



STAFF REPORT AND RECOMMENDATION

Daisy Meadows

Public Hearing for the Daisy Meadow Preliminary Subdivision (PP19-001)

APPLICATION VESTING DATE: January 31, 2019

PROJECT NAME: Daisy Meadows

FILE NUMBER(S): PP19-001

APPLICANT: Acme Homes

PROJECT LOCATION: 31931 135th St (Approximately 700 feet west of the Intersection of 135th St SE and Sultan Basin Road, north of 135th St SE)

HEARING DATE: Friday, August 23, 2019 at 10:00 am

RECOMMENDATION: Approve with Conditions

STAFF CONTACT: Andy Galuska, Planning Director

A. PROJECT DESCRIPTION

The applicant is requesting preliminary subdivision approval to develop three existing lots into 70 lots for single family development.

B. GENERAL INFORMATION

- a) Applicant(s): Acme Homes, Robert Cumming, 10211 180th St SE, Snohomish, WA 98296
- b) Owner(s): Mark Raney, PO Box 735, Sultan, WA 98294
- c) Contact Person: Jeff Haugen, 3605 Colby Ave, Everett, WA 98201
- d) General Location: The site is located along the north side of 135th St SE approximately 700 feet west of the intersection of 135th St SE and Sultan Basin Road. (Township 28 North, Range 8 East, Section 32) (Exhibit 2).

- e) Site Address(s): 31931 135th St (Parcel Numbers 28083200100200, 28083200103400, and 28083200101000)
- f) Critical Areas: Critical area review of the site found one onsite wetlands and evidence of possible wetland areas offsite.
- g) Comprehensive Plan Land Use Designations, Zoning Designations and Existing Land Uses of the Project Site and Surrounding Area:

Direction	Comprehensive Plan	Zoning	Existing Use
Project Site	Low/Moderate Density / Moderate Density	Low Density/Moderate Density Residential	Single Family Residence
North	Moderate Density	Moderate Density Residential	Pasture
South	Moderate Density	Moderate Density Residential	Single Family Residences
East	Low/Moderate Density / Moderate Density	Low Density/Moderate Density Residential	Single Family Residences
West	Moderate Density (Recent Annexation)	Moderate Density Residential (Recent Annexation)	Single Family Residences

h) Public Utilities and Services Provided by:

Water:	On-Site Wells	Gas:	Puget Sound Energy
Sewer:	On-Site Septic	Cable TV:	Comcast
Garbage:	City of Sultan	Police:	Snohomish County Sheriff
Storm Water:	On-Site	Fire:	Snohomish County #5
Telephone:	Verizon	School:	Sultan School District
Electricity:	Snohomish County PUD #1	Hospital:	Evergreen Health

C. APPLICATION REVIEW PROCESS

a) Regulatory Requirements for Review of Quasi-Judicial Actions:

Pursuant to Sultan Municipal Code (SMC) sections 2.26.090 and 19.06.060 preliminary plats are quasi-judicial actions subject to a public hearing with the Hearing Examiner as the decision authority on the level III application. The Hearing Examiner shall review and examine available information, conduct fair and impartial public hearings, prepare a record thereof, and enter findings, conclusions, recommendations, or decisions.

The Hearing Examiner, in accordance with SMC 2.26.120, shall render a written decision on preliminary plat applications within ten working days of the conclusion of a hearing. Appeals of the Hearing Examiner decisions on subdivisions may be appealed to Snohomish County Superior Court with the required fees/deposits by a party with standing in accordance with the procedures of Chapter 36.70C RCW, or other court of competent jurisdiction as provided by law (SMC 2.26.140).

b) Application Submittal and Completeness:

The Daisy Meadow preliminary subdivision application was received by the City of Sultan on January 31, 2019 (Exhibit 4 & 11). The application was deemed complete on February 8, 2019 in accordance with SMC 19.26.050.

c) Public Notification and Comments:

Public notice for the application was provided in accordance with the requirements of the SMC 19.34.070. A Notice of Application was published, posted, and mailed on March 18, 2019 (Exhibit 7 & 8). A public comment period was provided from March 18, 2019 through 5:00pm on April 30, 2019. Comments were received from several members of the community which are included as Exhibits 9.1 – 9.12. The major concerns were related to the impacts of new residences including traffic, public utilities, and noise. These concerns are addressed in the body of this staff report.

