

MONROE CITY COUNCIL

Regular Business Meeting
September 27, 2016, 7:00 P.M.

Council Chambers, City Hall
806 W Main Street, Monroe, WA 98272

AGENDA

Call To Order

Roll Call

Pledge Of Allegiance

1. Councilmember Davis

Announcements And Presentations

1. Proclamation: Monroe School District Building 100th Anniversary

Documents:

[20160927 AP1 MPS_100yr Building Anniversary_2016.pdf](#)

Comments From Citizens

[This time is set aside for members of the audience to speak to the City Council on any issue related to the City of Monroe; except any quasi-judicial matter subject to a public hearing. **Please sign in prior to the meeting; testimony is limited to 3 minutes per speaker.**]

Consent Agenda

1. Approval of the Minutes; September 20, 2016, Regular Business Meeting

Documents:

[20160927 CA1 MCC Minutes 20160920.pdf](#)

Final Action

1. AB16-125: Ordinance No. 015/2016, Eaglemont Phase 3 Final Plat; First/Final Reading

Documents:

[AB16-125_ORD 015 2016_Eaglemont Phase 3_Final Plat_PRD.pdf](#)

2. AB16-126: Resolution No. 016/2016: Interlocal Agreement with Fire District re Fiber Optic Cable, Servers, Administration and Maintenance

Documents:

[AB16-126_RES 016 2016_FD FCS ILA.pdf](#)

Councilmember Reports

Staff/ Department Reports

1. Land Sales Update

Mayor/ Administrative Reports

1. Monroe This Week (September 23, 2016, Edition No. 37)

Documents:

[20160927 MR1 Monroe This Week Edition 37.pdf](#)

2. Draft Agenda for October 4, 2016, Regular Business Meeting

Executive Session

If needed.

Adjournment

Majority vote to extend past 10:00 p.m.

THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS
AGENDA

Accommodations for people with disabilities will be provided upon request. Please call City Hall at
360-794-7400. Please allow 48 hours advance notice.



Proclamation

MONROE SCHOOL DISTRICT 100 YEAR BUILDING ANNIVERSARY

WHEREAS, in 1916, Monroe was in need of a new grade school and the school board brought forth a bond election; and

WHEREAS, Monroe voters approved a new twenty-six thousand dollar school building by the largest vote event polled in town; and

WHEREAS, the new Monroe Central Grade School was built by Howard S. Wright whose company also built the Space Needle and Seattle Monorail ; and

WHEREAS, the new school building had twelve classrooms, six on each floor, and housed eight grade levels; and

WHEREAS, boys and girls were kept separated in their classrooms for seventh and eighth grades; and

WHEREAS, in the mid 1970's the Monroe School District Administration moved into the building and has maintained residence since;

NOW THEREFORE, I, Geoffrey Thomas, proclaim the observance of the

MONROE SCHOOL DISTRICT 100 YEAR BUILDING ANNIVERSARY

and encourage Monroe's residents and businesses to celebrate the history and anniversary of the Monroe School District Building.



Geoffrey Thomas, Mayor

CALL TO ORDER, ROLL CALL AND PLEDGE

The September 20, 2016, Regular Business Meeting of the Monroe City Council was called to order by Mayor Geoffrey Thomas at 7:00 p.m.; Council Chambers, City Hall.

Councilmembers present: Cudaback¹, Davis, Gamble, Hanford, Kamp, Rasmussen, and Scarboro.

Staff members present: Brazel, Farrell, Feilberg, Kyle, Osaki, Quenzer, and Smoot; City Attorney Lell.

The Pledge of Allegiance was led by Councilmember Hanford.

PUBLIC HEARING

1. AB16-119: Resolution Nos. 014/2016 and 015/2016, Approving Transfer of Property to Fire District/Authorize Mayor to Sign ILA and Purchase and Sale Agreement

Mr. Brad Feilberg, Public Works Director, provided background information on the public hearing and proposed resolutions and agreements related to the transfer of property to the Fire District.

Mayor Thomas opened the public hearing. There were no persons present wishing to provide testimony.

Councilmember Gamble moved to close the citizen testimony portion of the public hearing; the motion was seconded by Councilmember Kamp. On vote,

Motion carried (7-0).

Councilmember Gamble moved to close the public hearing; the motion was seconded by Councilmember Hanford. On vote,

Motion carried (7-0).

Councilmember Gamble moved to approve Resolution No. 014/2016, authoring the Mayor to sign an interlocal agreement for fire prevention and investigation services with the Snohomish County Fire Protection District No. 7; the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (7-0).

Councilmember Gamble moved to approve Resolution No. 015/2016, declaring certain real and personal property to be surplus to the needs of the City, and authorizing the Mayor to sign a property transfer agreement and to effectuate the conveyance of such surplus real and personal property to the Snohomish County Fire Protection District No. 7 pursuant

¹ CLERK'S NOTE: Councilmember Cudaback arrived at approximately 7:04 p.m.

to this agreement; the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (7-0).

COMMENTS FROM CITIZENS

There were no persons present wishing to address Council.

CONSENT AGENDA

Mayor Thomas noted that AB16-120 (Acceptance of CIP Project/Begin Lien Period, Monroe Board and Blade Park) was being pulled from the agenda.

1. Approval of the Minutes; September 13, 2016, Regular Business Meeting
2. Approval of AP Checks and ACH Payments (*Check Nos. 87166 through 87262, and ACH/EFT payments, in a total amount of \$2,548,100.32*)
3. ~~AB16-120: Acceptance of CIP Project/Begin Lien Period, Monroe Board and Blade Park~~ (*PULLED FROM THE AGENDA AT THE TIME OF THE MEETING*)
4. AB16-121: Acceptance of CIP Project/Begin Lien Period, West Main Street Sidewalk

Councilmember Hanford moved to approve the Consent Agenda²; the motion was seconded by Councilmember Rasmussen. On vote,

Motion carried (7-0).

NEW BUSINESS

1. AB16-122: Park Board Recommendation regarding Smoking/Vaping in Parks

Mr. Mike Farrell, Parks and Recreation Director, provided background information on AB16-122 and the Monroe Park Board's recommendations regarding Smoking and Vaping in City Parks.

Councilmember Hanford moved to direct Staff to draft an administrative policy of no smoking or vaping in Monroe City parks and set aside \$1,000 in General Fund -- Parks to purchase new signage regarding no smoking/vaping in the parks; the motion was seconded by Councilmember Rasmussen.

Discussion continued regarding the signage, proposed policy, and voluntary enforcement.

On vote,

Motion carried (7-0).

2. AB16-123: Discussion: Parks & Recreation Events Portable Stage Proposal

Mr. Farrell provided background information on AB16-123 and the proposal to purchase a portable stage for Monroe Parks and Recreation events.

² CLERK'S NOTE: Consent Agenda Item Nos. 1, 2, and 4.

General discussion ensued regarding portable stage options, timeframe to purchase, budget, permanent structure options, and creation of a master plan for Lake Tye Park.

Councilmember Rasmussen moved to direct Staff to purchase a portable stage trailer through utilization of the 2016 Parks CIP Budget in lieu of design/construction of a clamshell at the Lake Tye Building; the motion was seconded by Councilmember Gamble.

General discussion ensued regarding budget, portable stage options, and future permanent structure options.

On vote,

Motion carried (7-0).

FINAL ACTION

1. AB16-124: Ordinance No. 014/2016; Bear Mountain Estates, Final Plat/Planned Residential Development

Ms. Kristi Kyle, Senior Planner, provided background information on AB16-124, and the proposed ordinance approving the Bear Mountain Estates Final Plat and Planned Residential Development.

Councilmember Kamp moved to adopt Ordinance No. 014/2016, approving the final plat/planned residential development for the Bear Mountain Estates Subdivision Phase One, (FPLPRD-2016-03); setting forth supportive findings; providing for severability; and fixing a time when the same shall become effective; the motion was seconded by Councilmember Davis.

Mayor Thomas responded to a Council inquiry regarding the location.

On vote,

Motion carried (7-0).

COUNCILMEMBER REPORTS

1. ~~City Council Transportation/Planning, Public Works, Parks & Recreation, and Public Safety Committee (Councilmember Davis) -- CANCELLED~~

No report – meeting was cancelled.

2. Individual Reports

Councilmember Gamble commented on the Snohomish County Cities Dinner Meeting, Monroe Public Schools Foundation, and Monroe High School football.

Councilmember Kamp commented on Lake Tye Park bioswales, Snohomish County Cities Dinner Meeting, the Police/Fire football game, and model boat races at Lake Tye Park.

Councilmember Davis commented on the Snohomish County Cities Dinner Meeting.

Councilmember Rasmussen commented on the Snohomish County Cities Dinner Meeting and Police/Fire football game.

Councilmember Hanford commented on the Snohomish County Cities Dinner Meeting.

Councilmember Cudaback commented on the Snohomish County Cities Dinner Meeting.

Councilmember Scarboro commented on the Snohomish County Cities Dinner Meeting.

STAFF/DEPARTMENT REPORTS

1. Finance – August 2016 Revenues/Expenditures Report

No report was provided at the time of the meeting.

2. Evergreen State Fair – Weather & Attendance Report 2011-2016

Mr. Farrell noted the report included in the agenda materials.

3. Individual Reports

Mr. Farrell reported on Monroe Park Board activities and the upcoming Harvest Festival at Lake Tye Park.

Mr. Dave Osaki, Community Development Director, reported on plat applications and East Monroe project.

Police Chief Tim Quenzer reported on a legislative planning session attended, recent major motor vehicles accidents, homeless counts and human services available, and the Police/Fire football game.

MAYOR/ADMINISTRATIVE REPORTS

1. Monroe This Week (*September 16, 2016, Edition No. 36*)

Mayor Thomas noted the inclusion of Monroe This Week, Edition No. 36, in the agenda packet, and reported on the following items: Snohomish County Cities Dinner Meeting, employee appreciation lunch, events at the Evergreen Speedway.

2. Draft Agenda for September 27, 2016, Regular Business Meeting

Mr. Brazel reviewed the draft agenda for the September 27, 2016, Monroe City Council Regular Business Meeting, the extended agenda, and additions/edits thereto.

Councilmember Kamp moved to cancel the November 8, 2016; the motion was seconded by Councilmember Hanford. On vote,

Motion carried (7-0).

General discussion ensued regarding possible cancellation of the November 22, December 20, and December 27, 2016, City Council Regular Business Meetings.

EXECUTIVE SESSION³

1. Agency Litigation [RCW 42.30.110(1)(i)] – *10 minutes*

Mayor Thomas stated the Council would recess into executive session for approximately 10 minutes to discuss the Agency Litigation [RCW 42.30.110(1)(i)]; and read the appropriate citation into the record.

The meeting recessed into executive session at 8:29 p.m., was extended for an additional 8 minutes, and reconvened at 8:47 p.m.

ADJOURNMENT

There being no further business, the motion was made by Councilmember Kamp and seconded by Councilmember Rasmussen to adjourn the meeting. On vote,

Motion carried (7-0).

MEETING ADJOURNED: 8:49 p.m.

Geoffrey Thomas, Mayor

Elizabeth M. Smoot, MMC, City Clerk

Minutes approved at the Regular Business Meeting of September 27, 2016.

³ CLERK'S NOTE: Executive Session added to the agenda at the time of the meeting.



MONROE CITY COUNCIL

Agenda Bill No. 16-125

TITLE:	Ordinance No. 015/2016; Eaglemont, Division 3, Final Plat/Planned Residential Development (FPLPRD-2016-01); First/Final Reading
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
9/27/2016	Community Development	Kristi Kyle	Kristi Kyle	Final Action#1

Discussion: 03/05/2013, 08/26/2014; 11/24/2015, 12/15/2015, 9/27/16
First Reading: 09/27/2016

- Attachments:**
1. Proposed Ordinance No. 015/2016; Exhibits A and B
 2. Resolution No. 2013/005 and Hearing Examiner Recommendation
 3. SEPA MDNS (SEPA 2012-12) Eaglemont (December 6, 2012)
 4. Eaglemont Minor Adjustment decision (October 20, 2014)
 5. Eaglemont Minor Adjustment decision (August 31, 2016)

REQUESTED ACTION: Move to adopt Ordinance No. 015/2016, approving the final plat/planned residential development for the Eaglemont Subdivision Division 3, (FPLPRD-2016-01); setting forth supportive findings; providing for severability; and fixing a time when the same shall become effective.

DESCRIPTION/BACKGROUND

The Eaglemont preliminary plat/Planned Residential Development (PRD) received approval from the City Council on March 5, 2013 (*attachment 2*, Resolution No. 2013/005). The Eaglemont preliminary plat/PRD approval was for 146 lots on approximately 35 acres. The applicant (RAD Development on behalf of Select Homes) has now made application for final plat/PRD approval of Eaglemont Division 3.

Eaglemont Division 3 is the third phase of a three phased 146 lot Plat/PRD. The City Council approved the Eaglemont Division 1 final plat/PRD of 63 lots on approximately 14.45 acres on August 26, 2014 (Ordinance No. 010/2014) and Eaglemont Division 2 final plat/PRD of 46 lots on approximately 11.71 acres on December 15, 2015 (Ordinance No. 023/2015).

The proposed Eaglemont Division 3 final plat/PRD application consists of 36 lots on approximately 8.88 acres and will be served with public roads, water, and sewer from the City of Monroe. The site is zoned Residential 4 Dwellings per Acre (R4).

A Mitigated Determination of Non-Significance (MDNS) (*attachment 3*) was issued on the Eaglemont preliminary plat/planned residential subdivision) on December 6, 2012.

A minor adjustment administrative decision (*attachment 4*) to certain lot configurations and road alignments for Eaglemont Division 2 and Eaglemont Division 3 was approved October 20, 2014. A second minor adjustment administrative decision (*attachment 5*) was requested to include in Eaglemont Division 3 a portion of property known as "Tract A", that was removed as part of the approved minor adjustment issued on October 20, 2014. The area known as "Tract A" is approximately 47,207 square feet and will be reserved for future development.

The Eaglemont Division 3 Final Plat/PRD has been reviewed by all relevant City departments. The applicant has either met or bonded for all of the conditions of the preliminary plat/PRD. The required improvements have been installed with the exception of the final lift of asphalt, park and landscape improvements. These items have been financially secured.

Based on staff review, the final plat/PRD application for Eaglemont Division 3 conforms to the approved preliminary plat/PRD, minor adjustment and the Monroe Municipal Code.

IMPACT – BUDGET

N/A

TIME CONSTRAINTS

N/A

**CITY OF MONROE
ORDINANCE NO. 015/2016**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, APPROVING THE FINAL PLAT AND PLANNED RESIDENTIAL DEVELOPMENT FOR THE EAGLEMONT SUBDIVISION, DIVISION 3 (FPLPPRD-2016-01); SETTING FORTH SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

WHEREAS, approval of the preliminary plat and PRD of Eaglemont was granted by the Monroe City Council on March 5, 2013, pursuant to the Council's adoption of Resolution No. 2013/005; and

WHEREAS, the project applicant of the preliminary plat and PRD has applied for final plat and final PRD approval in accordance with Chapter 17.28 and 18.84 MMC, which has been reviewed and approved by all relevant City departments; and

WHEREAS, the applicant has completed and/or submitted appropriate financial guarantees for all required improvements, and all necessary inspections pursuant to Chapter 18.84 MMC have occurred; and

WHEREAS, the applicant has submitted for review and approval by the City Council a final plat/PRD application and the final plat/PRD map contained in Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full; and

WHEREAS, City of Monroe staff has determined that all conditions of the preliminary plat/PRD have either been met or bonded for and will be satisfied prior to building permit issuance and has recommended that final plat and final PRD be granted; and

WHEREAS, the Community Development Director has determined that the final plat and final PRD application and map comply with all applicable standards and requirements, and has recommended approval by the City Council.

