

## ATTACHMENT 4 CONDITIONS OF APPROVAL

### General Project Conditions

1. Definitions: The following terminology applies to all project conditions:
  - a. “Affected residential properties” means properties in residential zoning or use that will experience impacts including but not limited to increased noise and/or vibration levels as a result of the work.
  - b. “City” shall mean the City of Mountlake Terrace.
  - c. “Construction coordinator” means a single point of contact representing the City for coordination between the City, Sound Transit, and Sound Transit’s contractors.
  - d. “Feasible” means an action, such as a development project, mitigation, or preservation requirement that meets the following criteria:
    - i. Can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests that have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
    - ii. Provides a reasonable likelihood of achieving its intended purpose; and
    - iii. Does not physically preclude achieving the project’s primary intended legal use.
  - e. “Heavy vehicles” means vehicles weighing five tons or greater.
  - f. “Night” means the hours between 10:00 p.m. and 7:00 a.m. on weekdays, and between 10:00 p.m. and 9:00 a.m. on weekends.
  - g. “Night work” means any work occurring at night.
  - h. “Must” means to be obliged or bound or establishes a requirement or legal obligation on the Applicant.
  - i. “Project” means Sound Transit’s Lynnwood Link Light Rail Extension as presented in the application materials.
  - j. “Shall” means must.
  - k. “Sound Transit or Applicant,” where specified, means Central Puget Sound Regional Transit Authority. Sound Transit is ultimately responsible for compliance with these Conditions of Approval contained in the Conditional Use Permit, Site Plan Review, and Reasonable Use Exception final decision.
  - l. “Work” means any activity regulated by the issuance of this permit, including—but not limited to—grading, demolition, tree removal, heavy vehicle operation, construction and erection, staging activities, and waste and debris hauling.
2. Point of Contact: Sound Transit must designate a single point of contact for resolving complaints related to compliance with these Conditions of Approval. Contact information, including telephone number and e-mail address, for the point of contact must be provided to the City prior to beginning work. The point of contact must be reachable by telephone at all times when Work is occurring.
3. Approved CUP Conditions Kept on Site: At least one copy each of the Hearing Examiner’s decision and these Conditions of Approval must be accessible on each site where work is occurring. The decision and Conditions of Approval must be kept on site for reference at all hours when work is occurring.
4. Building Permit Required; Site Plan Review:

- a. Sound Transit shall comply with all applicable requirements of the City's building code.
  - b. Trailers and other structures not affixed to the ground require site plan review prior to placement or installation on site. Sound Transit must submit a building permit application form, site plan, and/or other information sufficient to determine compliance with zoning requirements.
5. Code Compliance: Compliance with industry-standard manuals, codes, documents and policy guidance includes, but is not limited to, the following, except as modified by the conditions herein:
  - a. 2014 Stormwater Management Manual for Western Washington
  - b. American Association of State Highway and Transportation Officials (AASHTO)
  - c. ASTM International
  - d. Manual on Uniform Traffic Control Devices (MUTCD)
  - e. International Building Code (IBC)
  - f. International Fire Code (IFC)
  - g. Mountlake Terrace Municipal Code (MTMC)
6. Project Approval Documents:
  - a. Final design and location of the Lynnwood Link Extension and related improvements must comply with the drawings as provided as part of the record in Exhibits ST-A02, ST-B02, ST-C02, ST-D02, ST-E02, ST-F02, ST-G02, ST-H02, ST-I02, ST-J01, ST-K02, ST-L02, ST-M02, and ST-N02, except as modified by these, or other, Conditions of Approval.
  - b. Approval is limited to the scope of work shown in the Exhibits and all application-related material listed in Attachment 1.
  - c. Sound Transit and the City shall work together to cooperatively identify operations and maintenance responsibilities for areas surrounding station sites and any required operations or maintenance agreements must be prepared by Sound Transit and mutually agreed to by Sound Transit and the City. Such agreements must be signed by the City and Sound Transit prior to the City's formal acceptance of related improvements.
  - d. All improvements to be transferred or dedicated to the City or otherwise intended for ownership by the City must receive inspection and approval by City staff.
  - e. Improvements constructed by Sound Transit and permitted by the City may be inspected by the City at any time mutually agreed upon by Sound Transit and the City. The City will notify and coordinate inspections with Sound Transit.
7. Schedule: Sound Transit must prepare and submit a construction schedule identifying the overall estimated construction timeline, phases, planned instances and duration of night work, and planned instances and duration of noisy work. Sound Transit must provide an updated construction schedule to the City monthly for the duration of work. The City's construction coordinator will attend the weekly construction meeting and the Construction Project Management Plan update including schedule must be made available to the construction coordinator at each weekly meeting.

