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CITY OF MONROE
ORDINANCE NO. XXX/2016

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, IMPLEMENTING THE FEDERAL CLEAN WATER ACT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE II REQUIREMENTS AND MAKING OTHER MINOR CODE REVISIONS BY ADDING A NEW SECTION 15.01.025, AMENDING SECTIONS 15.01.010, 15.01.080,15.01.090, 17.04.020,17.04.040, 17.20.040, 18.10.010, 18.10.140, 18.10.220, 18.10.260, 18.12.170, 18.82.010, 18.82.030, 18.84.060, 18.84.080, 18.84.120, 18.84.160, 18.86.040, 18.86.050,18.94.010, 20.05.080 AND DELETING SECTIONS 15.01.015, 15.01.020, 15.01.030, 15.01.040, 15.01.042, 15.01.045, 15.01.050, 15.01.055, 15.01.065, 15.01.077, 15.01.100, 18.10.090, 18.10.100, 18.10.110, 18.10.115 OF THE MONROE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Federal Clean Water Act sets a national goal to "restore and maintain the chemical, physical, and biological integrity of the nation's water" and prohibits the discharge of pollutants from any point source; and

WHEREAS, the U. S. Environmental Protection Act initiated NPDES Phase II requirements under the Federal Clean Water Act for small municipal separate storm sewer systems in 2003; and

WHEREAS, the NPDES Phase II permit requires permittees to revise development codes and standards to make low impact development the preferred and commonly-used approach to development; and

WHEREAS, the NPDES Phase II permit requirements include adoption of stormwater regulations equivalent to the Stormwater Management Manual for Western Washington; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), the City issued a Determination of Non-Significance (DNS) on the low impact development code and other miscellaneous revisions on September 27, 2016; and

WHEREAS, [INSERT] of the SEPA Determination of Non-Significance was filed; and

WHEREAS, in accordance with RCW 36.70A.106, the proposed amendments were transmitted to the Washington State Department of Commerce for State agency review on September 28, 2016; and

WHEREAS, Monroe Municipal Code (MMC) subsection 21.20.040(B) requires that amendments to the subdivision code, zoning code, and environmental code (MMC Titles 17 through 20) require Planning Commission review and recommendation; and

WHEREAS, the Monroe Planning Commission received a briefing on the proposed low impact development code revisions on September 12, 2016 and September 26, 2016, held a duly noticed public hearing on October 10, 2016, and deliberated on _____ 2016; and

WHEREAS, following the public hearing and deliberation, on _____, 2016 the Planning Commission adopted findings and recommended amendments related to low impact development code revisions as well as other miscellaneous code amendments; and

WHEREAS, on _____, 2016, the City Council considered the recommendation of the Planning Commission;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE DO ORDAIN AS FOLLOWS:

Section 1. Monroe Municipal Code Chapter 15.01 "Stormwater Management" is hereby amended as follows:

Chapter 15.01
STORM WATER MANAGEMENT

Sections:

15.01.010 Purpose.

~~[15.01.015 EXEMPTIONS.~~

~~15.01.020 DEFINITIONS.]~~

15.01.025 Stormwater Management Manual Adopted

~~[15.01.030 GENERAL PROVISIONS.~~

~~15.01.040 APPLICABILITY OF THE MINIMUM REQUIREMENTS.~~

~~15.01.042 REGULATED ACTIVITIES AND ALLOWED ACTIVITIES.~~

~~15.01.045 MINIMUM REQUIREMENTS.~~

~~15.01.050 CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP) ELEMENTS.~~

~~15.01.055 EROSIVITY WAIVER.~~

~~15.01.065 ADJUSTMENTS.~~

~~15.01.077 BASIN/WATERSHED PLANNING.]~~

15.01.080 Administration.

15.01.090 Enforcement.

~~[15.01.100 EXCEPTIONS.]~~

15.01.110 Severability.

15.01.010 Purpose.

The primary stormwater management objective is to use low impact development, where feasible, to approximate the pre-development (native) forested hydrologic condition over the full range of rainfall intensities and durations. ~~[THE PROVISIONS OF THIS CHAPTER ARE INTENDED TO GUIDE AND ADVISE ALL WHO CONDUCT NEW DEVELOPMENT OR REDEVELOPMENT WITHIN THE CITY OF MONROE. THE PROVISIONS OF THIS CHAPTER ESTABLISH THE MINIMUM LEVEL OF COMPLIANCE WHICH MUST BE MET TO PERMIT A PROPERTY TO BE DEVELOPED OR REDEVELOPED WITHIN THE CITY OF MONROE.]~~ It is the purpose of this chapter to:

A. Minimize water quality degradation and sedimentation in streams, ponds, lakes, wetlands and other water bodies;

B. Minimize the impact of increased runoff, erosion and sedimentation caused by land development and maintenance practices;

C. Maintain and protect groundwater resources;

D. Minimize adverse impacts of alterations on ground and surface water quantities, locations and flow patterns;

E. Decrease potential landslide, flood and erosion damage to public and private property;

F. Promote site planning and construction practices that are consistent with natural topographical, vegetational and hydrological conditions;

G. Maintain and protect the storm water management infrastructure within the city of Monroe and downstream;

H. Provide a means of regulating clearing and grading of private and public land while minimizing water quality impacts in order to protect public health and safety; and

I. Provide minimum development regulations and construction procedures which will preserve, replace or enhance, to the maximum extent practicable, existing vegetation to preserve and enhance the natural qualities of lands, wetlands and water bodies.

[15.01.015 EXEMPTIONS.

~~A. FOREST PRACTICES. FOREST PRACTICES REGULATED UNDER WAC TITLE 222, EXCEPT FOR CLASS IV GENERAL FOREST PRACTICES THAT ARE CONVERSIONS FROM TIMBER LAND TO OTHER USES, ARE EXEMPT FROM THE PROVISIONS OF THE MINIMUM REQUIREMENTS.~~

~~B. COMMERCIAL AGRICULTURE. COMMERCIAL AGRICULTURE PRACTICES INVOLVING WORKING THE LAND FOR PRODUCTION ARE GENERALLY EXEMPT. HOWEVER, THE CONVERSION FROM TIMBERLAND TO AGRICULTURE AND THE CONSTRUCTION OF IMPERVIOUS SURFACES ARE NOT EXEMPT.~~

~~C. OIL AND GAS FIELD ACTIVITIES OR OPERATIONS. CONSTRUCTION OF DRILLING SITES, WASTE MANAGEMENT PITS, AND ACCESS ROADS, AS WELL AS CONSTRUCTION OF TRANSPORTATION AND TREATMENT INFRASTRUCTURE SUCH AS PIPELINES, NATURAL GAS TREATMENT PLANTS, NATURAL GAS PIPELINE COMPRESSOR STATIONS, AND CRUDE OIL PUMPING STATIONS ARE EXEMPT. OPERATORS ARE ENCOURAGED TO IMPLEMENT AND MAINTAIN BEST MANAGEMENT PRACTICES TO MINIMIZE EROSION AND CONTROL SEDIMENT DURING AND AFTER CONSTRUCTION ACTIVITIES TO HELP ENSURE PROTECTION OF SURFACE WATER QUALITY DURING STORM EVENTS.~~

~~D. ROAD MAINTENANCE. THE FOLLOWING ROAD MAINTENANCE PRACTICES ARE EXEMPT: POTHOLE AND SQUARE CUT PATCHING, OVERLAYING EXISTING ASPHALT OR CONCRETE PAVEMENT WITH ASPHALT OR CONCRETE WITHOUT EXPANDING THE AREA OF COVERAGE, SHOULDER GRADING, RESHAPING/REGRADING DRAINAGE SYSTEMS, CRACK SEALING, RESURFACING WITH IN-KIND MATERIAL WITHOUT EXPANDING THE ROAD PRISM, AND VEGETATION MAINTENANCE.~~

~~THE FOLLOWING ROAD MAINTENANCE PRACTICES ARE CONSIDERED REDEVELOPMENT, AND THEREFORE ARE NOT CATEGORICALLY EXEMPT. THE EXTENT TO WHICH THIS CHAPTER APPLIES IS EXPLAINED FOR EACH CIRCUMSTANCE.~~

~~1. REMOVING AND REPLACING A PAVED SURFACE TO BASE COURSE OR LOWER, OR REPAIRING THE ROADWAY BASE: IF IMPERVIOUS SURFACES ARE NOT EXPANDED, MINIMUM REQUIREMENTS NO. 1 THROUGH 5 APPLY. HOWEVER,~~

~~IN MOST CASES, ONLY MINIMUM REQUIREMENT NO. 2, CONSTRUCTION STORM WATER POLLUTION PREVENTION, WILL BE GERMANE. WHERE APPROPRIATE, PROJECT PROPONENTS ARE ENCOURAGED TO LOOK FOR OPPORTUNITIES TO USE PERMEABLE AND POROUS PAVEMENTS.~~

~~2. EXTENDING THE PAVEMENT EDGE WITHOUT INCREASING THE SIZE OF THE ROAD PRISM, OR PAVING GRAVELED SHOULDERS: THESE ARE CONSIDERED NEW IMPERVIOUS SURFACES AND ARE SUBJECT TO THE MINIMUM REQUIREMENTS THAT ARE TRIGGERED WHEN THE THRESHOLDS IDENTIFIED FOR REDEVELOPMENT PROJECTS ARE MET.~~

~~3. RESURFACING BY UPGRADING FROM DIRT TO GRAVEL, ASPHALT, OR CONCRETE; UPGRADING FROM GRAVEL TO ASPHALT, OR CONCRETE; OR UPGRADING FROM A BITUMINOUS SURFACE TREATMENT (“CHIP SEAL”) TO ASPHALT OR CONCRETE: THESE ARE CONSIDERED NEW IMPERVIOUS SURFACES AND ARE SUBJECT TO THE MINIMUM REQUIREMENTS THAT ARE TRIGGERED WHEN THE THRESHOLDS IDENTIFIED FOR REDEVELOPMENT PROJECTS ARE MET.~~

~~E. UNDERGROUND UTILITY PROJECTS. UNDERGROUND UTILITY PROJECTS THAT REPLACE THE GROUND SURFACE WITH IN-KIND MATERIAL OR MATERIALS WITH SIMILAR RUNOFF CHARACTERISTICS ARE ONLY SUBJECT TO MINIMUM REQUIREMENT NO. 2, CONSTRUCTION STORM WATER POLLUTION PREVENTION.~~

~~ALL OTHER NEW DEVELOPMENT IS SUBJECT TO ONE OR MORE OF THE MINIMUM REQUIREMENTS (SEE MMC 15.01.040).~~

~~15.01.020 DEFINITIONS.~~

~~FOR THE PURPOSE OF THIS CHAPTER, THE FOLLOWING DEFINITIONS SHALL APPLY:~~

~~“APPROVAL” MEANS THE PROPOSED WORK OR COMPLETED WORK CONFORMS TO THIS CHAPTER IN THE OPINION OF THE ADMINISTRATOR.~~

~~“ARTERIAL” MEANS A ROAD OR STREET PRIMARILY FOR THROUGH TRAFFIC. A MAJOR ARTERIAL CONNECTS AN INTERSTATE HIGHWAY TO CITIES AND COUNTIES. A MINOR ARTERIAL CONNECTS MAJOR ARTERIALS TO COLLECTORS. A COLLECTOR~~

~~CONNECTS AN ARTERIAL TO A NEIGHBORHOOD. A COLLECTOR IS NOT AN ARTERIAL. A LOCAL ACCESS ROAD CONNECTS INDIVIDUAL HOMES TO A COLLECTOR.~~

~~"AS GRADED" MEANS THE EXTENT OF SURFACE CONDITIONS ON COMPLETION OF GRADING.~~

~~"BASIN PLAN" MEANS A PLAN AND ALL IMPLEMENTING REGULATIONS AND PROCEDURES INCLUDING BUT NOT LIMITED TO LAND USE MANAGEMENT ADOPTED BY ORDINANCE FOR MANAGING SURFACE AND STORM WATER MANAGEMENT FACILITIES AND FEATURES WITHIN INDIVIDUAL SUB-BASINS.~~

~~"BEDROCK" MEANS THE MORE OR LESS SOLID ROCK IN PLACE EITHER ON OR BENEATH THE SURFACE OF THE EARTH. IT MAY BE SOFT, MEDIUM, OR HARD AND HAVE A SMOOTH OR IRREGULAR SURFACE.~~

~~"BENCH" MEANS A RELATIVELY LEVEL STEP EXCAVATED INTO EARTH MATERIAL ON WHICH FILL IS TO BE PLACED.~~

~~"BEST MANAGEMENT PRACTICE" OR "BMP" MEANS PHYSICAL, STRUCTURAL, AND/OR MANAGERIAL PRACTICES THAT, WHEN USED SINGLY OR IN COMBINATION, PREVENT OR REDUCE POLLUTION OF WATER. BMPS ARE LISTED AND DESCRIBED IN THE MANUAL.~~

~~"CERTIFIED EROSION AND SEDIMENT CONTROL LEAD (CESCL)" MEANS AN INDIVIDUAL WHO HAS CURRENT CERTIFICATION THROUGH AN APPROVED EROSION AND SEDIMENT CONTROL TRAINING PROGRAM THAT MEETS THE MINIMUM TRAINING STANDARDS ESTABLISHED BY THE DEPARTMENT (SEE BMP C160 IN THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005)). A CESCL IS KNOWLEDGEABLE IN THE PRINCIPLES AND PRACTICES OF EROSION AND SEDIMENT CONTROL. THE CESCL MUST HAVE THE SKILLS TO ASSESS SITE CONDITIONS AND CONSTRUCTION ACTIVITIES THAT COULD IMPACT THE QUALITY OF STORM WATER AND THE EFFECTIVENESS OF EROSION AND SEDIMENT CONTROL MEASURES USED TO CONTROL THE QUALITY OF STORM WATER DISCHARGES. CERTIFICATION IS OBTAINED THROUGH AN ECOLOGY APPROVED EROSION AND SEDIMENT CONTROL COURSE. COURSE LISTINGS ARE PROVIDED ONLINE AT ECOLOGY'S WEBSITE.~~

~~“CIVIL ENGINEER” MEANS A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF WASHINGTON IN CIVIL ENGINEERING WHO IS EXPERIENCED AND KNOWLEDGEABLE IN THE PRACTICE OF SOILS ENGINEERING.~~

~~“CIVIL ENGINEERING” MEANS THE APPLICATION OF THE KNOWLEDGE OF THE FORCES OF NATURE, PRINCIPLES OF MECHANICS AND THE PROPERTIES OF MATERIALS TO THE EVALUATION, DESIGN AND CONSTRUCTION OF CIVIL WORKS FOR THE BENEFICIAL USES OF MANKIND.~~

~~“CLEARING” MEANS THE DESTRUCTION AND REMOVAL OF VEGETATION BY MANUAL, MECHANICAL, OR CHEMICAL METHODS.~~

~~“COMMERCIAL AGRICULTURE” MEANS THOSE ACTIVITIES CONDUCTED ON LANDS DEFINED IN RCW 84.34.020(2), AND ACTIVITIES INVOLVED IN THE PRODUCTION OF CROPS OR LIVESTOCK FOR WHOLESALE TRADE. AN ACTIVITY CEASES TO BE CONSIDERED COMMERCIAL AGRICULTURE WHEN THE AREA ON WHICH IT IS CONDUCTED IS PROPOSED FOR CONVERSION TO A NONAGRICULTURAL USE OR HAS LAIN IDLE FOR MORE THAN FIVE YEARS, UNLESS THE IDLE LAND IS REGISTERED IN A FEDERAL OR STATE SOILS CONSERVATION PROGRAM, OR UNLESS THE ACTIVITY IS MAINTENANCE OF IRRIGATION DITCHES, LATERALS, CANALS, OR DRAINAGE DITCHES RELATED TO AN EXISTING AND ONGOING AGRICULTURAL ACTIVITY.~~

~~“COMPACTION” MEANS DENSIFICATION OF A FILL BY MECHANICAL MEANS.~~

~~“CRITICAL AREAS” MEANS, AT A MINIMUM, AREAS WHICH INCLUDE WETLANDS, AREAS WITH A CRITICAL RECHARGING EFFECT ON AQUIFERS USED FOR POTABLE WATER, FISH AND WILDLIFE HABITAT CONSERVATION AREAS, FREQUENTLY FLOODED AREAS, GEOLOGICALLY HAZARDOUS AREAS, INCLUDING UNSTABLE SLOPES, AND ASSOCIATED AREAS AND ECOSYSTEMS.~~

~~“DESIGN STORM” MEANS A PRESCRIBED HYETOGRAPH AND TOTAL PRECIPITATION AMOUNT (FOR A SPECIFIC DURATION RECURRENCE FREQUENCY) USED TO ESTIMATE RUNOFF FOR A HYPOTHETICAL STORM OF INTEREST OR CONCERN FOR THE PURPOSES OF ANALYZING EXISTING DRAINAGE, DESIGNING NEW DRAINAGE FACILITIES OR ASSESSING OTHER IMPACTS OF A PROPOSED PROJECT ON THE FLOW OF SURFACE WATER. (A HYETOGRAPH IS A GRAPH OF PERCENTAGES OF TOTAL~~

~~PRECIPITATION FOR A SERIES OF TIME STEPS REPRESENTING THE TOTAL TIME DURING WHICH THE PRECIPITATION OCCURS.)~~

~~"DETENTION" MEANS THE RELEASE OF STORM WATER RUNOFF FROM THE SITE AT A SLOWER RATE THAN IT IS COLLECTED BY THE STORM WATER FACILITY SYSTEM, THE DIFFERENCE BEING HELD IN TEMPORARY STORAGE.~~

~~"DETENTION FACILITY" MEANS AN ABOVE OR BELOW GROUND FACILITY, SUCH AS A POND OR TANK, THAT TEMPORARILY STORES STORM WATER RUNOFF AND SUBSEQUENTLY RELEASES IT AT A SLOWER RATE THAN IT IS COLLECTED BY THE DRAINAGE FACILITY SYSTEM. THERE IS LITTLE OR NO INFILTRATION OF STORED STORM WATER.~~

~~"DRAINAGE BASIN" MEANS A GEOGRAPHIC AND HYDROLOGIC SUBUNIT OF A WATERSHED.~~

~~"EARTH MATERIAL" MEANS ANY ROCK, NATURAL SOIL OR FILL AND/OR ANY COMBINATION THEREOF.~~

~~"ECOLOGY" MEANS THE WASHINGTON STATE DEPARTMENT OF ECOLOGY.~~

~~"EFFECTIVE IMPERVIOUS SURFACE" MEANS THOSE IMPERVIOUS SURFACES THAT ARE CONNECTED VIA SHEET FLOW OR DISCRETE CONVEYANCE TO A DRAINAGE SYSTEM. IMPERVIOUS SURFACES ON RESIDENTIAL DEVELOPMENT SITES THAT DISPERSE RUNOFF THROUGH AT LEAST ONE HUNDRED FEET OF NATIVE VEGETATION IN ACCORDANCE WITH BMP T5.30 – "FULL DISPERSION," AS DESCRIBED IN CHAPTER 5 OF VOLUME V OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005), ARE NOT CONSIDERED IMPERVIOUS SURFACES.~~

~~"ENGINEERING GEOLOGIST" MEANS A GEOLOGIST EXPERIENCED AND KNOWLEDGEABLE IN ENGINEERING GEOLOGY.~~

~~"ENGINEERING GEOLOGY" MEANS THE APPLICATION OF GEOLOGIC KNOWLEDGE AND PRINCIPLES IN THE INVESTIGATION AND EVALUATION OF NATURALLY OCCURRING ROCK AND SOIL FOR USE IN THE DESIGN OF CIVIL WORKS.~~

~~"EROSION" MEANS THE WEARING AWAY OF THE LAND SURFACE BY RUNNING WATER, WIND, ICE, OR OTHER GEOLOGICAL AGENTS, INCLUDING SUCH PROCESSES AS GRAVITATIONAL CREEP, DETACHMENT AND MOVEMENT OF SOIL OR ROCK FRAGMENTS BY WATER, WIND, ICE, OR GRAVITY.~~

~~"EXCAVATION" MEANS THE MECHANICAL REMOVAL OF EARTH MATERIAL.~~

~~"EXISTING SITE CONDITIONS" MEANS:~~

~~1. FOR DEVELOPED SITES WITH STORM WATER FACILITIES THAT HAVE BEEN CONSTRUCTED TO MEET THE STANDARDS IN THE MINIMUM REQUIREMENTS OF THIS MANUAL, EXISTING SITE CONDITIONS SHALL MEAN THE EXISTING CONDITIONS ON THE SITE.~~

~~2. FOR DEVELOPED SITES THAT DO NOT HAVE STORM WATER FACILITIES THAT MEET THE MINIMUM REQUIREMENTS, EXISTING SITE CONDITIONS SHALL MEAN THE CONDITIONS THAT EXISTED PRIOR TO LOCAL GOVERNMENT ADOPTION OF A STORM WATER MANAGEMENT PROGRAM. IF IN QUESTION, THE EXISTING SITE CONDITIONS SHALL BE DOCUMENTED BY AERIAL PHOTOGRAPH RECORDS OR OTHER APPROPRIATE MEANS.~~

~~3. FOR ALL SITES IN WATER QUALITY SENSITIVE AREAS AS IDENTIFIED UNDER MINIMUM REQUIREMENT NO. 8, WETLANDS PROTECTION, MMC15.01.045(H), EXISTING SITE CONDITIONS SHALL MEAN UNDISTURBED FOREST, FOR THE PURPOSE OF CALCULATING RUNOFF CHARACTERISTICS.~~

~~4. FOR ALL UNDEVELOPED SITES OUTSIDE OF WATER QUALITY SENSITIVE AREAS, EXISTING SITE CONDITIONS SHALL MEAN THE EXISTING CONDITIONS ON THE SITE.~~

~~"EXPERIMENTAL BMP" MEANS A BMP THAT HAS NOT BEEN TESTED AND EVALUATED BY THE DEPARTMENT OF ECOLOGY IN COLLABORATION WITH LOCAL GOVERNMENTS AND TECHNICAL EXPERTS.~~

~~"FILL" MEANS A DEPOSIT OF EARTH MATERIAL PLACED BY ARTIFICIAL MEANS.~~

~~“FOREST PRACTICE” MEANS ANY ACTIVITY CONDUCTED ON OR DIRECTLY PERTAINING TO FOREST LAND AND RELATING TO GROWING, HARVESTING, OR PROCESSING TIMBER, INCLUDING BUT NOT LIMITED TO:~~

~~1. ROAD AND TRAIL CONSTRUCTION.~~

~~2. HARVESTING, FINAL AND INTERMEDIATE.~~

~~3. PRECOMMERCIAL THINNING.~~

~~4. REFORESTATION.~~

~~5. FERTILIZATION.~~

~~6. PREVENTION AND SUPPRESSION OF DISEASES AND INSECTS.~~

~~7. SALVAGE OF TREES.~~

~~8. BRUSH CONTROL.~~

~~“FREQUENTLY FLOODED AREAS” MEANS THE ONE-HUNDRED-YEAR FLOODPLAIN DESIGNATIONS OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE NATIONAL FLOOD INSURANCE PROGRAM.~~

~~“GEOLOGICALLY HAZARDOUS AREAS” MEANS AREAS THAT, BECAUSE OF THEIR SUSCEPTIBILITY TO EROSION, SLIDING, EARTHQUAKE OR OTHER GEOLOGICAL EVENTS, ARE NOT SUITED TO THE SITING OF COMMERCIAL, RESIDENTIAL OR INDUSTRIAL DEVELOPMENT CONSISTENT WITH PUBLIC HEALTH OR SAFETY CONCERNS.~~

~~“GRADE” MEANS THE SLOPE OF A ROAD, CHANNEL, OR NATURAL GROUND AND THE FINISHED SURFACE OF A CANAL BED, ROADBED, TOP OF EMBANKMENT, BOTTOM OF EXCAVATION OR ANY SURFACE PREPARED FOR THE SUPPORT OF CONSTRUCTION SUCH AS PAVING OR THE LAYING OF A CONDUIT.~~

~~1. EXISTING GRADE. THE GRADE PRIOR TO GRADING.~~

~~2. ROUGH GRADE. THE STAGE AT WHICH THE GRADE APPROXIMATELY CONFORMS TO THE APPROVED PLAN.~~

~~3. FINISH GRADE. THE FINAL GRADE OF THE SITE WHICH CONFORMS TO THE APPROVED PLAN.~~

~~"GRADE, (TO)" MEANS TO FINISH THE SURFACE OF A CANAL BED, ROADBED, TOP OF EMBANKMENT OR BOTTOM OF EXCAVATION.~~

~~"GRADIENT TERRACE" MEANS AN EARTH EMBANKMENT OR A RIDGE-AND-CHANNEL CONSTRUCTED WITH SUITABLE SPACING AND AN ACCEPTABLE GRADE TO REDUCE EROSION DAMAGE BY INTERCEPTING SURFACE RUNOFF AND CONDUCTING IT TO A STABLE OUTLET AT A STABLE NON-EROSIVE VELOCITY.~~

~~"GROUNDWATER" MEANS WATER IN A SATURATED ZONE OR STRATUM BENEATH THE SURFACE OF LAND OR A SURFACE WATER BODY.~~

~~"HIGHWAY" MEANS A MAIN PUBLIC ROAD CONNECTING TOWNS AND CITIES.~~

~~"HYDRO-PERIOD" MEANS THE SEASONAL OCCURRENCE OF FLOODING AND/OR SOIL SATURATION; IT ENCOMPASSES DEPTH, FREQUENCY, DURATION, AND SEASONAL PATTERN OF INUNDATION.~~

~~"ILLICIT DISCHARGE" MEANS ALL NON-STORM WATER DISCHARGES TO STORM WATER DRAINAGE SYSTEMS THAT CAUSE OR CONTRIBUTE TO A VIOLATION OF STATE WATER QUALITY, SEDIMENT QUALITY OR GROUNDWATER QUALITY STANDARDS, INCLUDING BUT NOT LIMITED TO SANITARY SEWER CONNECTIONS, INDUSTRIAL PROCESS WATER, INTERIOR FLOOR DRAINS, CAR WASHING AND GRAY WATER SYSTEMS.~~

~~"IMPERVIOUS SURFACE" MEANS A HARD SURFACE AREA THAT EITHER PREVENTS OR RETARDS THE ENTRY OF WATER INTO THE SOIL MANTLE AS UNDER NATURAL CONDITIONS PRIOR TO DEVELOPMENT AND/OR A HARD SURFACE AREA WHICH CAUSES WATER TO RUN OFF THE SURFACE IN GREATER QUANTITIES OR AT AN INCREASED RATE OF FLOW FROM THE FLOW PRESENT UNDER NATURAL CONDITIONS PRIOR TO DEVELOPMENT. COMMON IMPERVIOUS SURFACES INCLUDE,~~

~~BUT ARE NOT LIMITED TO, ROOF TOPS, WALKWAYS, PATIOS, DRIVEWAYS, PARKING LOTS OR STORAGE AREAS, CONCRETE OR ASPHALT PAVING, GRAVEL ROADS, PACKED EARTHEN MATERIALS, AND OILED, MACADAM OR OTHER SURFACES WHICH SIMILARLY IMPEDE THE NATURAL INFILTRATION OF STORM WATER. OPEN, UNCOVERED RETENTION/DETENTION FACILITIES SHALL NOT BE CONSIDERED AS IMPERVIOUS SURFACES FOR PURPOSES OF DETERMINING WHETHER THE THRESHOLDS FOR APPLICATION OF MINIMUM REQUIREMENTS ARE EXCEEDED. OPEN, UNCOVERED RETENTION/DETENTION FACILITIES SHALL BE CONSIDERED IMPERVIOUS SURFACES FOR PURPOSES OF RUNOFF MODELING.~~

~~"INTERFLOW" MEANS THAT PORTION OF RAINFALL THAT INFILTRATES INTO THE SOIL AND MOVES LATERALLY THROUGH THE UPPER SOIL HORIZONS UNTIL INTERCEPTED BY A STREAM CHANNEL OR UNTIL IT RETURNS TO THE SURFACE, FOR EXAMPLE, IN A WETLAND, SPRING OR SEEP.~~

~~"LAND DISTURBING ACTIVITY" MEANS ANY ACTIVITY THAT RESULTS IN MOVEMENT OF EARTH, OR A CHANGE IN THE EXISTING SOIL COVER (BOTH VEGETATIVE AND NONVEGETATIVE) AND/OR THE EXISTING SOIL TOPOGRAPHY. LAND DISTURBING ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO, CLEARING, GRADING, FILLING, AND EXCAVATION. COMPACTION THAT IS ASSOCIATED WITH STABILIZATION OF STRUCTURES AND ROAD CONSTRUCTION SHALL ALSO BE CONSIDERED A LAND DISTURBING ACTIVITY. VEGETATION MAINTENANCE PRACTICES ARE NOT CONSIDERED LAND DISTURBING ACTIVITY.~~

~~"LARGE PARCEL EROSION AND SEDIMENT CONTROL PLAN" OR "LARGE PARCEL ESC PLAN" MEANS A PLAN TO IMPLEMENT BMPS TO CONTROL POLLUTION GENERATED DURING LAND DISTURBING ACTIVITY. GUIDANCE FOR PREPARING A LARGE PARCEL ESC PLAN IS CONTAINED IN THE MANUAL. (NOTE: ECOLOGY WILL ADD A SAMPLE LARGE PARCEL ESC PLAN TO THIS GUIDANCE MANUAL.)~~

~~MAINTENANCE. REPAIR AND MAINTENANCE INCLUDES ACTIVITIES CONDUCTED ON CURRENTLY SERVICEABLE STRUCTURES, FACILITIES, AND EQUIPMENT THAT INVOLVES NO EXPANSION OR USE BEYOND THAT PREVIOUSLY EXISTING AND RESULTS IN NO SIGNIFICANT ADVERSE HYDROLOGIC IMPACT. IT INCLUDES THOSE USUAL ACTIVITIES TAKEN TO PREVENT A DECLINE, LAPSE, OR CESSATION IN THE~~

~~USE OF STRUCTURES AND SYSTEMS. THOSE USUAL ACTIVITIES MAY INCLUDE REPLACEMENT OF DYSFUNCTIONAL FACILITIES, INCLUDING CASES WHERE ENVIRONMENTAL PERMITS REQUIRE REPLACING AN EXISTING STRUCTURE WITH A DIFFERENT TYPE STRUCTURE, AS LONG AS THE FUNCTIONING CHARACTERISTICS OF THE ORIGINAL STRUCTURE ARE NOT CHANGED. ONE EXAMPLE IS THE REPLACEMENT OF A COLLAPSED, FISH BLOCKING, ROUND CULVERT WITH A NEW BOX CULVERT UNDER THE SAME SPAN, OR WIDTH, OF ROADWAY. SEE ALSO ROAD MAINTENANCE EXEMPTIONS IN MMC 15.01.015.~~

~~"MITIGATION" MEANS, IN THE FOLLOWING ORDER OF PREFERENCE:~~

1. ~~AVOIDING THE IMPACT ALTOGETHER BY NOT TAKING A CERTAIN ACTION OR PART OF AN ACTION;~~

2. ~~MINIMIZING IMPACTS BY LIMITING THE DEGREE OR MAGNITUDE OF THE ACTION AND ITS IMPLEMENTATION, BY USING APPROPRIATE TECHNOLOGY, OR BY TAKING AFFIRMATIVE STEPS TO AVOID OR REDUCE IMPACTS;~~

3. ~~RECTIFYING THE IMPACT BY REPAIRING, REHABILITATING OR RESTORING THE AFFECTED ENVIRONMENT;~~

4. ~~REDUCING OR ELIMINATING THE IMPACT OVER TIME BY PRESERVATION AND MAINTENANCE OPERATIONS DURING THE LIFE OF THE ACTION; AND~~

5. ~~COMPENSATION FOR THE IMPACT BY REPLACING, ENHANCING, OR PROVIDING SUBSTITUTE RESOURCES OR ENVIRONMENTS.~~

~~"NATIVE VEGETATION" MEANS VEGETATION COMPRISED OF PLANT SPECIES, OTHER THAN NOXIOUS WEEDS, THAT ARE INDIGENOUS TO THE COASTAL REGION OF THE PACIFIC NORTHWEST AND WHICH REASONABLY COULD HAVE BEEN EXPECTED TO NATURALLY OCCUR ON THE SITE. EXAMPLES INCLUDE TREES SUCH AS DOUGLAS FIR, WESTERN HEMLOCK, WESTERN RED CEDAR, ALDER, BIG-LEAF MAPLE, AND VINE MAPLE; SHRUBS SUCH AS WILLOW, ELDERBERRY, SALMONBERRY, AND SALAL; AND HERBACEOUS PLANTS SUCH AS SWORD FERN, FOAM FLOWER, AND FIREWEED.~~

