



Soundview Consultants LLC

Environmental Assessment • Planning • Land Use Solutions

2907 Harborview Dr., Suite D, Gig Harbor, WA 98335

Phone: (253) 514-8952 Fax: (253) 514-8954

Technical Memorandum

To: Gages Crossing, LLC- Anna Nelson

File Number: 1916.0003

From: Jon Pickett, Soundview Consultants LLC

Date: February 15, 2024

Re: Responses to January 18, 2024, Hearing- Gages Crossing

Dear Ms. Nelson,

Soundview Consultants LLC (SVC) has been assisting Gages Crossing, LLC (Applicant) with a wetland and fish and wildlife habitat assessment and planning support for the proposed residential development of the 13.30-acre site located at 900 South Pine Street within the City of Burlington, Skagit County, Washington. The subject property consists of seven parcels situated in the Northwest ¼ of Section 05, Township 34 North, Range 04 East (Skagit County Tax Parcels P62772, P72178, P72179, P72180, P72181, P133597 and P133596). This Technical Memorandum has been prepared in response to comments provided by the Hearing Examiner from the Gages Crossing hearing that occurred on January 18, 2024, by the City of Burlington regarding the *Wetland and Fish and Wildlife Habitat Assessment- Gages Crossing* prepared by SVC on July 17, 2023 (Exhibit 17-A), and updated on October 19, 2023 (Exhibit 19-A); and the *Conceptual Mitigation Plan- Gages Crossing* prepared by SVC on July 17, 2023 (Exhibit 17-B). The following outlines the City of Burlington's Hearing Examiner's review comments (italicized) followed by SVC's responses.

Comments

1. *Is Gages Slough a Habitat Conservation Areas (HCA) per 14.15.350 since it is mapped, or does onsite review of the area (such as DNR, WDFW and NWIFC-SWIFD, etc) confirm that Gages Slough is not a stream or no fish habitat etc., remove this potential mapped label.*

Per Burlington Municipal Code (BMC) 14.15.360.A¹, a site visit shall be conducted to determine whether Habitat Conservation Areas (HCAs) identified on a critical area checklist or on available map resources or whether HCAs not previously identifies are present within 300 feet of the project or activity site. Gages Slough is considered an HCA per BMC 14.15.360.B.

¹ Note that BMC 14.15 was updated with the City's Comprehensive Plan Update. See version effective May 22, 2023.

Per BMC 14.15.360.B, Habitat Conservation Areas include:

1. An area with which anadromous fish, endangered, threatened or sensitive species have a primary association and/or their habitat such as those designated and mapped by the Washington State Department of Fish and Wildlife, Priority Habitats and Species Program;
2. A water of the state as defined under WAC 222-16-030;
3. A Critical Biological Area as designated and mapped by the Department of Ecology Coastal Zone Atlas dated June 1978 and/or the maps;
4. Designated species and habitats of local importance including; but not limited to the Gages Slough, Burlington Hill, and Skagit River Corridor special management areas.
5. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;
6. Lakes, ponds, streams, and rivers planted with game fish by a government or tribal entity;
7. Areas with which anadromous fish species have a primary association; and
8. State Natural Arm Preserves and Natural Resource Conservation Areas.

Per BMC 14.15.350.D, the following species and habitats have been designated on a site-specific basis according to the official Species and Habitats of Local Significance Map:

1. Great blue heron nest sites;
2. Vaux's swifts communal roosts;
3. Pileated woodpecker nest sites;
4. Osprey nest sites;
5. Townsend big-eared bat communal roosts;
6. Cavity nesting ducks breeding areas;
7. Trumpeter swan concentrations;
8. Harlequin duck breeding areas;
9. Waterfowl concentrations;
10. Special Management Areas.

Gages Slough is designated as a Special Management Area (SMA) per BMC 14.15.436.C.2. Per BMC 14.01.060, the Gages Slough Special Management Area means the open water areas of Gages Slough together with all associated wetland, deep-water habitat, wetland buffers, and special flood risk areas.

The City of Burlington Shoreline Master Program (SMP) (Chapter 18.07)² considers the Gages Slough wetlands to be shorelines (see BMC 18.07.010.A.1. below).

18.07.010 General.

A. Shoreline Environment – Applicability.

1. Burlington's shorelines under the shoreline master program are limited to those portions of the Skagit River, corresponding shorelands and the Gages Slough wetlands that occur within the city's corporate limits, as detailed in BMC 18.09.060. For the purpose of this SMP the floodway is at the waterward top of the levee as depicted in Figure 1.

² Note that the Burlington SMP was updated by Ordinance 1924. The update was approved by Ecology on March 1, 2023, effective March 15, 2023.

Additionally, per the City of Burlington’s Shoreline Master Program Appendix A, “*Gages Slough is a series of connected wetlands that cross the city and the wetland area itself is subject to the shoreline master program. As allowed by RCW 90.58.030(2)(d)(ii), the city has chosen not to place the wetland buffer into shoreline jurisdiction. The Gages Slough wetland buffer area is established through the city’s critical area ordinance and is gradually being restored through implementation of a series of buffer restoration, maintenance and monitoring projects that do not extend into the wetland itself. There may be the need to obtain a shoreline permit for upgrades to the wetlands themselves in the future if it is determined that sediment buildup has an effect on flood hazard mitigation*”. According to guidance from the City detailed in a Technical Review Committee Memo dated June 29, 2022 (Appendix C), Gages Slough is considered a regulated wetland associated with and hydraulically disconnected from the Skagit River. While the wetland itself is subject to the Shoreline Master Program, shoreline jurisdiction does not extend beyond the boundaries of the wetland. Gages Slough does not share an upstream connection to the Skagit River, and the downgradient connection is controlled via a pump as displayed in (Appendix A and B).

As stated above, “*the city has chosen not to place the Gages Slough wetland buffer into shoreline jurisdiction*”. Thus, the Gages Slough wetland is not subject to a 200-foot Type S buffer. Onsite Wetland A is classified as a Category III wetland per BMC 14.15.180.B and is subject to a standard 150-foot buffer based on the proposed high impact land use per BMC 14.15.185.