A Notice of Public Hearing was published, posted and mailed on August 5, 2019 in accordance with SMC 19.34.080. The date of the open record public hearing with the Hearing Examiner was set for Friday August 23rd at 10:00 AM. Public testimony may be provided during the public hearing pursuant to Chapters 19.26 and 2.26 SMC.

D. FINDING OF FACT

a) Application Submittal and Completeness:

The application was submitted on January 31, 2019 and determined complete on February 8, 2019. Several requests were made and the applicant submitted several revised sets of plans in response. In the initial submittal, the design of the project assumed a rezone of the Low Density portion of the property to Moderate Density. The applicant later revised the project so that a rezone was not necessary. The proposal under consideration does not assume a rezone approval and review was completed under the current zoning designations.

b) Environmental Review:

A Determination of Non-Significance (DNS) was issued, published, posted and mailed on August 5, 2019. The DNS provided a comment period ending at 5:00 PM on August 19, 2019. No appeals regarding the SEPA threshold determination were received by the City during the specified appeal period. Comments from the public were received on the project but none specifically commented on the findings of the DNS.

c) Bulk Requirements and Dimensional Standards:

Per Chapter 16.12 SMC Permitted Uses-Table of Dimensional and Density Requirements and SMC 16.12.020 Table of Dimensional and Density Requirements, the development shall comply with the following standards for the Low and Moderate Density zones:

	Except of SMC 16.12.020 Table of Dimension and Density Requirements	
Bulk Requirement	Low Density Residential Zone	Moderate Density Residential Zone
Minimum Lot Size	8,600 square feet	4,500 square feet
Minimum Lot Width	70 feet	50 feet
Minimum Lot Depth	100 feet	80 feet
Minimum Front Yard Setback	20 feet	20 feet
Minimum Side Yard Setback	5 feet	5 feet
Minimum Rear Yard Setback	10 feet	10 feet
Maximum Building Height	30 feet	30 feet
Maximum Lot Coverage	50 percent	60 percent
Maximum Units an Acre for Single Family Detached	5 units/acre	10 units/acre

d) Density Calculations and Allowance:

Per SMC 16.12.020, the maximum units an acre is five for the low-density portion and ten for the moderate density portion. However, the SMC is silent as to whether that is gross or net density. Staff uses the net density as it is a more conservative amount.

Low Density (Maximum Allowed: 5 units/acre)

Total Subject property (Net): 19 lots (some partial) / 3.87 Acres (168,749 SF) =
4.91 units/acre.

Moderate Density (Maximum Allowed: 10 units/acre)

Total Subject property (Net): 64 lots (some partial) / 6.7 Acres (293,006 SF) =
9.55 units/acre.

e) Lot Averaging (Chapter 19.44 SMC):

The proposed plat uses the Lot Averaging allowances in its design. Because the subject property is split zoned the applicant has provided separate calculations for each zone on the property (Exhibit 19). Where proposed lots are split zoned the lot is counted for both zones. Staff has confirmed that the provided calculations match those in SMC 19.44.040 and that these calculations match the proposed plat plan. SMC 19.44.030(A) states that lot averaging only applies to creation of lots for detached single-family residences. The approval shall be conditioned with the requirement that a note be included on the face of the final plat document which states the lots may only be developed with detached single-family residences.

f) SMC Title 19 Preliminary Plat Review Criteria:

Per SMC 19.08.080 each proposed subdivision shall be reviewed for its compliance with all the criteria and standards listed in this section. This Proposal has been found to comply with the following:

