CITY OF SEQUIM
152 West Cedar Street Sequim, WA 98382
City Hall (360) 683-4139 FAX (360) 681-3448
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DEPARTMENT OF COMMUNITY DEVELOPMENT
HEARING EXAMINER
STAFF REPORT
SUB-24-002

REPORT SUMMARY

PROJECT NO.(S)	SUB-24-002 (Major Subdivision)
OWNER / APPLICANT / PROJECT LEAD	Sequim Ave LLC, Tom Foley / Bell Creek Investments LLC, Levi Holmes
PROJECT NAME	Bell Creek Major Subdivision
PROJECT DESCRIPTION	The project is a proposed 104-lot development in the City of Sequim accessed via S Sequim Ave and S 3rd Ave. It is approximately 28.38 acres and is zoned R4-8. The site is owned by Sequim Avenue LLC and will include the construction of single-family homes. The project will also include the construction of streets, drainage facilities, and frontage improvements along adjacent existing streets. A SEPA Mitigated Determination of Nonsignificance was issued for this project
REPORT DATE	2/18/2025
DATE OF HEARING	2/27/2025
ATTACHMENTS	1. Major Subdivision Application 2. Revised SEPA Checklist 3. Title Report 4. Preliminary Plat 5. Preliminary Plan Set 6. Preliminary Storm Drainage Report 7. Geotech Report Draft 8. Geotech Update 9. Traffic Impact Analysis 10. Determination of Completeness 11. Notice of Application 12. Statement of Mailing 13. Public Sign Posting Affidavit 14. Newspaper Proof of Publishing 15. Agency Comments 16. Public Comments 17. Concurrency Report 18. Highland Irrigation Agreement 19. Highland Irrigation Coordination

20. Buffer Exhibit
21. Critical Area Report and Habitat Management Plan
22. DAHP Permit and Letter
23. Final SEPA MDNS
24. Notice of Public Hearing
25. Statement of Mailing for PH and Final SEPA MDNS
26. Draft CC&Rs
27. Newspaper Proof of Publishing NOPH
28. Newspaper Proof of Publishing Final SEPA MDNS

Any documents, ordinance, statute, law or reference to case law, or other article referenced herein shall be incorporated by reference into this record.

SEPA DETERMINATION	January 29, 2025 MDNS, SEPA Record #202500349
STAFF CONTACT	Travis Simmons, Senior Planner – (360) 683-4908 tsimmons@sequimwa.gov
STAFF RECOMMENDATION	Approval with conditions.

1. PROJECT SUMMARY

1.A.: PROJECT SITE SUMMARY / OVERVIEW

LOCATION	Currently Unaddressed
PARCEL	0330130110000
ZONING	Residential R4-8 (R4-8)
ADJACENT ZONING	North: R4-8 South: R4-8 East: R4-8 West: R4-8
COMPREHENSIVE PLAN DESIGNATION	Low Density Residential
STREET DESIGNATION	S 3rd Ave – Collector street in current TMP S Sequim Ave – Proposed Collector street in current TMP Internal Unnamed Street – Neighborhood street
BACKGROUND	Undeveloped parcel that slopes upward to the south. Existing Highland Irrigation District (HID) infrastructure is present and has required coordination with HID. Bell Creek geographically splits property into two halves.

1.B.: PUBLIC NOTICE & COMMENT

COMMENTS, LETTERS & KEY ISSUES	Determination of Completeness: April 9, 2024 Notice of Application: April 23, 2024 Statement of Mailing: April 23, 2024 PDN Proof of Posting: April 23, 2024

