PUBLIC HEARINGS

1. Williams Northwest Pipeline Pig Receiver/Launcher Planned Unit Development (PUD) – 2012RZN0002

The applicant, Clay Gustaves, representing Williams Northwest Pipeline GP, is requesting approval for a Planned Unit Development (PUD) to allow for a pig (pipeline inspection gauge) receiver/launcher. The inspection facility will be used for pipeline inspections to be conducted approximately every 5 to 7 years as required by the U.S. Department of Transportation. The applicant is seeking approval for a PUD for the site because Public Utilities Facilities are not permitted in the B-2 zoning district. The PUD would allow the applicant to construct the proposed pig inspection facility at the proposed location and enable the applicant to develop a site that blends into the public realm while maintaining its private access. Additionally, because the site is not publicly accessed, the applicant is proposing 8-foot tall fences in order to provide security and screening from the general public. A heavily-reinforced CMU wall will be constructed to provide further protection. Landscaping will be provided around the perimeter of the fencing to further enhance the appearance of site.

Associated permits under separate approval processes include Project Design Review (12PDR0007) and Environmental Review (12ERC0014).

2. Belterra Preliminary Plat Subdivision – 2012PLT0001

The applicant, Pacific Ridge Homes, representing Louis Hendricks, is requesting subdivision approval for residential lot development. If approved, the application would allow subdivision of a two acre site located at approximately 17101 36th Avenue W. into eight lots. The property is zoned RS-8 (single-family minimum 8,400 sq. ft. lot size) and is designated SF-1 (Single-Family Low-Density) under the Comprehensive Plan. All lots will meet the City code and will be accessed off a right-of-way on the north side of the site between 36th Avenue W. and 171st Street SW. The proposed extension will have full concrete curb, gutter, and sidewalk and will be designed to meet minimum standards for vehicular, pedestrian, and fire safety standards.

An associated permit under separate approval process includes Environmental Review. On November 9, 2012, the City of Lynnwood SEPA Responsible Official issued a Determination of Non-significance (DNS) for the proposal (2012ERC0018).
STAFF REPORT TO THE HEARING EXAMINER

WILLIAMS NORTHWEST PIPELINE PIG RECEIVER/LAUNCHER
PLANNED UNIT DEVELOPMENT (PUD) (2012RZN0002)
Thursday, January 10, 2013 – Council Chambers – 2:00 PM

I. Application Name and Number

File Name: Williams Northwest Pipeline Pig Receiver/Launcher Planned Unit Development (PUD)

File Numbers: 2012RZN0002

Related Files: 2012ERC0014
2012PDR0007

Date of Hearing: January 10, 2013

Applicant: Clay Gustaves
Williams Northwest Pipeline GP
22909 NE Redmond-Fall City Rd.
Redmond, WA 98053
clay.gustaves@williams.com

Contact: Same as applicant

Staff Contact: Todd Hall, Associate Planner
(425) 670-5407, thall@ci.lynnwood.wa.us

Assessor Parcel Number(s): 27041500101400 and 27041500101500

Current Use: Vacant

Lot Size(s): 19,451 square feet

Current Zoning: B-2 (Limited Business)

Comprehensive Plan Designation: RC (Regional Commercial)
II. Proposal

The applicant, Clay Gustaves, representing Williams Northwest Pipeline GP, has submitted an application for a Planned Unit Development (PUD) to allow for a pipeline inspection gauge ("pig") receiver/launcher facility to be constructed at the northeast corner of 36th Avenue W and 188th Street SW (Assessor Parcel Nos. 27041500101400 and 27041500101500).

III. Exhibits

1.1 Staff Report to the Hearing Examiner
1.2 Land Use Application Cover Sheet, received August 9, 2012
1.3 Legal Description, received August 9, 2012
1.4 Waiver request, received August 9, 2012
1.5 Planned Unit Development (PUD) Application, received August 9, 2012
1.6 Complete set of revised site plans (6 pages), received November 20, 2012
1.7 Revised Landscape Plans, (4 pages) received November 20, 2012
1.8 Notice of Application and Impending Decision, issued August 27, 2012
1.9 Fence Details, submitted September 14, 2012
1.10 Removable Canopy Details, submitted September 14, 2012
1.11 Pig Receiver Operation Statement, received September 14, 2012
1.14 Notice of Environmental Decision, issued September 19, 2012
1.15 Referral Summary and Summary Letter, dated September 20, 2012
1.16 Notice of Environmental Decision Comment Period Extension, issued October 8, 2012.
1.17 Zoning Map
1.18 Future Land Use Map (Comprehensive Plan)
1.19 Aerial Photo
1.20 Proposed Zoning Map with PUD designation
1.21 Director Decision, Staff Report for Project Design Review (2012PDR0007), December 10, 2012
1.22 Notice of Public Hearing, issued December 7, 2012
1.23 Affidavits
1.24 Public Notice Mailing List (7 pages)
1.25 Parties of Record

IV. Noticing

A Notice of Application and Impending Decision was posted at the City of Lynnwood official posting sites and on site on August 27, 2012, and was published in the Herald newspaper on August 27, 2012 (Exhibit 1.8)
A Notice of Public Hearing was posted at the City of Lynnwood official posting sites and on site on December 7, 2012, and was published in the Herald newspaper on December 7, 2012 (Exhibit 1.22)

Owners of property and tenants within a 600-foot radius of the subject property were also mailed a Notice of Application and Impending Decision and a Notice of Public Hearing.

V. Background

Williams Northwest Pipeline GP has submitted an application for a PUD to construct a pig receiver/launcher located at the northeast corner of 36th Avenue W. and 188th Street SW. The property is 19,451 sq. ft. (0.45 acres) and is undeveloped. There are no known environmentally sensitive areas and the project site slopes slightly from the northwest to the southeast. The site is bordered by commercial development to the east and multifamily to the north. Across 36th Avenue W. to the west is an assisted living facility. Across 188th Street SW to the south is commercial/office. The site is zoned Limited Business (B-2) and is designated Regional Commercial (RC) on the City’s Comprehensive Plan Future Land Use Map.

The “pig” is an automated inspection device. Increased mandatory pipeline inspections are being required to insure that public safety is adequately protected. The location of the station is dictated by the fact that it is the point at which the interstate pipeline ends and the local distribution system begins plus technical factors related to differing pipe dimensions and turns in the lines. According to the applicant, the proposed site location is ideal for the applicant because it is located at the end of a lateral and loop line. Installing facilities at the end of the line ensures that the entire lateral and loop can be assessed by in-line inspection tools. Additionally, according to the current Federal testing regimen, the site will be utilized approximately every 5 to 7 years by authorized personnel to perform pipeline inspections.

In addition to the PUD application, the applicant has also applied for Project Design Review (PDR) approval (2012PDR0014) and Environmental (SEPA) Review (2012ERC0014). These are administrative decisions and unless there is an appeal filed, no action on these applications by the hearing examiner is required. The applicant is seeking approval for a PUD for the site because Public Utilities Facilities are not permitted in the B-2 zoning district (Table 21.46.12). The PUD would allow the applicant to construct the proposed pig inspection facility at the proposed location and enable the applicant to develop a site that blends into the public realm while maintaining its private access. Additionally, because the site is not publicly accessed, the applicant is proposing 8-foot tall fences in order to provide security and screening from the general public. Landscaping will be provided around the perimeter of the fencing to further enhance the appearance of site.
Per LMC 21.30.300, a PUD is subject approval by the City of Lynnwood Hearing Examiner.

VI. **Relevant Legal Citations**

A. **Comprehensive Plan**

The property is designated on the Comprehensive Plan Future Land Use Plan Map as “Regional Commercial” (RC). The Land Use Element describes the “Regional Commercial” land use category as follows:

**Purpose:** This Plan category is intended to provide the opportunity for the development of a wide range of commercial services at a high level of development intensity (more than Community Commercial but less than City Center intensity).

**Principal Use:** Personal, professional, and public services and offices, retail sales of goods for the region, including the local community and surrounding communities, hotels, motels, and entertainment businesses.

**Locational Criteria:** Commercial areas of this type must be located in areas having arterial street access and transit service.

**Site Design:** Substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees will generally be located in either open parking lots or well-designed parking garages. Shared parking between adjacent uses will be encouraged. The overall design of the site should closely follow the principles of good modern urban design.

**Building Design:** Retail uses in this category will generally be low-rise structures, with other uses occupying multi-story structures.

**Performance Standards:** On-site activities shall not significantly impact adjoining properties in a negative way.”

The following objectives and policies from the Comprehensive Plan are most relevant to this application:

- **Land Use Policy LU-1.7:** “Applications for planned unit developments, which may allow relaxation of City development regulations, shall be evaluated to ensure that the design and development of the development will further the goals, objectives and policies of this Comprehensive Plan.”
- Land Use Policy LU-8.4: “Provide adequate setbacks, buffers, landscaping, visual screens, and appropriate building scale and architecture to make development compatible with nearby residential and other land uses.”
- Land Use Policy LU-8.19: “Screening of elements such as recycling and waste collection areas, compactors and dumpsters, loading and service areas, and mechanical equipment shall be required so that these elements do not create a negative impact to the streetscape and nearby residential areas.
- Transportation Objective T-23: “Control the location and spacing of commercial driveways and the design of parking lots to avoid traffic and pedestrian conflicts and confusing circulation patterns.”
- Transportation Policy T-23.1: “Driveways shall be located to provide adequate sight distance for all traffic movements and not interfere with traffic operations at intersections.”
- Transportation Policy T-26.1: “Require the construction and operation of transportation facilities and services to meet the standards of the Americans with Disabilities Act (ADA).”
- Environmental Resources Policy ER-9.3: “Design and construct night lighting to minimize excessive glare. Night lighting should not spill over onto nearby properties.”

B. City of Lynnwood Municipal Code – Title 1

Planned Unit Development

LMC 21.30.100 states the purpose of a Planned Unit Development. “A Planned Unit Development is a mechanism by which the City may permit variety in the type, design, and arrangement of structures; and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety, and welfare. A Planned Unit Development allows for innovations and special features in site development, including the location of structures, conservation of natural land features, conservation of energy, and efficient utilization of open space.”