I. **The Proposal conforms to:**

(a) **The goals, policies, criteria and plans.**

The City of Sultan’s Comprehensive Plan Future Land Use Map (adopted by Ordinance 1262-17) designates this project site as both “Low/Moderate Density” and “Moderate Density” (Exhibit 5). The property’s zoning designation is split between “Low Density Residential” and “Moderate Density Residential” (Exhibit 5). The proposed preliminary plat, reviewed under both Low Density Residential and Moderate Density Residential zoning conforms to the City of Sultan’s Comprehensive Plan for the portions which are designated “Low-Moderate Density” (4-6 units per acre) as well as “Moderate Density” (6-10 units per acre).

The City of Sultan’s Comprehensive Plan Table 3-6 provides the following description of the “Moderate Density” land use designation:

Designation	Description	Location Criteria
Low-Moderate Density	The Low/Moderate (LMD) designation is intended to accommodate residential neighborhoods with active and passive recreational facilities and neighborhood-oriented commercial activities.	Primarily on the outskirts of the city, where residential densities have traditionally been lower (4-6 dwelling units per acre) than in other areas of Sultan.
Moderate Density	The Moderate designation is intended to accommodate medium density residential development, active and passive recreational facilities, small office development, as well as neighborhood-oriented commercial enterprises.	Primarily areas that are, at the present time, largely served by municipal sewer and water lines and have a residential density between 6 to 10 dwelling units per acre.

(b) **Sultan water system plan.**

Proposed water is reviewed, approved and will be constructed on site by the applicant during subdivision improvement construction. The applicant has submitted a conceptually feasible plan during the preliminary plat application phase.

(c) Sultan general sewer plan.

Proposed sewer is reviewed, approved and will be constructed on site by the applicant during subdivision improvement construction. The applicant has submitted a conceptually feasible plan during the preliminary plat application phase.

(d) Sultan critical areas regulations.

The site is not located within a floodplain or the shoreline jurisdiction. An area of wetland was identified onsite. The delineation of the wetland was completed by the applicant and the City's consultant has confirmed that the wetland has been accurately delineated and the proposed NGPA will exceed the required buffer. Staff identified possible wetlands offsite. There are areas of wetlands noted on the National Wetland Inventory and an outdated wetland study had previously identified wetlands within 300 feet of the proposed development. Because these areas are on privately owned property it was not possible to do a full delineation to confirm the existence or exact location of wetlands offsite. Based on the information available this is likely a category 3 wetland with a habitat score less than five. Using aerial photos our best estimate is that if a wetland exists it is more than twenty feet from the eastern property line. The applicant worked with the City and their environmental consultant and a forty-foot open space tract was approved as significant mitigation to ensure there are no impacts if there are offsite wetlands.

(e) Sultan concurrency management system.

All direct impacts of the proposal have been or will be mitigated through municipal code requirements and the conditions of the preliminary plat approval.

Per Chapter 16.70 SMC, strategies and financial commitment are required to complete necessary improvements or strategies within six years of time of development as set forth in the Comprehensive Plan. This includes the payment of mitigation and/or impact fees for water, sewer, wastewater, park, transportation and schools.

According to the information presented in the development application, as well as the analysis completed by the City's Engineering consultant the development does not lower the level of service on the following public facilities and services below the minimum standards established within the City of Sultan Comprehensive Plan. Hydraulic modeling of the City's sewer service for this proposed development shows that the sewer mains under Main St have been identified as having insufficient capacity for existing and projected flows. However, these sewer mains have not been observed to have any surcharging issues in the past.

The City's General Sewer Plan has identified improvements to resolve these sewer main deficiencies so that sewer mains provide adequate capacity for projected 20-year peak hour flows. The City is currently collecting data to better refine sewer

modeling to determine with greater accuracy what capacity exists in the sewer system and what improvements might be necessary. Prior to approval of the civil plans the City shall have determined what offsite improvements are required and the applicant shall be required to construct or pay for the construction of improvements identified in the General Sewer Plan commensurate with the impact of the proposed development.