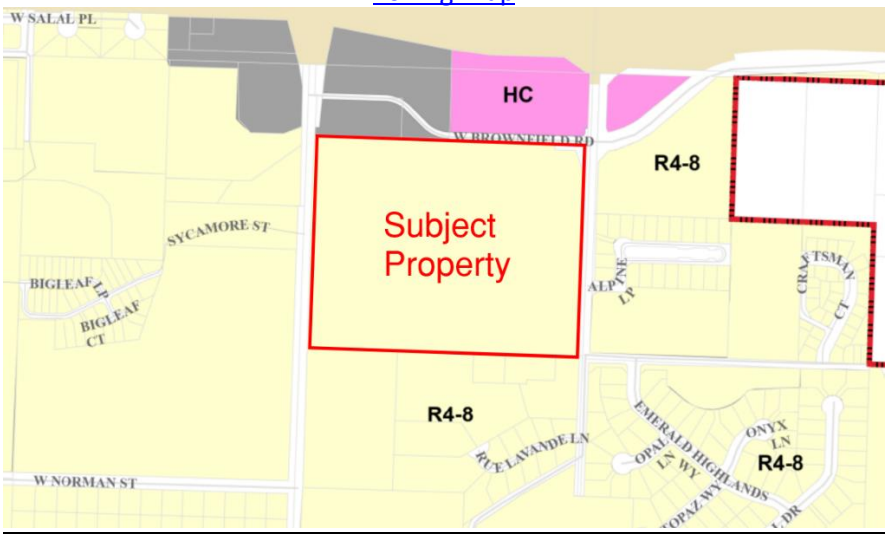
Affidavit of Posting Public Notice: April 26, 2024
Public Comment Responses: See exhibit 16
Agency Comments: See exhibit 15
Final SEPA MDNS Notice: January 29, 2025
Public Hearing Notice: January 29, 2025
PDN Proof of Posting Final MDNS: January 31, 2025
PDN Proof of Posting NOPH: January 31, 2025

APPLICATION PROCESS Type C-2 Process

1.C. PROJECT CONTEXT:

FIGURE 1 & 2
ZONING / COMP. PLAN DESIGNATION

Zoning Map



Comprehensive Plan Future Land Use Map

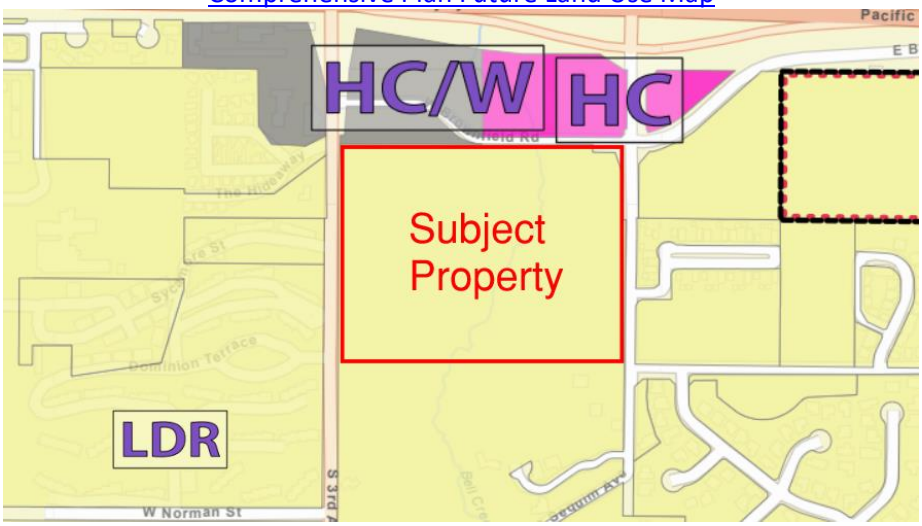


FIGURE 3

PRELIMINARY PLANS

Preliminary Plan Snapshot – taken from Attachment 5



2. REVIEW AUTHORITY

This is a type C-2 quasi-judicial process under the Sequim Municipal Code Title 20.01.030(B)(2). The Hearing Examiner is responsible for conducting hearings on and adjudicating quasi-judicial cases involving a variety of complex land use and regulatory compliance issues, and other issues which the city council may designate to the Hearing Examiner by ordinance or resolution. The Hearing Examiner must issue decisions or recommendations based on relevant ordinances, regulations, policies, statutes, and other authorities within ten (10) days of the publicly noticed hearing.

The Hearing Examiner may approve, deny, or approve with conditions, modifications, and restrictions as the Hearing Examiner finds necessary to make the application compatible with its environment, the comprehensive plan, other official policies, objectives, and land use regulatory enactments.

