

**DRAFT AGENDA
CITY OF LANGLEY COUNCIL WORKSHOP
Monday March 28, 2022 6pm**

Special Council Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81333791577?pwd=ZTcyaVVBeFQ0NUpFdVVva2syQ1p4dz09>

Passcode: 444379

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+16699006833,,81333791577#,,,,*444379#

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1. CALL TO ORDER

- a. Roll Call

2. DISCUSSION OF BOARDS AND COMMITTEES

- a. The job of a Hearing Examiner.....3-13
- b. Coles Valley Presentation and Discussion.....14-56

3. ADJOURNMENT

***Citizen Comments:** We welcome comments on subjects of concern or interest that are not on the agenda. Please state your name and address so this can be recorded and limit your comments to 5 minutes. Questions will be answered immediately if the answer is brief, and the information is available. Otherwise, answers will be provided as soon as possible. Thank you for participating! **If reasonable accommodation of a disability is needed, please contact Monica Felici at (360) 221-4246 at least 48 hours prior to this meeting.**

Statement regarding Potential Conflicts of Interest - Officials, employees, consultants, volunteers and vendors are obliged to withdraw from any involvement in a matter where there is a conflict or perceived conflict, even if they feel certain they can act impartially. If a conflict, or potential conflict exists, the affected party shall declare so at the first public meeting when the matter is being considered. And shall withdraw from the meeting or future meetings for the duration of the discussion of the issue.

Langley is a Civility First City and conducts its governance abiding by the Civility First Pledge:

- 1. Value honesty and good will while striving to solve problems.
- 2. Attempt genuinely to understand the point of view of others
- 3. Model civil behavior and tone, online as well as in public by:
 - a. Being kind while maintaining the right to vigorously disagree
 - b. Acting respectfully toward others, including opponents.
 - c. Listening to those who disagree with us, as well as supporters
 - d. Making only accurate statements when defending a position
 - e. Refraining from characterizing adversaries as evil
 - f. Challenge disrespectful behavior, courteously
 - g. Encourage any person or organization working on our behalf to meet these same standards from civil discourse



Hearing Examiner

Meredith Penny, Community Planning
Director

City Council Special Meeting 3/28/22

Legislative and Quasi-Judicial Decisions

Legislative

- Policies and regulations for future action
- Adoption of plans
- Adoption of ordinances
- Passing budgets



Quasi-Judicial

- Administrative decisions that apply previously established policies and regulations
- Site plan review
- Subdivision plats
- Variances
- Code enforcement

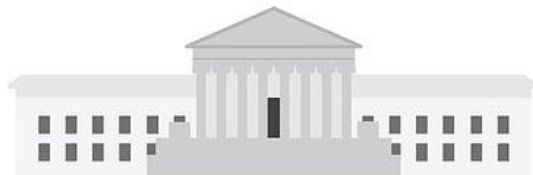




LEGISLATIVE



EXECUTIVE



JUDICIAL

Separation of Powers

- Federal and state governments separate legislative and judicial powers
- People elected to make law through adoption of legislation – legislative branch
- Administrative and enforcement of law responsibility of executive branch
- Applying the meaning of the law to cases responsibility of judicial branch



LEGISLATIVE



EXECUTIVE



JUDICIAL

Separation of Powers

- Has been less absolute at local government level in WA
- City Council = legislative branch
- Mayor and staff = executive and administrative branch
- But until 1970s local councils or planning commissions often played a quasi-judicial role when it came to certain land use permits



LEGISLATIVE



EXECUTIVE



JUDICIAL

Separation of Powers

- Means City Council responsible for adopting local zoning laws but also sat in judgement when zoning permits approved by a local administrator were appealed
- Any party dissatisfied with the council's decision on such appeals would appeal to superior court
- The superior court could overturn such decisions but may also impose financial judgements against the city depending on the circumstances

Why Cities Remove Themselves from Quasi-Judicial Decisions

Financial Risk of Having Lay Elected Official with no Training or Background in Law Attempt to, in Effect, Practice Law

Washington Cities Insurance Authority encourages councils to divest themselves of quasi-judicial role

City Councils conduct the hearing and deliberation in open session.

Increases the surface area for a procedural misstep. Ex. Allowing a member of the public to make comment outside of the record

Sometimes Council members make off-the-cuff remarks. Hearing examiner listens to public comment but deliberation is internal mental process that occurs after hearing is over

Why Cities Remove Themselves from Quasi-Judicial Decisions

Quasi-Judicial Cases are Time Intensive

The record and written and oral argument can consume many hours of time to be reviewed, debated, and discussed

Typical for even projects that are fairly small in scope

City Councils have demands on their agenda time including issues that have greater impact on the entire community well-being

Only elected council can adopt city budgets, ordinances, and programs – this cannot be delegated to others - while quasi-judicial decisions can

Why Cities Remove Themselves from Quasi-Judicial Decisions

Quasi-Judicial Role Places Council Members in Untenable Lose-Lose Predicament

Council members caught between need to be responsive to desires of constituents and their duty to the legal criteria governing the permit decision before them

Elected officials involved in quasi-judicial hearing cannot engage with community members on it because of “ex-parte” communication

Doing the right thing by the legal criteria may result in a political cost at the next election

Departing from legal framework to satisfy constituents runs risk of potential hit to city treasury

Langley's Hearing Examiner System

Ordinance 957

Adopted 2011

LMC 18.37

ORDINANCE NO. 957

CITY OF LANGLEY, ISLAND COUNTY, WASHINGTON

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, ADOPTING A HEARING EXAMINER SYSTEM IN ORDER TO CONDUCT PUBLIC HEARINGS AND RENDER DECISIONS ON MATTERS DELEGATED BY THE CITY COUNCIL THROUGH THE ADOPTION OF NEW CHAPTER 18.37 AND AMENDING OR REPEALING THE FOLLOWING SECTIONS OF THE LANGLEY MUNICIPAL CODE:

Reasoning from the Ordinance:

- Consolidating and coordinating multiple review process and appeals
- Professional and timely decisions
- Fairness and consistency
- Time-saving
- Separation of government functions
- Improved compliance with legal requirements
- Reduces liability

Langley's Hearing Examiner System

Sound Law Center

Andrew Reeves



Authority:

- Preliminary plats
- PUD's
- Preliminary Binding Site Plans
- Conditional Use Permits
- Variances
- Shoreline Substantial Development
- Type II Site Plan Review
- Appeals of Administrative Decisions

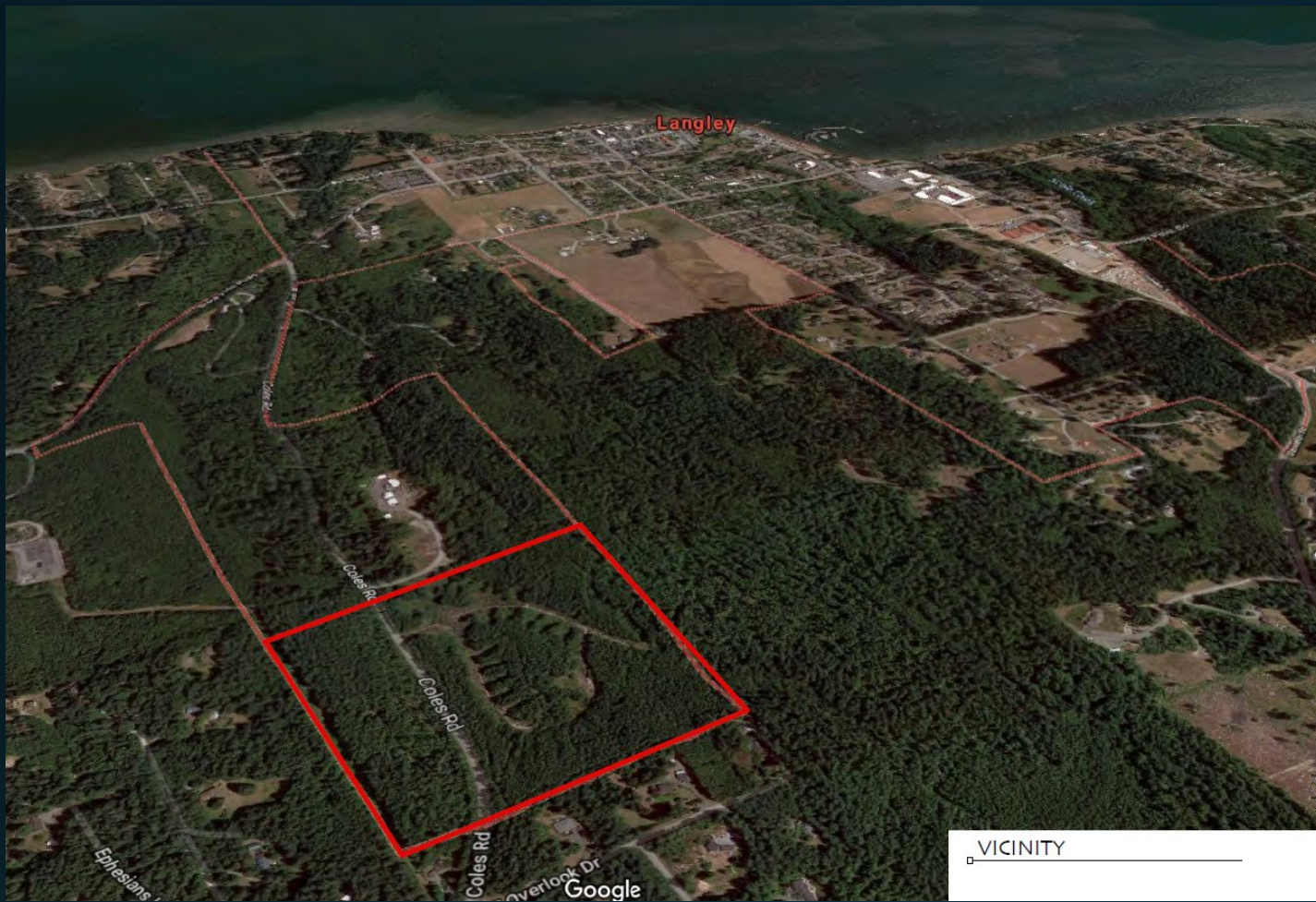


Questions?