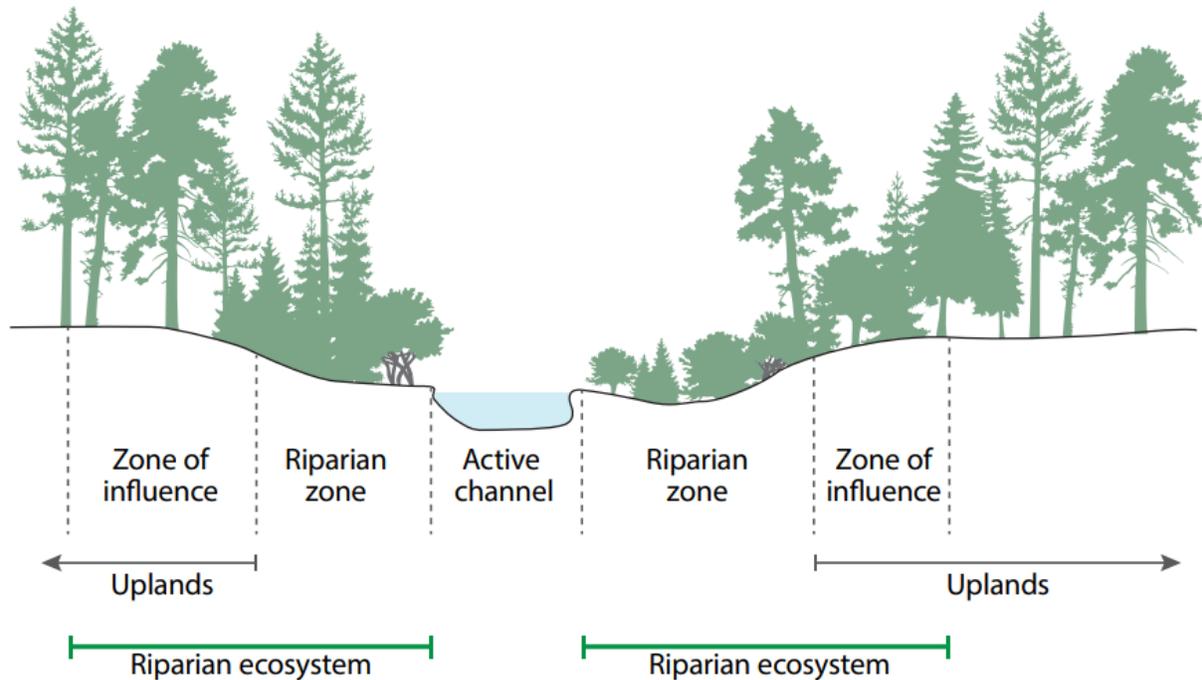
Per BMC 14.15.380.E, “*Wetlands that are identified as a fish and wildlife habitat conservation area shall be protected according to the provisions in this title, referencing increasing buffer widths. If the wetland buffer widths, standard buffer widths conflict with this section, the buffer widths providing the greatest protection shall apply*”. The City of Burlington Municipal Code (effective May 22, 2023) does not identify buffer widths for fish and wildlife conservation areas; however, per BMC 14.15.380.B, it appears that HCAs are subject to the recommended buffer widths, which are established following guidelines detailed in Washington State Department of Fish and Wildlife guidelines: (Rentz, R., A. Windrope, K. Folkerts, and J. Azerrad, 2020). Riparian Ecosystems, Volume 2: Management Recommendations. Habitat Program, Washington Department of Fish and Wildlife, Olympia. Per the WDFW Riparian Ecosystems, Volume 2: Management Recommendations, HCA riparian buffers are recommended based on site-potential tree height (SPTH).

According to the WDFW Priority Habitats and Species: Riparian Ecosystems and the Online SPTH Map Tool, red alder (*Alnus rubra*) has a SPTH of 105-feet within the project area and Douglas fir (*Pseudotsuga menziesii*) has a SPTH of 235-feet within the project area. SPTH of the trees associated with the project area is utilized as a recommended riparian buffer. The recommended 105-foot red alder SPTH riparian buffer is accommodated via the larger wetland buffer associated with Gages Slough. However, a 235-foot riparian buffer would effectively encumber nearly the entire southern parcel where minimal development is already proposed in order to accommodate the 150-foot wetland buffer. Given that the entirety of the onsite buffer surrounding Gages Slough consists of active agricultural fields, the 150-foot wetland buffer, which will be planted with native trees, shrubs, and groundcover, will provide a tremendous improvement over existing conditions, despite being less than the 235-foot buffer recommended based on the SPTH tool. Furthermore, the 150-foot wetland buffer exceeds the recommended buffer for red alders in this area based on the SPTH tool. Additionally, the project proposes a buffer increase in the southeast corner of the site, which meets or exceeds the proposed 235-foot buffer recommendation for Douglas fir trees. Therefore, the larger riparian buffer associated with Douglas fir trees can be partially accommodated onsite between Gages Slough and South Anacortes Avenue, and the riparian buffer associated with red alder can be accommodated and exceeded through the western portion of the buffer. Ultimately, the proposed site design will result in

an improved condition as the intensive land associated with active agriculture will cease and native vegetation will be planted.

However, it is most important to recognize that this approach is utilized to recommend buffer widths for riparian areas associated with waterbodies. According to WDFW, riparian areas are “*transitional between terrestrial and aquatic ecosystems and are distinguished by gradients in biophysical conditions, ecological processes, and biota. They are areas through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. They include those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems (i.e., a zone of influence) The portion of the ecosystem characterized by moist soils and plants adapted to periodically saturated soils is the riparian zone. The width of the riparian ecosystem is typically based on riparian functions (i.e., wood recruitment to the stream in forested regions and the pollution removal function in dryland regions)*” (Quinn et al, 2020). As Gages Slough is an associated wetland of the Skagit River, and not an active channel in and of itself, Gages Slough essentially already functions as a riparian area. Please see Figure 1 below from the WDFW guidance document (Quinn et al, 2020).

Figure 1. WDFW Figure 1.1 Diagram of a Riparian Ecosystem (Quinn et al, 2020)



Gages Slough is functionally separated from the Skagit River both upstream and downstream, therefore, there is no “active channel” portion of this system. Gages Slough, a wetland and an ecosystem characterized by “*transitional between terrestrial and aquatic ecosystems*” and “*moist soils and plants adapted to periodically saturated soils*” functions as the riparian zone shown on either side of the active channel in Figure 1. The adjacent uplands on either side of Gages Slough can be viewed as the “zone of influence” identified in Figure 1, which is already protected through the wetland buffer provisions. The area identified as the “zone of influence” currently consists of active agricultural field. The proposed layout includes the restoration of the buffer along the western side of the slough in order to improve this area.

In summary, the proposed development has considered the riparian buffer widths recommended based on the SPTH associated with the site for both red alder and Douglas fir. However, these SPTH recommendations were developed to identify the riparian buffers for active channels. As Gages slough is functionally disconnected from the Skagit River and therefore disconnected from an active channel. The riparian buffer widths recommended by the SPTH include both the “riparian zone” and the “zone of influence” adjacent to the active channel. However, as there is no active channel and the slough functions as a riparian zone itself, it should only require a buffer that accounts for the “zone of influence”. This zone of influence is generally accounted for by the wetland buffer protections. As such, the existing wetland buffers appear to provide an adequate level of protection. Furthermore, the buffer restoration through planting of native trees, shrubs, and groundcover provided along the western portion of Gages Slough will provide a marked improvement over the existing active agricultural conditions.