(f) Sultan stormwater management performance standards.

Staff has reviewed the preliminary design and determined that it is likely the project can meet all the stormwater management standards. A fully engineered set of plans will be reviewed during civil plan review. This criterion is met.

(g) Sultan shoreline master program.

The site is not located within the shoreline jurisdiction for the City. This provision does not apply.

(h) Stormwater management manual for Western Washington.

Staff has reviewed the preliminary design and determined that it is likely the project can meet all the stormwater management standards. A fully engineered set of plans will be reviewed during civil plan review. This criterion is met.

II. The proposal conforms to the development standards set for in SMC Title 16, Zoning Code.

As discussed in the staff report staff have reviewed the proposed development and found that it complies with all the applicable requirements in SMC Title 16. This criterion is met.

III. The proposal conforms to the requirements of this chapter and Public Works Engineering Design and Development Standards (EDDS) and Chapter 19.42 SMC, Public Facility Requirements.

Staff have reviewed the proposal to confirm that it complies with the adopted EDDS with one exception. Due to the location of the PSE easement and existing road stubs it was difficult for the applicant to design blocks which are less than 800 feet between intersections. The Public Works Director granted a deviation with the condition that the applicant construct trails along the PSE easement with an easement which allows for public use of the facility. The trail surface shall be improved with asphalt or concrete. With the recommended condition this criterion is met.

IV. The proposed street system conforms to the City of Sultan Public Works Engineering Design and Development Standards (EDDS).

As discussed above staff has confirmed the proposed road system conforms to the Sultan EDDS with one granted deviation.

- V. **The proposed subdivision is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic.**

Conformance with the adopted EDDS is adequate to ensure safe, orderly, and efficient circulation of traffic. This criterion is met.

- VI. **The proposed subdivision will be adequately served with City-approved water and sewer and other public utilities appropriate to the nature of the subdivision.**

As discussed in the concurrency section the City has confirmed that there is adequate public utilities to serve the proposed subdivision.

- VII. **The layout of the lots and their size and dimensions take into account topography and vegetation on the site in order that buildings may be reasonably sited, to minimize disruption of the site, topography, trees and vegetation.**

All of the proposed lots are reasonably sited in consideration to the site, topography, trees, and vegetation. This criterion is met.

- VIII. **Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.**

The applicant submitted a geotechnical report (Exhibit 16). There is no evidence of any issues with geologic stability in the soils onsite. Additional review will occur onsite during civil plan review. This criterion is met.

- IX. **Pedestrian ways are provided as required in Public Works Engineering Design and Development Standards (EDDS).**

All of the proposed roads will have sidewalks and the applicant is proposing a pedestrian trail through the PSE easement. This exceeds the EDDS requirements. This criterion is met.

- g) RCW 58.17.110 Approval or disapproval of subdivision and dedication, factors to be considered, conditions of approval, finding, release from damages:

Pursuant to RCW 58.17.110, the City makes the following findings:

- 1) **The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine:**

- (a) **If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and**

other planning features that assure safe walking conditions for students who only walk to and from school; and

The preliminary plat map (Exhibit 3) confirms that the preliminary plat application includes provisions for the public health, safety, and general welfare including open spaces, drainage ways, streets or roads, potable water, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and sidewalks that assure safe walking conditions for students who only walk to and from school and the residents of the City. The Sultan School District was notified of the development application. All students in this development will be bused to Sultan Schools.

(b) Whether the public interest will be served by the subdivision and dedication.