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

Section 1. Findings. The Monroe City Council hereby incorporates the above recitals as findings in support of this ordinance. The City Council further enters the following additional findings:

- A. The final plat and final PRD for the subdivision known as “Eaglemont Division 3” conforms to all the terms and conditions of the preliminary plat/PRD approval granted by the City of Monroe Resolution No. 2013/005, approved March 5, 2013.
- B. The final plat/PRD meets the requirements of the state laws and the Monroe Municipal Code that was in effect at the time of Preliminary Plat/PRD application, specifically including without limitation the PRD approval criteria codified at MMC 18.84.080 as provided in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.
- C. All required plat/PRD improvements have either been constructed or have been financially secured as approved by the City Council in amounts specified by the City Engineer.
- D. The final plat/PRD has been processed and reviewed in material compliance with all applicable state and local procedural requirements.
- E. The final plat/PRD is in conformance with all applicable zoning and other land use controls.
- F. The final plat/PRD is supported by all applicable owner, staff and agency approvals, attestations, certifications and/or recommendations as required by state and local regulations.

Section 2. Final Plat/PRD Approval. Based upon the above findings, the City Council hereby approves the final plat and PRD for the Eaglemont subdivision, Division 3 (FPLPPRD-2016-01); the Mayor, Community Development Director, and/or other appropriate City of Monroe staff members are authorized and directed to take all actions necessary in order to effectuate said approval, including without limitation issuance of any required notices.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. 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.

ADOPTED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2016.

First/Final Reading: September 27, 2016
Published: October 4, 2016
Effective: October 9, 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

EXHIBIT A

Findings of the Monroe City Council Final Plat and Planned Residential Development (PRD)

Eaglemont - Division 3

September 27, 2016

The Monroe City Council finds as follows:

- A. The Final Planned Residential Development (PRD) complies with the requirements in MMC 18.84.080.
- B. The PRD is required to pay park impact fees in accordance with MMC 20.10 as a condition of approval of the preliminary plat and preliminary PRD, and complies with MMC 18.84.080(D).
- C. The Final PRD HOA bylaws comply with assessment requirements as set forth in MMC 18.84.080(E).
- D. The Final PRD complies with the Housing Standards as set forth in MMC 18.84.080(G).
- E. The Final PRD complies with the Street and Site Design Standards as set forth in MMC 18.84.080(H).
- F. The Final PRD complies with the requirements for Park and Recreational Useable Open Space as set forth in MMC 18.84.080(I).
- G. The Final PRD complies with the Landscaping Design Standards as set forth in MMC 18.84.080(J).
- H. The Final PRD complies with the PRD Density Determination as set forth in MMC 18.84.080(K).
- I. The minimum lot size of the PRD is 4,500 square feet or larger as set forth in MMC 18.84.080(L).
- J. The PRD contains a minimum of three sizes of lots separated by a one thousand square foot threshold and no single lot size makes up more than 50 percent or less than 15 percent of the total lots as set forth in MMC 18.84.080 (N).
- K. The Final PRD conforms to the approved preliminary development plan as set forth in MMC 18.84.130.
- L. The applicant submitted a final development plan pursuant to MMC 18.84.070(B), which was reviewed and approved by all relevant City departments.

- M. The Final PRD for the subdivision commonly known as "Eaglemont Division 3" conforms to all terms of the preliminary plat and PRD approval granted by City of Monroe Resolution No. 2013/005, approved by the City Council on March 5, 2013.
- N. The Final PRD meets the requirements of all applicable state laws and the Monroe Municipal Code that were in effect at the time of preliminary PRD application.
- O. All PRD improvements have either been constructed or have been financially secured as approved by the City Council in the amounts specified by the City Engineer.
- P. The Final PRD has been reviewed concurrently with the final plat map for the underlying project.



COMMUNITY DEVELOPMENT

806 West Main Street, Monroe, WA 98272
Phone (360) 794-7400 Fax (360) 794-4007
www.monroewa.gov

FOR OFFICE USE ONLY
PERMIT #(s) _____

COMBINED PERMIT APPLICATION PERMIT SUBMITTAL HOURS MONDAY – FRIDAY 8:00 – 12:00 / 1:00 – 5:00

Building	Operations	Fire	Land Use
<input type="checkbox"/> Commercial T/I	<input type="checkbox"/> Engineering Review	<input type="checkbox"/> Fire Alarm	<input type="checkbox"/> Accessory Dwelling Unit
<input type="checkbox"/> Demolition	<input type="checkbox"/> Fencing	<input type="checkbox"/> Fire Sprinkler	<input type="checkbox"/> Boundary Line Adjustment /Lot Consolidation
<input type="checkbox"/> Garage/Carport	<input type="checkbox"/> Grading	<input type="checkbox"/> High Piled Storage	<input type="checkbox"/> Conditional/Special Use
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Retaining wall	<input type="checkbox"/> Hood Suppression	<input type="checkbox"/> Land Clearing/Forest Practices
<input type="checkbox"/> New Construction (Commercial/Residential)	<input type="checkbox"/> Rockery	<input type="checkbox"/> Operational	<input checked="" type="checkbox"/> Planned Residential Development
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Right-of-Way Disturbance	<input type="checkbox"/> Spray Booth	<input type="checkbox"/> Shoreline Permit
<input type="checkbox"/> Racking	<input type="checkbox"/> Special Flood Hazard Area	<input type="checkbox"/> Tents & Canopies	<input type="checkbox"/> Short Plat
<input type="checkbox"/> Residential Remodel	<input type="checkbox"/> Utility Service	<input type="checkbox"/> Other _____	<input type="checkbox"/> Subdivision/Plat
<input type="checkbox"/> Sign	<input type="checkbox"/> Other _____		<input type="checkbox"/> Variance
<input type="checkbox"/> Other _____			<input checked="" type="checkbox"/> Other <u>Minor</u> <u>modification</u>

NOTE: All required Electrical Permits will be issued by the Dept. of Labor & Industries.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT COMPLETED SUBMITTAL REQUIREMENTS

Site Address or Property Location: 13611 197th Ave SE, 13824 Chain Lake Road, XX-199th Ave SE
 Size of site (acre/square feet): 35.03 Acres / 1.526, 271 SF
 Assessor's Tax Parcel Number (14 digits): 28073100201000, 28073100203300, 28073100203400, 28073100201100, 28073100203200, 28073100204000, 01010300050200, 01010300050100

Applicant: Select Homes Phone # (425) 299-2600
 *Signature: _____ Printed Name: _____
 Mailing Address: 16531 13th Ave West # A107 Fax # (____) _____
 City Lynnwood State WA Zip 98037 E-mail cbpierce@comcast.net

Property Owner: _____ Phone # (____) _____
 **Signature: [Signature] Printed Name: DOUG WILSON
 Mailing Address: [Signature] Fax # (____) _____
 City _____ State _____ Zip _____ E-mail _____

Attach a separate sheet for additional property owners/additional addresses

*Applicant: By your signature above, you hereby certify that the information submitted is true and correct and that you are authorized by the property owner(s) to act on their behalf.

**Property Owners: by your signature above, you hereby certify that you have authorized the above applicant to make application on your behalf for this application.

CITY OF MONROE
RECEIVED
AUG 09 2016
COMMUNITY DEVELOPMENT

**City of Monroe
Land Use Permit Application- Page 2**



Give a detailed description below of the proposal / work. Provide details specific to your application e.g., current and proposed lot sizes, number of lots, description of driveway, description of proposed business including hours of operation, number of employees, existing and proposed parking spaces.

Forest Tax Reporting Account Number (if harvesting timber call the Department of Revenue at (800) 548-8829 for tax reporting information or to receive a tax number):

Detailed Description of work:

See attached project narrative

FOR OFFICE USE ONLY

Planning Application Fee: _____	Publication Fee: _____
Fire Plan Check Fee: _____	Mailing Fee: _____
SEPA Fee: _____	Technology Fee: _____
TOTAL FEES: _____	

LEGAL DESCRIPTION

TRACT "B" OF THE PLAT OF EAGLEMONT DIVISION NUMBER 1, AS RECORDED UNDER AUDITOR'S FILE 20140916002, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THAT PORTION OF TRACT "B" OF SAID EAGLEMONT DIVISION NUMBER 1, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:
COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID TRACT "B";
THENCE NORTH 00°45'07" EAST, 122.31 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE;
THENCE SOUTH 82°35'56" WEST, 88.57 FEET;
THENCE SOUTH 89°45'56" WEST, 118.92 FEET;
THENCE SOUTH 00°45'06" WEST, 55.70 FEET TO THE NORTH LINE OF TRACT "A" OF SAID EAGLEMONT DIVISION NUMBER 1 AND TERMINUS OF THE HEREIN DESCRIBED LINE.
SITuate in the COUNTY of SNOHOMISH, STATE OF WASHINGTON.

DEDICATION

KNOW BY ALL WHOM THESE PRESENTS THAT SELECT HOMES INC., A WASHINGTON CORPORATION, DO HEREBY DECLARE THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER ALL ROADS AND WAYS AND OTHER PUBLIC PROPERTY SHOWN HEREON, AND THE USE THEREOF FOR ANY AND ALL PUBLIC PURPOSES, WITH THE RIGHT TO MAINTAIN, REPAIR, IMPROVE, AND USE SAID ROADS AND WAYS AND TO CONTINUE TO DRAIN SAID ROADS AND WAYS AND TO CONVEY AND CROSS OVER SAID ROADS AND WAYS TO DRAIN COURSE, IN THE ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS SHOWN HEREON, FOLLOWING ORIGINAL REASONABLE GRADING OF ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR TRACT SHALL BE PERMITTED TO RUN OR BE DISCHARGED INTO OR UNDER ANY ROAD OR DRIVE OR PUBLIC ROAD RIGHTS-OF-WAY, OR TO HAUPER PROPER ROAD DRAINAGE. ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR ROUTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY THE OWNER OF SAID LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER, BUT ONLY AFTER THE APPROVAL BY THE CITY ENGINEER.
TRACTS 984, 985, 986, 987, AND 988 ARE HEREBY GRANTED AND CONVEYED TO THE EAGLEMONT HOMEOWNER'S ASSOCIATION. TRACT A IS TO BE RETAINED BY THE DEVELOPER, SELECT HOMES, INC. FOR FUTURE DEVELOPMENT.
THIS DEDICATION INCLUDES CONVEYANCE OF ROADS, TRACTS, UTILITY AND STORM DRAINAGE INFRASTRUCTURE, AND OTHER AREAS OF RIGHT-OF-WAY INTENDED FOR PUBLIC USE AND/OR ANY OWNERSHIP AS SHOWN ON OR OTHERWISE REFERENCED BY THE PLAT. THE EAGLEMONT HOMEOWNER'S ASSOCIATION HEREBY WAIVES ALL CLAIMS AGAINST THE CITY OF MONROE AND/OR ANY OTHER PERSONS OR ENTITIES FOR THE CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SUCH FACILITIES AND IMPROVEMENTS.
IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

SELECT HOMES INC.
A WASHINGTON CORPORATION

BY: _____

ITS: _____

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) S.S.

I, _____, IS THE PERSON WHO
HEREBY CERTIFY THAT I KNOW OR HAVE SUFFICIENTLY EVIDENCE THAT _____
AGREED TO SIGN AND WAIVE THE RIGHTS HE OR SHE HAS IN THE INSTRUMENT, AND THAT HE OR SHE
STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE
FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

(SIGNATURE)

(PRINTED)

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES: _____

DATED: _____

TRACT USE

Table with 2 columns: TRACT, USE. Rows include 984 LANDSCAPE BUFFER/OPEN SPACE, 985 LANDSCAPE BUFFER/OPEN SPACE, 986 LANDSCAPE BUFFER/OPEN SPACE, 987 ACCESS, 988 LANDSCAPE BUFFER/OPEN SPACE, 989 FUTURE DEVELOPMENT.

RESTRICTIONS

- 1) NO FURTHER DIVISION OF ANY LOT IS ALLOWED WITHOUT SUBMITTING FOR A NEW SUBDIVISION OR SHORT SUBDIVISION.
2) TRAFFIC IMPACT FEES ASSESSED IN ACCORDANCE WITH MMC 20.12 SHALL BE REQUIRED AND PAID PRIOR TO BUILDING PERMIT ISSUANCE.
3) PARK IMPACT FEES IN ACCORDANCE WITH MMC 20.10 SHALL BE REQUIRED AND PAID PRIOR TO FINAL PLAT APPROVAL OR THE APPLICANT MAY DEFER PAYMENT TO PRIOR TO BUILDING PERMIT ISSUANCE.
4) SCHOOL IMPACT FEES ASSESSED IN ACCORDANCE WITH MMC 20.07 SHALL BE REQUIRED AND PAID PRIOR TO BUILDING PERMIT ISSUANCE.
5) THE WATER SYSTEM CAPITAL IMPROVEMENT CHARGE IN ACCORDANCE WITH MMC 13.04.272 SHALL BE REQUIRED AND PAID PRIOR TO BUILDING PERMIT ISSUANCE.
6) THE WASTEWATER SYSTEM CAPITAL IMPROVEMENT CHARGE IN ACCORDANCE WITH MMC 13.08.272 SHALL BE REQUIRED AND PAID PRIOR TO BUILDING PERMIT ISSUANCE.
7) STREET TREES SHALL BE INCLUDED IN THE STREET PLANTER STRIPS, TREE TYPE, SPACING, QUANTITY, AND LOCATION SHALL BE DETERMINED BY THE STREET DESIGNER AND SHALL BE PLANTED WITHIN A STREET FRONTAGE IS FULLY OWNED OCCUPIED AND AS DIRECTED BY THE PARKS DEPARTMENT. THE CITY WILL COORDINATE TREE PLANTINGS TO THE MOST FAVORABLE TIME OF THE YEAR. ALL STREET FRONTAGE SHALL BE COMPLETED AND BOUNDED WORK MUST BE COMPLETED WITHOUT RISK OF CONSTRUCTION DAMAGE.
8) SUBJECT TO EASEMENTS FOR ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, RECORDED UNDER AFF#492307 AND AFF#04886.
9) SUBJECT TO RESERVATIONS AND RECITALS CONTAINED IN DEED RECORDED UNDER AFF#47283.
10) SUBJECT TO GAS PIPELINE EASEMENTS, RECORDED UNDER AFF#244297 AND 201507080533. INSUFFICIENT DATA TO PLOT 201507080533.
11) SUBJECT TO GAS PIPELINE, ELECTRICITY AND/OR COMMUNICATIONS EASEMENTS, RECORDED UNDER AFF#200509100734 AND AFF#200309100735.
12) SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND LIABILITY ASSESSMENTS, RECORDED UNDER AFF#200405020036, AND MODIFIED BY AFF#201506090339.
13) SUBJECT TO REIMBURSEMENT AGREEMENT FOR STREET AND/OR UTILITY IMPROVEMENTS, RECORDED UNDER AFF#201108101079.
14) SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, MITIGATION FEES, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, AS SET FORTH ON PLAT OF EAGLEMONT DIVISION NO. 1, AS RECORDED UNDER AFF#201409165002.
15) SUBJECT TO CONSENT FOR USE OF GAS TRANSMISSION RIGHT-OF-WAY, RECORDED UNDER AFF#201507080531.
16) SUBJECT TO CONSENT FOR USE OF ELECTRIC TRANSMISSION RIGHT-OF-WAY, RECORDED UNDER AFF#201507080532.
17) SUBJECT TO COVENANTS, CONDITIONS, AND RESTRICTIONS, RECORDED UNDER AFF#201409160438 AND AMENDED BY AFF 201411180470, 2015010908039 AND 201601130325.
18) FUTURE DEVELOPMENT OF THE TRACT (TRACT A), IF ANY, SHALL BE SUBJECT TO ALL APPLICABLE ENVIRONMENTAL (E.G. SEPA), LAND USE PERMIT REVIEW AND OTHER PROCESSES. GRANTING OF THIS MINOR ADJUSTMENT DOES NOT GUARANTEE OR AUTHORIZE ANY FUTURE APPROVALS FOR DEVELOPMENT OF THE TRACT (TRACT A).

