

# ATTACHMENT 4

## STAFF REPORT AND RECOMMENDATION

October 18, 2016

**TO:** CITY OF MONROE PLANNING COMMISSION  
**FROM:** BRAD FEILBERG, PUBLIC WORKS DIRECTOR  
**SUBJECT:** CA2016-04 LOW IMPACT DEVELOPMENT CODE AMENDMENT

### **A. PURPOSE:**

The proposed non-project legislative action includes amendments to the Monroe Municipal Code (MMC) and the City of Monroe Public Works Design and Construction Standards (Standards) to address the National Pollutant Discharge Elimination System Phase II Stormwater Permit for Western Washington requirement to make the use of low impact development techniques the preferred alternative in the city. Affected chapters include: MMC 15.01, 17.04, 17.20, 18.10, 18.82, 18.84, 18.86, 20.05, and Street Standards. These amendments:

1. Establish the use of low impact development, where feasible, as the primary stormwater management objective
2. Adopt the 2012 Stormwater Management Manual for Western Washington, as amended in December 2014
3. Remove outdated code language from MMC Chapter 15.01
4. Define the Stormwater Manual Administrator
5. Require the integration of site planning and stormwater management at the initial design phase
6. Require a stormwater site assessment prior to development application
7. Base the lot yield calculation for subdivisions on lots per acre rather than the minimum lot size
8. Eliminate the minimum lot size requirement
9. Require the use of low impact development best management practices for parking areas, access drives, and garage aprons
10. Reduce the minimum lot widths and setbacks
11. Reduce minimum street widths
12. Reduce certain off-street parking requirements
13. No agency comments were received.

This non-project action also includes the following amendment to the Monroe Municipal Code:

1. Adding motorsports sales as an allowed use in the Downtown Commercial zoning

district's Rails and Roads neighborhood.

**B. APPLICANT INFORMATION:**

Design & Construction Division  
City of Monroe  
806 West Main Street  
Monroe, Washington 98272  
360-863-4540

**C. DISCUSSION/HISTORY**

New National Pollutant Discharge Elimination System (“NPDES”) provisions require municipalities to integrate Low Impact Development (“LID”) techniques into plans and/or codes by no later than December 31, 2016. The intent of this requirement is to make low impact development the *preferred* and commonly used approach to site development.

LID is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes by emphasizing conservation, use of on-site natural features, and site planning into a project design. LID techniques work with nature to manage stormwater as close to where it falls as possible. LID employs principles such as preserving and re-creating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

By implementing LID principles and practices, stormwater can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem. Common LID techniques include: bio-retention, rain gardens, permeable pavement, vegetated roofs, and rainwater harvesting.

The proposed amendments were introduced to the Planning Commission on September 12, 2016.

As required, the proposed amendments were sent to the Washington State Department of Commerce for agency review on September 28, 2016. Expedited review was granted on October 13, 2016.

A SEPA Determination of Non-significance was issued September 27, 2016. No comments were received prior to the October 11, 2016 public comment deadline; and no appeals were filed prior to the October 18, 2016 appeal deadline.

A Planning Commission public hearing was duly advertised and held on October 10, 2016. No substantive comments were made at the public hearing.

## **D. FINDINGS AND CONCLUSIONS**

### **1. Consistency with the city of Monroe 2015-2035 Comprehensive Plan:**

- Findings: Staff has listed several applicable policies from the from the current Monroe Comprehensive Plan:
  - P.010 Manage land use development to reduce downstream flooding.
  - P.011 Require special site plan review of proposed development in geological and flood hazard areas. Evaluate alternate development options where determined necessary.
  - P.012 Review and update building and development codes on an ongoing basis, incorporating the best and latest standards for development in critical areas.
  - P.029 Promote the retention of trees during public works projects, providing it does not impair project safety, structural integrity or design function.
  - P.033 Encourage street design that provides localized stormwater management, reducing the need for stormwater collection and remote treatment.
  - P.037 Protect the functions and values of all critical areas using best available science
  - P.038 Maintain regulations and standards supporting Low-Impact Development watershed management techniques.
  - P.039 Promote site development and construction practices that minimize impact on natural systems.
  - P.040 Manage surface water areas for multiple use, to include: flood and erosion control, wildlife habitat, open space, recreation, groundwater recharge functions.

***Conclusion: The proposed code amendment is consistent with applicable elements, policies, and goals of the Comprehensive Plan.***

### **2. Consistency with Chapter 20.04 MMC (SEPA)**

#### **Findings:**

- An environmental checklist and supplemental non-project review sheet were submitted for environmental review on September 16, 2016.
- The SEPA Responsible Official issued Determination of Non-significance on September 27, 2016.
- The Determination of Non-significance and SEPA checklist were sent to the Department of Ecology and other interested parties and tribes on September 27, 2016.
- Threshold determination notice was published in the Monroe Monitor and posted in public places on September 27, 2016.
- The SEPA comment period expired on October 11, 2016. No comments were

received.

- The SEPA appeal period ended on October 18, 2016. No appeals were received.

**Conclusion: *The proposal is consistent with Chapter 20.04 MMC and Chapter 197-11 WAC.***

### **3. Consistency with Chapter 36.70A (Growth Management Act):**

#### **Findings:**

- The proposal addresses the following Planning Goals listed in RCW 36.70A.020: Urban Growth, Reduce Sprawl, Housing, Economic Development, Environment, and Public Facilities and Services.
- In accordance with RCW 36.70A.130, the proposed ordinance was transmitted to the Washington State Department of Commerce on September 28, 2016. Expedited review was requested.
- Expedited review was granted by the Department of Commerce on October 13, 2016. No agency comments were received.

**Conclusion: *The proposal has met Growth Management Act requirements.***

### **4. Public notice:**

#### **Findings:**

- The Determination of Non-Significance (DNS) threshold determination and SEPA checklist were sent to the Washington State Department of Ecology on September 27, 2016.
- The SEPA threshold determination was placed on the City's website and emailed to the City's SEPA distribution list on September 27, 2016. This list included other parties the City felt would be interested in this specific proposal.
- The SEPA threshold determination notice was published in the Monroe Monitor on September 27, 2016.
- Notice of the October 10, 2016 Planning Commission public hearing was published in the Monroe Monitor and posted in public places on September 20, 2016.

**Conclusion: *The proposal has met noticing requirements.***

### **5. Consistency with Chapter 21.50 MMC**

#### **Findings:**

- The proposal is consistent with the City of Monroe Comprehensive Plan and meets the intent of this code.
- The proposal is beneficial to the public health, safety and welfare and is in the public interest.

**Conclusion: *The proposal complies with Chapter 21.50 MMC.***

**E. STAFF RECOMMENDATION**

Staff recommends the Planning Commission forward a recommendation to the City Council to **APPROVE** CA2016-04 Low Impact Development, as the proposal complies with the Monroe Municipal Code, the City of Monroe 2015-2035 Comprehensive Plan, and other State and Federal Regulations.