2. *Is buffer reduction of HCAs allowed?*

Yes. Per BMC 14.15.380.B.2.d, riparian buffers shall not be reduced below 25 percent of the standard buffer width unless no other feasible option exist and that no net loss of HCA riparian functional value will result; however, as the wetland buffer is the more restrictive buffer, the wetland buffer projections are implemented.

3. *Shoreline – why is Gages Slough mapped as a shoreline and adjacent wetland but not a shoreline with a 200-foot designation.*

The City of Burlington Shoreline Master Program (SMP) (Chapter 18.07) considers the Gages Slough wetlands to be shorelines (see BMC 18.07.010.A.1. below).

18.07.010 General.

A. Shoreline Environment – Applicability.

1. Burlington’s shorelines under the shoreline master program are limited to those portions of the Skagit River, corresponding shorelands and the Gages Slough wetlands that occur within the city’s corporate limits, as detailed in BMC 18.09.060. For the purpose of this SMP the floodway is at the waterward top of the levee as depicted in Figure 1.

Additionally, per the City of Burlington’s Shoreline Master Program Appendix A, “*Gages Slough is a series of connected wetlands that cross the city and the wetland area itself is subject to the shoreline master program. As allowed by RCW 90.58.030(2)(d)(ii), the city has chosen not to place the wetland buffer into shoreline jurisdiction. The Gages Slough wetland buffer area is established through the city’s critical area ordinance and is gradually being restored through implementation of a series of buffer restoration, maintenance and monitoring projects that do not extend into the wetland itself. There may be the need to obtain a shoreline permit for upgrades to the wetlands themselves in the future if it is determined that sediment buildup has an effect on flood hazard mitigation*”. According to guidance from City detailed in a Technical Review Committee Memo dated June 29, 2022 (Appendix C), Gages Slough is considered a regulated wetland associated with and hydraulically disconnected from the Skagit River. While the wetland itself is subject to the Shoreline Master Program, shoreline jurisdiction does not extend beyond the boundaries of the wetland. Gages Slough, while mapped as a stream by DNR, it does not share an upstream connection to the Skagit River, and the downgradient connection is controlled via a pump as displayed in (Appendix A and B). The pump station precludes fish from entering the slough.

In addition, per 18.03.170 “Shorelines” means all of the water areas of the state, including reservoirs, and their associated shorelands, together with the lands underlying them; except (1) shorelines of statewide significance; (2) shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less and the wetlands associated with such upstream segments; and (3) shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes (RCW 90.58.030). By definition, Gages slough does not meet this definition and is subject to the shoreline designation as an associated wetland only.

4. *Why does the Railroad track interrupt the wetland buffer?*

Per the *Washington State Department of Ecology- Wetland Guidance for Critical Areas Ordinance (CAO) Updates* manual (WSDOE 2022), “significant developments that are unquestionably a complete barrier to the functions of the buffer area include built public infrastructure such as paved roads and railroads, and private developments such as houses or commercial structures”. As such, the railroad located above and adjacent to Wetland 1 and the elevated gravel road that separates Wetland 1 from Wetland A are considered significant developments that interrupt the functions of the wetland buffers.

Furthermore, according to BMC 14.01.060, buffers are defined as “an area which provides a reasonable margin of safety through protection of slope stability, attenuation of surface water flows and landslide hazards reasonably necessary to minimize risk to the public from loss of life or well-being or property damage resulting from natural disasters; or an area which is an integral part of a stream or wetland ecosystem and which provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland boundaries, habitat for wildlife, and protection from harmful intrusion necessary to protect the public from losses suffered when the functions and values of aquatic resources are degraded”. Impervious surfaces such as roadways functionally interrupt buffers associated with wetlands as they do not support vegetation or other water quality and hydrologic functions.

In addition, per BMC 14.15.185.A., *the standard buffer widths in Table 14.15.185-1 have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State wetland rating system for western Washington.* As such, the City of Burlington utilizes the best available science as administered by Ecology’s most up to date guidance, which as stipulates railroads or other significant barriers interrupt a wetland buffer.

However, even if the 300-foot Wetland 1 buffer is not interrupted, the 300-foot buffer does not project into the proposed development, as shown within the Applicants Draft Site Plan (Appendix D).

5. *Why were Wetland A and Wetland 1 separated into two units?*

According to the wetland rating guidance (Hruby and Yahnke, 2023) when a constriction, such as a culvert, is present, the direction of flow determines whether the units are separated. If water can flow freely in either direction, i.e. a pipe is functioning as an equalizer, then the wetland on either side of the culvert should be rated as the same unit. However, if unidirectional flow from one wetland into another via a constriction such as a pipe is observed, the wetlands should be separated. Wetland 1 is separated from Wetland A by an approximately 16-inch wide culvert beneath the gravel road. During the March 2022 site investigation, hydrology was only observed flowing southwest out of Wetland A into Wetland 1, and unidirectional flows from Wetland A and into Wetland 1 were observed.

Hydrology from Wetland 1 does not flow into Wetland A, which is why the two wetlands were delineated and rated as separate wetlands.

Sincerely,

A handwritten signature in black ink, appearing to read "JPH", written in a cursive style.

Jon Pickett
Principal

References

- Burlington. 2022. *Technical Review Committee Memo*. June 29, 2022.
- Burlington Municipal Code (BMC). 2021. *Title 14 – Environmental Regulations*. Passed December 9, 2021.
- Burlington Municipal Code (BMC). 2022. *Chapter 18 – Shoreline Master Program*. Website: <https://www.codepublishing.com/WA/Burlington/html/Burlington18/Burlington18.html>. Current through December 8, 2022.
- Hruby, T. & Yahnke, A. 2023. *Washington State Wetland Rating System for Western Washington: 2014 Update (Version 2)*. Washington State Department of Ecology Publication #23-06-009.
- Quinn, T., G.F. Wilhere, and K.L. Krueger, technical editors. 2020. *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications*. Habitat Program, Washington Department of Fish and Wildlife, Olympia.
- Soundview Consultants LLC. 2023. *Shoreline, Wetland and Fish and Wildlife Habitat Assessment Report- Gages Crossing*. July 17, 2023. Updated October 19, 2023.
- Soundview Consultants LLC. 2023. *Conceptual Mitigation Plan- Gages Crossing*. July 17, 2023. Updated October 19, 2023.
- Washington State Department of Ecology (WSDOE). 2022. *Washington State Department of Ecology- Wetland Guidance for Critical Areas Ordinance (CAO) Updates*. October 2022.