Proposed Coles Valley PUD

Review Process and Frequently Asked Questions

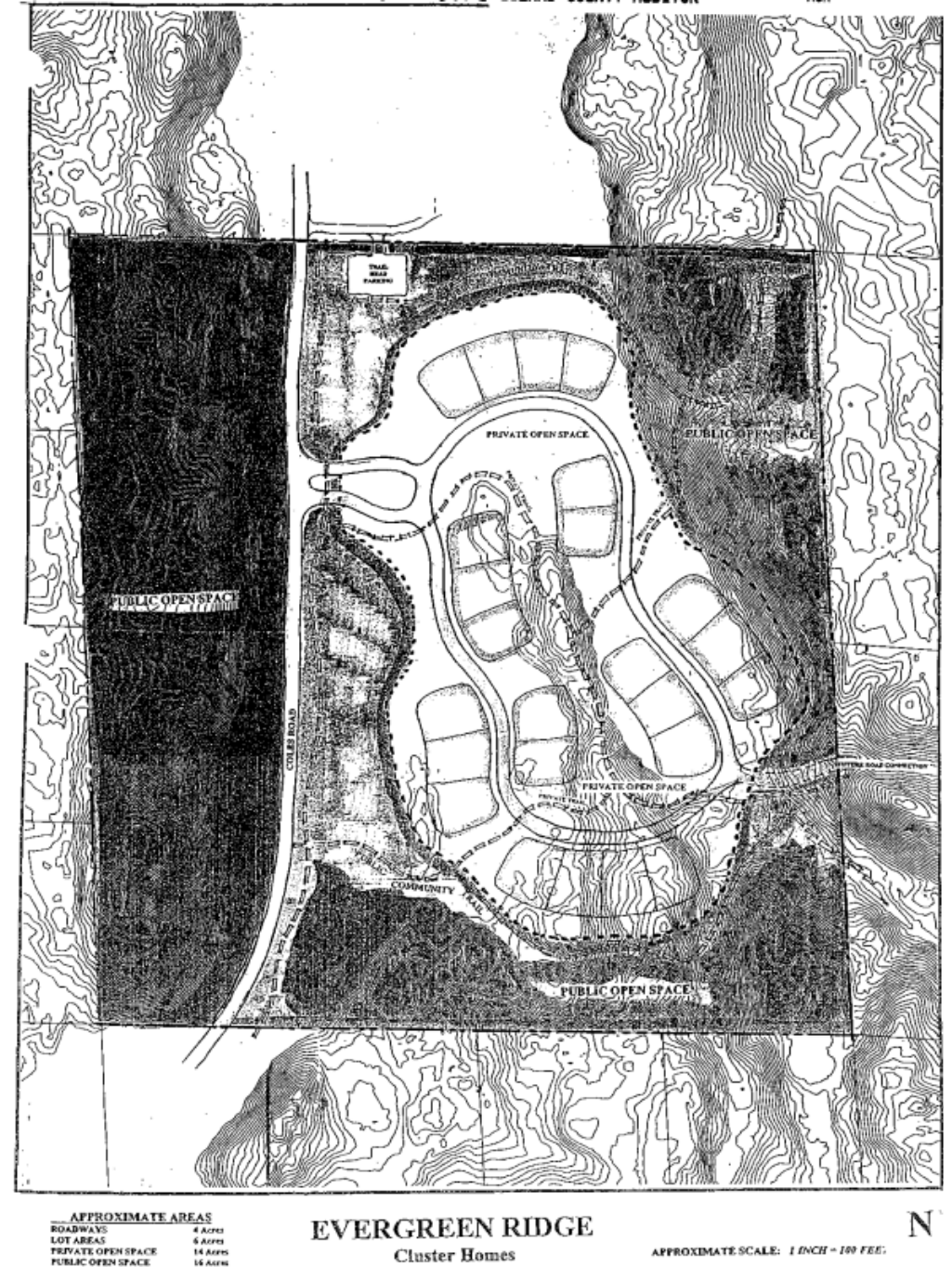


Project Site

- Southwest corner of City limits
- 40 acres in size total
- Separated by Coles Rd
 - 11.17 acres on west side and 28.64 acres on east side
- Underlying Zone is Residential Single Family 15000

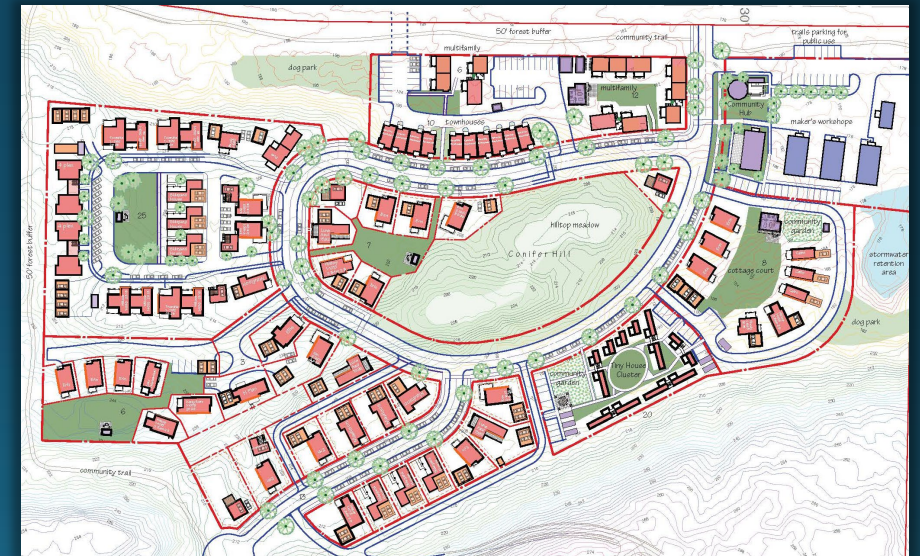
Project History - Annexation

- Property annexed into City in 2005 via an annexation agreement
- Original Agreement outlined
 - Max. # of 24 units
 - Min. 15 acres of open space to be dedicated to City, including entire west side of Coles Rd
 - Min. 13 acres of private open space
 - 50ft roadway buffer
 - 150ft buffer from Canyon Ridge Development to the south
 - Trails running along west, north, and east property lines
 - Trailhead parking
 - Only one single point of entry from Coles Rd serving future development



Project History – Alternative Concept

- In recent years property owners, South Whidbey LLC began working on a proposal for an alternative concept that differed from original annexation agreement
- City saw value in reevaluating the development concept for this property and considering greater variety of uses and housing types
- New code process needed before alternative development proposal could be considered
- City entered into [Memorandum of Understanding](#) with the developer to guide process of writing code amendments for a mixed-use development such as Coles Valley



First Coles Valley Mixed-Use Development Proposal from 2019

Project History – PUD Code

- Under the MOU, City staff would review the proposed ordinance and could retain one or more consultants to assist with the review.
- The City retained Place Makers to assist with the review and public outreach of the proposed PUD code
- The City directly retained and paid Place Makers for their work, but was reimbursed for the costs by the developer
- A public workshop was held Feb. 2020 and a [comment matrix](#) created to identify where issues and concerns were incorporated

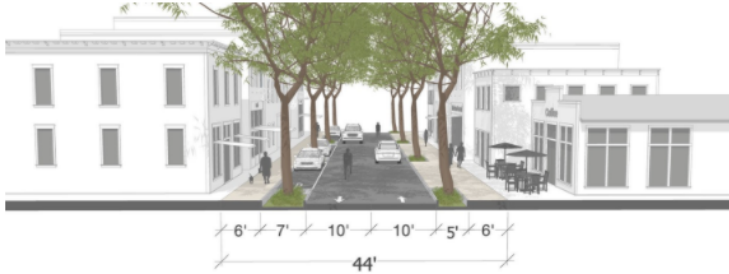


Memorandum of Understanding with project proponents

What is a Planned Unit Development (PUD)?

