review of the critical areas report found it is in conformance with the requirements set forth in MTMC 16.15.420(C) (Exhibit MLT-10).

Limitations on Approval of Reasonable Use Exception

Sound Transit submitted application materials for reasonable use exceptions to alter geologic hazard areas and wildlife habitat areas, which are regulated critical areas, as described above. MTMC 16.15.360(A) sets forth the following limitations on approval for reasonable use exceptions:

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.

Staff Analysis and Findings – Sound Transit indicated that the guideway and wayside facilities have been designed and located to avoid and minimize impacts to critical areas to the extent possible. As an Essential Public Facility (EPF), locations for siting the Lynnwood Link Extension and necessary wayside facilities are limited. Operational requirements for light rail necessitates certain design configurations and there are no other reasonable alternative methods of developing the light rail system.

2. The fact that property may be utilized more profitably than allowed based on strict interpretation of [Title 16] shall not be an element of consideration in any review of a reasonable use request. Reasonable use exceptions shall no be permitted for the subdivision of land.

Staff Analysis and Findings – Sound Transit is a public agency. Economic utility of properties associated with the alignment and any reduction in economic utility due to critical areas is not a factor in the request for reasonable use exception. The City does not consider profitability of any properties in its analysis or conclusions on the reasonable use exception.

Conclusion – Staff has found that the proposal is eligible for a public agency reasonable use exception as set forth in MTMC 16.15.360(C). The criteria of approval and staff's analysis and conclusions are presented below:

1. *The application of the critical areas regulations would unreasonably restrict the ability to provide utility services to the public.*

Summary of Applicant Response – The application of critical areas regulations would unreasonably restrict the ability to provide transit services to the public for the following reasons:

Site A – Class IV Landslide Hazard Areas and Seismic Hazard Areas

The proposed access point is the most reasonable construction access point. The class IV landslide hazard areas would be affected regardless of the construction access point.

Site B – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

The entire site area is needed to support development of the LLE Mountlake Terrace Station.

Site C – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

The entire site area is needed to support development of the temporary surface parking lot and load/unload areas and bus layover space.

Site D – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

The entire site area is needed to provide access to construct the guideway.

Site E – Class IV Landslide Hazard Areas

The proposed access point is the most reasonable construction access and staging area needed to construct the guideway.

Site F – Class IV Landslide Hazard Areas

The site is needed to accommodate wayside facilities. This location is ideal for the necessary spacing of stormwater flow control and a signal bungalow.

Site G – Class IV Landslide Hazard Areas

The proposed access point is the most reasonable construction access point. The class IV landslide hazard areas would be affected regardless of the construction access point.

Site H – Class IV Landslide Hazard Areas

The site is ideal for construction staging and laydown because it is undeveloped, centrally located, and large enough to accommodate staging and laydown of large equipment.

Site I – Class IV Landslide Hazard Areas

The area is necessary to accommodate project facilities.

Site J – Class IV Landslide Hazard Areas

The site is needed to accommodate stormwater flow control and for construction.

Site K – Class IV Landslide Hazard Areas

The area is necessary to accommodate stormwater facilities, Resource Conservation Area (RCA) mitigation, and construction access.

Site L – Class IV Landslide Hazard Areas

The proposed access point is the most reasonable construction access point. The emergency access pathway and construction access are crucial for construction and operation of the light rail system.

Site M – Class IV Landslide Hazard Areas and Seismic Hazard Areas

The site is needed to accommodate wayside facilities. This location is ideal for the necessary spacing of stormwater flow control and a TPSS.

Staff Analysis and Findings – The application of critical areas regulations would unreasonably restrict the ability to provide transit (“utility”) services to the public. The final alignment and design of the project elements were selected after a thorough evaluation of alternatives. Strict adherence to the critical areas regulations for geologic hazard areas and wildlife habitat areas would make the project infeasible to design, locate, and construct.

Conclusion – The proposal meets this criterion.

- 2. There is no other practical alternative to the proposed development with less impact on the critical areas.*

Summary of Applicant Response – There are no practical alternatives the proposed development with less impact on critical areas for the following reasons:

Site A – Class IV Landslide Hazard Areas and Seismic Hazard Areas

Construction access from adjacent alternative areas is not suitable. The landslide hazard areas will be affected regardless of the access point. Work within and adjacent to Site A is a necessary part of the project and is therefore unavoidable.

