



DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR

I. PROJECT SUMMARY

Project Name: Big Sky Preliminary Short Plat (SP2021-01)

Proponents: Jen Haugen, Land Resolutions on behalf of Gregory & Victoria Wittman

Description: The applicant is requesting preliminary short plat approval for an 8-lot short subdivision on approximately 2.02 acres in the Single-Family Residential – 4 Units per Acre (R4) zoning district with associated grading, drainage improvements, landscaping, and street frontage improvements. There is an existing single-family residence that will remain. The new lots will take access off of 191st Avenue SE via a private road tract.

Location of Proposal: The site is located at 13XXX 191st Avenue SE, Monroe, Washington, 98272. Snohomish County Tax Parcel Number: 28063600103700

II. SUMMARY OF DECISION

The City of Monroe Municipal Code (MMC) requires an administrative review for proposed short subdivision requests by the Director of Community Development. Staff administratively reviewed the project for compliance with the policies, standards, and regulations of the City of Monroe. The preliminary short subdivision is hereby **Approved** based on the Findings of Fact and Conclusions of Law and is subject to the Conditions of Approval listed below.

Decision Date: July 21, 2021

End of Appeal Period: August 4, 2021

III. GENERAL INFORMATION

1. The site is located at 13XXX 191st Avenue SE and involves Snohomish County tax parcel #28063600103700.
2. The proposed short subdivision divides the subject property into eight (8) single-family residential lots. Lot 1 will contain the existing single-family residence.
3. The zoning of the site is Single-Family Residential – 4 Units per Acre (R4). The proposed development of eight single-family residences is a permitted use in the R4 zoning district.
4. The Comprehensive Plan designation of the site is Low Density Single-Family Residential.
5. The City's critical areas map does not indicate critical areas on the subject site.

IV. FINDINGS OF FACT

1. Application Submittal and Completeness:

The preliminary short subdivision application was submitted on April 23, 2021 and deemed complete on May 13, 2021.

2. Public Notification and Comments:

Public notice for the application was provided in accordance with the requirements of MMC section 22.84.050. A Notice of Application was published, mailed, and posted on May 17, 2021. A public comment period was provided from May 17, 2021 through 5:00 PM on June 1, 2021. One (1) public comment was received during the specified comment period. All comments are included in the project file.

3. Environmental Review:

Pursuant to the State Environmental Policy Act (SEPA), WAC 197-11-800 states that land use decisions such as short plats (WAC 197-11-800 (6)(d)), are categorically exempt from SEPA Review.

4. Bulk Requirements and Dimensional Standards:

Per MMC 22.16.040 Bulk Requirements and Table 22.16.040(O): 4 Units per Acre Zoning District (R4) Bulk Requirements, the development shall comply with the following standards for the R4 zoning district for single family residential development:

Residential Density ⁽¹⁾	
Maximum Allowed Residential Density	4 units per acre
Street Frontage ⁽¹⁾	
Minimum Street Frontage	40 feet
Minimum Street Frontage for Panhandle Lots	20 feet
Minimum Street Frontage for Cul-de-Sac Lots ⁽²⁾	40 feet
Minimum Street Frontage for Lots with Public Street Access from a Private Access Tract or Easement	20 feet
Lot Dimensions ⁽¹⁾	
Minimum Lot Width	40 feet
Yard Setbacks ⁽¹⁾	
Minimum Front Yard Setback Width to Living Space	10 feet
Minimum Front Yard Setback Width to Garage	20 feet
Minimum Side Yard Setback Width	Minimum 5 feet per side; Minimum 15 feet combined total side yard setback width
Minimum Rear Yard Setback Width	10 feet
Minimum Setback Width for Corner Lot Side Yards Abutting a Street ⁽³⁾	10 feet
Minimum Setback Width for Corner Lot Side Yards Not Abutting a Street ⁽³⁾	5 feet
Minimum Setback from Private Access Tracts	10 feet
Minimum Setback from Private Access Easements	10 feet
Lot Coverage ⁽¹⁾	
Maximum Lot Coverage	50%
Building Height ⁽¹⁾	
Maximum Building Height	35 feet

1. See MMC 22.16.040, Bulk Requirements for more information regarding the bulk requirements in the above table.
2. Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.
3. On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