~~“NATURAL LOCATION” MEANS THE LOCATION OF THOSE CHANNELS, SWALES, AND OTHER NONMANMADE CONVEYANCE SYSTEMS AS DEFINED BY THE FIRST DOCUMENTED TOPOGRAPHIC CONTOURS EXISTING FOR THE SUBJECT PROPERTY, EITHER FROM MAPS OR PHOTOGRAPHS, OR SUCH OTHER MEANS AS APPROPRIATE.~~

~~“NEW DEVELOPMENT” MEANS LAND DISTURBING ACTIVITIES, INCLUDING CLASS IV GENERAL FOREST PRACTICES THAT ARE CONVERSIONS FROM TIMBER LAND TO OTHER USES; STRUCTURAL DEVELOPMENT, INCLUDING CONSTRUCTION OR INSTALLATION OF A BUILDING OR OTHER STRUCTURE; CREATION OF IMPERVIOUS SURFACES; AND SUBDIVISION, SHORT SUBDIVISION AND BINDING SITE PLANS, AS DEFINED AND APPLIED IN CHAPTER 58.17 RCW. PROJECTS MEETING THE DEFINITION OF REDEVELOPMENT SHALL NOT BE CONSIDERED NEW DEVELOPMENT.~~

~~“PERMANENT STORM WATER QUALITY CONTROL (PSQC) PLAN” MEANS A PLAN WHICH INCLUDES PERMANENT BMPS FOR THE CONTROL OF POLLUTION FROM STORM WATER RUNOFF AFTER CONSTRUCTION AND/OR LAND DISTURBING ACTIVITY HAS BEEN COMPLETED. FOR SMALL SITES, THIS REQUIREMENT IS MET BY IMPLEMENTING A SMALL PARCEL EROSION AND SEDIMENT CONTROL PLAN. GUIDANCE ON PREPARING A PSQC PLAN IS CONTAINED IN THE MANUAL.~~

~~“PERSON” MEANS ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION, ORGANIZATION, COOPERATIVE, PUBLIC OR MUNICIPAL CORPORATION, AGENCY OF THE STATE, OR LOCAL GOVERNMENT UNIT, HOWEVER DESIGNATED.~~

~~“POLLUTION” MEANS CONTAMINATION OR OTHER ALTERATION OF THE PHYSICAL, CHEMICAL, OR BIOLOGICAL PROPERTIES OF WATERS OF THE STATE, INCLUDING CHANGE IN TEMPERATURE, TASTE, COLOR, TURBIDITY, OR ODOR OF THE WATERS, OR SUCH DISCHARGE OF ANY LIQUID, GASEOUS, SOLID, RADIOACTIVE OR OTHER SUBSTANCE INTO ANY WATERS OF THE STATE AS WILL BE OR IS LIKELY TO CREATE A NUISANCE OR RENDER SUCH WATERS HARMFUL, DETRIMENTAL OR INJURIOUS TO THE PUBLIC HEALTH, SAFETY OR WELFARE, OR TO DOMESTIC, COMMERCIAL, INDUSTRIAL, AGRICULTURAL, RECREATIONAL, OR OTHER LEGITIMATE BENEFICIAL USES, OR TO LIVESTOCK, WILD ANIMALS, BIRDS, FISH OR OTHER AQUATIC LIFE.~~

~~“POLLUTION-GENERATING IMPERVIOUS SURFACE (PGIS)” MEANS THOSE IMPERVIOUS SURFACES CONSIDERED TO BE A SIGNIFICANT SOURCE OF POLLUTANTS IN STORM WATER RUNOFF. SUCH SURFACES INCLUDE THOSE WHICH ARE SUBJECT TO: VEHICULAR USE; INDUSTRIAL ACTIVITIES (AS FURTHER DEFINED IN THE GLOSSARY); OR STORAGE OF ERODIBLE OR LEACHABLE MATERIALS, WASTES, OR CHEMICALS, AND WHICH RECEIVE DIRECT RAINFALL OR THE RUN-ON OR BLOW-IN OF RAINFALL. ERODIBLE OR LEACHABLE MATERIALS, WASTES, OR CHEMICALS ARE THOSE SUBSTANCES WHICH, WHEN EXPOSED TO RAINFALL, MEASURABLY ALTER THE PHYSICAL OR CHEMICAL CHARACTERISTICS OF THE RAINFALL RUNOFF. EXAMPLES INCLUDE ERODIBLE SOILS THAT ARE STOCKPILED, UNCOVERED PROCESS WASTES, MANURE, FERTILIZERS, OILY SUBSTANCES, ASHES, KILN DUST, AND GARBAGE DUMPSTER LEAKAGE. METAL ROOFS ARE ALSO CONSIDERED TO BE PGIS UNLESS THEY ARE COATED WITH AN INERT, NONLEACHABLE MATERIAL (E.G., BAKED-ON ENAMEL COATING).~~

~~A SURFACE, WHETHER PAVED OR NOT, SHALL BE CONSIDERED SUBJECT TO VEHICULAR USE IF IT IS REGULARLY USED BY MOTOR VEHICLES. THE FOLLOWING ARE CONSIDERED REGULARLY USED SURFACES: ROADS, UNVEGETATED ROAD SHOULDERS, BIKE LANES WITHIN THE TRAVELED LANE OF A ROADWAY, DRIVEWAYS, PARKING LOTS, UNFENCED FIRE LANES, VEHICULAR EQUIPMENT STORAGE YARDS, AND AIRPORT RUNWAYS.~~

~~THE FOLLOWING ARE NOT CONSIDERED REGULARLY USED SURFACES: PAVED BICYCLE PATHWAYS SEPARATED FROM AND NOT SUBJECT TO DRAINAGE FROM ROADS FOR MOTOR VEHICLES, FENCED FIRE LANES, AND INFREQUENTLY USED MAINTENANCE ACCESS ROADS.~~

~~“POLLUTION-GENERATING PERVIOUS SURFACES (PGPS)” MEANS ANY NONIMPERVIOUS SURFACE SUBJECT TO USE OF PESTICIDES AND FERTILIZERS OR LOSS OF SOIL. TYPICAL PGPS INCLUDE LAWNS, LANDSCAPED AREAS, GOLF COURSES, PARKS, CEMETERIES, AND SPORTS FIELDS.~~

~~“PREDEVELOPED CONDITION” MEANS THE NATIVE VEGETATION AND SOILS THAT EXISTED AT A SITE PRIOR TO THE INFLUENCE OF EURO-AMERICAN SETTLEMENT. THE PREDEVELOPED CONDITION SHALL BE ASSUMED TO BE A FORESTED LAND COVER~~

~~UNLESS REASONABLE, HISTORIC INFORMATION IS PROVIDED THAT INDICATES THE SITE WAS PRAIRIE PRIOR TO SETTLEMENT.~~

~~"PROJECT SITE" MEANS THAT PORTION OF A PROPERTY, PROPERTIES, OR RIGHT-OF-WAY SUBJECT TO LAND DISTURBING ACTIVITIES, NEW IMPERVIOUS SURFACES, OR REPLACED IMPERVIOUS SURFACES.~~

~~"RECEIVING WATERS" MEANS BODIES OF WATER OR SURFACE WATER SYSTEMS TO WHICH SURFACE RUNOFF IS DISCHARGED VIA A POINT SOURCE OF STORM WATER OR VIA SHEET FLOW.~~

~~"REDEVELOPMENT" MEANS, ON A SITE THAT IS ALREADY SUBSTANTIALLY DEVELOPED (I.E., HAS THIRTY-FIVE PERCENT OR MORE OF EXISTING IMPERVIOUS SURFACE COVERAGE), THE CREATION OR ADDITION OF IMPERVIOUS SURFACES; THE EXPANSION OF A BUILDING FOOTPRINT OR ADDITION OR REPLACEMENT OF A STRUCTURE; STRUCTURAL DEVELOPMENT INCLUDING CONSTRUCTION, INSTALLATION OR EXPANSION OF A BUILDING OR OTHER STRUCTURE; REPLACEMENT OF IMPERVIOUS SURFACE THAT IS NOT PART OF A ROUTINE MAINTENANCE ACTIVITY; AND LAND DISTURBING ACTIVITIES.~~

~~"REGIONAL RETENTION/DETENTION SYSTEM" MEANS A STORM WATER QUANTITY CONTROL STRUCTURE DESIGNED TO CORRECT EXISTING EXCESS SURFACE WATER RUNOFF PROBLEMS OF A BASIN OR SUB-BASIN. THE AREA DOWNSTREAM HAS BEEN PREVIOUSLY IDENTIFIED AS HAVING EXISTING OR PREDICTED SIGNIFICANT AND REGIONAL FLOODING AND/OR EROSION PROBLEMS. THIS TERM IS ALSO USED WHEN A DETENTION FACILITY IS USED TO DETAIN STORM WATER RUNOFF FROM A NUMBER OF DIFFERENT BUSINESSES, DEVELOPMENTS OR AREAS WITHIN A CATCHMENT.~~

~~"REPLACED IMPERVIOUS SURFACE" MEANS, FOR STRUCTURES, THE REMOVAL AND REPLACEMENT OF ANY EXTERIOR IMPERVIOUS SURFACES OR FOUNDATION. FOR OTHER IMPERVIOUS SURFACES, THE REMOVAL DOWN TO BARE SOIL OR BASE COURSE AND REPLACEMENT.~~

~~"RETENTION/DETENTION FACILITY (R/D)" MEANS A TYPE OF DRAINAGE FACILITY DESIGNED EITHER TO HOLD WATER FOR A CONSIDERABLE LENGTH OF TIME AND THEN RELEASE IT BY EVAPORATION, PLANT TRANSPIRATION, AND/OR INFILTRATION~~

~~INTO THE GROUND OR TO HOLD SURFACE AND STORM WATER RUNOFF FOR A SHORT PERIOD OF TIME AND THEN RELEASE IT TO THE SURFACE AND STORM WATER MANAGEMENT SYSTEM.~~

~~"SITE" MEANS THE AREA DEFINED BY THE LEGAL BOUNDARIES OF A PARCEL OR PARCELS OF LAND THAT IS (ARE) SUBJECT TO NEW DEVELOPMENT OR REDEVELOPMENT. FOR ROAD PROJECTS, THE LENGTH OF THE PROJECT SITE AND THE RIGHT-OF-WAY BOUNDARIES DEFINE THE SITE.~~

~~"SLOPE" MEANS THE DEGREE OF DEVIATION OF A SURFACE FROM THE HORIZONTAL MEASURED AS A NUMERICAL RATIO, PERCENT, OR IN DEGREES. EXPRESSED AS A RATIO, THE FIRST NUMBER IS THE HORIZONTAL DISTANCE (RUN) AND THE SECOND IS THE VERTICAL DISTANCE (RISE), AS TWO-TO-ONE. A TWO-TO-ONE SLOPE IS A FIFTY PERCENT SLOPE. EXPRESSED IN DEGREES, THE SLOPE IS THE ANGLE FROM THE HORIZONTAL PLANE, WITH A NINETY DEGREE SLOPE BEING VERTICAL (MAXIMUM) AND A FORTY-FIVE DEGREE SLOPE BEING A ONE-TO-ONE OR ONE HUNDRED PERCENT SLOPE.~~

~~"SMALL PARCEL EROSION AND SEDIMENT CONTROL PLAN" OR "SMALL PARCEL ESC PLAN" MEANS A PLAN FOR SMALL SITES TO IMPLEMENT TEMPORARY BMPS TO CONTROL POLLUTION GENERATED DURING THE CONSTRUCTION PHASE ONLY, PRIMARILY EROSION AND SEDIMENT. GUIDANCE FOR PREPARING A SMALL PARCEL ESC PLAN IS CONTAINED IN THE MANUAL.~~

~~"SOIL" MEANS THE UNCONSOLIDATED MINERAL AND ORGANIC MATERIAL ON THE IMMEDIATE SURFACE OF THE EARTH THAT SERVES AS A NATURAL MEDIUM FOR THE GROWTH OF LAND PLANTS.~~

~~"SOURCE CONTROL BMP" MEANS A STRUCTURE OR OPERATION THAT IS INTENDED TO PREVENT POLLUTANTS FROM COMING INTO CONTACT WITH STORM WATER THROUGH PHYSICAL SEPARATION OF AREAS OR CAREFUL MANAGEMENT OF ACTIVITIES THAT ARE SOURCES OF POLLUTANTS. THIS MANUAL SEPARATES SOURCE CONTROL BMPS INTO TWO TYPES. STRUCTURAL SOURCE CONTROL BMPS ARE PHYSICAL, STRUCTURAL, OR MECHANICAL DEVICES, OR FACILITIES THAT ARE INTENDED TO PREVENT POLLUTANTS FROM ENTERING STORM WATER.~~

~~OPERATIONAL BMPS ARE NONSTRUCTURAL PRACTICES THAT PREVENT OR REDUCE POLLUTANTS FROM ENTERING STORM WATER. SEE VOLUME IV OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) FOR DETAILS.~~

~~"STORM WATER" MEANS THAT PORTION OF PRECIPITATION THAT DOES NOT NATURALLY PERCOLATE INTO THE GROUND OR EVAPORATE, BUT FLOWS VIA OVERLAND FLOW, INTERFLOW, CHANNELS OR PIPES INTO A DEFINED SURFACE WATER CHANNEL, OR A CONSTRUCTED INFILTRATION FACILITY.~~

~~"STORM WATER DRAINAGE SYSTEM" MEANS CONSTRUCTED AND NATURAL FEATURES WHICH FUNCTION TOGETHER AS A SYSTEM TO COLLECT, CONVEY, CHANNEL, HOLD, INHIBIT, RETAIN, DETAIN, INFILTRATE, DIVERT, TREAT OR FILTER STORM WATER.~~

~~"STORM WATER FACILITY" MEANS A CONSTRUCTED COMPONENT OF A STORM WATER DRAINAGE SYSTEM, DESIGNED OR CONSTRUCTED TO PERFORM A PARTICULAR FUNCTION, OR MULTIPLE FUNCTIONS. STORM WATER FACILITIES INCLUDE, BUT ARE NOT LIMITED TO, PIPES, SWALES, DITCHES, CULVERTS, STREET GUTTERS, DETENTION BASINS, RETENTION BASINS, CONSTRUCTED WETLANDS, INFILTRATION DEVICES, CATCH BASINS, OIL/WATER SEPARATORS, SEDIMENT BASINS AND MODULAR PAVEMENT.~~

~~"STORM WATER MANAGEMENT MANUAL" OR "MANUAL" MEANS THE MANUAL ADOPTED BY REFERENCE AND PREPARED BY ECOLOGY THAT CONTAINS BMPS TO PREVENT OR REDUCE POLLUTION (OR A TECHNICALLY EQUIVALENT MANUAL APPROVED BY ECOLOGY).~~

~~"STORM WATER SITE PLAN" MEANS A PLAN WHICH INCLUDES AN EROSION AND SEDIMENT CONTROL (ESC) PLAN AND/OR A PERMANENT STORM WATER QUALITY CONTROL (PSQC) PLAN. FOR SMALL SITES, THIS PLAN IS THE EQUIVALENT OF A SMALL PARCEL EROSION AND SEDIMENT CONTROL PLAN. GUIDANCE ON PREPARING A STORM WATER SITE PLAN IS CONTAINED IN THE MANUAL.~~

~~"THRESHOLD DISCHARGE AREA" MEANS AN ON-SITE AREA DRAINING TO A SINGLE NATURAL DISCHARGE LOCATION OR MULTIPLE NATURAL DISCHARGE LOCATIONS~~

~~THAT COMBINE WITHIN ONE-QUARTER MILE DOWNSTREAM (AS DETERMINED BY THE SHORTEST FLOW PATH). THE EXAMPLES IN FIGURE 2.1 BELOW ILLUSTRATE THIS DEFINITION. THE PURPOSE OF THIS DEFINITION IS TO CLARIFY HOW THE THRESHOLDS OF THIS MANUAL ARE APPLIED TO PROJECT SITES WITH MULTIPLE DISCHARGE POINTS.~~

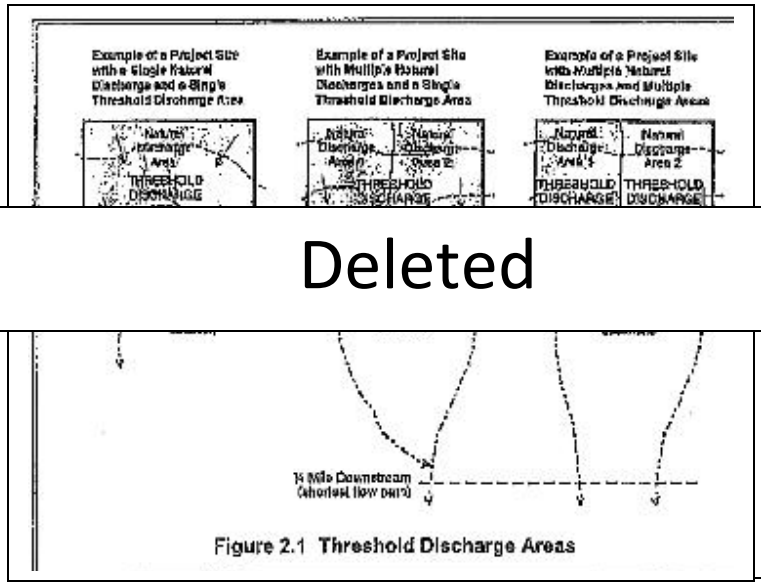

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Figure 2.1 Threshold Discharge Areas

~~"TOE OF SLOPE" MEANS A POINT OR LINE OF SLOPE IN AN EXCAVATION OR CUT WHERE THE LOWER SURFACE CHANGES TO HORIZONTAL OR MEETS THE EXISTING GROUND SLOPE.~~

~~"TOP OF SLOPE" MEANS A POINT OR LINE ON THE UPPER SURFACE OF A SLOPE WHERE IT CHANGES TO HORIZONTAL OR MEETS THE ORIGINAL SURFACE.~~

~~"TREATMENT BMP" MEANS A BMP THAT IS INTENDED TO REMOVE POLLUTANTS FROM STORM WATER. A FEW EXAMPLES OF TREATMENT BMPS ARE DETENTION PONDS, OIL/WATER SEPARATORS, BIOFILTRATION SWALES AND CONSTRUCTED WETLANDS.~~

~~"UNSTABLE SLOPES" MEANS THOSE SLOPING AREAS OF LAND WHICH HAVE IN THE PAST EXHIBITED, ARE CURRENTLY EXHIBITING, OR WILL LIKELY IN THE FUTURE EXHIBIT MASS MOVEMENT OF EARTH.~~

~~"VEGETATION" MEANS ALL ORGANIC PLANT LIFE GROWING ON THE SURFACE OF THE EARTH.~~

~~"WATER BODY" MEANS SURFACE WATERS INCLUDING RIVERS, STREAMS, LAKES, MARINE WATERS, ESTUARIES, AND WETLANDS.~~

~~"WATERSHED" MEANS A GEOGRAPHIC REGION WITHIN WHICH WATER DRAINS INTO A PARTICULAR RIVER, STREAM, OR BODY OF WATER AS IDENTIFIED AND NUMBERED BY THE STATE OF WASHINGTON WATER RESOURCE INVENTORY AREAS (WRIAS) AS DEFINED IN CHAPTER 173-500 WAC.~~

~~"WETLAND" MEANS THOSE AREAS THAT ARE INUNDATED OR SATURATED BY SURFACE OR GROUND WATER AT A FREQUENCY AND DURATION SUFFICIENT TO SUPPORT, AND THAT UNDER NORMAL CIRCUMSTANCES DO SUPPORT, A PREVALENCE OF VEGETATION TYPICALLY ADAPTED FOR LIFE IN SATURATED SOIL CONDITIONS. WETLANDS GENERALLY INCLUDE SWAMPS, MARSHES, BOGS, AND SIMILAR AREAS. WETLANDS DO NOT INCLUDE THOSE ARTIFICIAL WETLANDS INTENTIONALLY CREATED FROM NONWETLAND SITES, INCLUDING, BUT NOT LIMITED TO, IRRIGATION AND DRAINAGE DITCHES, GRASS-LINED SWALES, CANALS, DETENTION FACILITIES, WASTEWATER TREATMENT FACILITIES, FARM PONDS, AND LANDSCAPE AMENITIES, OR THOSE WETLANDS CREATED AFTER JULY 1, 1990, THAT WERE UNINTENTIONALLY CREATED AS A RESULT OF THE CONSTRUCTION OF A ROAD, STREET, OR HIGHWAY. WETLANDS MAY INCLUDE THOSE ARTIFICIAL WETLANDS INTENTIONALLY CREATED FROM NONWETLAND AREAS TO MITIGATE THE CONVERSION OF WETLANDS.~~]

15.01.025 Stormwater Management Manual Adopted.

The 2012 Department of Ecology Stormwater Management Manual for Western Washington, as amended in December 2014, as amended by Sections 1-6 of Appendix 1 of the Western Washington Phase II Municipal Stormwater Permit, is hereby adopted as the City's minimum stormwater regulations and as a technical reference manual and is referred to as the "2014 Stormwater Manual."

~~[**15.01.030 GENERAL PROVISIONS.**~~

~~A. ABROGATION AND GREATER RESTRICTIONS. IT IS NOT INTENDED THAT THIS CHAPTER REPEAL, ABROGATE, OR IMPAIR ANY EXISTING REGULATIONS, EASEMENTS, COVENANTS, OR DEED RESTRICTIONS. HOWEVER, WHERE THIS CHAPTER IMPOSES GREATER RESTRICTIONS, THE PROVISIONS OF THIS CHAPTER SHALL PREVAIL.~~

~~B. INTERPRETATION. THE PROVISIONS OF THIS CHAPTER SHALL BE HELD TO BE MINIMUM REQUIREMENTS IN THEIR INTERPRETATION AND APPLICATION AND SHALL BE LIBERALLY CONSTRUED TO SERVE THE PURPOSES OF THIS CHAPTER. (ORD. 009/2013 § 2 (EXH. 2); ORD. 1032, 1994)~~

~~15.01.040 APPLICABILITY OF THE MINIMUM REQUIREMENTS.~~

~~A. THRESHOLDS. NOT ALL OF THE MINIMUM REQUIREMENTS APPLY TO EVERY DEVELOPMENT OR REDEVELOPMENT PROJECT. THE APPLICABILITY VARIES DEPENDING ON THE TYPE AND SIZE OF THE PROJECT. THIS SECTION IDENTIFIES THRESHOLDS THAT DETERMINE THE APPLICABILITY OF THE MINIMUM REQUIREMENTS TO DIFFERENT PROJECTS. THE FLOW CHARTS IN FIGURES 3.1, 3.2 AND 3.3 MUST BE USED TO DETERMINE WHICH OF THE MINIMUM REQUIREMENTS APPLY. THE MINIMUM REQUIREMENTS THEMSELVES ARE PRESENTED IN MMC 15.01.045, THE THRESHOLDS BELOW APPLY TO NEW DEVELOPMENT, REDEVELOPMENT, AND CONSTRUCTION SITE ACTIVITIES THAT RESULT IN LAND DISTURBANCE OF EQUAL OR GREATER THAN ONE ACRE, INCLUDING PROJECTS LESS THAN ONE ACRE THAT ARE PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE.~~

~~THIS THRESHOLD IS DEFINED AS THE "REGULATORY THRESHOLD." IF, AS DESCRIBED ABOVE, THE PROJECT EXCEEDS THE ONE ACRE REGULATORY THRESHOLD, THE TECHNICAL THRESHOLDS CONTAINED IN THIS SECTION SHALL BE TO DETERMINE WHICH OF THE MINIMUM REQUIREMENTS MUST BE APPLIED TO THE PROJECT.~~

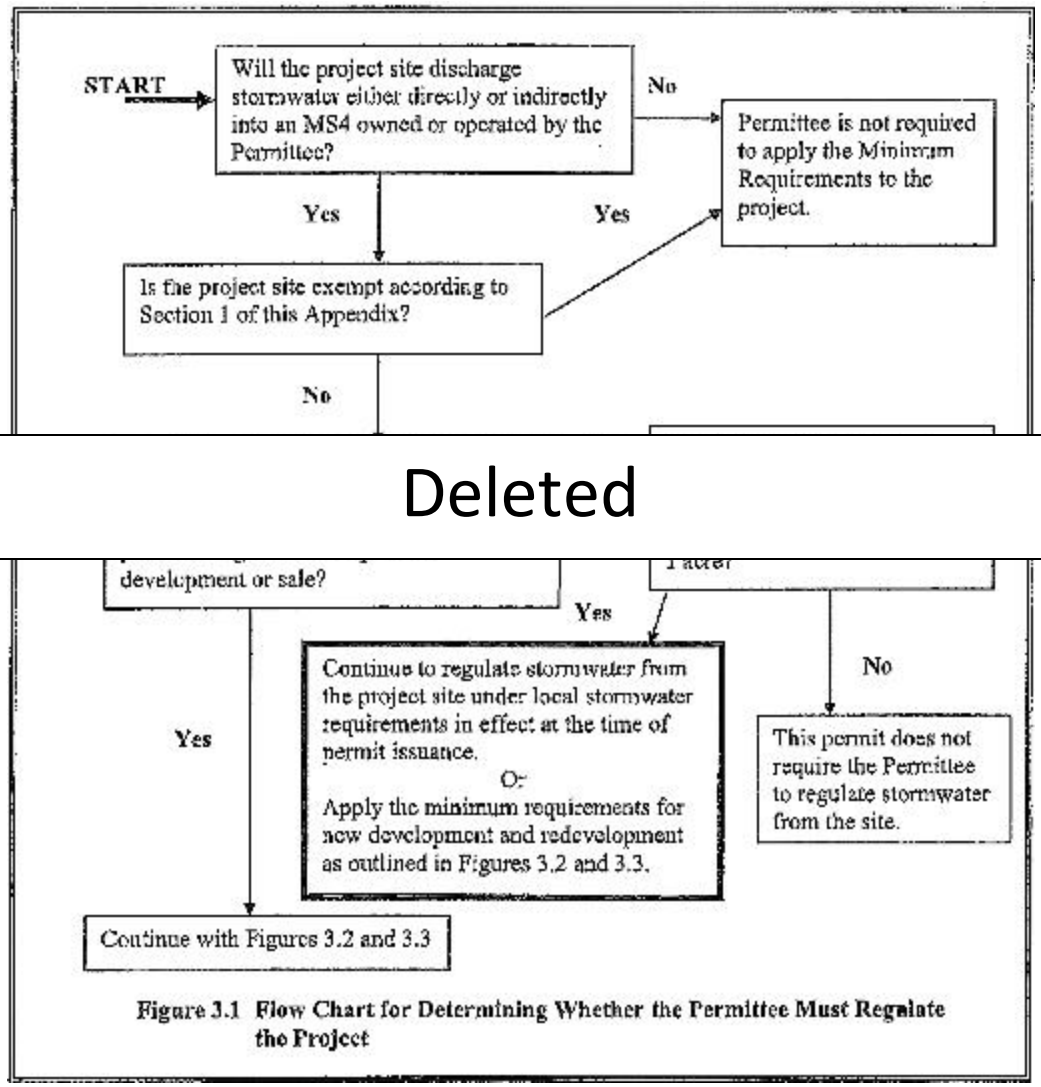

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Figure 3.1 Flow Chart for Determining Whether the Permittee Must Regulate the Project

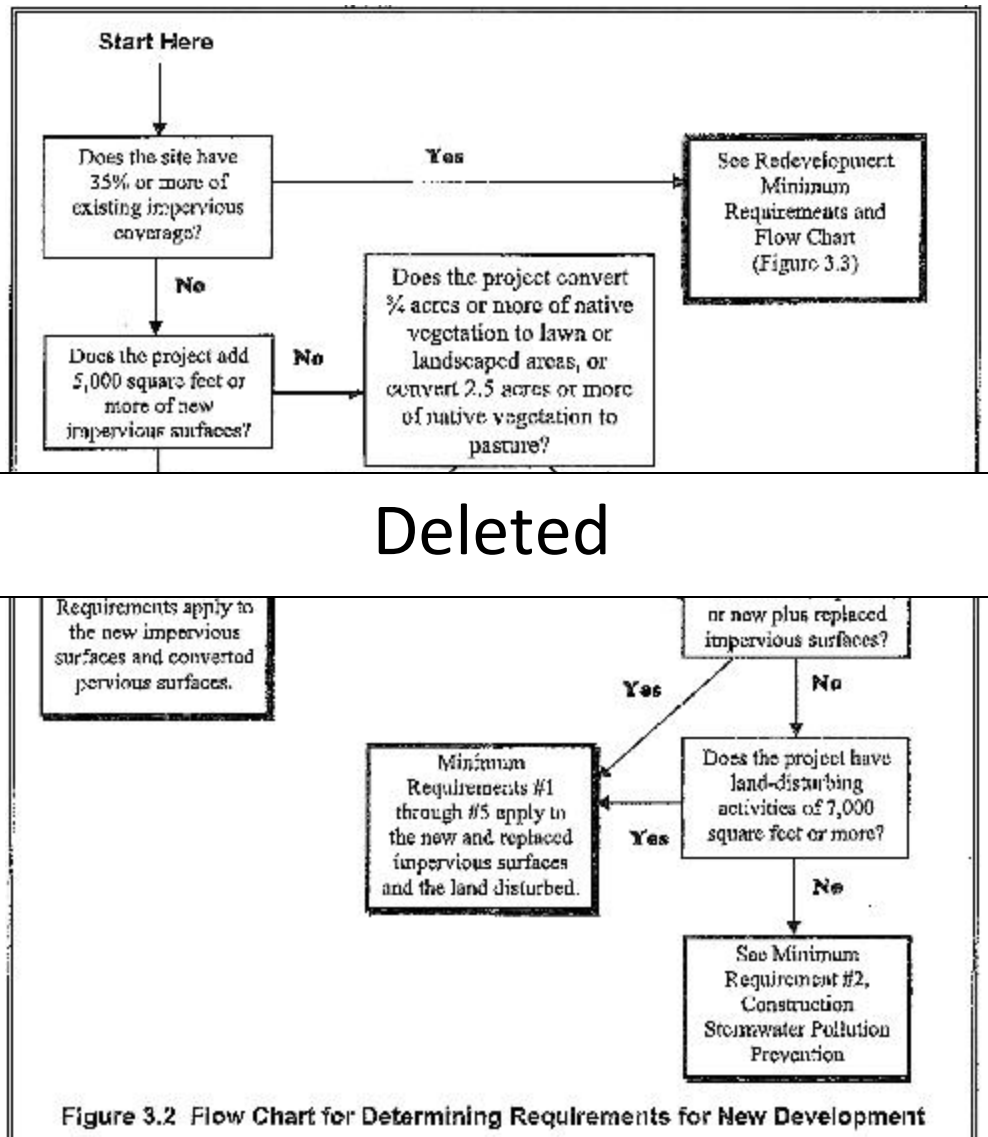

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Figure 3.2 Flow Chart for Determining Requirements for New Development

