

DATE: June 24, 2022
PROJECT FILE NO: 22 102230 CUP
PROJECT NAME: RTFN, Residential Treatment Facility North

Responses to 1st Review Comments, dated May 18, 2002

Planning/Land Use:

General Comments

1. Revise the master application to reflect who the applicant is either the Tulalip Tribe or the state, as the consultant cannot be listed as the applicant. This revision should be reflected on all applicable documents, site plans and checklists (SEPA).

Response: The master application has been modified to list the applicant as the Tulalip Tribes. This information has been updated throughout the documents.

2. Revise all plan sets and sheets to include the project file number: PFN 22-102230 CUP.

Response: All plan sets, sheets, and documents have the file number added.

3. Provide a legal description of the area of the CUP boundary.

Response: The legal description for Lot 1 of the BLA has been included on the civil cover sheet C-001 for the purposes of defining the CUP boundary after the BLA is completed.

4. Revise the project narrative, see mark ups.

Response: Project narrative has been revised per mark ups.

5. Revise the response to decision criteria, see mark ups.

Response: Response to CUP Decision Criteria has been revised per mark ups.

6. Please explain what security means at this secure facility. Does this mean fences, gates, alarms, etc. Please add an additional plan sheet that identifies security arrangements.

Response: A secure behavioral health facility means the exterior doors are locked to prevent patient elopement. Patients can move freely inside the treatment unit of the facility. Patients are accompanied by staff into limited access areas such as the main conference room, exam room and intake areas. A seclusion room is provided as a timeout space for patients to deescalate. The facility has hardened construction to be resistant to heavy duty use. A sally port is provided to ensure patient safety in receiving patients for care. The patio and secure outdoor area will be secured with a fence with anti-climb mesh surfacing.

Also see Facility Security Plan, included with this resubmittal.

7. Revise site plan and landscape plans to show all perimeter landscape buffers easements per SCC 30.25.020(5).

Response: Labels indicating perimeter landscape buffer easements have been added to the site plan (Sheet C-201) and landscape plan (Sheet L-301).

8. The proposed Group A well is under the authority of the Washington Department of Health. Please provide documentation (correspondence, permit etc.) that application has been made with WA DOH for this well.

Response: Group A Well has been eliminated from the project scope in favor of extending city water to the site. See Letter of Water Availability and 3rd party water system analysis provided by City of Stanwood.

9. Please provide documentation Washington Department of Health that the proposed septic system is not a large on-site septic system (LOSS). As identified by the DOH website, "Large On-site Sewage Systems (LOSS) convey, store, treat, and provide subsurface soil treatment and disposal of domestic sewage. Their design flow is between 3,500 to 100,000 gallons per day. LOSS offer an alternative to centralized municipal sewage treatment plants and can serve from 10 to about 370 individual residences, or equivalent flows from schools and churches, campgrounds and recreation vehicle parks, resorts or state park sites, or smaller cities or towns."

Response: Please see attached letter from Cascade Surveying with response to comment stating this system does not meet the criteria for a LOSS.

10. Please identify any exterior lighting on plan sets and describe within the Response to Design Criteria document and explain compatibility. Will the lighting be full cut off, on dawn to dusk timers?

Response: Exterior lighting has been shown on Sheet C-402. Typical parking lot lighting will be directed downward with full cut-off and away from adjacent properties. Building mounted security lighting will be provided around the perimeter building and will have a lighting level of 1 foot-candle at the building perimeter with motion sensing to increase light level on demand.

11. Please identify any exterior noise, such as any exterior speakers, alarms, other noises. The plan sets show two emergency generators, one for each building. Please identify the type of fuel type, size of generator and noise levels. Refer to marks up on plans and SEPA checklist.

Response: The project is proposing two emergency generators; one for each phase of work. Each are diesel fueled and have above grade fuel storage tanks with secondary containment. The generators are roughly sized at 450KW each. Noise levels are roughly 72 dBA at 23ft from the generator during operation. Generators will only be used in emergency power outages to support the building and associated on-site lighting, septic pumps, and other electrical systems for a minimum runtime of 96 hours of full rated generator load. The Phase 1 generator is located approximately 38 ft from the eastern property line and the Phase 2 generator will be approximately 58 ft from the property line.

Between the generator and property line are slatted fences, walls, and a dense forest of mature evergreen trees that will all act as a buffer to noise levels heard on the adjacent property. The nearest existing structure is over 500 ft to the south and noise levels at this distance would be expected to be minimal especially when they will only occur in the event of an emergency power outage.