The public interest would be served by the subdivision and dedication, provided that the subdivision and dedication were developed under the current zoning districts of "Low Density" and "Moderate Density" designations. Under this scenario, an existing parcel in the City would be developed allowing for efficient provision of public services consistent with the goals and objectives put forth in the Sultan Municipal Code and the City of Sultan 2015 Comprehensive Plan.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that:

(a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

The preliminary plat map (Exhibit 3) confirms that the preliminary plat application includes provisions for the public health. Staff analysis found the proposed development has made provisions for safety, and general welfare including open spaces, drainage ways, streets or roads, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and sidewalks that assure safe walking conditions for students who only walk to and from school and/or bus stop. Students in this development will be bused to Sultan Schools.

(b) The public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as

a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

The preliminary plat map (Exhibit 3) confirms that the preliminary plat application includes provisions for the public health, safety, and general welfare including open spaces, drainage ways, streets or roads, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and sidewalks that assure safe walking conditions for students who walk to and from school and/or bus stop. Areas designated for dedication to the City of Sultan are clearly shown on the face of the plat map and are noted in the conditions of preliminary plat approval. The subject proposal does not include dedication of a park. Per SMC Table 16.62-B, the applicant is required to provide 3 (three) recreation facilities. The applicant has chosen to pay a fee in lieu as allowed by SMC 16.62.070.

Per SMC 16.62.060, in addition to the recreation facilities requirements, the applicant shall provide at least 5 percent of the total land area of a residential subdivision of more than 10 lots shall be dedicated as open space tracts and shall be conveyed to the homeowner's association and/or an equal and undivided interest between all lots within the subdivision. The project's total land area is 614,589 square feet which requires 30,729 square feet of open space. The applicant has proposed 3 (three) open space tracts totaling 67,611 square feet which exceeds this requirement.

h) Critical Areas:

The applicant submitted a critical areas report (Exhibit 15) which found areas with elements of a wetland but which in the opinion of the author were not wetlands. The City's staff and a consulting specialist reviewed the applicant's findings and visited the site to investigate conditions. After discussion between the two parties it was agreed that there is one on-site wetland and evidence of wetlands offsite. The onsite wetland will be permanently protected in a native growth protection tract. The City's consultant has reviewed and agree that the provided buffers in the NGPA provide adequate protection of the wetland and this mitigation complies with the requirements of Chapter 17.10 SMC. A significant amount of effort was also paid toward the possibility of offsite wetlands to the east of the subject property. While these areas were on private property and a full delineation was not possible, reports from previous development applications, national wetland maps, and aerial photographs indicate there is a high likelihood wetlands exist offsite. The applicant has proposed an additional forty-foot open space track which will remain undeveloped to protect these possible offsite wetlands.

i) Utilities:

There is sufficient capacity available in the City's public water system to serve the proposed subdivision. All lots will connect to the City's water and sewer system. Sanitary sewer and water lines will be constructed in the proposed new streets within the subdivision in accordance the current City's Public Works Engineering Design and Development Standards (EDDS). According to the information presented in the development application as well as the analysis completed by the City's engineering consultant, we have determined that the

development will not lower the level of service on the following public facilities and services below the minimum standards established within the City of Sultan Comprehensive Plan. As discussed in the concurrency section of the staff report there are possible offsite improvements required to the sewer system based on the findings of updated sewer modeling.

As part of the civil plan review process, the applicant will install improvements to the stormwater system. Stormwater management will be designed to meet the requirements of the most current edition of the Department of Ecology Stormwater Management Manual for Western Washington as adopted by reference by the City of Sultan. The manual currently in use is the 2014 update to the 2012 Department of Ecology Storm Water Management Manual for Western Washington.

j) Streets and Traffic:

Access to the subdivision is proposed via 135th Street SE and Yew Ave. Internal access to individual lots will be provided by new public roads. As described above, the width of the proposed internal right-of-way will be constructed to an urban residential access road standard and improvements to 135th Street SE will be constructed to a collector road standard.