LMC 21.30.300 states, “Before approval of any plan, the hearing examiner shall determine that such plans comply with the development policies of the comprehensive plan, the purpose(s) of this title, and provisions of this chapter.”

VII. Referrals

A 14-day referral comment period on the proposal ended on September 11, 2012 (comments in Exhibit 1.15). Comments were received from the City of Lynnwood Building Official and Fire Marshall.

Departments and agencies typically only provide written comment on issues that go beyond code requirements, or that are of particular interest to the development in
question. The fact that a reviewing agency has not commented on a code requirement does not mean it (the code requirement) does not apply to the project. This project will be required to conform to all applicable codes and statutes whether or not the reviewing agency has chosen to comment on them.

VIII. Public Comment

A 14-day public comment period on the proposal ended on September 11, 2012. The City received one inquiry by a nearby resident regarding the height of the inspection facility and the height and design of the fences. Staff provided fence specifications and color details to the resident. No other comments from the public were received.

IX. Environmental Review

The Community Development Director issued a Determination of Nonsignificance (File No. 2012ERC0014, Exhibit 1.13) for this project on September 19, 2012. A Notice of Comment Period Extension was issued on October 8, 2012. The comment period ended October 22, 2012. No comments were received during the public comment period. The appeal period ended November 5, 2012. No appeal of this Determination was filed.

X. Analysis

A. Comprehensive Plan

The future land use designation for the site on the Comprehensive Plan Map is Regional Commercial (RC). This proposal does not directly fall within the list of principal uses for this future land use designation. However, the proposed use serves as an inspection site for an existing regional public utility (natural gas provider). Exhibit 1.12, Section C, describes the necessity to locate the proposed facility on this parcel. In addition, natural gas serves to regional commercial services and housing located in the immediate vicinity. Therefore, the use is consistent, albeit indirectly, with the Comprehensive Plan.

One of the criteria in approving the PUD application is that the project complies with the policies of the Comprehensive Plan.

In Section VI, staff identified one Comprehensive Plan objective and six Comprehensive Plan policies that apply to this development. The following is staff’s analysis of these factors:

- Land Use Policy LU-1.7 is met because by allowing the siting of the pig inspection facility, which is ideal for the applicant because it is located at the end of a lateral and loop line, it would ensure that the entire lateral and loop can be assessed by in-line inspection tools. This would in turn benefit public health, safety and welfare, which also furthers the goals, objectives and policies of the Comprehensive Plan.
- LU-8.4 and LU-8.18 are met through compliance with zoning regulations and the Citywide Design Guidelines.
- LU-8.19 is met by the proposed 8-foot CMU fence and StoneLook™ fence which will screen all pipeline inspection equipment from public view. Also, a removable canopy will be constructed to screen the equipment from public view.
- T-23 and T-23.1 are met by providing only one entrance per right-of-way and spaced far enough from the intersection as to not create conflicts or sight distance issues that would interfere with traffic. Additionally, the driveways will only be accessible by authorized vehicles during inspection periods, so these access points will be used infrequently.
- T-26.1 is met through requirements to make curb cuts ADA compliant and by compliance with any applicable building code ADA requirements during building permit review.
- ER-9.3 is met by requiring that lighting on the site, if proposed, meets the current recommended best practices as prepared by the Illuminating Engineering Society of North America. The applicant may provide security lighting.

Based on this analysis, staff finds that the proposed pig receiver/launcher complies with the development policies of the Comprehensive Plan and therefore supports approval for the PUD.

B. Lynnwood Municipal Code

The applicant proposes to develop the project as a PUD in order to request flexibility in the application of the City’s Zoning Code development standards for:

1. **Permitted Use** – Table 21.46.12 excludes Public Utilities Facilities from B-2 zones. Allowing the proposed pig facility within the B-2 zone would be consistent with the scale, height and compatibility with other uses in the vicinity. As previously noted, the proposed site location is ideal for the applicant because it is located at the end of a lateral and loop line. Installing pig facility at the end of the line ensures that the entire lateral and loop can be assessed by in-line inspection tools. A facility at the proposed location would also be in a manner consistent with the public health, safety, and welfare (LMC 21.30.100), as natural gas lines are facilities which serve a regional purpose.

2. **Fence Location/Details** – The proposed fences comply with LMC 21.10.100.B.2 for height in side and rear yards (up to 8 feet). However, the fence location along the street is closer than allowed per the above code, which is not nearer to any public street than a point equal to the closest part of any building to the street. The proposed removable canopy has been defined as a “structure” per the building official. Therefore, applicant has applied for a Planned Unit Development (PUD) approval to allow for greater flexibility in design and construction.
Because of the non-public nature of the site, the applicant has proposed 8-foot fences surrounding the pig launcher/receiver in order to keep the general public out and to create a visual barrier. The proposed location of the fences, which are setback 15 feet from all property lines, provide the necessary screening the applicant desires as well as meet the minimum sight distance requirements at the intersection. In addition, the proposed fences are aesthetically pleasing and landscaping is proposed around the entire perimeter of the site to further screen the facility from public view, all of which comply with the City’s design guidelines. The Fire Department is also requiring the west fence to be heavily reinforced for blast protection. Specific plans will be submitted at building permit submittal for review and approval.

Based on the above analysis, staff finds that the proposed pig receiver/launcher complies with applicable development regulations of the LMC and therefore supports approval for the PUD.

XI. Conclusions and Recommendation

A. Conclusion

Staff concludes that, subject to the following recommended conditions, the proposed project meets all conditions for Planned Unit Developments (PUD) pursuant to regulations in Chapter 21.30 LMC.

B. Recommendation

Staff recommends that the Hearing Examiner recommend approval of the Planned Unit Development (PUD) with the following conditions:

1. The Property described on Exhibit 1.3 (the “Property”), shall be rezoned from Limited Business (B-2) to Planned Unit Development (PUD) in accordance with the provisions of Chapter 21.30 of the Lynnwood Municipal Code.

2. The official zoning map of the City of Lynnwood is hereby revised and amended to show the rezone to Planned Unit Development.

3. The site plan submitted with the application for Planned Unit Development is hereby adopted as the preliminary and final development plan for the Property; provided that the development plan is subject to minor adjustments as provided in sections 21.30.300 of the Lynnwood Municipal Code, subject to the following conditions:

   a. In order to provide greater protection during inspection periods, a heavily reinforced CMU fence for blast protection is required along the western
portion of the fence. Plans shall be submitted at building permit submittal for review and approval.

b. In order to detect the presence of natural gas, a fragrance shall be added prior to gas blow-off to avoid the acrid smell.

c. To ensure City of Lynnwood Fire Department has access to the site, a keybox shall be provided to the Department.

d. At least 24 hours before pigging operations begin, SNOCOM 911 Center, Lynnwood Fire Department and Snohomish County Fire District 1 shall be provided written notice of the general scope and schedule of the work to be performed at the site.

4. The permitted uses and development of the planned unit development shall be subject to any subsequently adopted Findings of Fact and Conclusions of Law and in accordance with provisions of Chapter 21.30 of the Lynnwood Municipal Code.
Land Use Application Cover Sheet

File Name: WILLIAMS PIPELINE
File Number: 12RZN002 - PUD

Instructions for Applicants
Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items, and a notarized affidavit of ownership (if applicable).

Specific Type of Land Use Application to be submitted (check all that apply):
- Accessory Dwelling Unit
- Appeal
- Binding Site Plan
- Boundary Line Adjustment/Lot Combination
- Conditional Use Permit
- Environmental Review (SEPA)
- Project Design Review
- Rezone/PUD
- Short Subdivision (Short Plat)
- Subdivision (Long Plat)
- Variance
- Wireless Communication Facility
- Other (please specify)
- Comprehensive Plan Suggested Amendment
- Comprehensive Plan Amendment

Please Print or Type Legibly

Applicant: Clay Gustaves (Williams Land Use Representative) Phone: 425-868-1010
Address: 22909 NE Redmond Fall City Rd.
City: Redmond State: WA Zip: 98053 Fax:

E-Mail: clay.gustaves@williams.com

Contact Person, if different: Same as above.
Address:
City: 
State: 
Zip: 
Fax:

E-Mail:

Property Owner(s), if different: Williams Pipeline GP Phone: 801-584-6702
Address: 295 Chipeta Way
City: Salt Lake City State: UT Zip: 84150 Fax:

E-Mail:

Site Address(es): 18719 and 18727 36th Avenue West Zoning: B2
Assessor Parcel Number(s) — (APNs): 27041500101400 and 27041500101500 Comp. Plan Designation: RC

Description of Proposal:
Northwest currently has pig launchers/receivers located at Milepost (MP) 10.4 on the North Seattle Lateral and Loop lines that must be excavated, removed, and re-installed at MP 11.1 (this site).

I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.

Signature of Applicant/Agent: Date: 8/9/2014

Signature of Property Owner: Date: 8/9/2014
LEGAL DESCRIPTIONS:

PARCEL A:


EXCEPT THAT PORTION THEREOF, DESCRIBED AS FOLLOWS:

THE EAST 61.60 FEET OF THE WEST 91.60 FEET OF THE NORTH 5 FEET OF THE SOUTH 90 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

EXCEPT ANY PORTION THEREOF LYING WITHIN 36TH AVENUE WEST.

PARCEL A1:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER THE EAST 15.00 FEET OF THE EAST 160.00 FEET OF THE WEST 100 FEET OF THE SOUTH 82.50 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 27 NORTH, RANGE 4 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;

PARCEL B:


EXCEPT THE NORTH 5 FEET OF THE EAST 98.40 FEET THEREOF; AND EXCEPT THE EAST 78.40 FEET OF THE SOUTH 2.50 FEET OF THE NORTH 7.50 FEET THEREOF; AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF LYNNWOOD BY DEEDS RECORDED UNDER RECORDING NUMBERS 7810190238 AND 7810190239.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.
# WAIVER REQUESTS

## PROJECT DESIGN REVIEW APPLICANT CHECKLIST — COMMERCIAL/PUBLIC DISTRICTS

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# PROJECT DESIGN REVIEW APPLICANT CHECKLIST – ALL DISTRICTS

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A Land Use Application for a Planned Unit Development is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing. The Community Development Director may waive any of these items, pursuant to LMC Section 1.35.015(A), upon written request by the applicant and a finding that the item is not necessary to analyze the application. Planned Unit Developments are approved by City Council under Process IV (LMC 1.35.400). Additional copies of certain items will be required later in the process.