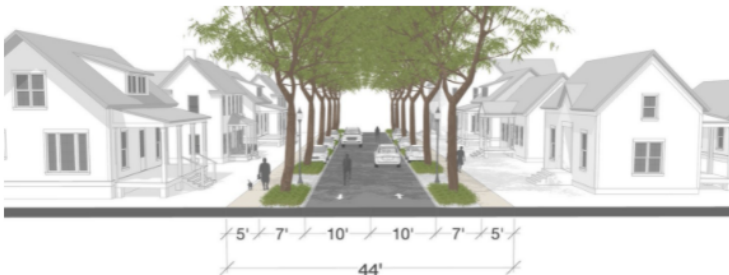
Table 2. PUD Street Cross-Sections

a. Street 44-27



Assembly		Roadway	
Type	Mixed use street	Target speed	20 – 25 mph
Right-of-way	44 ft. min.	Movement	2-way slow
Intensity areas	PUD-M, PUD-H	Travel lanes	2, 10 ft. each
Border		Parking lanes	1, 7 ft. parallel
Sidewalk	6 ft. min.	Median	None
Planting	5 ft. min. rain garden	Bicycle facilities	Shared lane
Curb	Vertical, with cuts	Class	Local

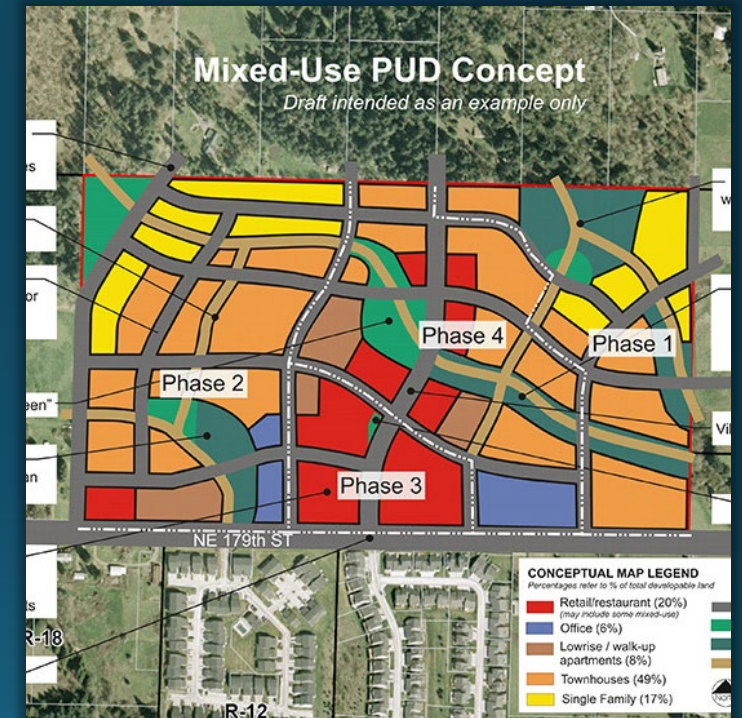
b. Street 44-20



- Both a type of development and a regulatory process
- Purpose to allow greater flexibility in configuration of lots, buildings, and uses on a site than allowed under standard zoning ordinances
- Goal is to encourage a unified plan that provides a more integrated package than piecemeal development
- Can benefit both the jurisdiction and the developer
 - Developer gets extra flexibility and perhaps a density bonus or reduced infrastructure costs
 - While jurisdiction gets open space and other desired amenities

Are PUDs only for urban areas?

- Most common PUD applications actually occur in suburban cities and rural county areas
- Urbanized cities typically do not need PUD ordinances, because code often integrates use and design flexibility and master planning/phasing provisions
- Used to manage development of large subdivisions, so can be useful for any City that has large tracts of undeveloped land where underlying zoning does not offer flexibility
- Ex. City of Chelan – pop. 4,000 has PUD code
- Bayview Ridge unincorporated urban growth area in Skagit County – pop. 1,800 has PUD code



PUD Example from Skagit County

How does a PUD relate to the State's goals?

- WA State Growth Management Act (GMA) encourages growth inside urban growth areas while reserving rural areas for timber, agriculture, critical areas, recreation, and open space.
- Accommodating growth and development in City limits, helps relieve development pressure from rural areas of County
- 80% of growth on south Whidbey occurs in rural areas
- GMA encourages compact development in urban areas rather than urban "sprawl"
- Densities between 1du/1acre and 1du/5acres are not dense enough to be considered urban development, but too dense to be considered rural development

How does a PUD relate to the City's goals?

LU 3.2 – The City encourages the use of innovative planning tools and techniques to achieve the goals and policies in the Comprehensive Plan

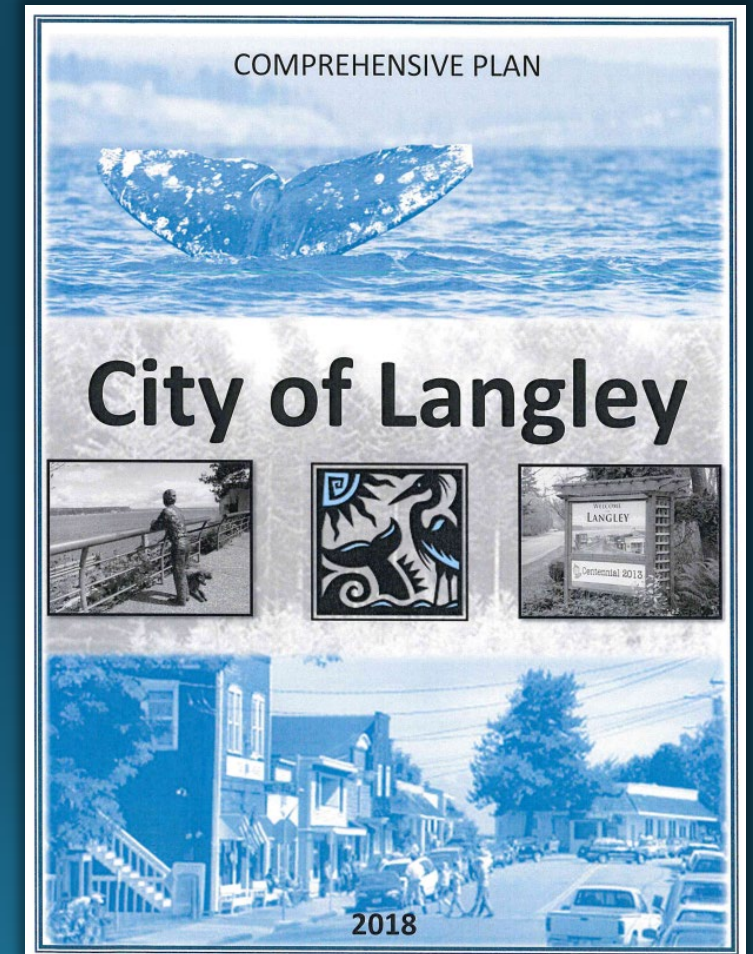
LU – 3.8 Where large areas of public open space are being provided or existing public facilities are being improved, increased densities or land use intensity may be considered

LU – 4.6. A mix of land uses is supported where they are sensitively integrated including... through use of the Planned Unit Development overlay.

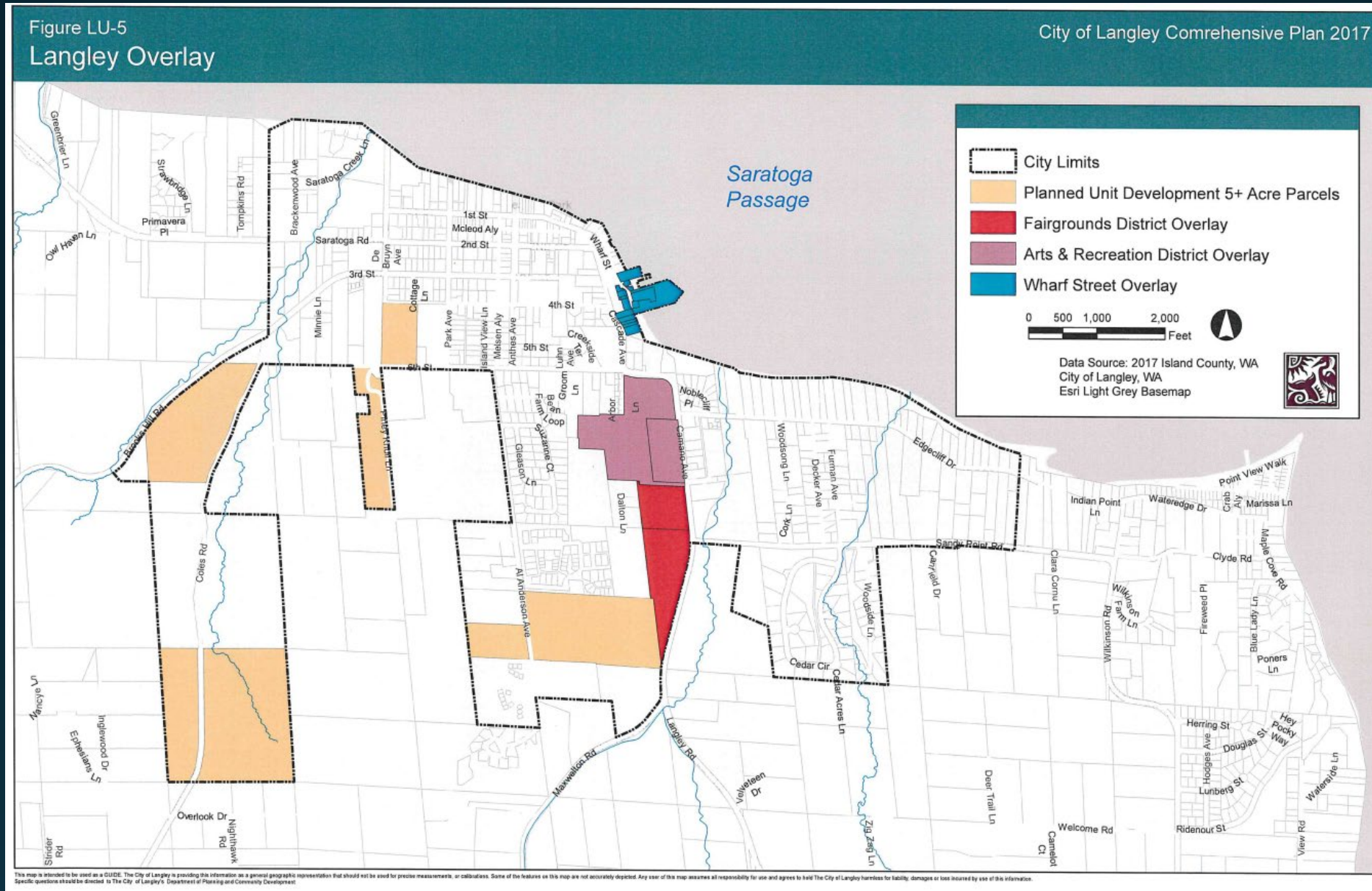
LU – 4.7 Cluster residential development in recognition of sensitive natural features...and to preserve contiguous portions of properties in permanent open space

LU – 4.8 Support innovative strategies that facilitate the development of a range of affordable housing options...