8. Work Hours and Noise:

- a. Work is limited to the hours between 7:00 a.m. and 10:00 p.m. Monday through Friday and 9:00 a.m. to 10:00 p.m. on Saturday and Sunday. Deviation from these work hours must be requested in writing by Sound Transit or its selected contractor a minimum of five (5) working days and not more than fourteen (14) days in advance of planned work that will occur outside the work hours. Such request must include the type of work, duration, anticipated noise levels, and identification of properties that will be impacted by elevated noise levels. Such request will not be approved unless Sound Transit demonstrates there is no feasible alternative to complete the work during normal work hours and minimizes impacts to affected residential properties compared to the maximum permissible sound levels presented in Condition of Approval no. 8(c).
- b. For activities deviating from work times presented in Condition of Approval No. 8(a), Sound Transit or its selected contractor must prepare and submit a Construction Noise and Vibration Mitigation and Monitoring Plan for review and approval by the City. The Construction Noise and Vibration Mitigation and Monitoring Plan must include consultation with a licensed acoustical engineer or similar qualified professional. Sound Transit must receive City approval of the required Construction Noise and Vibration Mitigation and Monitoring Plan prior to issuance of construction permits. This plan must be updated any time there is a change in the scope of activity. This plan must be complied with throughout the duration of the project.
- c. The following noise standards apply to portions of the project granted by the City occurring outside of the work hours set forth in Condition of Approval no. 8(a):
  - i. Measurement of sound levels from all sources must be made at the property boundary of the receiving property.
  - ii. Maximum permissible sound levels, as expressed in dB(A)'s, are:

		SENDING PROPERTY	
		Residential	Commercial
RECEIVING PROPERTY	Residential	45	47
	Commercial	57	60

- iii. If existing pre-construction ambient noise at a receiving property exceeds the maximum permissible sound levels set forth above, the maximum permissible sound level for said receiving property is 5 dB(A)'s greater than the ambient sound level.
- iv. Sounds of short duration may exceed the maximum permissible sound levels during work hours by a total of not more than fifteen minutes in any one-hour period, when comprising one or any combination of the following:
  - 1. 5 dB(A) for a total of fifteen minutes, or
  - 2. 10 dB(A) for a total of five minutes, or
  - 3. 15 dB(A) for a total of one-and-one-half minutes.
- v. Compliance with these maximum sound levels is required for the duration of night work. Deviation from these maximum sound levels must be

requested in writing by Sound Transit or its selected contractor a minimum of five (5) working days and not more than fourteen (14) days in advance of planned work. Such requests must include the type of work, duration, anticipated noise levels, and identification of properties that will be impacted by elevated noise levels. Such request will not be approved unless Sound Transit demonstrates there is no feasible alternative to complete the work during normal work hours and minimizes impacts to affected residential properties compared to the maximum permissible sound levels presented in Condition of Approval no. 8(c).

- d. Sound Transit or its selected contractor must notify affected residential properties no less than 48 hours prior to and not more than fourteen (14) days prior to the occurrence of night work. At a minimum, notice must be provided in writing and must include information on the anticipated type and duration of work to occur. When night work will occur over consecutive days, notice is required to be provided only once prior to the work occurring, provided said notice includes the full duration of the work. Work over non-consecutive days requires a new notice for each instance of work.
- e. In locations where existing noise walls will be removed and other areas along the project corridor as identified in Exhibit ST-30, LLE Temporary Construction Noise Barrier Evaluation, or as amended, Sound Transit shall install temporary noise barriers until proposed permanent noise walls are constructed in accordance with the project plans. All temporary noise barriers must be in place prior to initiation of work. Proposed permanent replacement walls must be constructed as soon as possible.
- f. Sound Transit must install and maintain noise monitoring equipment as recommended by an acoustical engineer or similar qualified professional and the City must approve locations of noise monitoring equipment per approved Construction Noise and Vibration Mitigation and Monitoring Plan. The City will use a third-party acoustical engineer to review, comment on, and approve the proposed locations. Sound Transit shall monitor noise when work is occurring outside of the work hours set forth in Condition of Approval no. 8(a) and must provide a weekly noise monitoring report to the City. The report must clearly identify instances in which noise exceeded the maximum permissible sound levels identified in Condition of Approval no. 8(c). Noise monitoring reports must be furnished to the City and reviewed with City representatives. Additional noise mitigation measures may be required based on the results of the monitoring reports and noise complaints.
- g. Sound Transit must provide a weekly report of all noise complaints received and any investigation and/or resolution of each complaint.
- h. The following noise-related best management practices must be adhered to for the duration of work:
  - i. Construction and stationary equipment must be strategically located where feasible such that residents do not have direct line-of-sight to the equipment. Where feasible, noise barriers such as shields, noise blankets, skirts, concrete barriers, or others must be placed around equipment conducting noisy work prior to commencement of such work.