REQUERED ITEMS

☐ 1. Land Use Application Cover Sheet, with original signature(s).

☐ 2. A written statement describing the general purpose of the project and an explanation of all features pertaining to uses and other pertinent matters not readily identifiable in map form. The adoption of the text specifying the particular nonresidential uses permitted to locate on the site, if any, shall constitute a limitation to those specific uses.

☐ 3. A site plan, drawn to a scale of not more than 100 ft to the inch, showing:
   A. The date, scale, and north arrow;
   B. Existing boundaries of the site;
   C. The names and dimensions of all streets bounding or touching the site;
   D. Existing and proposed structures and other improvements;
   E. The location of proposed open space;
   F. The location and design of parking for the proposed use;
   G. Existing topographic contours at intervals of no more than 5 ft;
   H. Proposed grading;
   I. Proposed drainage and stormwater detention;
   J. Proposed landscaping; and
   K. All structures, natural features and other improvements within 50 feet of the project site.

☐ 4. Elevations of all existing and proposed structures.

☐ 5. A copy of all recorded documents pertaining to the subject property.

☐ 6. A complete Rezone Application.

☐ 7. Photographs of the site.

☐ 8. If any portion of the Planned Unit Development contains area that may require acquisition for public purposes, such as opening or widening streets, a separate, detailed map must be provided with this application, though it will be processed and shall be heard as a separate item.

☐ 9. Two (2) sets of reduced copies (no larger than 11 by 17 inches) of all plans and oversized documents.

☐ 10. A list of other permits that are or may be required for the development of the property as
Known to the applicant at the time of submittal.

☐ 11. A list of permits that are to be processed concurrently with this application.

☐ 12. A completed SEPA application, unless the project is categorically exempt from SEPA review.

☐ 13. A complete, notarized Affidavit of Ownership for all property owner(s) of the involved property, with original signatures.

☐ 14. Application fee(s).

FEES

See LMC 3.104 or contact our office for current fee information.

NOTES

1. The approval of a Planned Unit Development Application does not in any way replace, modify or waive any requirement for the compliance of the proposal with other applicable codes, standards, or regulations including, but not necessarily limited to, those of the Building, Fire or Public Works Departments. You are advised to contact these departments concerning such requirements.

2. It is the responsibility of the owners, applicants and agents to become aware of the requirements of Title 21-Zoning of the Lynnwood Municipal Code. It is strongly encouraged that a pre-application conference with the City staff be scheduled prior to submittal of an application.

3. An application may be amended only in writing.

4. Submittal of this application grants the appropriate city officials the right of entry to the project site during a reasonable hour and, upon proper identification, to the building, structure and/or premise, which is directly related to this application.

5. In each application the burden of proof rests with the applicant, petitioner or proponent.

6. Items with any typewritten information must be 10-point font or larger to ensure legibility of scanned documents.

I/We ____________________________, owner(s) of the property commonly known as ____________________________, do hereby apply for approval of a Planned Unit Development for the above-referenced property. I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.

Signature of Owner: ____________________________ Date: ____________

Please print name: ____________________________
NOTICE OF APPLICATION AND IMPENDING DECISION

WILLIAMS NORTHWEST PIPELINE PIG LAUNCHER/RECEIVER
(File Nos. 12PDR0007, 12RZN0002 and 12ERC0014)

Application and Project Description:

On August 9, 2012 applicant Clay Gustaves of Williams Northwest Pipeline GP submitted an application to the City of Lynnwood for Project Design Review (PDR), Planned Unit Development (PUD) and Environmental Review for properties located at the northeast corner of 36th Ave. W. and 188th St. SW. The application was deemed complete on August 20, 2012. Additional permits, including grading, building, and mechanical permits, will also be needed by the applicant. The proposal will be reviewed for compliance with City of Lynnwood and Washington State requirements for environmental review. A notice regarding the environmental determination will be distributed to property owners within 600 feet, posted at the site, published in the Everett Herald, and posted at each official posting place in the city. The applicant also proposes to develop the project as a PUD in order to request flexibility in the application of the City’s Zoning Code development standards for a number of site and landscape requirements. The PUD will be reviewed by staff, presented at Planning Commission and approved by City Council. This will occur after the PDR is approved.

Williams Northwest currently has pig launcher/receivers located at Milepost (MP) 10.4 on the North Seattle Lateral and Loop lines that must be excavated, removed and reinstalled at MP 11.1 (proposed site). The existing pipelines will be excavated in the existing right-of-way (ROW) crossing the Fisher Building parking lot and 188th St. SW will have new pipe installed under the road boring. The newly installed pipe will be tied into the pig launcher/receivers installed at the proposed site. The U.S. Department of Transportation requires Williams Northwest Pipeline to inspect the pipeline every 5 to 7 years. An 8-foot tall fence and removable canopy are proposed to help screen equipment from public view. On-site landscaping is also proposed around the perimeter of the site to help screen the site from vehicular and pedestrian traffic. The property is zoned Limited Business (B2) and is designated Regional Commercial (RC) under the Comprehensive Plan.

Location:
Northeast corner of 36th Ave. W. and 188th St. SW. Parcel Numbers 27041500101400 and 27041500101500.

Project Design Review Approval:
Section 21.46.105.A of the Lynnwood Municipal Code (LMC) requires buildings constructed in Commercial zones to comply with Lynnwood Citywide Design Guidelines for All Districts and Commercial/Public Districts Design Guidelines. The Community Development Department Director will be making a decision on this application regarding compliance with applicable Lynnwood Citywide Design Guidelines no sooner than September 11, 2012.

Comments:
Comments concerning this project should be mailed to the City of Lynnwood, Community Development Department, PO Box 5008, Lynnwood, WA 98046 OR delivered to the Community Development Department office at 4114 198th St SW, Suite 7.

Contact:
The file on this project is maintained in the Community Development Department office and is available for review at the above listed address. If you have questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file numbers 12PDR0007, 12RZN0002 and 12ERC0014 when making contact.

Date of this Notice: August 27, 2012
Comment Period Ends: September 11, 2012 / 4pm
Ron Frederiksen

From: Gustaves, Clay [Clay.Gustaves@Williams.com]
Sent: Wednesday, September 12, 2012 3:37 PM
To: Ron Frederiksen
Subject: PIG Receiver Operations Statement

At a typical PIG receiver site, technicians wait a few hours (depending on the length of the run) until the device arrives and then safely remove it with a boom truck or a fork lift in a relatively short amount of time. There are a number of devices used for an inspection and there could be 3 to 5 runs over 3 to 5 days but activity is fairly limited beyond removing the devices from the pipelines. This takes place every 5 to 7 years per PHMSA requirements.

Clay R Gustaves
Land Department Representative
Williams Northwest Pipeline
22809 NE Redmond Fall City Rd.
Redmond, WA 98053
(425) 868-1010 ext. 2065
(425) 301-1068 mobile

9/14/2012
Williams Gas Pipeline Pig Receiver/Launcher
Project Design Review Decision Criteria/Statement of Consistency

Eastside Consultants, Inc., as representatives of the Williams Northwest Pipeline GP, do hereby acknowledge and state to the best of our professional ability that the proposed design for the new Pig Receiver/Launcher is in compliance with the City of Lynnwood Comprehensive Plan, Lynnwood Municipal Code Section 21.25, and the applicable citywide design guidelines as they may pertain to the subject proposal.

A. Consistency with the Comprehensive Plan

This project is consistent with the vision and intent of the City of Lynnwood Comprehensive Plan in that it is a Regional Commercial Facility. This site is somewhat unique in that we are not constructing a building, but a piping facility, covered by a canopy and enclosed with an 8’ tall perimeter fence. The site and structure design will support the basic concept of the Land Use Element of the Comprehensive Plan and the Design Review Checklist as we are either compliant with each issue or are requesting a waiver since most of these guidelines do not fall within our scope of work. We have tried following the Design Review guidelines to the best of our ability and those that we are not meeting we are requesting a waiver for.

As well, since the City relies on an assortment of land uses, building and environmental regulations that are codified in the Lynnwood Municipal Code to implement the Comprehensive Plan and since the Pig Facility is designed to be compatible with the regulations that are applicable to this project; there will be consistency with the Comprehensive Plan. Our use, the proposed project site development, and the proposed facility use and configuration have been developed with strict interpretation of the zoning codes relative to use, scale, height, compatibility to the district and neighboring existing community; respect to traffic patterns, adherence to sensitive aesthetic site development relative to landscaping and containment of impervious surfaces, and overall considerations for sustainable design standards. As stated above we have applied for many waivers from the Design Review Checklist. Not as an alternative from doing that portion of the project, but because this is a very unique project in that the majority of the Design Review Checklist items due not fall in the design parameters of this project as it is not a “so called building structure and layout”.

B. Consistency with all provisions of LMC 21.25 Project Design Review

Eastside Consultants, Inc. acknowledges the project design review regulations contained in LMC 21.25 and understands the process and timelines by which the City will follow to conduct the design review for the proposed PIP receiver/launcher. In this regard, a completed Project Design Review Application together with all materials specified on the application form and filing fees are submitted, along with completed applications.
and fees for a Planned Unit Development, Rezone, and SEPA Environmental Review. It is understood that that Williams Northwest Pipeline GP bares the responsibility of convincing the Community Development Director that it is entitled to a decision upon its design review application and that right of appeal to the Hearing Examiner are available within 14 days of the date of the director’s decision.