Site B – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

The majority of the site is developed. Additional area needed for the expansion required as part of this project is relatively small and the only undeveloped areas of the site are mapped as Priority Habitat and class IV landslide hazard areas. Improvements at Site B are a necessary part of the project and work is therefore unavoidable.

Site C – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

Site C is the only available property that can accommodate the size and configuration of the required temporary parking facilities, load/unload areas, and bus layover spaces. Adjacent alternative areas would have either more impacts to priority habitat/landslide hazard areas and/or be too far away from the Mountlake Terrace Transit Center. Work within Site C is a necessary part of the project and is therefore unavoidable.

Site D – Wildlife Habitat Areas and Class IV Landslide Hazard Areas

Site D is adjacent to the project alignment. Adjacent alternative areas would have either more impacts to priority habitat/landslide hazard areas or more impacts to residential properties. Work within Site D is a necessary part of the project and is therefore unavoidable.

Site E – Class IV Landslide Hazard Areas

Site E is adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site E is a necessary part of the project and is therefore unavoidable.

Site F – Class IV Landslide Hazard Areas

Site F is located adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site F is a necessary part of the project and is therefore unavoidable.

Site G – Class IV Landslide Hazard Areas

Site G is located adjacent to the project alignment. Construction access from alternative areas is not suitable. The landslide hazard areas will be affected regardless of the access point. Work within and adjacent to Site G is a necessary part of the project and is therefore unavoidable.

Site H – Class IV Landslide Hazard Areas

The entire site area is necessary to accommodate the project facilities and construction of the guideway. There are no reasonable alternatives available; adjacent areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site H is a necessary part of the project and is therefore unavoidable.

Site I – Class IV Landslide Hazard Areas

Site I is located adjacent to the project alignment. Adjacent alternative areas would have more impacts to landslide hazard areas. Site I is the most reasonable construction access point. Work within Site I is a necessary part of the project and is therefore unavoidable.

Site J – Class IV Landslide Hazard Areas

Site J is located adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site J is a necessary part of the project and is therefore unavoidable.

Site K – Class IV Landslide Hazard Areas

Site K is located adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site K is a necessary part of the project and is therefore unavoidable.

Site L – Class IV Landslide Hazard Areas

Site L is located adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site L is a necessary part of the project and is therefore unavoidable.

Site M – Class IV Landslide Hazard Areas and Seismic Hazard Areas

Site M is located adjacent to the project alignment. Adjacent alternative areas would have either more impacts to landslide hazard areas or more impacts to residential properties. Work within Site M is a necessary part of the project and is therefore unavoidable.

Staff Analysis and Findings – There are no practical alternatives to the proposed development with less impact on critical areas. The final alignment and design of the project elements were selected after a thorough evaluation of alternatives in the EIS. None of the alternatives evaluated would result in complete avoidance of impact to critical areas, and the final alignment was selected because it minimizes impacts on the community as much as possible while maximizing safety and efficiency. The use of specific sites for construction access and staging is essential to building the project. There are no practical or feasible alternatives for construction access and staging that would have less impact on the critical areas given the prevalence of critical areas along the entire alignment and WSDOT right-of-way. Construction in landslide hazard areas, seismic hazard areas, and wildlife habitat areas are unavoidable.

Conclusion – The proposal meets this criterion.

- 3. The proposal does not pose an unreasonable threat to the public health or safety on or off the development proposal site and will not be materially detrimental to the property or improvements in the vicinity.*

Summary of Applicant Response – The project does not pose an unreasonable threat to the public health or safety on or off the development proposal site and will not be materially detrimental to the property or improvements in the vicinity. Planned improvements are designed in conformance with the critical areas report, including geotechnical analysis and recommendations. Sound Transit facilities are designed in accordance with IBC, AASHTO, and Sound Transit design standards as appropriate to meet all safety requirements.