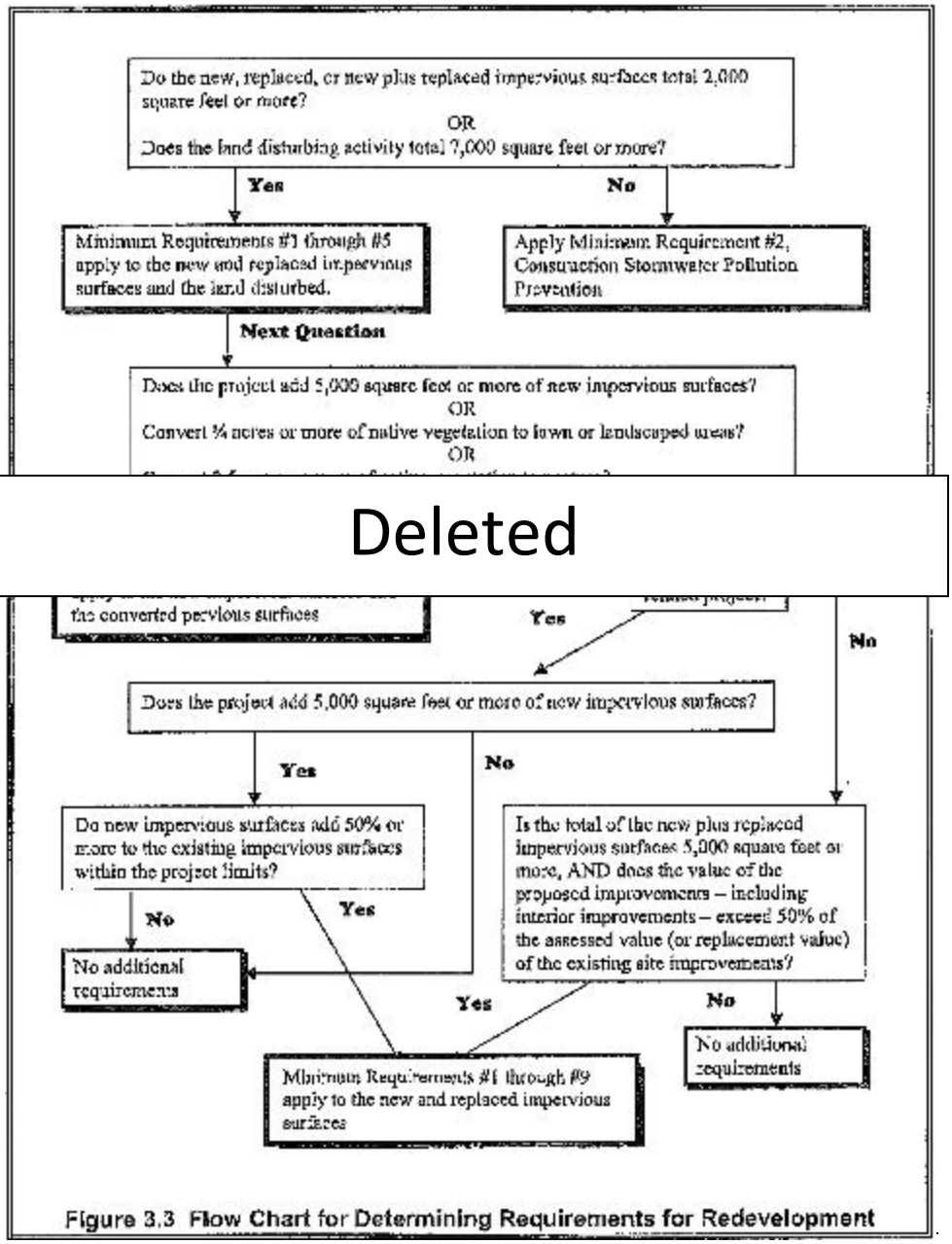


Figure 3.3 Flow Chart for Determining Requirements for Redevelopment

~~(ORD. 009/2013 § 2 (EXH. 2); ORD. 1260, 2002; ORD. 1032, 1994)~~

~~15.01.042 REGULATED ACTIVITIES AND ALLOWED ACTIVITIES.~~

~~A. REGULATED ACTIVITIES. CONSISTENT WITH THE MINIMUM REQUIREMENTS CONTAINED IN THIS CHAPTER, THE CITY OF MONROE SHALL APPROVE OR DISAPPROVE THE FOLLOWING ACTIVITIES, UNLESS EXEMPTED IN MMC 15.01.015:~~

~~1. NEW DEVELOPMENT. ALL NEW DEVELOPMENT SHALL BE REQUIRED TO COMPLY WITH MINIMUM REQUIREMENT NO. 2.~~

~~THE FOLLOWING NEW DEVELOPMENT SHALL COMPLY WITH MINIMUM REQUIREMENTS NO. 1 THROUGH 5 FOR THE NEW AND REPLACED IMPERVIOUS SURFACES AND THE LAND DISTURBED:~~

~~A. CREATES OR ADDS TWO THOUSAND SQUARE FEET, OR GREATER, OF NEW, REPLACED, OR NEW PLUS REPLACED IMPERVIOUS SURFACE AREA; OR~~

~~B. HAS LAND DISTURBING ACTIVITY OF SEVEN THOUSAND SQUARE FEET OR GREATER.~~

~~THE FOLLOWING NEW DEVELOPMENT SHALL COMPLY WITH MINIMUM REQUIREMENTS NO. 1 THROUGH 9 FOR THE NEW IMPERVIOUS SURFACES AND THE CONVERTED PERVIOUS SURFACES:~~

~~A. CREATES OR ADDS FIVE THOUSAND SQUARE FEET, OR MORE, OF NEW IMPERVIOUS SURFACE AREA; OR~~

~~B. CONVERTS THREE-QUARTERS ACRES, OR MORE, OF NATIVE VEGETATION TO LAWN OR LANDSCAPED AREAS; OR~~

~~C. CONVERTS TWO AND ONE-HALF ACRES, OR MORE, OF NATIVE VEGETATION TO PASTURE.~~

~~2. REDEVELOPMENT. ALL REDEVELOPMENT SHALL BE REQUIRED TO COMPLY WITH MINIMUM REQUIREMENT NO. 2. IN ADDITION, ALL REDEVELOPMENT THAT EXCEEDS CERTAIN THRESHOLDS SHALL BE REQUIRED TO COMPLY WITH ADDITIONAL MINIMUM REQUIREMENTS AS FOLLOWS.~~

~~THE FOLLOWING REDEVELOPMENT SHALL COMPLY WITH MINIMUM REQUIREMENTS NO. 1 THROUGH 5 FOR THE NEW AND REPLACED IMPERVIOUS SURFACES AND THE LAND DISTURBED:~~

~~A. THE NEW, REPLACED, OR TOTAL OF NEW PLUS REPLACED IMPERVIOUS SURFACES IS TWO THOUSAND SQUARE FEET OR MORE; OR~~

~~B. SEVEN THOUSAND SQUARE FEET OR MORE OF LAND DISTURBING ACTIVITIES.~~

~~THE FOLLOWING REDEVELOPMENT SHALL COMPLY WITH MINIMUM REQUIREMENTS NO. 1 THROUGH 9 FOR THE NEW IMPERVIOUS SURFACES AND CONVERTED PERVIOUS AREAS:~~

~~A. ADDS FIVE THOUSAND SQUARE FEET OR MORE OF NEW IMPERVIOUS SURFACES; OR~~

~~B. CONVERTS THREE-QUARTERS ACRES, OR MORE, OF NATIVE VEGETATION TO LAWN OR LANDSCAPED AREAS; OR~~

~~C. CONVERTS TWO AND ONE-HALF ACRES, OR MORE, OF NATIVE VEGETATION TO PASTURE.~~

~~IF THE RUNOFF FROM THE NEW IMPERVIOUS SURFACES AND CONVERTED PERVIOUS SURFACES IS NOT SEPARATED FROM RUNOFF FROM OTHER SURFACES ON THE PROJECT SITE, THE STORM WATER TREATMENT FACILITIES MUST BE SIZED FOR THE ENTIRE FLOW THAT IS DIRECTED TO THEM.~~

~~THE MINIMUM REQUIREMENTS ARE ALLOWED TO BE MET FOR AN EQUIVALENT (FLOW AND POLLUTION CHARACTERISTICS) AREA WITHIN THE SAME SITE. FOR PUBLIC ROADS PROJECTS, THE EQUIVALENT AREA DOES NOT HAVE TO BE WITHIN THE PROJECT LIMITS, BUT MUST DRAIN TO THE SAME RECEIVING WATER.~~

~~3. ADDITIONAL REQUIREMENTS FOR REDEVELOPMENT PROJECT SITES. FOR ROAD-RELATED PROJECTS, RUNOFF FROM THE REPLACED AND NEW IMPERVIOUS SURFACES (INCLUDING PAVEMENT, SHOULDERS, CURBS, AND SIDEWALKS) SHALL MEET ALL THE MINIMUM REQUIREMENTS IF THE NEW IMPERVIOUS SURFACES TOTAL FIVE THOUSAND SQUARE FEET OR MORE AND TOTAL FIFTY PERCENT OR MORE OF THE EXISTING IMPERVIOUS SURFACES~~

~~WITHIN THE PROJECT LIMITS. THE PROJECT LIMITS SHALL BE DEFINED BY THE LENGTH OF THE PROJECT AND THE WIDTH OF THE RIGHT-OF-WAY.~~

~~OTHER TYPES OF REDEVELOPMENT PROJECTS SHALL COMPLY WITH ALL THE MINIMUM REQUIREMENTS FOR THE NEW AND REPLACED IMPERVIOUS SURFACES IF THE TOTAL OF NEW PLUS REPLACED IMPERVIOUS SURFACES IS FIVE THOUSAND SQUARE FEET OR MORE, AND THE VALUATION OF PROPOSED IMPROVEMENTS – INCLUDING INTERIOR IMPROVEMENTS – EXCEEDS FIFTY PERCENT OF THE ASSESSED VALUE OF THE EXISTING SITE IMPROVEMENTS.~~

~~A VARIANCE/EXCEPTION TO THE APPLICATION OF THE FLOW CONTROL REQUIREMENTS TO REPLACED IMPERVIOUS SURFACES MAY BE GRANTED IF SUCH APPLICATION IMPOSES A SEVERE ECONOMIC HARDSHIP. SEE MMC 15.01.100.~~

~~4. MODIFICATION OF THE MINIMUM REQUIREMENTS. BASIN PLANNING IS ENCOURAGED AND MAY BE USED TO TAILOR MINIMUM REQUIREMENT NO. 6, RUNOFF TREATMENT, MINIMUM REQUIREMENT NO. 7, FLOW CONTROL, AND/OR MINIMUM REQUIREMENT NO. 8, WETLANDS PROTECTION. BASIN PLANNING MAY BE USED TO SUPPORT ALTERNATIVE TREATMENT, FLOW CONTROL, AND/OR WETLAND PROTECTION REQUIREMENTS TO THOSE CONTAINED IN MMC 15.01.045. BASIN PLANNING MAY ALSO BE USED TO DEMONSTRATE AN EQUIVALENT LEVEL OF TREATMENT, FLOW CONTROL, AND/OR WETLAND PROTECTION THROUGH THE CONSTRUCTION AND USE OF REGIONAL STORM WATER FACILITIES. SEE MMC 15.01.077 FOR DETAILS ON BASIN PLANNING AND HOW BASIN PLANNING MAY BE USED TO MODIFY THE MINIMUM REQUIREMENTS IN MMC 15.01.045.~~

~~DEVELOPMENT UNDERTAKEN BY THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION IN STATE HIGHWAY RIGHTS-OF-WAY IS REGULATED BY CHAPTER 173-270 WAC, THE PUGET SOUND HIGHWAY RUNOFF PROGRAM. (ORD. 009/2013 § 2 (EXH. 2); ORD. 1032, 1994)~~

~~15.01.045 MINIMUM REQUIREMENTS.~~

~~THIS SECTION DESCRIBES THE MINIMUM REQUIREMENTS FOR STORM WATER MANAGEMENT AT DEVELOPMENT AND REDEVELOPMENT SITES. MMC15.01.040 SHOULD BE CONSULTED TO DETERMINE WHICH OF THE MINIMUM REQUIREMENTS BELOW APPLY TO ANY GIVEN PROJECT. FIGURES 3.2 AND 3.3 SHOULD BE CONSULTED TO DETERMINE WHETHER THE MINIMUM REQUIREMENTS APPLY TO NEW SURFACES, REPLACED SURFACES OR NEW AND REPLACED SURFACES.~~

~~A. MINIMUM REQUIREMENT NO. 1: PREPARATION OF STORM WATER SITE PLANS. ALL PROJECTS MEETING THE THRESHOLDS IN MMC 15.01.040SHALL SUBMIT FOR APPROVAL A STORM WATER SITE PLAN PREPARED IN ACCORDANCE WITH CHAPTER 3 OF VOLUME 1 OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~B. MINIMUM REQUIREMENT NO. 2: CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP). THIS MINIMUM REQUIREMENT MAY BE ACHIEVED FOR AN INDIVIDUAL SITE IF THE SITE IS COVERED UNDER ECOLOGY'S GENERAL NPDES PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES AND FULLY IMPLEMENTING THE REQUIREMENTS OF THAT PERMIT.~~

~~SITE OPERATORS MAY APPLY AN "EROSIVITY WAIVER" TO PROJECTS DISTURBING LESS THAN FIVE ACRES THAT MEET THE REQUIREMENTS OF MMC15.01.055; SUCH PROJECTS ARE EXEMPT FROM THE REQUIREMENT TO SUBMIT CONSTRUCTION PHASE STORM WATER POLLUTION PREVENTION PLANS.~~

~~1. GENERAL REQUIREMENTS. ALL NEW DEVELOPMENT AND REDEVELOPMENT PROJECTS ARE RESPONSIBLE FOR PREVENTING EROSION AND DISCHARGE OF SEDIMENT AND OTHER POLLUTANTS INTO RECEIVING WATERS. APPLICANTS MUST SUBMIT FOR APPROVAL A CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS PART OF THE STORM WATER SITE PLAN (SEE MINIMUM REQUIREMENT NO. 1 ABOVE) FOR ALL PROJECTS WHICH MEET THE THRESHOLDS IN MMC 15.01.040. THE SWPPP SHALL BE IMPLEMENTED BEGINNING WITH INITIAL SOIL DISTURBANCE AND UNTIL FINAL STABILIZATION.~~

~~SEDIMENT AND EROSION CONTROL BMPS SHALL BE CONSISTENT WITH THE BMPS CONTAINED IN CHAPTERS 3 AND 4 OF VOLUME II OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~THE SWPPP SHALL INCLUDE A NARRATIVE AND DRAWINGS. ALL BMPS SHALL BE CLEARLY REFERENCED IN THE NARRATIVE AND MARKED ON THE DRAWINGS. THE SWPPP NARRATIVE SHALL INCLUDE DOCUMENTATION TO EXPLAIN AND JUSTIFY THE POLLUTION PREVENTION DECISIONS MADE FOR THE PROJECT. CLEARING AND GRADING ACTIVITIES FOR DEVELOPMENTS SHALL BE PERMITTED ONLY IF CONDUCTED PURSUANT TO AN APPROVED SITE DEVELOPMENT PLAN (E.G., SUBDIVISION APPROVAL) THAT ESTABLISHES PERMITTED AREAS OF CLEARING, GRADING, CUTTING, AND FILLING. WHEN ESTABLISHING THESE PERMITTED CLEARING AND GRADING AREAS, CONSIDERATION SHOULD BE GIVEN TO MINIMIZING REMOVAL OF EXISTING TREES AND MINIMIZING DISTURBANCE/COMPACTION OF NATIVE SOILS EXCEPT AS NEEDED FOR BUILDING PURPOSES. THESE PERMITTED CLEARING AND GRADING AREAS AND ANY OTHER AREAS REQUIRED TO PRESERVE CRITICAL OR SENSITIVE AREAS, BUFFERS, NATIVE GROWTH PROTECTION EASEMENTS, OR TREE RETENTION AREAS AS MAY BE REQUIRED BY LOCAL JURISDICTIONS SHALL BE DELINEATED ON THE SITE PLANS AND THE DEVELOPMENT SITE.~~

~~2. SEASONAL WORK LIMITATIONS. FROM OCTOBER 1ST THROUGH APRIL 30TH, CLEARING, GRADING, AND OTHER SOIL DISTURBING ACTIVITIES MAY ONLY BE AUTHORIZED IF SILT-LADEN RUNOFF WILL BE PREVENTED FROM LEAVING THE SITE THROUGH A COMBINATION OF THE FOLLOWING:~~

~~A. SITE CONDITIONS INCLUDING EXISTING VEGETATIVE COVERAGE, SLOPE, SOIL TYPE AND PROXIMITY TO RECEIVING WATERS; AND~~

~~B. LIMITATIONS ON ACTIVITIES AND THE EXTENT OF DISTURBED AREAS; AND~~

~~C. PROPOSED EROSION AND SEDIMENT CONTROL MEASURES.~~

~~THE FOLLOWING ACTIVITIES ARE EXEMPT FROM THE SEASONAL CLEARING AND GRADING LIMITATIONS:~~

~~A. ROUTINE MAINTENANCE AND NECESSARY REPAIR OF EROSION AND SEDIMENT CONTROL BMPS;~~

~~B. ROUTINE MAINTENANCE OF PUBLIC FACILITIES OR EXISTING UTILITY STRUCTURES THAT DO NOT EXPOSE THE SOIL OR RESULT IN THE REMOVAL OF THE VEGETATIVE COVER TO SOIL; AND~~

~~C. ACTIVITIES WHERE THERE IS ONE HUNDRED PERCENT INFILTRATION OF SURFACE WATER RUNOFF WITHIN THE SITE IN APPROVED AND INSTALLED EROSION AND SEDIMENT CONTROL FACILITIES.~~

~~C. MINIMUM REQUIREMENT NO. 3: SOURCE CONTROL OF POLLUTION. ALL KNOWN, AVAILABLE AND REASONABLE SOURCE CONTROL BMPS MUST BE REQUIRED FOR ALL PROJECTS APPROVED BY THE CITY OF MONROE. SOURCE CONTROL BMPS MUST BE SELECTED, DESIGNED, AND MAINTAINED IN ACCORDANCE WITH VOLUME IV OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) OR AN APPROVED EQUIVALENT MANUAL APPROVED BY THE DEPARTMENT.~~

~~D. MINIMUM REQUIREMENT NO. 4: PRESERVATION OF NATURAL DRAINAGE SYSTEMS AND OUTFALLS. NATURAL DRAINAGE PATTERNS SHALL BE MAINTAINED, AND DISCHARGES FROM THE PROJECT SITE SHALL OCCUR AT THE NATURAL LOCATION, TO THE MAXIMUM EXTENT PRACTICABLE. THE MANNER BY WHICH RUNOFF IS DISCHARGED FROM THE PROJECT SITE MUST NOT CAUSE A SIGNIFICANT ADVERSE IMPACT TO DOWNSTREAM RECEIVING WATERS AND DOWN GRADIENT PROPERTIES. ALL OUTFALLS REQUIRE ENERGY DISSIPATION.~~

~~E. MINIMUM REQUIREMENT NO. 5: ON-SITE STORM WATER MANAGEMENT. ON-SITE STORM WATER MANAGEMENT BMPS MUST INFILTRATE, DISPERSE, AND RETAIN STORM WATER RUNOFF ON SITE TO THE MAXIMUM EXTENT FEASIBLE WITHOUT CAUSING FLOODING OR EROSION IMPACTS. ROOF DOWNSPOUT CONTROL BMPS, FUNCTIONALLY EQUIVALENT TO THOSE DESCRIBED IN CHAPTER 3 OF VOLUME III OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005), AND DISPERSION AND SOIL QUALITY BMPS, FUNCTIONALLY EQUIVALENT TO THOSE IN CHAPTER 5 OF VOLUME V OF THE STORMWATER MANAGEMENT MANUAL FOR~~

~~WESTERN WASHINGTON (2005), SHALL BE REQUIRED TO REDUCE THE HYDROLOGIC DISRUPTION OF DEVELOPED SITES.~~

~~F. MINIMUM REQUIREMENT NO. 6: RUNOFF TREATMENT.~~

~~1. PROJECT THRESHOLDS. THE FOLLOWING REQUIRE CONSTRUCTION OF STORM WATER TREATMENT FACILITIES (SEE TABLE 4.1 BELOW):~~

~~A. PROJECTS IN WHICH THE TOTAL OF EFFECTIVE, POLLUTION-GENERATING IMPERVIOUS SURFACE (PGIS) IS FIVE THOUSAND SQUARE FEET OR MORE IN A THRESHOLD DISCHARGE AREA OF THE PROJECT; OR~~

~~B. PROJECTS IN WHICH THE TOTAL OF POLLUTION-GENERATING PERVIOUS SURFACES (PGPS) IS THREE-QUARTERS OF AN ACRE OR MORE IN A THRESHOLD DISCHARGE AREA, AND FROM WHICH THERE IS A SURFACE DISCHARGE IN A NATURAL OR MANMADE CONVEYANCE SYSTEM FROM THE SITE.~~

Table 4.1 Treatment Requirements by Threshold Discharge Area

Deleted

BMPs

~~PGPS = POLLUTION-GENERATING PERVIOUS SURFACES~~

~~PGIS = POLLUTION-GENERATING IMPERVIOUS SURFACES~~

~~SF = SQUARE FEET~~

~~2. TREATMENT-TYPE THRESHOLDS.~~

~~A. OIL CONTROL. TREATMENT TO ACHIEVE OIL CONTROL APPLIES TO PROJECTS THAT HAVE "HIGH-USE SITES." HIGH-USE SITES ARE THOSE THAT TYPICALLY GENERATE HIGH CONCENTRATIONS OF OIL DUE TO HIGH TRAFFIC TURNOVER OR THE FREQUENT TRANSFER OF OIL. HIGH-USE SITES INCLUDE:~~

~~I. AN AREA OF A COMMERCIAL OR INDUSTRIAL SITE SUBJECT TO AN EXPECTED AVERAGE DAILY TRAFFIC (ADT) COUNT EQUAL TO OR GREATER THAN ONE HUNDRED VEHICLES PER ONE THOUSAND SQUARE FEET OF GROSS BUILDING AREA;~~

~~II. AN AREA OF A COMMERCIAL OR INDUSTRIAL SITE SUBJECT TO PETROLEUM STORAGE AND TRANSFER IN EXCESS OF ONE THOUSAND FIVE HUNDRED GALLONS PER YEAR, NOT INCLUDING ROUTINELY DELIVERED HEATING OIL;~~

~~III. AN AREA OF A COMMERCIAL OR INDUSTRIAL SITE SUBJECT TO PARKING, STORAGE OR MAINTENANCE OF TWENTY-FIVE OR MORE VEHICLES THAT ARE OVER TEN TONS GROSS WEIGHT (TRUCKS, BUSES, TRAINS, HEAVY EQUIPMENT, ETC.);~~

~~IV. A ROAD INTERSECTION WITH A MEASURED ADT COUNT OF TWENTY-FIVE THOUSAND VEHICLES OR MORE ON THE MAIN ROADWAY AND FIFTEEN THOUSAND VEHICLES OR MORE ON ANY INTERSECTING ROADWAY, EXCLUDING PROJECTS PROPOSING PRIMARILY PEDESTRIAN OR BICYCLE USE IMPROVEMENTS.~~

~~B. PHOSPHORUS TREATMENT. THE REQUIREMENT TO PROVIDE PHOSPHOROUS CONTROL IS DETERMINED BY THE LOCAL GOVERNMENT WITH JURISDICTION (E.G., THROUGH A LAKE MANAGEMENT PLAN), OR THE DEPARTMENT OF ECOLOGY (E.G., THROUGH A WASTE LOAD ALLOCATION). THE LOCAL GOVERNMENT MAY HAVE DEVELOPED A MANAGEMENT PLAN AND IMPLEMENTING ORDINANCES OR REGULATIONS FOR CONTROL OF PHOSPHORUS FROM NEW/REDEVELOPMENT FOR THE RECEIVING WATER(S) OF THE STORM WATER DRAINAGE. THE LOCAL GOVERNMENT CAN USE THE FOLLOWING SOURCES OF INFORMATION FOR PURSUING PLANS AND IMPLEMENTING ORDINANCES AND/OR REGULATIONS:~~

~~I. THOSE WATER BODIES REPORTED UNDER SECTION 305(B) OF THE CLEAN WATER ACT, AND DESIGNATED AS NOT SUPPORTING BENEFICIAL USES DUE TO PHOSPHOROUS;~~

~~II. THOSE LISTED IN WASHINGTON STATE'S NONPOINT SOURCE ASSESSMENT REQUIRED UNDER SECTION 319(A) OF THE CLEAN WATER ACT DUE TO NUTRIENTS.~~

~~C. ENHANCED TREATMENT. ENHANCED TREATMENT FOR REDUCTION IN DISSOLVED METALS IS REQUIRED FOR THE FOLLOWING PROJECT SITES THAT DISCHARGE TO FISH-BEARING STREAMS, LAKES, OR TO WATERS OR CONVEYANCE SYSTEMS TRIBUTARY TO FISH-BEARING STREAMS OR LAKES:~~

~~I. INDUSTRIAL PROJECT SITES;~~

~~II. COMMERCIAL PROJECT SITES;~~

~~III. MULTIFAMILY PROJECT SITES; AND~~

~~IV. HIGH AADT ROADS AS FOLLOWS:~~

~~(A) FULLY CONTROLLED AND PARTIALLY CONTROLLED LIMITED ACCESS HIGHWAYS WITH ANNUAL AVERAGE DAILY TRAFFIC (AADT) COUNTS OF FIFTEEN THOUSAND OR MORE.~~

~~(B) ALL OTHER ROADS WITH AN AADT OF SEVEN THOUSAND FIVE HUNDRED OR GREATER.~~

~~HOWEVER, SUCH SITES LISTED ABOVE THAT DISCHARGE DIRECTLY (OR INDIRECTLY THROUGH A MUNICIPAL STORM SEWER SYSTEM) TO BASIC TREATMENT RECEIVING WATERS (APPENDIX I-C OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005)), AND AREAS OF THE ABOVE-LISTED PROJECT SITES THAT ARE IDENTIFIED AS SUBJECT TO BASIC TREATMENT REQUIREMENTS, ARE ALSO NOT SUBJECT TO ENHANCED TREATMENT REQUIREMENTS. FOR DEVELOPMENTS WITH A MIX OF LAND USE TYPES, THE ENHANCED TREATMENT REQUIREMENT SHALL APPLY WHEN THE RUNOFF FROM THE AREAS SUBJECT TO THE ENHANCED TREATMENT REQUIREMENT COMPRISES FIFTY PERCENT OR MORE OF THE TOTAL RUNOFF WITHIN A THRESHOLD DISCHARGE AREA.~~

~~D. BASIC TREATMENT. BASIC TREATMENT GENERALLY APPLIES TO:~~

~~I. PROJECT SITES THAT DISCHARGE TO THE GROUND, UNLESS:~~

~~(A) THE SOIL SUITABILITY CRITERIA FOR INFILTRATION TREATMENT ARE MET (SEE CHAPTER 3 OF VOLUME III OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) FOR SOIL SUITABILITY CRITERIA); OR~~

~~(B) THE PROJECT USES INFILTRATION STRICTLY FOR FLOW CONTROL – NOT TREATMENT – AND THE DISCHARGE IS WITHIN ONE-QUARTER MILE OF A PHOSPHORUS SENSITIVE LAKE (USE A PHOSPHORUS TREATMENT FACILITY), OR WITHIN ONE-QUARTER MILE OF A FISH-BEARING STREAM, OR A LAKE (USE AN ENHANCED TREATMENT FACILITY).~~

~~II. RESIDENTIAL PROJECTS NOT OTHERWISE NEEDING PHOSPHORUS CONTROL AS DESIGNATED BY USEPA, THE DEPARTMENT OF ECOLOGY, OR BY THE CITY OF MONROE; AND~~

~~III. PROJECT SITES DISCHARGING DIRECTLY TO SALT WATERS, RIVER SEGMENTS, AND LAKES LISTED IN APPENDIX I-C OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005); AND~~

~~IV. PROJECT SITES THAT DRAIN TO STREAMS THAT ARE NOT FISH-BEARING, OR TO WATERS NOT TRIBUTARY TO FISH-BEARING STREAMS;~~

~~V. LANDSCAPED AREAS OF INDUSTRIAL, COMMERCIAL, AND MULTIFAMILY PROJECT SITES, AND PARKING LOTS OF INDUSTRIAL AND COMMERCIAL PROJECT SITES THAT DO NOT INVOLVE POLLUTION-GENERATING SOURCES (E.G., INDUSTRIAL ACTIVITIES, CUSTOMER PARKING, STORAGE OF ERODIBLE OR LEACHABLE MATERIAL, WASTES OR CHEMICALS) OTHER THAN PARKING OF EMPLOYEES' PRIVATE VEHICLES. FOR DEVELOPMENTS WITH A MIX OF LAND USE TYPES, THE BASIC TREATMENT REQUIREMENT SHALL APPLY WHEN THE RUNOFF FROM THE AREAS SUBJECT TO THE BASIC TREATMENT REQUIREMENT COMPRISES FIFTY PERCENT OR MORE OF THE TOTAL RUNOFF WITHIN A THRESHOLD DISCHARGE AREA.~~

~~3. TREATMENT FACILITY SIZING.~~

~~A. WATER QUALITY DESIGN STORM VOLUME. THE VOLUME OF RUNOFF PREDICTED FROM A TWENTY-FOUR-HOUR STORM WITH A SIX-MONTH RETURN FREQUENCY (A.K.A., SIX-MONTH, TWENTY-FOUR-HOUR STORM). WETPOOL FACILITIES ARE SIZED BASED UPON THE VOLUME OF RUNOFF PREDICTED THROUGH USE OF THE NATURAL RESOURCE CONSERVATION SERVICE CURVE NUMBER EQUATIONS IN CHAPTER 2 OF VOLUME III OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005), FOR THE SIX-MONTH, TWENTY-FOUR-HOUR STORM. ALTERNATIVELY, THE NINETY-FIRST PERCENTILE, TWENTY-FOUR-HOUR RUNOFF VOLUME INDICATED BY AN APPROVED CONTINUOUS RUNOFF MODEL MAY BE USED.~~

~~4. WATER QUALITY DESIGN FLOW RATE.~~

~~A. PRECEDING DETENTION FACILITIES OR WHEN DETENTION FACILITIES ARE NOT REQUIRED. THE FLOW RATE AT OR BELOW WHICH NINETY-ONE PERCENT OF THE RUNOFF VOLUME, AS ESTIMATED BY AN APPROVED CONTINUOUS RUNOFF MODEL, WILL BE TREATED. DESIGN CRITERIA FOR TREATMENT FACILITIES ARE ASSIGNED TO ACHIEVE THE APPLICABLE PERFORMANCE GOAL AT THE WATER QUALITY DESIGN FLOW RATE (E.G., EIGHTY PERCENT TSS REMOVAL).~~

~~B. DOWNSTREAM OF DETENTION FACILITIES. THE WATER QUALITY DESIGN FLOW RATE MUST BE THE FULL TWO-YEAR RELEASE RATE FROM THE DETENTION FACILITY.~~

~~ALTERNATIVE METHODS MAY BE USED IF THEY IDENTIFY VOLUMES AND FLOW RATES THAT ARE AT LEAST EQUIVALENT.~~

~~THAT PORTION OF ANY DEVELOPMENT PROJECT IN WHICH THE ABOVE PGIS OR PGPS THRESHOLDS ARE NOT EXCEEDED IN A THRESHOLD DISCHARGE AREA SHALL APPLY ON-SITE STORM WATER MANAGEMENT BMPS IN ACCORDANCE WITH MINIMUM REQUIREMENT NO. 5.~~

~~5. TREATMENT FACILITY SELECTION, DESIGN, AND MAINTENANCE. STORM WATER TREATMENT FACILITIES SHALL BE:~~

~~A. SELECTED IN ACCORDANCE WITH THE PROCESS IDENTIFIED IN CHAPTER 4 OF VOLUME I OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005);~~

~~B. DESIGNED IN ACCORDANCE WITH THE DESIGN CRITERIA IN VOLUME V OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005); AND~~

~~C. MAINTAINED IN ACCORDANCE WITH THE MAINTENANCE SCHEDULE IN VOLUME V OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~6. ADDITIONAL REQUIREMENTS. THE DISCHARGE OF UNTREATED STORM WATER FROM POLLUTION-GENERATING IMPERVIOUS SURFACES TO GROUND WATER IS NOT PERMITTED, EXCEPT FOR THE DISCHARGE ACHIEVED BY INFILTRATION OR DISPERSION OF RUNOFF FROM RESIDENTIAL SITES THROUGH USE OF ON-SITE STORM WATER MANAGEMENT BMPS.~~

~~G. MINIMUM REQUIREMENT NO. 7: FLOW CONTROL.~~

~~1. APPLICABILITY. EXCEPT AS PROVIDED BELOW, ALL PROJECTS MUST PROVIDE FLOW CONTROL TO REDUCE THE IMPACTS OF STORM WATER RUNOFF FROM IMPERVIOUS SURFACES AND LAND COVER CONVERSIONS. THE REQUIREMENT BELOW APPLIES TO PROJECTS THAT DISCHARGE STORM WATER DIRECTLY, OR INDIRECTLY THROUGH A CONVEYANCE SYSTEM, INTO FRESH WATER.~~

~~FLOW CONTROL IS NOT REQUIRED FOR PROJECTS THAT DISCHARGE DIRECTLY TO, OR INDIRECTLY THROUGH, AN MS4 TO A WATER LISTED IN APPENDIX I-E OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) SUBJECT TO THE FOLLOWING RESTRICTIONS:~~

~~A. DIRECT DISCHARGE TO THE EXEMPT RECEIVING WATER DOES NOT RESULT IN THE DIVERSION OF DRAINAGE FROM ANY PERENNIAL STREAM CLASSIFIED AS TYPE 1, 2, 3, OR 4 IN THE STATE OF WASHINGTON INTERIM WATER TYPING SYSTEM, OR TYPE "S," "F," OR "NP" IN THE PERMANENT WATER TYPING SYSTEM, OR FROM ANY CATEGORY I, II, OR III WETLAND; AND~~

~~B. FLOW SPLITTING DEVICES OR DRAINAGE BMPS ARE APPLIED TO ROUTE NATURAL RUNOFF VOLUMES FROM THE PROJECT SITE TO ANY DOWNSTREAM TYPE 5 STREAM OR CATEGORY IV WETLAND:~~