OWNER

SELECT HOMES INC.
16331 13TH AVENUE W #A107
LYNNWOOD, WA 98037

HOMEOWNER'S ASSOCIATION PROVISIONS

- 1) THE ARTICLES OF INCORPORATION FOR THE EAGLEMONT HOMEOWNER'S ASSOCIATION ARE ON RECORD WITH THE SECRETARY OF STATE.
2) THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE EAGLEMONT HOMEOWNER'S ASSOCIATION, RECORDED UNDER AFF#201409160438 AND AMENDED BY AFF 201411180470, 2015010908039 AND 201601130325.

SURVEYOR'S CERTIFICATION

I, JOANNE M. SWANSON, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF EAGLEMONT DIVISION 3 IS BASED ON AN ACTUAL SURVEY AND THAT THE DISTANCES, COURSE, ANGLES ARE SHOWN THEREON CORRECTLY AND THAT MONUMENTS HAVE BEEN SET AND LOT CORNERS STAKED ON THE GROUND AS SHOWN ON THE PLAT.



JOANNE M. SWANSON, P.L.S.
CERTIFICATE NUMBER 34671
DATE: 9-8-16

APPROVALS

EXAMINED AND APPROVED THIS _____ DAY OF _____ 2016.

CITY OF MONROE ENGINEER

EXAMINED AND APPROVED THIS _____ DAY OF _____ 2016.

CITY OF MONROE COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS _____ DAY OF _____ 2016.

MAYOR

ATTEST: _____

CITY CLERK

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING _____ TAXES.

KIRKE SEIERS

TREASURER, SNOHOMISH COUNTY

BY: _____

DEPUTY COUNTY TREASURER

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF ORCA LAND SURVEYING, INC., THIS _____ DAY OF _____ 2016, AT _____ MINUTES PAST _____ M., AND RECORDED IN VOLUME _____ OF PLATS, PAGE _____ UNDER A.F. NO. _____ RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

CAROLYN WEIKEL

AUDITOR, SNOHOMISH COUNTY

DEPUTY COUNTY AUDITOR

RECEIVED

SEP 07 2016

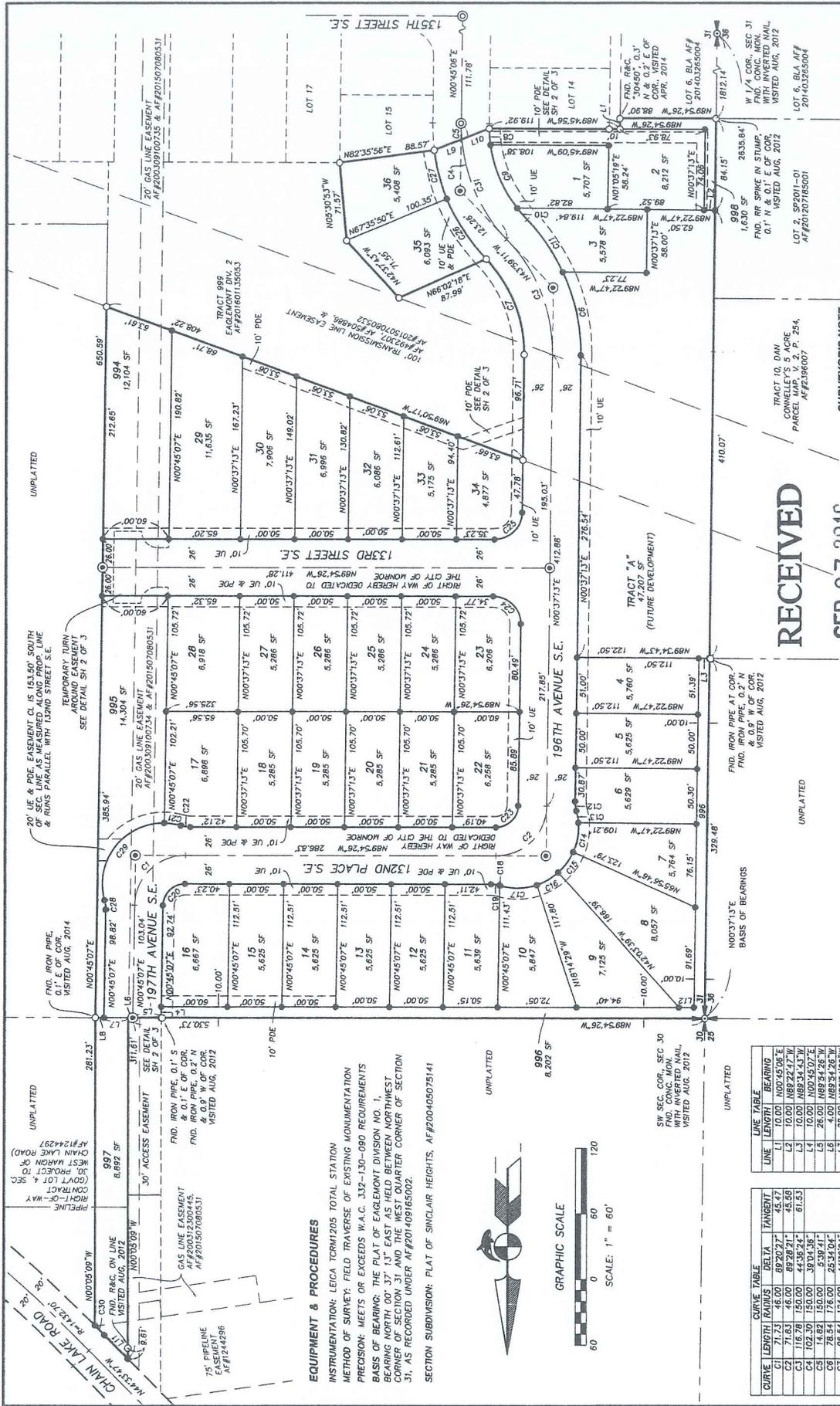
CITY OF MONROE

EAGLEMONT DIVISION NO. 3
PLANNED RESIDENTIAL DEVELOPMENT
FILE NUMBER FPLPRO-2016-01

IN THE NW 1/4 OF THE NW 1/4 OF SECTION 31, T.28 N., R.7 E., W.M. & THE SW 1/4 OF THE SW 1/4 OF SECTION 30, T.28 N., R.7 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON



JOB NO. 2015-021
DATE: 9/05/16
DWG BY: AP
SHEET 1 OF 3



EQUIPMENT & PROCEDURES
 INSTRUMENTATION: LEICA TCR1120S TOTAL STATION
 METHOD OF SURVEY: FIELD TRAVERSE OF EXISTING MONUMENTATION
 PRECISION: MEETS OR EXCEEDS W.A.C. 332-130-080 REQUIREMENTS
 BASIS OF BEARING: THE PLAT OF EAGLEMONT DIVISION NO. 1,
 BEARING S 00° 00' 00" E, 17' 00" N, EAST AS HELD BETWEEN NORTHWEST
 CORNER OF SECTION 31 AND EAST QUARTER CORNER OF SECTION
 31, AS RECORDED UNDER A#201409165002.

SECTION SUBDIVISION: PLAT OF SINGULAR HEIGHTS, A#200405075141

LEGEND
 (C) EXISTING CASED CONVG MON. WITH BRASS DISK "ORCA 32432",
 SET FOR DIV. NO. 2, (VISITED 4-15)
 (O) SET CASED CONC. MON. WITH BRASS DISK "ORCA 50697"
 (O) EXISTING REBAR WITH CAP "ORCA 32432", EXCEPT AS NOTED,
 (VISITED 4-15)
 (R) SET 1/2" X 24" REBAR WITH CAP "ORCA 50697" OR "ORCA 34671"
 (R) REBAR AND CAP
 POE PRIVATE DRAINAGE EASEMENT
 UE UTILITY EASEMENT

SURVEYOR'S NOTE
 FIELD WORK, NOTES, RESEARCH AND BOUNDARY COMPUTATIONS FOR
 THIS PROJECT, PREPARED BY RICHARD A. HEALEY, P.L.S. 2016, JACK W.
 CONNELLEY'S 5 ACRE PARCEL MAP, V. 2, P. 254,
 REVIEWED BY THE CITY ENGINEER AND APPROVED FOR THE
 CORNERS, BOUNDARY CORNERS AND CENTERLINE MONUMENT POSITIONS,
 SET FOR THIS PROJECT, STAMPED WITH THEIR LICENSE NUMBERS.
 JOANNE M. SWANSON, P.L.S.

RECEIVED
 SEP 07 2016
 CITY OF MONROE

ORCA Land Surveying
 3802 COLBY AVENUE, EVERETT, WA 98201
 425-288-5400 FAX: 425-288-1010

EAGLEMONT DIVISION NO. 3
 PLANNED RESIDENTIAL DEVELOPMENT
 FILE NUMBER FPLPRD-2016-01

IN THE NW 1/4 OF THE NW 1/4 OF SECTION 31, T.28 N., R.7 E., W.M.
 & THE SW 1/4 OF THE SW 1/4 OF SECTION 30, T.28 N., R.7 E., W.M.,
 CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

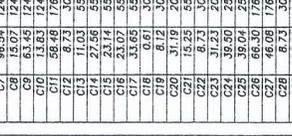
JOB NO. 2015-021
 DATE: 9/05/16
 DWG BY: AP
 SHEET 3 OF 3

CURVE TABLE

CURVE	LENGTH	CHORD	AREA	PERCENT
C1	71.83	45.00	892.027	45.47
C2	116.78	150.00	4438.24	61.53
C3	102.30	150.00	3924.36	61.53
C4	14.82	150.00	5.3941	0.07
C5	68.34	176.00	2535.04	35.00
C6	15.07	124.00	635.44	8.75
C7	63.45	124.00	2819.08	38.75
C8	13.83	124.00	623.20	8.75
C9	58.48	176.00	1929.28	26.67
C10	7.73	30.50	16.2109	0.22
C11	23.56	55.50	20.2858	2.78
C12	23.56	55.50	20.2858	2.78
C13	23.56	55.50	20.2858	2.78
C14	23.56	55.50	20.2858	2.78
C15	23.56	55.50	20.2858	2.78
C16	23.07	55.50	20.1610	2.73
C17	33.65	55.50	34.4411	4.69
C18	6.91	30.50	130.28	1.77
C19	31.19	20.00	89.2921	1.19
C20	15.25	55.50	15.4436	0.21
C21	6.73	30.50	6.2408	0.08
C22	31.23	20.00	89.2921	1.19
C23	39.50	25.00	90.3139	1.21
C24	38.04	25.00	89.2921	1.19
C25	46.08	176.00	1530.07	20.87
C26	6.73	30.50	6.2408	0.08
C27	103.07	55.50	10624.09	145.87
C28	12.56	145.70	9.2844	0.13
C29	117.12	150.00	44441.7	61.73

LINE TABLE

LINE	LENGTH	BEARING
L1	10.00	N00°45'07"E
L2	10.00	N89°54'26"W
L3	10.00	N89°54'26"W
L4	10.00	N00°45'07"E
L5	26.00	N89°54'26"W
L6	6.00	N89°54'26"W
L7	6.00	N89°54'26"W
L8	26.94	N68°35'36"E
L9	27.37	N68°35'36"E
L10	30.20	N44°33'47"W
L11	30.20	N44°33'47"W
L12	14.08	N89°54'26"W



RESOLUTION 2013/005

A RESOLUTION BY THE MONROE CITY COUNCIL ADOPTING THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDATIONS, AND CONDITIONS OF APPROVAL FOR PRELIMINARY PLAT/PLANNED RESIDENTIAL DEVELOPMENT (PL201203) - EAGLEMONT.

WHEREAS, RAD Development submitted an application for a Preliminary Plat/Planned Residential Development (PL201203), commonly known as Eaglemont for the subdivision of approximately 35 acres located in the vicinity of 13611 197th Avenue SE into 146 single-family lots;

WHEREAS, the Hearing Examiner for the City of Monroe did hold a public hearing on January 24, 2013, regarding said proposed Preliminary Plat/Planned Residential Development (PL201203); and,

WHEREAS, the Hearing Examiner for the City of Monroe, upon due consideration and through the development of Findings of Fact, Conclusions of Law, Decision and Recommendations, recommended to the City Council on February 7, 2013, that said Preliminary Plat/Planned Residential Development (PL201203) be approved with conditions;

WHEREAS, the City Council considered the Findings of Fact, Conclusions of Law, Decision, and Recommendations for said Preliminary Plat/Planned Residential Development on February 26, 2013 and remanded back to the Hearing Examiner said Findings of Fact, Conclusions of Law, Decision, and Recommendations for clarification of findings regarding the preliminary plat/planned residential development of Eaglemont (PL2012-03) pertaining to decisional criteria in Monroe Municipal Code sections 17.12.030 and 18.38.120 with the revised findings of fact, conclusions of law, and recommendation to be submitted no later than 5:00 pm, Tuesday, March 5, 2013.

WHEREAS, the Hearing Examiner for the City of Monroe issued revised Findings of Fact, Conclusions of Law, Decision, and Recommendations on March 5, 2013; and,

WHEREAS, the City Council has considered the revised Findings of Fact, Conclusions of Law, Decision, and Recommendations along with the entire record regarding Eaglemont Preliminary Plat/Planned Residential Development and has determined to approve said Findings of Fact, Conclusions of Law, Decision, and Recommendations for said Preliminary Plat/Planned Residential Development (PL201303);

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE does resolve as follows:

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DEC 12 2013

CITY OF MONROE

The Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation of Approval for the Preliminary Plat/Planned Residential Development (PL201203) of Eaglemont attached hereto as Exhibit 1 are hereby adopted and the Preliminary Plat Exhibit 2 is hereby approved subject to the following conditions:

1. The applicant shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk, and street trees shall be provided for all streets within the subdivision. Traffic control devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision shall be constructed in accordance with the City's Public Works Design and Construction Standards and installed by the developer to the satisfaction of the City prior to final plat approval.
2. Improvements to 197th Ave. SE north to Chain Lake Road will meet the requirements of the International Fire Code (as amended by the MMC) for fire apparatus access roads.
3. Traffic impact fees in the amount of \$29,353.86 per the Washington State Department of Transportation Interlocal Guidelines for Coordination with the City of Monroe for Mitigation of Development Impacts shall be required and paid prior to final plat approval.
4. Traffic impact fees assessed in accordance with MMC 20.12 shall be required and paid prior to building permit issuance.
5. Park impact fees in accordance with MMC 20.10 shall be required and paid prior to final plat approval, or the applicant may defer payment to prior to building permit issuance.
6. School impact fees assessed in accordance with MMC 20.07 shall be required and paid prior to building permit issuance.
7. The water system capital improvement charge in accordance with MMC 13.04.272 shall be required and paid prior to building permit issuance.
8. The wastewater system capital improvement charge in accordance with MMC 13.08.272 shall be required and paid prior to building permit issuance.
9. Streetlights shall be installed as required under the City of Monroe Public Works Design and Construction Standards and as directed by the City Engineer.
10. Street trees shall be included in the street planter strips. Tree type, spacing, quantity, and location shall be determined by the City. Street trees shall be planted when a street frontage is fully owner occupied and as directed by the Parks Department. The City will coordinate tree plantings to the most favorable time of the year. All street frontage landscaping/irrigation improvements shall be bonded until such time that housing construction is completed and bonded work may be completed without risk of construction damages.
11. Mail routes shall be approved by the Postmaster, including mailbox types and locations.
12. If any wells are located on the site, they shall be abandoned prior to final plat approval in accordance with the requirements and criteria set forth by the Washington State Department of Ecology.