3. STAFF DISCUSSION / ANALYSIS & FINDINGS AND CONCLUSIONS

3.A. ZONING, LAND USE, DENSITY & DEVELOPMENT STANDARDS:

Discussion: The project's underlying zoning is Residential R4-8 (R4-8), and the Future Land Use Designation is Low-Density Residential (LDR). Zoning standards in the R4-8 require a minimum of 4 units per net acre to be developed. Per SMC 18.20.050 the Zone Intent reads, *The R4-8 zoning district is to provide land for residential development within the city. The R4-8 zone provides for consistency and predictability in the character of residential neighborhoods. New subdivisions must provide a minimum of four dwelling units per net acre.* The LDR is considered to have the opportunity to maintain Sequim's friendly small-town qualities by fostering the growth of low-density neighborhoods consisting of single and small multi-family neighborhoods that are social, walkable, and safe and provide a variety of housing types.

- Property Size: Approximately 28.5 acres.
- Current Land Use: The site is currently vacant.
- Proposed Use: Detached Residential; 104-lot Single Family Residential subdivision.
- Lot size: Minimum 5,400 square feet, Maximum 14,500 square feet; proposed lots range from 5,401 square feet up to 8,798 square feet.
- Density Requirements: Minimum 4 units per net acre; proposed 7.36 lots per net acre.
- Building Height Limit: 25 feet.
- Front Yard Setback: 15 feet.
- Other Yard Setback: 6 feet each side, 15 feet rear.
- Parking Requirements: 2 spaces per residence.
- Maximum Lot Coverage: 40% lots 10,000 square feet and larger; increases by 0.4% for each 100 square feet lot area less than 10,000 square feet.
- Site Requirements: Site plan review per Chapter 18.22 SMC.
- Buffers: Residential development does not require buffers between existing residential lots; no buffers required.
- Open Space & Recreation: Required per SMC 17.28.050. As shown applicant proposes 2.88 acres of open space, of which 50% will contain active amenities.

Staff Finding #1: ***The proposal meets all the zoning requirements and development standards contained in 18.20 and 18.22 and satisfies this portion of the review.***

3.B. SUBDIVISION REVIEW:

17.20.040 Approval Criteria

A. The city will not approve applications for subdivisions unless it is demonstrated by the applicant that each of the following criteria has been met or will be met: **Each lot resulting from the subdivision must conform with the comprehensive plan and zoning regulations;**

Staff Discussion: All lots created as proposed within this subdivision will be within the 5,400sf-14,500sf range allowed for the R4-8 zone, shown in 3A of this report, and meet the requirements of SMC 17.40 for lot design standards. The created lots meet the intent of the underlying zone and comprehensive plan.

Applicant Response: The project will comply with this criteria.

B. **Each lot will adjoin a public street or a private street in the subdivision;**

Staff Discussion: All lots will directly access newly created public streets that loop through the subdivision with dedicated driveway access meeting the minimum City of Sequim standards for driveway widths. Phase A is served by proposed Roads E, F and G, while Phase B is served by Roads A, B, C, and D as shown on submitted site plans.

Applicant Response: The project will comply with this criteria.

C. Curb, gutter, sidewalk, trail connections, transit stops, streets, storm drainage, sanitary sewer lines, water lines and other utilities as required must be installed at the expense of the applicant and meet city specifications and applicable ordinances and the city engineer must have certified or approved the proposed plans;

Staff Discussion: Applicant must construct all public ROW infrastructure and improvements to meet City of Sequim engineering standards at the time of development. Applicant is showing all required improvements being provided in sufficient detail for preliminary approval. Further evaluation and addition of relevant conditions will be completed during site construction review to ensure compliance.

Applicant Response: The project will comply with this criteria.

D. The applicant must provide an easement for utilities transmission services, if necessary;

Staff Discussion: All necessary easements have been shown on the preliminary plat and must be on the face of the final plat prior to recording.

Applicant Response: The project will comply with this criteria. Various required public easements are shown on the preliminary plat plans provided as part of this submittal.

E. Private property necessary for public use for streets must be dedicated and recorded by a deed of dedication acceptable to the city by preparing a plat to be recorded;

Staff Discussion: Dedications for public street right-of-way will be dedicated to the City of Sequim on the face of the final plat and must be reviewed by the city prior to recording.