- ii. Vehicles must be equipped with ambient sensitive back-up warning devices. Back-up observers may be used in lieu of back-up warning devices for all equipment except dump trucks in compliance with WAC 296-155-610 and WAC 296-155-615. Dump trucks must use back-up observers and back-up warning devices in compliance with WAC 296-155-610.
- iii. Trucks performing export haul must have bed liners that are inspected and approved by Sound Transit or its selected contractor.
- iv. Truck tailgate banging is prohibited. Tailgates must be secured to prevent banging.
- v. Where feasible, Sound Transit or its selected contractor must substitute electrically-powered tools and equipment.
- vi. If deviation from work hours presented in Condition of Approval no. 8(a) is granted by the City, the noisiest activities must be completed prior to midnight whenever possible.

9. Site Work:

- a. Sound Transit must prepare and submit all plans for City review and approval, including (at a minimum) the following plans described in the application documents: Tree Protection Plan; Hazardous and Contaminated Waste Management Plan; Spill Prevention, Control, and Countermeasures Plan; and Stormwater Pollution Prevention Plan. These plans must be prepared by qualified professionals. These plans must be complied with throughout the duration of the project.
- b. The required Tree Protection Plan must include consultation with a certified arborist or similar qualified professional. Sound Transit must receive City approval of the required Tree Protection Plan prior to commencement of work affecting trees within the project limits. This plan must be complied with throughout the duration of the project.

10. Site Maintenance:

- a. Sound Transit must install Temporary Erosion and Sediment Control (TESC) measures at each site prior to commencement of work on said site. TESC measures must be monitored and maintained throughout construction. TESC measures, including catch basin inserts, must be removed prior to close-out of the NPDES permit unless otherwise requested by Sound Transit in writing and approved by the City in writing.
- b. Sound Transit shall comply with all applicable terms of MTMC 8.15.040(E).

11. Right-of-Way Use and Traffic Control:

- a. Sound Transit must prepare and submit a Traffic Control Plan including a Maintenance of Traffic Plan for review and approval by the City for work affecting City right-of-way. Sound Transit must receive approval of the Traffic Control Plan and Maintenance of Traffic Plan prior to commencement of work affecting City right-of-way and/or vehicular circulation. Sound Transit can prepare these plans in phases for work affecting rights-of-way on separate sites or occurring at significantly different times during construction. This plan must be updated any time there is a significant change in scope of activity affecting work within City

right-of-way. This plan must be complied with throughout the duration of the project.

- b. Sound Transit must maintain construction haul routes free of mud, dirt, and debris caused by work associated with the project. Sound Transit must perform street sweeping along haul routes on a weekly basis or as directed by the City. The time and day of street sweeping must be coordinated with the City's Public Works department and must avoid peak traffic periods.
- c. The use of off-site private driveways not owned or controlled by Sound Transit for construction vehicle turn-around is prohibited unless Sound Transit obtains the property owner's consent in writing.
- d. Any City street or public property damaged by vehicles or equipment related to this project must be repaired and/or restored to pre-construction condition or better prior to substantial completion. The City must inspect the area of repair/restoration and formally accept it by the same process as any improvements to be transferred to the City.
- e. Sound Transit must notify affected property owners no less than five (5) calendar days and no more than fourteen (14) calendar days prior to utility, paving, repair, or other activities in the right-of-way that may restrict access. At a minimum, notice must be provided in writing to each of the affected property owners and must include the anticipated start, duration, and end times of the planned work.
- f. Sound Transit must provide 24 hours advance notice for any lane or right of way closures to the following: Mountlake Terrace Police Department, Mountlake Terrace Department of Community and Economic Development, Mountlake Terrace Public Works Department, and South Snohomish County Fire and Rescue. Sound Transit must provide notice to the above-listed agencies immediately upon reopening the right-of-way.

12. Parking:

- a. Sound Transit must prepare and submit a Construction Parking Plan for review and approval by the City prior to commencement of work. This plan must be updated and complied with throughout the duration of the project. All updates to the plan must be coordinated and approved by the City via regular weekly construction meetings.
- b. Parking of any vehicles or equipment associated with the project must be within the boundaries of any site or property owned or controlled by Sound Transit. Construction vehicles and/or equipment must not be parked in the City right-of-way unless authorized in writing by the City Engineer.

13. Vehicles, Machinery, and Equipment:

- a. Machinery and equipment must be kept in a state of good repair. Broken or inoperable equipment must be repaired or removed from any site into an appropriate repair facility.