13. The Preliminary Plat/Planned Residential Development shall comply to the general requirements of a planned residential development in accordance with MMC 18.84.080

PASSED and APPROVED by the Mayor and City Council of the City of Monroe, Washington, at a regular meeting thereof held this 5th day of March, 2013.

CITY OF MONROE, WASHINGTON:

EFFECTIVE: 03/05/13



Robert G. Zimmerman, Mayor

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney

ATTEST/AUTHENTICATED:



Eadye Martinson, Deputy City Clerk

BEFORE THE HEARING EXAMINER
CITY OF MONROE, WASHINGTON

RE: SEPA Appeal
Preliminary Plat Approval for Eaglemont

Applicant: RAD Development,

Appellant: Sinclair Heights Homeowners'
Association

File No(s):
Preliminary Plat PL2012-03
Appeal AP2012-04
SEPA MDNS 2012-12

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
DECISION, AND RECOMMENDATION

I. INTRODUCTION

The Applicant is seeking approved for a residential subdivision of eight existing lots into 146 single-family lots on approximately 35 acres, in accordance with the provisions of the City of Monroe Comprehensive plan and the Monroe Municipal Code. The Sinclair Heights Homeowner Association filed an appeal of the SEPA Mitigated Determination of Non-significance issued for the proposal.

As Hearing Examiner for the City of Monroe, I held a public hearing on January 24, 2012 at approximately 10:00 a.m. at the City of Monroe's offices located at 806 W. Main St. in Monroe. The SEPA appeal matter was combined into a single hearing together with the public hearing on Preliminary Plat PL2012-03, as required by WAC § 197-11-680(3) and MMC § 20.04.200(2). The Hearing Examiner has jurisdiction to hear the matters pursuant to Monroe Municipal Code § 17.12; § 18.84; § 20.04; § 21.20; and § 21.50. City staff recommended approval of the proposal, subject to conditions.

Ry McDuffy and Andy Reaves appeared and provided witness testimony, together with Exhibits E1, E1-A, and E2, on behalf of Applicant ("RAD Development"). Thomas Ayers of the Sinclair Heights Homeowners Association appeared and provided witness testimony, together with Exhibits D1 through D5 on behalf of Appellant, and as an interested citizen. Susan Davis and Meredith Mechling each own property near the proposed development site and appeared and provided witness testimony as interested citizens. Brad Feilberg, Monroe Public Works Director, and Paul Popelka, Monroe Planning and Permit Manager, appeared at the hearing on behalf of the City of Monroe ("Respondent" or "City") in this matter, presenting witness testimony, together with Exhibits M1 through M26 on behalf of Respondent.

The witnesses declared by oath or affirmation the truthfulness of their testimony. I did not receive any written or oral ex parte communication on a fact in issue during the pendency of the proceedings, and made a statement to that effect on the record. The City made a recording of the hearing. The evidence offered was received and all relevant evidence was admitted into the record. I reviewed and considered the written materials and witness testimony presented as evidence at the hearing, a record of which I incorporate in the decision in this matter. The record is on file with the City.

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II. FINDINGS OF FACT

Application and Notice: Proposed Use

1. Applicant RAD Development submitted a combined permit application for a Planned Residential Development (PRD) and Preliminary Plat, requesting approval of a residential subdivision of eight existing lots into 146 single-family lots on approximately 35 acres in accordance with the provisions of the City of Monroe Comprehensive Plan and the Monroe Municipal Code (MMC) (the "Eaglemont subdivision"). Applicant's proposal includes removing all existing structures prior to development, with each lot served by public water and sewer systems, with access to the proposed subdivision through the extension of 199th Avenue SE from the south and 197th Avenue SE from the north. The Applicant may develop the proposal in up to three phases, of 63 lots, 41 lots, and 42 lots, respectively, providing for open spaces and park areas. The proposed project includes grading of approximately 135,000 cubic yards, and logging to clear home sites and roadways. On October 17, 2012, the City determined the application complete. (Exhibits M1; M3; M8; M9; M10)
2. The site for Applicant's proposed Eaglemont subdivision is located west of Chain Lake Road approximately one mile north of US 2 at 13611 197th Ave. SE in Monroe. (Snohomish County Assessor's Tax Parcel Numbers: 28073100201000, 28073100203300, 28073100203400, 28073100201100, 28073100203200, 28073100504000, 01010300050200, and 01010300050100). The City of Monroe's Comprehensive Plan designates the site as Residential 2 to 5 Dwelling Units per Acre (R 2-5). The proposed site is within the Residential 4 Dwellings per acre (R4) Zoning District. (Exhibit M1)
3. The proposed site is largely forested with some clearings to the north and south portions, with an overall slope from a high of 400 feet elevation in the north to a low of 265 feet in the south, with slope predominantly ranging from 0% to 25%. Surrounding properties are large-lot single-family homes with an existing subdivision of single-family homes to the south (the Sinclair Heights Development). (Exhibits M1; M3)
4. Applicant submitted an October 10, 2012 Environmental Checklist for the Eaglemont proposal, together with Preliminary Plat, Wetland Report, Drainage Report, Preliminary Grading, Traffic Report, Geo Report (Earth Sciences Report), and Landscape report. Applicant's Environmental Checklist notes that soil erosion may occur during construction, but asserts this will be minimal due to the gentle site grade within the building envelopes and soil type (Weathered Vashon Lodgement Till, and Vashon Lodgement Till). Applicant's proposal covers approximately 39.8% of the proposed site with impervious surfaces. The proposed site does not include any wetlands, but there is a wetland south of the proposed project with the existing Sinclair Heights Development. Applicant's proposal includes roadway work, a detention pond, and bio swales within 200 feet of the existing wetlands area). Applicant's water run-off design provides for local modification, through construction of residences and driveways, of the existing run-off patterns. Applicant states that it will install temporary erosion control

2 – Case no. PL2012-03/AP2012-04/MDNS2012-012 (*Eaglemont*)

devices during construction, and that ground and run-off water impacts will not occur. (Exhibit M3)

5. Applicant submitted subsurface exploration, geologic hazard, and geotechnical engineering studies with recommendations in support of the proposed Eaglemont project. The Applicant also submitted detailed reports concerning storm water management, noting that the proposed site has two drainage basins: one that drains to the south toward the Sinclair Heights Development, and one that drains to the north, towards Chain Lake Road, with supporting engineering and design work by SDA Engineering. (Exhibits M4; M5)
6. There are no known threatened or endangered species of plants or animals on or near the proposed site, and no critical areas. Applicant intends to clear the majority of the building site development area, noting that cleared and graded areas will be re-vegetated with an approved hydroseed mixture and native species commensurate with City requirements. Applicant's Environmental Checklist reports that various birds and mammals are known to be on or near the proposed site, including: hawks, songbirds, deer, bear, and rabbit, and that the site lies within the Pacific Northwest Flyway. Applicant provided a supporting report by Wetland Resources, Inc. stating that no wetlands or streams were observed on-site or in the immediate vicinity of the proposed site. (Exhibits M3; M7)
7. Applicant's Environmental Checklist notes that noise levels will be intermittently high during construction and residential activity and traffic noise created by daily trips will increase ambient noise in the vicinity, but that construction will be in accordance with the City noise ordinance. Access for the proposed Eaglemont development is through the Sinclair Heights Development via 199th Avenue SE and 197th Avenue SE from Chain Lake Road. Applicant's report assumes 9.57 daily trips per lot, equaling 1397 daily trips from the 146 new single-family residences. Necessary utilities and services are currently available at the site, and will be provided to the proposed project. (Exhibit M3)
8. Gibson Traffic Consultants performed a traffic impact analysis for the proposed Eaglemont development. This report was based on an initial estimate of 149 new single-family residences, resulting in an assumption of 1,426 daily trips. The report describes detailed analysis of the traffic impact by a licensed civil engineer using accepted methodologies to analyze impacts to levels of service of congestion at intersections. The report notes that the City has a level of service threshold of LOS C for collector road intersections and LOS D for arterial road intersections, and that the City has various applicable interlocal agreements. The report concludes that the level of service analysis shows that all of the study intersections are anticipated to operate within acceptable thresholds. (Exhibit M6)
9. The City posted notice on October 19, 2012 of Applicant's land use application, publishing the notice on October 23, 2012. The notice states that the City had reviewed the proposed project for probable adverse environmental impacts and expected to issue a determination of non-significance for the project. The notice describes the location and scope of the proposed project, permits, and required

3 – Case no. PL2012-03/AP2012-04/MDNS2012-012 (*Eaglemont*)

studies, and states that written comments must be received by November 8, 2012. The notice was published a second time on October 30, 2012. The City provided a notarized affidavit stating that on October 19, 2012, copies of the notice of application for the preliminary plat of Eaglemont, with prepaid postage, were deposited with the United States Post Office to mail on October 20, 2012, to adjacent property owners and various individuals and businesses. (Exhibits M11-A; M11-B; M11-C; M11-D; M11-E)

Public Comment

10. On November 6, 2012, the City received a letter from Mr. Michael Terry, a resident of the Sinclair Heights development, with comments on the proposed Eaglemont development. Mr. Terry expresses concerns in his letter with respect to the expected traffic flow during and after construction and during emergencies, concerns with adding an additional 146 homes to the existing utility infrastructure supporting the Sinclair Heights development, and concerns with additional storm water adding to the Sinclair Heights storm water system. Mr. Terry disagrees with the traffic analysis report provided by Applicant, asserting that the impact will be greater than stated and requires mitigation. (Exhibit M14)
11. On November 8, 2012, the City received an email from Robert M. Sas Baermann and Teri L. Baermann, residents of the Sinclair Heights development. The email expresses concerns with the increased traffic that will result from the addition of 146 new homes utilizing Rainier View Road as their main access. The email reports that a second access road to the Sinclair Heights development was closed leaving Rainier View Road as the only road, creating a problem in the event of emergencies such as a house fire emergency that occurred in 2006. The email also contends that Chain Link Road is unable to support the increased traffic flow during construction. The email further discusses the issue of storm water drainage within the Sinclair Heights development, reporting that the existing drainage system is inadequate to handle the current water flow volume, and will be unable to absorb any additional water resulting from the proposed development. (Exhibits M15; M19)
12. The City received a November 8, 2012 letter from Alyssa Magnotti, a resident of the Sinclair Heights development, expressing concerns that, during construction, storm water could accumulate at the bottom of the Sinclair Heights detention pond and could fill the crawlspace (under her home) with ponding water. (Exhibit M16)
13. The City received a November 8, 2012 letter from Richard S. Branson and Dr. Maria Kashani-Branson, residents of the Sinclair Heights development, concurring with the comments with respect to water runoff issues made by Michael Terry, and expressing critical comments concerning the traffic impact analysis report submitted by Applicant. The letter contends that current and proposed development along Chain Lake Road already exceeds the traffic use that Chain Lake Road can support, and contends that Chain Lake Road should be improved from a two-lane road to a five-lane road with a dedicated turn lane and roundabouts at major intersections. (Exhibit M17)

4 – Case no. PL2012-03/AP2012-04/MDNS2012-012 (*Eaglemont*)

14. The City received an email on November 8, 2012 with comments by Meredith Mechling, who owns property adjacent to the site of the proposed Eaglemont development. Ms. Mechling expressed concerns with the ground water seepage and drainage impacts from the proposed development, noting that her property utilizes a shallow (40 foot) well, and wants to ensure that any development of nearby property will not adversely affect her water quality. (Exhibit M18)
15. Andrew Reaves of SDA engineers responded by November 26, 2012 letter to the City (on behalf of Applicant) to public comments submitted to the City regarding storm water runoff and drainage issues, and possible related issues to adjacent properties, resulting from the proposed Eaglemont development. Mr. Reaves addressed specific concerns with respect to the proposed drainage for the project, including the pond berm, and included a new French drain above specific homes in the Sinclair Heights development as an additional precaution. Mr. Reaves also noted that water from the proposed Eaglemont development would not affect the well on Ms. Mechling's property. Mr. Reaves further stated that the Eaglemont project includes constructing a secondary access road to the north that will connect with Chain Lake Road, providing a secondary access point for residents of both the Eaglemont and Sinclair Heights developments. (Exhibit M20)

State Environmental Policy Act (SEPA) Determination

16. Brad Feilberg is the City's SEPA Responsible Official. Mr. Feilberg reviewed the proposal pursuant to SEPA¹ and, on December 6, 2012, issued a Determination of Nonsignificance with Mitigation, with a number of conditions and proposed mitigations, including a required condition of payment of a traffic mitigation fee of \$29,353.86.² The notice states that the decision was made after review of a completed environmental checklist and other information on file with the City. In making this determination the City concluded that the Applicant's proposal does not have a probable significant adverse impact on the environment and, therefore, Applicant is not required to submit an environmental impact statement (EIS). The notice issued by Mr. Feilberg includes detailed mitigation requirements including, among other things, specific mitigation to address transportation and storm water management. (Exhibit M10)
17. On December 7, 2012, the City posted and mailed notice of the SEPA determination, publishing the notice on December 11, 2012. The City also mailed copies of the notice to adjacent property owners and various individuals and businesses. (Exhibits M12-A; M12-B; M12-C; M12-D; M12-E; M12-F)
18. The City also issued two letters to the Applicant dated December 7, 2012 concerning review of the application materials, making a number of comments concerning required corrections and requirements, including addition of a note that the project is to comply with the current edition of the Department of Ecology Storm Water Management Manual for Western Washington (requiring revision of

¹ State Environmental Policy Act (SEPA)

² This fee was per the Washington State Department of Transportation Interlocal Guidelines for Coordination with the City of Monroe for mitigation of development impacts.

drainage, and answers to specific questions), requiring that all interior roads have sidewalks for safe walking to bus stops, and requiring clarity concerning numerous specific details of the project. (Exhibits M21; M22)

19. On January 8, 2013, the City posted and published notice scheduling a January 24, 2013 public hearing concerning the proposed preliminary plat approval, and appeal of the City's SEPA determination, and mailed copies of the notice adjacent property owners and various individuals and business. (Exhibits M13-A; M13-B; M13-C; M13-D)

Appeal Pursuant to State Environmental Policy Act (SEPA)