C. Consistency with the All District and Commercial District Design Guidelines

The proposed PIG receiver/launcher facility and site solution has been designed to carefully represent the goals and needs of Williams Northwest Pipeline GP and the intent of the design guidelines. The proposed facility and site design while adhering to the checklists of the commercial design standards and all district standards were designed to meet Williams Northwest Pipeline GP needs to satisfy public health, safety, and welfare. The project modifies and adds facilities to the North Seattle Lateral natural gas transmission pipelines between MP 10.4 and MP 11.1 so they are capable of safely running in-line inspection (ILI) tools known as pigs and Williams Northwest Pipeline GP is able to assess the integrity of the pipelines in the Alderwood Mall high consequence area. Assessment of this segment is mandatory due to the High Consequence Area and project must be completed in 2012. Future assessments will take place every 5 to 7 years.

We believe that our site design meets all portions of the Design Checklists that are relevant to the project. Those that were not relevant due to our projects unique nature, have been requested a waiver. As stated earlier in this letter a majority of the Design Review Checklist items due not fall in the design parameters of this project as it is not a "so called building structure and layout".

Our site design has been implemented to actually detour pedestrian pathways, activity areas, etc. by building an 8 foot tall CMU fence on the sides facing the streets and an 8 foot tall simulated stone fence on the sides that don’t face the streets. This is being constructed as a visual barrier to the piping facility and to keep pedestrians, etc. out. The walls will be constructed and colored with earthen tones to blend into the environment and be aesthetically pleasing. Our landscaping design has been developed to help make the wall aesthetically pleasing, incorporate tall trees to block the view from taller buildings nearby, and also enhance the intersection for visibility and viewing pleasure. It should be noted that sidewalks are on the streets for pedestrians, just not to be placed on the site.

The site is designed with two entrances with a through lane to accommodate the truck that hauls the pigging equipment from the site. There has to be two entrances/ exits because the truck has to big of a turning radius for the site so therefore has to drive through the site. Parking is only needed for the truck during retrieval times and for a maintenance vehicle for its monthly site inspections. This can be on the access road since this is a private locked facility with no other access.
The Pigging facility itself will have a canopy to cover the piping from view from taller neighboring buildings and to meet the Lynnwood Municipal Code and Project Design Guidelines.

To summarize, the All District and Commercial Districts Review criteria are consistent with the design team’s objectives for accomplishing a project that fits into the existing district context while trying to meet the future District’s goals. The proposed solution fits within a commercial areas context and provides safety and security for the surrounding areas.
DETERMINATION OF NONSIGNIFICANCE
WILLIAMS NORTHWEST PIPELINE PIG LAUNCHER/RECEIVER
(File Nos. 2012ERC0014, 2012PDR0007 and 2012RZN0002)

DESCRIPTION OF PROPOSAL:
William Northwest Pipeline Pig Launcher/Receiver (2012ERC0014, 2012PDR0007, 2012RZN0002): This is a proposal to construct pig (pipeline inspection guage) launcher/receiver. Existing pipelines will be excavated in the existing right-of-way (ROW) crossing the Fisher Building parking lot and 188th St. SW will have new pipe installed under the road boring. The newly installed pipe will be tied into the pig launcher/receivers installed at the proposed site. The U.S. Department of Transportation requires Williams Northwest Pipeline to inspect the pipeline every 5 to 7 years. An 8-foot tall fence and removable canopy are proposed to help screen equipment from public view. On-site landscaping is also proposed around the perimeter of the site to help screen the site from vehicular and pedestrian traffic. Grading quantities include approximately 635 cubic yards of cut and 291 cubic yards of imported fill.

PROPOINTER:
Williams Northwest Pipeline GP
ATTN: Clay Gustaves
22909 NE Redmond-Fall City Rd.
Redmond, WA 98053

(425) 868-1010

LOCATION OF PROPOSAL:
The project site is located at the northeast corner of 36th Ave. W and 188th St. SW. The Assessor's Parcel Numbers are 27041500101400 and 27041500101500.

LEAD AGENCY:
City of Lynnwood
Community Development Department
4114 198th Street SW, Suite 7
P.O. Box 5008
Lynnwood, WA 98046

Contact: (425) 670-5410

STAFF CONTACT:
For general information about the SEPA process, additional information about this determination or on the appeal process for this determination, please contact:

Todd Hall, Associate Planner
(425) 670-5407, thall@ci.lynnwood.wa.us

ACTIVITY NUMBERS:
2012PDR0007, 2012ERC0014, and 2012RZN0002

SITE DESCRIPTION:
The site is currently undeveloped and contains no critical areas. The site slopes gently from the northwest corner towards the southeast corner, and contains no slopes greater than 10%. There are no known endangered or threatened species occupying the site.

PERMITS REQUIRED:
Permits required, as known at the time of application:
- Project Design Review
- Planned Unit Development
- Clearing, Grading, and Utilities
- Right-of-Way Use Permit
- Building Permit (for fences and canopy)
- Concurrence of "No effect" from Washington Department of Fish and Wildlife, Washington Department of Archeological Preservation, and Washington Ecology Coast Zone Consistency

DETERMINATION:
The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. City of Lynnwood codes governing noise control, land-use performance standards, construction and improvement of streets and roads, drainage control, fire protection and building practices will provide substantial mitigation of the aforementioned impacts.

This Determination of Nonsignificance (DNS) is issued under WAC 197-11-340(2). This determination is issued on the basis of compliance of the proposal with all applicable federal, state and local laws, regulations, and standards and does not modify or waive any such law, regulation or standard. This DNS is issued also on the basis of this proposal complying with all applicable Lynnwood Municipal Code (LMC) regulations and standards of the City.

COMMENT PERIOD:
If there is new information or changes to the proposal after issuance of the DNS and prior to issuance of any required permit or approval indicating that the proposal will have probable significant adverse impacts, a new threshold determination will be required.

The lead agency will not act on this proposal for 15 days from the date of issue. Comments must be submitted by October 4, 2012 to the staff contact listed above. This DNS becomes final at 4:00 PM on October 4, 2012, unless the determination is withdrawn or amended by the City’s SEPA Responsible Official (below).

APPEAL:
You may appeal this determination by submitting a letter stating the basis for the appeal to the City of Lynnwood Community Development Department at 4114 198th St SW, Suite 7, P.O. Box 5008 Lynnwood, WA 98046-5008. An appeal may be submitted only after the close of the comment period but no later than 4:00 PM on October 18, 2012, which is 14 days from the end of the comment period. If you choose to appeal, you should be prepared to make specific factual objections to this determination. The fee for an appeal is as set forth in LMC 3.104.

Contact the City of Lynnwood Department of Community Development staff contact listed above to read or ask about the procedures for SEPA appeals.

RESPONSIBLE OFFICIAL: COMMUNITY DEVELOPMENT DIRECTOR

DATE OF ISSUE: September 19, 2012       DATE OF SIGNATURE: September 17, 2012
VOLUNTARY OFFERS AND APPLICABLE DOCUMENTS:
This threshold determination was reached on the basis of the plans, supporting documents, calculations and agreements contained in the voluntary submittals associated with activity number(s) 2012PDR0007, 2012ERC0014, 2012RZN0002 and SEPA review. Specifically:


The voluntary offers and environmental documents listed above were considered and evaluated as part of this threshold determination.

DISCLAIMER:
The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. City of Lynnwood codes governing traffic control, land-use performance standards, construction and improvement of streets and roads, drainage control, environmental protection, fire protection and building practices will provide substantial mitigation of the aforementioned impacts.

The issuance of this DNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Lynnwood reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary for the general health, safety and welfare of the public to do so.

Individual projects allowed under non-project actions will be reviewed in advance of planned construction to determine if SEPA review is required. Projects requiring SEPA review will be evaluated to identify any probable adverse environmental impacts and identify measures necessary to mitigate those impacts.

DISTRIBUTION LIST:
This DNS and SEPA checklist were distributed to the following:

- Applicant
- Parties of Record
- Public Works – A. Kay
- Building – J. Watkins
- Dept. of Ecology
- Dept. of Fish & Wildlife
- Dept. of Nat. Resources
- Alderwood Water
- Community Transit
- Edmonds School District #15
- Fire District #1
- Frontier Engineering
- Sno. Co. PDS
- Sno. Co. Public Works
- Sno. PUD #1
- City of Bothell
- City of Brier
- City of Edmonds
- City of Everett
- City of Mill Creek
- City of Mountlake Terrace
- City of Mukilteo
- Army Corps
A. BACKGROUND

1. Name of proposed project, if applicable: North Seattle Facilities Modifications Project

2. Date checklist prepared: August 3, 2012

3. Agency requesting checklist: City of Lynnwood

4. Proposed timing or schedule (including phasing, if applicable):
   Fall of 2012

5. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:
   No future expansion is planned. The facilities will be used to place in-line inspection tools ("pigs") into the Northwest Pipeline North Seattle Line (8-inch diameter line) and North Seattle Lop Line (16-inch diameter line) every 7 years as required by US Department of Transportation regulations.

6. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. If yes, explain.
   The site is Urban developed property, limited environmental investigation is necessary. A Critical Area Review will be done to evaluate any potential environmental issues.

7. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
   The site only requires local approval or permits, the project falls under the Northwest Pipeline GP Blanket Certificate requirements. No other permits are necessary

8. List any government approvals or permits that will be needed for your proposal, if known.
   Northwest will obtain concurrence of "No effect" for the project from Washington Department of Fish and Wildlife Services, WA Department of Archaeological Preservation, and WA Ecology Coastal Zone Consistency
9. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Northwest currently has pig launchers/receivers located at Milepost (MP) 10.4 on the North Seattle Lateral and Loop lines that must be excavated, removed, and re-installed at MP 11.1 (this site). The existing pipelines will be excavated in the existing right-of-way (ROW) crossing the Fisher Building parking lot and 188th Street SW will have new pipe installed under the road boring. The newly installed pipe will be tied into the pig launcher receivers installed at MP 11.1.

10. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project is located on two Tax Lots located on the NE corner of the intersection of 36th Avenue West and 188th Street SW. The addresses are 18719 and 18727 36th Avenue West.
Located in Section 15, Township 27 North, Range 4 East, WM

B. ENVIRONMENTAL ELEMENTS

1. Earth

A. General description of the site (check one):

[ ] Flat [ ] Rolling [ ] Hilly [ ] Steep slopes [ ] Mountainous
[ ] Other: Slightly sloping from the Northwest corner to the Southeast corner.