- b. Idling of machinery and equipment for a duration longer than five (5) minutes is prohibited outside of approved work hours set forth in these Conditions of Approval, unless required to maintain safe operation of the equipment.
- c. Overhead equipment, including a mobile crane and/or boom truck, must be operated such that the boom and any load does not encroach into the air space above adjacent properties not owned or controlled by Sound Transit unless Sound Transit obtains the property owner's consent in writing.

14. Haul Routes:

- a. Construction-related vehicles and trucks utilizing City streets must follow the haul routes set forth in the Guideway and Site-Specific Drawings (Exhibits 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) except where modified by these, or other, Conditions of Approval.
- b. Sound Transit must submit a haul route plan to be approved by the City Engineer prior to commencement of hauling activities by heavy vehicles.
- c. Roadways used by Sound Transit as construction haul routes, staging, or for any other construction-related activity or work must be kept in good repair as defined in City public works standards.
- d. Sound Transit must document the existing conditions of roadways and pavements along all construction haul routes serving heavy vehicles, prior to commencing work and again after work is substantially complete per ASTM D6433. This documentation shall be used for resolving responsibility for damages to public streets caused by work related to the project. All haul routes shall be repaired and/or restored to preconstruction condition or better. If the condition of any roadway used by Sound Transit for construction-related activities or work cause potholes or a failed roadway condition (PCI 10 or less) as determined by the City Engineer, it must promptly be repaired and/or restored to preconstruction condition or better.
- e. Half-street grind and overlay, where required at each site, must occur after work at each site is complete, i.e. just prior to substantial completion, unless modified by these, or other, Conditions of Approval.

Sound Transit will coordinate with Edmonds School District to identify overlap between school bus routes and construction haul routes and must take appropriate measures to inform construction haul route drivers.

- f. Sound Transit must identify the locations of non-signalized crosswalks along the haul routes. Sound Transit must coordinate with the City's Public Works department to install crossing flags at non-signalized crosswalks along the haul route. Sound Transit is responsible for all costs of materials and installation of the crossing flags. The crossing flags must be installed prior to use of the construction haul routes by heavy vehicles.

15. Improvements to be Transferred:

- a. All improvements to be transferred to the City must be inspected by City staff or City designee prior to acceptance of said improvements.
- b. Sound Transit must provide a Bill of Sale showing valuation for all improvements that are transferred to the City.

16. Critical Areas:

- a. Work in critical areas must be performed consistent with all applicable requirements in Mountlake Terrace Municipal Code (MTMC) 16.15.
- b. Sound Transit must prepare a Critical Areas Report Addendum to revise the wetland boundaries for WMT6. The Addendum must include a reassessment of potential permanent and temporary impacts to Wetland WMT6 and be accompanied by a new wetland rating form. The addendum must be submitted to the City for review and approval prior to commencing work in the vicinity of Wetland WMT6.
- c. Sound Transit shall complete additional geotechnical borings to confirm project design basis, including potential for liquefaction. Sound Transit's geotechnical engineer of record shall be on site during construction of key project elements, including the elevated guideway drilled shafts at the north and south ends to observe and document subsurface conditions encountered during construction, and if necessary, re-evaluate liquefaction potential and its impact to the structures should subsurface conditions be encountered that are substantially different from the basis of design.

17. Landscaping:

- a. Required landscaping must be installed and maintained by Sound Transit in a healthy growing condition free of weeds, trash, and debris for the duration of construction or work, use, and ownership of any real property related to this project pursuant to MTMC 19.130.
- b. Sound Transit must establish a landscaping and irrigation maintenance guarantee for two (2) full growing seasons pursuant to MTMC 19.130.090. The maintenance guarantee must be on file with the City prior to the issuance of a certificate of occupancy and/or final acceptance of improvements.

18. Tree Removal within the City:

- a. Sound Transit must submit a final 100% Tree Removal and Mitigation Report for City review and approval prior to commencing any tree removal or site grading activities. This final Tree Removal and Mitigation Report will be the initial tally of removed trees for mitigation.
- b. All trees not indicated as "retained" in the tree survey must be considered removed and must be mitigated.
- c. Tree removals must be monitored by an on-site project arborist, who must be a certified arborist.