All Class IV Landslide Hazard Areas and Seismic Hazard Areas

Based on the geotechnical information, the project will not decrease the factor of safety for landslide occurrences. Slopes and retaining structures are designed for adequate stability using appropriate techniques such as limiting slope inclination, limiting surcharge loading, or adding slope reinforcement.

Sites B-D Wildlife Habitat Areas

Site B is already used for transit purposes, and the light rail station will provide an additional transit service to benefit the public. All facilities on Sites B-D are designed to meet all federal

safety standards and uniformed Sound Transit police and security officers patrol all light rail trains and stations.

Staff Analysis and Findings – The project is designed in conformance with the critical areas report and recommendations and applicable international, federal, state, and local code requirements for buildings, light rail guideways, stations, and wayside facilities. The project includes consultation with numerous professional engineers licensed to practice in the State of Washington (including geotechnical engineers, structural engineers, traffic engineers, and others) and qualified professionals such as arborists, wetland scientists, landscape architects, architects, planners, and others. The project, as designed and conditioned and as verified during construction, will not pose an unreasonable threat to public health, safety or welfare.

The project is a community amenity and public benefit, providing light rail access within the City of Mountlake Terrace to significant regional destinations in King and Snohomish Counties. Construction will occur in conformance with recommendations from licensed engineers set forth in the critical areas report and will not be materially detrimental to the property or properties and improvements in the vicinity.

Conclusion – The proposal, as conditioned, meets this criterion.

- 4. The proposal attempts to protect and mitigate impacts to the existing critical area functions and value, consistent with MTMC 16.15.310, Alteration of critical areas, and best available science to the fullest extent possible.*

Summary of Applicant Response – Sound Transit will protect and mitigate impacts to existing critical area functions and value consistent with the review criteria in MTMC 16.15.310 and best available science to the fullest extent possible in the following ways:

Sites B-D Wildlife Habitat Areas

Sound Transit will provide funding for the City of Mountlake Terrace to purchase, plant, and maintain/monitor replacement trees for off-site compensatory mitigation. This approach enables the City to create or supplement a new forested ecosystem that will provide habitat for multiple plant and animal species, including state- and federally-listed species. Replacement trees will be provided at a ratio of 3:1 to compensate for permanent loss of trees on-site and temporal loss of habitat functions and values as the replacement trees mature. On-site restoration and off-site mitigation are expected to improve habitat functions and values. At a minimum, no net loss of habitat functions and values is expected.

All Class IV Landslide Hazard Areas and Seismic Hazard Areas

Sound Transit will mitigate unavoidable temporary impacts to landslide hazard areas by regrading and planting vegetation after construction is complete to provide final slope stability that meets or exceeds current conditions. Temporary landscape protection fencing will be installed around the clearing limits as necessary to preserve steep slopes. Disturbed areas will be replanted with a mixture of trees, shrubs, and groundcovers to provide erosion control. This

approach 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 areas is expected. Best management practices will be used during construction as indicated in the geotechnical recommendations report.

Site A – Class IV Landslide Hazard Areas and Seismic Hazard Areas

Minimal grading is proposed on Site A. For areas where impacts cannot be avoided, most grades will be restored to prior condition and seeded for slope protection. A fill area north of the access drive has a designed slope of 12:1 to 15:1, which is flatter than existing slopes and reduces the amount of landslide hazard area.

Site B – Class IV Landslide Hazard Areas

Grading is proposed on Site B. For areas where impacts cannot be avoided, grades are proposed with a slope of no more than 3:1, which is flatter than existing slopes.

Site C – Class IV Landslide Hazard Areas

Sound Transit will install retaining walls around the west, north, and east edges of the Site C boundary, which will temporarily replace steep slopes with flatter slopes.

Site D – Class IV Landslide Hazard Areas

Grading is proposed at Site D. For areas where impacts cannot be avoided, the proposed grades will not exceed a slope of 3:1, which is flatter than existing slopes.

Site E – Class IV Landslide Hazard Areas

Grading is proposed at Site E. For areas where impacts cannot be avoided, the grades will be restored to previous conditions and native vegetation and mulch will be installed for slope protection.