12. Provide conceptual building elevations of the facility.

Response: Architectural Elevations are being provided with this resubmittal as sheets A201 & A202.

Chapter 30.23 SCC – Bulk Regulations

1. Health and Social Service Facilities, level II. All buildings must be setback 30 feet from all external property boundaries. The future phase 2 building shows an outdoor recreation space that is 25 feet from the property line. Based on the Washington Health Care Authority the recreation spaces will be constructed with 12 foot tall no climb walls. Revise the site plan to show all portions of the building comply with the required 30-foot setback.

Response: The outdoor recreation spaces are contained by 12-foot tall anti-climb fences, not walls. These fences are not a building, by county definition 30.91B.200, as they have no roof. While the buildings have been designed to be a minimum of 30 feet from all property lines to meet the setbacks of 30.23.110(10), this fence meets the requirements of the 20 foot setback for the zone in 30.23.043. If necessary, the outline of the fence could be modified to meet the 30 foot building setback.

2. Please indicate the height of the building either in the response to the decision criteria or on the site plan. The SEPA checklist states that the building(s) will be 20 feet in height.

Response: Depending on the grade changes across the site and location taken, the maximum building height above grade ranges from 20 feet to 29 feet. The SEPA checklist has been updated to reflect this information and the heights are indicated on the building elevations.

Chapter 30.25 SCC – Landscaping

1. Revise sheet L-390 to include the height of the trees (evergreen and deciduous) and shrubs at the time of planting. SCC 30.25.015(5)(a) and (c) requires the trees to be six feet high and shrubs to be 18 inches at the time of planting.

Response: The height and size of trees and shrubs at time of planting has been added, per SCC 30.25.015(5)(a) and (c). (Sheet L-390)

2. Revise the landscape plans to show the 20-foot Type A landscape buffer along the southern property line. Address the perimeter buffer along the western property line per SCC 30.25.020(4)(b).

Response: 20 foot type A landscape buffer and perimeter buffer along the western property line have been added to the landscape plans per SCC 30.25.020(4)(b). (Sheets L-301 – L-390)

3. Revise plans to show the location of the bioretention cell and provide planting details.

Response: Bioretention cell has been added to plans and labeled on plans – planting details have been added to drawing set. (Sheets L301 and L311)

4. Please demonstrate compliance with SCC 30.25.022(7), headlight glare and parking areas.

Response: Screening fence has been added along the southwest facing parking spaces. Due to the slope of the topography upward toward the road to the north, the northeast-facing parking areas will not require screening fencing. (Sheets L201, L210-L212, L520)

5. Provide a trash enclosure detail per SCC 30.25.024.

Response: Refer to attached Architectural Drawing Sheet A-511.

Chapter 30.26 SCC – Parking

1. Please submit a parking study prepared by an independent consultant with expertise in parking demand analysis. The study should include estimates of peak parking hours, parking space demand, parking space turnover, and to relate or distinguish the proposed use from the uses selected as comparable in the parking analysis.

Response: Parking analysis prepared by Heath & Associates is included in the resubmittal documents.

2. The response to decision criteria document states that parking calculations will be verified by a licensed traffic engineer. Please provide that verification at resubmittal.

Response: Parking calculations prepared by Heath & Associates, a licensed traffic engineer, are included in the resubmittal documents.

3. The SEPA checklist identifies that each building will have 35 staff members (70 total) and 32 patients. With only 60 parking spaces proposed how does this meet the requirements for parking? Additionally, will there be visitor parking? It appears that there is inadequate parking for the facility at full buildout and full staffing.

Response: Parking calculations prepared by Heath & Associates show that the quantity of parking is acceptable based upon comparison with similar facilities with similar parking quantities. SEPA has been modified to provide detail on staffing during shifts.

Chapter 30.27 SCC – Signs

1. Please indicate if there will be any signage associated with the project. If so, please identify the location on the site plan.

Response: A monument sign location has been added to the west of the entrance drive shown on Sheet C-201. The preliminary design is shown on sheet A-641.

Chapter 30.42C SCC – Conditional Use Permits

1. Refer to markups on the Response to Decision Criteria document, SEPA checklist and other mark ups.

Response: Response to CUP Decision Criteria has been revised per mark ups.