> ~~I. DESIGN OF FLOW SPLITTING DEVICES OR DRAINAGE BMPS WILL BE BASED ON CONTINUOUS HYDROLOGIC MODELING ANALYSIS. THE DESIGN WILL ASSURE THAT FLOWS DELIVERED TO TYPE 5 STREAM REACHES WILL APPROXIMATE, BUT IN NO CASE EXCEED, DURATIONS RANGING FROM FIFTY PERCENT OF THE TWO-YEAR TO THE FIFTY-YEAR PEAK FLOW.~~
>
> ~~II. FLOW SPLITTING DEVICES OR DRAINAGE BMPS THAT DELIVER FLOW TO CATEGORY IV WETLANDS WILL ALSO BE DESIGNED USING CONTINUOUS HYDROLOGIC MODELING TO PRESERVE PREPROJECT WETLAND HYDROLOGIC CONDITIONS UNLESS SPECIFICALLY WAIVED OR EXEMPTED BY REGULATORY AGENCIES WITH PERMITTING JURISDICTION; AND~~

~~C. THE PROJECT SITE MUST BE DRAINED BY A CONVEYANCE SYSTEM THAT IS COMPRISED ENTIRELY OF MANMADE CONVEYANCE ELEMENTS (E.G., PIPES, DITCHES, OUTFALL PROTECTION, ETC.) AND EXTENDS TO THE ORDINARY HIGH WATER LINE OF THE EXEMPT RECEIVING WATER; AND~~

~~D. THE CONVEYANCE SYSTEM BETWEEN THE PROJECT SITE AND THE EXEMPT RECEIVING WATER SHALL HAVE SUFFICIENT HYDRAULIC CAPACITY TO CONVEY DISCHARGES FROM FUTURE BUILD-OUT CONDITIONS (UNDER CURRENT ZONING) OF THE SITE, AND THE EXISTING CONDITION FROM~~

~~NONPROJECT AREAS FROM WHICH RUNOFF IS OR WILL BE COLLECTED; AND~~

~~E. ANY ERODIBLE ELEMENTS OF THE MANMADE CONVEYANCE SYSTEM MUST BE ADEQUATELY STABILIZED TO PREVENT EROSION UNDER THE CONDITIONS NOTED ABOVE.~~

~~IF THE DISCHARGE IS TO A STREAM THAT LEADS TO A WETLAND, OR TO A WETLAND THAT HAS AN OUTFLOW TO A STREAM, BOTH THIS MINIMUM REQUIREMENT (MINIMUM REQUIREMENT NO. 7) AND MINIMUM REQUIREMENT NO. 8 APPLY.~~

~~2. THRESHOLDS. THE FOLLOWING REQUIRE CONSTRUCTION OF FLOW CONTROL FACILITIES AND/OR LAND USE MANAGEMENT BMPS THAT WILL ACHIEVE THE STANDARD FLOW CONTROL REQUIREMENT FOR WESTERN WASHINGTON (SEE TABLE 4.2):~~

~~A. PROJECTS IN WHICH THE TOTAL OF EFFECTIVE IMPERVIOUS SURFACES IS TEN THOUSAND SQUARE FEET OR MORE IN A THRESHOLD DISCHARGE AREA; OR~~

~~B. PROJECTS THAT CONVERT THREE-QUARTERS ACRES OR MORE OF NATIVE VEGETATION TO LAWN OR LANDSCAPE, OR CONVERT TWO AND ONE-HALF ACRES OR MORE OF NATIVE VEGETATION TO PASTURE IN A THRESHOLD DISCHARGE AREA, AND FROM WHICH THERE IS A SURFACE DISCHARGE IN A NATURAL OR MANMADE CONVEYANCE SYSTEM FROM THE SITE; OR~~

~~C. PROJECTS THAT THROUGH A COMBINATION OF EFFECTIVE IMPERVIOUS SURFACES AND CONVERTED PERVIOUS SURFACES CAUSE A ONE-TENTH CUBIC FOOT PER SECOND INCREASE IN THE ONE-HUNDRED-YEAR FLOW FREQUENCY FROM A THRESHOLD DISCHARGE AREA AS ESTIMATED USING THE WESTERN WASHINGTON HYDROLOGY MODEL OR OTHER APPROVED MODEL.~~

~~THAT PORTION OF ANY DEVELOPMENT PROJECT IN WHICH THE ABOVE THRESHOLDS ARE NOT EXCEEDED IN A THRESHOLD DISCHARGE AREA SHALL APPLY ON-SITE STORM WATER MANAGEMENT BMPS IN ACCORDANCE WITH MINIMUM REQUIREMENT NO. 5.~~

Table 4.2 Flow Control Requirements by Threshold Discharge Area

	Flow Control Facilities	On-site Stormwater Management BMPs
Deleted		
impervious area		
≥ 10,000 square feet of effective impervious area	✔	✔
≥ 0.1 cubic feet per second increase in the 100-year flood frequency	✔	✔

~~3. STANDARD FLOW CONTROL REQUIREMENT. STORM WATER DISCHARGES SHALL MATCH DEVELOPED DISCHARGE DURATIONS TO PREDEVELOPED DURATIONS FOR THE RANGE OF PREDEVELOPED DISCHARGE RATES FROM FIFTY PERCENT OF THE TWO-YEAR PEAK FLOW UP TO THE FULL FIFTY-YEAR PEAK FLOW. THE PREDEVELOPED CONDITION TO BE MATCHED SHALL BE A FORESTED LAND COVER UNLESS:~~

~~A. REASONABLE, HISTORIC INFORMATION IS AVAILABLE THAT INDICATES THE SITE WAS PRAIRIE PRIOR TO SETTLEMENT (MODELED AS "PASTURE" IN THE WESTERN WASHINGTON HYDROLOGY MODEL); OR~~

~~B. THE DRAINAGE AREA OF THE IMMEDIATE STREAM AND ALL SUBSEQUENT DOWNSTREAM BASINS HAS HAD AT LEAST FORTY PERCENT TOTAL IMPERVIOUS AREA SINCE 1985. IN THIS CASE, THE PREDEVELOPED CONDITION TO BE MATCHED SHALL BE THE EXISTING LAND COVER CONDITION. WHERE BASIN-SPECIFIC STUDIES DETERMINE A STREAM CHANNEL TO BE UNSTABLE, EVEN THOUGH THE ABOVE CRITERION IS MET, THE PREDEVELOPED CONDITION ASSUMPTION SHALL BE THE "HISTORIC" LAND COVER CONDITION, OR A LAND COVER CONDITION COMMENSURATE WITH ACHIEVING A TARGET FLOW REGIME IDENTIFIED BY AN APPROVED BASIN STUDY.~~

~~THIS STANDARD REQUIREMENT IS WAIVED FOR SITES THAT WILL RELIABLY INFILTRATE ALL THE RUNOFF FROM IMPERVIOUS SURFACES AND CONVERTED PERVIOUS SURFACES.~~

~~4. WESTERN WASHINGTON ALTERNATIVE REQUIREMENT. AN ALTERNATIVE REQUIREMENT MAY BE ESTABLISHED THROUGH APPLICATION OF WATERSHED-SCALE HYDROLOGICAL MODELING AND SUPPORTING FIELD OBSERVATIONS. POSSIBLE REASONS FOR AN ALTERNATIVE FLOW CONTROL REQUIREMENT INCLUDE:~~

~~A. ESTABLISHMENT OF A STREAM-SPECIFIC THRESHOLD OF SIGNIFICANT BEDLOAD MOVEMENT OTHER THAN THE ASSUMED FIFTY PERCENT OF THE TWO-YEAR PEAK FLOW;~~

~~B. ZONING AND LAND CLEARING ORDINANCE RESTRICTIONS THAT, IN COMBINATION WITH AN ALTERNATIVE FLOW CONTROL STANDARD, MAINTAIN OR REDUCE THE NATURALLY OCCURRING EROSIVE FORCES ON THE STREAM CHANNEL; OR~~

~~A DURATION CONTROL STANDARD IS NOT NECESSARY FOR PROTECTION, MAINTENANCE, OR RESTORATION OF DESIGNATED BENEFICIAL USES OR CLEAN WATER ACT COMPLIANCE.~~

~~SEE MMC 15.01.077 FOR DETAILS ON HOW ALTERNATIVE FLOW CONTROL REQUIREMENTS MAY BE ESTABLISHED.~~

~~5. ADDITIONAL REQUIREMENT. FLOW CONTROL BMPS SHALL BE SELECTED, DESIGNED, AND MAINTAINED IN ACCORDANCE WITH VOLUME III OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) OR AN APPROVED EQUIVALENT.~~

~~H. MINIMUM REQUIREMENT NO. 8: WETLANDS PROTECTION.~~

~~1. APPLICABILITY. THE REQUIREMENTS BELOW APPLY ONLY TO PROJECTS WHOSE STORM WATER DISCHARGES INTO A WETLAND, EITHER DIRECTLY OR INDIRECTLY THROUGH A CONVEYANCE SYSTEM. THESE REQUIREMENTS MUST~~

~~BE MET IN ADDITION TO MEETING MINIMUM REQUIREMENT NO. 6, RUNOFF TREATMENT.~~

~~2. THRESHOLDS. THE THRESHOLDS IDENTIFIED IN MINIMUM REQUIREMENT NO. 6 – RUNOFF TREATMENT, AND MINIMUM REQUIREMENT NO. 7 – FLOW CONTROL SHALL ALSO BE APPLIED FOR DISCHARGES TO WETLANDS.~~

~~3. STANDARD REQUIREMENT. DISCHARGES TO WETLANDS SHALL MAINTAIN THE HYDROLOGIC CONDITIONS, HYDROPHYTIC VEGETATION, AND SUBSTRATE CHARACTERISTICS NECESSARY TO SUPPORT EXISTING AND DESIGNATED USES. THE HYDROLOGIC ANALYSIS SHALL USE THE EXISTING LAND COVER CONDITION TO DETERMINE THE EXISTING HYDROLOGIC CONDITIONS UNLESS DIRECTED OTHERWISE BY A REGULATORY AGENCY WITH JURISDICTION. A WETLAND CAN BE CONSIDERED FOR HYDROLOGIC MODIFICATION AND/OR STORM WATER TREATMENT IN ACCORDANCE WITH GUIDE SHEET 1B IN APPENDIX I-D OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~4. ADDITIONAL REQUIREMENTS. STORM WATER TREATMENT AND FLOW CONTROL FACILITIES SHALL NOT BE BUILT WITHIN A NATURAL VEGETATED BUFFER, EXCEPT FOR:~~

~~A. NECESSARY CONVEYANCE SYSTEMS AS APPROVED BY THE CITY OF MONROE; OR~~

~~B. AS ALLOWED IN WETLANDS APPROVED FOR HYDROLOGIC MODIFICATION AND/OR TREATMENT IN ACCORDANCE WITH GUIDE SHEET 1B IN APPENDIX I-D OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~AN ADOPTED AND IMPLEMENTED BASIN PLAN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF MMC 15.01.077 MAY BE USED TO DEVELOP REQUIREMENTS FOR WETLANDS THAT ARE TAILORED TO A SPECIFIC BASIN.~~

~~I. MINIMUM REQUIREMENT NO. 9: OPERATION AND MAINTENANCE. AN OPERATION AND MAINTENANCE MANUAL THAT IS CONSISTENT WITH THE PROVISIONS IN VOLUME~~

~~V OF THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005) MUST BE SUBMITTED FOR APPROVAL FOR ALL PROPOSED STORM WATER FACILITIES AND BMPS. THE PARTY (OR PARTIES) RESPONSIBLE FOR MAINTENANCE AND OPERATION SHALL BE IDENTIFIED IN THE OPERATION AND MAINTENANCE MANUAL. FOR PRIVATE FACILITIES, A COPY OF THE MANUAL SHALL BE RETAINED ON SITE OR WITHIN REASONABLE ACCESS TO THE SITE, AND SHALL BE TRANSFERRED WITH THE PROPERTY TO THE NEW OWNER. FOR PUBLIC FACILITIES, A COPY OF THE MANUAL SHALL BE RETAINED IN THE APPROPRIATE DEPARTMENT. A LOG OF MAINTENANCE ACTIVITY THAT INDICATES WHAT ACTIONS WERE TAKEN SHALL BE KEPT AND BE AVAILABLE FOR INSPECTION BY THE LOCAL GOVERNMENT. (ORD. 009/2013 § 2 (EXH. 2))~~

~~15.01.050 CONSTRUCTION STORM WATER POLLUTION PREVENTION PLAN (SWPPP) ELEMENTS.~~

~~THE CONSTRUCTION SITE OPERATOR SHALL INCLUDE EACH OF THE TWELVE ELEMENTS BELOW IN THE SWPPP AND ENSURE THAT THEY ARE IMPLEMENTED UNLESS SITE CONDITIONS RENDER THE ELEMENT UNNECESSARY AND THE EXEMPTION FROM THAT ELEMENT IS CLEARLY JUSTIFIED IN THE SWPPP. THE SWPPP SHALL INCLUDE BOTH NARRATIVE AND DRAWINGS. ALL BMPS SHALL BE CLEARLY REFERENCED IN THE NARRATIVE AND MARKED ON THE DRAWINGS. THE SWPPP NARRATIVE SHALL INCLUDE DOCUMENTATION TO EXPLAIN AND JUSTIFY THE POLLUTION PREVENTION DECISIONS MADE FOR THE PROJECT.~~

~~A. PRESERVE VEGETATION/MARK CLEARING LIMITS.~~

~~1. PRIOR TO BEGINNING LAND DISTURBING ACTIVITIES, INCLUDING CLEARING AND GRADING, CLEARLY MARK ALL CLEARING LIMITS, SENSITIVE AREAS AND THEIR BUFFERS, AND TREES THAT ARE TO BE PRESERVED WITHIN THE CONSTRUCTION AREA.~~

~~2. THE DUFF LAYER, NATIVE TOP SOIL, AND NATURAL VEGETATION SHALL BE RETAINED IN AN UNDISTURBED STATE TO THE MAXIMUM DEGREE PRACTICABLE.~~

~~B. ESTABLISH CONSTRUCTION ACCESS.~~

~~1. CONSTRUCTION VEHICLE ACCESS AND EXIT SHALL BE LIMITED TO ONE ROUTE, IF POSSIBLE.~~

~~2. ACCESS POINTS SHALL BE STABILIZED WITH QUARRY SPALLS, CRUSHED ROCK OR OTHER EQUIVALENT BMP TO MINIMIZE THE TRACKING OF SEDIMENT ONTO PUBLIC ROADS.~~

~~3. WHEEL WASH OR TIRE BATHS SHALL BE LOCATED ON SITE, IF THE STABILIZED CONSTRUCTION ENTRANCE IS NOT EFFECTIVE IN PREVENTING SEDIMENT FROM BEING TRACKED ONTO PUBLIC ROADS.~~

~~4. IF SEDIMENT IS TRACKED OFF SITE, ROADS SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY, OR MORE FREQUENTLY DURING WET WEATHER. SEDIMENT SHALL BE REMOVED FROM ROADS BY SHOVELING OR PICKUP SWEEPING AND SHALL BE TRANSPORTED TO A CONTROLLED SEDIMENT DISPOSAL AREA.~~

~~5. STREET WASHING IS ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN ACCORDANCE WITH SUBSECTION (B)(4) OF THIS SECTION. STREET WASH WASTEWATER SHALL BE CONTROLLED BY PUMPING BACK ON SITE OR OTHERWISE BE PREVENTED FROM DISCHARGING INTO SYSTEMS TRIBUTARY TO WATERS OF THE STATE.~~

~~C. CONTROL FLOW RATES.~~

~~1. PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM EROSION DUE TO INCREASES IN THE VELOCITY AND PEAK VOLUMETRIC FLOW RATE OF STORM WATER RUNOFF FROM THE PROJECT SITE.~~

~~2. WHERE NECESSARY TO COMPLY WITH SUBSECTION (C)(1) OF THIS SECTION, STORM WATER RETENTION OR DETENTION FACILITIES SHALL BE CONSTRUCTED AS ONE OF THE FIRST STEPS IN GRADING. DETENTION FACILITIES SHALL BE FUNCTIONAL PRIOR TO CONSTRUCTION OF SITE IMPROVEMENTS (E.G., IMPERVIOUS SURFACES).~~

~~3. IF PERMANENT INFILTRATION PONDS ARE USED FOR FLOW CONTROL DURING CONSTRUCTION, THESE FACILITIES SHOULD BE PROTECTED FROM SILTATION DURING THE CONSTRUCTION PHASE.~~

~~D. INSTALL SEDIMENT CONTROLS.~~

~~1. STORM WATER RUNOFF FROM DISTURBED AREAS SHALL PASS THROUGH A SEDIMENT POND, OR OTHER APPROPRIATE SEDIMENT REMOVAL BMP, PRIOR TO LEAVING A CONSTRUCTION SITE OR PRIOR TO DISCHARGE TO AN INFILTRATION FACILITY. RUNOFF FROM FULLY STABILIZED AREAS MAY BE DISCHARGED WITHOUT A SEDIMENT REMOVAL BMP, BUT SHALL MEET THE FLOW CONTROL PERFORMANCE STANDARD OF SUBSECTION (C)(1) OF THIS SECTION.~~

~~2. SEDIMENT CONTROL BMPS (SEDIMENT PONDS, TRAPS, FILTERS, ETC.) SHALL BE CONSTRUCTED AS ONE OF THE FIRST STEPS IN GRADING. THESE BMPS SHALL BE FUNCTIONAL BEFORE OTHER LAND DISTURBING ACTIVITIES TAKE PLACE.~~

~~3. BMPS INTENDED TO TRAP SEDIMENT ON SITE SHALL BE LOCATED IN A MANNER TO AVOID INTERFERENCE WITH THE MOVEMENT OF JUVENILE SALMONIDS ATTEMPTING TO ENTER OFF-CHANNEL AREAS OR DRAINAGES.~~

~~E. STABILIZE SOILS.~~

~~1. EXPOSED AND UNWORKED SOILS SHALL BE STABILIZED BY APPLICATION OF EFFECTIVE BMPS THAT PREVENT EROSION.~~

~~2. NO SOILS SHOULD REMAIN EXPOSED AND UNWORKED FOR MORE THAN THE TIME PERIODS SET FORTH BELOW TO PREVENT EROSION:~~

~~A. DURING THE DRY SEASON (MAY 1ST THROUGH SEPTEMBER 30TH): SEVEN DAYS.~~

~~B. DURING THE WET SEASON (OCTOBER 1ST THROUGH APRIL 30TH): TWO DAYS.~~

~~3. THE TIME PERIOD MAY BE ADJUSTED BY THE CITY OF MONROE, IF THE APPLICANT CAN SHOW THAT LOCAL PRECIPITATION DATA JUSTIFY A DIFFERENT STANDARD.~~

~~4. SOILS SHALL BE STABILIZED AT THE END OF THE SHIFT BEFORE A HOLIDAY OR WEEKEND IF NEEDED BASED ON THE WEATHER FORECAST.~~

~~5. SOIL STOCKPILES MUST BE STABILIZED FROM EROSION, PROTECTED WITH SEDIMENT TRAPPING MEASURES, AND WHERE POSSIBLE, BE LOCATED AWAY FROM STORM DRAIN INLETS, WATERWAYS AND DRAINAGE CHANNELS.~~

~~F. PROTECT SLOPES.~~

~~1. DESIGN AND CONSTRUCT CUT AND FILL SLOPES IN A MANNER THAT WILL MINIMIZE EROSION.~~

~~2. OFF-SITE STORM WATER (RUN-ON) OR GROUNDWATER SHALL BE DIVERTED AWAY FROM SLOPES AND UNDISTURBED AREAS WITH INTERCEPTOR DIKES, PIPES AND/OR SWALES. OFF-SITE STORM WATER SHOULD BE MANAGED SEPARATELY FROM STORM WATER GENERATED ON THE SITE.~~

~~3. AT THE TOP OF SLOPES, COLLECT DRAINAGE IN PIPE SLOPE DRAINS OR PROTECTED CHANNELS TO PREVENT EROSION. TEMPORARY PIPE SLOPE DRAINS SHALL HANDLE THE EXPECTED PEAK TEN-MINUTE FLOW VELOCITY FROM A TYPE 1A, TEN-YEAR, TWENTY-FOUR-HOUR FREQUENCY STORM FOR THE DEVELOPED CONDITION. ALTERNATIVELY, THE TEN-YEAR, ONE-HOUR FLOW RATE PREDICTED BY AN APPROVED CONTINUOUS RUNOFF MODEL, INCREASED BY A FACTOR OF 1.6, MAY BE USED. THE HYDROLOGIC ANALYSIS SHALL USE THE EXISTING LAND COVER CONDITION FOR PREDICTING FLOW RATES FROM TRIBUTARY AREAS OUTSIDE THE PROJECT LIMITS. FOR TRIBUTARY AREAS ON THE PROJECT SITE, THE ANALYSIS SHALL USE THE TEMPORARY OR PERMANENT PROJECT LAND COVER CONDITION, WHICHEVER WILL PRODUCE THE HIGHEST FLOW RATES. IF USING THE WESTERN WASHINGTON HYDROLOGY MODEL TO PREDICT FLOWS, BARE SOIL AREAS SHOULD BE MODELED AS "LANDSCAPED AREA."~~

~~4. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES, CONSISTENT WITH SAFETY AND SPACE CONSIDERATIONS.~~

~~5. CHECK DAMS SHALL BE PLACED AT REGULAR INTERVALS WITHIN CONSTRUCTED CHANNELS THAT ARE CUT DOWN A SLOPE.]~~

~~G. PROTECT DRAIN INLETS.~~

~~1. STORM DRAIN INLETS MADE OPERABLE DURING CONSTRUCTION SHALL BE PROTECTED SO THAT STORM WATER RUNOFF DOES NOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR TREATED TO REMOVE SEDIMENT.~~

~~2. INLET PROTECTION DEVICES SHALL BE CLEANED OR REMOVED AND REPLACED WHEN SEDIMENT HAS FILLED ONE-THIRD OF THE AVAILABLE STORAGE (UNLESS A DIFFERENT STANDARD IS SPECIFIED BY THE PRODUCT MANUFACTURER).~~

~~H. STABILIZE CHANNELS AND OUTLETS.~~

~~1. ALL TEMPORARY ON-SITE CONVEYANCE CHANNELS SHALL BE DESIGNED, CONSTRUCTED, AND STABILIZED TO PREVENT EROSION FROM THE FOLLOWING EXPECTED PEAK FLOWS. CHANNELS SHALL HANDLE THE EXPECTED PEAK TEN-MINUTE FLOW VELOCITY FROM A TYPE 1A, TEN-YEAR, TWENTY-FOUR-HOUR FREQUENCY STORM FOR THE DEVELOPED CONDITION. ALTERNATIVELY, THE TEN-YEAR, ONE-HOUR FLOW RATE PREDICTED BY AN APPROVED CONTINUOUS RUNOFF MODEL, INCREASED BY A FACTOR OF 1.6, MAY BE USED. THE HYDROLOGIC ANALYSIS SHALL USE THE EXISTING LAND COVER CONDITION FOR PREDICTING FLOW RATES FROM TRIBUTARY AREAS OUTSIDE THE PROJECT LIMITS. FOR TRIBUTARY AREAS ON THE PROJECT SITE, THE ANALYSIS SHALL USE THE TEMPORARY OR PERMANENT PROJECT LAND COVER CONDITION, WHICHEVER WILL PRODUCE THE HIGHEST FLOW RATES. IF USING THE WESTERN WASHINGTON HYDROLOGY MODEL TO PREDICT FLOWS, BARE SOIL AREAS SHOULD BE MODELED AS "LANDSCAPED AREA."~~

~~2. STABILIZATION, INCLUDING ARMORING MATERIAL, ADEQUATE TO PREVENT EROSION OF OUTLETS, ADJACENT STREAM BANKS, SLOPES, AND DOWNSTREAM REACHES, SHALL BE PROVIDED AT THE OUTLETS OF ALL CONVEYANCE SYSTEMS.~~

~~I. CONTROL POLLUTANTS.~~

~~1. ALL POLLUTANTS, INCLUDING WASTE MATERIALS AND DEMOLITION DEBRIS, THAT OCCUR ON SITE SHALL BE HANDLED AND DISPOSED OF IN A MANNER THAT DOES NOT CAUSE CONTAMINATION OF STORM WATER.~~

~~2. COVER, CONTAINMENT, AND PROTECTION FROM VANDALISM SHALL BE PROVIDED FOR ALL CHEMICALS, LIQUID PRODUCTS, PETROLEUM PRODUCTS, AND OTHER MATERIALS THAT HAVE THE POTENTIAL TO POSE A THREAT TO HUMAN HEALTH OR THE ENVIRONMENT. ON-SITE FUELING TANKS SHALL INCLUDE SECONDARY CONTAINMENT.~~

~~3. MAINTENANCE, FUELING AND REPAIR OF HEAVY EQUIPMENT AND VEHICLES SHALL BE CONDUCTED USING SPILL PREVENTION AND CONTROL MEASURES. CONTAMINATED SURFACES SHALL BE CLEANED IMMEDIATELY FOLLOWING ANY SPILL INCIDENT.~~

~~4. WHEEL WASH OR TIRE BATH WASTEWATER SHALL BE DISCHARGED TO A SEPARATE ON-SITE TREATMENT SYSTEM OR TO THE SANITARY SEWER WITH LOCAL SEWER DISTRICT APPROVAL.~~

~~5. APPLICATION OF FERTILIZERS AND PESTICIDES SHALL BE CONDUCTED IN A MANNER AND AT APPLICATION RATES THAT WILL NOT RESULT IN LOSS OF CHEMICAL TO STORM WATER RUNOFF. MANUFACTURERS' LABEL REQUIREMENTS FOR APPLICATION RATES AND PROCEDURES SHALL BE FOLLOWED.~~

~~6. BMPS SHALL BE USED TO PREVENT OR TREAT CONTAMINATION OF STORM WATER RUNOFF BY PH MODIFYING SOURCES. THESE SOURCES INCLUDE, BUT ARE NOT LIMITED TO: BULK CEMENT, CEMENT KILN DUST, FLY ASH, NEW CONCRETE WASHING AND CURING WATERS, WASTE STREAMS GENERATED~~

~~FROM CONCRETE GRINDING AND SAWING, EXPOSED AGGREGATE PROCESSES, DE-WATERING CONCRETE VAULTS, CONCRETE PUMPING AND MIXER WASHOUT WATERS. CONSTRUCTION SITE OPERATORS SHALL ADJUST THE PH OF STORM WATER IF NECESSARY TO PREVENT VIOLATIONS OF WATER QUALITY STANDARDS.~~

~~7. CONSTRUCTION SITE OPERATORS SHALL OBTAIN WRITTEN APPROVAL FROM THE DEPARTMENT OF ECOLOGY PRIOR TO USING CHEMICAL TREATMENT OTHER THAN CO2 OR DRY ICE TO ADJUST PH.~~

~~J. CONTROL DE-WATERING.~~

~~1. FOUNDATION, VAULT, AND TRENCH DE-WATERING WATER, WHICH HAVE SIMILAR CHARACTERISTICS TO STORM WATER RUNOFF AT THE SITE, SHALL BE DISCHARGED INTO A CONTROLLED CONVEYANCE SYSTEM PRIOR TO DISCHARGE TO A SEDIMENT TRAP OR SEDIMENT POND.~~

~~2. CLEAN, NONTURBID DE-WATERING WATER, SUCH AS WELL-POINT GROUND WATER, CAN BE DISCHARGED TO SYSTEMS TRIBUTARY TO, OR DIRECTLY INTO, SURFACE WATERS OF THE STATE, AS SPECIFIED IN SUBSECTION (I) OF THIS SECTION, PROVIDED THE DE-WATERING FLOW DOES NOT CAUSE EROSION OR FLOODING OF RECEIVING WATERS. CLEAN DE-WATERING WATER SHOULD NOT BE ROUTED THROUGH STORM WATER SEDIMENT PONDS.~~

~~3. OTHER DE-WATERING DISPOSAL OPTIONS MAY INCLUDE: (A) INFILTRATION; (B) TRANSPORT OFF SITE IN VEHICLE, SUCH AS A VACUUM FLUSH TRUCK, FOR LEGAL DISPOSAL IN A MANNER THAT DOES NOT POLLUTE STATE WATERS; (C) ON-SITE CHEMICAL TREATMENT OR OTHER SUITABLE TREATMENT TECHNOLOGIES APPROVED BY THE CITY OF MONROE; (D) SANITARY SEWER DISCHARGE WITH LOCAL SEWER DISTRICT APPROVAL, IF THERE IS NO OTHER OPTION; OR (E) USE OF A SEDIMENTATION BAG WITH OUTFALL TO A DITCH OR SWALE FOR SMALL VOLUMES OF LOCALIZED DE-WATERING.~~

~~4. HIGHLY TURBID OR CONTAMINATED DE-WATERING WATER SHALL BE HANDLED SEPARATELY FROM STORM WATER.~~

~~K. MAINTAIN BMPS.~~

~~1. ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL BMPS SHALL BE INSPECTED, MAINTAINED AND REPAIRED AS NEEDED TO ASSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION IN ACCORDANCE WITH BMP SPECIFICATIONS.~~

~~2. ALL TEMPORARY EROSION AND SEDIMENT CONTROL BMPS SHALL BE REMOVED WITHIN THIRTY DAYS AFTER FINAL SITE STABILIZATION IS ACHIEVED OR AFTER THE TEMPORARY BMPS ARE NO LONGER NEEDED.~~

~~L. MANAGE THE PROJECT.~~

~~1. DEVELOPMENT PROJECTS SHALL BE PHASED TO THE MAXIMUM DEGREE PRACTICABLE AND SHALL TAKE INTO ACCOUNT SEASONAL WORK LIMITATIONS.~~

~~2. CONSTRUCTION SITE OPERATORS MUST MAINTAIN, AND REPAIR AS NEEDED, ALL SEDIMENT AND EROSION CONTROL BMPS TO ASSURE CONTINUED PERFORMANCE OF THEIR INTENDED FUNCTION.~~

~~3. CONSTRUCTION SITE OPERATORS MUST PERIODICALLY INSPECT THEIR SITES. FOR PROJECTS THAT DISTURB ONE OR MORE ACRES, SITE INSPECTIONS SHALL BE CONDUCTED BY A CERTIFIED EROSION AND SEDIMENT CONTROL LEAD WHO SHALL BE IDENTIFIED IN THE SWPPP AND SHALL BE PRESENT ON SITE OR ON-CALL AT ALL TIMES.~~

~~4. CONSTRUCTION SITE OPERATORS MUST MAINTAIN, UPDATE AND IMPLEMENT THEIR SWPPP. CONSTRUCTION SITE OPERATORS SHALL MODIFY THEIR SWPPP WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, OR MAINTENANCE AT THE CONSTRUCTION SITE THAT HAS, OR COULD HAVE, A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS TO WATERS OF THE STATE. (ORD. 009/2013 § 2 (EXH. 2))~~

~~15.01.055 EROSIVITY WAIVER.~~

~~CONSTRUCTION SITE OPERATORS MAY APPLY FOR A WAIVER FROM THE REQUIREMENT TO SUBMIT A SWPPP FOR REVIEW AND APPROVAL BY THE CITY PROVIDED THE FOLLOWING CONDITIONS ARE MET:~~

~~A. THE SITE WILL RESULT IN THE DISTURBANCE OF LESS THAN FIVE ACRES; AND THE SITE IS NOT A PORTION OF A COMMON PLAN OF DEVELOPMENT OR SALE THAT WILL DISTURB FIVE ACRES OR GREATER; AND~~

~~B. THE PROJECT'S RAINFALL EROSIVITY FACTOR ("R" FACTOR) IS LESS THAN FIVE DURING THE PERIOD OF CONSTRUCTION ACTIVITY, AS CALCULATED USING THE TEXAS A&M UNIVERSITY ONLINE RAINFALL EROSIVITY CALCULATOR AT: HTTP://EI.TAMU.EDU/. THE PERIOD OF CONSTRUCTION ACTIVITY BEGINS AT INITIAL EARTH DISTURBANCE AND ENDS WITH FINAL STABILIZATION; AND~~

~~C. THE ENTIRE PERIOD OF CONSTRUCTION ACTIVITY FALLS BETWEEN JUNE 15TH AND SEPTEMBER 15TH; AND~~

~~D. THE SITE OR FACILITY HAS NOT BEEN DECLARED A SIGNIFICANT CONTRIBUTOR OF POLLUTANTS; AND~~

~~E. THERE ARE NO PLANNED CONSTRUCTION ACTIVITIES AT THE SITE THAT WILL RESULT IN NON-STORM WATER DISCHARGES; AND~~

~~F. THE CONSTRUCTION SITE OPERATOR SHALL NOTIFY THE CITY OF MONROE OF THE INTENTION TO APPLY THIS WAIVER AT LEAST ONE WEEK PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES. THE NOTIFICATION MUST INCLUDE A SUMMARY OF THE PROJECT INFORMATION USED IN CALCULATING THE PROJECT'S RAINFALL EROSIVITY FACTOR (SEE SUBSECTION (B) OF THIS SECTION) AND A CERTIFIED STATEMENT THAT:~~

~~1. THE OPERATOR WILL COMPLY WITH APPLICABLE LOCAL STORM WATER REQUIREMENTS; AND~~

~~2. THE OPERATOR WILL IMPLEMENT APPROPRIATE EROSION AND SEDIMENT CONTROL BMPS TO PREVENT VIOLATIONS OF WATER QUALITY STANDARDS. (ORD. 009/2013 § 2 (EXH. 2))~~

~~**15.01.065 ADJUSTMENTS.**~~

~~ADJUSTMENTS TO THE MINIMUM REQUIREMENTS MAY BE GRANTED; PROVIDED, THAT A WRITTEN FINDING OF FACT IS PREPARED THAT ADDRESSES THE FOLLOWING:~~

~~A. THE ADJUSTMENT PROVIDES SUBSTANTIALLY EQUIVALENT ENVIRONMENTAL PROTECTION.~~

~~B. BASED ON SOUND ENGINEERING PRACTICES, THE OBJECTIVES OF SAFETY, FUNCTION, ENVIRONMENTAL PROTECTION AND FACILITY MAINTENANCE ARE MET. (ORD. 009/2013 § 2 (EXH. 2))~~

~~**15.01.077 BASIN/WATERSHED PLANNING.**~~

~~BASIN/WATERSHED PLANNING MAY BE USED TO TAILOR MINIMUM REQUIREMENT NO. 6, RUNOFF TREATMENT, MINIMUM REQUIREMENT NO. 7, FLOW CONTROL, AND/OR MINIMUM REQUIREMENT NO. 8, WETLANDS PROTECTION. BASIN PLANNING MAY BE USED TO SUPPORT ALTERNATIVE TREATMENT, FLOW CONTROL, AND/OR WETLAND PROTECTION REQUIREMENTS TO THOSE CONTAINED IN MMC 15.01.045. BASIN PLANNING MAY ALSO BE USED TO DEMONSTRATE AN EQUIVALENT LEVEL OF TREATMENT, FLOW CONTROL, AND/OR WETLAND PROTECTION THROUGH THE CONSTRUCTION AND USE OF REGIONAL STORM WATER FACILITIES.~~

~~BASIN PLANNING PROVIDES A MECHANISM BY WHICH THE MINIMUM REQUIREMENTS AND IMPLEMENTING BMPS CAN BE EVALUATED AND REFINED BASED ON AN ANALYSIS OF A BASIN OR WATERSHED. BASIN PLANS ARE/MAY BE USED TO DEVELOP CONTROL STRATEGIES TO ADDRESS IMPACTS FROM FUTURE DEVELOPMENT AND TO CORRECT SPECIFIC PROBLEMS WHOSE SOURCES ARE KNOWN OR SUSPECTED. BASIN PLANS CAN BE EFFECTIVE AT ADDRESSING BOTH LONG-TERM CUMULATIVE IMPACTS OF POLLUTANT LOADS AND SHORT-TERM ACUTE IMPACTS OF POLLUTANT CONCENTRATIONS, AS WELL AS HYDROLOGIC IMPACTS TO STREAMS, WETLANDS, AND GROUND WATER RESOURCES.~~

~~BASIN PLANNING WILL REQUIRE THE USE OF COMPUTER MODELS AND FIELD WORK TO VERIFY AND SUPPORT THE MODELS. THE USGS HAS DEVELOPED SOFTWARE CALLED "GENSCN" (GENERATION AND ANALYSIS OF MODEL SIMULATION SCENARIOS) THAT CAN FACILITATE BASIN PLANNING. THE PROGRAM IS A WINDOWS-BASED~~

~~APPLICATION OF HSPF THAT PREDICTS WATER QUALITY AND QUANTITY CHANGES FOR MULTIPLE SCENARIOS OF LAND USE AND WATER MANAGEMENT WITHIN A BASIN. APPLICANTS WHO ARE CONSIDERING THE USE OF BASIN/WATERSHED PLANS TO MODIFY OR TAILOR ONE OR MORE OF THE MINIMUM REQUIREMENTS ARE ENCOURAGED TO CONTACT ECOLOGY EARLY IN THE PLANNING STAGE.~~

~~SOME EXAMPLES OF HOW BASIN PLANNING CAN ALTER THE MINIMUM REQUIREMENTS ARE GIVEN IN APPENDIX I-A FROM THE STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (2005).~~

~~IN ORDER FOR A BASIN PLAN TO SERVE AS A MEANS OF MODIFYING THE MINIMUM REQUIREMENTS THE FOLLOWING CONDITIONS MUST BE MET:~~

~~A. THE PLAN MUST BE FORMALLY ADOPTED BY ALL JURISDICTIONS WITH RESPONSIBILITIES UNDER THE PLAN; AND~~

~~B. ALL ORDINANCES OR REGULATIONS CALLED FOR BY THE PLAN MUST BE IN EFFECT; AND~~

~~C. THE BASIN PLAN MUST BE REVIEWED AND APPROVED BY ECOLOGY.~~

15.01.080 Administration.

A. [~~DIRECTOR~~]**Administrator**. The city of Monroe city engineer shall administer this chapter and shall be referred to as the [~~DIRECTOR~~]**administrator**. The [~~DIRECTOR~~]**administrator** shall have the authority to develop and implement administrative procedures to administer and enforce this chapter.