LU – 4.15 Higher density development is permitted in multi-family neighborhoods when integrated in a sensitive manner through the use of Planned Unit Development



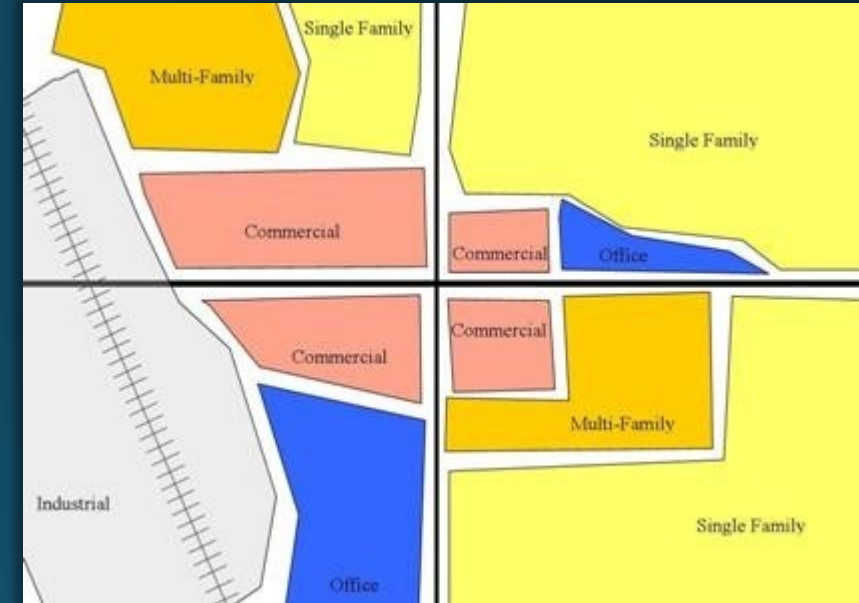
What other locations are PUDs allowed?



What is a form-based code?

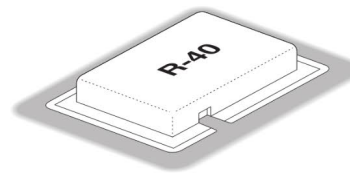
- Land development regulation that fosters:
 - Predictable built results
 - High-quality public realm
- By using physical form rather than separation of uses
- Offers a powerful alternative to conventional zoning regulation
- Address relationship between:
 - Building facades and the public realm
 - Form and mass of buildings in relation to one another
 - Scale and types of streets and blocks

Traditional Euclidean Zoning



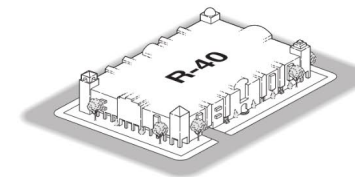
Conventional Zoning

Density use, FAR (floor area ratio), setbacks, parking requirements, maximum building heights specified



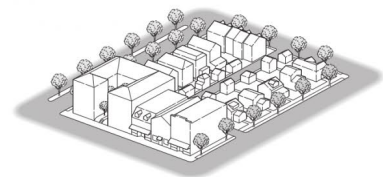
Zoning Design Guidelines

Conventional zoning requirements, plus frequency of openings and surface articulation specified



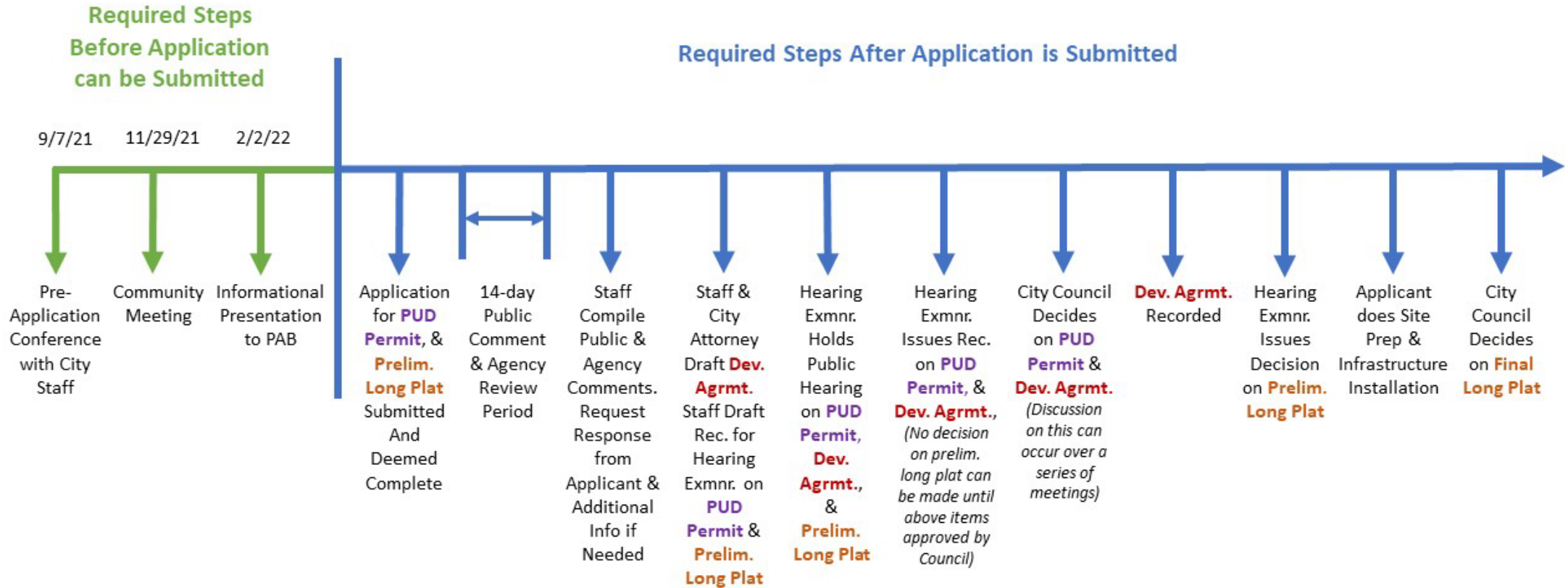
Form-Based Codes

Street and building types (or mix of types), build-to lines, number of floors, and percentage of built site frontage specified.



Planned Unit Development (PUD) Review Process

LMC 18.26.090



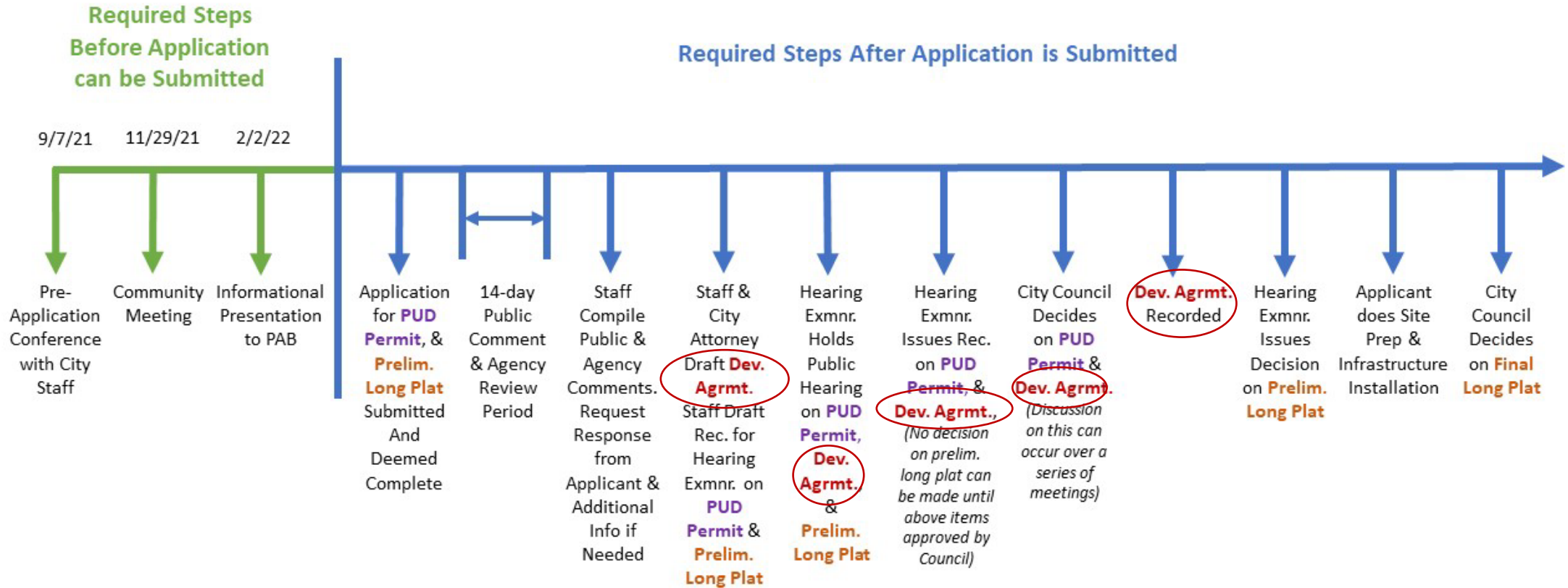
Now that the PUD code is adopted, what is the process for a PUD application?

What role does the development agreement play? What about the current annexation agreement?