The applicant shall dedicate right-of-way for streets as shown on the proposed preliminary plat map. Frontage improvements, including curb, gutter, sidewalk, and parking strip shall be provided for all streets within the subdivision. Frontage improvements along 135th Street SE include, curb, gutter, a landscape strip and street trees and a sidewalk along the entire length of the property frontage. Traffic control devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision shall be constructed in accordance with the City's EDDS and installed by the developer to the satisfaction of the City prior to final plat approval.

Based on the Traffic Impact Analysis prepared by Gibson Traffic Consultants, Inc dated February 2019 (Exhibit 18), the development is anticipated to generate approximately 651 daily trips with 51 AM peak-hour trips and 68 PM peak-hour trips. The level of service analysis shows that all the study intersections in the TIA are anticipated to operate within acceptable level thresholds. Per SMC 16.70.100(A)(1), this project will not reduce the transportation levels of service below the adopted standard. The current standard is a level of service "D" for arterials while retaining the Washington State adopted level of service of "D" for US 2.

Impacts to the City's transportation system are also mitigated through the collection of traffic mitigation fees, in accordance with the City's traffic impact mitigation fee program established under Chapter 16.72 SMC. Impact fees require a standard fee amount per dwelling unit as a condition of residential development within the City. Traffic impact fees shall be paid in accordance with Chapter 16.72 SMC and shall be based on the fee schedule in effect at the time of payment. Frontage improvements and paving, including curb, gutter, sidewalk, and street trees, shall be installed along all public streets within the subdivision in accordance with the City's EDDS.

k) Recreational and Open Space Standards:

Per SMC 16.62.060, in addition to the recreation facilities requirements, the applicant shall provide at least 5 percent of the total land area of a residential subdivision of more than 10 lots shall be dedicated as open space tracts and shall be conveyed to the homeowner's association and/or an equal and undivided interest between all lots within the subdivision. The project's total land area is 614,589 square feet which requires 30,729 square feet of open space. The applicant has proposed 3 (three) open space tracts totaling 67,611 square feet which exceeds this requirement.

Impacts to the City park and recreation system from the anticipated additional public park users will be mitigated. In accordance with the City's park impact mitigation fee fees established under Chapter 16.72 SMC, impact fees require a standard fee amount per dwelling unit as a condition of residential development within the City. Park impact fees shall be paid in accordance with Chapter 16.72 SMC. Park impact fees shall be based on the fee amount in effect at the time of payment.

l) Schools:

Impacts to the Sultan Public Schools in the form of additional students are addressed through mitigation programs. The City of Sultan has adopted the Sultan School District 2017-2022 Capital Facilities Plan, and imposes impact fees for schools in accordance with the plan and Chapter 16.74 SMC. School impact fees require a standard fee amount per dwelling unit as a condition of residential development within the City. School impact fees are based on the amount in effect at the time of payment and are paid directly to the Sultan School District with a copy of the receipt of payment provided to the City.

m) Impact Fees and Capital Improvements:

Development shall be subject to all applicable SMC requirements specifically including and without limitations, all applicable impact fees and utility connection charges pursuant to Chapters 13.08, 13.12, 14.04, 16.72 and 16.74.

n) Preliminary Plat Expiration:

Per SMC 19.02.070, preliminary approval shall be effective for a period not to exceed five years from the date of Hearing Examiner approval.

E. CONCLUSIONS OF LAW

1. The City of Sultan Comprehensive Plan Future Land Use Map designation for the site is "Low/Medium Density Residential" and "Medium Density Residential." The site's existing zoning is "Low Density Residential" and "Moderate Density Residential", which is in compliance with the future land use designation adopted in the current Comprehensive Plan.
2. The application was submitted on January 31, 2019 and determined to be complete on February 8, 2019 with a Notice of Application published March 18, 2019.

3. A SEPA determination of Non-Significance (DNS) as issued on August 5, 2019. No appeals regarding the SEPA threshold determination were received by the City during the specified appeal period.
4. The proposed Subdivision, as conditioned herein under the Staff Recommendation below, will be consistent with the applicable requirements outlined in SMC Title 19.
5. The proposed project, as conditioned herein, will make appropriate provisions for public use and interest, health safety, and general welfare.