Site F – Class IV Landslide Hazard Areas

All of Site F will be disturbed. Impacts are unavoidable, but grades will be restored as much as possible to previous conditions and vegetation and mulch will be installed for slope protection. Minor regrading is planned adjacent to the guideway at a gradient of 4:1 to 25:1. This will not increase the amount of landslide hazard area within the site.

Site G – Class IV Landslide Hazard Areas

The guideway traverses Site G. Proposed grading within the site will not exceed a slope of 3:1 and alters the stormwater flow to be a sheet-flow condition instead of a swale condition to reduce erosion hazards.

Site H – Class IV Landslide Hazard Areas

Most of Site H will be disturbed. Impacts are unavoidable, but grades will be restored as much as possible to previous conditions and vegetation and mulch will be installed for slope protection. Minor regrading is planned adjacent to the guideway at a gradient of 4:1 to 25:1. This will not increase the amount of landslide hazard area within the site.

Site I – Class IV Landslide Hazard Areas

Grading at Site I is limited to areas where utility and sidewalk improvements occur. Where impacts are unavoidable, grades will be restored to previous conditions or flatter and native shrubs, groundcover, and seeding will be installed for slope protection.

Site J – Class IV Landslide Hazard Areas

Grading at Site J is limited to a service roadway connection to 60th Avenue W for the drainage vault on WSDOT right-of-way and minor grading adjacent to the guideway abutment. For areas where impacts are unavoidable, grades will be restored to previous condition or flatter and native shrubs, groundcover, and seeding will be installed for slope protection.

Site K – Class IV Landslide Hazard Areas

Grading is proposed at Site K. For areas where impacts cannot be avoided, the grades will be restored to a maximum steepness of 3:1 and disturbed areas will be replanted with a mixture of trees, shrubs, and groundcovers to provide erosion control.

Site L – Class IV Landslide Hazard Areas

Disturbance at Site L is limited to unpaved areas from construction activities. For areas where impacts are unavoidable, grades will be restored to previous conditions and seeding will be installed for slope protection.

Site M – Class IV Landslide Hazard Areas and Seismic Hazard Areas

All of Site M will be disturbed. For areas where impacts are unavoidable, proposed grades will not exceed a steepness of 4:1, which is not considered an erosion risk. A large portion of the site is contained within retaining walls that prevent sediment transport to adjacent areas. Some disturbed areas will be replanted with a mix of trees, shrubs, and groundcovers to provide erosion control. An asphalt driveway and gravel pad cover the detention vault area and will prevent erosion in that area.

Staff Analysis and Findings – Alterations to critical areas are required to conform to the review criteria set forth in MTMC 16.15.310(B):

A. The proposal is consistent with the alteration provisions for the critical area type per 16.15.400 through 16.15.450;

The proposal is consistent with alteration provisions in MTMC 16.15.420 (wildlife habitat areas) and MTMC 16.15.430 (geologic hazard areas). The applicant has requested a reasonable use exception consistent with these sections to permit the proposed alterations and the alterations will be adequately mitigated. No other alterations to regulated critical areas within the City of Mountlake Terrace's jurisdiction are proposed.

B. The proposal minimizes the impact on critical areas in accordance with MTMC 16.15.210;

As described in criterion 6, below, the proposal has followed mitigation sequencing requirements set forth in MTMC 16.15.210. Best available science was implemented by HNTB/Jacobs in preparation of the critical areas report (Exhibit ST-08). The report was reviewed by third-party consultants and found to conform to requirements in MTMC 16.15 for critical areas report and best available science (Exhibit MLT-09 and MLT-10).

C. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;

As described in criterion 3, above, the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the proposal sites. The project is designed in conformance with the recommendations of the critical areas report and with consultation and supervision of licensed and/or credentialed professionals allowed to work in Washington State. The project is required to incorporate safety requirements through building codes and standards.