- RCW 36.70B.170:
 - Local government may enter into development agreement with person having ownership/control of real property in its jurisdiction.
 - Development agreement must set development standards and provisions that apply to, govern, and vest the development, use, and mitigation for duration specified in the agreement.
 - Development agreement shall be consistent with applicable regulations adopted by local government
- LMC 18.26.090.E.
 - PUD conditions of approval and other terms shall be incorporated into a development agreement as authorized by RCW 36.70B.170.
 - Development agreement shall be binding on all PUD property owners and their successors and shall require that they develop the subject property only in accordance with the terms of PUD approval.
 - Development agreement shall be signed by mayor and all property owners and lien holders within the PUD boundaries, and recorded against the property with the Island County Auditor, before the city may approve any subsequent implementing permits or approvals
- **The current annexation agreement remains in place until superseded by a new development agreement**

Planned Unit Development (PUD) Review Process

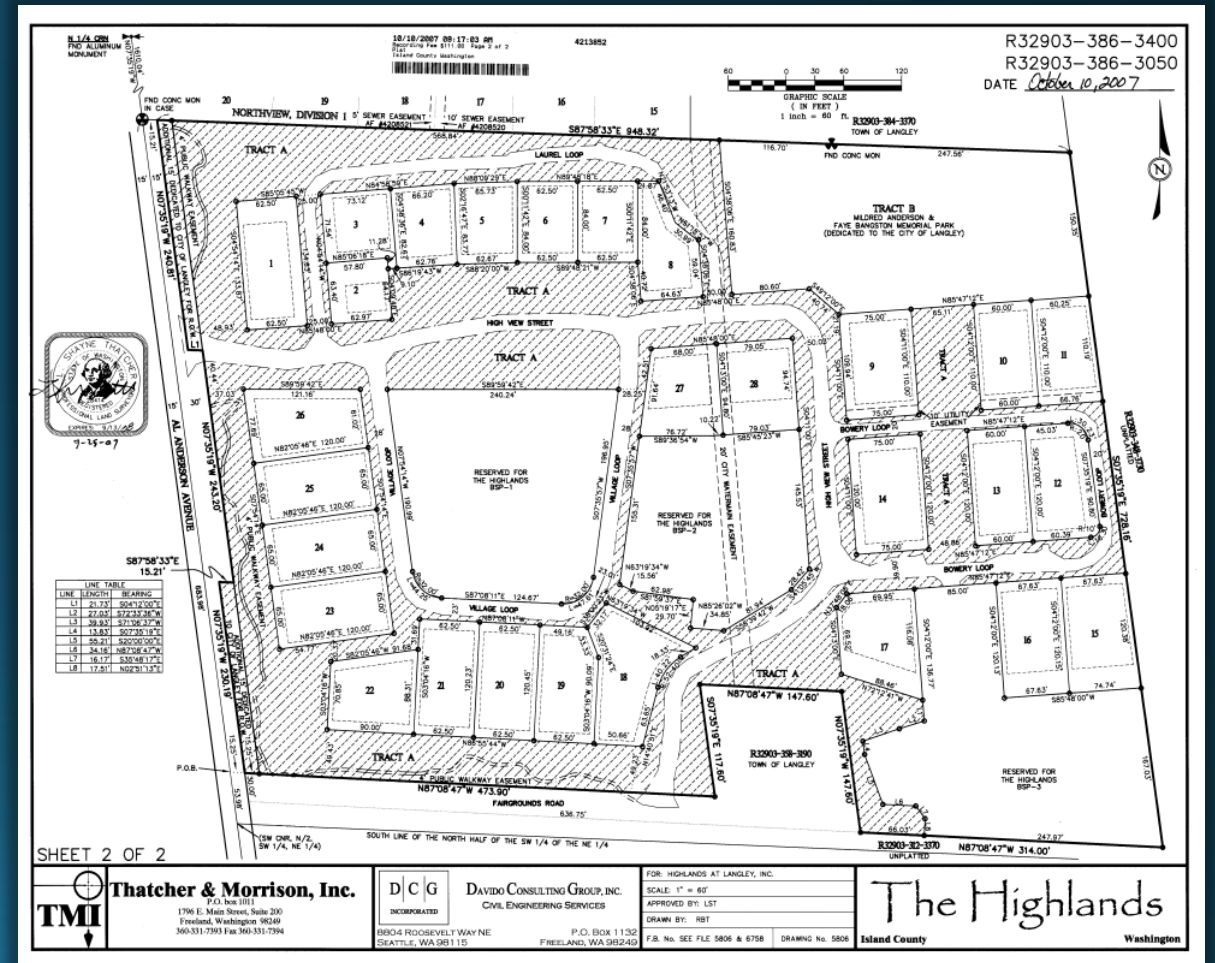
LMC 18.26.090



What role does the development agreement play?

What role does the long plat play?

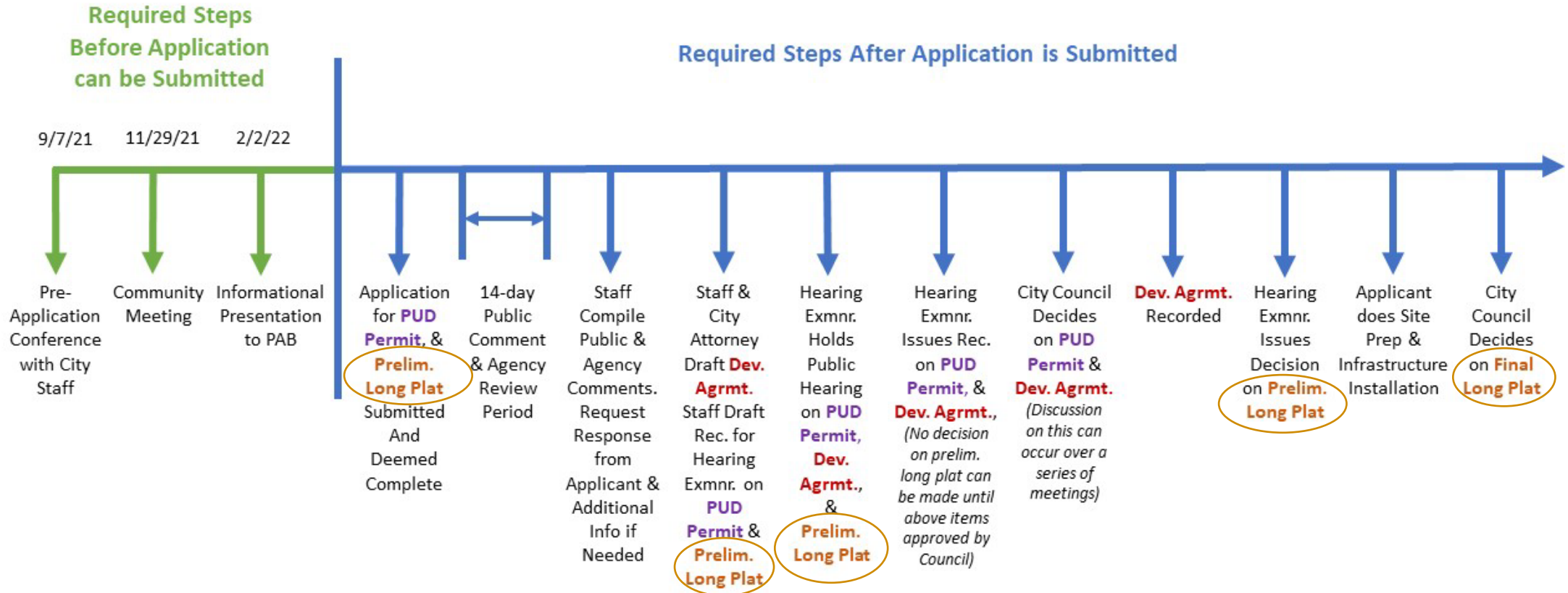
- Any subdivision of land must go through platting process
- Four or less lots = short plat
- Five or more lots = long plat
- Plats are two step process
 - Preliminary plat – where majority of review occurs
 - After preliminary plat, site preparation, clearing, grading, and infrastructure installed
 - Final plat – final map showing location lots, tracts, roads, and restrictions
- Recorded with Island County Auditor's Office



Example Final Plat Map from the Highlands 2007

Planned Unit Development (PUD) Review Process

LMC 18.26.090



What role does the long plat play?

What about the SEPA process?

- State Environmental Policy Act (SEPA) process identifies and analyzes environmental impacts associated with governmental decisions.
- Decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies, and plans.
- SEPA review process helps agency decision-makers, applicants, and public understand how proposal will affect environment.
- SEPA can be used to modify or deny a proposal to avoid, reduce, or compensate for probable impacts.
- SEPA environmental checklist will be submitted by the applicant, assessing potential for impacts such as: water, air, earth, plants, animals, traffic, noise etc.
- City staff reviews the checklist and issues a notice starting a 14-day public comment period
- Final decision on PUD, will also include determination on environmental impact
 - Determination of non-significance (DNS)
 - Determination of mitigated non-significance (MDNS)
 - Determination of significance which triggers the Environment Impact Statement (EIS) process



What is staff's role?

- Staff function as neutral moderator between public, applicants, and decision makers
- Staff's purview to ensure that the city codes are followed and any potential environmental impacts mitigated for appropriately
- Staff:
 - Reviews the initial application and determines if all required reports and info are included and deems application complete
 - Publishes public notice and collects and reviews all public comments
 - Requests additional information from the applicant where needed
 - Works with the City Attorney to draft the development agreement and writes a staff report and a recommendation for the Hearing Examiner

What is the Hearing Examiner's Role?

- Under a hearing examiner system, a city or county contracts with a hearing examiner to conduct quasi-judicial hearings in place of having local bodies such as the planning commission or city council decide
- Purpose is to have a professionally trained individual, typically an attorney, make an objective decision supported by an adequate record, free from political influences
- Can also make recommendations to local governing bodies
- Staff will develop a staff report which includes a recommendation, and compile the records for the Hearing Examiner to consider
- Hearing Examiner will hear staff presentation, applicant presentation, and public comments.
- The hearing is to consider PUD permit, development agreement, and preliminary long plat
- The Examiner will then review the record and public input and make a recommendation to Council on the PUD permit and development agreement
- After Council decides on the PUD permit and development agreement, the Examiner can then make a final decision on the preliminary long plat

What is the City Council's role?