F. STAFF RECOMMENDATION

Based on the Findings of Fact and Conclusions of Law detailed on the staff analysis, staff recommends that the Hearing Examiner **RECOMMEND APPROVAL OF** the Daisy Meadows (project file number PP19-001), subject to the following conditions of preliminary approval.

1. Where applicable and required by the City, the applicant shall implement the provisions and recommendations within the latest versions of any referenced reports, plans, or supporting documents made record as exhibits accompanying this Staff Analysis and Recommendation for the project or subsequent versions approved by the City.
2. The preliminary plat map (Exhibit 3) received by the City of Sultan on August 15, 2019 shall be the approved preliminary plat map for the development. Any discrepancies between the approved preliminary plat map and the SMC shall be resolved in the favor of the SMC.
3. The project shall implement all of the applicable recommendations contained in the following technical reports submitted to the City:
 - a. Drainage Report, prepared by Joseph M. Smeby dated April, 2019.
 - b. Geotechnical Report, prepared by Nelson Geotechnical Associates, Inc dated October 12, 2018.
 - c. Traffic Report, prepared by Gibson Traffic Consultants, Inc dated February 2019.
4. Where applicable and required by the City, the applicant shall implement the provisions and recommendations within the latest versions of any referenced reports, plans, or supporting documents made record as exhibits accompanying this Staff Report for the project or subsequent versions approved by the City.
5. Nothing in this recommended approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project.
6. The applicant shall construct a pedestrian trail from the western extent of the project to the eastern extent of the project through the PSE easement.

Prior to commencement of any site work:

7. The applicant shall obtain a grading permit for the proposed civil improvements.

8. Final engineering plans which depict street, water, sewer, and drainage improvements shall be submitted to the City's Public Works Director for final review and approval prior to issuance of any grading permits onsite. All improvements shall be designed in accordance with the City's most current Engineering Design and Development Standards (EDDS).
9. A comprehensive erosion and sedimentation control plan shall be submitted and approved by the City's Public Works Director.
10. The developer shall obtain a General Construction Permit from the Washington State Department of Ecology prior to beginning construction.
11. Critical area buffers shall be marked in the field with silt fencing prior to any work onsite. No grading or other work may occur in the critical area or its buffer without express City approval.
12. Prior to occupancy of any homes in the first phase of development the applicant shall have made all required offsite improvements to the City's sewer system. The City shall provide additional analysis of this system to determine what improvements are needed and the applicant shall be responsible for installing any required improvements to provide additional capacity equal to the project's impact.

Prior to Final Plat Approval

13. Prior to final plat submittal, all improvements shall be installed, inspected, and approved by the City Engineer or Public Works Director per the approved plans. All improvements shall be constructed in accordance with the approved engineering plans and approved preliminary plat map.
14. Any required maintenance securities shall have been submitted and approved by the Public Works Director.
15. The applicant shall pay the required fee in lieu of providing on-site recreation improvements as required by SMC 16.62.070.
16. A note shall be included on the face of the final plat which states that the proposed lots may only be developed with single-family residences as required by SMC 19.44.030(A).
17. The applicant shall submit a mail box plan, approved by the U.S. Post Office, to the Planning Director. This shall include mailbox type and locations and staff will confirm they have been installed as approved.

Prior to Building Permit Issuance

18. The final plat shall have been recorded with the Snohomish County Auditor.
19. Park, traffic, and school impact fees assessed in accordance with Chapter 16.72 SMC, shall be required and paid at the rate in effect at the time of building permit issuance.
20. The water general facility charge, in accordance with SMC 13.12.080(B)(2) shall be paid.
21. The sewer general facility charge, in accordance with SMC 13.08.030 shall be paid.