2. Please explain the coordination between the tribe and the state with regards to this facility. Identify the collaboration between the county, tribe and state on this effort as it relates to Objective IC 1.G

Response: A Tax Sharing Compact was created between the Tulalip Tribes and the State of Washington in July 2020 which lays out the requirements for the construction and funding of these two proposed facilities, how they will be managed, and how tax sharing will be allocated, among other details. This document is available for public viewing on the following project website.

<https://www.hca.wa.gov/about-hca/behavioral-health-recovery/proposed-community-based-residential-treatment-facility>

Chapter 30.61 SCC – Environmental Review (SEPA)

1. Provide a revised checklist based on markups.

Response: The Environmental (SEPA) Checklist has been revised per mark ups.

2. The checklist refers to Elevation Drawings under question 10.c. Please provide those drawings as they were not included with the submittal.

Response: Architectural Elevations are being provided with this resubmittal as sheets A201 & A202.

Water Supply for Building Permits

1. The property is located in the Water Resource Inventory Area (WRIA) 5. Applicants must provide proof of adequate potable water supply. The application submittal indicates that a Group A well is proposed. Please provide documentation correspondence, permit etc.) that application has been made with WA DOH for this well.

Response: See Letter of Water Availability and 3rd party water system analysis provided by City of Stanwood.

Drainage/Grading/Geohazard:**Review Comments:**

1. Address drainage comments on the Civil Plan and Drainage Report dated 2.15.2022.

Response to Report comments:

- *Drainage comments have been addressed in the revised preliminary drainage report uploaded with the project resubmittal. A SWPPP will be provided with the Land Disturbing Activity Permit submittal.*
- *We have prepared a stormwater modification request as the project is prioritizing Minimum Requirement #8 Wetlands Protection over Minimum Requirement #7 Flow Control. Modeling results for MR#7 have been provided in the updated report.*
- *Permeable pavements are not recommended by the geotechnical engineer for the fire lane or for parking areas due to the limited infiltration capacity of the soils and the fact that much of the parking will be in fill areas which could become unstable if saturated.*
- *The bioretention cell is used only for treatment purposes and will include an underdrain.*
- *The maintenance access road running around the east end of the building and connecting to the western parcel through and access and utility easement is for maintenance and deliveries only. This low volume road will see infrequent use and therefore is not considered to be pollution generating impervious surface and will not require treatment prior to dispersing to recharge the wetland.*

Response to Plan comments:

- *Separate tables have been provided for Phase 1 and Phase 2 on sheet C-001.*
- *Stormwater Infrastructure will be installed in Phase 1 and is designed for the full build-out of Phase 2 scope.*
- *Easement boundaries for the septic drainfield and access from the development have been clarified on Sheet C-200, C-201, C-401 and C-402. Access to the septic drainfields is only provided from the development property to the west and does not provide access from 80th Ave NW.*
- *ROW is shown as being deeded to the County vs dedication.*
- *Detailed information requested for the storm drainage facilities and Erosion Control Plans will be included with submittal of the Land Disturbing Activities permit application.*
- *Per the Stormtech Loading analysis, the MC-3500 chamber detention facility can support the HS-25 design live load as well as the outrigger loading of 45,000 lbs per EDDS 5-15C.4.*

Critical Areas/Shoreline/Forest Practice:**General Comments**

The submitted Conceptual Buffer Impacts and Mitigation Site Plan does not meet the requirements of SCC 30.62A.150. Additionally, errors were observed while reviewing the proposed plan. Please address the following:

1. Please submit a report that details how the mitigation plan complies with Snohomish County code and addresses SCC 30.62A.150(1)(a)-(g).

Response: A wetland buffer mitigation report has been developed which addresses the required code and is submitted.

2. It appears that Conceptual Buffer Impacts and Mitigation Site Plan proposes to reduce the buffer by 25 percent; however, no enhancement is proposed. If utilizing SCC 30.62A.320(1)(g)(ii), the reduced buffer must be enhanced.

Response: The conceptual buffer mitigation plan reduces the buffer width but not based on enhancement. The reduction in buffer width is based on the proposed easement and permanent fence being placed along the wetland buffer. A 25 percent reduction in the standard buffer width is allowed due to the installation of a fence and the placement of the wetland into a separate tract/easement or other protected open space per SCC 30.62A.320(1)(f). Both of these minimization measures will occur for Wetland A. Wetland B will not be placed in an easement, but a fence shall be installed. This would allow for a 15 percent reduction in the buffer width for Wetland B. This is detailed on page 2 of the buffer mitigation plan.