20. On December 28, 2012, Michael R. Terry, acting as Vice-President of the Sinclair Heights Homeowners' Association, submitted an appeal to the City of the December 6, 2012 SEPA determination. Mr. Terry provided a supporting written statement with an appendix of submitted concerning storm water and traffic calculations. (Exhibits D1; D2)
21. Firstly, Mr. Terry asserts that the proposed storm water management plan for the Eaglemont preliminary plat is insufficient to address anticipated drainage from the proposed development site. Appellant raises concerns that existing storm water management within the Sinclair Heights development is inadequate, and will be negatively impacted by the Eaglemont development. Appellant seeks modification of the storm water management plan submitted by Applicant to additionally require installation of three separate emergency overflow pipes to convey overflow drainage directly to Sinclair Heights Tract Nos. 996 and 997, and under the Sinclair Heights bike/walkway area. (Exhibit D2)
22. Secondly, Mr. Terry contends that the required traffic mitigation plans for the project are inadequate and should be supplemented to require: completion of the north access road; installation of signal controls at the Rainier View Road/Chain Lake Road intersection; and, increased impact fees. (Exhibit D2)
23. On January 15, 2013, Mr. Reaves wrote directly to Mr. Terry regarding the concerns of the Sinclair Heights Homeowners' Association, the SEPA appeal, and comments submitted to the City. Mr. Reaves provided additional detail concerning the storm water drainage plan for the Eaglemont development; including description of the planned detention pond and French drain system, and including descriptions of redundancy features to prevent any additional storm water runoff or drainage to the Sinclair Heights development. Mr. Reaves also provided updated preliminary road and drainage plans showing the additional detail. (Exhibits E1; E1A)
24. On January 17, 2012, the City received a letter from Gibson Traffic Consultants on behalf of Applicant, in response to the SEPA appeal. The letter addresses comments concerning the proposed Eaglemont development's impact on traffic. Firstly, the letter addresses concerns regarding parking along Rainier View Road SE and 199th Avenue SE at the Rainier View Park may conflict with traffic turning from Chain Lake Road. The letter notes that these are Local Roads constructed

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pursuant to the City of Monroe Comprehensive Plan, with 6-foot parking lanes as required, and that the traffic impact analysis shows that the study intersections will continue to operate at better than City of Monroe acceptable level of service standards. The letter also notes that the proposed development has secondary access to the north to Chain Lake Road, providing secondary access to emergency vehicles. The letter further addresses disputes with respect to the validity of the initial traffic impact analysis, describing methodology and noting that the analysis was performed to industry and City of Monroe standards. (Exhibit E2)

25. Mr. Thomas Ayers, President of the Sinclair Heights Homeowner's Association, wrote to the City concerning the appeal and referencing the January 15, 2013 letter written by Mr. Reaves. In this letter, Mr. Ayers states that the Sinclair Heights Homeowners' Association is satisfied with the additional detail concerning the storm water drainage plan for the Eaglemont development and additional measures described by Mr. Reaves to prevent runoff to properties within the Sinclair Heights development and therefore withdraws that portion of the appeal. The letter further states that the Sinclair Heights Homeowners' Association does not agree with Mr. McDuffy concerning traffic mitigation requirements, including using the Eaglemont North access road for construction. Mr. Ayers also contends that the City should prohibit parking on the north side of Rainier View Road near the southern entrance to Rainier View Park, directing visitors to park along the east side of 199th Ave. SE by the west park entrance, and if the City will agree, this portion of the appeal will also be withdrawn. (Exhibit D5)
26. Ry McDuffy of Land Resolutions provided a January 24, 2013 letter on behalf of Applicant also addressing concerns raised in the SEPA appeal and by public comment. Mr. McDuffy notes that the Eaglemont project provides for a future road stub from the south from 199th Avenue SE, and several other future road stubs including (upon completion of Phase III) a future road stub to the north towards Chain Lake Road from 197th Avenue SE. Mr. McDuffy asserts that, once completed, the development will provide for a greater traffic circulation pattern for the residents in the area. Mr. McDuffy also addressed other concerns, noting that the drainage for the proposed project is designed by SDA Engineers and, once completed, should reduce existing flooding or ground water, and noted that the proposed Eaglemont development provides for future parks and open spaces. (Exhibit E3)

Testimony and Public Comment

27. Ry McDuffy of Land Resolutions provided testimony describing the proposed Eaglemont development and presented exhibits on behalf of Applicant. Mr. McDuffy noted that there are no critical areas located on the site, with no steep slopes or wetlands present. Mr. McDuffy presented information concerning the project, including analysis of traffic circulation and drainage requirements. Mr. McDuffy testified that he met with concerned residents of the nearby Sinclair Heights development and provided details concerning plans for storm water drainage that satisfied their concerns in this area.

28. Thomas Ayers of the Sinclair Heights Homeowners' Association, and a resident of this adjacent development, testified on behalf of Appellant. Mr. Ayers testified that residents of the Sinclair Heights Homeowners' Association have experienced storm water and drainage issues, particularly affecting several homes near the east end, and have worked with the City to alleviate the situation, including installation of French drains, but the problem continues. Mr. Ayers agrees that the updated storm water plans detailed by Mr. McDuffy addressed these concerns.
29. Mr. Ayers testified that Rainier View Road is the only access to the Sinclair Height development, and this access is across the street from an entrance to Rainier View Park. Mr. Ayers testified that people often park vehicles along the road near the park entrance, and this creates a hazard to drivers entering and leaving the Sinclair Heights development. Mr. Ayers expressed safety concerns with construction vehicles also utilizing this single entrance, and the additional use of this single road required by residents of the proposed Eaglemont development. Mr. Ayers asserts that the City should designate a "No Parking" area at this entrance, and should also look to complete a second entrance to the development. Mr. Ayers further testified regarding a school bus stop, and concerns of residents for the safety of children using this area.
30. Brad Feilberg is the Public Works Director for the City, and is the City's designated SEPA Responsible Official. Mr. Feilberg testified that the City is considering temporarily designating a "No Parking" area during construction.
31. Paul Popelka is the Planning and Permit Manager for the City. Mr. Popelka testified that the proposed Eaglemont development project is in compliance with the City's comprehensive plan and applicable provisions of the Monroe Municipal Code (Chapter 17 Subdivisions; Chapter 18 Planning and Development; Chapter 20 Environment; and Chapter 21 Development Review Procedures), including compliance with newly revised standards for a Planned Residential Development. Mr. Popelka recommends approval of Applicant's proposal, subject to conditions, noting that the proposal also provides for parks and open spaces well beyond the minimum City requirements and effectively meets the growth goals for the City.
32. Susan Davis owns property adjacent to the site of the proposed Eaglemont development. Ms. Davis described the access road area intended for emergency access and future completion through to the Eaglemont development, noting that this is now a gravel road with a school bus stop area where children stand in the mud. She notes that the proposed development will require more people to drive through Chain Lake Road, as there is no other access. Ms. Davis contends that Applicant has no plan for additional water and drainage and affects to her property, located downhill, and is concerned that her property will be inundated.
33. Meredith Mechling owns property adjacent to the site of the proposed Eaglemont development, and provided written comment regarding her concerns with respect to the proposed Eaglemont development. Ms. Mechling appeared and the hearing to reiterate her concern that ground water seepage and drainage impacts from the proposed development may impact the shallow (40 foot) well she utilizes on her

property, and wants to ensure that construction of the proposed Eaglemont development will not adversely affect her water quality.

34. Andrew Reaves with SDA Engineers testified on behalf of Applicant with respect to the storm water drainage plans for the proposal. Mr. Reaves testified that construction of the two drainage basins and implementation of the storm water management plan will improve drainage for the area, improving the situation for the adjacent Sinclair Heights development. Mr. Reaves testified concerning Ms. Mechling's property and well, stating that the proposal will not affect her property or her well.

Staff Report and Recommendation

35. The City's staff report states that the Eaglemont proposed development is consistent with the City's Comprehensive Plan, and with zoning for this location, and effectively addresses City efforts to meet population growth targets developed by Snohomish County and assigned to the City. City staff report sufficient utility capacity to serve the proposed subdivision, with all lots connecting to the City's water and sewer system and storm water management designed to meet the City's current requirements. The staff report states that impacts to the city transportation system are mitigated through the collection of traffic mitigation fees and required improvements, and impacts to the City's schools are likewise mitigated by a standard fee amount per dwelling unit. The streets within the subdivision will include sidewalks on both sides of the street, providing for safe walking conditions for students who walk to and from school. (Exhibit M1)
36. Staff reports that improvements to 197th Ave. SE north to Chain Lake Road will meet requirements for fire apparatus access roads. Staff reports that in addition to park impact fees, the proposal includes areas for private parks that meet or exceed all requirements for a Planned Residential Development. Police and Fire Departments raised no concerns regarding level of service standards. The City has adequate capacity and the development does not lower the level of service for: potable water, wastewater, storm water drainage, police protection, fire protection, parks and recreation, arterial roadways, and public schools. (Exhibit M1)
37. Staff recommended that the Hearing Examiner forward a recommendation of approval to the City Council for the Preliminary Plat/Planned Residential Development for PL2012-03 (Eaglemont) subject to the following conditions:
 - The applicant shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk, and street trees shall be provided for all streets within the subdivision. Traffic control devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision shall be constructed in accordance with the City's Public Works Design and Construction Standards and installed by the developer to the satisfaction of the City prior to final plat approval.
 - Improvements to 197th Ave. SE north to Chain Lake Road will meet the requirements of the International Fire Code (as amended by the MMC) for fire apparatus access roads.
 - Traffic impact fees in the amount of \$29,353.86 per the Washington State Department of Transportation Interlocal Guidelines for Coordination with the City of Monroe for Mitigation of Development Impacts shall be required and paid prior to final plat approval.

- Traffic impact fees assessed in accordance with MMC 20.12 shall be required and paid prior to building permit issuance.
- Park impact fees in accordance with MMC 20.10 shall be required and paid prior to final plat approval, or the applicant may defer payment to prior to building permit issuance.
- School impact fees assessed in accordance with MMC 20.07 shall be required and paid prior to building permit issuance.
- The water system capital improvement charge in accordance with MMC 13.04.272 shall be required and paid prior to building permit issuance.
- The wastewater system capital improvement charge in accordance with MMC13.08.272 shall be required and paid prior to building permit issuance.
- Streetlights shall be installed as required under the City of Monroe Public Works Design and Construction Standards and as directed by the City Engineer.
- Street trees shall be included in the street planter strips. Tree type, spacing, quantity, and location shall be determined by the City. Street trees shall be planted when a street frontage is fully owner occupied and as directed by the Parks Department. The City will coordinate tree plantings to the most favorable time of the year. All street frontage landscaping/irrigation improvements shall be bonded until such time that housing construction is completed and bonded work may be completed without risk of construction damages.
- Mail routes shall be approved by the Postmaster, including mailbox types and locations.
- If any wells are located on the site, they shall be abandoned prior to final plat approval in accordance with the requirements and criteria set forth by the Washington State Department of Ecology.
- The Preliminary Plat/Planned Residential Development shall comply to the general requirements of a planned residential development in accordance with MMC 18.84.080. (Exhibit M26)

38. The City requested the Hearing Examiner deny the appeal and uphold the City's SEPA determination. (Exhibit M25)

III. CONCLUSIONS

The evidence presented is reliable, probative and substantial evidence upon which to base a determination in these matters.

A. SEPA Appeal

State law emphasizes that the procedural determinations of an agency's SEPA Responsible Official are entitled to "substantial weight" in any appellate proceeding,³ and the City of Monroe's Code adopts this same standard of review.⁴ Under this standard, the party appealing the SEPA Responsible Official's determination bears the burden of proving that the decision is "clearly erroneous."⁵ Under this standard of review, the Hearing Examiner must be left with the definite and firm conviction that a mistake has been committed.⁶ The City of Monroe has adopted procedures providing for the administrative appeal of determinations relating to SEPA.⁷ These procedures

³ RCW 43.21C.090; *OPAL v. Adams County*, 128 Wn.2d 869, 913 P.2d 793 (1996); *Brinnon Group v. Jefferson County*, 159 Wn.App. 446, 245 P.3d 789 (2011).

⁴ MMC 20.04.200(C).

⁵ *Brown v. Tacoma*, 30 Wn.App. 762, 637 P.2d 1005 (1981).

⁶ *Couger Mt. Assoc. v. King County*, 111 Wn.2d 742, 747, 765 P.2d 264 (1988).

⁷ WAC 197-11-680 provides administrative guidance for implementing the SEPA appeal provisions in RCW 43.21C.060, 43.21C.075, and 43.21C.080. These regulations provide that:

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are codified at Chapter 20.04 of the Monroe Municipal Code. The relevant portions provide:

If the appeal has been timely filed and complies with the requirements of subsection (A)(1) of this section, the hearing examiner shall conduct a public hearing into the merits of the appeal. The hearing examiner shall hear and receive testimony, documentary evidence, and arguments from the appellant(s) solely on the issues raised or identified by the appeal. Appeals of threshold determination shall be consolidated in all cases with any public hearing on the merits of the proposal held by the hearing examiner, except for appeals of a DS, which shall be heard separately from the underlying project proposal.

- a. The person(s) filing the appeal shall have the burden of going forward with the evidence and the ultimate burden of persuasion.⁸

Thus, as Appellant, the Sinclair Heights Homeowners' Association bears the burden of proof in this matter concerning the issues has raised in the appeal, and the Hearing Examiner may only consider evidence and argument on the issues raised in the appeal.

A mitigated determination of non-significance is a procedural determination made by the SEPA Responsible Official that a proposal, with conditions and mitigation requirements, has no probable significant adverse environment impacts for which an environmental impact statement (EIS) should be prepared.⁹ SEPA does not require any particular substantive result with respect to the underlying proposal; rather, the statute ensures that environmental factors are afforded due consideration in the decision-making process.¹⁰ Whether a particular impact is "significant" under SEPA involves context and intensity, varies with the physical setting, and depends on the magnitude and duration of an impact.¹¹ "Significant" as used in SEPA means a reasonable likelihood of more than a moderate adverse impact on environmental quality.¹² In reviewing a decision under the clearly erroneous standard, the [hearing examiner] is required to "examine the entire record and all the evidence in light of the public policy contained in the legislation authorizing the decision."¹³ The record and evidence must demonstrate that "environmental factors were considered in a manner sufficient to amount to prima facie compliance with the procedural requirements of SEPA, "and that the decision to issue an MDNS was based on information sufficient to evaluate the

-
- (a) Agencies may provide for an administrative appeal of determinations relating to SEPA in their agency SEPA procedures. If so, the procedures must comply with the following:
 - (i) The agency must specify by rule, ordinance, or resolution that the appeals procedure is available.
 - (ii) Appeal of the intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed.
 - (iii) Appeals on SEPA procedures shall be limited to review of a final threshold determination and final EIS. These appeals may occur prior to an agency's final decision on a proposed action.

⁸ MMC 20.02.200(2)

⁹ WAC 197-11-350; *Anderson v. Pierce County*, 86 Wn. App. 290, 303, 936 P.2d 432 (1997)

¹⁰ *Moss v. City of Bellingham*, 109 Wn. App. 6, 31 P.3d 703, *rev. denied*, 146 Wn.2d 1017 (2011).

¹¹ WAC 197-11-794(2).

¹² WAC 197-11-794(1)

¹³ *Cougar Mountain Associates v. King County*, 111 Wn. 2d 742, 755 P.2d 264 (1988).

proposal's environmental impact."¹⁴ Use of the MDNS process as an alternative to requiring a full Environmental Impact Statement (EIS) is expressly encouraged by Washington State Law, the Washington State Supreme Court, and the Washington Department of Ecology.¹⁵

The City required the Applicant to prepare and submit several reports, including a Geotechnical Engineering Report, a Technical Information Report, a Transportation Impact Analysis, and a Wetland and Stream Evaluation, in addition to the required Environmental Checklist, for use in making the determination whether the Applicant's proposal would have a probable significant adverse environment impact, and therefore require preparation of an EIS. No critical areas were identified on the subject property and Appellant has not alleged that any such areas exist. Mr. Feilberg, the City's SEPA Responsible Official, considered this information in making the SEPA Mitigated Determination of Non-significance. This information included a description of the proposal with relevant and detailed information concerning the project, describing the Applicant's plan for storm water and runoff management, and describing impacts to the community and transportation system.