B. Review and Approval. All activities regulated by this chapter shall be reviewed and approved ~~BY THE DIRECTOR~~ **by administrator or designee** prior to beginning any work. The [~~DIRECTOR~~] **administrator** may approve, conditionally approve or deny an application for activities regulated by this chapter.

C. Enforcement Authority. The [~~DIRECTOR~~] **administrator** shall enforce this chapter.

D. Inspection. All activities regulated by this chapter[~~, EXCEPT THOSE EXEMPT IN MMC~~ 15.01.015,] shall be inspected **by the administrator or designee**[~~BY THE DIRECTOR~~].

The [~~DIRECTOR]~~ **administrator** shall inspect projects at various stages of the work requiring approval to determine that adequate control is being exercised. Stages of work requiring inspection include, but are not limited to, preconstruction, installation of BMPs, land disturbing activities, installation of utilities, landscaping, retaining walls and completion of project. When required by the [~~DIRECTOR~~]**administrator or designee**, a special inspection and/or testing shall be performed.

E. Fees. Fees for plan review and inspection of activities regulated in this chapter shall be as set by periodic resolution of the city council.

15.01.090 Enforcement.

A. Compliance with the requirements of this code shall be mandatory. The general penalties and remedies established in Chapter1.04 MMC for such violations shall apply to any violation of this chapter.

B. Stop Work Order. The director shall have the authority to serve a person a stop work order if an action is being undertaken in violation of this chapter. If a portion of a project is in violation of this chapter, the [~~director~~] **administrator** or designee may issue a stop work order for the entire project.

1. Content of Order. The order shall contain:

a. A description of the specific nature, extent, and time of violation and the damage or potential damage; and

b. A notice that the violation or the potential violation cease and desist and, in appropriate cases, the specific corrective action to be taken within a given time.

2. Notice. A stop work order shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person incurring the same, or by posting at the project site.

3. Effective Date. The stop work order issued under this subsection shall become effective immediately upon receipt by the person to whom the order is directed or upon posting the project site.

4. Compliance. Failure to comply with the terms of a stop work order shall result in enforcement actions including, but not limited to, the issuance of a civil penalty.

C. Notice and Order of Code Violation and Civil Penalty. When the [~~DIRECTOR~~] **administrator** determines that a violation has occurred or is occurring, the [~~director~~]**administrator**, or designee, may issue a notice and order of code violation to the person responsible for the violation in conformance with the enforcement procedures of Chapter 1.04 MMC. The notice and order may be combined with the stop work order identified in subsection (B) of this section.

~~**15.01.100 Exceptions.**~~

~~A. After a public hearing, the hearing examiner may grant exceptions/variances (exceptions) to the Minimum Requirements. In granting any exceptions/variances, the hearing examiner may prescribe conditions that are deemed necessary or desirable for the public interest.~~

~~Project-specific design exceptions based on site-specific conditions do not require prior approval of the Department of Ecology.~~

~~The hearing examiner may grant an exception to the Minimum Requirements if such application imposes a severe and unexpected economic hardship. To determine whether the application imposes a severe and unexpected economic hardship on the project applicant, the hearing examiner must consider and document with written findings of fact the following:~~

~~1. The current (preproject) use of the site; and~~

~~2. How the application of the Minimum Requirement(s) restricts the proposed use of the site compared to the restrictions that existed prior to the adoption of the Minimum Requirements; and~~

~~3. The possible remaining uses of the site if the exception were not granted; and~~

~~4. The uses of the site that would have been allowed prior to the adoption of the Minimum Requirements; and~~

~~5. A comparison of the estimated amount and percentage of value loss as a result of the Minimum Requirements versus the estimated amount and percentage of value loss as a result of requirements that existed prior to adoption of the Minimum Requirements; and~~

~~6. The feasibility for the owner to alter the project to apply the Minimum Requirements.~~

~~In addition any exception must meet the following criteria:~~

~~1. The exception will not increase risk to the public health and welfare, nor injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and~~

~~2. The exception is the least possible exception that could be granted to comply with the intent of the Minimum Requirements.~~

~~B. Prior Approval. Any exception shall be approved prior to approval and construction.~~

~~C. Duration of Exception. Exceptions granted shall be valid for two years, unless granted for a shorter period.~~

~~D. Right of Appeal. All actions of the hearing examiner shall be final and conclusive, unless the original applicant or an adverse party appeals the hearing examiner's decision to the city council per Chapter 21.60 MMC.~~

15.01.110 Severability.

If any provision of this chapter or its application to any person, entity, or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons, entities, or circumstances shall not be affected.

Section 2 MMC section 17.04.020 entitled "Purpose" is hereby amended as follows.

17.04.020 Purpose.

The purpose of the code is to provide for the orderly subdivision of land within the city in the public interest, to assure that:

A. Public facilities, such as streets, alleys, parks, playgrounds, etc., can be provided in an amount and size commensurate with the size of the subdivision and the land uses proposed;

B. Site planning and stormwater management are integrated at the initial design phases of a project to maintain a more hydrologically functional landscape even in denser settings.

~~[B]~~**C**. Lot sizes, land uses, streets and street extensions will be in conformance with the provisions of the zoning code and official plans;

~~[C]~~**D**. Officials are given a precise and simple procedure for the conveyance of titles on small tracts and parcels of land. (Ord. 1061, 1995)

Section 3. MMC section 17.20.040 entitled "Utility requirements" is hereby amended as follows.

17.20.040 Utility requirements.

A preliminary plat submittal shall contain the following:

A. A stormwater site assessment in substantial conformance to the *Low Impact Development Technical Guidance Manual for Puget Sound*;

B. A plan showing the location, grade, and sizes of sewer lines, manholes, and other sewerage structures;

C. A plan showing the location and size of water mains, hydrants, reservoirs, pump stations, and other elements of the proposed water system;

D. A plan showing the location and size of storm water management facilities;

E. A plan showing the location and grade of roads, pedestrian facilities, parking areas, and ADA provisions;

F. Other information as may be required by the City Engineer.

~~[STREET AND SEWER PROFILES MAY BE REQUIRED IN SUCH DETAIL AND SCALE AS DETERMINED BY THE CITY ENGINEER. THE CITY ENGINEER MAY~~

~~ALSO REQUIRE ADDITIONAL DETAILED UTILITY PLANS IF SPECIAL PROBLEMS ARE ENCOUNTERED, DUE TO TOPOGRAPHY, EXCESSIVE GRADES, OR UNUSUAL SOIL CONDITIONS INCLUDING THE FOLLOWING:~~

~~A. A PLAN SHOWING LOCATION AND SIZES OF SEWER LINES, CATCH BASINS, PUMPS OR OTHER DRAINAGE OR SEWERAGE STRUCTURES;~~

~~B. A PLAN SHOWING LOCATION AND SIZES OF WATER MAINS, RESERVOIRS, AND OTHER ELEMENTS OF A PROPOSED WATER DISTRIBUTION SYSTEM;~~

~~C. GRADES OF PROPOSED STREETS AND METHODS OF STORM DRAINAGE.]~~

Section 4. Monroe Municipal Code Chapter 18.10 "Land Use Zoning District and District Requirements" is hereby amended as follows:

Chapter 18.10
LAND USE ZONING DISTRICT AND DISTRICT REQUIREMENTS

Sections:

18.10.010 Purpose and density of single-family zoning districts.
18.10.020 Purpose of the multifamily zoning district.
18.10.025 Purpose of the professional office zoning district.
18.10.030 Purpose of the commercial zoning districts.
18.10.035 Purpose of the mixed use zoning districts.
18.10.040 Purpose of the industrial zoning districts.
18.10.043 Purpose of the limited open space airport zoning district.
18.10.045 Purpose of the limited open space zoning district.
18.10.047 Purpose of the public open space zoning district.
18.10.050 Zoning land use matrix.
18.10.055 District requirements.
18.10.060 Zoning lot area, lot coverage and setback requirements matrix.
18.10.065 Infill development incentives.
18.10.070 Public open space lot area requirements.
18.10.080 Limited open space lot area requirements.
[~~18.10.090 SINGLE-FAMILY LOT AREA REQUIREMENTS.~~
~~18.10.100 DUPLEX LOT AREA REQUIREMENTS.~~

~~18.10.110 MULTIFAMILY LOT AREA REQUIREMENTS.~~
~~18.10.115 PROFESSIONAL OFFICE LOT AREA REQUIREMENTS.]~~
18.10.120 Downtown, service and general commercial lot area requirements.
18.10.130 Light and general industrial lot area requirements.
18.10.132 Design standards.
18.10.135 North Kelsey design guidelines.
18.10.140 Bulk requirements.
18.10.150 Minimum public open space zone setbacks.
18.10.160 Minimum limited open space zone setbacks.
18.10.170 Minimum single-family zone setbacks.
18.10.180 Minimum multifamily zone setbacks.
18.10.185 Minimum professional office zone setbacks.
18.10.190 Minimum garage setbacks.
18.10.200 Minimum commercial and industrial setbacks.
18.10.210 Minimum zoning district setbacks.
18.10.220 Lot coverage.
18.10.230 Maximum building height.
18.10.240 Parking.
18.10.250 Signs.
18.10.260 Street surface.
18.10.270 Performance standards.
18.10.280 Compliance required before permit issuance.

18.10.010 Purpose and density of single-family zoning districts.

A. Purpose. The purpose of the single-family zoning districts in the city of Monroe is to promote the existing small town character by providing that new development will be compatible with the density and setbacks of the present housing stock. The purpose is also to provide for a broad range of housing types and densities. Areas designated urban residential are envisioned to be served by the city water and city sanitary sewer systems when developed to their zoned densities. Single-family lots shall be limited to one residence except as otherwise prescribed.

B. Standard Density Calculation. To calculate the number of possible dwelling units/lots for single-family zoning districts, remove twenty percent from the gross site area, in square feet, for roads, gutters, curbs, sidewalks, and retention areas and then **multiply the net site area, in**

acres, by the units allowed per acre from table below:[~~DIVIDE THE NET SITE AREA IN SQUARE FEET BY THE MINIMUM LOT SIZE TO DETERMINE THE BASE DENSITY. IN THE R-4 ZONE, REMOVE TWENTY PERCENT FROM THE GROSS SITE AREA IN ACRES FOR ROADS, GUTTERS, CURBS, SIDEWALKS, AND RETENTION AREAS AND THEN MULTIPLY THE NET SITE AREA, IN ACRES, BY FOUR~~].

Zoning District	**Units allowed per acre**
MR 6,000	**7.26**
UR 6,000	**5.80**
R-4	**4.00**
UR 9,600	**3.63**
SR 15,000	**2.32**

1. When calculating the maximum residential density, any resulting fraction 0.50 or over shall be rounded up to the next whole number and any fraction 0.49 or under shall be rounded down to the preceding whole number. For example, in the UR 6,000 zone, a one-acre site could yield six units (43,560 square feet x 0.80 = 34,848 square feet / 6,000 square feet = 5.8 units or six total units).

2. Nothing contained within this chapter guarantees the maximum defined density. The identified maximum residential density may not always be achievable due to unique site considerations including but not limited to critical areas, topography, right-of-way dedication, stormwater requirements, etc. (Ord. 026/2011 § 2 (Exh. 1); Ord. 1177, 1999)

18.10.020 Purpose of the multifamily zoning district.

A. Purpose. The purpose of the multifamily zoning district is threefold: to promote the small town character of Monroe by providing that new multifamily housing be developed on small lots mixed with other housing stock, that development be compatible with the present housing stock, and that multifamily development provide for a broad range of housing types and densities. When single-family dwelling units are constructed on multifamily lots, they shall be limited to one detached single-family residence per lot except as otherwise prescribed.

B. Standard Density Calculation. To calculate the number of possible dwelling units/lots, for multifamily and zoning districts, divide the gross site area by the minimum unit/lot size, in square feet, to determine the base density. In cases when multifamily parcels are subdivided into

individual parcels, pursuant to MMC Title 17, the standards of MMC 18.10.010(B) apply. In areas that do not have a minimum lot size, multiply the net site area, in acres, by the maximum allowed number of units/lots per acre.

1. When calculating the maximum residential density, any resulting fraction 0.50 or over shall be rounded up to the next whole number and any fraction 0.49 or under shall be rounded down to the preceding whole number. For example, in the MR 6,000 zone, a one-acre site could yield eleven units (43,560 square feet / 4,000 square feet = 10.89 units or eleven total units).

2. Nothing contained within this chapter guarantees the maximum defined density. The identified maximum residential density may not always be achievable due to unique site considerations including but not limited to critical areas, topography, right-of-way dedication, stormwater requirements, etc. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6; Ord. 1177, 1999)

18.10.025 Purpose of the professional office zoning district.

A. Purpose. The purpose of the professional office (PO) zoning district is to provide an area for personal and professional service businesses that commonly locate in office buildings, such as banks, medical and dental clinics, accounting, law, real estate, insurance, travel agencies and similar businesses, as well as allowing residential use at varying densities, while providing a transitional zone between commercial and residential zoning districts. When single-family dwelling units are constructed on professional office lots, they shall be limited to one detached single-family residence per lot except as otherwise prescribed.

B. Standard Density Calculation. The density calculation for single-family units/lots will follow the requirements found in MMC18.10.010(B). The density calculation for multifamily units/lots will follow the requirements found in MMC 18.10.020(B). (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6)

18.10.030 Purpose of the commercial zoning districts.

The purposes of the commercial districts are to provide opportunities for the enhancement of existing commercial uses and for the location of new commercial development.

A. General commercial uses (GC) should be located on traffic corridors that have adequate capacities for traffic flow. Such location assures that uses do not generate traffic through residential areas. Uses located in this (GC) class should be designed into planned centers with safe and convenient access to minimize curb cuts and facilitate better parking and traffic flows.

B. Service commercial uses (SC) should be located at intersections of major and minor arterials or their intersections with collector roads. Service commercial areas should be designed so as not to disrupt traffic movement on the arterial and collector roadways. Access and egress should be kept at a minimum and should be so located that they do not conflict with traffic movement and queuing at intersections.

C. Downtown commercial uses (DC) should follow the vision outlined in the downtown master plan. (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 4; Ord. 1177, 1999)

18.10.035 Purpose of the mixed use zoning districts.

The purposes of the mixed use zoning districts are to integrate a mix of office, retail, light industrial, institutional, public facilities, and attached residential units throughout the district, within the same property, or inside a single building.

A. Mixed use commercial (MUC) should be located on corridors with available public services and adequate traffic capacities. The mixed use commercial district allows high-intensity development and requires that new developments provide safe and convenient access, minimize curb cuts, and facilitate better parking and traffic flow. This district permits residential, commercial, office, and light industrial land uses.

1. Residential Density. New residential development is limited to attached structures with a density between twelve and twenty dwelling units per acre. The density calculation for multifamily units will follow the requirements found in MMC18.10.020(B).

2. Commercial Uses. Commercial uses should serve primarily the employment, housing, shopping, service, and recreational needs of those residing within the district and surrounding area. Individual commercial uses should be limited to thirty thousand square feet or less. The city may allow buildings up to sixty thousand square feet with a conditional use permit, per Chapter 18.96 MMC.

3. Design Standards. All development within the mixed use commercial zone shall comply with the Infill, Multifamily, and Mixed Use Design Standards, subject to the requirements of MMC 18.10.132.

B. Mixed use neighborhood center (MUNC) should be located on corridors with available public services and adequate capacities. Access points should prevent conflict with traffic movement and back-ups at intersections. This district permits residential, commercial, and office land uses.

1. Residential Density. New residential development is limited to attached structures with a density between eight and eleven dwelling units per acre. The density calculation for multifamily units will follow the requirements found in MMC18.10.020(B).

2. Commercial Uses. Small-scale office, retail, and service businesses should meet primarily the convenience shopping and services needs of the immediate mixed use area. Individual commercial uses should be limited to ten thousand square feet or less. The city may allow buildings up to thirty thousand square feet with a conditional use permit per Chapter 18.96 MMC.

3. Design Standards. All development within the mixed use neighborhood center zone shall comply with the Infill, Multifamily, and Mixed Use Design Standards, subject to the requirements of MMC 18.10.132. (Ord. 026/2011 § 2 (Exh. 1); Ord. 024/2011 § 2 (Exh. 1))

18.10.040 Purpose of the industrial zoning districts.

The purpose of the industrial zones is to provide opportunities for enhancement of existing industrial and compatible commercial use and intensities in areas of the city which are suitable for such development. Suitability is based on characteristics such as existing land use, natural features, transportation, and utility service and associated environmental impacts.

Industrial areas should take advantage of rail and highway access points. Development should be separated or well buffered from nearby residential areas. The location of industrial zones should be dependent on and compatible with the size and scale of the surrounding adjacent uses. In addition, design standards are incorporated into the code to ensure compatibility with adjacent uses. (Ord. 026/2011 § 2 (Exh. 1); Ord. 1177, 1999)

18.10.043 Purpose of the limited open space airport zoning district.

The purpose of the limited open space airport zoning district is to protect the viability of First Air Field, a general aviation facility, encourage compatible land uses and densities, and reduce hazards that may endanger the lives and property of the public and aviation users in proximity to First Air Field. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6)

18.10.045 Purpose of the limited open space zoning district.

The purpose of the limited open space zoning district is to provide for low-density residential uses on lands that lack the full range of public services and facilities necessary to support urban development and that are severely impacted by critical areas. This zone also provides a buffer between urban areas and transitional land uses on the urban growth boundaries of the city, and/or may also provide for enhanced recreational facilities and linkages to existing trails or open space systems. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6)

18.10.047 Purpose of the public open space zoning district.

The purpose of the public open space zoning district is to provide areas to include public neighborhood, community and regional parks, recreational facilities, and undisturbed natural open space; public school facilities; public city facilities; and other special regional use facilities operated by the county, state, or federal government, within the city's urban growth area. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6)

18.10.050 Zoning land use matrix.

The zoning administrator, under MMC 18.08.020, Interpretations, is charged with the responsibility of determining in which zone similar or like uses, not shown in the matrix, would be located and whether or not such uses are permitted outright, require a conditional use permit or special use permit, are an accessory use, or are prohibited.

A zoning matrix is used to summarize all land uses and districts to show at a glance both the uses permitted in a specific zoning district as well as the zones in which specific uses are permitted.

Zoning Matrix

Conforming Use	Public Open Space	Limited Open Space	Limited Open Space – Airport	SR 15,000	UR 9,600	Residential 4 Units	UR 6,000	MR 6,000	Mixed Use Commercial[P8]	Mixed Use Neighborhood Center[P9]	General Commercial	Service Commercial	Downtown Commercial	Professional Office	Light Industrial	General Industrial
Aviation																
Aircraft and flight schools			P[7]													
Aircraft hangars and parking areas			P[7]													
Aircraft sales, rentals, repair (major and minor), rebuilds, and maintenance services			P[7]													
Airports, landing fields, and heliports	EPF	EPF	EPF													
Aviation fuel sales			P[7]													
Storage and sale of aviation fuel, oil, and other fluids commonly used in aircraft			P[7]													
Government and Education																
Fire stations	P	C	A[1]	C	C	C	C	C	P	P	P	P	See Chapter 18.12 MMC	C	P	P

Government facilities	P								P	P	C	C	See Chapter 18.12 MMC	C	C	C
Jails	C															
Libraries	P								P	P	P	P		C	P	P
Preschools	C	C		C	C	C	C	C	C	C	C	C	See Chapter 18.12 MMC	C	C	C
Schools	P	C		C	C		C	C	C	C	C	C		C	C	
State and local correctional facilities	EPF															
State educational facilities including colleges, community colleges, and universities, ten acres in size or larger	EPF								EPF		EPF				EPF	EPF
Work release facilities	EPF								EPF							
Health Services																
Clinics, health services	P								P	P	P	P	See Chapter 18.12 MMC	P	P	
Hospitals	EPF								EPF	EPF	EPF	EPF	See Chapter 18.12 MMC	EPF		
In-patient facilities, including substance abuse and mental health facilities	P								C	C	C	C	See Chapter 18.12 MMC	P	P	
Industrial Uses																
Animal shelters									C		C		See Chapter 18.12 MMC		C	C

Animal slaughtering, processing, and/or incidental rendering		S									S				S	S
Asphalt batch plants (mix asphalt)															C	P
Auto wrecking yards															C	C
Cement manufacturing	S	S													S	S
Fabrication shops			A[1]						C		C				P	P
Mineral extraction	S	S													S	S
Outdoor storage			A[1]						A						P[4]	P[4]
Printing plants									P						P	P
Processing of sand, gravel, rock, black soil, and other natural deposits	S	S													S	S
Recycling centers									C						C	C
Shake and shingle mills															P	P
Tow truck operations									C		C	C	See Chapter 18.12 MMC		C	C
Warehouses			A[1]						A		P				P	P
Infrastructure/Utilities																
Electrical transmission lines of higher voltage than 115 kV, in existing corridors	P	P		P	P	P	P	P	P	P	P	P	See Chapter 18.12 MMC	P	P	P

Electrical transmission lines of higher voltage than 115 kV, in new corridors	C	C		C	C	C	C	C	C	C	C	C	See Chapter 18.12 MMC	C	C	C
Regional transit stations, including bus, train, and other high-capacity vehicle bases	EPF	EPF	EPF						EPF	EPF	EPF	EPF	See Chapter 18.12 MMC	EPF	EPF	EPF
Sewer treatment plants/facilities	EPF	EPF							EPF	EPF					EPF	EPF
State and regional transportation facilities including highways of statewide significance	EPF	EPF	EPF	EPF	EPF	EPF	EPF	EPF	EPF	EPF	EPF	EPF	See Chapter 18.12 MMC	EPF	EPF	EPF
Utility power-generating facilities, public or private, including hydroelectric	S								S	S					S	S
Utility services	P	P	P[7]	P	P	P	P	P	P	P	P	P	See Chapter 18.12 MMC	P	P	P
Parks/Recreation																
Parks and recreation facilities	P	C[4]		C[4]	C[4]	C[4]	C[4]	C[4]	P	P						
Parks, RV		C									C					
Public stables	C	C														

Residential and Associated Uses																
Accessory dwelling units				P[5]	P[5]	P[5]	P[5]	P[5]	P	P			See Chapter 18.12 MMC			
Dwellings, caretaker/ security			A[1]						C	C						
Dwellings, duplex				P[2]	P[2]	P[2]	P[2]	P[6]		P				P[6]		
Dwellings, farm worker		A		A							A	A				
Dwellings, mobile home/manufactured home		P		P	P	P	P	P								
Dwellings, multifamily								P	P	P			See Chapter 18.12 MMC	P		
Dwellings, single-family		P	P[7]	P	P	P	P	P	1,2	1,3			See Chapter 18.12 MMC	P		
Dwellings, townhouse								P	P	P			See Chapter 18.12 MMC	P		
Family day care				A	A	A	A	A	A	A						
Group homes, Type 1		P		P	P	P	P	P		P			See Chapter 18.12 MMC	P		
Group homes, Type 2		C[2]		C[2]	C[2]	C[2]	C[2]	C[2]		C			See Chapter 18.12 MMC	C[2]		
Halfway houses		EPF		EPF	EPF	EPF	EPF	EPF		EPF			See Chapter 18.12 MMC	EPF		
Home occupations				P	P	P	P	P	P	P			See Chapter 18.12 MMC	P		
Mobile/manufactured home parks				C	C	C	C	C								

Model home(s) and sales offices				P	P	P	P	P	P	P				P		
Nursing and/or convalescent homes	P							C	P	P	C	C		P		
Retirement housing/ assisted living facilities								P[3]	P	P		C[3]	See Chapter 18.12 MMC	P[3]		
Temporary dwelling unit			A[1]	C	C		C	C	A	A				C		
Retail and Commercial																
Art galleries									P	P	P	P	See Chapter 18.12 MMC	P	P	
Bakeries									P	P	P	P	See Chapter 18.12 MMC		P	P
Breweries									P						P	P
Breweries, micro									P	P	P	P	See Chapter 18.12 MMC		P	P
Coffee shops			A[1]						P	P[10]	P	P	See Chapter 18.12 MMC	A	P	P
Convenience stores									P	P[10]	P	P	See Chapter 18.12 MMC			
Department stores											P		See Chapter 18.12 MMC			
Drug store/pharmacy			A[1]						P	P[10]	P	P	See Chapter 18.12 MMC	A		
Garden produce		P		C	C				P	P	P	P	See Chapter 18.12 MMC		P	P

Greenhouses, retail		P							P		P	P	See Chapter 18.12 MMC		P	P
Grocery stores									P	P	P		See Chapter 18.12 MMC	P	P	P
Hardware store 1									P	P	P	P	See Chapter 18.12 MMC		P	
Hardware store 2									C		P	P			P	
Home improvement centers											P				P	
Lumber yards									A		P		See Chapter 18.12 MMC		P	P
Motor vehicle sales facility									P		P	P	See Chapter 18.12 MMC		P	P
Restaurants			A[1]						P	P	P	P	See Chapter 18.12 MMC	C	P	P
Retail stores			A[1]						P	P	P	P	See Chapter 18.12 MMC		P	P
Secondhand stores									P	P	P	P	See Chapter 18.12 MMC			
Taverns									P	C	P	P	See Chapter 18.12 MMC			
Tool sales and rental									P		P	A	See Chapter 18.12 MMC		P	P
Wholesale establishments									P						P	P
Service																
Amusement facilities									P		P	C	See Chapter 18.12 MMC		P	P

Auto repair, minor			P[7]						P		P	P	See Chapter 18.12 MMC		P	P
Auto repair, major									C		P	P			P	
Banks									P	P[10]	P	P	See Chapter 18.12 MMC			
Bed and breakfasts		C	A[1]		C	C	C	C		P				P		
Car washes									P		P	P			P	P
Cleaning establishments									P	P	P	P	See Chapter 18.12 MMC		P	P
Clubs			A[1]						P	C	P	P	See Chapter 18.12 MMC	C		
Clubs, fitness		P							P	P	P	P	See Chapter 18.12 MMC	A	P	P
Day care centers		C[1]		C[1]	C[1]	C[1]	C[1]	C[1]	P	C	C[1]	C[1]	See Chapter 18.12 MMC	C[1]	A	A
Fix-it shops			A[1]						A	A	P	P	See Chapter 18.12 MMC		P	P
Hotels									C				See Chapter 18.12 MMC			
Kennels				C					C		C	C	See Chapter 18.12 MMC		C	C
Locksmiths									P	P	P	P	See Chapter 18.12 MMC			
Mini self-storage			A[1]										See Chapter 18.12 MMC		P	P
Motels			A[1]						C		P	P	See Chapter 18.12 MMC			

Print shops									P	P	P	P	See Chapter 18.12 MMC	C	P	P
Professional offices			P[7]						P	P	P	P	See Chapter 18.12 MMC	P	P	P
Religious institution	P	C		C	C	C	C	C	P	P	P	P	See Chapter 18.12 MMC	P	P	C
Research facilities									P					P	P	P
Service establishments									P	P	P	P	See Chapter 18.12 MMC	C	P	P
Service stations									P		P	P	See Chapter 18.12 MMC		P	
Veterinary clinics/animal hospitals									P[11]	P[11]	C	C	See Chapter 18.12 MMC	P	P	P
Other																
Adult entertainment (business use)											P[1]	P[1]	See Chapter 18.12 MMC		P[1]	P[1]
Agricultural uses		P		P												
Cemeteries	P	C														
Hazardous/dangerous waste facilities	EPF								EPF		EPF				EPF	EPF
Mortuaries									P	P	P	P	See Chapter 18.12 MMC	P		
Parking lots	P		A[1]						P	P	A	A	See Chapter 18.12 MMC	A	A	A
Shooting ranges (indoor)									P		P	P	See Chapter 18.12 MMC		P	P

Solid waste handling and/or transfer facilities	EPF										EPF				EPF	EPF
Solid waste landfills	EPF															

P = Permitted use; A = Accessory use; C = Requires a conditional use permit; S = Requires a special use permit; EPF = Essential public facility (see Chapter 18.15 MMC)

Notations to Zoning Matrix

1. Existing single-family dwellings in MUC are considered allowed, legally conforming uses. Existing single-family dwellings that are destroyed may be rebuilt within the building footprint as it existed immediately prior to the destruction. No other new single-family residences are permitted.