Applicant Response: The project will comply with this criteria.

F. A bond meeting City requirements (Chapter 3.78 SMC) is posted to ensure completion of those improvements required under these criteria but not yet installed or provided;

Staff Discussion: Bonds will be necessary for all required improvements, and must be posted before final plat approval can be given. Bonding can be coordinated through the site construction process to ensure all required improvements are made or bonded for prior to final plat recording.

Applicant Response: The project will comply with this criteria. Bonding is anticipated to be an option provided as a condition of approval of the Preliminary Plat. This may be utilized based on market conditions prior to start of any construction work.

G. Adequate public facilities will be provided, as required by the adopted capital facilities plan. These facilities may include, but not necessarily be limited to, parks, playgrounds, schools, open spaces, transit stops, and trails and trail connections;

Staff Discussion: Open space is being provided as required, and a public trail easement is being provided to connect to the existing Bell Creek trail system. Trails are allowed as an exempt activity within critical areas per SMC 18.80.055. The minimum amount of open space required for the total project is just over 95,000sf, and the applicant has proposed over 125,000sf of open space, 26,774 sf of which includes active recreation amenities. No additional open space or public facilities were determined to be necessary for this project.

Applicant Response: The project will comply with this criteria. This project proposes approximately 125,475sf of useable open space within Tracts A-E & G-M, of which 48,346sf (51%) is active recreation open space. Our open space calculations do not include the 290,423sf of protected critical area on site.

H. All requirements of the environmentally sensitive areas and wetlands sections of the SMC and the State Environmental Policy Act (SEPA) have been met;

Staff Discussion: A Mitigated Determination of Non-Significance was made on this project, additional comments in section 3E of this report. Mitigation conditions cover potential impacts of water, air, noise, animals, historic resources and transportation. These conditions are incorporated as conditions of approval for this project. Additionally, the applicant has received a permit from DAHP for the alteration of the site, this is included as exhibit 22.

Applicant Response: The project will comply with this criteria.

I. No development may occur which causes a flooding hazard, and until any development occurring within an identified floodplain has been properly mitigated;

Staff Discussion: This proposal does not pose a flooding hazard, nor does it occur within an identified floodplain. Mitigation measures are identified through the MDNS, but no additional mitigation measures are required related to flooding.

Applicant Response: The project will comply with this criteria.

J. The public interest will be served by the proposal;

Staff Discussion: Adding supply to the housing market benefits the community by providing more housing options. Public improvements to S 3rd Ave, S Sequim Ave and Brownfield Rd will benefit all current community members that utilize these existing streets. The provision of active open space through public trail easements can benefit the whole community while certain internal tracts specifically benefit the development as well.

Applicant Response: The project will comply with this criteria.

K. All the requirements of Chapter 58.17 RCW have been met;

Staff Discussion: By following the requirements outlined in SMC Titles 17, 18 and 20, this is determined to meet and be consistent with Chapter 58.17 RCW and all of its applicable requirements.

Applicant Response: The project will comply with this criteria.

L. The proposed project phasing schedule, if applicable, meets the requirements contained in SMC 17.20.090; and

Staff Discussion: Phasing plan has been reviewed. Each phase must be completed as a standalone development and be recorded individually. With no development agreement, all phases subject to preliminary approval must submit for final plat within five years of the preliminary approval.

Applicant Response: The project will comply with this criteria. This project proposes two phases and will comply with the timelines provided in this section. The Phasing Plan is included as sheet C1.06 of the Civil Plan set.

M. Only irrigation districts organized under Chapter 87.03 RCW may require improvements and only in accordance with RCW 58.17.310.

Staff Discussion: Applicant has contacted Highland Irrigation District. Coordination is included as Exhibit 19.

Applicant Response: The project will comply with this criteria.

Staff Finding #3: Staff finds that the project is consistent and satisfies all the listed approval criteria from SMC 17.20.040 as described above.

3.C. CONCURRENCY REVIEW

Per SMC 20.10.010, concurrency review, is the necessary regulatory mechanism for determining that a development meets the concurrency provisions of the city's comprehensive plan, as amended, as required by the Washington State Growth Management Act.