5. MMC Section 22.68.040 Subdivisions and Short Subdivisions:

Pursuant to MMC 22.68.040(2), the proposed short plat shall conform to the following review criteria:

- a. The proposal conforms to the goals, policies, and plans set forth in the Monroe comprehensive plan;
- b. The proposal conforms to the site and design requirements set forth in this title. No final subdivision or short subdivision shall be approved unless the requirements are met;
- c. The proposed street system and pedestrian system conform to the Monroe comprehensive plan, Chapter 22.42 MMC, Design Standards, and applicable public works design standards, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of vehicular and pedestrian traffic;
- d. The proposed subdivision or short subdivision will be adequately served with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
- e. The layout of lots, and their size and dimensions, takes into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;
- f. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil, considering the stress and loads to which the soil may be subjected; and
- g. Lack of compliance with the criteria set forth in this section and in subsection (B) of this section, Subdivision Standards, shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.

The proposed short subdivision conforms to the City's Comprehensive Plan and zoning code in effect at the time the application was deemed complete.

Each lot meets the minimum lot width zoning requirements for the R4 zoning district. All lots will have access to 191st Avenue SE via private road Tract 999 which will service the development. There are no irregular lots. There are no critical areas onsite and a city boundary line does not bisect lots. The smallest lot being proposed is 4,708 square feet and the average lot size is 9,300 square feet. The density calculations are as follows:

$$\text{Total Site Area} = 2.02 \text{ acres} \times 4 = 8.08 \text{ units}$$

The proposed short subdivision will be adequately served with city-approved water and sewer.

The proposed street system and pedestrian system conforms to the Monroe comprehensive plan, Chapter 22.42 MMC, Design Standards, and applicable public works design standards, and provides for the safe, orderly and efficient circulation of vehicular and pedestrian traffic.

6. Street Design:

Frontage improvements along 191st Avenue SE include curb and gutter, a landscape strip with street trees, and a five (5) foot wide sidewalk along the entire length of the property frontage. Frontage improvements and paving, including curb, gutter, sidewalk, and street trees shall be installed in accordance with the City's Public Works Design and Construction Standards.

The applicant submitted a deviation request from the City of Monroe Public Works standard 3-2.3 Street Ends, STND Plan 304 – Cul-de-sac detail. The standard requires a 45' curb radius and a 57' back of sidewalk radius. The request is to attach the 5' wide sidewalk to the curb/gutter so that the back of sidewalk radius matches the required face-of-curb radius of 45'. The Fire District supports the proposal as long as the sidewalk is constructed to support the weight of fire apparatus. The HOA shall be responsible for the perpetual maintenance and repair of the sidewalk in the cul-de-sac.

7. Dedication of Right-of-Way:

The proposed short subdivision is dedicating 10 feet of right-of-way along 191st Avenue SE. Impacts to the City's transportation system are also mitigated through the collection of traffic mitigation fees. In accordance with the City's traffic impact mitigation fee program as established under MMC Chapter 3.54. Impact fees require a standard fee amount per dwelling unit as a condition of residential development within the City. Traffic impact fees shall be paid in accordance with MMC Chapter 3.54 and shall be based on the amount in effect at the time of payment.

8. Stormwater:

The preliminary stormwater detention proposal meets the City's design standards per the Washington State Department of Ecology's Stormwater Management Manual for Western Washington (2012) as amended in 2014. Any future permitted activities, such as building permits, will also have to comply with the provisions of the Stormwater Management Manual in effect at the time of the vesting of the permit application. The stormwater detention facility shall be maintained by the Big Sky HOA.

9. Utilities:

Utilities are available to serve the subject property. Water and sewer is available from the City's municipal water and sewer system. Electricity is available from Snohomish County PUD. Natural gas is available from Puget Sound Energy.

10. Parks:

In accordance with the City's park impact mitigation fees established under MMC Chapter 3.52, impact fees require a standard fee amount per dwelling unit as a condition of residential development within the city. Park impact fees shall be paid in accordance with MMC 3.52. Park impact fees shall be based on the fee amount in effect at the time of payment.

11. Schools:

The City of Monroe has adopted the Monroe and Snohomish School District 2020 - 2025 Capital Facilities Plan and imposes impact fees for schools in accordance with the plan and MMC Chapter 3.50. School mitigation fees require a standard fee amount per dwelling unit as a condition of residential development within the city. School impact fees are based on the amount in effect at the time of payment.