2. Existing single-family dwellings in MUC that are converted to a nonresidential use for no longer than twelve months may be converted back to residential use.

3. Existing single-family dwellings in MUNC are considered allowed, legally conforming uses. Existing detached single-family dwellings that are destroyed may be rebuilt in accordance with current code setback requirements. No other new detached single-family residences are permitted.

4. Existing single-family dwellings in MUNC that are converted to a nonresidential use may be converted back to residential use.

P[1] Must be located within the city's defined adult entertainment boundary.

P[2] Requires one and one-half the minimum lot area of a single-family dwelling.

P[3] Based upon bedrooms as opposed to dwelling units in any combination of one-, two- and/or three-bedroom units, not to exceed the maximum density allowed in the underlying zoning district. The standard formula would be to use the maximum allowed density per acre (forty-three thousand five hundred sixty square feet divided by minimum zone lot size) multiplied by three (standard bedroom equivalent unit) to achieve bedroom density. For example, in the MR 6,000 zone, a one-acre site could achieve thirty-three bedrooms per acre (43,560/4,000 = 10.89 or 11 dwelling units per acre x 3 = 33).

P[4] All outdoor storage shall be enclosed by a six-foot-tall site-obscuring fence or wall, and shall include a Type III landscaping buffer along the exterior perimeter of the property or site (see MMC 18.78.030).

P[5] Must meet criteria outlined in Chapter 18.40 MMC, Accessory Dwelling Units.

P^6 The minimum lot size for duplex and multifamily structures shall be four thousand square feet per unit.

P^7 Subject to Chapter 18.60 MMC, Airport Compatibility.

P^8 Individual commercial uses should be limited to thirty thousand square feet or less. The city may allow buildings up to sixty thousand square feet with a conditional use permit per Chapter 18.96 MMC.

P^9 Individual commercial uses should be limited to ten thousand square feet or less. The city may allow buildings up to thirty thousand square feet with a conditional use permit per Chapter 18.96 MMC.

P^{10} Drive-up facilities not permitted.

P^{11} If any outdoor caging of animals is proposed, a conditional use permit is required per Chapter 18.96 MMC.

C^1 Limitation on number of children permitted per establishment.

C^2 Group homes that qualify as essential public facilities shall follow the regulations in Chapter 18.15 MMC, Essential Public Facilities.

C^3 Based upon bedrooms as opposed to dwelling units; see P^3.

C^4 If a parks and recreation facility is the primary use a conditional use permit will be required; if the facility is secondary to a larger project, the use is considered accessory.

A^1 Subject to Chapter 18.60 MMC, Airport Compatibility.

(Ord. 007/2012 § 2 (Exh. 1); Ord. 024/2011 § 2 (Exh. 2); Ord. 008/2010 §§ 1, 2 (Exhs. 1, 2); Ord. 006/2009 § 4; Ord. 033/2008 § 6; Ord. 028/2006 § 3; Ord. 016/2006 § 4; Ord. 013/2005; Ord. 006/2004 § 2; Ord. 1269, 2002; Ord. 1177, 1999)

18.10.055 District requirements.

In addition to all other requirements of this chapter, no property shall be rezoned if the rezone would create any total contiguous area containing less than one acre with the same zoning

classification; provided, that the foregoing shall not apply to the public open space zoning district. (Ord. 026/2011 § 2 (Exh. 1))

18.10.060 Zoning lot area, lot coverage and setback requirements matrix.

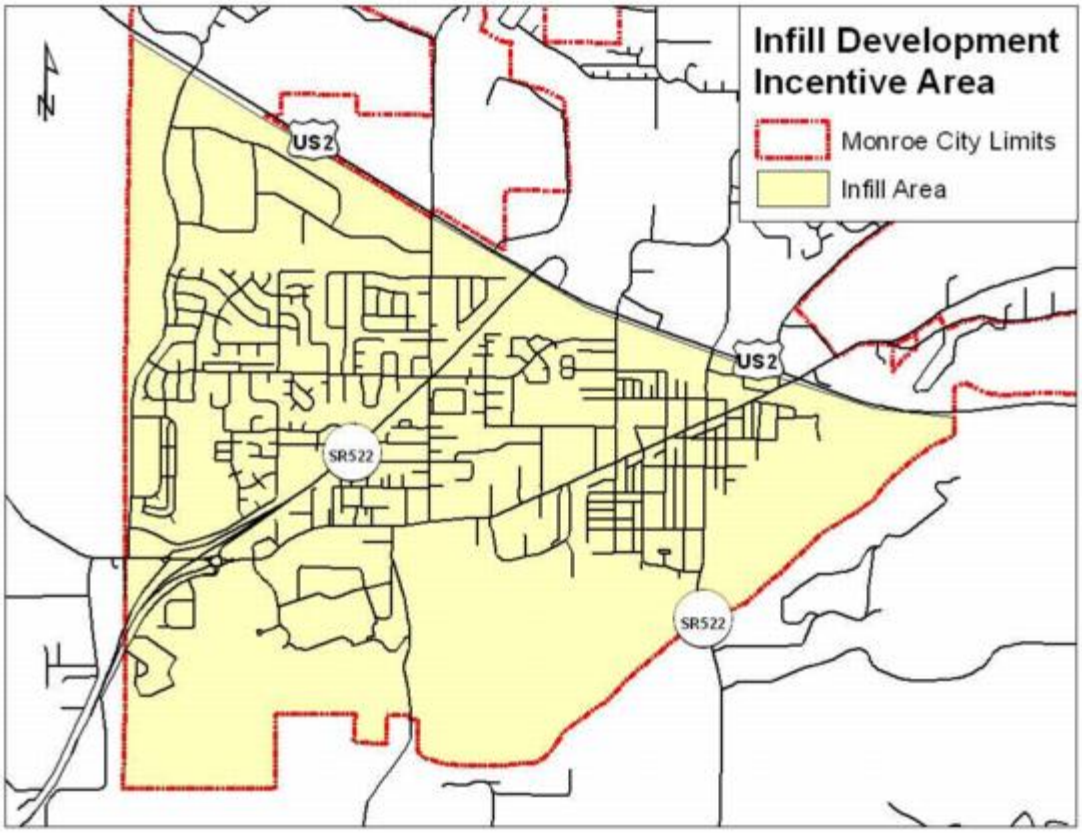
The setback matrix establishes minimum and maximum zoning lot coverage, height, and setback requirements for lots within the city. These requirements may be amended under Chapter 18.84 MMC, Planned Residential Development (PRD). (Ord. 1177, 1999)

18.10.065 Infill development incentives.

A. The city will grant a thirty percent density bonus, allow a minimum lot size reduction, and permit modifications to the bulk requirements for infill development projects, within zoning districts that allow single-family and multifamily uses, south of US 2 and less than three acres in size, as shown in the figure below.

1. To be eligible for infill development incentives, projects must meet the Infill, Multifamily, and Mixed Use Design Standards, unless otherwise restricted or subject to other design standards subject to the requirements of MMC 18.10.132.

2. Table A to MMC 18.10.140, Bulk requirements, defines the specific infill incentives, by zoning district, under the PRD columns.



(Ord. 026/2011 § 2 (Exh. 1))

18.10.070 Public open space lot area requirements.

The lot area in the PS zone shall not be less than in the most restrictive abutting zone. The abutting zone shall be the one the public use is most nearly oriented towards. (Ord. 1177, 1999)

18.10.080 Limited open space lot area requirements.

Minimum lot area in the LOS zone shall be five acres. (Ord. 1177, 1999)

~~**18.10.090 SINGLE-FAMILY LOT AREA REQUIREMENTS.**~~

~~MINIMUM LOT AREAS WITHIN THE CITY RESIDENTIAL ZONING DISTRICTS ARE REFLECTED IN THE ZONING DISTRICT TITLE DESCRIPTION. MINIMUM LOT SIZE WITHIN THE SUBURBAN RESIDENTIAL (SR 15,000) ZONING DISTRICT IS FIFTEEN THOUSAND SQUARE FEET, WITHIN THE URBAN RESIDENTIAL (UR 9,600) ZONING DISTRICT IS NINE THOUSAND SIX HUNDRED SQUARE FEET, WITHIN THE RESIDENTIAL 4 UNITS (R-4) ZONING DISTRICT IS SEVEN THOUSAND FIVE HUNDRED SQUARE FEET, AND WITHIN~~

~~THE URBAN RESIDENTIAL (UR 6,000) ZONING DISTRICT IS SIX THOUSAND SQUARE FEET. (ORD. 1177, 1999)~~

~~18.10.100 DUPLEX LOT AREA REQUIREMENTS.~~

~~DUPLEXES ARE PERMITTED IN THE SR 15,000, UR 9,600, R-4, AND UR 6,000 SINGLE-FAMILY ZONING DISTRICTS ON LOTS THAT ARE AT LEAST ONE AND ONE-HALF TIMES THE MINIMUM SINGLE-FAMILY LOT AREA. DUPLEXES ARE PERMITTED IN THE MR 6,000 AND PO ZONING DISTRICTS ON LOTS THAT ARE A MINIMUM OF EIGHT THOUSAND SQUARE FEET. (ORD. 033/2008 § 6; ORD. 1177, 1999)~~

~~18.10.110 MULTIFAMILY LOT AREA REQUIREMENTS.~~

~~MINIMUM LOT AREA REQUIREMENTS WITHIN THE MULTIFAMILY (MR 6,000) ZONING DISTRICT ARE FOUR THOUSAND SQUARE FEET PER MULTIFAMILY UNIT OR SINGLE-FAMILY DWELLING UNIT. DUPLEXES LOCATED WITHIN THE MR 6,000 ZONING DISTRICT ARE PERMITTED. MINIMUM LOT AREA FOR DUPLEXES LOCATED WITHIN THE MR 6,000 ZONING DISTRICT SHALL BE EIGHT THOUSAND SQUARE FEET PER DUPLEX. (ORD. 033/2008 § 6; ORD. 006/2004 § 3; ORD. 1177, 1999)~~

~~18.10.115 PROFESSIONAL OFFICE LOT AREA REQUIREMENTS.~~

~~MINIMUM LOT AREA REQUIREMENTS WITHIN THE PROFESSIONAL OFFICE (PO) ZONING DISTRICT ARE SIX THOUSAND SQUARE FEET PER SINGLE-FAMILY DWELLING UNIT, EIGHT THOUSAND SQUARE FEET PER DUPLEX, AND FOUR THOUSAND SQUARE FEET PER MULTIFAMILY UNIT. (ORD. 033/2008 § 6)~~

18.10.120 Downtown, service and general commercial lot area requirements.

There shall be no minimum lot size in commercial zones with the exception of the downtown commercial zone; lot area requirement for individual downtown commercial neighborhoods are defined in Chapter 18.12 MMC. The district boundaries of a commercial zone shall not be less than one acre in size. (Ord. 006/2009 § 4; Ord. 1177, 1999)

18.10.130 Light and general industrial lot area requirements.

There shall be a minimum lot area in the industrial zones of six thousand square feet. (Ord. 1177, 1999)

18.10.132 Design standards.

A. Design guideline review will be administrative by the director or designee as part of the overall permit review.

1. Approval shall be based on the extent to which the proposed project meets applicable design standards;

2. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site; and

3. Administrative decisions may be appealed to the hearing examiner subject to MMC 21.60.010.

B. The city reserves the right to hire an independent qualified professional, at the applicant's expense, per MMC 3.34.040, to review and comment on the subsequent report and/or plans for consistency with the current district design standards. (Ord. 026/2011 § 2 (Exh. 1))

18.10.135 North Kelsey design guidelines.

A. The North Kelsey Planning Area consists of approximately one hundred acres of land and has three primary property owners: the city of Monroe, Snohomish County and Lakeside Industries. The North Kelsey Planning Area is located north of SR 2, south of the proposed SR 2 bypass, east of the SR 522 overpass and west of Chain Lake Road. The North Kelsey Planning Area is graphically depicted on the map attached to the ordinance codified in this section and incorporated herein as if set forth in full.

B. The North Kelsey Design Guidelines prepared by Makers Architecture and Urban Design and attached to the ordinance codified in this section are hereby adopted and incorporated into this section by this section by this reference as if set forth in full. All development within the North Kelsey Planning Area shall comply with the design guidelines.

C. All development within the North Kelsey Planning Area shall comply with the North Kelsey Design Guidelines, subject to the requirements of MMC 18.10.130. (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2004)

18.10.140 Bulk requirements.

A. The bulk requirement tables establish the maximum lot coverage, height, and setback requirements for lots within the city by zoning district. The bulk regulation tables identify the

standards for broad use categories including residential, mixed use, commercial/industrial, and open space and public use. Within each table, specific categories cluster individual zones together by function. For example, the residential use bulk requirements table divides the main category into subcategories of single-family and multifamily development; these are further refined to include subgroups such as mid-density multifamily/small lot single-family, urban residential, suburban residential, and rural residential. A final categorical refinement represents standard requirements and planned residential requirements for zoning districts and functional classifications.

B. All setbacks are measured from the outside lot line unless otherwise noted.

Table A

– Residential Zoning District Bulk Development Requirements

	Residential[1,2]											
	Single-Family											
	Multifamily		Urban Residential						Suburban Residential		Rural Residential	
	Mid-density Multifamily Small Lot Single-Family											
	MR 6,000/PO[3]		UR 6,000		R-4		UR 9,600		SR 15,000		LOS[7]	LOSA[7]
	Standard	PRD	Standard	PRD	Standard	PRD	Standard	PRD	Standard	PRD	Standard	Standard
Units per Acre ~~**MINIMUM LOT SIZE, IN SQ. FT.**[4,5,6]~~	**7.26** **[**~~4,000]~~	~~[2,500]~~	**5.80**~~[6,000]~~	~~[3,700]~~	**4.00**~~[7,500]~~	~~[4,500]~~	**3.63**~~[9,600]~~	~~[6,000]~~	**2.32**~~[15,000]~~	~~[10,000]~~	1 unit per 5 acres	1 unit per 2 acres

Minimum Lot Width[8,9,10]	~~[45]~~**30**	~~[40]~~**30**	~~[60]~~**30**	~~[40]~~**30**	~~[65]~~**30**	~~[40]~~**30**	~~[70]~~**30**	~~[45]~~**30**	~~[70]~~**30**	~~[45]~~**30**	70	70
Maximum Lot Coverage	**80**~~[75]~~%	**80**~~[75]~~%	**60**~~[50]~~%	60%	**60**~~[50]~~%	60%	**60**~~[50]~~%	60%	**50**~~[40]~~%	**60**~~[50]~~%	30%	100%
Maximum Building Height	35	35	35	35	35	35	35	35	35	35	35	35
Front Yard Setback[11]	10	10	10/20	10/20	10/20	10/20	10/20	10/20	20	15	50' from arterials, 25' other streets	20
Side Yard Setback[12]	5 ~~[W/ TOTAL 10]~~	5~~[W/ TOTAL 10]~~	5 ~~[W/ TOTAL 15]~~	5 ~~[W/ TOTAL 10]~~	5 ~~[W/ TOTAL 15]~~	5 ~~[W/ TOTAL 10]~~	5 ~~[W/ TOTAL 15]~~	5 ~~[W/ TOTAL 10]]~~	10	5 ~~[W/ TOTAL 15]~~	25	20
Rear Yard Setback[13]	20	20	**10**~~[15]~~	10	**10**~~[15]~~	10	**10**~~[15]~~	10	**15**~~[20]~~	**10**~~[15]~~	25	20
Landscape Buffer[14,15]	5	10		10		10		10		10		5

Notes:

1. MMC 18.12.200 defines residential lot requirements for the DC zone and MMC 18.10.140(B) defines residential lot requirements for mixed use zones.

2. The city will provide development incentives, by zoning district, as defined under the PRD columns for single-family and multifamily infill projects, south of US 2 and less than three acres in size, when the proponent designs projects that meet the Infill, Multifamily, and Mixed Use Design Standards, unless otherwise restricted. The density bonus and development modifications will not require an additional open space dedication as required in MMC 18.84.080 for planned residential developments.

3. The mid-density multifamily category includes the MR 6,000 and PO zones; however, the PRD standards only apply to MR 6,000 zone per Chapter 18.84 MMC unless otherwise restricted in this title.

4. Lot size is per dwelling unit unless otherwise specified.

5. Lot sizes for residential zoning districts may be reduced up to thirty percent to accommodate limited density transfers attributable to critical areas as authorized by MMC 20.05.070(I).

6. Duplexes are allowed at one and one-half times the underlying minimum lot size.

7. Refer to the open space and public use matrix for nonresidential standards (Table D).

8. To maintain proportionate lots, the minimum lot width-to-depth ratio for single-family lots will be approximately 1:2; that is, the lot depth should be approximately two times greater than the lot width. When townhomes or other attached housing units are built on separate lots, the lot width-to-depth ratio will be approximately 1:4 and the lot width can be reduced to twenty-five feet. There will be no minimum lot width or width-to-depth ratio for low-rise multifamily apartments/condominiums to maintain flexibility for lot configuration.

9. All lots shall have access to a public street and meet the minimum lot width requirement along the frontage. Lots fronting a cul-de-sac shall meet the minimum lot width at the building setback line.

10. Lots with access to a public street via private access easement or panhandle shall have a minimum frontage of not less than twenty feet in width at the public street and shall meet the minimum lot width at the setback line measured from the end of the panhandle or easement where it joins the wide portion of the lot. An access easement or panhandle shall be a minimum of twenty feet wide along its entire length; the remainder of the lot shall provide adequate area to comply with the bulk development requirements.

11. The standard front setback for zones that allow single-family uses is ten feet to the living area and twenty feet to the garage, unless otherwise specified. Front setbacks in zones that allow single-family uses along arterials will be twenty feet for both living area and garage.

12. When townhomes or other attached housing units are built on separate lots, a zero setback between units is permitted in allowed zones. The outside setback for attached housing units abutting a ROW, separate detached unit(s), or different zone will be ten feet.

13. The rear setback can be reduced to ten feet if parking is underground or in a structure underneath the unit for multifamily developments or parking is accessed off an alley/private drive to the rear and provides a maximum backup area of twenty feet including the alley or private lane.

14. The landscape buffer is along the perimeter of the lot.

15. The PRD landscape buffer is required along the outside of the development where it abuts a standard subdivision or different zoning district. This landscaped buffer may coincide with required open space.

Table B
– Mixed Use Zoning District Bulk Development Requirements

	Mixed Use	
	MUNC	**MUC**
Minimum Lot Size, in sq. ft.	NA	NA

Minimum Lot Width[1]	NA	NA
Maximum Lot Coverage	75%	NA[2]
Maximum Building Height[3]	35 – 45	35 – 55
Minimum First Story Height (mixed use buildings)	15	15
Front Yard Setback[4,5]	5/20	5/20
Side Yard Setback[6,7,8]	5 – 10	10
Rear Yard Setback[9]	10 – 20	10 – 20
Landscape Buffer[10]	5	5

Notes:

1. When townhomes or other attached housing units are built on separate lots, the lot width-to-depth ratio will be approximately 1:4.

2. Except as required by the landscape and parking district requirements.

3. The maximum height along street frontages is limited to thirty-five feet (three stories); in the MUNC zone height can be increased to forty-five feet when the fourth floor is stepped back and in the MUC zone height can be increased to fifty-five feet when the fourth and fifth floors are stepped back.

4. The minimum required setback is five feet; the maximum allowed setback is twenty feet.

5. Porches, covered entries, or pedestrian-oriented spaces may project up to five feet into front yard setbacks.

6. When townhomes or other attached housing units are built on separate lots, a zero setback between units is permitted in allowed zones. The outside setback for attached housing units abutting a ROW, separate detached unit(s), or different zone will be ten feet.

7. Side yard setbacks for single-family residences will be five feet minimum; all other mixed use, commercial and multifamily structures will be ten feet minimum.

8. Side yard setbacks for fourth and fifth floors require an additional five feet per floor. That is, the fourth floor must be set back at least five feet from the building's edge and the fifth floor must be set back at least ten feet from the building's edge.

9. The rear setback can be reduced to ten feet if parking is underground or underneath the unit for multifamily developments or parking is accessed off an alley/private drive to the rear and provides a minimum backup area of twenty feet including the alley or private lane.

10. Landscape buffers will be five feet along property lines; however, the city may waive the five-foot perimeter landscape buffer for internal property lines when the adjacent properties share parking, access, or other common features that will make intensive landscaping impractical.

Table C

– Commercial/Industrial Zoning District Bulk Development Requirements

	Commercial/Industrial					
	Commercial/Office				**Industrial**	
	GC	**SC**	**DC**	**PO**	**GI**	**LI**
Minimum Lot Size, in sq. ft.	NA	NA	per MMC 18.12.200	4,000	NA	NA
Minimum Lot Width	NA	NA	NA	per Table A	NA	NA
Maximum Lot Coverage[1]	100%	85%	per MMC 18.12.200	75%	85%	85%

Maximum Building Height	35 – 45	35	per MMC 18.12.200	35	35 – 45	35
Front Yard Setback	20	20	per MMC 18.12.200	10	20	20
Side Yard Setback[2,3]	IBC/IFC	IBC/IFC	per MMC 18.12.200	5 w/ total 10	IBC/IFC	IBC/IFC
Rear Yard Setback[2]	IBC/IFC	IBC/IFC	per MMC 18.12.200	10	IBC/IFC	IBC/IFC
Landscape Buffer	5 ft. perimeter / 20 ft. residential	5 ft. perimeter / 20 ft. residential	5 ft.	5 ft.	5 ft. perimeter / 20 ft. residential	5 ft. perimeter / 20 ft. residential

Notes:

1. Except as required by the landscape and parking district requirements.

2. Landscape buffers will be five feet along property lines; however, the city may waive the five-foot perimeter landscape buffer for internal property lines when the adjacent properties share parking, access, or other common features that will make intensive landscaping impractical.

3. Commercial and industrial zoned properties shall maintain a twenty-foot landscaped setback buffer from any properties that allow residential uses, including properties across rights-of-way.

Table D

– Open Space and Public Use Zoning District Bulk Development Requirements

	Open Space and Public Use	
	Open Space	**Public**

	LOS	LOSA	PS[1]
Minimum Lot Size, insq. ft.	5 acres	Commercial and airport uses – None	NA
Minimum Lot Width	70	70	NA
Maximum Lot Coverage	30%	100% with Type I landscaping along exterior perimeter of LOS-Airport zone	75%
Maximum BuildingHeight	35	35	45
Front Yard Setback	50' from arterials 25' other streets	Interior LOSA – per IBC and IFC Adjacent to non-LOSA zones: 20'	20
Side Yard Setback[2,3]	25	Interior LOSA – per IBC and IFC Adjacent to non-LOSA zones: 20'	10/20
Rear Yard Setback	25	Interior LOSA – per IBC and IFC Adjacent to non-LOSA zones: 20'	10/20
Landscape Buffer	5	5	5[3]

Notes:

1. Small structures, one thousand square feet or less in size and twenty-five feet in height or less, shall provide a ten-foot front setback and five-foot rear and side yard setback inclusive of a five-foot landscape buffer.

2. Side and rear setbacks to interior lot lines are ten feet, except in the case of common ownership of multiple adjacent lots. Where a parcel directly abuts a residential zone, the side and rear setbacks to exterior property lines are twenty feet.

3. The city may waive the five-foot perimeter landscape buffer for internal property lines when the adjacent properties share parking, access, or other common features that will make intensive landscaping impractical.

(Ord. 007/2012 § 2 (Exh. 1); Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 4; Ord. 033/2008 § 6; Ord. 024/2008 § 1; Ord. 028/2006 § 4; Ord. 036/2004 § 1; Ord. 006/2004 § 4; Ord. 1234, 2001; Ord. 1177, 1999)

18.10.150 Minimum public open space zone setbacks.

Setbacks shall be no less than the most restrictive setbacks permitted in an abutting zone. Such abutting zone shall be determined by the orientation of the public use. (Ord. 1177, 1999)

18.10.160 Minimum limited open space zone setbacks.

All structures shall observe the following setbacks:

A. From an arterial highway, fifty feet;

B. From all other public streets, twenty-five feet;

C. From a side or rear yard, twenty-five feet;

D. From a wetland or slope, see Chapter 20.05 MMC, Critical Areas. (Ord. 006/2004 § 5; Ord. 1177, 1999)

18.10.170 Minimum single-family zone setbacks.

There shall be a front yard setback of not less than ten feet for the living side of a residential building and twenty feet for a garage, except that residences fronting on a collector or arterial roadway shall have a twenty-foot setback. Side and rear yard setbacks shall be five feet, except that side yard and rear yard setbacks shall be increased by two feet for every story exceeding the first story. (Ord. 036/2004 § 2; Ord. 1177, 1999)

18.10.180 Minimum multifamily zone setbacks.

There shall be twenty-foot front yard setbacks. Rear yard and side yard setbacks in the multifamily zone shall not be less than five feet. Side yard setbacks shall be increased by two feet for every story exceeding the first story. For single-family residential uses in the multifamily zone, the rear yard and side yard setbacks shall be five feet, except that side yard setback shall be increased by two feet for every story exceeding the first story. (Ord. 036/2004 § 3; Ord. 1177, 1999)

18.10.185 Minimum professional office zone setbacks.

There shall be twenty-foot front yard setbacks. For office uses, the side and rear yard setbacks in the professional office zone shall not be less than ten feet. For multifamily residential uses in the professional office zone, the rear yard and side yard setbacks shall be five feet, except that side yard setback shall be increased by two feet for every full story exceeding the first story. For single-family residential uses in the professional office zone, the rear yard and side yard setbacks shall be five feet, except that side yard setback shall be increased by two feet for every story exceeding the first story. (Ord. 036/2004 § 4)

18.10.190 Minimum garage setbacks.

A. Garages shall have the same front, side and rear yard setbacks as principal structures as noted in the bulk requirement tables (MMC 18.10.140), except that setbacks from public alleys shall be such that a motor vehicle parked on a garage apron (see MMC 18.86.115) either parallel to or perpendicular to the alley will not protrude into the alley right-of-way. Apron (parking space) dimensions are described in Table I of MMC 18.86.115.

B. Side and rear garage setbacks can be reduced to five feet in zones when a one-story detached garage is built toward the rear of the lot and when access is from a public street at the front of the lot. (Ord. 026/2011 § 2 (Exh. 1); Ord. 1177, 1999)

18.10.200 Minimum commercial and industrial setbacks.

Commercial and industrial zoned right-of-way setbacks shall be twenty-five feet from arterial roadways, and twenty feet for all other roadways. Side yard and rear yard setbacks shall be determined by the city building code. (Ord. 1177, 1999)

18.10.210 Minimum zoning district setbacks.

Commercial and industrial zoned property shall maintain a twenty-five-foot landscaped setback buffer from any residentially zoned property lines, including residentially zoned properties across rights-of-way. (Ord. 033/2008 § 6; Ord. 1177, 1999)

18.10.220 Lot coverage.

The total impervious area to be covered by buildings, driveways, parking areas, sidewalks, pools, and similar impervious surface areas shall not exceed the percentage of a building lot area defined in the bulk requirement tables (MMC 18.10.140). When a proposal incorporates porous paving into the project design, complies with the standards of the **stormwater manual**

as adopted by MMC 15.01.025[~~DEPARTMENT OF ECOLOGY STORMWATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON (CURRENT EDITION)~~], and is allowed by the director and city engineer, the city will provide a fifty percent credit toward determining total lot coverage for the portion of the project using this material. (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 4; Ord. 033/2008 § 6; Ord. 1177, 1999)

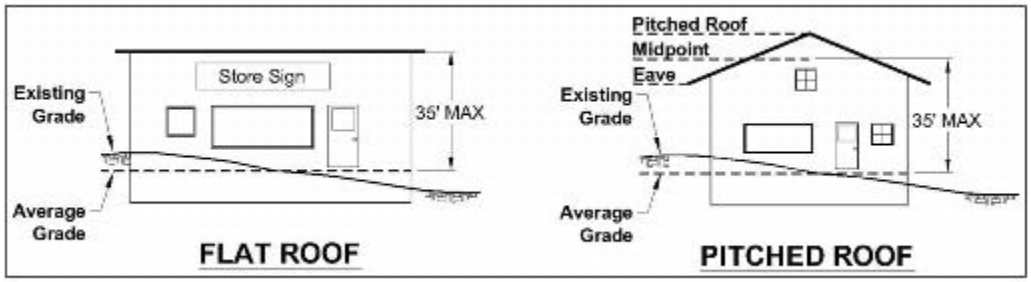
18.10.230 Maximum building height.

A. The maximum height of structures within the city of Monroe is defined in the bulk requirement tables (MMC 18.10.140). Heights greater than the maximum height in a zoning district shall require a variance (VAR).

B. Building height shall be measured vertically from the finished average grade level to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof (not illustrated), and to the midpoint between the eaves and ridge of pitched roofs (e.g., gable, hip, gambrel roof, etc.), illustrated below in Figure 18.10.230B.

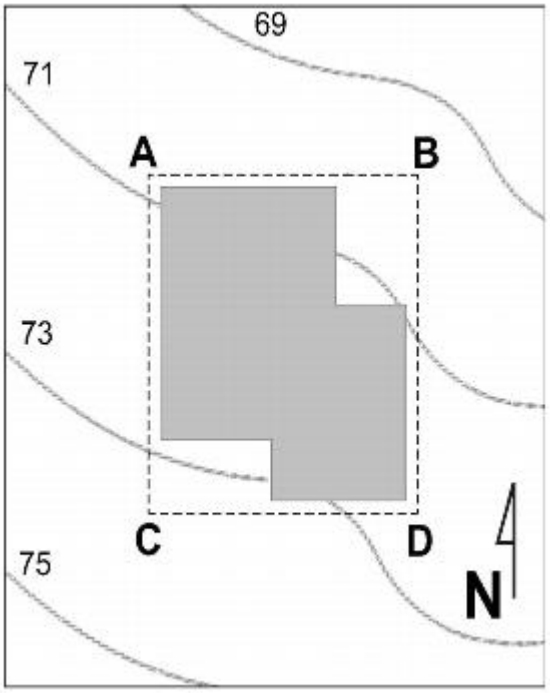
Figure 18.10.230B

Building Height Measurement



C. The average grade level shall be measured by delineating the smallest rectangle which can enclose the proposed building, and then averaging the four corner elevations of the rectangle, as illustrated in Figure 18.10.230C. The standard formula for calculating average grade level is (A+B+C+D)/4 = average grade level. In the event the corner point of the rectangle drawn is not located on the subject property, the measurement point shall be determined by establishing the corner point from the property line where it intersects the rectangle.

Figure 18.10.230C



Average Grade Level Calculation Diagram

D. Submittal Requirements.

1. All applicants shall submit a site plan to scale that includes contour lines, elevation points, and benchmark location or source to determine the average grade level and building footprint;

2. All applicants are required to submit a building height calculation worksheet, with the building permit application, to determine the average ground level and the actual building height; and

3. A professional land surveyor must complete a certificate of average ground level with the building permit application, when the structure is within three feet of the maximum allowed height. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2008 § 6; Ord. 1234, 2001)

18.10.240 Parking.

Parking shall be provided as required in Chapter 18.86 MMC. (Ord. 1177, 1999)

18.10.250 Signs.

All signage shall be in accordance with Chapter 18.80 MMC. (Ord. 1177, 1999)

18.10.260 Street surface.

A. **Low impact development best management practices shall be used for** a[~~A~~]ll access drive[~~s~~], access easement[~~s~~], parking space[~~s~~], and garage apron[~~s~~] **design and construction, unless site and soil conditions make low impact development infeasible as determined by the Stormwater Management Administrator** and shall meet the requirements for access and circulation as per MMC Title 17 and the public works standards. **Low impact development best management practices shall be designed and constructed in accordance with the *Low Impact Development Technical Guidance Manual for Puget Sound* (current edition) and approved by the Storm Water Management Administrator.** .

[~~B. Porous paving, such as pervious asphalt or concrete, and other low impact materials or techniques including tire treads may be considered for use when the proposed application complies with standards of the Department of Ecology Stormwater Management Manual for Western Washington (current edition) and is approved by the director and city engineer.~~]

18.10.270 Performance standards.

Performance standards and regulations are used to control dangerous or objectionable environmental effects in the city. Any use of a building or property within the city shall comply with these standards. Prior to issuance of any permit, license or certificate of occupancy, an applicant shall furnish the city with information regarding the environmental effects of any proposed activity as regulated by this section. The applicant may submit a report by expert consultants to supplement the required information. This information may be submitted with any environmental assessment required by this code. A certificate of occupancy, license or permit shall not be issued until such time that the zoning code administrator has determined the use as proposed will not violate any of the applicable performance standards.

A. Odor. No emissions of noxious gases or particles shall be permitted in any district so as to exceed the odor threshold as measured beyond the lot lines. The odor threshold is defined as the concentration in the air of gases or vapors which will just evoke a response in the average human olfactory system.

B. Liquid and Solid Wastes. The discharge of any materials into any natural water or drainage system shall be regulated by the State of Washington Department of Ecology and city sewer code.