1. Pedestrian Safety LOS

Staff Discussion: Since portions of this project falls within the City's "Pedestrian Priority Route" identified in the City's Transportation Master Plan (TMP), there are requirements for improvements.

S 3rd Ave is shown to be within the "Pedestrian and Mobility Scooter Priority Route" in Figure 13 of the TMP. The applicant is showing a 6-foot sidewalk and a 3.5 foot planter which satisfies the requirements for this street.

S Sequim Ave is not listed as a pedestrian and mobility scooter priority route, so nothing more than satisfying City of Sequim Engineering Standards for the road classification is required. However, the applicant has proposed to construct a 10-foot shared use path that exceeds the level of service standards required.

W Brownfield Road will be subject to improvements at a later date when the City has secured all the necessary ROW to complete the improvements all at once. The applicant has opted to pay a fee in lieu of the improvements per SMC 20.30.

A Miller Rd extension was not pursued by the City due to a number of factors. The cost of constructing a bridge over Bell Creek and potential environmental impacts of that, existing E-W connection at Brownfield Rd being approximately 1,000 ft away, and agreement for a fee-in-lieu related to the future realignment of Brownfield Rd.

Applicant Response: S 3rd Avenue is listed in the City of Sequim's Transportation Master Plan as a "Pedestrian and Mobility Priority Route". Subsection C.1.b.i. states that if located on a pedestrian priority route minimum pedestrian must include a six-foot-wide sidewalk offset from the road edge by a three-and-a-half-foot wide planter strip.

S Sequim Ave is not listed as a pedestrian priority network and therefore typically minimum sidewalk standards of six feet (collector arterial) would apply. However, a ten-foot-wide shared-use path is proposed and therefore exceeds pedestrian concurrency standards.

W Brownfield Road will be subject to improvements at a later date when the City has secured all the necessary ROW to complete the improvements all at once. The applicant has opted to pay a fee in lieu of the improvements per SMC 20.30.

A Miller Rd extension was not pursued by the City due to a number of factors. The cost of constructing a bridge over Bell Creek and potential environmental impacts of that, existing E-W connection at Brownfield Rd being approximately 1,000 ft away, and agreement for a fee-in-lieu related to the future realignment of Brownfield Rd.

Based on these findings, pedestrian level of service/concurrency is met.

2. Bicycle Network LOS

Staff Discussion: Parts of this project fall within the TMP's Future Bicycle Network for providing future bike lanes.

S 3rd Avenue is a designated Collector per the TMP. As such, there are multiple iterations of corridor that can apply. This section of 3rd was identified as both a Future Bike Lane and Ped/Mobility corridor, meaning that the shared use path iterations of the Collector corridor would apply. Since only half of the

corridor is being improved, no bike improvements are being proposed currently. Improvements will be part of a future capital project.

S Sequim Ave, while not shown as a future bike route, the applicant has proposed a 10ft shared use path for this street. This is more than what is required for this street.

W Brownfield Road will be subject to improvements at a later date when the City has secured all the necessary ROW to complete the improvements all at once. The applicant has opted to pay a fee in lieu of the improvements per SMC 20.30.

A Miller Rd extension was not pursued by the City due to a number of factors. These included; cost of constructing a bridge over Bell Creek and potential environmental impacts of that construction, the existing E-W connection at Brownfield Rd being only approximately 1,000 ft away, and the agreement for a fee-in-lieu related to the future realignment of Brownfield Rd.

Applicant Response: S 3rd Avenue is listed in the City of Sequim's Transportation Master Plan's Future Bicycle Network for a future bike lane/wide shoulder. However, a bike lane was not requested by the City as part of the frontage improvements.

S Sequim Ave, the frontage south of Brownfield Rd is not listed as a future bike route. However, a ten-foot-wide shared-use path is proposed on the west side of the roadway. Shared-use paths are designed to accommodate multi-modal transport and can thus serve as the bicycle accommodations and tie into the existing bike lanes north of Brownfield Rd.

W Brownfield Road, due to a planned future City realignment project, the applicant will fulfill the frontage improvement requirements by paving a fee-in-lieu to the City.