D. The proposal protects the critical area functions and values consistent with the best available science and results in no net loss of critical area functions and values;

The applicant submitted a critical areas report analyzing potential permanent and temporary impacts to critical areas resulting from this project (Exhibit ST-08). The project is an essential public facility providing regional transit access in King and Snohomish Counties and has particular design requirements for turning radii, slopes, and access in order to function safely and efficiently. The selected alignment minimizes impacts to critical areas and residents as much as possible, but certain impacts are unavoidable due to the size and nature of the project. The critical areas report concludes that mitigation proposed for landslide hazard areas, susceptibility to erosion, seismic hazard areas, and wildlife habitat will result in no net loss of functions and values. The report was reviewed by third-party consultants and found to conform to requirements in MTMC 16.15 for critical areas reports and best available science (Exhibits MLT-09 and MLT-10).

E. A restoration plan has been prepared, pursuant to MTMC 16.15.330;

Sound Transit is proposing restoration and mitigation consistent with the recommendations contained within the critical areas report, tree mitigation plan, and construction drawings (Exhibits ST-08, ST-20 and ST-29, ST-A02, ST-B02, ST-C02, ST-D02, ST-E02, ST-F02, ST-G02, ST-H02, ST-I02, ST-J02, ST-K02, ST-L02, ST-M02, and ST-N02). The mitigation and restoration are consistent with the minimum performance standards for restoration set forth in MTMC 16.15.330(E)(1) and (2).

F. The mitigation plan has been amended, and/or the restoration plan prepared consistent with any conditions, and approved by the City prior to issuance of any construction permits. Construction techniques shall be approved by the City prior to any site work.

The applicant is required to submit a final mitigation plan and a final restoration plan prepared by qualified professionals for review against applicable conditions of approval. The mitigation and restoration plans will be approved by the City prior to issuance of construction permits for each site.

The proposal incorporates best available science through the use of qualified professionals. The critical areas report and other documents applicable to mitigation and restoration were reviewed by third-party consultants and found to be consistent with MTMC 16.15 and best available science.

Conclusion – The proposal, as conditioned, meets this criterion.

5. *Any impacts or alterations permitted to the critical areas are the minimum necessary and will be mitigated consistent with relevant mitigation standards in this chapter.*

Summary of Applicant Response – Proposed impacts to landslide hazard areas, seismic hazard areas, and wildlife habitat areas and alterations within those critical areas are the minimum necessary to develop the project and will be mitigated consistent with mitigation requirements. Plans for the project include a drainage plan, restoration plans, and TESC plans. Stormwater will be treated in accordance with the NPDES permit issued by Ecology.

Staff Analysis and Findings – The requested alterations are the minimum necessary to accomplish the project as designed and proposed in the application materials. The applicant has applied mitigation sequencing requirements throughout project design and has prepared mitigation plans to address unavoidable impacts. The mitigation plans are consistent with requirements set forth in MTMC 16.15 for geologic hazard areas and wildlife habitat areas. Conditions of approval will ensure the applicant follows the mitigation plans.

Conclusion – The proposal, as conditioned, meets this criterion.

6. *The proposal attempts to protect and mitigate, consistent with MTMC 16.15.210 and best available science, the existing critical area functions.*

Summary of Applicant Response – Sound Transit's evaluation of avoidance and minimization measures are documented in the LLE 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.

Staff Analysis and Findings – Sound Transit has located and designed the project to avoid or minimize impacts to real property in Mountlake Terrace as much as possible. The critical areas report (Exhibit ST-08) and the Final EIS document mitigation sequencing analyzed through the location and design process. The proposal protects and mitigates impacts to existing critical areas functions as much as possible consistent with MTMC 16.15.210 and best available science:

Avoid Impacts Altogether

The project avoids impacts as much as possible through locating in previously-developed portions of the City of Mountlake Terrace. Wetland and stream impacts, especially, were avoided where practicable through placement of specific project elements. Wayside facilities and related infrastructure improvements are located outside of identified critical areas where practicable.

Minimize Impacts

The project minimizes impacts as much as possible where avoidance is not feasible by designing certain project elements to reduce potential impacts, such as installing a retaining wall instead of a using a fill slope to support the guideway. Construction BMPs are required by Sound Transit and the City of Mountlake Terrace to minimize sedimentation and polluted runoff, stabilize bare soils and slopes, and prevent leaks or spills during construction.

Rectify Impacts

Where temporary impacts will occur, the area will be immediately restored after construction activities are complete in compliance with the recommendations in the critical areas report.