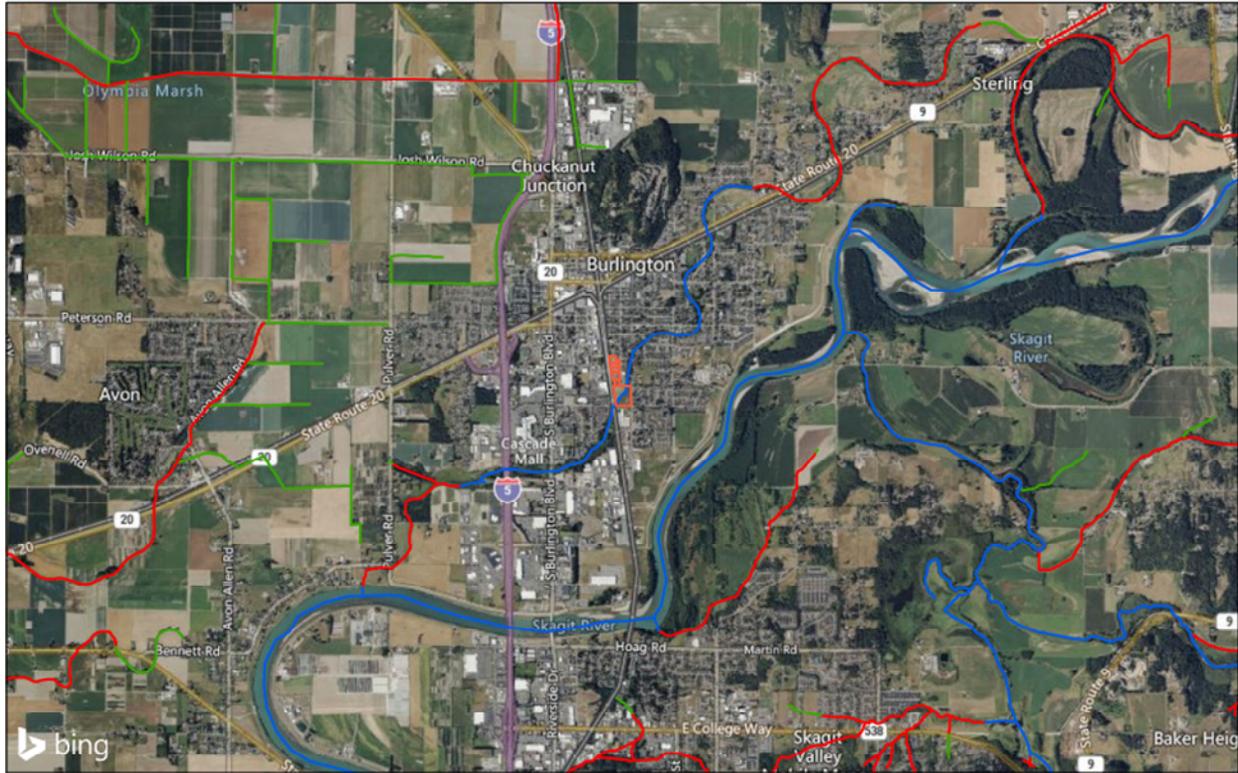
Appendix A- Gages Slough Outlets

Photos for Gages Slough Pump Station- Site ID 602417 (fish barrier)



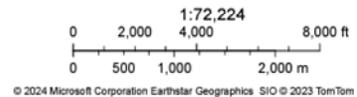
Appendix B- DNR Stream Typing Map

DNR Stream Typing Map displaying Gages Slough as Type S within City of Burlington jurisdiction as an associated shoreline and Type F within Skagit County jurisdiction.



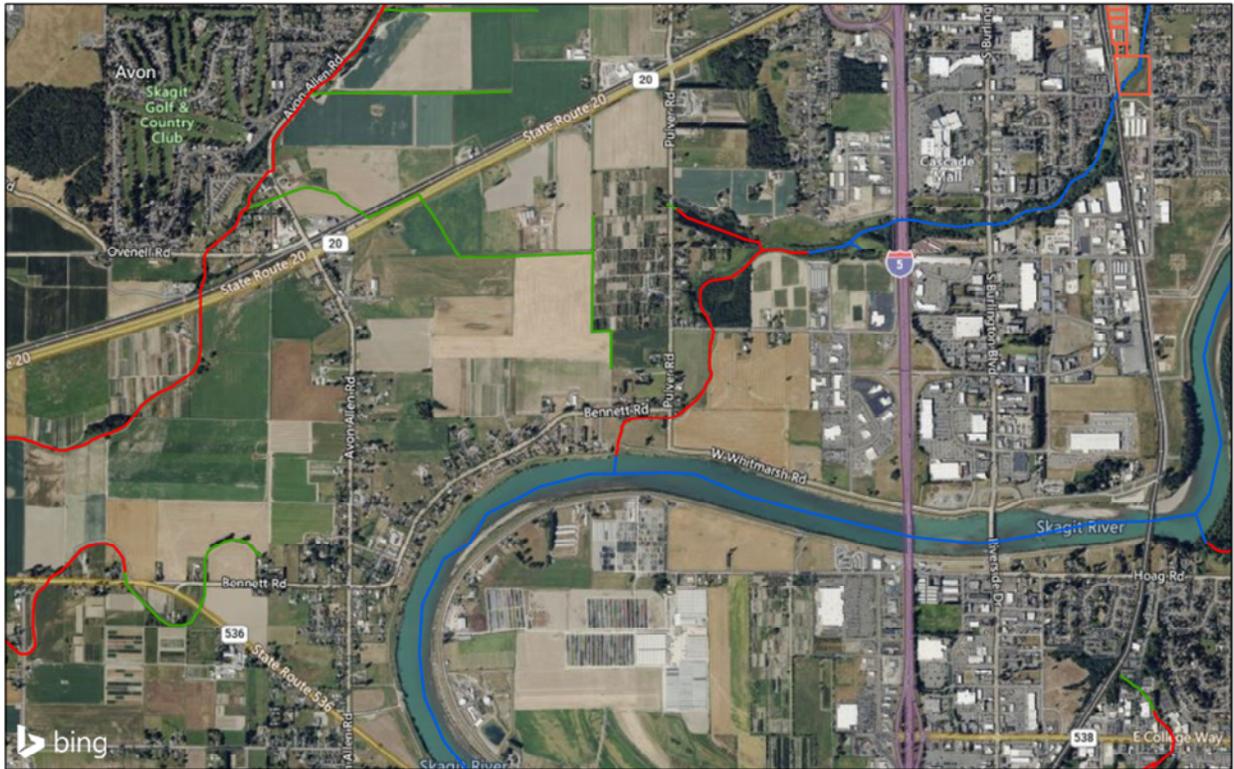
2/5/2024, 11:50:12 AM

- Statewide Parcels_Query result
- Type F
- Type N, Np, Ns
- Type S
- U, unknown



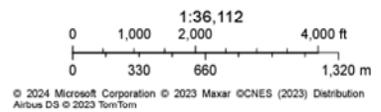
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Western end of Gages Slough mapped as Type F per DNR Stream Typing. However, pump station on Gages Slough prevents fish passage between Skagit River and Gages Slough. Additionally, Gages Slough is hydraulically disconnected from the Skagit River due to the pump station.



