



City of Monroe  
806 West Main Street, Monroe, WA 98272  
Phone (360) 794-7400 Fax (360) 794-4007  
[www.monroewa.gov](http://www.monroewa.gov)

## Planning Commission Agenda

Monday, May 9, 2016 7:00 p.m. Council Chambers

### CALL TO ORDER

### ROLL CALL

Chairman Kristiansen  
Commissioner Bull  
Commissioner Coonan  
Commissioner Duerksen  
Commissioner Jensen  
Commissioner Stanger  
Commissioner Tuttle

### COMMENTS FROM CITIZENS

Members of the audience may comment on any city matter that is not listed on the agenda. Comments by individuals are limited to five (5) minutes. The Commission usually does not respond to matters brought up during audience participation and may; if appropriate, address the matter at a subsequent meeting.

### APPROVAL OF MINUTES

April 25, 2016

Documents: [PC04252016 Minutes.pdf](#)

### PUBLIC HEARINGS

1. Code Amendment (CA2016-01) to Monroe Municipal Code Chapter 20.12 clarifying the applicability of transportation impact fees to development activity involving change of use.

Documents: [DRAFT A New Business Agenda Bill - Traffic Impact Fee \(1\).pdf](#), [A PH - Draft Ord Traffic Impact Fees.pdf](#), [DRAFT Findings\\_Conclusions - Traffic Impact Fee .pdf](#)

### OLD BUSINESS

1. Zoning Code - Amendments

Documents: [A Old Business Agenda Bill - Zoning Code.pdf](#)

### NEW BUSINESS

None

### DISCUSSION BY COMMISSIONERS AND STAFF

### ADJOURNMENT

### **THE PLANNING COMMISSION MAY ADD AND/OR TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA**

Accommodations for people with disabilities will be provided upon request.  
Please contact City Hall at 360-794-7400 and allow one-week advanced notice.

**CITY OF MONROE  
PLANNING COMMISSION MINUTES  
Monday, April 25, 2016**

The regular meeting of the Monroe Planning Commission was held on **Monday, April 25, 2016** at **7:00 p.m.**, in the City Hall Council Chambers at 806 West Main Street, Monroe, WA 98272.

**CALL TO ORDER**

**Chair Kristiansen** called the meeting to order at **7:03 p.m.**

**ROLL CALL**

**Secretary Christina LaVelle** called the roll. The following were:

**Commissioners Present:** Chair Kristiansen, Vice Chair Tuttle, Commissioner Bull, Commissioner Jensen, Commissioner Stanger and Commissioner Duerksen

**Commissioners Absent:** Commissioner Coonan (excused)

**Staff Present:** Director of Community Development David Osaki and Planning Commission Secretary Christina LaVelle

**COMMENTS FROM CITIZENS**

None

**APPROVAL OF MINUTES**

April 11, 2016

**Commissioner Jensen moved** to accept the **April 11, 2016**, Planning Commission Meeting minutes as written. **Commissioner Bull** seconded. Motion carried **5/0**.

**Chairman Kristiansen** abstained.

**OLD BUSINESS**

1. Zoning Code- Amendments

**The Commission** discussed and gave direction to **Director Osaki** for amendments to Monroe Municipal Code (MMC) Chapter 18.02 -Definitions and MMC Section 18.10.050 Zoning land use matrix.

**DISCUSSION BY COMMISSION AND STAFF**

- **Director Osaki** invited the Commission to a strategic meeting with the Downtown Main Street Organization and with BDS Planning & Urban Design. It will be held at the Monroe City Hall at 3:00 p.m., Tuesday, May 3, 2016. The meeting will discuss issues surrounding the downtown and the roles of Downtown Main Street Organization and the City in developing strategies to address these issues.

- **Commissioner Jensen** inquired on the estimated completion of the Tjerne Place project. **Director Osaki** said that he would research the completion date and would relay this information back to Commissioner Jensen.
- **Chairman Kristiansen** noted that the American Flag on the large flag pole on Main Street is worn and should be replaced.