3. The plan also proposes to enhance a portion of the existing buffer to compensate for the permanent buffer impacts. It is unclear what enhancement ration is being utilized. Additionally, as stated above, the reduced buffer must also be enhanced to receive full credit for the 25 percent reduction, and cannot also compensate for the permanent impacts. Please include a discussion and ensure all impacts are accounted for in the required mitigation plan.

Response: Because the buffer enhancement is not being used to receive the 25 percent reduction, the enhancement is allowed under SCC 30.62A.320(3)(d) for up to an acre of buffer impact.

4. The existing access road and utility easement is depicted as buffer on the plan sets and Figure 1 of the CAS. The site investigation and a review of aerial photography confirms this road consists of herbaceous vegetation, which meets the definition of buffer (SCC 30.91S.190). The project is proposing to gravel this access road and permanently remove the herbaceous vegetation. Please account for these permanent impacts.

Response: The updated mitigation layout includes additional buffer enhancement to compensate for the gravel access road.

5. It is unclear if this proposed mitigation plan adheres to the avoidance and minimization requirements detailed in SCC 30.62A.310(3). Please discuss alternate building, parking lot, and water storage tank configurations and alternate methods used to reduce wetland buffer impacts in the required report.

Response: Details regarding the avoidance of wetlands and minimization are included on pg. 2 of the buffer mitigation plan. The site plan has allowed for the elimination of all wetland impacts.

6. It appears that the proposed extent of clearing is located directly adjacent to the delineated wetland boundary. Please account for all temporary impacts which will occur to the wetland and wetland buffer. If clearing will not occur within this area, please adjust the extent of clearing to accurately reflect the project proposal.

Response: The updated plan is based on the clearing and grading limits proposed for the project. No impacts will occur outside these limits and silt fence will be placed to ensure no impacts occur to the remaining buffer. A permanent fence will be placed at the buffer limits to discourage any future access from the facility.

7. The split-rail CAPA fence is currently proposed along the wetland boundary. CAPA fencing must be located along the wetland buffer and meet the specifications of SCC 30.62A.320(1)(f)(ii). Please revise the plan sets to correct this error.

Response: Fencing is now located along the wetland buffer and detail has been updated to meet the specifications of SCC 30.62A.320(1)(f)(ii).

Transportation:

A Transportation Review Memo is included in this review package and attached to this review completion letter. Below is a summary of items to be addressed prior to final recommendation:

1. Address the traffic study format issues described in the concurrency section of this memo.

Response: The traffic study has been updated with the proper formatting per County standards

2. Address the several access and circulation comments made in the Access and Circulation Requirements section of the memo.

Response:

- *We have provided an EDDS Deviation Request from 3-08.D for Intersection Sight Distance for the proposed access driveway on 300th Street NW addressing the sight distance. The driveway is recommended by Heath and Associates to be restricted to right out only to mitigate for the reduced sight distance.*

3. Properly cite the existing right-of-way widths along the property's frontage on 300th Street NW with an AFN and reference to instrument used.

Response: We have properly cited the existing right of way per AFN #9106140048 on Sheet C-201. 5ft of additional is also shown to be deeded to Snohomish County. Instrumentation used is described in the survey files included with the updated civil plans.

4. Change language of additional right-of-way on the plans from "dedicating" to "deeding."

Response: Language has been changed to reflect ROW deed to Snohomish County. See sheet C-201

5. A written offer, signed by the applicant, for mitigation of the development's traffic impacts to state highways is required.

Response: A written offer to WSDOT, signed by the applicant, will be provided, however, we are still waiting on final information from WSDOT to complete our written offer.

6. Comments from WSDOT are needed.

Response: This would take place once the County approves the traffic study and routes the TIA to the other agencies. These comments will be shared when we receive them.

7. Written offer, signed by the applicant, for mitigation of the development's traffic impact to the Cities of Arlington and Stanwood are required.

Response: Completed and not showing any impacts to city project intersections and therefore no fees recommended.

8. Comments from the Cities of Arlington and Stanwood are needed.

Response: These comments will be shared when we receive them.

Fire:

1. The Fire Marshal's Office has provided a memo, which is included in the review package and attached to this review completion letter. Below is a summary of items to be addressed prior to final recommendation:
 - a. Please read the entire memo in the event I neglected to add any item in this synopsis.