How will their role change after an application is submitted?

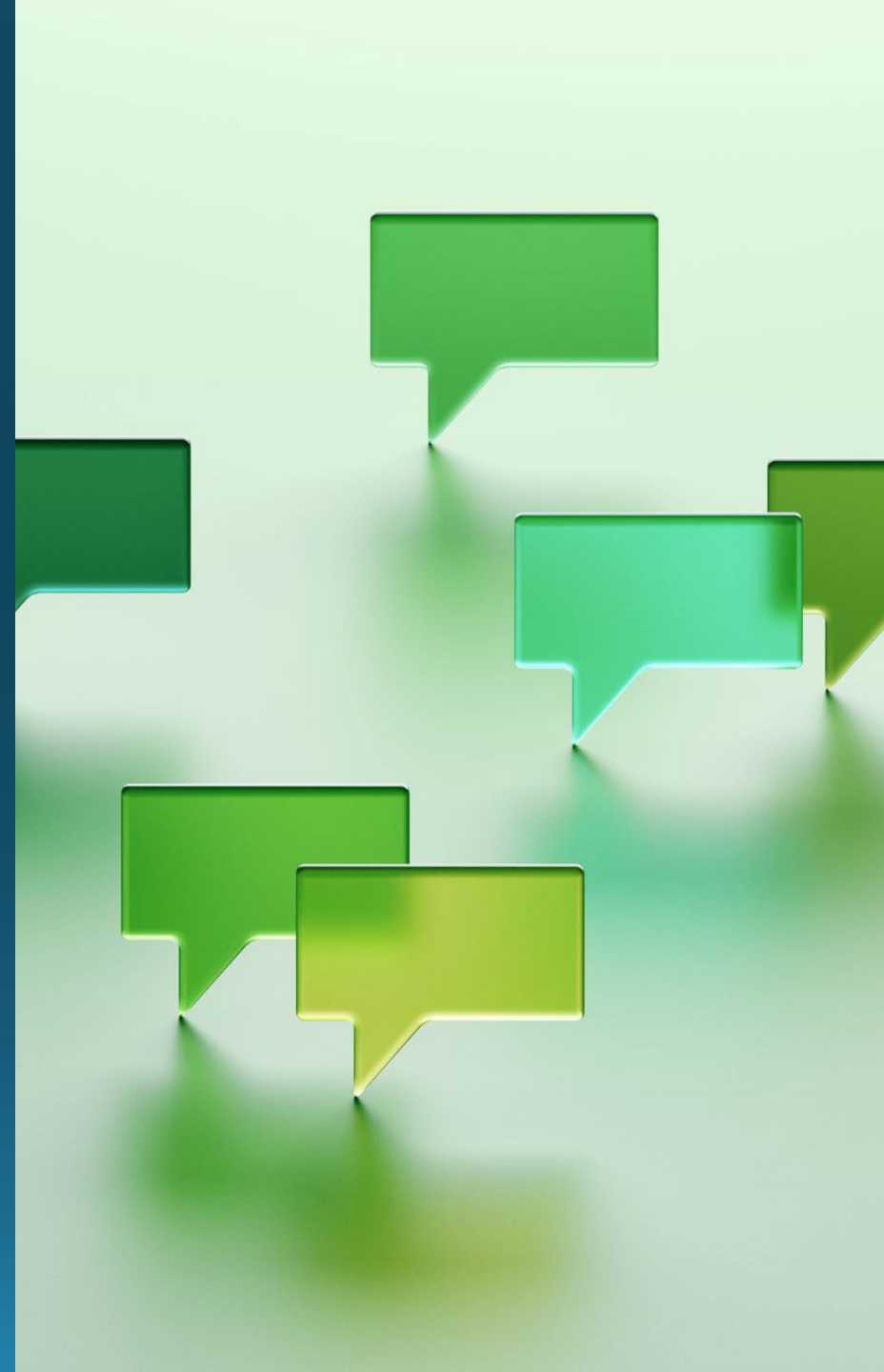
- After public hearing with Hearing Examiner, staff present Hearing Examiner's recommendation to City Council for final decision:
 - First, on the PUD permit and development agreement, which must be recorded
 - Then, final long plat, which can only be considered after PUD development agreement recorded
- Only one public hearing is allowed to be held on quasi-judicial decisions.
- This means City Council's final decision will not occur during a public hearing, because the public hearing was held by the Hearing Examiner
- Before a formal application is submitted, the City Council can discuss the project with staff and each other outside of a public meeting.
- After, the application is submitted, as the final decision makers, it is important City Council avoids ex-parte contact (appearance of fairness doctrine)
- When the application comes to the Council for consideration, Council cannot hold a public hearing, but can discuss the application over multiple open public meetings

What is required to deem the permit application “complete”?

- Staff will review the application to ensure all the required items were included in the application
 - Filled out application
 - Site plan containing the items in [LMC 18.26.090.B](#) and [LMC 17.04.070](#).
 - Any reports or analysis required under Titles [18](#), [17](#), [16](#), and [15](#).
 - (Critical areas report, geotechnical report, transportation impact analysis etc.)
- At this stage, staff only [review for completeness](#), not correctness.
 - That required items are included - not whether they meet the code requirements, that review occurs later.

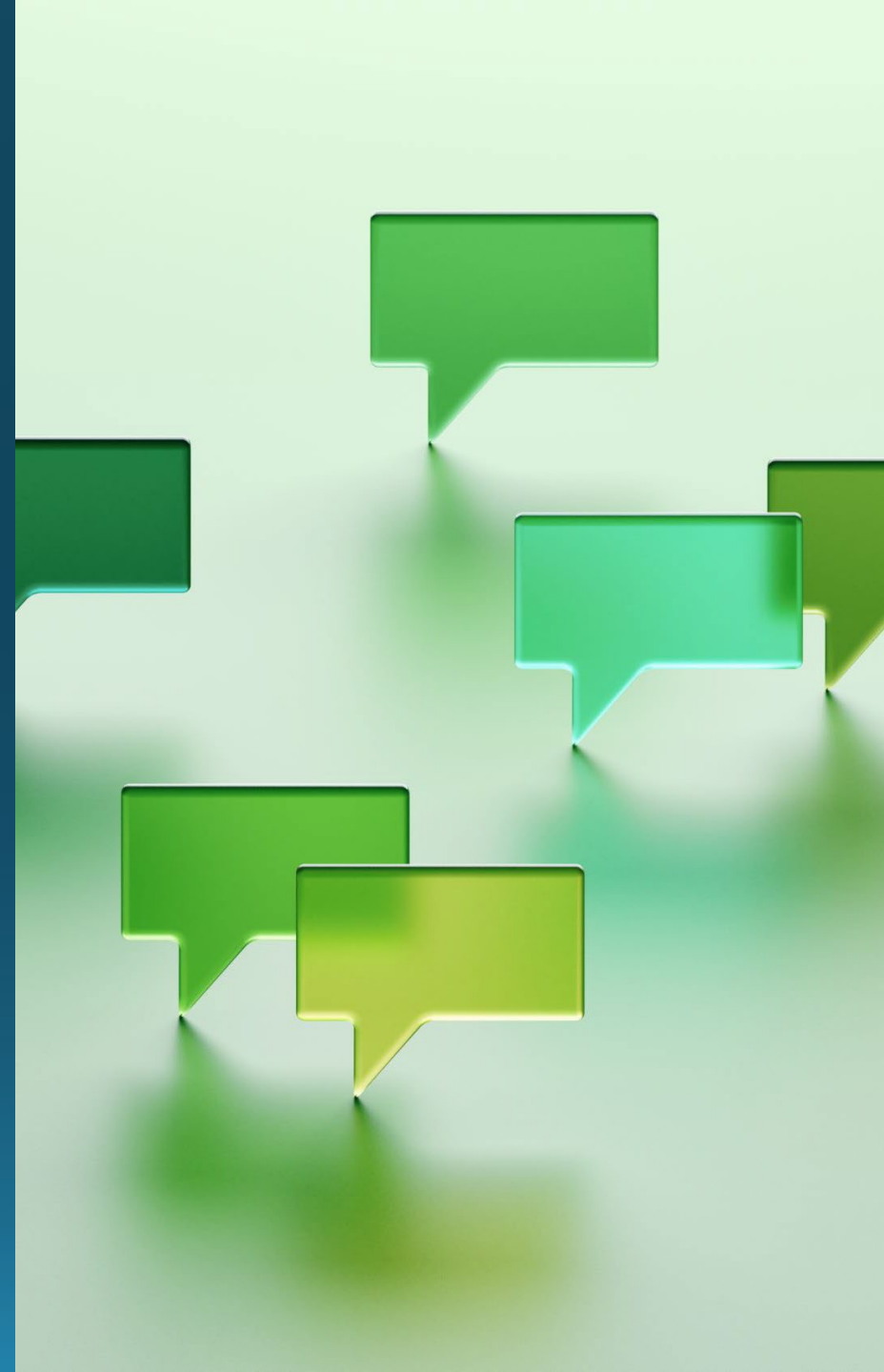
When can public comments be submitted and how will they be addressed?

- Public comments can be submitted throughout the application review process
- The 14-day period is the minimum amount of time the City must post the application for public review and comment, but comments accepted until final decision issued
- Staff will compile all public comments into a matrix and send the matrix to the applicant to fill-in responses on how each concern was or was not addressed and why
- Public comments can also be provided verbally during the public hearing with the Hearing Examiner



How will the public be notified of the public comment period and the public hearing?