#### **ADJOURNMENT**

**Commissioner Jensen** moved to adjourn the **April 25, 2016** Planning Commission meeting. Motion was seconded by **Commissioner Stanger**. Motion carried **6/0** and the meeting was adjourned at **9:00 p.m.**

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Bill Kristiansen  
Chair

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Christina L. LaVelle  
Planning Commission Secretary

**MONROE PLANNING COMMISSION**  
***Agenda Item Cover Sheet***

<b>TITLE:</b>	<b><i>Traffic Impact Fee - Code Amendment</i></b>
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<b>DATE:</b>		<b>CONTACT:</b>	<b>PRESENTER:</b>	<b>ITEM:</b>
05/09/2016		Brad Feilberg	Brad Feilberg	Public Hearing

**Discussion:** 03/28/2016

**Public Hearing:** 05/09/2016

- Attachments:**
1. Draft Ordinance
  2. Findings

**DESCRIPTION/BACKGROUND**

The City Council adopted an emergency interim ordinance on April 5, 2016 that amended Monroe Municipal Code (MMC) Chapter 20.12 Transportation Impact Fees.

The amendment removed “any change of use of a building or structure, or any change in the use of land” from the definition of “Development activity”.

As a result, additional transportation impact fees are no longer collected when the use of an existing building is changed. This is intended to encourage the reoccupation of vacant buildings throughout Monroe.

**RECOMMENDED ACTION**

1. Hold public hearing.
2. Close public testimony portion of the public hearing.
3. Discuss proposed amendment.
4. If desired, motion to recommend to the City Council the adoption of an ordinance amending MMC 20.12 based on the attached findings and conclusions.

**CITY OF MONROE  
ORDINANCE NO. 00X/2016**

AN ORDINANCE OF THE CITY OF MONROE,  
WASHINGTON, AMENDING CHAPTER 20.12 MMC  
TRANSPORTATION IMPACT FEES; CLARIFYING THE  
APPLICABILITY OF TRANSPORTATION IMPACT FEES  
TO DEVELOPMENT ACTIVITY INVOLVING CHANGES OF  
USE; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, pursuant to Chapter 82.02 RCW, the City of Monroe has adopted and codified at Chapter 20.12 MMC standards and procedures for imposing transportation impact fees on development activity within the City in order to fund transportation system improvements necessary to serve such development; and

WHEREAS, the City Council desires to amend Chapter 20.12 MMC in order to clarify the applicability of the City's transportation impact fee to situations involving a change in land use; and

WHEREAS, the Council finds that the existing provisions in Chapter 20.12 MMC concerning changes of land use are potentially vague, and that a code amendment is immediately necessary in order to clarify the Council's legislative intent and to resolve potential uncertainties regarding the application and enforcement of said provisions.

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

Section 1. Amendment of MMC 20.12.030. Subsection 20.12.030(7) of the Monroe Municipal Code is hereby amended as follows:

7. "Development activity" means any construction or expansion of a building, structure, or use, ~~ANY CHANGE IN USE OF A BUILDING OR STRUCTURE, OR ANY CHANGE IN THE USE OF LAND,~~ that generates at least one p.m. peak hour trip of additional demand on and/or need for transportation facilities.

Section 2. Amendment of MMC 20.12.130. Subsection 20.12.130(D) of the Monroe Municipal Code is hereby amended as follows:

~~D. [FOR A CHANGE IN USE OF AN EXISTING BUILDING OR DWELLING UNIT, INCLUDING ANY ALTERATION, EXPANSION, REPLACEMENT, OR NEW ACCESSORY BUILDING, THE IMPACT FEE SHALL BE THE APPLICABLE IMPACT FEE FOR THE LAND USE CATEGORY OF THE NEW USE, LESS THE IMPACT FEE UNDER THE CURRENT RATE SCHEDULE OF THE PRIOR USE. IF NO IMPACT FEE WAS REQUIRED FOR THE PRIOR USE, THE IMPACT FEE FOR THE NEW USE SHALL BE REDUCED BY AN AMOUNT EQUAL TO THE CURRENT IMPACT FEE RATE FOR THE PRIOR~~