B. What is the steepest slope on the site (approximate percent slope)?

8-10 percent

C. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Urban site with sandy soil with debris from former structure. No agricultural soils, no prime farmland.
D. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
No

E. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
The site will be graded to facilitate the placement of underground steel pipe and surface pig launcher/receivers. Some concrete supports will be installed. The source of fill will be material excavated from the trench used to install the pipe. Excess cut material will be hauled off-site to an approved City or County dump site if needed.

F. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
No, Best Management Practices (BMP's) eg. silt fence, bio bags, mulch, etc. will be utilized to prevent erosion from occurring during construction.

G. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
48 percent of the site.

H. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.
Excavation will be limited to the extent necessary to install facilities. BMPs will be utilized to control erosion during construction. The site will be graded, and then underground piping installed. As quick as the underground piping is installed gravel will be placed in all areas where it is called out.

2. Air
A. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
There will be minor temporary emissions from the construction equipment and support vehicles during construction. There will be no emissions occurring from the facility post construction.
B. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

C. Proposed measures to reduce or control emissions or other impacts to air, if any.

During construction excavated areas will be watered to control dust.

3. Water

A. Surface

i. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

No water bodies or wetlands exist on or near the site.

ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

v. Does the proposal lie within a 100-year floodplain? If yes, note location on the site plan.

No

vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No
Environmental Review Application

B. Ground

i. Will ground water be withdrawn, or will water be discharged to ground water? Give general
description, purpose, and approximate quantities if known.
No

ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if
any (for example: domestic sewage; industrial, containing the following chemicals; agricultural;
etc.). Describe the general size of the system, the number of such systems, the number of houses to
be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
N/A

iii. Water Runoff (including storm water):
(1) Describe the source of runoff (including storm water) and method of collection and disposal, if
any (include quantities, if known). Where will this water flow? Will this water flow into other
waters? If so, describe.
Only source of runoff would be stormwater. During Construction any stormwater
runoff would be filtered through BMPs before being allowed to flow to existing
stormwater drains. After construction the stormwater flows will be managed
through BMP's as required by code before being allowed to flow to existing
stormwater drains.

(2) Could waste materials enter ground or surface waters? If so, generally describe.
No

iv. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any.
Best Management Practices (BMPs) will be utilized to prevent erosion from occurring
during construction.

4. Plants

A. Check types of vegetation found on the site:

i. Deciduous trees: □ Alder □ Maple □ Aspen
   □ Other:

ii. Evergreen trees: □ Fir □ Cedar □ Pine
iii. Shrubs: Some shrubs and and ground cover

iv. Grass: Some areas of patchy grass

v. Pasture:

vi. Crop or grain:

vii. Wet soil plants: ☐ Cattail  ☐ Buttercup  ☐ Bulrush  ☐ Skunk cabbage  ☐ Other:

viii. Water plants:  ☐ Water lily  ☐ Eelgrass  ☐ Milfoil  ☐ Other:

ix. Other types of vegetation:

B. What kind and amount of vegetation will be removed or altered?
   Approximately 2 or 3 trees will be removed. The remaining trees will remain and the site will be otherwise cleared and replaced with new trees, shrubs, bushes, grass, or impervious surface.

C. List threatened or endangered species known to be on or near the site.
   None the project is in an urban setting

D. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.
   A landscaping plan has been completed. The existing trees will be left as much as possible. The existing site is a vacant lot with some uncontrolled vegetation (grass, weeds) and a few trees. The site will then be fully landscape in all pervious areas.

5. Animals
A. Check any birds and animals which have been observed on or near the site or are known to be on or near the site:
   i. Birds: □ Hawk □ Heron □ Eagle □ Songbirds
      □ Other:
   ii. Mammals: □ Deer □ Bear □ Elk □ Beaver
       □ Other:
   iii. Fish: □ Bass □ Salmon □ Trout □ Herring □ Shellfish
        □ Other:

B. List any threatened or endangered species known to be on or near the site.
   None

C. Is the site part of a migration route? If so, explain.
   No

D. Proposed measures to preserve or enhance wildlife, if any.
   None

6. Energy and Natural Resources
A. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
   None, the facility does not require utility services

B. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
   No

C. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
   The project facilities will utilize existing natural gas flows to move in-line inspection tools thereby conserving the gas in the system at the time of inspection.
7. Environmental Health
   A. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, which could occur as a result of this proposal? If so, describe.
      No

      i. Describe special emergency services that might be required.
         None

      ii. Proposed measures to reduce or control environmental health hazards, if any:
         N/A

   B. Noise
      i. What types of noise exist in the area, which may affect your project (for example, traffic, aircraft, equipment, operation, other)?
         The project site is immediately adjacent to two city streets and associated traffic noises.

      ii. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
         There will be some construction noise on a short term basis during construction. Post-construction there will be no noise generated by the facility. During in-line inspection events there will be some small equipment and support vehicles on a short term basis (approximately one week) and these events recur every 7 years

      iii. Proposed measures to reduce or control noise impacts, if any.
         Noise impacts of the project are not expected due to the existing ambient traffic noise levels.

8. Land and Shoreline Use
   A. What is the current use of the site and adjacent properties?
      Urban commercial or residential use.

   B. Has the site been used for agriculture? If so, describe.
C. Describe any structures on the site.
    None on the vacant lot. Temporary work are (parking lot) has some curbed "islands" with
    associated greenery

D. Will any structures be demolished? If so, what?
    No

E. What is the current zoning classification of the site?
    B2

F. What is the current comprehensive plan designation of the site?
    Regional Commercial

G. If applicable, what is the current shoreline master program designation of the site?
    N/A

H. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
    No.

I. Approximately how many people would reside or work in the completed project?
    Occasional site visits by operation technician, approximately one visit per quarter.

J. Approximately how many people would the completed project displace?
    None

K. Proposed measures to avoid or reduce displacement impacts, if any.
    N/A

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans,
    if any.
    The site will be fenced to obscure facility piping from street level view.
9. Housing
   A. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
      N/A
   
   B. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
      N/A
   
   C. Proposed measures to reduce or control housing impacts, if any:
      N/A

10. Aesthetics
    A. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
       No buildings are proposed, site fencing would be approximately six to eight feet in height.
    
    B. What views in the immediate vicinity would be altered or obstructed?
       None
    
    C. Proposed measures to reduce or control aesthetic impacts, if any.
       Site would be fenced with obscuring components consistent with county code

11. Light and Glare
    A. What type of light or glare will the proposal produce? What time of day would it mainly occur?
       None
    
    B. Could light or glare from the finished project be a safety hazard or interfere with views?
       No
    
    C. What existing off-site sources of light or glare may affect your proposal?
       None
D. Proposed measures to reduce or control light and glare impacts, if any. Site will not be lighted

12. Recreation
   A. What designated and informal recreational opportunities are in the immediate vicinity? Urban location, no recreational opportunities are immediately adjacent to the site.
   B. Would the proposed project displace any existing recreational uses? If so, describe. No
   C. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any. None

13. Historic and Cultural Preservation
   A. Are there any places of objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. No
   B. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. None
   C. Proposed measures to reduce or control impacts, if any. Site will be assessed by archaeological contractor to assure no cultural resources are present.

14. Transportation
   A. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. The project is located on properties on the northeast and southeast corners at the intersection of 36th Avenue W and 188th Street SW. Site access is currently in both places off of both streets.
B. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
   N/A

C. How many parking spaces would the completed project have? How many would the project eliminate?
   N/A. There will be temporary impact to an existing parking lot. All spaces will be restored at completion of construction.

D. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
   No.

E. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
   No.

F. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
   At completion the project site will be visited only occasionally by one operations technician.

G. Proposed measures to reduce or control transportation impacts, if any.
   N/A

15. Public Services
   A. Would the project result in an increased need for public services (for example, fire protection, police protection, health care, schools, other)? If so, generally describe.
      No

   B. Proposed measures to reduce or control direct impacts on public services, if any.
      N/A
16. Utilities

A. Check utilities currently available at the site:
   - ☑ Electricity
   - ☑ Natural gas
   - ☑ Water
   - ☑ Refuse service
   - ☑ Telephone
   - ☑ Sanitary sewer
   - ☑ Septic system
   - ☑ Other:

B. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity, which might be needed.
   No utilities are required

I/We certify that the information provided in this environmental checklist, including all submittals and attachments, is true and correct to the best of my/our knowledge. I understand that the lead agency is relying on them to make its decision.

Signature of Applicant/Agent: ________________________________  Date: 8/9/2012

Please print name: ________________________________
NOTICE OF
ENVIRONMENTAL DECISION

WILLIAMS NORTHWEST PIPELINE PIG LAUNCHER/RECEIVER
(File Nos. 2012ERC0014, 2012PDR0007 and 2012RZN0002)

NOTICE IS HEREBY GIVEN that the City of Lynnwood SEPA Responsible Official has issued a Determination of Nonsignificance (DNS) for the following proposal.

Project Description:
This is a proposal to construct a pipeline inspection gauge (PIG) launcher/receiver. Existing pipelines will be excavated in the existing right-of-way (ROW) crossing the Fisher Building parking lot and 188th St. SW will have new pipe installed under the road boring. The newly installed pipe will be tied into the pig launcher/receivers installed at the proposed site. The U.S. Department of Transportation requires Williams Northwest Pipeline to inspect the pipeline every 5 to 7 years. An 8-foot tall fence and removable canopy are proposed to help screen equipment from public view. On-site landscaping is also proposed around the perimeter of the site to help screen the site from vehicular and pedestrian traffic. Grading quantities include approximately 635 cubic yards of cut and 291 cubic yards of imported fill.

Location:
The project site is located at the northeast corner of 36th Ave. W and 188th St. SW. The Assessor’s Parcel Numbers are 27041500101400 and 27041500101500.

Comments and Appeals:
This DNS is issued under WAC 197-11-340 (2)(c); the lead agency will not act on this proposal for 15 days from the date of issue. Comments must be submitted by October 4, 2012. This DNS becomes final at 4:00 PM on October 4, 2012, unless the determination is withdrawn or amended by the City’s SEPA Responsible Official.