- The public comment period will be noticed through:
 - Publishing in the legals section of the South Whidbey Record
 - Posting on the community boards at City Hall, the Post Office, and Library
 - Posting on the City's [website](#)
 - Posting of a sign on the project site
 - Notification by mail of adjacent property owners
- The public hearing will be noticed through:
 - Publishing in the legals section of the South Whidbey Record
 - Posting on the community boards at City Hall, the Post Office, and Library
 - Posting on the City's [website](#)
 - Posting of a sign on the project site
 - Notification by mail to all properties within 500ft of the project site
- Notification requirements can be found in [LMC 18.36.020](#) and [LMC 18.36.025.D](#)



Why have the public comments been forwarded to the developers?

- Three steps are required to be taken by the applicant under the PUD code before they can submit their formal application
 - Pre-application meeting
 - Community meeting
 - PAB presentation
- These are designed as an opportunity for the applicant to gain feedback from staff, public, and planning commissioners on their proposal
- The applicants are encouraged to consider public and city input prior to submitting
- The hope is that the proposal can be reworked to address many of the concerns prior to starting the review process

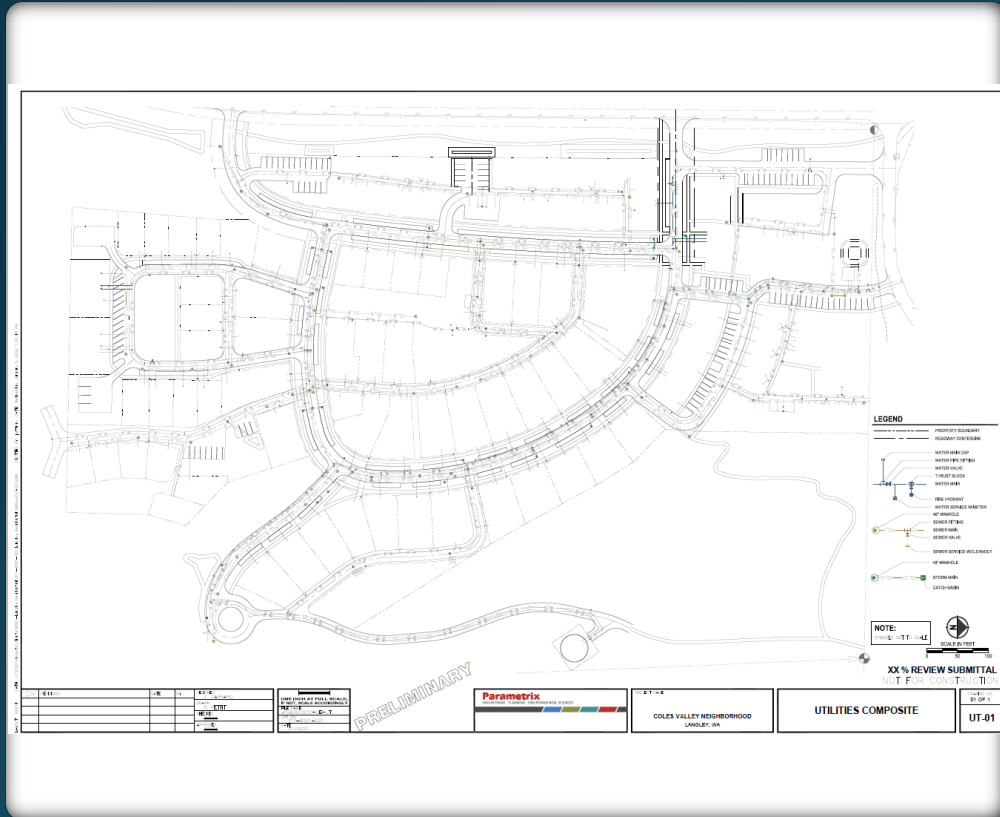
Why have questions from the public not been responded to?

- The applicant has not submitted a formal application to the City for review yet
- So there is not a formal requirement for them to respond at this point in time
- The applicants indicated they were gathering all the input and categorizing it by topic area of concern
- They intend to include a document with their formal permit application that would explain how they addressed the topic areas of concern
- Since hearing the disappointment from the public regarding not receiving any direct responses, the applicants are intending to take a more active role in responding to inquiries
- A more formal documentation process of all public comments will be done during the permit review process

What will the developers do?

If approved, South Whidbey LLC would be the ones to:

- Create the parcels
- Install roads
- Conduct clearing and grading
- Install utility and stormwater infrastructure
- Establish open spaces
- Designate the density, type of housing, and form of housing for each sub-neighborhood
- Create design guidelines
- Establish a phasing plan




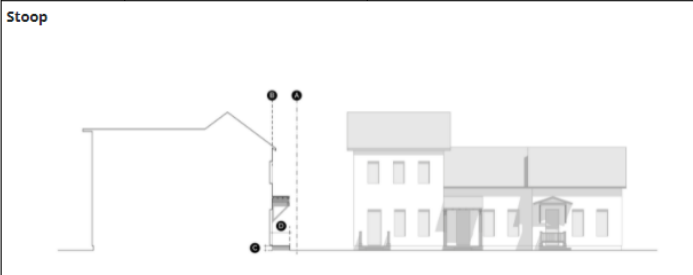
What would the next set of builders do?

- Purchase a sub-neighborhood
- Apply for a Type II Site Plan Review
- Apply for Building Permits
- Construct the buildings

How will the character of the development across multiple neighborhoods with multiple builders be ensured?

- The construction of the units and buildings must go through a Type II Site Plan Review
 - This includes a public comment period
- Will be reviewed for compliance with PUD code and approved development agreement
- South Whidbey LLC also proposing to create design standards

Table 5. Frontage Standards

Porch		
		
A	Property line	
B	Building facade	
C	Height above grade	12 in. min. ¹
D	Depth	6 ft. min.
Stoop		
		
A	Property line	
B	Building facade	
C	Height above grade	12 in. min. ¹
D	Depth	4 ft. min.
Terrace		

What can be changed after a PUD application is approved?

- Application for amendment considered minor if :
 - Would not increase block size
 - Would not decrease approved amount of community open space
 - Would not change intensity areas in excess of a 20 percent variance in area from any one intensity to another
 - Would not increase adverse environmental impact
 - Would not significantly impact overall design of approved PUD
- Minor amendments approved administratively
- Any application for amendment that is not “minor” is major.
- Applications for major amendments reviewed under same process as new PUD permit

How does this project meet the “single owner” requirement of the PUD code?

- The property is currently under a single owner who will be taking the project through the complete PUD development agreement and long plat process
- The property will only transfer hands once the development agreement is approved, lots are created, densities, unit types, and form of units are designated

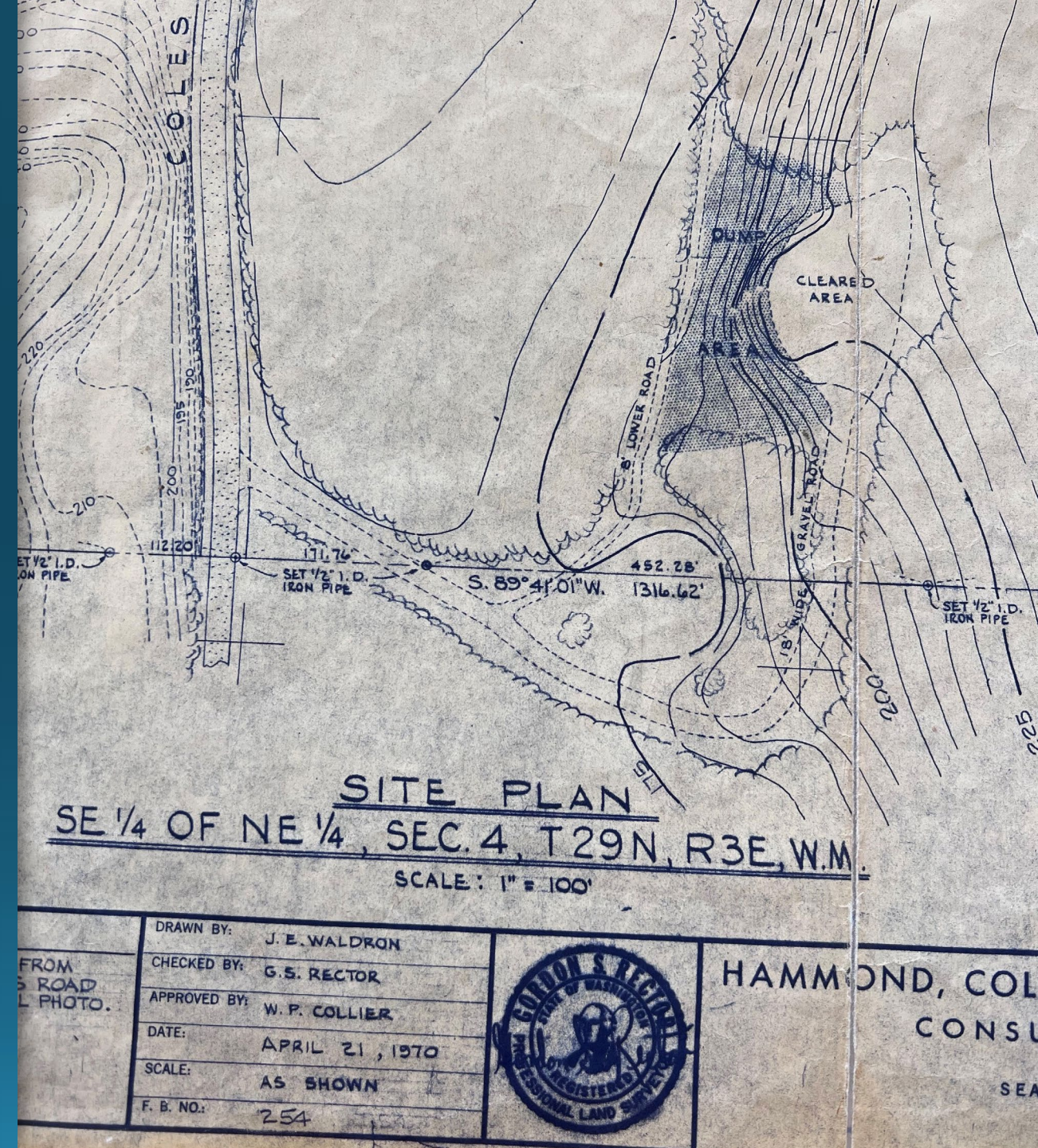
131 Units is too dense for Langley...