C. Fire and Explosion Hazards. All activities involving flammable and explosive materials shall provide adequate safety devices against the hazard of fire and explosion and shall provide adequate fire fighting and fire suppression equipment as determined by the city.

D. Electromagnetic Radiation. No use of a process established in the city shall involve any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, hearing, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical measurement, personal pleasure or any other use directly or indirectly associated with these purposes which does not comply with the current regulations of the Federal Communications Commission (FCC) regarding such sources of electromagnetic radiation, which commission enforces these regulations within the city.

E. Noise. The following table sets forth the maximum acceptable sound pressure level or noise:

Frequency Band in Cycles/Second	**Sound Pressure Level DE RE 0.0002 Microbar**
Below 75	72
75 – 150	59
150 – 300	52
300 – 600	46
600 – 1200	42
1,200 – 2,400	39
2,400 – 4,800	34
Above 4,800	32

It is expected that sound pressure level of noise radiated from any enterprise located in a zone will never exceed the above described values in any residential district between the hours of eight p.m. and seven a.m. and not more than ten percent of the time between seven a.m. and eight p.m., except construction between six a.m. and ten p.m.

F. Smoke. It is expected that smoke will not be emitted from any source in a light industrial zone in greater density or shade of gray than that described as No. 1 on the Ringlemann chart, except that visible gray smoke, of a shade not darker than that described as No. 2 on the Ringlemann chart, may be emitted for not more than four minutes in any thirty minutes. These provisions applicable to visible gray smoke also apply to visible smoke of a different color with an equivalent apparent opacity.

G. Dust, Dirt. It is expected that dust, dirt, fly ash or other airborne solids will not be emitted from any source in any zone in greater density than that described as No. 1 on the Ringlemann chart.

H. Vibration. It is expected that vibrations from any machine, operation or process will not exceed three thousandths of one inch displacement applied to the frequency range of zero to five thousand cycles per second, as measured at any point off the lot on which the machine, operation, or process is located.

I. Glare and Heat. It is expected that customary operation or process which causes offensive glare or heat will be conducted in a completely enclosed building, and that any such operation or process of any unusual or sporadic nature will be so conducted as to be invisible beyond the lot on which it is located.

J. Toxic Gases. It is expected that toxic gases or matter will not be emitted in quantities damaging to health, animals, vegetation, or which can cause any excessive soiling beyond the lot on which they are generated. (Ord. 1177, 1999)

18.10.280 Compliance required before permit issuance.

Prior to the issuance of a permit for construction, the applicant shall show that the requirements of Chapter 18.90 MMC have been met, as well as the provisions of all other applicable city codes:

A. Comply with the International Fire Code to the satisfaction of the city;

B. Comply with the state and federal regulations on noise and noise abatement;

C. Comply with the state and federal regulations on emission and emission control, and sewage and industrial waste discharge;

D. Comply with state and federal regulations on logging practices and mineral extractions;

E. Comply with the International Building Code to the satisfaction of the city;

F. Comply with all requirements for connection to sewer and water as set forth in the applicable Monroe codes;

G. Comply with the drainage ordinance to the satisfaction of the city;

H. Comply with the state and city subdivision codes;

I. Comply with all other applicable Monroe codes (see the zoning matrix table in MMC 18.10.050). (Ord. 1177, 1999)

Section 5. Monroe Municipal Code section 18.12.170 “Downtown neighborhood land use matrix” is hereby amended as follows,

18.12.170 Downtown neighborhood land use matrix.

This matrix shall be considered supplemental to the zoning land use matrix, MCC 18.10.050. Uses identified in the matrix below, but not in MCC 18.10.050, shall be considered prohibited in the zoning districts identified in MCC 18.10.050.

Downtown Neighborhood Zoning Matrix	**Downtown Commercial Zone**			
Conforming Use	**Downtown Neighborhood**	**Rails and Roads Neighborhood**	**Historic Main Area**	**Borlin Park Neighborhood**
Accessory dwelling units	P[1]		P[1]	P[1]
Adult entertainment (business use) P2				
Amusement facility		P	C	C
Antique shop		P	P	P
Art gallery		P	P	P

Auto repair, minor		P		
Auto repair, major		P		
Bakery		P	P	P
Bank with drive-up facility		P	P	
Bed and breakfast	C[1]		C[1]	C[1]
Brewery, micro		P	P	C
Church	C	P	P	P
Cleaning establishment		P	P	C
Clinic, health services	C	C	C	C
Club		P	P	C
Club, fitness	P	P	P	A
Coffee shop	A	P	P	P
Community open-air market		P	P	P
Convenience stores		P	P	
Day care center	C[2]	C[2]	C[2]	C[2]
Drive-up/through		P	P[3]	P[3]
Drug store		P	P	P
Dwelling, duplex	P			
Dwelling, mobile home	P		C	
Dwelling, multifamily			P[4]	P
Dwelling, single-family	P		C	
Dwelling, townhouse				P
Electrical transmission lines of higher voltage than 115 kV, in existing corridors	P	P	P	P

Electrical transmission lines of higher voltage than 115 kV, in new corridors	C	C	C	C
Family day care	A	A	A	A
Garden produce		P	P	P
Gas station		P	C	
Government facilities	C	C	C	C
Greenhouse, retail		P	C	
Grocery store		P	P[5]	P[5]
Group homes, Type 1	P		C	P
Group homes, Type 2	C[3]		C[3]	C[3]
Halfway house	EPF		EPF	EPF
Hardware store 1		P	P	
Hardware store 2		P		
Home occupations	P		P	P
Hotel		P	C	C
Library		P		P
Mixed-use (commercial and residential)	P		P	P
Mobile vendors		P[6]	P[6]	P[6]
Motel		P		
Motor vehicle sales facility – Motorsports Only		**P**		
Nursing and/or convalescent home			P[8]	P[8]
Office, professional	P	P	P	P

Parking lots (accessory use)	P	P	P	P
Parking lots (stand-alone)	C	C	C	C
Pawn shop		P	P	
Preschool	C	C	C	C
Print shop		P	P	C
Regional transit station, including bus, train, and other high-capacity vehicle bases	EPF	EPF	EPF	EPF
Restaurant		P	P	P
Retail stores		P	P[7]	P[7]
Retirement housing/assisted living facility		P[8]	P[8]	P[8]
Service establishment	C	P	P	P
State and regional transportation facilities including highways of statewide significance	EPF	EPF	EPF	EPF
Tavern/pub		P	P	A
Tool sales and rental		P		
Utility services	P	P	P	P
Veterinary clinic/animal hospital	C	P	C	

P = Permitted use; A = Accessory use; C = Requires a conditional use permit; and EPF = Essential public facility (see Chapter 18.15 MMC)

P[1] Accessory dwelling units must meet criteria outlined in Chapter 18.40 MMC.
P[2] Adult entertainment facilities are subject to Chapter 5.48 MMC and are not allowed in the downtown commercial zone.
P[3] Drive-up/through windows or areas are prohibited in any establishment serving food and/or beverages.

P[4] Multifamily dwellings are only allowed in conjunction with mixed-use structures.
P[5] Grocery stores may not exceed 20,000 square feet in gross floor area.
P[6] Mobile vendors must meet the criteria outlined in MMC 18.12.190(A).
P[7] In the Historic Main and Borlin Park neighborhoods, retail stores are limited to low-intensity uses no more than two thousand five hundred gross square feet, which are typically part of a larger development. Low-intensity uses may include, but are not limited to, boutiques, galleries, jewelry stores, clothing shops, and similar retail uses.
P[8] Based upon bedrooms as opposed to dwelling units in any combination of one-, two-, and/or three-bedroom units, not to exceed the maximum density allowed in the underlying zoning district. The standard formula would be to use the maximum allowed density per acre (43,560 square feet divided by minimum zone lot size) multiplied by three (standard bedroom equivalent unit) to achieve bedroom density. For example, in the MR 6,000 zone a one-acre site could achieve thirty-three bedrooms per acre (43,560 / 4,000 = 10.89 or 11 dwelling units per acre x 3 = 33).
C[1] Caretaker must be on site.
C[2] Limitation on number of children permitted per establishment.
C[3] Group homes that qualify as essential public facilities shall follow the regulations in Chapter 18.15 MMC, Essential Public Facilities.

Section 6. Monroe Municipal Code Chapter 18.82 “Site Plan Review” is hereby amended as follows:

Chapter 18.82
SITE PLAN REVIEW

Sections:

18.82.010 Purpose.
18.82.020 Plan review required.
18.82.030 Contents of application.
18.82.040 *Repealed*.
18.82.050 Standards to be used for review.
18.82.060 *Repealed*.
18.82.070 *Repealed*.

18.82.010 Purpose.

The purpose of this title is to ensure that all uses of land and developments are consistent with the adopted plans, policies and ordinances of the city **and that site planning and stormwater management are integrated at the initial design phases of a project to maintain a more hydrologically functional landscape**. As such, the following chapter is designed, primarily, to assure the regulation of the layout of buildings and open space, including parking areas, [~~AND~~]

the provisions for access to and from the public street system**, and stormwater management**. (Ord. 922, 1989)

18.82.020 Plan review required.

Site plan review and approval shall be required prior to the use and/or issuance of a building permit for any commercial, industrial, public building or activity, or residential building. Such review and approval shall be according to the provisions of this chapter. (Ord. 033/2008 § 6; Ord. 922, 1989)

18.82.030 Contents of application.

All applications submitted in compliance with this title shall include the information set forth in Chapter 21.30 MMC and the following section. No application shall be deemed complete, nor accepted by the city, until all information set forth below has been submitted.

Applications shall show such information as the proposed location of the buildings, parking areas, and other installations on the plot, and their relation to existing conditions, such as roads, neighboring land uses, natural features, public facilities, ingress and egress roads, interior roads, and similar features. Specifically, the following information shall be included, in a clear and intelligible form, in all applications for site plan review:

A. The title and location of the proposed development, together with the names, addresses and telephone numbers of the record owner or owners of the land and wives, and of the applicant, and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;

B. The proposed use or uses of the land and buildings;

C. A site plan drawing or drawings at a scale of not less than one inch for each fifty feet which shall include or show:

1. The location of all existing and proposed structures, including, but not limited to, buildings, fences, culverts, bridges, roads and streets on the subject property,

2. The boundaries of the property proposed to be developed,

3. All proposed and existing buildings and setback lines,

4. All areas, if any, to be preserved as buffers or to be dedicated to a public, private, or community use or for open space under the provisions of this or any other city ordinance, information regarding percentage of area covered, locations, and general types of landscaping,

5. All existing and proposed easements,

6. The locations and size of all existing and proposed utility structures and lines,

7. The storm water drainage systems for existing and proposed structures, including the location and extent of curbs and gutters,

8. All means of vehicular and pedestrian ingress and egress to and from the site and the size and location of driveways, streets and roads,

9. The location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces,

10. Traffic volumes and flows estimated to be generated by the proposed development on adjacent roads,

11. Location and extent of street dedication, widening or other road improvements,

12. Location and extent of acceleration and deceleration lanes, if needed,

13. Location of traffic-control devices on and off the site,

14. The location of all loading spaces, including, but not limited to, loading platforms and loading docks where trucks will load or unload,

15. Location and area, in square feet, of all signs;

D. Topographic map or maps which delineate contours, both existing and proposed at intervals of two feet and which locate existing lakes, streams and forested areas;

E. The existing zoning district of the proposed development site and any other zoning district within three hundred feet of the site;

F. The proposed number of square feet in paved or covered surfaces, whether covered by buildings, driveways, parking lots or any other structure covering land and the total amount of square feet in the entire proposed development site;

G. The proposed number of dwelling units and number of bedrooms in the development;

H. The proposed number of square feet in gross floor area for each commercial and industrial use;

I. A description of each commercial and industrial use;

J. The written approvals of the Snohomish Health District, if required;

K. A stormwater site assessment in substantial conformance to the *Low Impact Development Technical Guidance Manual for Puget Sound*;

[~~K~~]**L**. The zoning code administrator shall specify the submittal requirements, including type, detail, and number of copies for a site plan application, and determine if the application is complete. The city may require additional information not specified in the submittal requirements when such information is necessary to assure compliance with this code. (Ord. 033/2008 § 6; Ord. 922, 1989)

18.82.040 Review process.

Repealed by Ord. 033/2008. (Ord. 1203, 2000)

18.82.050 Standards to be used for review.

The development review committee (DRC), as defined in MMC 21.30.050, shall approve a site plan unless it makes one or more of the following written findings with respect to the proposed development or major alteration:

A. The provisions for vehicular access, circulation, loading and unloading, and parking, and for pedestrian circulation on the site and onto adjacent public streets and ways will create hazards, will impact site-sensitive features of the land, or impose a significant burden upon public facilities which could be avoided by modifications in the plan.

B. The bulk, location and/or height of proposed uses will be detrimental or injurious to other private development in the neighborhood, will impose undue burdens on public facilities or will

result in the loss or damage to unique natural features of the site that are important to the environmental quality of life for the citizens of Monroe, and development of the site is feasible in a manner that will avoid these detrimental and injurious results.

C. The provisions for on-site landscaping do not provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

D. The site plan fails to provide measures to mitigate soil and drainage problems that may occur from development.

E. The provisions for exterior lighting are inadequate for the safety of occupants or users of the site or such provisions will damage the value and diminish the usability of adjacent properties and/or create a safety hazard (especially traffic hazard), as defined in Chapter 15.15 MMC.

F. The site provides for common open space and landscaping, but the applicant has not set forth a reasonable plan for the private care and maintenance of that open space and landscaping, and this failure may result in a burden on the public or cause injury and detriment to the neighborhood.

G. The proposed development will impose an undue burden upon off-site public services including sewer, water and streets, which conclusion shall be based upon a written report of the city engineer filed with the DRC, a copy of which shall be provided the applicant, and there is no provision in the capital improvements program of the city to correct the specific burden within a reasonable period after the development or major alteration shall be completed.

H. In cases where a preliminary plan has been approved, there is a substantial change in the final site plan from the approved preliminary site plan and such substantial change will have an adverse effect on public services, adjacent properties, or will adversely affect the environmental conditions on the site itself.

I. The proposed development does not comply with critical areas requirements per Chapter 20.05 MMC or shoreline requirements per Chapter 19.01 MMC. (Ord. 033/2008 § 6; Ord. 1203, 2000; Ord. 922, 1989)

18.82.060 Appeal of administrative interpretations and approvals.

Repealed by Ord. 033/2008. (Ord. 022/2004; Ord. 1203, 2000)

18.82.070 Appeal of hearing examiner decision.

Repealed by Ord. 033/2008. (Ord. 022/2004; Ord. 1203, 2000; Ord. 922, 1989)

Section 7. Monroe Municipal Code 18.82 "Planned Residential Development (PRD)" is hereby amended as follows:

Chapter 18.84
PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Sections:

18.84.010 Purpose.
18.84.020 Application.
18.84.030 Acreage requirements.
18.84.040 Permitted uses.
18.84.050 Initiation of application for PRD.
18.84.055 *Repealed*.
18.84.060 Submittal requirements for a PRD.
18.84.070 Review stages of a PRD.
18.84.080 General requirements for PRD.
18.84.090 Procedures for preliminary development plan review.
18.84.100 Time limitations of preliminary development plan approval.
18.84.110 Hearing of development plans concurrent with other applications.
18.84.120 Decision criteria for preliminary development plan approval.
18.84.130 Final development plan review and approval.
18.84.140 Developable acreage for calculation of dwelling unit base density.
18.84.150 Bonus provision.
18.84.155 *Repealed.*
18.84.160 Establishing the total number of permitted units.
18.84.170 Flexibility provisions of PRD.
18.84.180 Phased development.
18.84.190 Requirements for filing a final PRD.

18.84.200 Encumbrances by assignment of funds.
18.84.210 Minor adjustments.

18.84.010 Purpose.

The purpose of this chapter is to implement the goals and policies of the Monroe comprehensive plan by promoting creativity in site layout and design, allowing flexibility in the application of the standards for residential development to protect and enhance environmental features, and provide other public benefits. This chapter provides performance criteria to encourage flexibility in the choice of the types of living units available to the public through a discretionary planned residential development (PRD) process. The PRD is an alternative to the traditional approach to subdividing property, allowing for variety in plat design and building type, while incorporating additional open space requirements and provision of recreational facilities in exchange for density bonuses. The PRD process provides mechanisms that allow the city to achieve:

A. The preservation of open space, natural vegetation, watercourses, historic buildings and places, and other features of value to the community.

B. Efficient street and utility systems by clustering of structures.

C. Integrated design of landscape with sensitive areas.

D. Integration of new development into the existing community while protecting and preserving existing neighborhoods and sensitive areas.

E. *Repealed by Ord. 024/2009.*

F. *Repealed by Ord. 024/2009.* (Ord. 024/2009 § 7; Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.020 Application.

A PRD is permitted within the MR 6,000, UR 6,000, UR 9,600, R-4 and SR 15,000 residential zoning districts. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.030 Acreage requirements.

The minimum site area of a PRD shall be three acres. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.040 Permitted uses.

Permitted uses are those permitted, accessory and conditional uses as set forth in the underlying zoning district. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.050 Initiation of application for PRD.

The property owner(s) may file for a PRD. The city may require the filing of a PRD as a condition of a rezone of property or properties. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.055 Predevelopment/preapplication conference.

Repealed by Ord. 033/2008. (Ord. 033/2007 § 1)

18.84.060 Submittal requirements for a PRD.

The application must be filed on forms furnished by the city. An application for a preliminary PRD and development plan shall contain the following (verify the number of copies/sets of each of the following items for submittal with the permit department prior to submittal):

A. Completed and signed application form;

B. Site plans, which must be drawn and signed by a licensed surveyor in accordance with the Survey Recording Act and must include (if applicable) both existing boundary lines (bearing and distance) and proposed boundary line changes, all easements and other encumbrances occurring within the affected lots, drain field, building footprints, building setbacks, and all other pertinent setbacks. The preliminary development plan shall include:

1. Conceptual utility plan showing proposed location of water, sewer and other utilities;

2. Conceptual site plan showing location of all proposed lot boundaries, common area tracts, open space tracts, public and private streets, park/recreation facilities, and including topographic contour lines at maximum five-foot intervals;

3. Natural features plan showing the location of all environmentally sensitive areas and their buffers;

C. SEPA (environmental) checklist;

D. Current title report (current is dated within thirty days of submittal);

E. *Repealed by Ord. 033/2008*;

F. Vicinity map eight and one-half inches by eleven inches or eleven inches by seventeen inches;

G. Set of plans reduced to eight-and-one-half-inch by eleven-inch or eleven-inch by seventeen-inch sized paper;

H. Soils report;

I. ~~STORM DRAINAGE REPORT INCLUDING CALCULATIONS~~ **A stormwater site assessment in substantial conformance to the *Low Impact Development Technical Guidance Manual for Puget Sound***;

J. Wetland delineation/mitigation plan (if applicable);

K. Preliminary landscape and irrigation plans;

L. Traffic analysis, as directed by the city engineer;

M. Other requested information specific to the application as required by the community development department.

N. Required filing fees shall be paid and the application shall be completed before processing of the application may begin. Filing fees are established by the city council through the most recent fee resolution.

O. Upon submittal of a complete application, the city may require a consultant for professional services in accordance with MMC3.34.040. The consultant shall review the PRD design and prepare a written report to the director, or his designee, summarizing the proposal's compliance and/or noncompliance with all applicable standards. (Ord. 033/2008 § 6; Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.070 Review stages of a PRD.

Review and approval of a PRD shall include the following steps:

A. Preliminary PRD and Development Plan. Following submittal and certification as a complete application, a preliminary PRD shall be scheduled for a public hearing before the hearing examiner. Following the public hearing, the hearing examiner shall forward a recommendation to the city council, in accordance with MMC 21.50.030. Upon receipt of the hearing examiner's recommendation, the city council shall schedule a date at which it shall consider the recommendation, in accordance with MMC21.50.050. A city council decision on the hearing examiner's recommendation shall include one of the following actions:

1. Approve as recommended;

2. Approve with conditions. All new or modified conditions imposed by the city council on a recommendation by the hearing examiner must be based on the record developed at the public hearing;

3. Modify, with or without the applicant's concurrence; provided, that the modifications do not:

   a. Enlarge the area or scope of the project;

   b. Increase the density or proposed building size;

   c. Significantly increase adverse environmental impacts as determined by the responsible official;

4. Deny (reapplication or resubmittal is permitted);

5. Deny with prejudice (reapplication or resubmittal is not allowed for one year);

6. Remand for clarification of the evidence or findings; provided, that in any matter that is before the city council on a closed record, no new evidence shall be admitted in any remanded proceeding.

7. The requirements of RCW 58.17.100 through 58.17.120 shall be applicable to the decision of the city council.

B. Final Development Plan. Following preliminary approval of the PRD, the applicant shall submit a final development plan which includes all required construction and utility plans. The final development plan shall be reviewed by city departments. If the final development plan is approved or modified, the applicant may initiate construction. If the plan is denied, the applicant may submit a new final development plan for review.

C. Final PRD Application and Map. Upon completion of required improvements or upon submittal of financial guarantees as required by the city engineer, and completion of all necessary inspections, a final PRD application and map shall be submitted for review and a decision by the city council. The city council shall schedule a date at which it shall take action on the final PRD. The city council shall approve or deny the PRD. In the event the final PRD is denied, the applicant may resubmit a final PRD for review by the city council. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.080 General requirements for a PRD.

The requirements of a planned residential development area are as follows:

A. Each PRD shall provide a minimum dedication of park and recreational usable open space within the PRD as shown in Table 1.

Table 1

Zoning District	**~~[MINIMUM LOT SIZE~~**	**~~[MINIMUM LOT SIZE WITHIN A PRD~~**	**Dedication of Park and Recreational Usable Open Space per Base Dwelling Unit Within a PRD**
SR 15,000	~~15,000~~	~~10,000~~	1,125
UR 9,600	~~9,600~~	~~6,000~~	975
R-4	~~7,500~~	~~4,500~~	900
UR 6,000	~~6,000~~	~~3,700~~	675
MR 6,000	~~4,000]~~	~~2,500]~~	600

B. A bonus shall be granted for such park and recreational open space retention and development as provided under MMC18.84.150. All of the park and recreational open space land for which a bonus is obtained shall be exclusive of critical areas and their buffers required to be preserved under Chapter 20.05 MMC. Where critical areas and their buffers are included in the open space areas dedicated within a PRD, a separate calculation shall be provided for the park and recreational open space area, exclusive of critical areas and their buffers, for determination of compliance with the minimum park and recreational open space requirement.

C. In addition to the park and recreational open space dedicated under subsection (A) of this section, within each PRD, additional open space for recreational opportunities may be provided. The value of such open space land may be applied towards the total park mitigation fee as a credit. The dedication of such park and recreational open space land shall be subject to prior city approval. Land value used as a credit towards park mitigation shall not be applied towards the park and recreational open space bonus provided under MMC 18.84.150.

D. A PRD shall provide mitigation for impacts to the city's park and recreation system in accordance with Chapter 20.10 MMC.

E. As part of the review of a final PRD, the city shall review the proposed homeowners' association bylaws to ensure they provide for sufficient assessments to assure the retention and continued maintenance of all open space and recreation areas. In addition, the city may require a reasonable performance or maintenance assurance device.

F. The city may permit an increase of building heights for buildings or structures in the interior of a PRD in exchange for a reduction of building heights for buildings or structures near the perimeter of a proposed site; provided, that such an increase does not unreasonably impair the scenic views in the surrounding area.

G. Housing Standards. Housing standards shall require the mixing of housing styles to eliminate repetition in block/street frontage and housing design, as follows:

1. Buildings shall include modulation along the building facades visibly facing public rights-of-way, private access driveways and roads, and private yards.

2. All residences shall be provided with a covered main entry porch to create a private outdoor space protected from the weather and provide a transition from the interior private

residential space to the semi-private outdoor space. Covered porches shall be usable both in design and dimension. All residential covered main entry porches shall have a minimum floor area measuring sixty square feet in size, having a minimum dimension of not less than five feet in any direction (length or width).

3. Housing development structures shall be provided with substantial uniform exterior trim elements. Roofs shall have eaves to efficiently shed rain and provide rain protection for exterior walls.

4. Horizontal facades longer than thirty feet shall be articulated into smaller units of the residential scale. At least two of the following methods shall be included:

a. Distinctive roof forms and wall forms or elements.

b. Changes in materials or patterns.

c. Windows shape, trim, pattern and/or details.

d. Color differentiation.

e. Recesses/offsets/cantilevers.

f. Architectural features (bays, Bombay windows and awnings or lower roofs).

5. A minimum of fifteen percent of the total window area permitted by the Washington State Energy Code shall be provided in building facades facing streets.

6. Window and door trim with a minimum width of three and one-half inches shall be provided on all housing development structures.

7. Structures shall incorporate pitched roof forms having slopes between 2:12 and 15:12 or greater (not applicable to porches and dormers). Flat roofs with parapets shall also be allowed. Gables or other roofline variations (i.e., parapets, second roof, dormers, etc.) facing the street are encouraged. Dormers, chimneys, bay windows and other architectural features may be incorporated to break up long lengths of roof.

8. Air conditioners, heating, cooling, ventilating equipment, pumps and heaters and all other mechanical devices shall be screened from surrounding properties and streets.

9. Variations in adjacent building height, side, rear and front yard setbacks are encouraged.

10. Building design and layout shall minimize the impacts on natural features of the site where possible.

11. Duplex dwelling units must have single unit, ground level front access either on different sides of the building or use staggered front yard setbacks.

12. When garage doors are facing the street or private driveways, they shall be set back at least twenty feet from the property line or sidewalk or edge of pavement of private street. The garage shall be set back a minimum of four feet from the face of the main structure. Where alley access is available or is provided within the development, vehicle access shall be from the alley with no curb cuts on the fronting street.

H. Street and Site Design Standards. All PRDs should fulfill the standards set forth in the city of Monroe public works and construction standards.

1. Mailboxes shall be clustered in convenient locations and shall be designed using architectural features such as peaked roofs over mailboxes. Locations shall be approved by the local U.S. Postmaster and the city engineer.

2. Housing developments shall be designed to minimize lighting and to meet the following lighting standards:

a. To reduce overall energy consumption and eliminate unneeded lighting, exterior lighting installations shall include timers, dimmers, sensors, or photocell controllers that turn the lights off during daylight hours or hours when the lighting is not needed.

b. Exterior lighting installations shall be designed to avoid harsh contrasts in lighting levels.

c. Light heads for parking lots and display area light fixtures shall not have bulbs or reflectors that project below the bottom rim of the fixture unless shielded by a softening diffuser.

d. Lighting levels shall not exceed two-tenths foot candles measured five feet from an exterior property line. An exception may be approved by the director for areas adjacent to rights-of-way.

e. Parking lot light fixtures should be non-glare and mounted no more than twenty-five feet above the ground to minimize the impact onto adjacent properties. All fixtures over fifteen feet in height shall be fitted with a full cutoff shield.

f. Fixtures and lighting systems used for safety and security shall be maintained in good working order.

g. Vegetation and landscaping shall be maintained in a manner that does not obstruct security lighting.

h. Open-air parking lot lighting shall be designed to provide sufficient illumination for comfort and safety and shall be adequate to facilitate the activities taking place in a given location.

i. Lighting of outside areas shall not be used to attract attention to a business. Signs installed in accordance with this code may be used for that purpose.

j. Lighting fixtures shall be of a type or adequately shielded so as to prevent glare from normal viewing angles.

k. Streetlights located on private properties/roads shall have a maximum height of fourteen feet to the base of the luminaire and shall be maintained by the homeowners' association.

3. Housing developments shall be designed to minimize noise to meet standards referenced in MMC 18.10.270.

4. Heating (and cooling, if applicable) equipment for housing developments shall be designed to cause little or no noise impacts within the development and to adjacent properties.

5. No dimension of the private open space/yard shall be less than five feet.

6. Trash receptacles having a capacity in excess of one cubic yard shall be screened from view from adjacent properties and public rights-of-way in accordance with city solid waste disposal policy.

7. Landscaping shall screen undesirable elements such as views to adjacent commercial or industrial development, utility equipment/boxes, outdoor storage areas, and dumpsters.

8. Plat/development signs shall be located on private property within private easement(s) adjacent to the entrances of PRD developments and shall be limited to monument type signs in compliance with the provisions of Chapter 18.80 MMC, or shall be as approved on the PRD plan. Plat signage shall be maintained by the homeowners' association and defined within the CC&Rs.

9. Required parking shall be located on the private property.

10. Off-street parking lots/pods shall be located within the PRD development. Parking lots/pods shall not be located between the residential development and the primary street frontage.

11. Parking Lot/Pod Landscaping. Where landscaping is required for off-street parking areas (parking lots/pods within the PRD), such landscaping shall be in addition to the minimum percent of open space required, as shown in Table 1. Parking lot landscaping shall comply with the requirements of Chapter 18.78 MMC (landscaping/fencing shall have a minimum opacity of seventy-five percent at the time of planting/construction).

12. Parking on the side (nonprimary street) shall be screened from the side street by a structure, garage, landscaping, and/or screened fencing.

13. Preferred locations for parking, in descending order of preference, are as follows:

a. To the rear of housing units accessed by an alley.

b. To the side of housing units accessed by a private driveway.

14. All individual lot widths, lengths, sizes and similar lot configurations shall be subject to those established on the approved PRD plan.

15. Lot sizes along PRD perimeter boundary lines with other residential uses should be no less than seventy-five percent of the minimum lot size of the underlying zone.

16. Housing developments shall limit their impervious surface area in recognition of the storm water and soil conditions present in the residential development area and to prevent adverse storm water impacts. Low-impact development techniques for storm water management shall be used in accordance with the MMC 15.01.060, and as directed by the city engineer. Housing developments shall be designed to take advantage of open space and landscape features to utilize storm water low-impact development techniques including natural filtration and on-site infiltration of storm water.

I. Park and Recreational Usable Open Space. A PRD shall provide a detailed description of the requirements for parks and open space including the incorporation, dedication, specifications and placement.

1. Each PRD shall provide a minimum dedication of park and recreational usable open space within the PRD as shown in Table 1 (prior to calculation of the bonus). Park and recreational usable open space areas shall complement and be consistent with the provisions of the current city of Monroe park plan.

2. All park and recreational usable open space shall be three-fourths acre or larger unless the overall size of the PRD precludes this requirement. If there is less than three-fourths acre of park and recreational usable open space, then all of that amount shall be used for a single park and recreational usable open space.

3. All housing units shall be within walking distance of one-third mile to some form of developed park and recreational usable open space.

4. The developer shall design park and recreational usable open space to take advantage of existing contiguous open space.

5. Multiple parks may be allowed within PRDs so long as:

a. They conform to subsections (I)(2), (3) and (4) of this section.

b. No park and recreational usable open space area shall be less than three-fourths acre in size.

6. Design of park and recreational usable open space shall:

a. Be approved by the city of Monroe parks department prior to development in accordance with MMC 18.84.090.

b. Conform to the minimum requirements of the city of Monroe landscape ordinance and landscape guidelines contained in Chapter 18.78 MMC.

c. Meet the standards set forth by the city of Monroe parks department and the National Park and Recreation Standards.

7. Park and recreational equipment/utility, landscaping, irrigation and construction improvements shall be installed or bonded prior to final plat approval.

8. Park and recreational usable open space shall be protected in perpetuity by a recorded covenant, in a form approved by the director of community development. The recorded covenant must restrict uses of the park and recreational usable open space to those specified in the approved PRD site plan and must provide for the maintenance of the park and recreational usable open space in a manner that assures its continuing use for the intended purpose.

9. When pedestrian corridors are proposed within the PRD, a portion of the park and recreational usable open space may be devoted to the pedestrian corridor, as directed by the parks department.

10. The park and recreational usable open space shall be of a size and configuration so as to accommodate a variety of recreational functions for residents. Common recreational facilities such as play fields, play equipment, slides, swings, seating/picnic areas, swimming pools, tennis/basketball courts, trails, tot lots, exercise rooms, etc., should be included within the project site design in keeping with the scope, scale and needs of the project, as approved by the city of Monroe parks department.

11. In specified areas, park and recreational usable open space that will serve as public parks will be dedicated to the city for maintenance at the time of final plat approval.

12. Park and recreational usable open space areas shall be fronted by secondary roadways for convenient access to residence.

13. All park and recreational usable open space shall be designed, landscaped and recreational amenities be provided consistent with city of Monroe and National Recreation and Park Association Standards.

J. Landscaping Design Standards.

1. Front yards for individual lots shall be landscaped from the back of curb within the public right-of-way to the edge of the front property line, and along private roads/tracts. All such required landscaping shall be maintained in a healthy growing condition by the property owner and/or homeowners' association.

2. Housing developments shall be designed to incorporate existing trees to the extent possible. New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of housing units.