You may appeal this determination by submitting an appeal to the Community Development Department at 4114 198th St SW, Suite 7, PO Box 5008, Lynnwood, WA 98046. An appeal may be submitted only after the close of the comment period but no later than 4:00 PM on October 18, 2012, which is 14 days from the end of the comment period. Be prepared to make specific factual objections. The fee for an appeal is as set forth in LMC 3.104.

Contact:
The file on this project is maintained in the Community Development Department office and is available for review at the above listed address. If you have questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file number 2012ERC0014 when making contact.

Date of this Notice: September 19, 2012
Comment Period Ends: October 4, 2012
Appeal Period Ends: October 18, 2012
September 20, 2012

**REFERRAL SUMMARY**

**RE:** Referral Summary for Williams Northwest Pipeline Pig Receiver/Launcher – Project Design Review (2012PDR0007), Planned Unit Development (2012RZN0002) and Environmental Review (2012ERC0014)

<table>
<thead>
<tr>
<th>City Departments</th>
<th>09/12/12 – Arnold Kay, Development Services Supervisor, Public Works: No comment.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>09/12/12 – Sandra Howe, Project Manager, Public Works: No comment.</td>
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<tr>
<td></td>
<td>09/12/12 – Paul Coffelt, Traffic Engineer, Public Works: No comment.</td>
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<td></td>
<td>09/12/12 – Steve Fisher, Recycling Coordinator, Public Works: No comment.</td>
</tr>
<tr>
<td></td>
<td>08/28/12 – Stacy Criswell, Building Official, Building Division:</td>
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<tr>
<td></td>
<td>1. The previous addresses of 18719 and 18727 36th Ave W have been retired. A</td>
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<td>new address for your project will be assigned by the Building Department at a</td>
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<td>later date.</td>
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<td>2. Proper ADA egress hardware will be required on the two man gates for</td>
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<td>emergency egress.</td>
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<td></td>
<td>3. See the Fire Marshal’s Office for specifics on the fire lane and vehicle gate</td>
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<td>opening requirements.</td>
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<td>4. If any structures are to be built, they will need to meet the State adopted</td>
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<td>Building Codes.</td>
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<td>5. A building permit will be required for the CMU fencing, along with a State of</td>
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<td></td>
<td>Washington licensed Engineer stamp and calculations.</td>
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<td></td>
<td>09/12/12 – T.J. Brooks, SOS Sergeant, Police: No comment.</td>
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<tr>
<td></td>
<td>09/04/12 – Tod Gates, Fire Marshal:</td>
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<tr>
<td></td>
<td>1. Fire alarm may be required if building structure required by Planning</td>
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<td>Department.</td>
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<td></td>
<td>2. Need to address safety elements of this operation (mitigations, emergency</td>
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<td>procedures, etc.) Further discussion on shall be provided on plan submittal.</td>
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<td>3. Ensure Fire Department access to the site.</td>
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<td>08/28/12 – Laurie Cowan, Parks Planner: No comment.</td>
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</tbody>
</table>

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<tr>
<th>Outside Agencies</th>
<th>09/12/12 – Dan Scheil, Engineering Services Supervisor, Alderwood Water &amp;</th>
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<tbody>
<tr>
<td></td>
<td>Wastewater District: No comment.</td>
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<tr>
<td></td>
<td>09/12/12 – Mary Wicklund, Snohomish PUD: No comment.</td>
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<tr>
<td></td>
<td>09/12/12 – Gayle Stacey, Snohomish PUD: No comment.</td>
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<tr>
<td></td>
<td>09/12/12 – Darryl Eastin, Senior Planner, Snohomish County PDS: No comment.</td>
</tr>
<tr>
<td></td>
<td>09/12/12 – Brian Harding, Director, Edmonds School District: No comment.</td>
</tr>
<tr>
<td>Date</td>
<td>Name</td>
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<tr>
<td>09/12/12</td>
<td>Kate Tourtellot, Senior Planner, Community Transit</td>
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<tr>
<td>09/12/12</td>
<td>John Westfall, Deputy Chief, Fire District No. 1</td>
</tr>
<tr>
<td>09/12/12</td>
<td>Karen Walter, Watersheds and Land Use Team Leader, Muckleshoot Indian Tribe</td>
</tr>
<tr>
<td>09/12/12</td>
<td>Libby Nelson, Tulalip Tribes</td>
</tr>
<tr>
<td>09/12/12</td>
<td>Candice Soine, Environmental Review Coordinator, Snohomish County Public Works</td>
</tr>
<tr>
<td>08/27/12</td>
<td>Brent Raasina, Senior Wastewater Section, Snohomish Health District</td>
</tr>
<tr>
<td>09/12/12</td>
<td>Cheryl Sullivan, Snohomish County Public Works</td>
</tr>
<tr>
<td>09/12/12</td>
<td>Ramin Pazooki, Development Services, WSDOT</td>
</tr>
<tr>
<td>08/27/12</td>
<td>David Lykken, Pipeline Safety Director, WUTC</td>
</tr>
<tr>
<td>09/12/12</td>
<td>U.S. Department of Transportation PHMSA</td>
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</tbody>
</table>
NOTICE OF ENVIRONMENTAL DECISION – EXTENSION OF COMMENT PERIOD

WILLIAMS NORTHWEST PIPELINE PIG LAUNCHER/RECEIVER
(File Nos. 2012ERC0014, 2012PDR0007 and 2012RZN0002)

NOTICE IS HEREBY GIVEN that the City of Lynnwood SEPA Responsible Official has extended the comment period for a previously issued Determination of Nonsignificance (DNS) for the following proposal.

Project Description:
Williams Northwest Pipeline has submitted a proposal to construct a pipeline inspection gauge (PIG) launcher/receiver. Existing pipelines will be excavated in the existing right-of-way (ROW) crossing the Fisher Building parking lot and 188th St. SW will have new pipe installed under the road boring. The newly installed pipe will be tied into the pig launcher/receivers installed at the proposed site. The U.S. Department of Transportation requires Williams Northwest Pipeline to inspect the pipeline every 5 to 7 years. An 8-foot tall fence and removable canopy are proposed to help screen equipment from public view. On-site landscaping is also proposed around the perimeter of the site to help screen the site from vehicular and pedestrian traffic. Grading quantities include approximately 635 cubic yards of cut and 291 cubic yards of imported fill.

Location:
The project site is located at the northeast corner of 36th Ave. W and 188th St. SW. The Assessor’s Parcel Numbers are 27041500101400 and 27041500101500.

Comments and Appeals:
This DNS was issued under WAC 197-11-340 (2)(c); the lead agency will not act on this proposal for 14 days from the comment period extension. Comments must be submitted by October 22, 2012. This DNS becomes final at 4:00 PM on October 22, 2012, unless the determination is withdrawn or amended by the City’s SEPA Responsible Official.

You may appeal this determination by submitting an appeal to the Community Development Department at 4114 198th St SW, Suite 7, PO Box 5008, Lynnwood, WA 98046. An appeal may be submitted only after the close of the comment period but no later than 4:00 PM on November 5, 2012, which is 14 days from the end of the comment period. Be prepared to make specific factual objections. The fee for an appeal is as set forth in LMC 3.104.

Contact:
The file on this project is maintained in the Community Development Department office and is available for review at the above listed address. If you have questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file number 2012ERC0014 when making contact.

Date of this Notice: October 8, 2012
Comment Period Ends: October 22, 2012
Appeal Period Ends: November 5, 2012
12RZN0002 - Williams Pipeline Pig Receiver/Launcher
Future Land Use

Subject Property
Proposed Zoning Map with PUD Designation
DIRECTOR'S DECISION

Staff Report for Project Design Review – 2012PDR0007
December 10, 2012

I. Application Name and Number

File Name: Williams Northwest Pipeline Pig Receiver/Launcher

File Number(s): 2012PDR0007

Applicant: Clay Gustaves
Williams Northwest Pipeline GP
22909 NE Redmond-Fall City Rd.
Redmond, WA 98053

Staff Reviewer: Todd Hall, Associate Planner 425-670-5407, thall@ci.lynnwood.wa.us

Corbitt Loch, Deputy Director

II. Proposal

The City of Lynnwood has received a Project Design Review (PDR) application to construct a pipeline inspection gauge ("pig") launcher/receiver at the northeast corner of 36th Ave. W and 188th St. SW. (Tax Parcels 27041500101400 and 27041500101500). The "pig" is an automated inspection device. Increased mandatory pipeline inspections are being required to insure that public safety is adequately protected. The location of the station is dictated by the fact that it is the point at which the interstate pipeline ends and the local distribution system begins plus technical factors related to differing pipe dimensions and turns in the lines. An 8-foot tall fence and removable canopy are proposed to help screen equipment from public view. On-site landscaping is also proposed around the perimeter of the site to help screen from vehicular and pedestrian traffic. According to the current Federal testing regimen, the site will be utilized approximately every 5 to 7 years by authorized personnel to perform pipeline inspections.

III. Exhibits

1.1 Project Design Review Application, received August 9, 2012.
1.2 Complete set of revised site plans, received November 20, 2012.
1.3 Revised Landscape Plans, received November 20, 2012.
1.4 Applicant's All-Districts and Commercial Districts Design Guideline Evaluations, received August 9, 2012.
IV. Noticing

The application was deemed complete on August 20, 2012. A Notice of Application and Impending Decision was posted at the City of Lynnwood official posting sites and on site on August 27, 2012, and was published in The Herald newspaper on August 27, 2012. Owners of property within a 600-foot radius of the subject property were also mailed the Notice of Application and Impending Decision.

V. Background

The project site is located at the northeast corner of 36th Ave. W and 188th St. SW. The property is 19,451 sq. ft. (0.45 acres) and is undeveloped. There are no known environmentally sensitive areas and the project site slopes slightly from the northwest to the southeast. The site is bordered by commercial development to the east and multi-family to the north. Across 36th Ave. W to the west is an assisted living facility. Across 188th St. SW to the south is commercial/office. The site is zoned Limited Business (B-2) and is designated Regional Commercial (RC) on the City’s Comprehensive Plan Future Land Use Map.