12. Impact Fees and Capital Improvements:

Development shall be subject to all applicable MMC requirements specifically including and without limitations, all applicable impact fees, and capital improvement charges pursuant to MMC section or chapter 13.04.025, 13.08.272, 3.50, 3.52, and 3.54.

13. Preliminary Short Plat Expiration:

Per MMC section 22.68.040(5)(d), Final short subdivision approval must be acquired within three years of preliminary approval, after which time the preliminary short subdivision approval is void. The decision-maker may grant an extension for one year if the applicant has attempted in good faith to submit the final subdivision within the three-year time period; provided, however, the applicant must file a written request with the original decision-maker requesting the extension at least thirty days before expiration of the three-year period.

V. CONCLUSIONS OF LAW

In order to approve a short subdivision application, the Community Development Director must conclude that the short plat conforms to Monroe Municipal Code, the current City of Monroe Comprehensive Plan, and City Standards.

1. Based upon the Findings of Fact specified above and conditions of approval included herein, the Community Development Director concludes that all code criteria for approval of this preliminary short plat application are or will be met and that the application should be approved.
2. The proposed short subdivision, as conditioned herein, will make appropriate provisions for public use and interest, health, safety, and general welfare.
3. This application, with the implementation of the following conditions, **does** meet the goals and policies of the Comprehensive Plan and the provisions of the Monroe Municipal Code.
4. The Community Development Director under the provisions of MMC Section 22.84.060 has the authority to grant approval of short subdivisions.

VI. CONDITIONS OF APPROVAL

The requested preliminary short subdivision is **APPROVED** subject to the following conditions:

Clearing and Grading and Site Improvements:

1. All improvements shall be constructed in accordance with the approved preliminary short plat map dated June 18, 2021 and preliminary civil plans dated June 18, 2021.
2. Following preliminary short subdivision approval and before site work begins, the proponent must submit complete civil plans that comply with the city's current public works design and construction standards and approved deviation request and receive approval by the city engineer. The proponent and/or successor shall apply for all needed permits to perform improvement work related to this preliminary short plat.
3. All surface water runoff shall be prevented from flowing south or east to Sinclair Heights. Surface water runoff needs to be contained onsite via use of swales or interception piping to the detention pond and existing stormwater facilities in 191st Avenue SE.
4. All retaining walls shall be built with the short plat construction BEFORE final short plat approval.
5. The civil plans must be complete and approved by the city engineer before the issuance of a grading permit for the development.
6. Landscaping shall be installed in accordance with the approved landscaping plan.

Fire:

7. The following requirements shall be adhered to during construction and completed before occupancy of any structure in accordance with the 2015 International Fire Code:
 - A. Fire hydrants shall be provided in accordance with city standards and the direction of the Fire Marshal;
 - B. Fire hydrants shall be installed as per fire flow and spacing requirements specified for the type of development with regards to distances to structures;
 - C. Fire hydrants shall be equipped four- (4) inch quarter-turn Storz adapters;
 - D. An access route, for firefighting apparatus, must be provided at the start of construction. Minimum access route requirements include a 20' width, 13'6" vertical height clearance, and the ability to support a load up to 75,000 pounds;
 - E. All buildings must be addressed visibly and legibly from the road. When buildings are not visible from the street, appropriate provisions must be made to identify clearly which road or drive serves the appropriate address including private roads.
 - F. "No parking" signs are required as directed by the Fire Marshal for all streets with a width less than 32' and within turnaround areas.
8. Combustible materials shall not be brought onto the site until an approved fire apparatus access roadway and an approved water supply is provided.
9. The proponent shall provide a letter of water availability from the water purveyor, stating that the required fire flow is available.

Utilities:

10. The cost of any work, new or upgrade, to the existing electrical system shall be in accordance with applicable Snohomish County PUD policies.