Response: Acknowledged, we have read the entire memo and addressed the pertinent comments within these responses.

- b. The hammerhead as proposed does not meet EDDS 3-150B. Provide a compliant turnaround.

Response: The hammerhead has been revised to meet the standards of EDDS 3-150B. Please see sheet C-201 for an updated plan and dimensions.

- c. Provide a fire lane within 150' of all portions of the building.

Response: We understand that when buildings are completely protected with an approved automatic fire sprinkler system installed in accordance with chapter SCC 30.53A the fire apparatus access road requirements may be modified by the Fire Marshall. Due to the site constraints from topography and

critical areas on-site and the fact that the building will be protected with an approved automatic fire sprinkler system, we request modification to the access requirements for this project.

The fire lane is 25ft in width. The gradient of the roadway will not exceed 6% for the fire lane or hammerhead turn-around. The only vertical clearance constraint are the overhead power/communication lines crossing the driveway within the ROW. These lines are estimated to be at least 13'-6" minimum above finished grade at the driveway entering the site.

The fire lane heavy duty pavement section and underground chamber detention vault are designed and rated to support the gross vehicle weight of 75,000 lb and point loads of 45,000 lb applied to an area of 24 inches by 24inches located on 16-foot centers. Please see the loading analyses provided by the project's geotechnical engineer and manufacturer of the Stormtech MC-3500 chamber included with the resubmittal documents.

- d. Provide a fire lane striping plan.

Response: Fire lane striping and signage is shown on the updated site plan Sheet C-201.

- e. Hire a Fire Protection Engineer (FPE) to determine required fire flow pursuant to NFPA 1142.

Response: As the project will be running public water main infrastructure to the site, we understand fire flow calculations are required per 2018 IFC Appendix B105 Table B105.1(2). Please see email correspondence with Michael Braaten regarding calculation of fire flow requirements.

- f. Hydrants shall be a minimum of 50' away from the structures. Some lenience can be given if the hydrant is outside of the collapse zone (One and a half times the height of the building). Due to modifications needing to be made to the fire apparatus access roads for access further review will be done at the 2nd submittal.

Response: Fire Hydrants have been relocated to be a minimum of 1.5x the height of the building which equals 30ft as building peak height is 20ft. See Sheet C-401 for revised locations.

- g. Propose FDC locations.

Response: FDC locations for each phase of work have been identified on the updated Sheet C-401 and are placed within 50ft of a fire hydrant.

Right-of-Way:

A Right of Way Use permit and associated bonding and insurance will be required for all work proposed within Snohomish County public right of way. This information will be provided when the associated project is submitted for construction review under the Land Disturbing Activity (LDA) application.

Response: Acknowledged. ROW information related to the frontage improvements will be submitted for review under the LDA permit application. ROW permit application for off-site water main extension will follow under.

Other Jurisdictions/Agencies/Public Comments:

1. Numerous Public Comments were received. These comments are included with this review letter. The response to comments can be group thematically based on public comment themes. Staff has responded to questions of process related to review of the project directly to commenters and referred any questions that related to the facility or operations to the applicant for response. If you have responded to commenters directly, please provide those responses with your resubmittal packet.

Response: The Applicant has addressed many of the community members' comments through the website that has been created for this purpose and includes a FAQ sheet that responds to many of the subjects. That fact sheet has been included with this resubmittal. <https://www.hca.wa.gov/about-hca/behavioral-health-recovery/proposed-community-based-residential-treatment-facility> Additionally, each of the public comments has been tracked in a spreadsheet to ensure that the subject matter has been addressed. Many community members have been reached individually through phone calls and/or emails. Some folks, like the direct neighbors the Tinglers, have ongoing conversations.

Finally, an online Town Hall meeting was held on March 22, this was followed by an in person Open House on June 22, and will likely be followed by another open house later in the summer. Comments gathered from those meetings will be added to the comment spreadsheet and addressed.

2. Comments were received from the following agencies, included herein. Please address their comments and provide a response:
 - a. Snoqualmie Tribe – Ann House
 - b. Tulalip Tribe, Natural Resources Dept. – Todd Gray

Other agency comments are included with this review and are informational in nature.

Response: A response was sent to Todd Gray on June 22, 2022 and a copy has been included with our resubmittal package. The comments from Ann House are specific to wetlands and wetland mitigation which has only recently been detailed to the point that answers her question. We have sent a response to her today, June 23, along with a copy of the Buffer Mitigation Plan.