2/5/2024, 11:55:32 AM

- Statewide Parcels _Query result
- Type F
- Type N, Np, Ns
- Type S



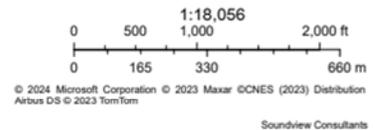
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Eastern end of Gages Slough transitions to Type N per DNR Stream Type and is hydraulically disconnected from Hart Slough and the Skagit River to the south.



2/5/2024, 11:53:01 AM

DNR - Stream Typing - Watercourses (DNR) — Type N, Np, Ns
— Type F
- - - - - X non-typed per WAC 222-16



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Appendix C- City of Burlington Technical Committee Letter dated June 29, 2022



Technical Review Committee Memo

Applicant: Anna Nelson, Landed Gentry Development.

Date(s): May 18, 2022 (meeting) / June 29, 2022 (memo)

Project: Townhomes at Dynes Farm

Address: 900 South Pine Street (approximate - multiple addressees)

Parcel(s): P133596, P133597, P72175, P72178, P72179, P72181, P62771, and P62772

Staff: Brad Johnson, Community Development Director BJ

Ms. Nelson,

Thank you for taking time to discuss your project with us. The purpose of this memo is to outline the regulatory requirements and permit procedures applicable to your proposal. Please note that the information in this memo is informal. All permit applications will be reviewed for compliance with the regulations in effect at the time they are received.

We understand you're interested in developing the former Dynes farm located near the southern terminus of South Pine Street. The property is comprised of numerous tax parcels and appears to be approximately 16 acres in size. As proposed, the project would involve subdividing the property to facilitate the construction 81 horizontally attached townhome units. Each dwelling unit would be located on its own lot and the townhomes would be constructed in groups of four.

As we've previously discussed, the proposal may not be feasible under the City's current zoning regulations, but would likely be permissible under revised the zoning and development standards currently being considered by the Planning Commission and City Council. This memo provides a summary of the code requirements and permit procedures applicable to the development under both the City's current standards and the revised standards. Please feel free to contact our staff if we can provide any additional information or assistance.

Development Regulations:

1. The property is currently zoned R1-8.4 (Detached Residential). The R1-8.4 zone generally only allows for the construction of detached dwellings on individual lots with a minimum area of 8,400 square feet (BMC 17.15.060). Under the City’s “cluster development” standards zero lot line townhomes may also be constructed. The cluster development standards permit deviations from the normally applicable setback requirements and other development standards, such as lot area, provided the overall development does not exceed a density of 5.19 dwellings per acre (one dwelling/8,400 square feet) and lots sizes are within 20 percent of the normally applicable requirement (BMC 17.15.105).
2. Under the proposed changes, the site would be zoned RA-1 (Residential Attached). The proposed RA-1 zoning regulations would allow horizontally attached townhomes on individual lots (zero lot-line), duplexes, and small multiunit buildings (containing four dwellings or less). The required minimum lot size would be 2,000 square feet and lots without alley access would be subject to a minimum width (at the street frontage) of 30 feet. For lots with alley access, or where curb cuts are prohibited, the frontage width could be reduced to 20 feet. The proposed regulations would also permit cluster developments provided the overall development is limited to a density of 22 dwellings per acre and lot sizes are within 20 percent of the normally applicable requirement.
3. Gages Slough, a regulated wetland, crosses portions of the site. The wetland areas of the Slough are functionally connected to, and associated with, the Skagit River, a shoreline of the state. The wetland areas of the slough are within the jurisdiction of the Burlington Shoreline Master Program (SMP) and the Washington State Shoreline Management Act (SMA). However, the jurisdiction of the SMA ends at the wetland edge and does not include any upland areas or buffers. As a result, any work occurring in the wetland itself would be subject shoreline permitting requirements. Work occurring within the wetland buffers would be subject only to the City’s critical area code and would not require shoreline permitting.
4. As wetland memo addressing impacts to Gages Slough was included in your TRC application packet. The memo identifies Gages Slough as a category III wetland. In accordance with BMC 14.15.185-1, category III wetlands require a protective buffer with a minimum width of 150 feet. The memo proposing averaging portions of the required buffer under the provisions of BMC 14.15.185.C. The City supports the basic concept outlined in the memo; however, based on the submitted site plan it is not clear why buffer averaging is needed since most, if not all, of the proposed development will be located outside of the standard buffer area. Consistent with the City’s mitigation sequencing requirements (BMC 14.15.220.A) buffer modifications must be avoided to the maximum extent possible.

5. No significant changes are being considered to the City’s critical area regulations that would affect the proposed development. Please note that given the scope and complexity of the proposed development, and the City’s lack of in-house wetland expertise, wetland reports and mitigation plans will likely be reviewed by a third party wetland consultant. The cost of this review would be paid by the applicant under the City’s adopted fee schedule. The following general wetland requirements will apply:
 - a. All remaining undeveloped buffer areas must be completely replanted with suitable native species (BMC 14.15.185.A);
 - b. Signs and open rail fencing will be required around the perimeter of the wetland buffer (BMC 14.15.185.E);
 - c. Wetland and wetland buffer areas must be placed in separate tracts and an open space/conservation easement must be dedicated to the City on the face of the plat (BMC 14.15.220.K, 14.15.160.B, and 16.10.090.E).
6. Improved right-of-way is required for all development projects (BMC 12.28.010.A). Currently the portion of Pine Street providing access to the site is not fully improved. It lacks sidewalks, curbs, gutters, and full width paving. As a condition of approval, the City will likely require that Pine Street be fully improved from Sharon Avenue to its southern terminus. This portion of Pine Street is classified as an “access street” (BMC 12.28.080). As such, the improved right-of-way must be consistent with the following standards (BMC 12.28.150.D &E, 16.40.050.D, and 17.85.120):
 - a. Two paved travel lanes, each with a minimum width of 10 feet;
 - b. Two paved parking lanes, each with a minimum width of 8 feet;
 - c. Concrete sidewalks along both sides of the street, each with a minimum width of 5 feet;
 - d. Curbing, full width pavement, and storm-water management provisions
7. In order to provide a safe route for students walking to school, and to provide adequate pedestrian access to the site, a sidewalk will be required along at least one side of Sharon Avenue between Pine Street and Anacortes Street.
8. We understand you are proposing a system of private streets to provide internal circulation and access. Private streets are allowed under limited circumstances (BMC 16.40.050.B and the proposed development appears to be consistent with the applicable criteria. They City will likely support the use of private streets for internal access and circulation. You have asked about alternative private street design standards and we are currently reviewing your proposal. Under the City’s current regulations private streets must be consistent with the following standards (BMC 16.40.050.C and 17.85.140.C):