Other:

11. All development shall proceed in accordance with the Design Standards per MMC 22.42.
12. Development of the site is subject to the requirements of the 2018 International Building Code and the 2018 International Fire Code.
13. Traffic, Park, and School Impact Mitigation fees shall be paid prior to building permit issuance. The total fee or mitigation amount shall be based on the mitigation fee established by ordinance in effect at the time of fee payment. When payment is deferred to building permit issuance, a note to this effect shall be affixed to the face of the final plat map.
14. The water system capital improvement charge, in accordance with MMC Section 13.04.025, shall be required and paid prior to building permit issuance.
15. The wastewater system capital improvement charge, in accordance with MMC Section 13.08.270, shall be required and paid prior to building permit issuance.
16. The proponent and/or successor shall submit a final short plat application and a final copy of the short plat on a form acceptable to the city in conformance with the preliminary approved short plat for review. The proponent and/or successor shall complete all of the requirements of MMC 22.68.040(A)(5)(d) within three (3) years of the effective date of this decision or the short plat approval shall automatically expire.
17. All construction equipment, building materials, and debris shall be stored on

the applicant's property, out of the public right-of-way. In no case shall the access to any private or public property be blocked or impinged upon without prior consent from the affected property owners and the City of Monroe.

18. If at any time during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director.
19. Construction noise is not allowed between the hours of eight p.m. and seven a.m., Monday through Friday, and between the hours of eight p.m. and nine a.m., Saturday, Sunday, and legal holidays.
20. Mail routes, including mailbox types and locations, shall be approved by the Postmaster prior to construction.
21. The developer and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting the project.

Final Plat:

22. Per MMC 22.68.040(D)(9), The final subdivision map shall be prepared by or under the supervision of a land surveyor registered in the state of Washington and prepared in black ink on any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring eighteen inches by twenty-four inches in size. Each sheet, including the index sheet, shall conform to, and be compatible with, the Snohomish County recorder's recording standards and guidelines. The subdivision shall include the following information:
 - i. Information required by the preliminary subdivision approval, including the building envelopes, significant trees to be retained, and sensitive areas and buffers;
 - ii. The name of adjacent subdivisions and unplatted property shall be identified using dotted lines;
 - iii. The name of the subdivision, name(s) of the subdivider(s) and the name of the registered surveyor that prepared the subdivision shall be on all maps and surveyor notes;
 - iv. All lots shall be dimensioned and numbered consecutively starting with number (1) and show the lot area and the building setback lines in accordance with this title;
 - v. The length and bearing of all straight lines, central angles, radii, and curve lengths of all curves;
 - vi. All dimensions along lot lines with accurate dimensions in feet and hundredths of feet with true bearings and angles to streets and alley lines;
 - vii. Suitable primary control points, approved by the public works director, or descriptions and ties to such control points, to which all dimensions, angles, bearings and similar data given on the subdivision shall be referred;
 - viii. Accurate distances, bearings, locations and dimensions of the subdivision boundary lines, street lines, monuments and corporate limit, township or section lines which are referenced to a survey datum as prescribed by the public works director;
 - ix. Show on the face of the subdivision map, all land which is offered for dedication to the city related to streets, alley ways, easements, sensitive areas and associated buffers, parks, open space and other public use and/or dedication to other person and persons or entities for

- other purposes as shown on the approved preliminary subdivision. Any dedication, donation or grant shown on the face of the subdivision shall be considered for all intent and purposes as a quit claim deed;
- x. The final subdivision shall contain a legal description of the subdivision property;
 - xi. The final subdivision shall show the easement provisions, restrictions section, dedication and certification statements with appropriate signatures and seals, as set forth in greater detail in a checklist prepared by the public works director, before the subdivision is approved and recorded.
23. A licensed Professional Land Surveyor shall stake all property corners before recording the short plat. Upon recording the short plat with Snohomish County, the applicant shall return to the City of Monroe the original short plat, a full-sized conforming copy, a reduced copy at 8.5" x 11" of the short plat, including the recording number. In addition, the applicant must submit an electronic copy of the short plat in a compatible CAD or GIS format to the City of Monroe upon final approval.
24. The proponent and/or successor shall assure successful operation of required improvements, as applicable, including the submission of required financial securities for maintenance of said improvements as specified by the city engineer. Such financial security shall be effective for up to two years from approval of their completion of all required improvements or final short plat approval, whichever is later.

ENTERED this 21st day of July, 2021

Ben Swanson

Ben Swanson
Community Development Director

APPEALS

Parties of Record may file an appeal of this decision within fourteen (14) calendar days of this decision in conformance with MMC 22.84.080. Appeals must be submitted to the City of Monroe by **August 4, 2021**. Appeals shall be in writing and accompanied by an appeal fee as outlined in the city's most current fee resolution.