- d. A Supplemental Tree Inventory completed by the project arborist in the same format as the Tree Removal and Mitigation Report set forth in Exhibit ST-20 must be submitted prior to tree removal on any particular site. A comparison of both documents must be compiled by Sound Transit at substantial completion to determine the final number of tree removals. Any trees removed that have not been mitigated must be mitigated as follows:
    - i. Trees not located in priority habitat areas must be mitigated pursuant to MTMC 19.130.190.
    - ii. Trees located in priority habitat areas will be mitigated in the form of payment of fee in lieu pursuant to the concurrence letter dated February 13, 2019 and included in Exhibit ST-09. The total amount of fees in lieu has been determined by the concurrence letter dated February 13, 2019 and included in Exhibit ST-09.
    - iii. If more than 14 additional trees are removed in priority habitat areas, mitigation for the additional trees must be in the form of payment of a fee in lieu using the same mitigation ratio set forth in the concurrence letter dated February 13, 2019.
19. Fencing: Unless noted in site-specific conditions contained herein, permanent chain-link fencing installed as part of this project must be coated in black vinyl.
20. Construction Permit Issuance: The City will not issue construction permits until Sound Transit owns or otherwise controls the subject properties affected by the Project pursuant to MTMC.
21. Exposed Walls: All concrete walls exposed to public view within the City and outside WSDOT right-of-way must have the Barn Wood Schedule architectural treatment per drawing GW-SWD082 dated March 18, 2019 as provided by Sound Transit unless otherwise modified by these Conditions of Approval.
22. Stormwater: All temporary and permanent improvements must conform to the City's stormwater code (Chapter 16.20 MTMC) and the Department of Ecology's 2014 Stormwater Management Manual for Western Washington or any amendment thereto.

#### **Site A**

No site-specific conditions required for this segment.

#### **Site B (Station)**

23. Pedestrian Access:
- a. Sound Transit must prepare a trail closure plan identifying proposed closure measures to be implemented during construction, such as signage and security patrols. The plan must be submitted to the City for review and approval prior to trail closure. Sound Transit must maintain security of the closed trail for the duration of construction.
  - b. A pedestrian/bike trail must be established by Sound Transit to connect the southern end of the existing Veterans Park trail to 236<sup>th</sup> Street. The trail connection must be designed to meet the following minimum requirements:
    - i. Where properties are owned or controlled by Sound Transit, Sound Transit must transfer property necessary or record an easement

- benefitting the City for the trail connection across Site B from Veteran's Park to 236<sup>th</sup> Street. The easement must be a minimum of 12 feet in width and must be recorded prior to the opening of service of the station.
- ii. Disturbed areas of the trail within Veterans Memorial Park must be restored to an eight-foot-wide trail width as described in Condition of Approval no. 20.b.iii-iv.
  - iii. The constructed trail surface must be two inches (2") of asphalt on four inches (4") of base course. The paved surface must be a minimum of eight feet in width and must be illuminated at a pedestrian scale for safety.
  - iv. The trail must be constructed in compliance with the Americans with Disabilities Act (ADA).
  - v. The trail must not cross the bus loop to protect the safety of trail users.

24. Permanent Fencing & Walls:

- a. Fencing associated with public areas of the station and/or park, including gates, must be wrought iron and must be a minimum of six feet in height.
- b. Fencing associated with the guideway and/or service roads must be black vinyl-coated chain-link. Alternative fencing designs can be approved in writing by the Community and Economic Development Director.
- c. A decorative wrought iron fence must be installed for the full length of the Veterans Park pedestrian trail from the end of the south wall to the north wall. The fencing must terminate at the point where the north wall is five feet in height above existing grade. The fence must be six feet in height. Sound Transit must submit a final fencing design detail to the City for review and approval by the Community and Economic Development Director.
- d. The fencing behind the utility vault in front of the parking garage and located south of the parking garage entrance road must be wrought iron and must be a minimum of six feet in height.
- e. Vegetative screening must be installed and maintained to obscure the 12-foot high wall at the traction power substation (TPSS) as shown in Exhibit MLT-14. Sound Transit must prepare and submit a planting plan to the City and for review and approval by the Community and Economic Development Director.
- f. A transparent sound/noise wall is required on the west side of the station platform. The wall must extend from face-of-elevator to face-of-elevator and be fully transparent from top to bottom as depicted in the rendering in Exhibit ST-25. Sound Transit must submit a final design detail to the City for review and approval by the Community and Economic Development Director.

25. Screening:

- a. Emergency stairwell screening must be installed on the south side of the station to platform height. Screening must be steel with a surface as presented in the drawing SB-AEE100 dated March 18, 2019.
- b. Above ground utility vaults and/or enclosures must be fully screened from public view by (in order of preference) decorative wrap, sight-obscuring landscaping,

and/or fencing. Sound Transit must submit a final design detail to the City for review and approval by the Community and Economic Development Director.