Appellant provided a written statement by Mr. Michael Terry disputing both the storm water management engineering, and the traffic impact analysis provided by Applicant. Appellant also provided testimony by Mr. Thomas Ayers in support of the assertion that the traffic impact analysis is inadequate and the City should require additional mitigation in this area. I understand that, following additional explanation by Mr. McDuffy and Mr. Reaves, Appellant is no longer disputing the storm water management engineering design submitted by Applicant. However, Appellant continues to dispute the traffic impact analysis and seeks additional mitigation for traffic impacts associated with the Eaglemont proposal.

I find that the evidence provided by the Appellant does not support a finding that the proposed Eaglemont development has any probable significant adverse environment impacts for which an environmental impact statement (EIS) should be prepared. I find that the evidence provided by the Appellant is insufficient to overcome the "substantial weight" accorded to the SEPA Responsible Official that the proposed Eaglemont development will not result in a "significant impact." I carefully considered the evidence and argument presented in this matter, and do not find the SEPA determination "clearly erroneous."

B. Preliminary Plat

Preliminary Plat approval shall be granted only when the proposal is consistent with the provisions of City of Monroe Comprehensive Plan, applicable provisions of the Monroe Municipal Code (Subdivisions, Planning and Zoning, Environment, and Development and Review Procedures).

¹⁴ *Anderson v. Pierce County*, 86 Wn. App. 290, 303, 936 P.2d 432 (1997)

¹⁵ *Anderson v. Pierce County*, 86 Wn. App. 290, 303, 936 P.2d 432 (1997); *Moss v. City of Bellingham*, 109 Wn. App. 6, 31 P.3d 703, *rev. denied*, 146 Wn.2d 1017 (2011).

I found persuasive the testimony and evidence presented concerning the proposed development's provisions for storm water management, and provision for additional access by emergency vehicles such as fire apparatus. I was persuaded by the presented testimony and evidence that storm water and runoff from the Eaglemont development will be effectively addressed, and will not negatively affect the neighboring Sinclair Heights development or adjacent properties, or the well on Ms. Mechling's property. The proposed development will necessarily result in additional traffic, which will impact the community and particularly residents of the adjacent Sinclair Heights development. I found persuasive, however, the traffic impact analysis submitted by Applicant and accepted by the City, finding that the level of service for the impacted roads and intersections will continue within acceptable thresholds.

I make the following specific conclusions based on the record:

1. The preliminary plat proposing the Eaglemont development of single-family homes served by public utilities, as conditioned, is consistent with the City of Monroe's Comprehensive Plan for this R2-5 comprehensive plan designation, within the residential 4 dwellings per acre (R4) zoning district, and meets the requirements and intent of the Monroe Municipal Code.
2. As conditioned, the development makes adequate provisions for open space, drainage ways, streets, water supply, sanitary wastes, parks, open spaces, and playgrounds, and provides for required mitigation for schools and school grounds, recreation facilities, and transportation.
3. As conditioned, the development provides for payment of traffic impact mitigation fees, park impact mitigation fees, school impact mitigation fees, water system capital improvement charges, wastewater capital improvement charges.
4. The development is in the public interest, effectively addressing the City's efforts to meet population growth targets developed by Snohomish County.
5. As conditioned, the development does not lower the level of service below the minimum standards established within the comprehensive plan for: potable water; wastewater; storm water drainage; police and fire protection; parks and recreation; arterial roadways; and public schools.

IV. DECISIONS and RECOMMENDATION

1. The Appellant did not meet the standard of proof that the SEPA determination of MDNS is clearly erroneous. Therefore, the City's SEPA Determination of Nonsignificance with Mitigation is hereby affirmed.
2. The Hearing Examiner submits a recommendation of approval for the Preliminary Plat/Planned Residential Development for PL2012-03 (Eaglemont) subject to the conditions noted below.

Conditions:

1. The applicant shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk, and street trees shall be provided for all streets within the subdivision. Traffic control

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devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision shall be constructed in accordance with the City's Public Works Design and Construction Standards and installed by the developer to the satisfaction of the City prior to final plat approval.

2. Improvements to 197th Ave. SE north to Chain Lake Road will meet the requirements of the International Fire Code (as amended by the MMC) for fire apparatus access roads.
3. Traffic impact fees in the amount of \$29,353.86 per the Washington State Department of Transportation Interlocal Guidelines for Coordination with the City of Monroe for Mitigation of Development Impacts shall be required and paid prior to final plat approval.
4. Traffic impact fees assessed in accordance with MMC 20.12 shall be required and paid prior to building permit issuance.
5. Park impact fees in accordance with MMC 20.10 shall be required and paid prior to final plat approval, or the applicant may defer payment to prior to building permit issuance.
6. School impact fees assessed in accordance with MMC 20.07 shall be required and paid prior to building permit issuance.
7. The water system capital improvement charge in accordance with MMC 13.04.272 shall be required and paid prior to building permit issuance.
8. The wastewater system capital improvement charge in accordance with MMC 13.08.272 shall be required and paid prior to building permit issuance.
9. Streetlights shall be installed as required under the City of Monroe Public Works Design and Construction Standards and as directed by the City Engineer.
10. Street trees shall be included in the street planter strips. Tree type, spacing, quantity, and location shall be determined by the City. Street trees shall be planted when a street frontage is fully owner occupied and as directed by the Parks Department. The City will coordinate tree plantings to the most favorable time of the year. All street frontage landscaping/irrigation improvements shall be bonded until such time that housing construction is completed and bonded work may be completed without risk of construction damages.
11. Mail routes shall be approved by the Postmaster, including mailbox types and locations.
12. If any wells are located on the site, they shall be abandoned prior to final plat approval in accordance with the requirements and criteria set forth by the Washington State Department of Ecology.

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13. The Preliminary Plat/Planned Residential Development shall comply to the general requirements of a planned residential development in accordance with MMC 18.84.080.

Respectfully Submitted,

Dated: 02/07/2013



Carl D. Cox
Hearing Officer
PO Box 158
Bellevue, WA 98009
Tel: (425) 242-1504
Fax: (425) 615-7202

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NOTICES

Appeal process for SEPA-related appeal issues: This decision of the Hearing Examiner is a final decision.

Judicial Appeals (MMC 21.60.030)

Appeals from the final decision of the city council, planning commission, or hearing examiner, or other city board or body involving MMC Titles 15 through 20, and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County superior court within twenty-one days of the date the decision or action became final, unless another time period is established by state law or local ordinance.

Notice of the appeal and any other pleadings to be filed with the court shall be served on the city as required by law.

The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

Reconsiderations (MMC 21.50.080)

MMC 21.50.080 allows a party of record to a public hearing or closed record appeal, to seek reconsideration of a recommendation or a decision by the Hearing Examiner or hearing body, by filing a written request for reconsideration with the Community Development Department within ten calendar days, following issuance of the written final decision.

All motions for reconsideration requests shall state the specific errors of law, fact, or procedure. Reconsideration will be granted only when an obvious legal error has occurred or a material factual issue has been overlooked that would change the previous decision. If a request for reconsideration is accepted, a decision or recommendation is not final until after a decision on the reconsideration request has been issued.

Appeals of shoreline permit decisions and decisions on shoreline permit revisions, letters of exemption and other approvals required by the Master Program shall be heard in accordance with Chapter 21.60 MMC and RCW 90.58.180.

City of Monroe
State Environmental Policy Act Threshold Determination
Mitigated Determination of Nonsignificance (MDNS)
2012-12

Proposal:

Eaglemont

Description of Proposal:

The proposed action is the planned residential development subdivision of eight parcels totaling 35.03 acres into 146 residential lots, in accordance with the City of Monroe Subdivision and Zoning Code standards found in Titles 17 and 18 of the Monroe Municipal Code. The parcels are currently located within the Residential - 4 (R-4) Zoning District. The project may be developed in up to three phases. Phase I will consist of 63 lots, Phase II will consist of 41 lots and Phase III will consist of 42 lots. The project includes grading of approximately 135,000 cubic yards, and logging to clear home sites and roadways.

Proponent:

Contact:
 Land Resolutions
 Ry McDuffy
 3605 Colby Avenue
 Everett, WA 98201
 425-258-4438

Applicant:
 RAD DEVELOPMENT
 Craig Pierce
 16531 13th Ave. W. #A 107
 Lynnwood, WA 98037
 425-299-2600

Location of Proposal:

The project is located west of Chain Lake Road approximately one mile north of US 2. Snohomish County Assessor's Tax Parcel Numbers: 28073100201000, 28073100203300, 28073100203400, 28073100201100, 28073100203200, 28073100504000, 01010300050200, 01010300050100. Current site address: 13611 197th Ave. SE, Monroe, WA.

Lead Agency:

City of Monroe

Threshold Determination:

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City of Monroe. This information is available to the public for review on request at Monroe City Hall, 806 West Main Street, Monroe, Washington, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays, or online at monroewa.gov/eaglemont.

This Determination of Nonsignificance is issued after using the optional DNS process in WAC 197-11-355, with conditions as allowed by WAC 197-11-360; there is no further comment period on the DNS.

Proposed Mitigation

1. Earth

- a. Prior to commencement of any clearing, grading, or filling on the site, a Construction Stormwater Pollution Prevention Plan (SWPPP) shall be developed in accordance with the Department of Ecology Storm Water Management Manual for Western Washington (latest edition), for review and approval by the City Engineer. The proponent and/or successor shall designate a qualified individual or firm who shall be responsible for ensuring that erosion and sedimentation control devices are correctly installed and that Best Management Practices (BMP) are correctly implemented by ensuring that methods, maintenance schedules, reports, and inspections are coordinated with the City.
- b. The proponent and/or successor will comply with the requirements of the Washington State Department of Ecology to apply for and receive a stormwater National Pollutant Discharge Elimination System permit prior to beginning any work on site.
- c. The proponent and/or successor shall comply with the conclusions and recommendations contained in the Subsurface Exploration, Geologic Hazard, and Geotechnical Engineering Report prepared by Associated Earth Sciences, Inc and dated August 8, 2012, or as subsequently revised and approved by the City of Monroe.

2. Air

- a. The proponent and/or successor will comply with all applicable federal, state, and local air quality regulations.

3. Water

- a. The proponent and/or successor shall submit an engineered drainage and stormwater plan and report to the City Engineer for review and approval. The drainage plan must incorporate the storm drainage criteria of the Department of Ecology Storm Water Management Manual for Western Washington (latest edition).

4. Plants

- a. The proponent and/or successor will comply with MMC 20.08 regarding land clearing and forest practices.
- b. In accordance with MMC 17.16.050, existing trees and shrubs will be preserved.

5. Animals

- a. The proponent and/or successor will comply with the critical area regulations contained in MMC 20.05.

6. Environmental Health

- a. Prior to commencement of any clearing, grading, or filling on the site, a Construction Stormwater Pollution Prevention Plan (SWPPP) shall be developed in accordance with the Department of Ecology Storm Water Management Manual

for Western Washington (latest edition), for review and approval by the City Engineer.

7. Aesthetics

- a. The proponent and/or successor will comply with MMC 20.08 regarding land clearing and forest practices.
- b. In accordance with MMC 17.16.050, existing trees and shrubs will be preserved.

8. Light and Glare

- a. The proponent and/or successor will comply with MMC 15.15 to minimize glare, obtrusive light, and artificial sky glow.

9. Recreation

- a. The proponent and/or successor shall provide open space in accordance with MMC 18.84.
- b. In accordance with MMC 20.10, the payment of park impact mitigation fees will be required.

10. Transportation

- a. The proponent and/or successor shall provide adequate access to all lots of the proposed subdivision as approved by the City of Monroe.
- b. The proponent and/or successor shall install traffic control devices and street signs as directed by the City Engineer.
- c. In accordance with MMC 20.12, the payment of transportation impact fees will be required.

11. Public Services

- a. The proponent and/or successor shall install fire hydrants in accordance with the City fire code.
- b. Fire apparatus access roads, including dead end roads, shall comply with the City fire code.
- c. In accordance with MMC 20.07, the payment of school impact mitigation fees will be required.

12. Utilities

- a. The proponent and/or successor will comply with City of Monroe requirements for the provision of utilities to the proposed subdivision.
- b. In accordance with MMC 13.04, the payment of water system capital improvement charges will be required.
- c. In accordance with MMC 13.08, the payment of treatment facility reserve capacity charges will be required.
- d. The proponent and/or successor shall extend water and sanitary sewer utility lines to the parcel boundary as directed by the City of Monroe

- e. Water, sanitary sewer, and stormwater line utility easements shall be 20 feet in width.

Additional Conditions:

Payment of traffic mitigation fees in the amount of \$29,353.86 per the Washington State Department of Transportation Interlocal Guidelines for Coordination with the City of Monroe for Mitigation of Development Impacts.

Responsible Official: Brad Feilberg, PE
Public Works Director
806 West Main Street
Monroe, WA 98272
360-453-7229
bfeilberg@monroewa.gov

Date of Issuance: December 6, 2012

Signature: Brad Feilberg

Appeals:

Appeals to the above mitigated Determination of Nonsignificance must be filed with the City of Monroe Permit Supervisor within fifteen working days of the date of issuance above (5:00 p.m. December 28, 2012). Appeals must be made on appeal forms available at Monroe City Hall, 806 West Main Street, Monroe, WA 98272. Appeals must be filed in original form. The adopted appeal fee must be paid at time of filing. Fax or e-mail appeals shall not be accepted and shall not be considered as meeting the filing requirements. Appeals shall set forth the specific reason, rationale, and/or basis for the appeal.

DECISION OF THE CODE OFFICIAL

I. REQUEST SUMMARY

Project Name: Request for Minor Adjustment to Eaglemont (PL-2012-03)
14-PLMH-0001

Proponent: Douglas Wrigley
Select Homes, Inc.
425-742-6044

Application Date: October 20, 2014

Description:

1. The proponent has requested a minor adjustment to the lot configurations and road alignments in the approved PRD/Preliminary Plat.

II. SUMMARY OF DECISION

Section 18.84.210 of the City of Monroe Municipal Code allows minor adjustments regarding a PRD to be made administratively and Section 21.50.010 allows these minor adjustments to be made administratively without notice. This request is approved based on the Findings of Fact and Conclusions.

III. BACKGROUND

The Eaglemont PRD/Preliminary Plat (PL2012-03) was approved by the City Council by Resolution 2013/005 on February 26, 2013.

IV. FINDINGS OF FACT

1. The request is to be considered in relation to Section 18.84.210 of the Monroe Municipal Code.
2. The request is subject to Section 21.50.010 of the Monroe Municipal Code.
3. The request is to reconfigure lots and road alignments to avoid encroachment into a Puget Sound Energy utility easement and improve circulation.
4. As required by Section 18.10.140 of the Monroe Municipal Code, the requested minor adjustment does not:
 - a. Increase the number of lots or dwelling units.
 - b. Decrease the parking facilities.
 - c. Move structures closer to the perimeter of the site, to water bodies, or to sensitive areas.
 - d. Move points of ingress or egress.
 - e. Reduce the amount of landscaping, buffering, and open space.
 - f. Relocate a building, street or other uses more than twenty feet in any direction or reduce the required yard and/or setback.
 - g. Increase the height of buildings or structures beyond that approved by the PRD.
 - h. Increase traffic volumes or change traffic patterns.
 - i. Change color, plant material, or parking configuration.