- a. Two paved travel lanes, each with a minimum width of 10 feet;
 - b. One paved parking lane with a minimum width of 8 feet;
 - c. Concrete sidewalks, each at least 5 feet in width, must be provided along both sides of all private streets
9. Fiber optic communications conduit and vaults must be provided along all street frontages and between streets and individual buildings (BMC 12.28.095).
10. Landscaping plans will be required (BMC 17.80.020 & 17.80.050.A) and must be prepared by a licensed landscape architect (BMC 17.80.070.E). At a minimum, the landscaping plans must show the location, quantity, and species of all proposed plantings.
11. A minimum of 15 percent of the site must be landscaped (BMC 17.80.070) and at least 50 percent of the landscape plantings should be native to the Pacific Northwest (BMC 17.80.060.A).
12. Landscaping areas must be used to the maximum extent possible to treat, store, or infiltrate storm-water (BMC 17.80.060.K).
13. Street trees must be provided for every 30 linear feet of street frontage (BMC 17.80.080) including all public and private streets with frontage on the proposed development. Perimeter landscaping trees will be required on each lot. One perimeter landscaping tree will be required for every 30 feet of perimeter lot area (BMC 17.80.090).
14. Under the proposed code changes, a screening buffer will be required between the development and the railroad right-of-way. The screening buffer must be provided using one of the following methods. The required buffer strips could be included within the boundaries of the individual lots provided restrictive plat notes are included (the rear yards may be used to satisfy the buffer requirements). The planting strip would need to be planted with triangulated rows of evergreen trees at intervals of 15 feet and large shrubs at intervals of 4 feet. The buffer strip trees may also be used to meet the normal perimeter landscaping requirements.
 - a. *15 foot buffer and masonry wall* – This option requires a perimeter landscaping strip with a minimum width of 15 feet and a solid masonry wall with a minimum height of six feet.
 - b. *25 foot buffer and fence* – This option requires a perimeter landscaping strip with a minimum width of 25 feet and a solid sight obscuring fence. The fence may be constructed of wood or chain-link fence with site obscuring slats.

Permit Procedures

15. The following permits are required for this project and should be submitted in the following order. Unless otherwise specified all documents should be submitted electronically in PDF format.
 - a. State Environmental Policy Act (SEPA) checklist (BMC 14.10.120.A & WAC 197-11-800). The SEPA checklist must be submitted together with the preliminary subdivision application.
 - b. Preliminary Subdivision Approval – A land use permit is required for this project (BMC 16.01.020.A, and 16.01.060). The permit application should include a preliminary plat prepared by a licensed surveyor, a preliminary landscaping plan prepared by a licensed landscape architect, a wetland report, a water availability letter from Skagit PUD, a soils report addressing the feasibility of low impact development features and onsite infiltration, and a conceptual storm-water plan. The storm-water plans submitted at this stage may be conceptual and do not need to include a fully engineered design; however they must show how you will be incorporating LID measures into the project design. A floodplain habitat assessment must also be submitted. The floodplain habitat assessment must be prepared consistent with the FEMA region 10 guidelines. All documents should be submitted electronically in PDF format. Preliminary subdivision approvals are classified as “type III decisions” and must be approved by the Burlington Hearing Examiner following a public hearing (BMC 14A.05.060.C and 16.10.080.C).
 - c. Floodplain Development Permit – A floodplain development permit application must be submitted with the preliminary subdivision application.
 - d. Grading Permit - A grading permit is required before beginning work on the site improvements, road, and utilities. Civil plans, engineering, and storm-water design specifications must be submitted with your grading permit application. The grading permit application should not be submitted until the preliminary subdivision application been approved. Civil plans should be submitted for initial review in PDF format. Once your plans have been approved you will be asked to submit a final set of drawings for City signatures and approval.
 - e. Final Plat Approval – After the site improvements, roads, utilities and drainage infrastructure required by the preliminary plat approval are constructed an application for final plat approval must be submitted (BMC 16.20.060). Final plat approval applications are processed as “type I decisions” (BMC 16.20.060.A and 14A.05.060). Once the final plat has been approved and recorded the individual townhouse units may be constructed.