26. Aesthetic Elements:

- a. All exterior station seating areas on the platform must be protected with wind screening and overhead weather protection consistent with the approved plan SB-AEE102 & SB-SED521 dated March 18, 2019.
- b. The colors and finishes of light fixtures, street furniture, and trash and refuse receptacles located within the surface parking lot and 236<sup>th</sup> Street SW frontage must be consistent with Mountlake Terrace Town Center standards. Sound Transit must submit final design details for each of these elements to the City for review and approval by the Community and Economic Development Director.
- c. Existing fused glass art tiles created and installed as part of the 1% for Art program must be retained in place or if tiles must be moved they must be reused on-site in a prominent and publicly-visible location. If reused on site, final location must be reviewed and approved by the Community and Economic Development Director.
- d. Bike lockers and/or cages (if used), including fire-rated coverings over bike lockers located under the exit stairwell, must blend aesthetically with the architectural style of the station. The use of decorative metal enclosure(s) must be considered for bike storage facilities. Final finishing type, texture, color, and location of bike lockers and/or cages must be approved by the Community and Economic Development Director prior to installation.

27. Electric Vehicle Charging Stations: All 20 existing vehicle charging stations must be relocated to the lower level of the parking area as shown on drawings (Exhibit ST-B02). Final location must be reviewed and approved by the Community and Economic Development Director. Charging stations must be maintained in an operable condition throughout the duration of construction after relocation. Charging stations must only be unavailable for use for a total maximum of nine (9) months.

28. Maintenance Agreement: Sound Transit and the City must enter into any maintenance agreements necessary for the two new sewer drop structures prior to acceptance of the structures or any related improvements. The maintenance agreement must include provisions requiring Sound Transit to maintain the side sewer line to the drop structure.

29. Utility Easement: Sound Transit must procure a 20-foot permanent easement for the City for all relocated City-owned stormwater, water, and sewer underground utilities prior to final approval.

30. Utility Hookup Fees: Sound Transit must pay applicable utility hookup fees at time of building permit issuance consistent with the MTMC.

**Site C (59<sup>th</sup> Place, temporary parking lot)**

31. Temporary Parking Lot: The temporary parking lot and related improvements, and their removal, must comply with MTMC section 19.50.075. Sound Transit must remove improvements associated with the temporary parking lot prior to project close-out.

32. Vegetation:

- a. All plantings associated with the temporary parking lot must be maintained for the duration of use. Plantings must be installed in conformance with the submitted planting plans (Exhibit ST-C02).
  - b. The temporary parking site must be graded and hydro-seeded immediately after removal of all temporary improvements.
33. Right-of-Way Use Permit: Any necessary right-of-way permit(s) for 59<sup>th</sup> Place W must be submitted to and approved by the City prior to commencement of work. The right-of-way permit will expire when the temporary parking lot is removed.
34. Frontage Improvements: Frontage improvements must match the final 236<sup>th</sup> Street SW improvements as shown on the plans (Exhibit ST-C02). Final frontage improvements must be reviewed and approved by the City Engineer and must be inspected prior to acceptance.

**Site D**

35. Fencing: Fencing must be installed in substantial conformance with plans on file (Exhibit ST-D02). The required 15-foot setback for fencing set forth in MTMC 19.30.030.C [RS-7200 zone] is waived to address potential negative impacts to the property.
36. Retaining Walls: Sound Transit will design the retaining walls on the east side of the guideway such that subsurface tiebacks on adjacent private properties will not be required, unless permanent subsurface easements are obtained from the property owners prior to construction.

**Site E**

No site-specific conditions required for this segment.

**Site F**

37. Right-of-Way Improvements:

- a. Required right-of-way improvements must extend to the centerline of the 222<sup>nd</sup> Street SW right-of-way.
  - b. Half-street improvements are required at the intersection of 62<sup>nd</sup> Avenue W and 222<sup>nd</sup> Street SW pursuant to MTMC 17.10.050.
  - c. Boundary Line Adjustment: All proposed structures are required to meet building setback requirements. A Boundary Line Adjustment may be required by the City prior to building permit submittal. If required, Sound Transit shall prepare, submit, and record upon approval by the City a Boundary Line Adjustment to consolidate the Site F properties and create a separate lot for the signal bungalow consistent with Chapter 17.02 MTMC.
38. Noise Wall: The sound/noise wall must be finished with an aesthetically-pleasing treatment. Sound Transit must submit a final design detail to the City for review and approval by the Community and Economic Development Director.
39. Site Access: All access to the site must be through the asphalt pad at the signal bungalow through a gate to the south if needed.