- j. Add significant new environmental impacts or significantly increase any adverse impacts disclosed in the original SEPA documents.
 - k. Increase any adverse impacts or undesirable effects or significantly alter the project.
5. As required by Section 21.50.010(5) of the Monroe Municipal Code, the requested minor modification to the approved development does not affect:
- a. The overall character.
 - b. Increase the number of lots, dwelling units, or density.
 - c. Decrease the quality or amount of open space.

V. CONCLUSIONS

In order to approve a request for minor adjustment to a Planned Residential Development the Code Official must conclude that the request conforms to the Monroe Municipal Code.

- 1. Based on the Findings of Fact specified above, the Code Official concludes that all code criteria for approval of this Request for Minor Adjustment have been met and that the request is approved.

ENTERED this 20th day of October, 2014



Paul Popelka, RLA/AICP
Code Official/Planning & Permitting Manager



DECISION OF THE COMMUNITY DEVELOPMENT DIRECTOR

I. APPLICATION SUMMARY

REQUEST

Request for Minor Adjustment to the Eaglemont Preliminary Plat (PL-2012-03) 14-PLMH-0001 in accordance with Monroe Municipal Code (MMC) section 18.84.210.

The request is to include in Eaglemont Division 3 a portion of property known as "Tract A", that in 2014 was removed as part of the approved minor adjustment issued on October 20, 2014. The area known as "Tract A" is approximately 47,207 square feet and will be reserved for future development.

APPLICANT

Mr. Ry McDuffy
Orca Land Surveying
3605 Colby Avenue
Everett, Washington 98201
(425) 259-3400

PROPERTY OWNER

Mr. Craig Pierce
Select Homes, Inc.
16531 13th Avenue West # A107
Lynnwood, Washington 98037
(425) 299-2600

CITY FILE NUMBER

Preliminary Plat/ Planned Residential Development PL201203

DATE APPLICATION FILED

August 9, 2016

STATE ENVIRONMENTAL POLICY ACT (SEPA)

A Mitigated Determination of Non-Significance (MDNS) was issued on the Eaglemont Preliminary Plat/Planned Residential Development (PRD) on December 6, 2012. The MDNS was subsequently appealed. On February 7, 2013, the Hearing Examiner affirmed the City's MDNS.

The Minor Adjustment request has been reviewed against and in context with the MDNS affirmed by the Hearing Examiner on February 7, 2013. It has also been reviewed in accordance with Washington Administrative Code (WAC) 197-11.

No new adverse impacts have been identified with the Minor Adjustment request. The Minor Adjustment involves the addition of property originally included in the approval of Preliminary Plat/Planned Residential Development PL201203 (Eaglemont). This area was removed, inadvertently or otherwise, with the City of Monroe's Minor Adjustment decision issued October 20, 2014.

EXHIBITS

The following Exhibits are available at the City of Monroe Community Development Department for review:

1. Staff Report
2. Minor Amendment Application, received August 9, 2016
3. City of Monroe Resolution No 2013/005
4. City of Monroe Ordinance No. 010/2014 (Final Plat, Eaglemont Division 1)
5. City of Monroe October 20, 2014 Code Official/Planning and Permit Manager decision granting Minor Adjustment
6. City of Monroe Ordinance No. 023/2015 (Final Plat, Eaglemont, Division 2)

III. FACTS AND FINDINGS

1. On March 5 2013, the Monroe City Council passed Resolution No. 2013/005 approving the Eaglemont Preliminary Plat/Planned Residential Development (PRD) (PL2012-03). The Eaglemont Preliminary Plat/PRD approval was for 146 lots on approximately 35 acres. Final plat/final PRD approval was envisioned to occur over three phases (or divisions).
2. On August 26, 2014 the Monroe City Council passed Ordinance No. 010/2014 approving the Eaglemont Division 1 final plat/final PRD. Phase 1 consisted of 63 lots.

3. On October 20, 2014, the City of Monroe Code Official/ Planning and Permit Manager issued a decision granting a request for Minor Adjustment to the approved Eaglemont Preliminary PRD/Preliminary Plat. The Minor Adjustment applied to certain lot configurations and road alignments for Eaglemont Division 2 and Eaglemont Division 3.
4. The Code Official/Planning and Permit Manager's October 20, 2014, Minor Adjustment decision described the Minor Adjustment request as,

"1. The proponent has requested a minor adjustment to the lot configurations and road alignments in the approved PRD/Preliminary Plat."

Finding of Fact #3 in the October 20, 2014, Minor Adjustment decision stated,

"3. The request is to reconfigure lots and road alignments to avoid encroachment into a Puget Sound Energy utility easement and improve circulation."

5. As part of the October 20, 2014 Minor Adjustment decision for Eaglemont Division 2 and Eaglemont Division 3, revisions to lot configurations and road alignments were approved. The Minor Adjustment decision also removed a certain area from Eaglemont Division 3 and identified that area as part of "Phase IV". This reflected an intent to develop that area as part of a subsequent Eaglemont preliminary plat/preliminary PRD application. At the time of the October 20, 2014 Minor Adjustment application, however, the City did not have an application for future phases on Eaglemont plat/PRD.
6. The area removed from Eaglemont Division 3 as part of the October 20, 2014 Minor Adjustment decision was approximately 47,200 square feet and had included proposed lots, part of a Puget Sound Energy utility easement and part of a proposed Preliminary Plat/Preliminary PRD street right of way.
7. The October 20, 2014 City Code Official/ Planning and Permit Manager decision granting the Minor Adjustment request did not specifically explain this component (i.e. the removal of land area from Eaglemont Division 3) of the Minor Adjustment request. It is not clear whether this removal of part of Eaglemont Division 3 was intentional or inadvertent.
8. On May 5, 2015, Mr. Douglas Wrigley of Select Homes and Mr. Fred Ballinger submitted a Preliminary Plat/Planned Residential Development (PRD) application for Eaglemont Divisions 4-8 (City Case File No. 15-SDPL-0002, 15-PRPL-0001).
9. On December 15, 2015, the Monroe City Council passed Ordinance No. 023/2015 approving the Eaglemont, Division 2 Final Plat/Planned Residential

Development (15-PRDF-001). The Eaglemont Division 2 Final Plat/Final PRD consisted of 46 lots on approximately 11.71 acres.

10. The Eaglemont Division 2 Final Plat/Final Planned Residential Development (15-PRDF-001) reflected the adjustment in the October 20, 2014 Code Official's/Planning and Permit Manager's Minor Adjustment decision.
11. On August 9, 2016, Mr. Ry McDuffy of Orca Land Surveying submitted a Minor Adjustment request on behalf of the owner, Select Homes. The Minor Adjustment request seeks to add back into Eaglemont Division 3 that portion of Eaglemont Division 3, aka "Tract A" which was removed in the October 20, 2014 Minor Adjustment decision.
12. Specifically, the proposed Minor Adjustment application would reinstate the area removed with the October 20, 2014 Minor Adjustment decision and identify that area as "TRACT A 47,207 SF (FUTURE DEVELOPMENT)". The map note does not specify what the future development of the Tract will be.
13. The re-addition of Tract A into Eaglemont Division 3 will not in any way affect the health, safety and well-being of this development or those properties surrounding this development. The re-addition of Tract A into Division 3 should clear up any questions of title that may arise with the future development of this Tract. Tract A will be recorded as part of Division 3.
14. Monroe Municipal Code (MMC) section 18.84.210 entitled "Minor adjustments" states, that the City community development director or his/her designee may allow minor adjustments provided certain criteria are met. Monroe Municipal Code section 18.84.210 states,

"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. "

15. The following is an analysis of the proposed Minor Adjustment request against the criteria identified in Monroe Municipal Code (MMC) section 18.84.210.

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

The proposed Minor Adjustment does not increase the number of dwelling units. The area to be added is identified as TRACT A 47,207 SF (FUTURE DEVELOPMENT)". While it may be possible that the proposed Tract A will be developed in the future as additional dwelling units, this Minor Adjustment request does not create more dwelling units. Additional dwelling units in Tract A, if any, will need to be considered as part of a separate land use application request.

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

The proposed Minor Adjustment adding Tract A does not decrease parking facilities for the Eaglemont plat/PRD.

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

The proposed Minor Adjustment adding Tract A does not move structures closer to the perimeter of the site, to water bodies, or to sensitive areas. No structures are proposed as part of Tract A other than a reference on the preliminary plat/preliminary PRD map to "FUTURE DEVELOPMENT".

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

The proposed Minor Adjustment adding Tract A does not move points of ingress or egress, although the tract could be a connection point between Eaglemont Division 3 and future phases of the Eaglemont plat/PRD. However, any proposal for access/connectivity to adjacent developments would be evaluated separately when a specific proposal for future development of Tract A is made.

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

The proposed Minor Adjustment adding Tract A does not reduce the amount of landscaping, buffering or open space in the Eaglemont plat/PRD.

- 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**

The proposed Minor Adjustment adding Tract A does not relocate a building, street or other uses more than twenty feet in any direction nor does it reduce the required yard and/or setback.

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

The proposed Minor Adjustment adding a Tract A does not increase the height of any building or structures.

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

The proposed Minor Adjustment adding Tract A will not increase traffic volumes or traffic patterns. No new development is proposed at this time in Tract A.

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

The proposed Minor Adjustment adding Tract A does not change color, plant material and parking configurations in an adverse way. What change might occur is the need to landscape Tract A until such time a development proposal, if any, is made and approved.

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

The Minor Adjustment adding Tract A does not create significant new environmental impacts or significantly increase any adverse impacts disclosed in the original SEPA documents (see discussion regarding SEPA exemption in Section I – above “Application Summary”).

- 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.**

As indicated in 14.J, above, the Minor Adjustment adding Tract A does not increase any adverse impacts over those disclosed in the original SEPA documents nor will it increase undesirable effects of the project or significantly alter the project. The area (proposed Tract A) had previously been included in Eaglemont Division 3. Proposed Tract A is to be vacant.

Although identified as "FUTURE DEVELOPMENT", any future development of the site will require that environmental and land use processes be met.

16. Monroe Municipal Code (MMC) section 21.50.010(A)(5)a-c and (B) under the heading "Administrative approvals without notice" states,

"A. The director of community development may approve, approve with conditions, or deny the following without notice:

....

5. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not affect:

- a. Overall project character,
- b. Increase the number of lots, dwelling units, or density, or
- c. Decrease the quality or amount of open space;

B. Decisions of the director of community development under this section shall be final on the date issued."

17. The following is an analysis of the Minor Adjustment request against the criteria for an administrative approval without notice identified in MMC section 21.50.010 (A)(5)a-c. The criteria

5.a. Overall project character

The overall project character does not change. Land being included in this Minor Adjustment request was originally within the approved Eaglemont Preliminary Plat/Preliminary PRD decision, and was subsequently removed with the October 20, 2014 Minor Adjustment decision.

No lots are being added by this Minor Adjustment. The land being added is identified as a tract ("Tract A") for "Future Development". However, this Minor Adjustment process does not define or approve the "Future Development". The Tract will therefore be vacant land until such time a specific proposal is made and approved.

5.b. Increase the number of lots, dwelling units, or density, or

The Minor Adjustment adding Tract A does not Increase the number of lots, dwelling units, or density to the Eaglemont Division 3 Preliminary Plat/Preliminary PRD.

While the proposed Tract A is identified as "(FUTURE DEVELOPMENT)" on the proposed preliminary Plat/Preliminary PRD plat map, granting of the Minor Adjustment request does not grant approval for what that "future development" might be. Future development of the tract must follow

applicable environmental review, land use and other requirements, including meeting any applicable decisional criteria to be allowed.

5.c. Decrease the quality or amount of open space;

The addition of proposed Tract A to the Eaglemont Division 3 preliminary plat/preliminary PRD does not decrease the quality or amount of open space.

III. CONCLUSIONS

1. Monroe Municipal Code (MMC) section 18.84.210 allows minor adjustments regarding a PRD to be made administratively if certain criteria are met.
2. If conditioned, the proposal meets the criteria for a minor amendment identified in Monroe Municipal Code (MMC) Section 18.84.210.
3. Monroe Municipal Code (MMC) section 21.50.010 allows “Minor amendments or modifications to approved developments or permits” to be made administratively without notice if certain criteria are met. These criteria have been met.
4. Monroe Municipal Code (MMC) section 21.50.010(B) states that decisions of the director of community development under that section shall be final on the date issued.
5. The proposed minor amendment is exempt from the requirements of SEPA.

IV. DIRECTOR DECISION

Based upon the application, Findings of Fact and Conclusions of Law, the requested Minor Adjustment for the Eaglemont Preliminary Plat (PL-2012-03) is hereby APPROVED subject to the following conditions:

1. Future development of the Tract (Tract A), if any, shall be subject to all applicable environmental (e.g. SEPA), land use permit review and other processes. Granting of this Minor Adjustment does not guarantee or authorize any future approvals for development of the Tract (Tract A). A note shall be added to the face of the Eaglemont Division 3 final plat/final PRD which states this.
2. The applicant shall comply with all other applicable codes and requirements.

ENTERED this 31st of August, 2016

 08.31.16

David Osaki, AICP
Community Development Director

APPEALS

An appeal of this decision must be filed within fifteen (15) working days from issuance of this decision in conformance with MMC section 21.60.010(A). Appeals must be submitted to the City of Monroe by **5:00 p.m., Thursday, September 22, 2016.**

Appeals shall be in writing and accompanied by an appeal fee as outlined in the City's most current fee resolution.



MONROE CITY COUNCIL

Agenda Bill No. 16-126

SUBJECT:	<i>Resolution No. 016/2016: Interlocal Agreement with Fire District re Fiber Optic Cable, Servers, Administration and Maintenance</i>
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
09/27/2016	Public Works IT	Brad Feilberg Ben Warthan	Brad Feilberg Ben Warthan	Final Action #2

Discussion: 09/27/2016

Attachments: 1. Resolution No. 016/2016; Exhibit 1: ILA

REQUESTED ACTION: Move to approve Resolution No. 016/2016, authorizing the Mayor to sign an interlocal agreement regarding utilization of existing fiber optic cable, GIS server, City common drive server, and administration and maintenance of such hardware and data between City of Monroe and Snohomish County Fire Protection District No. 7.

DESCRIPTION/BACKGROUND

While reviewing existing contracts and agreements that need to be updated due to the fire district merger, District No. 3 notified us of the “fiber optic agreement.”

The current interlocal agreement allows for the Fire Department and City to share geographic information system data and permit and inspection data. The agreement also covers the joint use of a fiber optic line that is needed for the New World computer aided dispatch system used by the Police Department.

The proposed resolution and interlocal agreement continue the existing arrangement the City has with District No. 3 but now with District No. 7.

IMPACT – BUDGET

None, continues existing arrangement.