In addition to PDR approval, the applicant is seeking approval for a Planned Unit Development (PUD) for the site because Public Utilities Facilities are not permitted in the B-2 zoning district (Table 21.46.12). The PUD would allow the applicant to construct the proposed pig inspection facility at the proposed location and enable the applicant to develop a site that blends into the public realm while maintaining its private access. The PUD will be reviewed under a separate process and presented to the hearing examiner at public hearing.

Lynnwood Municipal Code (LMC) 21.30.300 requires compliance with applicable Lynnwood City Design Guidelines to receive Project Design Review (PDR) approval prior to PUD approval. However, the proposal of a pig launcher/receiver facility is unique in that it is not a publicly accessed facility, nor is there a conventional building proposed. The facility will only be accessed periodically by authorized personnel and will be completely secured and screened from the public realm. Therefore, many of the guidelines do not apply and the applicant has asked to “waive” a number of the guidelines. The Community Development Director
determined that the applicant has met all those guidelines that do apply specifically to the project.

VI. Relevant Legal Citations and Analysis

A. City Regulations and Requirements

Comprehensive Plan
The property is designated on the Future Land Use Plan Map in the Comprehensive Plan as “Regional Commercial” (RC). The principal uses in the Regional Commercial category are “personal, professional and public services and offices, retail sales of goods for the region, including the local community and surrounding communities, hotels, motels and entertainment businesses.”

The following objective and policies from the Comprehensive Plan are most relevant to this Project Design Review:

- **Land Use Policy LU-8.4**: “Provide adequate setbacks, buffers, landscaping, visual screens, and appropriate building scale and architecture to make development compatible with nearby residential and other land uses.”
- **Land Use Policy LU-8.19**: “Screening of elements such as recycling and waste collection areas, compactors and dumpsters, loading and service areas, and mechanical equipment shall be required so that these elements do not create a negative impact to the streetscape and nearby residential areas.
- **Transportation Objective T-23**: “Control the location and spacing of commercial driveways and the design of parking lots to avoid traffic and pedestrian conflicts and confusing circulation patterns.”
- **Transportation Policy T-23.1**: “Driveways shall be located to provide adequate sight distance for all traffic movements and not interfere with traffic operations at intersections.”
- **Transportation Policy T-26.1**: “Require the construction and operation of transportation facilities and services to meet the standards of the Americans with Disabilities Act (ADA).”

*Staff Response:*

- LU-8.4 and LU-8.18 are met through compliance with zoning regulations and the Citywide Design Guidelines.
- LU-8.19 is met by the proposed 8-foot high, concrete masonry unit (CMU) fence and StoneLook™ fence which will screen all pipeline inspection equipment from public view. Also, a removable A-frame type canopy with steel sheeting roof will be constructed to screen the equipment from public view.
- T-23 and T-23.1 are met by providing only one entrance per right-of-way and spaced far enough from the intersection as to not create conflicts or sight distance issues that would interfere with traffic. Additionally, the driveways will only be accessible by authorized vehicles during inspection periods, so these access points will be used infrequently.
- T-26.1 is met through requirements to make curb cuts ADA compliant and by compliance with any applicable building code ADA requirements during building permit review.

**Title 1 LMC – General Provisions**

LMC 1.35.025 sets a 120-day time limit for processing project permit applications. This time period commences upon notification to the applicant of a complete application. This time frame is calculated for each day of processing, with the following exceptions:

- **LMC 1.35.025.A.1**: “Any period during which the applicant has been requested by the city to correct plans, perform required studies, or provide additional required information, pursuant to LMC 1.35.033. The period shall be calculated from the date the city notifies the applicant of the need for additional information until the earlier of the date the city determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the city. If the city determines that the information submitted by the applicant is insufficient, it shall notify the applicant of the deficiencies and this procedure shall apply as if a new request for studies had been made.”
- **LMC 1.35.025.A.2**: “Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW.”
- **LMC 1.35.025.A.3**: “Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed. The city shall consider and decide such appeals within 90 calendar days for an open record appeal hearing and within 60 calendar days for a closed record appeal. The parties to an appeal may agree to extend these time periods.”
- **LMC 1.35.025.A.4**: “Any extension of time mutually agreed upon by the applicant and the city.”

**Staff Response:** The application is on schedule for completing a determination within 120 calendar days of active permit processing. The current deadline for active processing is March 9, 2013, and the date of this Staff Report will be Day 29 of active processing.

**Title 21 LMC - Zoning**

*Chapter 21.04 LMC – General Provisions*

LMC 21.04.015 states the following as the Purpose of the Zoning Code: “This title (LMC Title 21, Zoning, also called the zoning code) provides regulations
concerning the use of land and structures and the location, size, and bulk of structures for the purpose of avoiding or abating public nuisances. This title also intends to promote the protection and promotion of the quality of the natural environment and the health, safety, morals, and other aspects of the general welfare of present and future inhabitants of the city of Lynnwood in accordance with the comprehensive plan and state law, judicial decisions, and Central Puget Sound Growth Management Hearings Board decisions regarding land use regulations. To these ends, it is the intent of these regulations to implement the city of Lynnwood comprehensive plan and the future land use plan map.”

**Staff Response:** Through the use of the RZN (PUD) process, the project will comply with, and meet the intent and purpose of, Title 21 LMC. The RZN (PUD) review and analysis is provided under a separate staff report.

**Chapter 21.10 LMC – Fence, Hedge and Vision Obstructing Regulations**

LMC 21.10.100.B.2 states that within commercial zones, vision-obscuring or non-vision obscuring fences or hedges up to eight feet in height may be located on side and rear property lines and within side and rear yards, but non nearer to any public street than a point equal to the closest part of any building thereon to that street.

**Staff Response:** The proposed fences comply with LMC 21.10.100.B.2 for height in side and rear yards (up to 8 feet). However, the fence location along the street is closer than allowed per the above code, which is not nearer to any public street than a point equal to the closest part of any building to the street. The proposed removable canopy has been defined as a “structure” per the building official. The applicant has applied for a Planned Unit Development (PUD) approval to allow for greater flexibility in design and construction.

**Chapter 21.25 LMC – Project Design Review**

LMC 21.25.145.B requires that the following decision criteria be met for approval in the project design review process:

- It is consistent with the Comprehensive Plan.
- It is consistent with all applicable provisions of this chapter.
- It is consistent with the applicable design guidelines found in the Lynnwood Citywide Design Guidelines.

LMC 21.25.180 requires compliance “with all aspects, including conditions and restrictions, of an approval granted under this process in order to do everything authorized by that approval.

- “B. Exception, Subsequent Modification. If a specific site configuration for the subject property was approved under this process or any quasi-judicial process, the applicant is not required to apply for and obtain approval through this process for a subsequent change in site configuration unless:
- “1. There is a change in use and this title establishes different or more rigorous standards for the new use than for the existing use; or
“2. The director determines that there will be substantial changes in the impacts on the neighborhood or the city as a result of the change.”

**Staff Response:** Staff finds that the proposed project, as conditioned, is consistent with the purpose of design review. The project:

- Is coordinated with other known or anticipated private development and public improvement projects in the area, as the design is consistent and will exceed the appearance of other business activities in the vicinity of 36th Ave. W and 188th St. SW. The site will be visually screened with fencing and landscaping, so it will improve the appearance of the existing vacant lot, which is mostly overgrown with invasive species.
- Embody good design principals that will result in high quality development on the subject property including (but not limited to):
  a. Use of screening materials, including 8-foot tall CMU block fence along the rights-of-way and an 8-foot tall simulated stone fence along the interior that will provide a visual barrier to the piping facility. Earthen tones will be chosen to blend into the environment.
  b. Substantial landscaping is provided around the perimeter of the property to visually screen the fence and help be visually pleasing to both pedestrian and vehicular traffic.
- The project complies with the intent of all applicable Citywide Design Guidelines.

**Chapter 21.46 LMC – Commercial Zones**
The following sections outline the purpose and requirements of the Commercial Zone:

- **LMC 21.46.050.B.5 – Purpose, Individual Zones, Limited Business (B-2):**
  “This zone is intended to provide areas for the location of office buildings of unrestricted height and size to accommodate executive, administrative, clerical, professional or scientific staffs of business or professional concerns, and other compatible or complementary uses, including internally oriented businesses which serve the office businesses or their personnel, and including municipal service. It is intended that this zone should be so located that it will completely occupy a large area of several city blocks, without intermingling of other small spots zoned for other uses, in order that the typically high aesthetic quality of office buildings will be consistent throughout a large area and each such building will benefit by the presence of the others. Other uses which characteristically are of similar aesthetic quality are permitted, including financial institutions. Whereas other business zones provide goods and services for households, the Limited Business zone is intended to provide employment opportunities for the community, in an organized office zone which will enhance the image of the city.”
LMC 21.46.01 – Table of Permitted Uses: Public Utilities Facilities are not permitted within the B-2 zone. However, the applicant has applied for a PUD which will provide the applicant the flexibility to build the proposed use on the subject property.

LMC 21.30.800 allows uses not permitted within the existing zoning districts per the following:

“The city council may approve any use not a direct contradiction to the objectives of the comprehensive plan, except as set forth in LMC 21.30.950.B.; provided however, the notices to the public relative to the PUD shall state with particularity every use to which properties within the PUD are to be put and the city council, in granting any PUD, shall make findings as to the specific uses to be permitted within the PUD. Every other use shall be illegal unless granted through a subsequent revision of the PUD in the same manner as a rezone of a property.”

LMC 21.46.105 – Project Design Review: Design review is required for construction of any nonresidential structure with a gross floor area of more than 1,000 sq. ft.

LMC 21.46.14 – Table of Development Standards:
- Front Yard Setback: 15 ft.
- Rear Yard Setback: 25 feet
- Side Yard Setback: 15 feet
- Maximum Lot Coverage by Buildings: 35%
- Maximum Building Height: none

Staff Response: The proposal meets the requirements and development standards of the B-2 zone. The use (public utility facility) is not specifically allowed within the B-2 zone. However, the applicant is seeking PUD approval in order to allow the use and to allow greater flexibility in design and construction.

Design Guidelines
Citywide and Commercial Design Guidelines apply to this development project.