- The underlying zone for the Coles Valley property is Residential Single Family 15,000, the City's lowest density zone
- The total parcel area for the site is 38.78 acres. Developed at the density allowed by the underlying zoning, this would result in approximately 114 dwelling units
- The proposal under the PUD ordinance, is slightly denser than the underlying zoning, but is clustered in a variety of unit types, provides for open space, and must meet design criteria



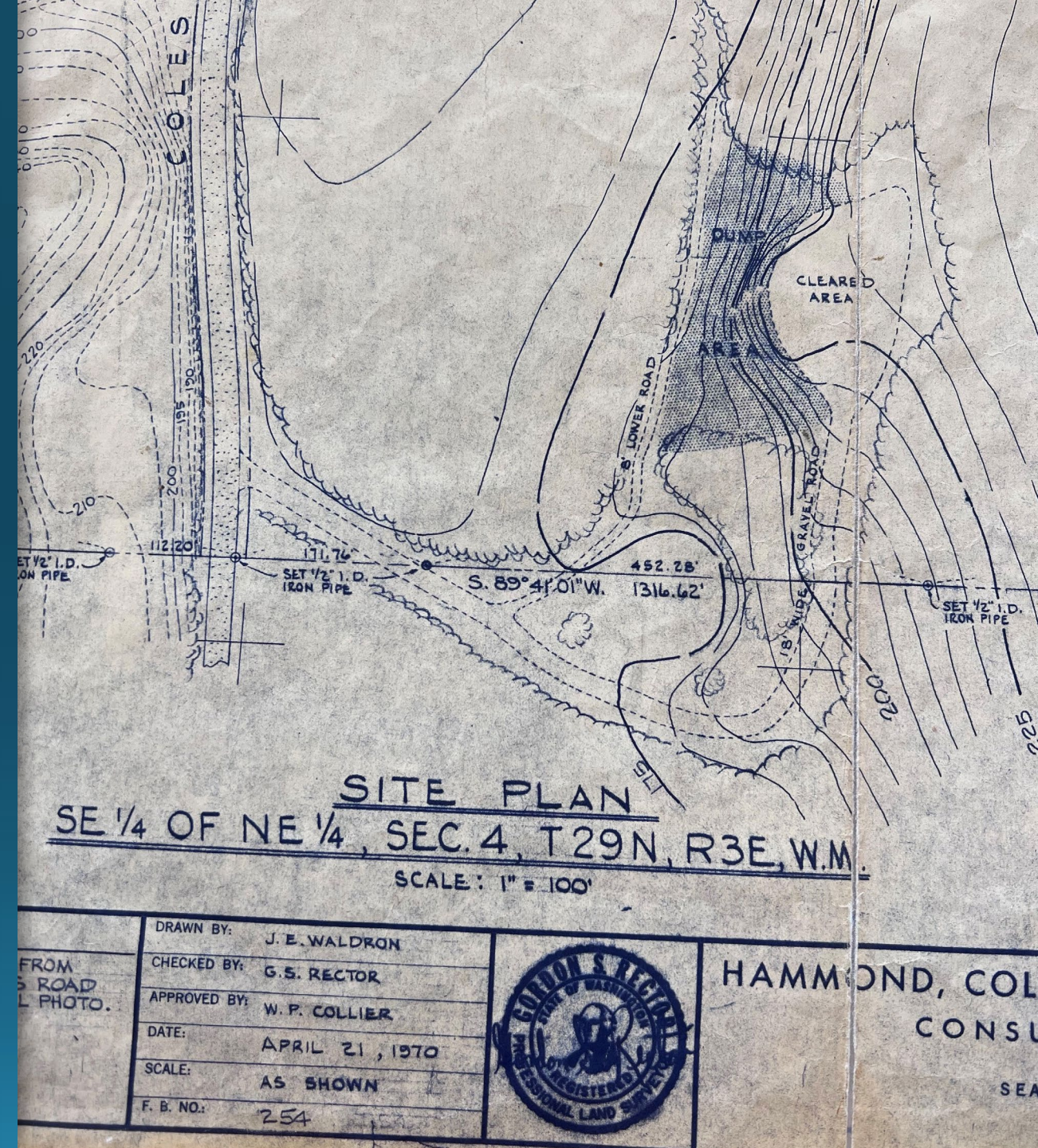
What about the landfill?

- There was a landfill located on the City owned property to the north of the Coles Valley property which operated from 1947-1970
- Maps indicate the location was entirely on the City-owned property
- Small, unregulated landfills were common in the 50s and 60s as cities have been growing, more are being discovered
- General practice was to have an employee regularly burn the garbage
- Island County regulates ground water wells being drilled within 1,000 feet of known landfills



What about the landfill?

- Exposure Pathways
 - Surface Water
 - Ground Water
 - Gas/Air
- Surface Water – the flow of surface water is generally northward. Any flow southward would likely infiltrate in the first 100ft
- Groundwater – Report from 1986 indicates northward groundwater flow direction. Development to connect to City water, not drill new well.
- Gas/Air – location is too far for gas to migrate that distance. Landfills tends to stabilize after 20 years, population size was much smaller at that time, and most of the waste was burned
- After discussions with Ecology and County professionals, risk appears low. But City can ask developer to have a consultant evaluate the risk of the potential exposure pathways and potentially also do groundwater, soil, and/or air sampling.



Proposed Coles Valley PUD

Further Questions

Affordable Housing?

- The PUD code outlines that applicants for a PUD must include the provision for affordable housing within the development
- The Ad Hoc Affordable Housing Advisory Group is tasked with providing a recommendation to City Council on what the specific requirements should be
 - Percentage of units
 - Tenure Type (ownership vs. rental)
 - Percentage of Area Median Income (AMI)
 - Location of units within development
 - Length of time
 - Monitoring and administration
- These stipulations will be included in the development agreement

Sustainability?

- A PUD shall be guided by and consistent with the following goals:
 - Sustainability
 - That the city and its neighborhoods are arranged to reduce automobile use.
 - That areas of current and future hazard remain or become undeveloped to avoid unnecessary loss of life.
 - That the regional watershed is protected to preserve the future water supply.
 - That critical areas are protected and enhanced
 - Items to address climate change can be negotiated into the development agreement (green building design, eclectic car charging etc.)

Streams, Wetlands, Protected Species?

- A critical areas report was prepared by a qualified environmental professional and submitted with the pre-application
- The report did not find the presence of regulated critical areas on site (geo-hazardous areas are critical areas but are addressed separately)
- What about the mapped stream on the site?
- County has two methods for mapping streams, and neither 100% accurate because both based on models - cannot be used to definitively confirm presence or absence of a stream.
- More useful as tool to indicate whether further onsite investigation is warranted
- First stream mapping layer is called the regulatory layer and comes from the State.
 - This layer is very inaccurate for precise location, but does indicate what category stream (Fish or Non-Fish)
- Second stream mapping layer is called the cartographic stream layer.
 - Produced by the County but also based on model.
 - This model slightly more accurate for location because based on more precise topographic parameters.
 - Still cannot be used to definitively confirm presence of a stream or not.
 - This model essentially shows if water were to be present and flowing, what is the most likely route it would take.
 - This is why City requires on-site critical areas assessment from qualified professional.

Geologically Hazardous Areas?

- Geologically hazardous areas were identified on site by their geotechnical consultant
- Appropriate buffers from these areas will be required in accordance with City code
- Per LMC 16.20.045.C.1.d, alterations to geologically hazardous areas shall be allowed only as follows:
 - Surface Water Management.
 - Installation techniques shall minimize disturbance to the slope and vegetation.
 - Trails.
 - In no case shall trails be constructed of concrete, asphalt or other impervious surface materials
 - Utilities.
 - A special study must indicate that such alteration will not subject the area to risk of landslide or erosion.
 - View Corridors.
 - limited trimming and limbing of vegetation, provided that the soils are not disturbed.
- To alter a geologically hazardous area for other purposes would require a variance

Stormwater?

- Stormwater runoff will need to be addressed in accordance with the [Department of Ecology Stormwater Maintenance Manual for Western Washington](#)
- Stormwater runoff from pollution-generating sources requires treatment

Traffic?

- Applicants submitted a Transportation Impact Analysis that identified necessary improvements to the intersection of 525 and Coles Rd
- Transportation Impact Analysis being routed to State and County reviewing agencies for comments and feedback
- Island Transit has indicated a willingness to run a route via Coles Rd, provided bus pull outs are provided

Noise?

- The applicants will include an assessment of any potential noise impacts in their SEPA checklist with the application submittal
- Mitigation measures can be used to reduce any potential impacts identified

Infrastructure?

- Any upgrades that are needed in order to serve the proposed development, must be upgraded by the developer
- The applicant will have to provide an analysis of the development's impact on sewer treatment plant capacity

Open Space?

- The full 11 acres on the west side of Coles Rd is proposed for conservation either through donation to the City or a conservation easement
- Other types and amounts of open space are required throughout the development per the PUD code