TIME CONSTRAINTS

Existing ILA becomes invalid October 1, 2016

**CITY OF MONROE
RESOLUTION NO. 016/2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT REGARDING UTILIZATION OF EXISTING FIBEROPTIC CABLE, GIS SERVER, CITY COMMON DRIVE SERVER, AND ADMINISTRATION AND MAINTENANCE OF SUCH HARDWARE AND DATA BETWEEN CITY OF MONROE AND SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 7

WHEREAS, a fiber-optic cable exists between City Hall and the District's Fire Station 31. Terminal endings were completed on both ends of the cable at District expense in order for it to be utilized for data transmission; and

WHEREAS, the City owns a server that is used for operating Geographic Information Systems (GIS) software and storing GIS data; and

WHEREAS, the City owns a server that is used for storing permit and occupancy data on a drive known as the "Common (Q)" drive; and

WHEREAS, GIS is utilized by several city departments and the District. Much of the data that is created, edited, and utilized by City and District departments is of great interest to all other City and District departments as well; and

WHEREAS, the District has personnel who work with editing GIS data and projects for the District. The City has expressed a willingness to share existing and future data back and forth with the District; and

WHEREAS, the City has offered to provide data storage space on its servers with the District via the fiber-optic cable for the purpose of permit, business license, occupancy, inspection, and GIS functions (hereafter referred to as the "Shared Data"); and

WHEREAS, the District has Fiber Access to SnoPAC; and

WHEREAS, the City of Monroe Police Department desires to use said Fiber Access for access to SnoPAC systems including CAD and LERMS; and

WHEREAS, the District and the City recognize that reduction of service duplication is in the interest of the community, and can be achieved by working together on GIS and other projects which create and utilize Shared Data; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Findings. The above recitals are hereby adopted by the City Council as findings in support of this resolution.

Section 2. Approval of Interlocal Agreement. In accordance with Chapter 39.34 RCW, the City Council approves the Interlocal Agreement Regarding Utilization of existing Fiberoptic Cable, GIS Server, City Common Drive Server, and Administration and Maintenance of Such Hardware and Data with District No. 7, in substantially the same form as set forth in Exhibit 1 to this Resolution. The Mayor's signatory authority set forth herein shall include the authority to negotiate revisions, as determined by the Mayor to be appropriate and reasonable, to the aforementioned document.

Section 3. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this ____ day of _____, 2016.

Approved: September 27, 2016
Effective: September 27, 2016

CITY OF MONROE, WASHINGTON

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

Elizabeth M. Smoot, MMC, City Clerk

EXHIBIT 1

INTERLOCAL AGREEMENT REGARDING UTILIZATION OF EXISTING FIBEROPTIC CABLE, GIS SERVER, CITY COMMON DRIVE SERVER, AND ADMINISTRATION AND MAINTENANCE OF SUCH HARDWARE AND DATA BETWEEN CITY OF MONROE AND SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 7.

This Interlocal Agreement is made and entered into by and between the City of Monroe, Washington, a municipal corporation (hereinafter referred to as "City") and Snohomish County Fire Protection District No. 7, a municipal corporation (hereinafter referred to as "District").

RECITALS

WHEREAS, a fiber-optic cable exists between City Hall and the District's Fire Station 31 and terminal endings were completed on both ends of the cable at District expense in order for it to be utilized for data transmission; and

WHEREAS, the City owns a server that is used for operating Geographic Information Systems (GIS) software and storing GIS data; and

WHEREAS, the City owns a server that is used for storing permit and occupancy data on a drive known as the "Common (Q)" drive; and

WHEREAS, GIS is utilized by several city departments and the District, and much of the data that is created, edited, and utilized by City and District departments is of great interest to all other City and District departments as well; and

WHEREAS, the District has personnel who work with editing GIS data and projects for the District and the City has expressed a willingness to share existing and future data back and forth with the District; and

WHEREAS, the City has offered to provide data storage space on its servers with the District via the fiber-optic cable for the purpose of permit, business license, occupancy, inspection, and GIS functions (hereafter referred to as the "Shared Data"); and

WHEREAS, the District has Fiber Access to SnoPAC; and

WHEREAS, the City of Monroe Police Department desires to use said Fiber Access for access to SnoPAC systems including CAD and LERMS; and

WHEREAS, the District and the City recognize that reduction of service duplication is in the interest of the community, and can be achieved by working together on GIS and other projects which create and utilize Shared Data; and

NOW, THEREFORE, IN CONSIDERATION OF THE TERMS AND CONDITIONS SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

1. Access to the System.

- a.** The City of Monroe shall oversee the administration of the above-referenced GIS application and servers. Administration shall include: server updates, user rights, server and network security, backups, restores or any other function related to the application existing on the server or the server itself.
- b.** The servers are wholly owned, operated and maintained by the City.
- c.** Shared data may be stored on the appropriate server by either party. Servers shall be mapped and maps provided to all parties storing data, and data shall be saved in accordance with these server mapping protocols.
- d.** The District will be liable for costs incurred and future maintenance for the fiber optic connection to City Hall and for any consulting fees for IP address solutions; the District will not be liable for future costs to repair above-ground fiber or terminal endings in City Hall. A copy of the District's firewall configuration will be provided to the City of Monroe prior to connecting the networks. The City will be notified of any future changes to the District's firewall configuration.
- e.** Any discrepancies in the use of data shall be mediated by the Data Coordinators (see below). If the Data Coordinators cannot reach an agreement, the City Administrator or designee will have the final decision-making authority over storage on servers consistent with the terms of this Agreement.
- f.** Both the City and the District will be responsible for purchasing, installing, and maintaining appropriate software for their respective computer workstations.
- g.** The provisions of this Agreement shall remain in effect even if the names of the servers or drive letters change.

2. Data Coordination.

- a.** Data Coordinators will reasonably grant permission to share data with City/District employees. Data Coordinators will notify the City's IT Department in writing of these changes. Access rights will be changed on the server by the City's IT Department in a timely manner, in accordance with the documentation received.
- b.** There shall be two Data Coordinators: one for the City and one for the District, each appointed by their respective organization.
- c.** The approval of access to the data files will be obtained through the Data Coordinator then forwarded to the City Administrator or designee for processing.
- d.** Data may be password protected and/or restricted by each user.

- e. Subject to the terms of this Agreement, the Data Coordinators may issue joint written protocols/procedures as necessary for storing, mapping, accessing, and utilizing the Shared Data.

3. Accuracy.

Neither party guarantees the accuracy of the shared data and neither party shall be liable to the other for inaccuracies contained in the Shared Data. Each party hereby expressly releases the other from any and all claims for damages arising out of the use of the Shared Data.

4. Security.

Each party shall take appropriate measures as recommended by their respective IT Departments to protect the security and integrity of the Shared Data, and use of the fiber-optic connection.

5. Fiber Access.

The District agrees to allow the City to use its Fiber Access to access SnoPac. The City will pay one half (1/2) of the cost of the Fiber Access and the District will pay one half (1/2) of the cost of the Fiber Access. The City will submit reimbursement to the District on a quarterly basis for its one half (1/2) share of the cost of the Fiber Access based upon properly documented invoices submitted to the City by the District.

6. Notices.

Notices sent to the City shall be sent to the following address:

City Administrator
City of Monroe
806 W. Main Street
Monroe, WA

Notices sent to the Fire District shall be sent to the following address:

Fire Chief
Snohomish County Fire Protection District No. 7
163 Village Court
Monroe WA 98272

7. Administration; No Separate Entity Created.

The City Administrator and Fire District Fire Chief shall serve as joint administrators of this Agreement. No separate legal entity is formed hereby.

8. Modification.

a. This Agreement represents the entire agreement between the Parties.

b. No change, termination or attempted waiver of any of the provisions of this Agreement shall be binding on either of the Parties unless executed in writing by authorized representatives of each of the parties.

c. The Agreement shall not be modified, supplemented or otherwise affected by course of dealings between the Parties.

9. Indemnification.

Each party shall indemnify, save and hold the harmless the other party, and its officers, agents, and employees, from any and all costs, expenses, fees, including reasonable attorney fees, charges, penalties, claims, suits, or damages of any kind arising out of intentional, reckless or negligent conduct of the indemnifying party's officers, agents, or employees. Neither party shall be indemnified hereunder for any loss, liability, damage, or expense resulting from its sole negligence or willful misconduct. In the event of concurrent fault, each party's defense and indemnity obligations shall only apply to the extent of the each party's respective proportionate fault. Both parties hereby waive, as to claims against the other party, any immunity that may be granted under the Washington State Industrial Insurance Act, Chapter 51 RCW. This indemnification provision shall survive termination of this Agreement.

10. Costs.

Each party agrees to bear and pay its own expenses in connection with the negotiation and implementation of this Agreement, including, but not limited to, its attorney fees and consultant fees.

11. Integrated Agreement.

This Agreement constitutes the entire agreement between the Parties regarding the subject matter hereof and may be modified only by a written instrument signed by all Parties hereto.

12. Severability.

In the event that any section, sentence, clause or paragraph of this Agreement is held to be invalid by any court of competent jurisdiction, the remainder of this Agreement shall not be affected and shall remain in full force and effect.

13. Litigation.

a. In the event that either party deems it necessary to institute legal action or proceedings to enforce any right or obligation under this Agreement, the Parties agree that such actions shall be initiated in the Superior Court of the State of Washington, in and for Snohomish County.

b. The prevailing party in any such litigation shall be entitled to recover its costs, including reasonable attorney fees, in addition to any other award.

14. Third-party Rights.

Anything to the contrary notwithstanding, nothing contained in this Agreement shall be interpreted to create third-party rights in any person or entity not a party thereto.

15. Effective Date.

This Agreement shall become effective October 1, 2016, provided this Agreement has been filed with the Snohomish County Auditor or listed by name on the City of Monroe's internet website.

16. Term of Agreement.

The term of this Agreement shall be five years from the effective date. The Either party may terminate this agreement at any time with 30 days advance written notice.

(Insert Signatures)



MONROE THIS WEEK

September 23, 2016 Edition No. 37

Mayor

Geoffrey Thomas
gthomas@monroewa.gov

Councilmembers

Patsy Cudaback
Kevin Hanford
Ed Davis
Jason Gamble
Jim Kamp
Jeff Rasmussen
Kirk Scarboro
councilmembers@monroewa.gov

City Hall

806 West Main Street
Monroe, WA 98272
Phone: 360.794.7400
Open 8AM – 5PM, M-F

Appointment Openings

[Civil Service Commissioner](#)

Job Openings

[Senior Engineer- Development Review](#)
www.monroewa.gov/jobs

Events this Week

- 09/27 Monroe City Council Regular Business Meeting, City Hall, Council Chambers, 7PM
- 10/8 Harvest Festival, Lake Tye Park, 10AM-3PM
- 10/15 Snohomish County Fire Department Open House, 163 Village Ct. 10AM-2PM

From the Office of Mayor Thomas

To highlight some of the things going on in our community, I am writing this weekly city update, "Monroe This Week." If you have any suggestions or questions regarding "Monroe This Week" or the stories below, please contact me at GThomas@MonroeWa.gov.

Yours in Service,

Mayor Geoffrey Thomas

Be In The Know!

SR-522 Update

On October 5, 2016, there will be an SR-522 meeting held in Snohomish County from 10:00am-2:00pm regarding short-term and long-term traffic solutions. This meeting is intended for engineering staff and stakeholder groups to review existing traffic data and explore interim measures such as peak use of shoulder. It is expected that a follow-up report from this meeting will be released mid-November with a public meeting to be held in Monroe early December for citizens to attend and comment.

Business Symposium

On September 15, 2016, Coastal Community Bank sponsored its second annual Monroe Business Symposium at the East County Senior Center. Besides serving as a networking opportunity, a variety of pertinent topics related to small business development were presented to attendees. City staff attended and presented information about local development activity as well other socio-economic information. We enjoyed being able to participate in this event.

Parks & Recreation Mobile Stage

At the Tuesday, September 20, 2016, Council Meeting, Council moved to direct staff to purchase a portable stage trailer to be used for Parks and Recreation events. The trailer will allow for versatility of use for various events around Monroe. Stay tuned for updates!

**City of Monroe
Year-to-Date Comparisons**

The following are year-to-date comparisons

Sales Tax Revenues

'15 to 8/31/15: \$2,640,028

'16 to 8/31/16: \$2,917,017

UP \$276,989 or 10.49%

Real Estate Excise Tax

'15 to 8/31/15: \$423,399

'16 to 8/31/16: \$591,610

UP \$168,211 or 39.73%

Lodging Tax Revenues

'15 to 8/31/15: \$37,731

'16 to 8/31/16: \$47,088

UP \$9,357 or 24.80%

Business License Fees

'15 to 8/31/15: \$32,307

'16 to 8/31/16: \$31,016

DOWN \$1,291 or -4.00%

Building Permit Revenues

'15 to 8/31/15: \$210,118

'16 to 8/31/16: \$454,437

UP \$244,319 or 116.28%

Planning Fee Revenues

'15 to 8/31/15: \$56,490

'16 to 8/31/16: \$71,080

UP \$14,590 or 25.83%

New House Permits

'15 to 8/31/15: 39

'16 to 8/31/16: 85

UP 46 units or 117.9%

Multi-Family Permits (# units)

'15 to 8/31/15: 13

'16 to 8/31/16: 4

DOWN 9 units or -69.2%

Building Division Inspections

'15 to 8/31/15: 1,203

'16 to 8/31/16: 1,541

UP 338 or 28.1%

***324 inspections in Aug '16;**

159 in Aug '15

Remax Ribbon Cutting

Congratulations to Delma Silva and her Remax Real Estate Team for locating their business in Monroe! Delma cut the ribbon of her new location along with her staff, the Chamber, and myself. We are excited to have them in town and see them grow!

Heroin Forum

Following increased attention on Snohomish County's heroin and opioid issues, a series of community forums have been scheduled to provide information and encourage dialogue. The upcoming forum dates are listed below:

- Tuesday, September 27th at 6 p.m. at Byrnes Performing Arts Center (18821 Crown Ridge Blvd., Arlington, Wash.)
- Thursday, October 13th at 6:30 p.m. in Woodway Hall at Edmonds Community College (20000 68th Ave. W, Lynnwood, Wash.)

Sponsored by the Snohomish Health District and Snohomish County Human Services, in partnership with the host communities, each forum will include a panel of subject matter experts and time for audience questions.

Thank You Lakeside Construction!

Thank you to Lakeside Construction! They were able to pave Chain Lake Road in one day! We understand road construction and impact everyday travel and fortunately we were able to work with our other contractors to lessen the impact of the lane closures. Good weather and a great construction crew made it so they were able to complete the paving in one day! Thank you all for your patience as we work to maintain and preserve our roads!

Civil Service Commission Vacancy

The City of Monroe is currently seeking applicants to fill the following City Board and Commission open position:

1 – Civil Service Commissioner (6-Year term ending 9/2022)

APPLICATION DEADLINE: Friday, September 30, 2016

Civil Services Commission – assures that police officers are recruited through open competition, are hired and promoted on the basis of merit, and are demoted, suspended, or discharged for cause; it oversees civil service examinations and certifies eligibility lists.

(Vacancy continued)

****PLEASE NOTE THE FOLLOWING RESIDENCY REQUIREMENT–** Per MMC 2.70.010 “No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of such city for at least three years immediately preceding such appointment, and an elector of the county wherein he resides.”

For additional information regarding board/commission qualifications, duties, and meeting times, please contact the City Clerk’s Office: esmoot@monroewa.gov; 360-863-4538.

Fire Department Open House

Fire Prevention week is fast approaching. Fire District 7 is hosting two Open Houses to promote fire and life safety! We start the week with an Open House at Station 71 (8010 180th St SE, Snohomish) on Sunday, October 9th from 12:00-4:00, and end the week with an Open House at Station 31 (163 Village Court, Monroe) on Saturday, October 15th from 10:00–2:00. These events will have car extrication demonstrations, live fire extinguisher training, firefighter challenge courses for the kids and more! Bring the whole family for a fun interactive event! For more information visit www.Snofire7.org.