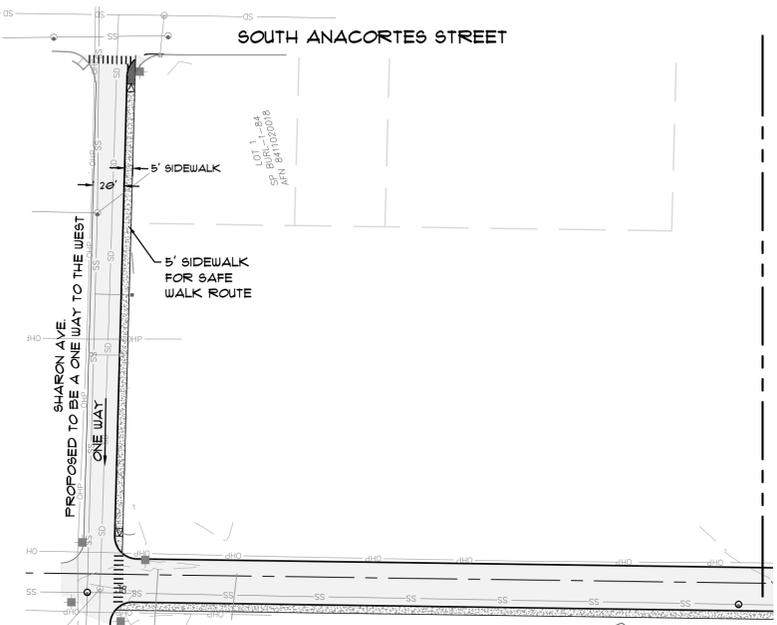
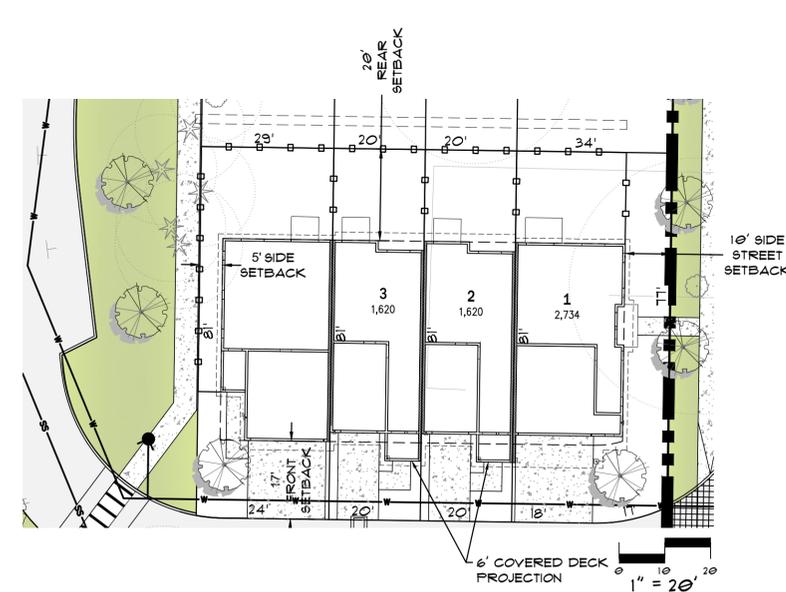
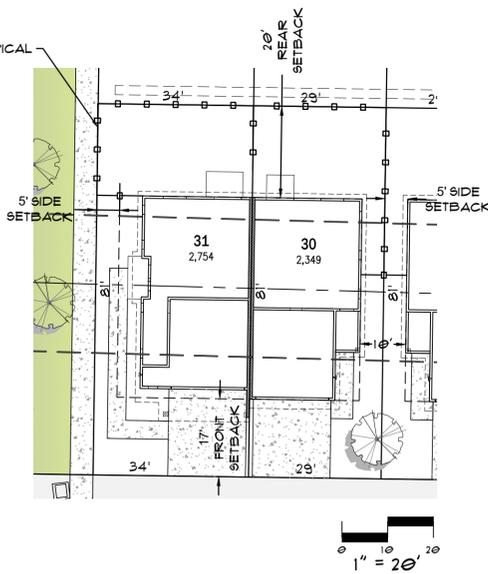
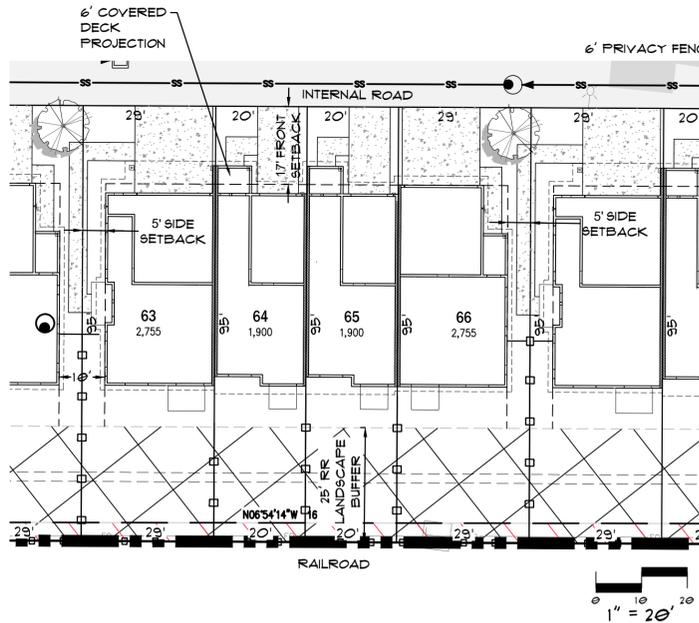
Required Studies and Reports:

16. Storm-water – A conceptual storm-water report must be submitted with the land use permit. A fully engineered storm-water design will be required at the grading permit stage.
17. Floodplain habitat assessment – A floodplain habitat assessment must be prepared. This report must be consistent with FEMA Region 10 guidelines. Most local environmental consultants are familiar with these requirements and can help you with the required documentation. The floodplain habitat assessment must be submitted with the land use permit application. Note: if you are able to obtain a LOMA the floodplain habitat assessment will *not* be required.
18. Soils report – A soils report assessing the feasibility of low impact development techniques must be submitted with the land use permit application. A soils analysis will also be required with the building permit application to assess liquefaction risks and soil bearing capacity.
19. Lighting plan – The lighting plan must show the location of each exterior lighting fixture, including street lights and building mounted lights. The lighting plan must include manufacture’s specifications demonstrating the all exterior lighting fixtures, except street lights, are fully hooded, screened, and directed downwards so the light source is not directly visible beyond the property boundaries. The proposed code changes include more detailed specifications for outdoor lighting but should not significantly impact the proposed development.