40. Signal Bungalow:

- a. The signal bungalow and related maintenance facilities must be located within a separate legal lot of record. This lot must be the minimum size necessary to contain and provide access the bungalow.
  - b. Sound originating from mechanical equipment, including generator and HVAC units, related to the signal bungalow must be mitigated such that ambient noise levels are not increased at the nearest property line of receiving properties. Acceptable forms of mitigation include dense vegetation, acoustic panels, and similar treatments. If constructed or installed sound mitigation is necessary, Sound Transit must submit a final design detail to the City for review and approval by the Community and Economic Development Director.
  - c. The signal bungalow must be enclosed by a masonry wall with a decorative wrought-iron gate, of sufficient height to fully obscure all elements of the signal bungalow from view by the public right-of-way and neighboring properties. The wall must be screened by Type III landscaping. Sound Transit must submit a final planting detail to the City for review and approval by the Community and Economic Development Director. The decorative wrought iron fence must be a minimum of six feet in height. Sound Transit must submit a final fencing design detail to the City for review and approval by the Community and Economic Development Director.
  - d. Sound Transit must own and maintain all drainage facilities associated with the signal bungalow and hi-rail access.
  - e. Back up alarms by vehicles accessing the tracks at the hi-rail access point must not be activated by vehicles outside of the sound walls. Sound walls and gates must attenuate all sound such that surrounding residential properties do not experience elevated noise levels. Emergency vehicles are exempt from this requirement.
  - f. Exterior lighting from the signal bungalow must be designed and installed to prevent any and all light spillover onto adjacent properties.
41. Access Routes: All vehicle haul routes and access routes to Site F must be upgraded to accommodate the largest vehicles used during construction and permanent access to the proposed hi-rail access point.

**Site G**

42. Right-of-Way Vacation: Sound Transit shall prepare and submit a complete street vacation petition for the portion of 222<sup>nd</sup> Street SW beginning at the western limit of the guideway corridor and extending to the I-5 right-of-way for consideration by the City Council, and if approved must be recorded with the Snohomish County Recorder's Office prior to beginning revenue service. Sound Transit is responsible for recording the final document.
43. Utility Easement: Sound Transit must record an easement with Snohomish County benefitting the City for relocated City-owned underground utilities. The easement must

be a minimum of 20 feet in width and must be recorded at the time of right-of-way vacation.

44. Noise Wall: The sound/noise wall must continue the aesthetic treatment of the sound/noise wall installed on Site F.
45. Frontage Improvements: Frontage improvements must be installed from the southern limit of the 222<sup>nd</sup> Street SW right-of-way to the centerline of the 222<sup>nd</sup> Street SW right-of-way. The remainder of the frontage improvements required for Site G are deferred until no later than February of 2026.

#### **Site H (Melody Hill)**

46. Frontage Improvements: The required frontage improvements along 222<sup>nd</sup> Street SW are deferred to no later than February of 2026. Once work within City limits is complete, permanent frontage improvements including street, sidewalk, landscaping, and related improvements must be installed by Sound Transit.
47. Neighborhood Visual Screening and Sound Mitigation:
  - a. A 10-foot wide landscape buffer consisting of Leyland cypress and measuring eight (8) feet to ten (10) in height at the time of planting, planted at six (6) foot on center; interspersed with either Swedish aspen or Lombardi poplar every fourth planting. In the foreground, interspersed between the trees, placement of five (5) gallon purple osier willow planted a minimum of six (6) feet on center installed along the west and south property lines as depicted in Exhibit MLT-15 except at vehicular access points.
    - i. The landscape buffer must be inspected and approved by the Director of Community and Economic Development prior to commencement of work.
    - ii. The landscaping must be maintained by Sound Transit for the duration of use and ownership of the site, including an automatic temporary irrigation system.
  - b. The existing, mature trees shown in Exhibit MLT-16 must be retained and maintained in good health for the duration of work. If trees are removed to provide for site ingress/egress then trees must be replaced with conifers planted at a minimum of eight (8) feet in height and at a ratio of three replacement trees for each removed tree. Replacement trees must be shown on a planting plan prepared by Sound Transit and submitted to the City for review and approval by the Community and Economic Development Director. Tree protection fencing must be installed around the perimeter of the trees and must be inspected by the project arborist prior to use of the site for construction staging.
  - c. A constructed visual barrier of solid wood, or other material as approved by the Community and Economic Development Director, measuring a minimum of twelve (12) feet in height, must be installed along the west and south sides of the property. The barrier must be set back a minimum of ten (10) feet from the nearest property line. Along the north and east sides of the property, an eight-foot (8) high chain link fence must be installed at the top of the slope. Fabric visual screening material must be installed on the chain link portion of the fence. Any gates must be of same height and similar construction as the adjacent barrier and/or fencing.