With the shared-use path on S Sequim Ave, Bicycle Level of Service/Concurrency is met.

3. Traffic Capacity LOS

Staff Discussion: All intersections will continue to operate at pre-developed levels of service, therefore no additional mitigations are required. The City did complete an Intersection Control Evaluation in 2023 that indicated failing service levels at the intersection of EB US 101 & Sequim Avenue interchange, but there is no immediate timeline for improvements to this intersection. Applicants' analysis noted that the impact from this development will not worsen the level of service standards of the affected intersections.

Applicant Response: All study intersections were shown to operate with LOS A-D conditions under the forecast 2029 peak hour conditions with project buildout meeting the City's LOS D standards with the exception of S Sequim Avenue at the US 101 Eastbound Ramps. However, this intersection is listed on the City's Six-Year TIP for improvements and recently underwent an Intersection Control Evaluation with WSDOT, which identified roundabouts as the preferred improvement alternative.

With a planned City/WSDOT TIP project in-place at the US 101 Eastbound Ramps, the vehicle concurrency is met.

<u>Staff Finding #4:</u> This application has provided the necessary information for a Concurrency Review, and city staff have determined this application to satisfy the requirements set forth in SMC 20.10.050. All installed improvements, subject to concurrency, will be built to City of Sequim Engineering Standards.

3.D. CONSISTENCY WITH THE COMPREHENSIVE PLAN:

<u>Discussion</u>: As discussed in 3.A. above, the property falls within the Low Density Residential land use designation in the current comprehensive plan. This designation is part of Land Use (LU) Goal 3.2 low-density residential, and states,

> Maintain Sequim's "friendly, small-town" qualities by fostering the growth of low-density neighborhoods consisting of, single and small multi-family neighborhoods that are social, walkable, and safe and provide a variety of housing types.

The R4-8 zoning standard applicable to this project requiring a minimum of 4 lots per net acre is consistent with LU 3.2.3 Range of Lot Sizes.

This project consists of 104-lots developed for single family residential homes to be constructed which directly complies with LU Goal 3.2. The preliminary plat shows a net density of 7.36 units per acre, consistent with LU 3.2.3 of the comprehensive plan that states the residential density range, city-wide, is 3 to 6 units per gross acre – which is the equivalent to 4 to 8 units per net acre.

<u>Staff Finding #5</u>: Staff finds that, based on the review above, the proposed project is consistent with the vision of the Comprehensive Plan for this area.

3.E. STATE ENVIRONMENTAL POLICY ACT (SEPA)

As described in the applicant's SEPA Checklist, Bell Creek – a type 2 stream – runs through the property in a general north to south direction. The development has identified the required 100-ft buffer and while it will be doing work within 200-ft of the water, the project is not proposing any construction activity to occur within the buffer. All necessary mitigation was identified for Water Quality, Air, Environmental Health-Noise, Animals, Historical and Cultural Resources and Transportation. These mitigations have been provided as conditions of approval.

<u>Staff Finding #6:</u> This application, as conditionted, does not pose a probable significant adverse environmental impact. Necessary mitigations have been identified and included as conditions of approval.

4. RECOMMENDATION

THEREFORE, after project review by City Staff including the City's: Department of Community Development and Public Works Department; the Director of Community Development finds the proposed development to be in conformance with the City of Sequim's zoning and regulatory requirements.

Major Subdivision Application SUB-24-002, is hereby **RECOMMENDED FOR APPROVAL** subject to the attached Conditions of Approval listed below.

SIGNED THIS DAY OF , 2025.

_____

Karla Boughton
Cross Sound Consulting
On behalf of
Kristina Nelson-Gross, Interim Director
Department of Community and Economic Development

REVIEW AUTHORITY: A Type C-2 decision is reviewed and approved by the Hearing Examiner. They are responsible for conducting hearings on and adjudicating quasi-judicial cases involving a variety of complex land use and regulatory compliance issues, and other issues which the city council may designate to the Hearing Examiner by ordinance or resolution. The Hearing Examiner must issue decisions or recommendations based on relevant ordinances, regulations, policies, statutes, and other authorities. See Section 2. Review Authority, for more details.