Reduce or Eliminate Impacts Over Time

Some impacts are temporary and are limited to a short-term duration. Restoration of these impacts will include removing fill and other construction-related materials from the site, lofting and loosening soils compacted by construction activities, amending soils as necessary, and replanting affected areas with a mix of native vegetation. Approximately 0.975 acres of temporary impacts to wetlands and buffers will be mitigated in this manner.

Sound Transit will be required to protect affected critical areas through fencing and/or signage and will be required to monitor slopes and vegetation during operation of the light rail system over time. These actions will reduce impacts related to operation of the project.

Compensating for the Impact

Permanent and temporary impacts to wetlands and/or wetland and stream buffer areas will occur as part of the project and will be mitigated through permanent compensatory actions as follows:

- Purchasing credits through the King County Wetland Mitigation Reserves Program which is implemented through an in-lieu fee program;
- Enhancing wetlands and buffers by removing invasive species and replanting with native vegetation
- Replanting temporarily cleared areas with an appropriate variety of short-statured trees and other vegetation;

- Stockpiling downed trees and installation of said trees as large woody debris or smaller brush piles to improve habitat functions;
- Restoring temporarily impacted wetlands and buffers to pre-construction conditions or better
- Replacement of trees in-kind at a ratio of 3:1; and/or
- Removal of invasive species.

The project, as mitigated, will achieve no net loss of critical area function through appropriately-applied mitigation sequencing and best available science.

Conclusion – The proposal, as conditioned, meets this criterion.

7. *The proposal is consistent with other applicable regulations and standards.*

Summary of Applicant Response – The project is consistent with all other applicable regulations and standards.

Staff Analysis and Findings – Sound Transit provided an analysis of project components on Sites A-M in code compliance matrices attached to each of the site narratives (Exhibits ST-A01, ST-B01, ST-C01, ST-D01, ST-E01, ST-F01, ST-G01, ST-H01, ST-I01, ST-J01, ST-K01, ST-L01, and ST-M01). The project is consistent with applicable regulations and standards as much as possible. Staff has proposed conditions of approval to address impacts wherever the project is inconsistent with code requirements.

Conclusion – The proposal, as conditioned, meets this criterion.

VI. SUMMARY CONCLUSION

City staff has reviewed the proposal for general conformance with City codes and ordinances and the criteria set forth in MTMC 19.110.200(D), MTMC 19.110.220(C), and MTMC 16.15.360(C) and finds that the proposed Lynnwood Link Extension conditional use permit, site development plan, and reasonable use exception meet or can be conditioned to meet those criteria.

VII. RECOMMENDATION

Staff recommends **APPROVAL** of the Conditional Use Permit, Site Development Plan, and Reasonable Use Exception for the proposed Lynnwood Link Light Rail extension in the WSDOT I-5 right-of-way and 13 specific sites identified as Site A through Site M in Mountlake Terrace, Washington. Conditions are necessary to mitigate impacts related to the construction and operation of the Lynnwood Link Light Rail extension.

Pursuant to WAC 365-196-550(6)(d), an essential public facility siting process should identify what conditions are necessary to mitigate the impacts associated with the essential public facility. The combination of any existing development regulations and any new conditions may not render

impossible or impracticable the siting, development, or operation of the essential public facility. Pursuant to WAC 365-196-550(e), cities should consider the extent to which design conditions can be used to make a facility compatible with its surroundings. Any conditions imposed must be necessary to mitigate an identified impact of the essential public facility.

Staff recommends approval of the CUP, SDP, and RUE **subject to the conditions set forth in Attachment 4**. These conditions are reasonable and will not render, separately or in combination with existing development regulations, impossible or impractical the siting, development, or operation of the Lynnwood Link Extension. The conditions are recommended based on impacts identified during review of the applicable permits and serve to make the construction and operation of the facility compatible with its surroundings. Recommended conditions are necessary to

Staff further recommends that the following statement be included on the Hearing Examiner's final decision:

REVALUATION: Property owners affected by this decision may request change in valuation for property tax purposes notwithstanding any program of revaluation.

Staff Signature: 

Name and Title: Christy Osborn, AICP, Community and Economic Development Director

Date: June 13, 2019