Staff Response: Staff finds that most of the Citywide Design Guidelines do not apply as the proposed project is unique and the project does not fall within any of the design parameters of typical building design. A removable canopy (building) is proposed to screen the piping facility from the top and to help screen from public view. The only other permanent structures proposed on site are the pig launcher/receiver facility and CMU and Stone Look™ fences. Specific details on the canopy and fencing may be found on the attached exhibits. The applicant has
complied with all other applicable Citywide Design Guidelines. The applicant has requested to “waive” those guidelines that do not apply to the project (Exhibit 1.6).

Design Review comments were provided to the applicant on September 20, 2012. The applicant has addressed staff comments for those that needed corrections.

VII. Environmental Review

The Community Development Director issued a Determination of Nonsignificance (File No. 2012ERC0014) for this project on September 19, 2012. No comments were received during the public comment period. No appeal of this Determination was filed.

VIII. Public Comment

A 14-day public comment period on the proposal ended on September 11, 2012. The City received one comment by a nearby resident regarding the height of the inspection facility and the height and design of the fences. Staff provided fence specifications and color details to the resident. No other comments from the public were received.

IX. Conclusion and Recommendation

A. Conclusions

Based on the application materials (see Section III) and the analysis contained in this staff report, staff concludes that the applicant has met the decision criteria for approval of the Project Design Review application as long as the recommended conditions of approval are met prior to issuance of Certificate of Occupancy.

B. Recommendation

Staff recommends approval of this Project Design Review application, subject to the following conditions:

1. In addition to compliance with the Landscape Maintenance Plan, the property owner shall be responsible for maintaining the on-site landscaping and irrigation system in perpetuity.
X. Director’s Decision

I concur with the above conclusions and recommendation to grant approval of the Project Design Review application for the Williams Northwest Pipeline Pig Receiver/Launcher.

Community Development Director:  

Paul Krauss, AICP

Date: 12/10/12

XI. Right of Appeal

Administrative decisions of the director may be appealed by filing a written request for appeal with the Community Development Department within 14 calendar days of the date of issuance of the decision. The appeal deadline shall be 4PM on December 24, 2012. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC 1.35.200.

XII. Other Permits

The approval of Project Design Review does not in any way replace, modify or waive any requirement for the compliance of the proposal with the zoning code or other applicable codes, standards, or regulations, including, but not necessarily limited to, those of the Permits & Inspections, Fire or Public Works Department.

XIII. Revisions after Approval

Project Design Review approval for this proposal is based on all plans, details, catalogue cuts, specifications, renderings, notes, materials and color samples submitted for design review. Any changes to the design of the project as indicated by the above submitted materials will require review of the Project Design Review approval and may delay issuance of subsequent development permits for the proposal and/or inspections during construction. Significant changes may require a new Project Design Review or SEPA review.

XIV. Validity

The applicant under this process must begin construction or submit to the city a complete building permit application for the proposal within two years after the final decision on the matter, or the decision becomes void. The applicant must substantially complete construction for the proposal approved under this process and complete the applicable conditions listed in the decision within five years after the final decision of the city on the matter, or the decision becomes void.
No later than two weeks prior to the lapse of approval, the applicant may submit a written request with supporting documentation to the Community Development Department requesting a one-time extension of those time limits of up to one year.
NOTICE OF PUBLIC HEARING

WILLIAMS NORTHWEST PIPELINE PIG RECEIVER/LAUNCHER
PLANNED UNIT DEVELOPMENT (PUD)
(2012RZN0002)

NOTICE IS HEREBY GIVEN that at:
   Time:  2:00 PM on January 10th, 2013
   Place: Lynnwood Civic Center, Council Chambers at 19100 44th Ave W, Lynnwood, WA

the Lynnwood Hearing Examiner will conduct an formal public hearing at which the above-referenced project will be considered. Persons owning property within 600 ft. of the project site are especially noticed and invited, but any interested party may appear and give testimony at the above time and place. No new materials, testimony, or statements shall be considered after the date of this public hearing.

Application and Project Description:
The applicant, Clay Gustaves, representing Williams Northwest Pipeline GP, is requesting approval for a Planned Unit Development (PUD) to allow for a pig (pipeline inspection gauge) receiver/launcher. The inspection facility will be used for pipeline inspections to be conducted approximately every 5 to 7 years as required by the U.S. Department of Transportation. The applicant is seeking approval for a PUD for the site because Public Utilities Facilities are not permitted in the B-2 zoning district (Table 21.46.12). The PUD would allow the applicant to construct the proposed pig inspection facility at the proposed location and enable the applicant to develop a site that blends into the public realm while maintaining its private access. Additionally, because the site is not publicly accessed, the applicant is proposing 8-foot tall fences in order to provide security and screening from the general public. A heavily-reinforced CMU wall will be constructed to provide further protection. Landscaping will be provided around the perimeter of the fencing to further enhance the appearance of site.

Location:
Northeast corner of 36th Avenue W and 188th Street SW (Assessor Parcel Nos. 27041500101400 and 27041500101500).

Appeal of Hearing Examiner Decision:
Only persons who:
   - Appear and give testimony at the public hearing; or
   - Submit written comments to the Community Development Department; or
   - Submit a written request for a copy of the Examiner’s decision
may appeal the decision. Only comments and testimony received at or prior to the hearing may be considered at the Hearing, or at any appeal proceeding.

Additional Information:
There are occasions when meetings may be postponed or items removed from an agenda. It is therefore advised that you confirm that the meeting is going to be held and that this item is on the agenda. The public is invited to attend. Parking and meeting rooms are accessible for persons with disabilities. Contact the City Clerk at (425) 670-5161 with 24-hours advance notice for special accommodations.

Contact:
The file on this project is maintained in the Community Development Department office at the above listed address. If you wish to be notified of any decision, the appeal rights of this application or if you have other questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file number 2012RZN0002 when making contact.

Date of this Notice: December 7, 2012
AFFIDAVIT OF POSTING FOR  
Williams Northwest Pipeline Pig Receiver/Launcher  
12RZN0002  

CITY OF LYNNWOOD  

STATE OF WASHINGTON )  
) ss.  
COUNTY OF SNOHOMISH)  

I, Todd Hall, of the City of Lynnwood, Snohomish County, State of Washington, being first duly sworn on oath, deposes and says: That he is now, and at all times hereinafter mentioned was, a citizen of the United States and of the State of Washington, above the age of twenty years, and not interested in the property involved in the above referenced Planned Unit Development, that on the 7th day of December, 2012, he posted a true copy of this Notice of Public Hearing on the proposed Planned Unit Development in at least one conspicuous place on the property located at the northeast corner of 36th Ave. W and 188th St. SW and in at least six (6) public places in the City of Lynnwood, County of Snohomish, State of Washington, to-wit:  

1. City of Lynnwood Civic Center Fire Station, 18800 44th Ave W, Lynnwood, WA  
2. City of Lynnwood Recreation Center, 18900 44th Ave W, Lynnwood, WA  
3. City of Lynnwood Senior Center, 19000 44th Ave W, Lynnwood, WA  
4. City of Lynnwood City Hall, 19100 44th Ave W, Lynnwood, WA  
5. City of Lynnwood Library, 19200 44th Ave W, Lynnwood, WA  
6. City of Lynnwood Annex, 4114 198th St SW, Suite 7, Lynnwood, WA  

Signature:  

[Signature]

I certify that I know or have satisfactory evidence that Todd Hall is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.  

SUBSCRIBED AND SWORN TO before me this 7TH day of December, 2012.  

NAME (print):  

[Signature]  

NAME (sign):  

Notary Public in and for the State of Washington  
Commission Expires:  

[Signature]  

April 19, 2013
AFFIDAVIT OF MAILING FOR
WILLIAMS NORTHWEST PIPELINE PIG LAUNCHER/RECEIVER
(File Nos. 12RZN0002)

CITY OF LYNNWOOD

STATE OF WASHINGTON )
) ss.
COUNTY OF SNOHOMISH)

I, Todd Hall, of the City of Lynnwood, Snohomish County, State of Washington, being first duly sworn
on oath, deposes and says: That he is now, and at all times hereinafter mentioned was, a citizen of the
United States and of the State of Washington, above the age of twenty years, and not interested in the
property involved in the above referenced Planned Unit Development, that on the 7th day of December
, 2012, he mailed via USPS a true copy of this Notice of Public Hearing attached hereto on the
proposed Planned Unit Development to the persons/parties attached hereto.

Attachments:

1. Notice of Public Hearing
2. Distribution List

Signature: ___________________________

I certify that I know or have satisfactory evidence that
______________________________ is the
person who appeared before me, and said person acknowledged
that he signed this instrument and acknowledged it to be his free
and voluntary act for the uses and purposes mentioned in the
instrument.

SUBSCRIBED AND SWORN TO before me this 7th day
of December 2012.

NAME (print): ____________________________

NAME (sign): ____________________________

Notary Public in and for the State of Washington

Commission Expires: April 19, 2013
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Please add to list of interested parties

Paul Krauss AICP
Community Development Director
City of Lynnwood

Office 425-670-5401
Cell 425-754-0361

Lynnwood Permit Center
4114 198th St. SW Suite 7

From: Wallace, Alan [mailto:awallace@williamskastner.com]
Sent: Thursday, October 04, 2012 10:14 AM
To: Paul Krauss
Cc: Jill Benitez (jbenitez@ecp-llc.com); Earl Wayman (ewayman@gvakm.com); Eric Yopes (eyopes@ecp-llc.com)
Subject: NW Pipeline PUD Application

Paul,

Thanks for confirming that NW Pipeline recently filed a PUD application for its utility testing facility "after endless meetings" with City of Lynnwood staff.

Please add Jill Benitez, Earl Wayman and myself on the interested party list to receive City notifications on the SEPA threshold determination and any public hearings to be set on this application.

Thank you.

Alan Wallace
Attorney at Law
Williams Kastner
601 Union Street, Suite 4100
Seattle, WA 98101-2380
Main: 206.628.6600
Direct: 206.628.6771
Fax: 206.628.6611
awallace@williamskastner.com
www.williamskastner.com