If you have any questions or need additional information, please contact the Department of Community and Economic Development, (360)683-4908.

5. CONDITIONS OF APPROVAL

DEPARTMENT OF COMMUNITY DEVELOPMENT CONDITIONS OF APPROVAL

1. Within five years following approval of a preliminary major subdivision, or otherwise stipulated in RCW 58.17.140, a final plat shall be submitted to the City for review and approval prior to recording. A one-year extension may be granted by the Director of Community and Economic Development.

2. Required improvements of curbs, gutters and paving must be constructed consistent with City of Sequim Engineering standards for the street classifications outlined in this staff report.

3. All required easements must be clearly shown on the face of the final plat.

4. Final plat language must be consistent with adopted "Guidelines for Standard Land Use Certification, Dedication and Declaration Language", per SMC 17.04.040.

5. The applicant will coordinate with the U.S. Postal service for the provision of mailboxes, if necessary.

6. Any future signage will require separate review by the Department of Community and Economic Development per SMC 18.58, at which time it will be reviewed for compliance with the city's sign regulations.

7. All fire hydrants must satisfy the requirements of International Fire Code(IFC), specifically IFC Chapter 507, Appendix B, Appendix C and Appendix D.

PUBLIC WORKS CONDITIONS OF APPROVAL

1. Fee-in-lieu payments for Brownfield Rd improvements must be executed before issuance of a site construction permit or at such other time as determined by the director.

SEPA MITIGATIONS

WATER QUALITY

All site construction shall be conducted in compliance with the most current Stormwater Manual for Western Washington.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are pollutants. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington and is subject to enforcement action.

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres and discharges stormwater to surface waters of the State; and

2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more and discharge stormwater to surface waters of the State. This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, and discharge to surface waters of the State; and

3. Any site construction activity discharging stormwater to waters of the State that Ecology:

    a) Determines to be a significant contributor of pollutants to waters of the State of Washington.

    b) Reasonably expects to cause a violation of any water quality standard.

If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact SWRO, Toxics Cleanup Program at (360) 407-7529.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.

You may apply online or obtain an application from Ecology's website at: http://www.ecy.wa.gov/programs/wq/stormwater/construction/ - Application. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

AIR

Potential air impacts shall be mitigated by watering the site as necessary, utilizing dust suppression options and techniques described in the WA Department of Ecology publication # 96-433, 2016.

ENVIRONMENTAL HEALTH-NOISE

To mitigate the potential for noise impacts to surrounding properties, construction activities through complete buildout of this proposed development shall be limited from 7:00 am to 10:00 pm Monday through Friday and 9:00 am to 10:00 pm on weekends, consistent with Sequim Municipal Code 8.32.040.

ANIMALS

It shall be the responsibility of the applicant to take all necessary steps to prevent the incidental taking of protected species under the Endangered Species Act through habitat modification or degradation during the life of the project or development authorized by this permit or approval. The applicant shall notify the City through Its Public Works Director or designee and the Federal Agencies with responsibility for enforcement of the Endangered Species Act immediately, in the event of damage of degradation to Endangered Species habitat by or from the project or the development subject to this permit or approval. In any such case, the applicant shall, at its sole cost and expense, take all action necessary to prevent the furtherance of the damage or degradation and to restore the habitat as required by the Federal, State, and local agencies with jurisdiction.

HISTORICAL AND CULTURAL RESOURCES

Applicant has coordinated with local Jamestown S'Klallam Tribe and currently has DAHP permit #2024-29. All special conditions (1-11) included in Exhibit 22 must be followed, and continued coordination with Jamestown will be required for any new discoveries through the inadvertent discovery process during construction.

TRANSPORTATION

Prior to final subdivision approval, the applicant shall submit final construction plans for review and approval by the City of Sequim Public Works Department. In accordance with SMC 17.20.040, the plans shall demonstrate to the satisfaction of the City engineer, that curb, gutter, sidewalk, trail connections, transit stops, streets, storm drainage, sanitary sewer lines, water lines and other utilities as required, will be installed at the expense of the applicant and meet City specifications and applicable ordinances.