- d. Sound Transit must install a noise barrier sufficient to mitigate site-specific project noise for affected residential properties consistent with Condition of Approval no. 8. The noise barrier must be based on a site-specific noise analysis that considers all work-related activities that will occur on the site. The noise barrier may be combined with the visual barrier required in Condition of Approval no. 49(c), above. The gates for the access points on 222<sup>nd</sup> Street SW must be of equivalent sound attenuation capability.
  - e. All sound and visual barriers must be installed prior to use of the site, except for the installation of the temporary erosion and sediment controls.
48. Staging Area Management Plan: Prior to beginning use of the site for construction staging, Sound Transit must provide a site-specific Staging Area Management Plan for review and approval by the City. The plan must include phased site drawing(s) depicting: parking, material storage, temporary offices, access/egress, location of sanitary units, and other construction support activities. The plan must also include a narrative describing the construction activities anticipated to be performed on the site, for the duration of the project.
49. Lighting:
- a. All temporary or permanent lighting must be shielded and fully downcast to prevent light trespass on adjacent properties and the public right-of-way.
  - b. A temporary lighting plan must be submitted and approved by the City prior to use of the site for any purpose. Any changes to the lighting during the duration of the project must be resubmitted and approved to the City prior to use.
50. Construction Ingress/Egress:
- a. Heavy vehicles must use the northern construction ingress/egress on 220<sup>th</sup> Street SW and/or I-5 on-ramp.
  - b. Heavy vehicles are prohibited on 222<sup>nd</sup> Street SW, unless development of alternative access is not physically possible as agreed to by the City.
  - c. Any alternatives or deviations to this haul route must be approved in writing by the City Engineer.
  - d. Idling or running of equipment or vehicles outside of approved working hours and along residential streets is prohibited.
  - e. All vehicles arriving or departing outside normal working hours set forth in Condition of Approval no. 8(b) must use the ingress/egress entrance on 220<sup>th</sup>.
51. Temporary Use: Approved use of this site for maintenance, construction activities, or staging is considered temporary and approval expires upon commencement of light rail revenue service except to implement Condition of Approval no. 46.
52. Sanitation:
- a. All on-site restrooms and/or toilets and/or any other sanitation facilities associated with any job trailers must be tied into the City sewer and water system.

- b. Other on-site sanitation facilities shall be identified on the Staging Area Management Plan and submitted to the City for approval.

**Site I:**

53. Frontage Improvements:

- a. Frontage improvements along 220<sup>th</sup> Street SW are required and may be deferred to no later than February 2026.
- b. Half-street street grind and overlay is not required at this location. ADA access improvements must be installed on 220<sup>th</sup> Street SW.

54. Monument Sign: The monument sign removed at this location for construction of the project must be replaced with a future sign foundation to be approved by the Director of Community and Economic Development. Sound Transit must provide a design detail to the City for review and approval. Electrical service and irrigation must be provided to base of sign.

**Site J:**

55. Pedestrian Safety: Pedestrian crossing signage and flags must be installed at curb bulbs.

56. Wetlands: On-site wetland areas as delineated must be documented in an Addendum to the Critical Areas Report and mitigated prior to commencement of revenue service.

**Site K:**

57. Frontage Improvements: Required frontage improvements must include half-street grind and overlay at this site.

58. Critical Areas:

- a. Critical areas as delineated must be documented in an Addendum to the Critical Areas and mitigated prior to commencement of revenue service.
- b. Clearing limits shown in Exhibit ST-K02 must be marked in the field to prevent unauthorized intrusion into critical areas. Temporary markers must be maintained throughout construction per MTMC 16.15.260.

59. Fencing: The fence installed on the northeast side of the site must match existing fencing. If no fencing exists at this location, the fence installed by Sound Transit must be black vinyl coated chain link fencing no greater than six feet in height.

60. Planter Strip: A five-foot-wide planter strip must be installed between the curb and the sidewalk. The sidewalk may be adjacent to the curb to maintain the existing culvert with five-foot-wide planter strip behind the sidewalk.

61. Right-of-Way: Right-of-way along the street frontage must be dedicated to the City by Sound Transit as shown on the 100% design plans.

**Site L:**

No site-specific conditions required for this segment.



**Site M:**

62. Boundary Line Adjustment: All proposed structures are required to meet building setback requirements. A Boundary Line Adjustment may be required by the City prior to building permit submittal. If required, Sound Transit shall prepare, submit, and record upon approval by the City a boundary line adjustment to consolidate the Site M properties consistent with Chapter 17.02 MTMC.
63. Sidewalk: Sound Transit must design the proposed sidewalk to tie in to existing improvements. This transition may be allowed within the property frontage as shown on the 100% design plans.
64. Retaining Wall: Sound Transit and the City must cooperatively design the retaining wall to avoid precluding future development on the adjacent property.
65. TPSS Screening: The traction power substation at site M must be completely obscured by a polished concrete block with vine plantings from sight lines of pedestrians and vehicles on 212<sup>th</sup> Street SW consistent with the TPSS screening on Site B. Sound Transit must submit a final planting detail to the City for review and approval by the Community and Economic Development Director.