~~USE. THE "PRIOR USE" SHALL BE CONSTRUED AS THE LAST USE OF THE PROPERTY, EXCLUDING ANY INTERVENING PERIODS OF VACANCY EXCEPT AS FURTHER PROVIDED HEREIN. PROPERTIES THAT HAVE BEEN VACANT FOR FIVE YEARS OR MORE SHALL BE CONSIDERED VACANT FOR PURPOSES OF A CHANGE IN USE IMPACT FEE CALCULATION IF ANY IMPROVEMENTS ARE MADE TO THE PROPERTY THAT EXCEED FIFTY PERCENT OF THE VALUE OF EXISTING IMPROVEMENTS.]~~**Where (i) a certificate of occupancy has been issued for a use, and (ii) the impact fees for said use have been paid, and (iii) the land use category is subsequently changed before the underlying space is occupied, the applicant shall further remit payment for the impact fee amount that applies to the new land use category, less the amount of impact fee already paid.**

Section 2. 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 3. Effective Date. This ordinance shall be in full force and effect xx (x) 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.

Adoption: \_\_\_\_\_, 2016  
Published: \_\_\_\_\_, 2016  
Effective: \_\_\_\_\_, 2016

CITY OF MONROE, WASHINGTON:

(SEAL)

\_\_\_\_\_  
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Elizabeth M. Smoot, MMC, City Clerk

\_\_\_\_\_  
J. Zachary Lell, City Attorney

## Findings and conclusions

### Findings

1. MMC 21.20.040(B) states that the planning commission shall review and make recommendations on the following subjects:

“B. Amendments to the subdivision code, zoning code, and environmental code (MMC Titles [17](#) through 20).”

Transportation Impact Fees are codified in MMC Chapter 20.12. Planning Commission review is required.

2. WAC 197-11-800 14(i) and WAC 197-11-800 (19) categorically exempt from SEPA threshold determinations the following,

“(14) **Activities of agencies.** The following administrative, fiscal and personnel activities of agencies shall be exempt:

(i) Adoptions or approvals of utility, transportation and solid waste disposal rates.”

and

“(19) **Procedural actions.** The proposal, amendment or adoption of legislation, rules, regulations, resolutions or ordinances, or of any plan or program shall be exempt if they are:

(a) Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

(b) Text amendments resulting in no substantive changes respecting use or modification of the environment.

(c) Agency SEPA procedures.”

The proposal is SEPA exempt. It is specific to transportation impact fees and involves no substantive changes with respect to use or modification of the environment.

3. The 2015-2035 Comprehensive Plan identifies six economic development strategies including “Provide a Great Place to Start and Grow a Business”. Among the key steps to responding to this strategy identified in the 2015-2035 Comprehensive Plan include:

- Periodically evaluate fees to ensure Monroe is competitive with other cities in the region.
- Support local business through efficient regulation, licensing, and permitting procedures.
- Identify regulatory and financial incentives for starting or growing new business and industrial uses.

4. Pursuant to Chapter 82.02 RCW, the City of Monroe has adopted and codified at Chapter 20.12 MMC standards and procedures for imposing transportation impact fees on development activity within the City in order to fund transportation system improvements necessary to serve such development; and
5. The City Council desires to amend Chapter 20.12 MMC in order to clarify the applicability of the City's transportation impact fee to situations involving a change in land use.

#### Conclusions

1. The proposed code amendment eliminating traffic impact fees for change of use responds to this economic development strategy and is consistent with the 2015-2035 Comprehensive Plan.

**MONROE PLANNING COMMISSION**  
**Agenda Item Cover Sheet**

<b>TITLE:</b>	<b>Zoning Code - Amendments</b>
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<b>DATE:</b>		<b>CONTACT:</b>	<b>PRESENTER:</b>	<b>ITEM:</b>
05/09/16		David Osaki	Dave Osaki	Old Business

**Discussion:** 01/11/16; 01/25/2016, 02/22/2016, 03/28.2016, 4/11/2016, 4/25/2016

**Public Hearing:** None

**Attachments:** NOTE: Please bring prior packet materials related to the Downtown Commercial District from the March 28, 2016 and April 11, 2016 meetings. Should you require some or all of these materials again, please contact Tina in the Community Development Department.

**DESCRIPTION/BACKGROUND**

Prior Planning Commission meetings have discussed amendments to the zoning code, particularly the Downtown Commercial District.

At its May 9, 2016 meeting the Planning Commission will continue this discussion of the Downtown Commercial District..

<b>RECOMMENDED ACTION</b>	Discussion.
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