Appendix D- Draft Site Plan Dated January 31, 2024

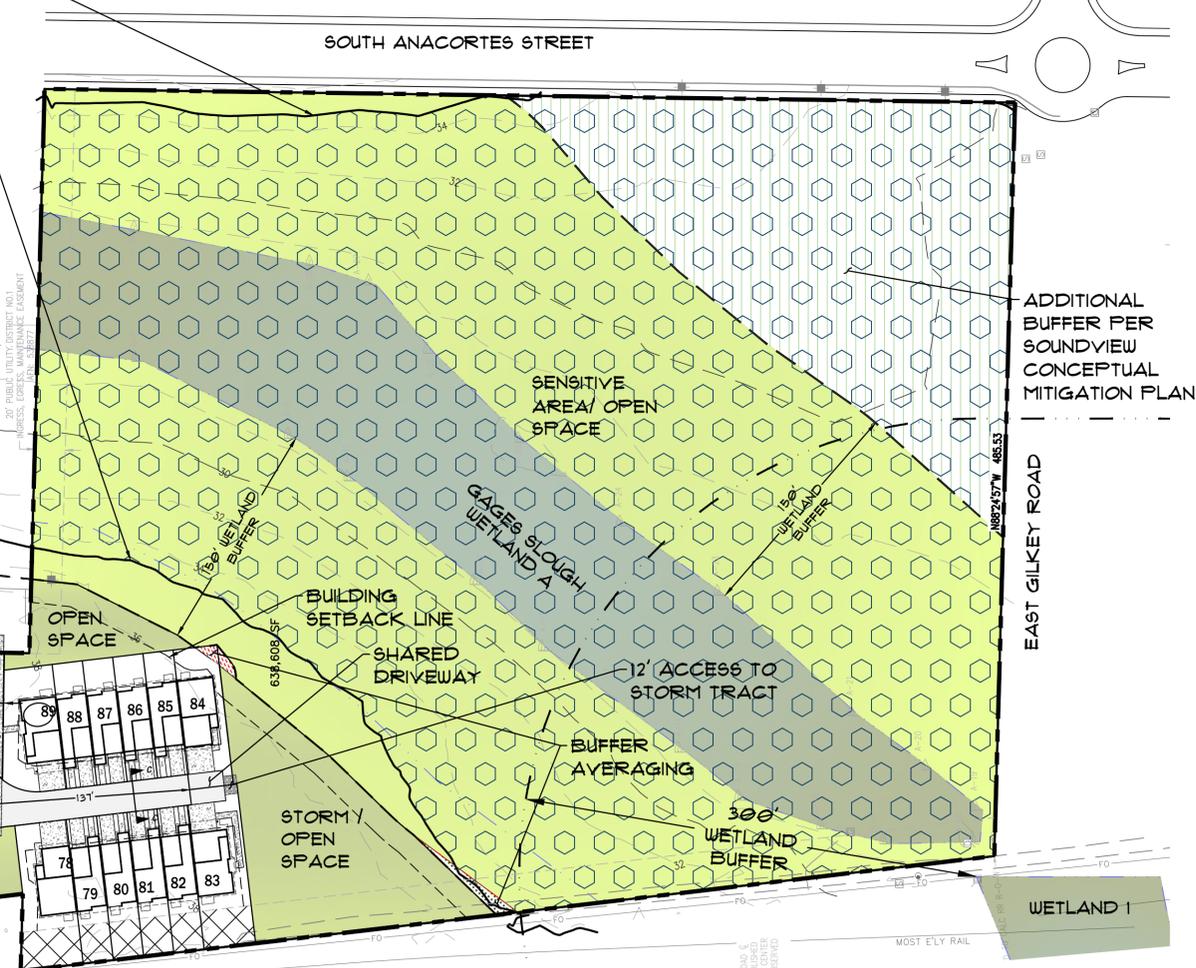
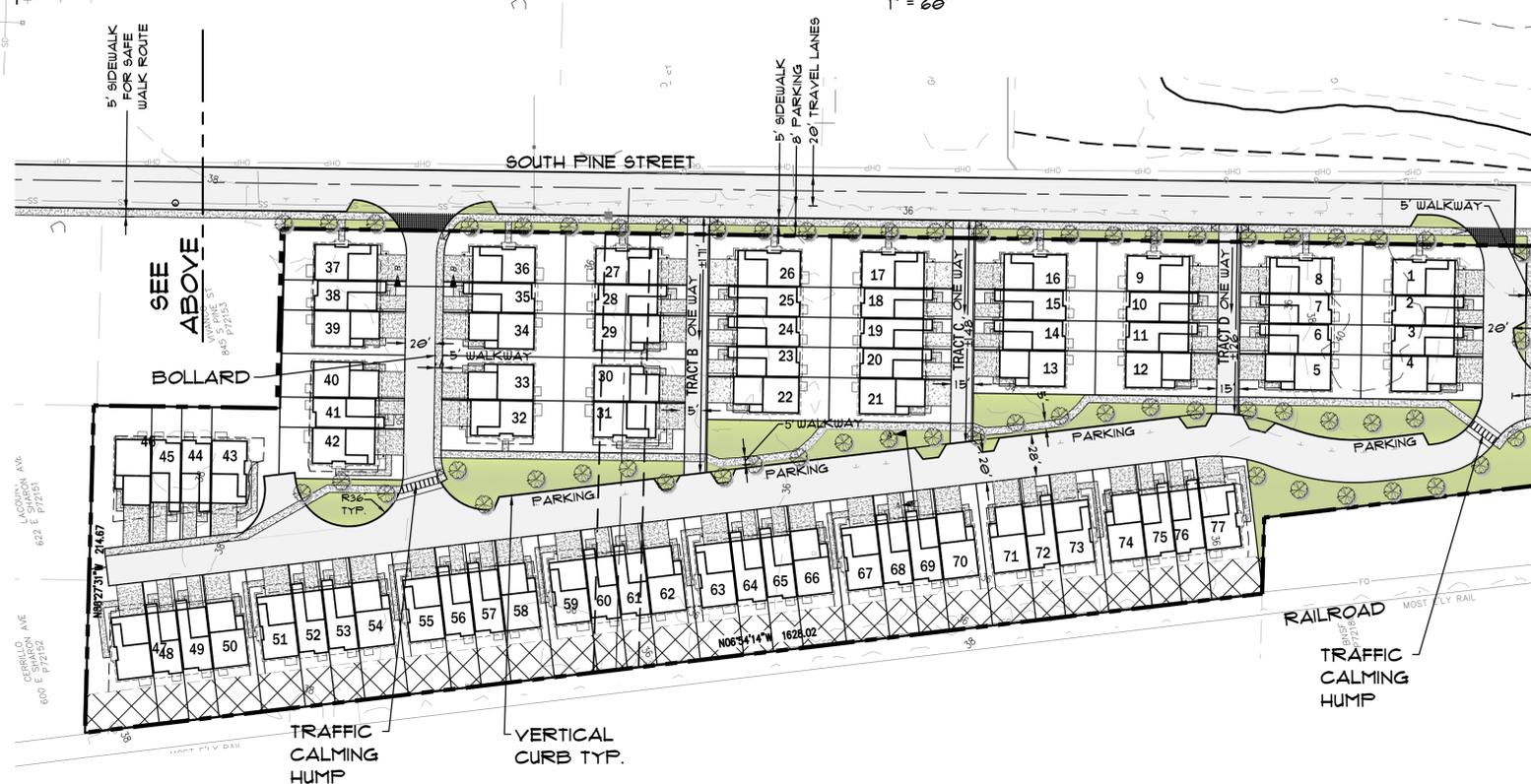
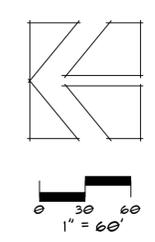
SITE STATISTICS

SITE AREA	582,210 SQ. FT. 13.36 ACRES
ZONING:	RA-1
MAX LOTS ALLOWED:	38 DU/AC (CLUSTER DEV)
DWELLINGS SHOWN:	89, ALL 3 BEDROOM PLUS
PARKING	REQUIRED: 178 (2 PER DWELLING) ON LOT PROVIDED: 210 (135 GARAGE, 135 APRON) ON-STREET PARKING REQUIRED: 22 SPACES (1 PER 4 DWELLING) ON-STREET PARKING PROVIDED: PUBLIC: 26 PARALLEL ON S. PINE STREET PRIVATE: 23 PARALLEL INTERIOR
DENSITY ACHIEVED:	6.61 DU/AC = [89/13.36]
MAX BLDG/IMPERVIOUS:	15%



SEE BELOW

34.71' IN NAVD 1988 DATUM FLOOD PLAIN AREA BEING SHOWN. THIS IS EQUIVALENT TO 31' IN NGVD 1929 DATUM. HOMES TO BE AT LEAST 1' ABOVE THIS.



ADDITIONAL BUFFER PER SOUNDVIEW CONCEPTUAL MITIGATION PLAN

NOTES

- ALTA SURVEY HAS BEEN DONE OF THE SITE. BOUNDARY AND EASEMENTS ARE PER TITLE
- PUBLIC HEARING EXHIBIT 5 SITE PLAN UPDATED TO SHOW THE BUFFER FOR OFF-SITE WETLAND 1.

SITE PLAN

GAGES CROSSING
GAGES CROSSING, LLC

DATE	JAN 31, 2024
SHEET	1 / 1
PROJECT NUMBER	2217

1/31/2024 11:34 AM \\2022\2217\PLANNING\EXHIBITS\9\SITE PLANS\DYNES SITE PLAN 22-OFFSITE WETLAND DUG