3. Preservation of existing trees shall be provided. Trees are defined as any perennial woody plant with one main stem or multiple stems that supports secondary branches, that has a distinct and elevated crown, that will commonly reach a height of fifteen feet or greater, and that has a caliper of six inches or greater measured four and one-half feet above the ground level. At the direction of the parks department, up to twenty-five percent of the native trees and other vegetation shall be preserved to the fullest extent possible and the overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites.

K. Density Determination for a PRD. The intent of the PRD is to provide an exchange of density for the proper integration, placement, and dedication of open space, parks, and trails within the city of Monroe. The city of Monroe provides an increase in the density of a development for the amenities described within these standards.

1. The maximum density of a PRD is based on the underlying density calculation found in MMC 18.10.010(B) for single-family units/lots and MMC 18.10.020(B) for multifamily units/lots.

2. A thirty percent density bonus will be granted in the SR 15,000, UR 9,600 and R-4 residential zoning districts and a twenty-five percent density bonus will be granted in the UR 6,000 and MR 6,000 zoning districts when the developer provides the following:

a. The inclusion of housing site standards as described in subsection (G) of this section.

b. The inclusion of street design standards as described in subsection (H) of this section.

c. The inclusion of park, recreation, open space and landscaping as described in subsection (I) of this section.

d. The inclusion of landscape design standards as described in subsection (J) of this section.

3. For example, in the UR 9,600 zone, a one-acre site could yield five units ([~~43,560 SQUARE FEET~~] **1 acre** x 0.80 = **0.80 acres x 3.63 units per acre[**~~34,848 SQUARE FEET / 9,600 SQUARE FEET~~] = 3.63 units. 3.63 units x 0.30 = 1.09 bonus units. 3.63 units + 1.09 bonus units = 4.72 units or five total units).

4. The final density is a maximum density. The density will be subject to all the requirements set forth in the PRD standards.

~~[L. THERE SHALL BE A MINIMUM LOT SIZE WITHIN EACH RESIDENTIAL ZONING DISTRICT AS SHOWN IN TABLE 1. ACTUAL SIZE OF THE LOTS MAY VARY FROM THE MINIMUM LOT SIZE OF THE SPECIFIC RESIDENTIAL ZONING DISTRICT TO LARGE SINGLE-FAMILY TRACTS. DUPLEXES MAY BE PLACED ON LOTS OF AT LEAST ONE AND ONE-HALF THE MINIMUM LOT SIZE OF A SINGLE-FAMILY DWELLING UNIT AND SHALL NOT MAKE UP MORE THAN FIFTEEN PERCENT OF THE TOTAL NUMBER OF UNITS ALLOWED BY THE DENSITY CALCULATION.]~~

M. The city may allow other modifications of the zoning code, except as prohibited elsewhere in this chapter or the specific design standards.

N. A PRD located within the R-4 zoning district containing six acres or more must contain a minimum of three lot sizes separated by at least a one thousand square feet threshold. No single lot size may make up more than fifty percent or less than fifteen percent of the total lots.

O. A PRD located within the R-4 zoning district containing less than six gross acres must contain a minimum of two lot sizes separated by at least a one thousand square feet threshold. No single lot size may make up less than twenty-five percent of the total lots. (Ord. 026/2011 § 2 (Exh. 1); Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1207, 2000; Ord. 1159, 1999)

18.84.090 Procedures for preliminary development plan review.

The applicant shall submit to the city a preliminary development plan for review by all affected city departments. Following review of the preliminary development plan, a public hearing shall be scheduled at which the hearing examiner shall review and provide a recommendation to the city council regarding whether the proposed preliminary development plan, as conditioned, complies with the following:

A. The requirements of this chapter; and

B. Provisions of the city's comprehensive plan; and

C. Provisions of the city's shoreline management plan; and

D. The requirements of other applicable city codes, ordinances, regulations and standards. If the preliminary development plan is approved, the applicant shall submit to the city, within the permitted time frame, a final development plan for review and approval by the city. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.100 Time limitations of preliminary development plan approval.

Preliminary development plan approval of the PRD shall expire five years from the date of approval by the city council, or concurrently with the expiration of the preliminary plat, whichever occurs earlier. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.110 Hearing of development plans concurrent with other applications.

The preliminary development plan may be considered with the following applications:

A. Conditional use;

B. Extraordinary use;

C. Preliminary plat;

D. Rezone;

E. Street vacation.

The public hearing in this case shall serve the public hearing requirements for the individual applications. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.120 Decision criteria for preliminary development plan approval.

The city shall approve a preliminary development plan if the plan meets the following criteria:

A. The PRD is in accordance with the comprehensive plan; and

B. The PRD accomplishes a development that is better than that resulting from traditional development and provides a net benefit to the city. A net benefit to the city may be demonstrated by the following:

1. Conservation of natural features and sensitive area,

2. Placement, style or design of structures,

3. Recreational facilities,

4. Interconnected usable open space,

5. Provision of other public facilities,

6. Aesthetic features and harmonious design, and

7. Energy-efficient site design and/or building features; and

C. The PRD will be served by adequate public facilities including streets, fire protection, water, storm water [~~DRAINAGE~~]**management**, and sanitary sewer for acceptable waste controls, as

demonstrated by the submittal and review of plans for such facilities as described under MMC 18.84.060; and

D. The proposed landscaping within the PRD's perimeter is superior to that normally required by the city; and

E. At least one major circulation point is functionally connected to a public right-of-way; and

F. The open space within the PRD is integrated into the design of the project rather than an isolated element; and

G. The PRD is compatible with the adjacent development; and

H. Undeveloped land adjoining the PRD may be developed in coordination with the PRD; and

I. The PRD is harmonious and appropriate in design, character and appearance to the existing or intended character of development in the immediate vicinity; and

J. Roads, streets and sidewalks, existing and proposed, comply with the standards and requirements of this chapter and the Monroe Municipal Code; and

K. Each phase of the PRD, as it is completed, shall contain the required parking spaces, open space, recreation facilities, landscaping, and utility area planned for that phase. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.130 Final development plan review and approval.

The city shall specify the submittal requirements, including type, detail, and number of copies for a final development plan review of a PRD.

The community development director or his/her designee shall determine if the final development plan conforms to the approved preliminary development plan. If the community development director or his/her designee grants approval of the final development plan, the city is authorized to issue necessary development permits to construct the proposed development. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.140 Developable acreage for calculation of dwelling unit base density.

To arrive at the net area for purposes of calculating dwelling units, the following formula must be followed:

Developable acreage = gross acreage x 0.8 (twenty percent is set aside for roads and other areas required for public use). (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.150 Bonus provision.

The applicant shall be allowed an increased number of dwelling units based upon the bonus provision established in this chapter or corresponding subarea plan. Dedication of open space shall be provided in accordance with Table 1 in this chapter. Open space dedicated under this section may not include space set aside for private yards and individual unit(s) play areas. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.155 Affordable housing bonus.

Repealed by Ord. 024/2009. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 011/2003)

18.84.160 Establishing the total number of permitted units.

Calculation of the total number of permitted units includes the following:

A. The result of the division of the developable acreage by the **maximum dwelling units per acre**[~~MINIMUM PARCEL SIZE~~] permitted under the zoning district for planned residential developments[~~; EXCEPT IN THE R-4 ZONING DISTRICT THE DENSITY SHALL BE CALCULATED AT FOUR DWELLING UNITS PER DEVELOPABLE ACRE, UNLESS SPECIFIED OTHERWISE IN THIS CHAPTER~~];

B. MMC 20.05.070(I), Limited Density Transfer, shall apply;

C. The additional units as determined by the bonus provisions of this chapter. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.170 Flexibility provisions of PRD.

The dimensional and other standards found in the underlying zoning district may only be varied with city council approval using the PRD process. However, the following zoning code requirements may not be varied under the PRD process:

A. Off-street parking;

B. Perimeter setbacks; for the purpose of this section, perimeter setback(s) shall be defined as the setback(s) from the exterior property boundary line of the site;

C. Uses permitted in the underlying zone. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.180 Phased development.

A phasing schedule may be provided as a part of the application. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.190 Requirements for filing a final PRD.

All improvements required by the approval of the preliminary PRD and development plan shall be installed, with the exception of improvements exempted under MMC 18.84.200, prior to recording of the final plat map. The final plat map shall be submitted for review concurrently with the final PRD. The city council shall take action on the final PRD in accordance with the procedures for final plats in Chapter 17.28 MMC. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

18.84.200 Encumbrances by assignment of funds.

The following requirements of a PRD may be postponed by the placement of an assignment of funds to the city:

A. Street landscaping improvements;

B. Final street paving lift. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 1159, 1999)

18.84.210 Minor adjustments.

In issuing permits connected with the construction of a PRD the city community development director or his/her designee may allow minor adjustments; provided, that:

A. There is no increase in the number of lots or dwelling units; and

B. There is no decrease in the parking facilities; and

C. No structures are being moved closer to the perimeter of the site, to water bodies, or to sensitive areas; and

D. No points of ingress or egress are being moved; and

E. The amount of landscaping, buffering, and open space is not reduced; and

F. The adjustments shall not relocate a building, street or other uses more than twenty feet in any direction and shall not reduce the required yard and/or setback; and

G. The height of the building and other structures does not increase beyond the approved height of the PRD; and

H. Traffic volumes shall not increase and traffic patterns shall not change; and

I. Changes in color, plant material and parking configuration are minor; and

J. The adjustments do not add significant new environmental impacts or significantly increase any adverse impacts disclosed in the original SEPA documents; and

K. The community development director determines that changes will not increase any adverse impacts or undesirable effects of the project, or that the change in no way significantly alters the project. (Ord. 033/2007 § 1; Ord. 038/2005 § 5; Ord. 012/2005; Ord. 1159, 1999)

Section 8. Monroe Municipal Code section 18.86.040 entitled "General requirements" is hereby amended as follows:

18.86.040 General requirements.

Low impact development best management practices shall be used for parking lot design and construction, unless site and soil conditions make low impact development infeasible as determined by the Stormwater Management Administrator. Low impact development best management practices shall be designed and constructed in accordance with the *Low Impact Development Technical Guidance Manual for Puget Sound* (current edition) and approved by the Storm Water Management Administrator.

Additionally, a[A]ny required off-street parking and loading facilities shall be developed in accordance with the following standards:

A. Any on-premises parking area which contains parking spaces located more than three hundred feet from the perimeter of the site shall require the hearing body approval for the entire parking lot.

B. All required parking must be under the same ownership as the development site served, except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

C. In any residential district, public or private parking areas and parking spaces are not permitted in any required yard except as provided herein:

1. Vacation trailers, boat trailers, camperettes and other vehicles not in daily use are restricted to parking in front yard setback for not more than forty-eight hours, and mobile homes, vacation trailers, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required rear yards. Variances from this requirement, if no feasible alternative exists, may be granted by the hearing body.

2. Public or private parking areas, parking spaces of any building intended for parking which is developed or maintained in conjunction with any building or use permitted in any rear or side yard that abuts an alley, provided the parking areas, structures or spaces comply with the parking dimensions available from the city engineer.

D. Parking will be to the rear or side for all apartments and condominiums unless otherwise specified in the municipal code or in the City of Monroe Infill, Multifamily, and Mixed Use Design Standards.

E. Parking Area and Parking Area Entrance and Exit Slopes. The slope of off-street parking spaces shall not exceed eight percent. The slope of entrance and exit driveways providing access for off-street parking areas and internal driveway aisles without parking spaces shall not exceed fifteen percent.

F. Driveways and Maneuverability.

1. Adequate ingress to and egress from each parking space shall be provided without moving another vehicle and without backing more than fifty feet.

2. Turning and maneuvering space shall be located entirely on private property unless specifically approved by the city engineer.

3. All parking spaces shall be internally accessible to one another without re-entering adjoining public streets except where no other alternative exists.

4. When off-street parking is provided in the rear of a building and a driveway or lane alongside the building provides access to rear parking area, such driveway shall require a minimum width of twelve feet and a sidewalk of at least a three-foot section, adjoining the building, curbed or raised six inches above the driveway surface.

5. Ingress and egress to any off-street parking lot should not be located closer than twenty feet from point of tangent to an intersection unless allowed by the city engineer.

6. The city engineer may require ingress separate from an egress for smoother and safer flow of traffic.

G. Surface.

~~[1. THE SURFACE OF ANY REQUIRED OFF-STREET PARKING OR LOADING FACILITY SHALL BE PAVED WITH ASPHALT OR CONCRETE (LOOSE SURFACES INCLUDING GRAVEL, CRUSHED ROCK, OR SIMILAR AGGREGATE MATERIALS ARE PROHIBITED) UNLESS OTHERWISE APPROVED BY THE HEARING BODY AND SHALL BE GRADED AND DRAINED SO AS TO DRAIN ALL SURFACE WATER, IN ACCORDANCE WITH THE CITY'S DRAINAGE ORDINANCES. POROUS PAVING, SUCH AS PERVIOUS ASPHALT OR CONCRETE, MAY BE CONSIDERED FOR USE WHEN THE PROPOSED APPLICATION COMPLIES WITH STANDARDS OF THE DEPARTMENT OF ECOLOGY STORMWATER MANAGEMENT MANUAL FOR WESTERN~~

~~WASHINGTON (CURRENT EDITION) AND IS APPROVED BY THE DIRECTOR AND CITY ENGINEER.]~~

~~[2]~~**1**. All traffic-control devices such as parking stripes designating parking spaces, directional arrows or signs, bull rails, curbs and other developments shall be installed and completed as shown on the approved plans.

[~~3~~]**2**. Paved parking areas shall use paint or similar devices to delineate parking spaces and direction of traffic.

[4]**3**. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed or raised six inches above the lot surface where possible.

~~[5]~~**4**. Wheel stops shall be required on the periphery of parking lots so cars will not protrude into the right-of-way, or off the parking lot or strike buildings. Wheel stops shall be two feet from the end of the parking of head-in parking.

H. Parallel parking spaces shall be designed so that doors of vehicles do not open onto the right-of-way.

I. Obstructions. No obstruction, which would restrict car door opening, shall be permitted within five feet of the centerline of a parking space.

J. Lighting. Any required lighting shall be installed as required in Chapter 15.15 MMC.

K. Curb Cuts. All parking areas shall have specific entrance and/or exit areas to the adjacent rights-of-way. The width of access roads and curb cuts shall be determined by the city engineer. The edge of the curb cut or access road shall be finished as required by the city engineer for safe movement of vehicles or pedestrians. Curb cuts in single-family districts shall be limited to a maximum of twenty feet in width and the location shall be approved by the city engineer.

L. No commercial trucks over eight thousand pounds gross vehicle weight, machinery, bulldozers or similar construction equipment shall be allowed to be stored or parked in any residential zones without a permit as required by other city ordinances.

M. Parking spaces shall not be used for permanent or semipermanent parking or storage of trucks or materials.

Section 9. Monroe Municipal Code section 18.86.050 entitled "Required number of parking spaces" is hereby amended as follows:

18.86.050 Required number of parking spaces.

The minimum number of off-street parking spaces shall be as follows for the listed uses:

Required Off-Street Parking

Type of Use	Required Parking Spaces
Single-family and multifamily dwellings	2 for each unit
Mixed use multiple-dwelling units[1] 1. Studio/1 bedroom 2. 2 or more bedrooms	 1. 1.5 per dwelling unit 2. 2.0 per dwelling unit
Churches, mortuaries and funeral homes	1 for each 4 fixed seats
Convalescent homes, nursing and rest homes	1 for every 4 beds with a minimum of 10 stalls
Fast-food restaurants	1 for each **100** [~~50~~] square feet of gross floor area
Food stores and retail establishments	1 for each 200 square feet of gross floor area
Hospitals	2 for each employee and 1 for each bed
Motels, hotels, rooming houses, boardinghouses	1 for each room plus additional parking in accordance with the schedule for restaurants and/or conference facilities
Bowling alleys	5 spaces per alley plus additional parking in accordance with the schedule for restaurants if appropriate

Mortuaries	1 for each 4 seats
Banks, office uses and professional buildings	1 for each 400 square feet
Dental and medical clinics	1 for each 200 square feet of floor area plus one space per employee
Outdoor sports areas or parks	Shall be determined by the hearing body when granting a special use permit
Places of public assembly, auditoriums, stadiums, clubs, exhibition halls, community centers and theaters	1 for every 4 persons based on occupancy load or seats (if fixed)
Post offices	1 for each 400 square feet of gross floor area
Private clubs	1 for every 4 persons based on occupancy load
Public facilities, including libraries, City Hall, police and fire stations	Shall be determined by the hearing body when granting a special use permit
Schools, including preschool, elementary, junior high, private and parochial schools	1.5 for each staff member plus parking required for any public assembly areas as outlined above
High school	1 for each staff member, 1 for every 10 students, plus parking required for any public assembly areas as outlined above
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	1 per employee plus 1 per 800 square feet of gross floor area
Warehouses, storage buildings or structures used exclusively for storage purposes, except mini self storage	[~~1 PER EMPLOYEE PLUS 1 PER 2,000 SQUARE FEET OF GROSS FLOOR AREA~~] **1 per 1,000 sf (less office space). 1 per 300 sf of office space**
Mini self storage	1 space per each 10 storage cubicles equally distributed in close proximity to storage buildings plus 1 space for each 50 storage cubicles to be located at the project office

Service or repair shop, including retail store handling exclusively bulky merchandise such as automobiles and furniture	1 for every 400 square feet of gross floor area
Auto wrecking yards	15 spaces for yards less than 10 acres in size and 25 spaces for yards 10 acres and larger in size
Utility and communication establishments without regular on-site employment	1 space
Taverns/restaurants	1 for every 4 persons based on occupancy load

1. In mixed use zones, off-street parking shall include adequate parking stalls to meet the sum of the requirements for the various uses as listed in the required parking table. For example, if a site has office and residential uses, the parking area would need to include the required number of parking spaces for both uses; provided, the director or designee may approve a reduction of up to twenty percent of the required off-street parking spaces, per MMC 18.86.050, when the applicant enters into a joint parking agreement, for use of a cooperative parking facility, in accordance with MMC 18.86.070 and 18.86.080.

Section 10. Monroe Municipal Code section 18.94.010 "General exceptions to yard standards" is hereby amended as follows:

18.94.010 General exceptions to yard standards.

The general exceptions to yard standards are:

A. Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornament features, and other similar architectural features, in addition to common mechanical equipment such as air conditioners, heat pumps, and the like**, as well as rainwater harvesting systems,** may project not more than two feet into a required setback or into required open space as established by coverage standards.

B. Except for that portion of the setback which is listed in subsection (C) of this section, the following are exceptions to the front yard requirement for a dwelling:

1. If there are dwelling units on both abutting lots with front yards of less than the depth otherwise required, the front yard for a lot need not exceed the average front yard of the abutting dwelling units.

2. If there is a dwelling unit on one abutting lot with a front yard of less than the depth otherwise required, the front yard for a lot need not exceed a depth one-half way between the depth of the abutting lot and the required front yard depth.

C. To permit or afford better light, air and vision on more heavily traveled streets and on streets of substandard width, to protect arterial streets, and to have the location of structures compatible with the need for the eventual widening of streets, additional yard setbacks may be required. Where a street is not standard width, the required yard width shall be increased by half the amount of the additional right-of-way needed to create a standard width street.

Section 11. Monroe Municipal Code section 20.05.080 "Wetland development standards is hereby amended as follows:

20.05.080 Wetland development standards.

A. General Standards. Activities and uses shall be prohibited from wetlands and wetland buffers, except as provided by this chapter. The following activities may only be permitted in a wetland or wetland buffer if the applicant can demonstrate that the activity will not degrade the functions and values of the wetland and other critical areas.

1. Category I Wetlands. Activities and uses shall be prohibited from Category I wetlands, except as provided in the public agency and utility exception, reasonable use exception, and variance sections of this chapter.

2. Category II and III Wetlands. The following standards shall apply to Category II and III wetlands:

a. Water-dependent activities may be allowed where there are no practicable alternatives that would have a less adverse impact on the wetland and other critical areas.

b. Where non-water-dependent activities are proposed, it shall be presumed that alternative locations are available, and activities and uses shall be prohibited, unless the applicant demonstrates that:

i. The basic project purpose cannot reasonably be accommodated on another site in the general region and successfully avoid, or result in less adverse impacts on, a wetland or its buffer;

ii. There are no feasible alternative designs of the project as proposed that would avoid, or result in less of an adverse impact on, a wetlands or its buffer, such as a reduction in the size, scope, configuration, or density of the project.

3. Category IV Wetlands. Activities and uses that result in unavoidable and necessary impacts may be permitted in Category IV wetlands and associated buffers in accordance with an approved critical areas report and mitigation plan, and only if the proposed activity is the only reasonable alternative that will accomplish the applicant's objective.

4. Property Access. Any wetland may be altered with the least possible impact

and to the minimum extent necessary to gain access to developable property when no other alternative access exists. Alteration proposals shall be subject to city review and shall require compensation pursuant to a mitigation plan (see MMC 20.05.050, Applicability, exemptions, and exceptions).

5. Storm Water Management. Storm water management facilities are not allowed in wetlands. Storm water management facilities, limited to storm water dispersion outfall and bioswales, may be allowed within the outer twenty-five percent of the buffer of Category III and IV wetlands only; provided, that:

a. No other location is feasible; and

b. The location of such facilities will not degrade the functions and values of the wetland.

6. Trails. Public and private trails may be allowed within all buffers where it can be demonstrated in a critical areas report that the wetland and wetland buffer functions and values will not be degraded by trail construction or use. Trail planning, construction, and maintenance shall adhere to the following criteria:

a. Trail alignment shall follow a path beyond a distance from the wetland edge equal to seventy-five percent of the buffer width except as needed to access viewing platforms. Trails may be placed on existing levees or railroad grades within these limits;

b. Trails shall be constructed of pervious materials. The trail surface shall meet all other requirements, including water quality standards set forth in **the stormwater manual adopted in MMC Section 15.01.025 [**~~THE WASHINGTON STATE DEPARTMENT OF ECOLOGY STORM WATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON, AUGUST 2001 OR AS REVISED]~~;

c. Trail alignment shall avoid trees in excess of six inches in diameter of any tree trunk at a height of four and one-half feet above the ground on the upslope side of the tree;

d. Trail construction and maintenance shall follow the U.S. Forest Service Trails Management Handbook (FSH 2309.18, June 1987) and Standard Specifications for Construction of Trails (EM-7720-102, June 1984 or as revised);

e. Access trails to viewing platforms within the wetland may be provided. Trail access and platforms shall be aligned and constructed to minimize disturbance to valuable functions of the wetland or its buffer and still provide enjoyment of the resource;

f. Buffer widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and

g. Equestrian trails shall provide measures to assure that runoff from the trail does not directly discharge to the wetland.

7. Utilities. Public and private utility corridors may be allowed within wetland buffers for Category II, III, and IV wetlands when no lesser impacting alternative alignment is feasible, and wetland and wetland buffer functions and values will not be degraded. Utilities, whenever possible, shall be constructed in existing, improved roads, drivable surface or shoulder, subject to compliance with road and maintenance BMPs, or within an existing utility corridor. Otherwise, corridor alignment, construction, restoration and maintenance shall adhere to the following criteria:

a. Corridor alignment shall follow a path beyond a distance from the wetland edge equal to seventy-five percent of the buffer width, except when crossing a Category IV wetland and its buffer;

b. Corridor construction and maintenance shall maintain and protect the hydrologic and hydraulic functions of the wetland and the buffer;

c. Corridors shall be fully revegetated with appropriate native vegetation upon completion of construction; and

d. Utilities requiring maintenance roads shall be prohibited in wetland buffers

unless the following criteria are met:

i. There are no lesser impacting alternatives;

ii. Any required maintenance roads shall be no greater than fifteen feet wide. Roads shall closely approximate the location of the utility to minimize disturbances; and

iii. The maintenance road shall be constructed of pervious materials and designed to maintain and protect the hydrologic functions of the wetland and its buffer.

B. Best Available Science. Any approval of alterations of impacts to a wetland or its buffer shall be supported by the best available science.

C. Native Growth Protection Easement/Critical Area Tract. As part of the implementation of approved development applications and alterations, wetlands and their buffers that remain undeveloped pursuant to the critical areas regulations, in accordance with MMC 20.05.070, Protection and mitigation measures, shall be designated as native growth protection easements (NGPE). Any wetland and its associated buffer created as compensation for approved alterations shall also be designated as an NGPE.

When the subject development is a formal subdivision, short subdivision (short plat), or planned residential development (PRD), wetlands and their buffers shall be placed in a critical areas tract instead of an NGPE, as described in MMC 20.05.070, Protection and mitigation measures.

D. Minimum Buffers. The following buffers are minimum requirements. All buffers are measured from the wetland's edge as surveyed in the field:

1. Category I wetlands shall have a two-hundred-foot undisturbed buffer.
2. Category II wetlands shall have a one-hundred-foot undisturbed buffer.
3. Category III wetlands shall have a seventy-five-foot undisturbed buffer.
4. Category IV wetlands shall have a fifty-foot undisturbed buffer.
5. Any wetland created as compensation for approved wetland alteration shall have the minimum buffer required for the new classification of the created wetland.
6. Uninventoried wetlands shall be assigned a rating based on the wetland report and field verification, and the appropriate buffer shall apply.

E. Additional Buffers. The city may require increased buffer sizes as necessary to protect wetlands when either the wetland is particularly sensitive to disturbance or the development poses unusual impacts. Examples of circumstances that may require buffers beyond minimum requirements include, but are not limited to:

1. Unclassified uses;
2. The wetland is in a critical drainage basin;
3. The wetland is a critical fish habitat for spawning or rearing as determined by the Washington Department of Fish and Wildlife;
4. The wetland serves an important groundwater recharge area as determined by a groundwater management plan;
5. The wetland acts as habitat for endangered, threatened, rare, sensitive, or monitor species;
6. The land adjacent to the wetland and its associated buffer and included in the development proposal is classified as an erosion hazard area; or
7. A trail or utility corridor in excess of ten percent of the buffer width is proposed for inclusion in the buffer.

F. Buffer Reduction. The city may reduce up to twenty-five percent of the wetland buffer requirement only if sufficient information is available showing:

1. The applicant has demonstrated that mitigation sequencing efforts have been appropriately utilized: avoid, minimize, and lastly mitigate;
2. The proposed buffer reduction shall be accompanied by a mitigation plan that includes enhancement of the reduced buffer area;
3. The reduction will not adversely affect water quality;

4. The reduction will not destroy, damage, or disrupt a significant habitat area; and

5. The reduction is necessary for reasonable development of the subject property.

G. Buffer Averaging. The city will consider the allowance of wetland buffer averaging only when the buffer area width after averaging will not adversely impact the critical area and/or buffer functions and values. At a minimum, any proposed buffer averaging must also meet the following criteria:

1. The buffer area after averaging is no less than that which would be contained within the standard buffer; and

2. The buffer width shall not be reduced by more than twenty-five percent at any one point as a result of the buffer averaging.

H. Additional Wetland Mitigation Requirements. No net loss of wetland functions and values shall occur as a result of the overall project. If a wetland alteration is allowed, then the associated impacts will be considered unavoidable and the following mitigation measures to minimize and reduce wetland impacts shall be required, in addition to the requirements in MMC 20.05.070, Protection and mitigation measures.

1. Restoration/rehabilitation is required when a wetland (or stream) or its buffers has been altered on the site in violation of city regulations prior to development approval and as a consequence its functions and values have been degraded. Restoration is also required when the alteration occurs in violation of city regulations during the construction of an approved development proposal. At a minimum, all impacted areas shall be restored to their previous condition pursuant to an approved mitigation plan.

2. Restoration/rehabilitation is required when a wetland (or stream) or its buffers will be temporarily altered during the construction of an approved development proposal. At a minimum, all impacted areas shall be restored to their previous condition pursuant to an approved mitigation plan.

3. Compensation. The overall aim of compensation is no net loss of wetland and/or buffer functions on a development site. Compensation includes replacement or enhancement of wetlands and/or buffer (stream) depending on the scope of the approved alteration and what is needed to maintain or improve wetland and/or buffer functions. Compensation for approved wetland and/or buffer alterations shall meet the following minimum performance standards and shall occur pursuant to an approved mitigation plan.

4. a. Mitigation shall achieve equivalent or greater biological functions. Mitigation plans shall be consistent with the state Department of Ecology Guidelines for Developing Freshwater Wetland Mitigation Plans and Proposals, 1994, as revised.

b. Preference of Mitigation Actions. Mitigation actions that require compensation shall occur in the following order of preference:

i. Restoring wetlands on upland sites that were formerly wetlands.

ii. Creating wetlands on disturbed upland sites such as those with vegetation cover consisting primarily of exotic introduced species.

iii. Enhancing significantly degraded wetlands only after a minimum one-to-one replacement ratio has been met.

c. On-Site and In-Kind. Unless otherwise approved, all wetland impacts shall be compensated for through restoration or creation of replacement wetlands that are in-kind, on-site, and of similar or better wetland category. Mitigation shall be timed prior to or concurrent with the approved alteration and shall have a high probability of success. The following ratios shall apply to wetland restoration and creation for mitigation:

i. Category I on a six-to-one area basis with equal or greater functions and values.

ii. Category II on a three-to-one area basis with equal or greater functions and

values.

iii. Category III on a two-to-one area basis with equal or greater functions and values.

iv. Category IV on a one-and-one-half-to-one area basis with equal or greater functions and values.

d. Off-Site and In-Kind. The city may consider and approve off-site compensation where the applicant can demonstration that equivalent or greater biological and hydrological functions and values will be achieved. The compensation may include restoration, creation, or enhancement of wetland or streams so long as the project is within the same subdrainage basin. The compensation formulas required in subsection (H)(4)(c) of this section shall apply for off-site compensation as well.

e. Increased Replacement Ratios. The director may increase the ratios under the following circumstances:

i. Uncertainty exists as to the probable success of the proposed restoration or creation due to an unproven methodology or proponent; or

ii. A significant period will elapse between impact and replication of wetland functions; or

iii. The impact was unauthorized.

f. Decreased Replacement Ratios. The city may decrease the ratios required in subsection (H)(4)(c) of this section when all the following criteria are met:

i. A minimum replacement ratio of one to one will be maintained;

ii. Documentation by a qualified wetlands specialist demonstrates that the proposed mitigation actions have a very high rate of success;

iii. Documentation by a qualified wetlands specialist demonstrates that the proposed mitigation actions will provide functions and values that are significantly greater than the wetland being impacted; and

iv. The proposed mitigation actions are conducted in advance of the impact and have been shown to be successful.

g. Wetland Enhancement as Mitigation.

i. Impacts to wetlands may be mitigated by enhancement of existing significantly degraded wetlands only after a one-to-one minimum acreage replacement ratio has been satisfied. Applicants proposing to enhance wetlands must produce a critical areas report that identifies how enhancement will increase the functions and values of the degraded wetland and how this increase will adequately mitigate for the loss of wetland function at the impact site.

ii. At a minimum, enhancement acreage shall be double the acreage required for creation acreage under subsection (H)(4)(c) of this section. The ratios shall be greater than double the required acreage when the enhancement proposal would result in minimal gain in the performance of wetland functions currently provided in the wetland.

iii. Mitigation Plans for Alterations to Wetlands and Wetland Buffers. Mitigation plans shall be consistent with the state Department of Ecology Guidelines for Developing Freshwater Wetland Mitigation Plan and Proposals, 1994, or as revised. At a minimum, the following components shall be included in a complete mitigation plan:

(A) Baseline Information. Provide existing conditions information for both the impacted critical area and the proposed mitigation site as described in MMC 20.05.060(C), General Critical Area Report Requirements and 20.05.060(D), Additional Wetland Report Requirements.

(B) Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and include:

(1) A description of the anticipated impacts to the critical areas and the mitigating

actions proposed and the purposes of the compensation measures, including the site selection criteria, identification of compensation goals, identification of resource functions, and dates for beginning and completing site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area; and

(2) A review of the best available science supporting the proposed mitigation.

(C) Performance Standards. The mitigation plan shall include measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of this chapter have been met. They may include water quality standards, species richness and diversity targets, habitat diversity indices, or other ecological, geological, or hydrological criteria.

(D) Detailed Construction Plan. These are the written specifications and descriptions of mitigation techniques. This plan should include the proposed construction sequencing, grading and excavation details, erosion and sedimentation control features, a native planting plan, and detailed site diagrams and any other drawings appropriate to show construction techniques or anticipated final outcome.

(E) Monitoring and/or Evaluation Program. The mitigation plan shall include a program for monitoring construction of the compensation project, and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring, and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for five years or a period necessary to establish that performance standards have been met.

(F) Contingency Plan. This section identifies potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates projected performance standards have not been met.

Section 12. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 13. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2016.

First Reading: _____, 2016
Adoption: _____, 2016
Published: _____, 2016
Effective: _____, 2016

CITY OF MONROE, WASHINGTON:

_____
Geoffrey Thomas, Mayor

(SEAL)

ATTEST:	APPROVED AS TO FORM:
Elizabeth M. Smoot, MMC, City Clerk	J. Zachary Lell, City Attorney