

**CITY OF MONROE
ORDINANCE NO. 002/2018**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING MONROE MUNICIPAL CODE (MMC) SECTION 17.16.030, STREET AND BLOCK DESIGN, TO ENSURE SAFE AND ADEQUATE VEHICULAR ACCESS TO LARGE RESIDENTIAL SUBDIVISIONS; AMENDING MONROE MUNICIPAL CODE (MMC) SECTIONS 18.10.170, MINIMUM SINGLE-FAMILY ZONE SETBACKS, 18.10.180, MINIMUM MULTIFAMILY ZONE SETBACKS, AND 18.10.185, MINIMUM PROFESSIONAL OFFICE ZONE SETBACKS, TO REMOVE REQUIREMENTS FOR ADDITIONAL YARD SETBACKS FOR CERTAIN RESIDENTIAL STRUCTURES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City regulates the use, subdivision, and development of land through provisions codified in Titles 17 through 21 of the Monroe Municipal Code; and

WHEREAS, Monroe Municipal Code Title 17, Subdivisions, does not currently specify the number of vehicular access points required for new subdivisions; and

WHEREAS, in order to ensure safe and adequate vehicular access (particularly emergency vehicle access), the proposed text amendments to Monroe Municipal Code section 17.16.030, Street and Block Design require that large residential subdivisions must contain two vehicular access points unless the dwelling units within the subdivision are equipped with automatic sprinkler systems; and

WHEREAS, the proposed amendments to Monroe Municipal Code sections 18.10.170, Minimum Single-Family Zone Setbacks, 18.10.180, Minimum Multifamily Zone Setbacks, and 18.10.185, Minimum Professional Office Zone Setbacks, would remove requirements for additional setbacks for residential structures exceeding one story in height in single-family residential, multifamily residential, and professional office zoning districts; and

WHEREAS, the proposed amendments to Monroe Municipal Code sections 18.10.170, 18.10.180, and 18.10.185 would make all yard setback requirements applicable to single-family residential zones, the multifamily residential zone, and the professional office zone consistent throughout MMC Title 18; and

WHEREAS, the amendments set forth in this ordinance were vetted by the City's Planning Commission and City Council, and were subject to all applicable public noticing, public hearing, SEPA review, and public participation requirements, as part of the City's legislative process.

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

Section 1. Findings. The above recitals, together with the Planning Commission Findings of Fact and Conclusions of Law dated January 29, 2018, are hereby adopted as legislative findings in support of this ordinance. The Monroe City Council further finds as follows:

A. The Planning Commission held a public hearing on the substance of this ordinance on January 8, 2018, and recommended adoption by the City Council.

B. The City is authorized by State law, including but not limited to Chapter 35A.63 RCW and Chapter 36.70A RCW, to adopt local regulations governing the use and development of land.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review requirements and criteria set forth in Title 18 and Title 21 MMC. In adopting this ordinance, the City considered and was guided by the applicable GMA planning goals enumerated at RCW 36.70A.020.

F. The regulations set forth in this ordinance are consistent with and will implement the City's Comprehensive Plan, and will meet the requirements and intent of the MMC.

G. The regulations set forth in this ordinance are beneficial to the public health, safety, and welfare, and are in the public interest.

Section 2. Amendment of MMC 17.16.030(K). Monroe Municipal Code (MMC) Subsection 17.60.030, Subdivisions – Development Standards – Street and Block Design, is hereby amended by the addition of Subsection K, as follows:

A. Streets shall conform to the city's street standards and:

1. Have continuity for through streets and arterials;
2. Continue to boundaries of the subdivision.

- B. Alleys shall be not less than twenty feet wide.
- C. Blocks should have a minimum width of two tiers of lots and a maximum length of one thousand three hundred twenty feet.
- D. In blocks with a length in excess of six hundred feet, the city may require dedication of a paved sidewalk not less than ten feet wide through the block to provide a pedestrian walkway.
- E. All lots shall have access to a public street and provide adequate lot frontage, as set forth in MMC 18.10.140.
- F. Maximum residential density shall be as set forth in MMC 18.10.140.
- G. Lots shall have frontage on two parallel streets (double frontage lots) only where the administrator approves the lot arrangement as unavoidable.
- H. Lot lines shall be straight, or composed of straight line elements, except where a lot is bounded by a curved street right-of-way.
- I. Side lot lines shall be perpendicular to the center line of the abutting street wherever possible but shall not, in any case, exceed twenty degrees from the perpendicular.
- J. No lot shall be bisected by a city boundary line.
- K. A subdivision containing thirty or more dwelling units shall have two vehicular access points in accordance with the city of Monroe Public Works Design and Construction standards, located at least one-hundred feet apart; provided, this requirement shall not apply where approved automatic sprinkler systems will be installed in each dwelling unit.**

Section 3. Amendment of MMC 18.10.170. Monroe Municipal Code (MMC) Section 18.10.170, Planning and Zoning – Land Use Zoning District and District Requirements - Minimum single-family zone setbacks, is hereby amended as follows:

There shall be a front yard setback of not less than ten feet for the living side of a residential building and twenty feet for a garage, except that residences fronting on a collector or arterial roadway shall have a twenty-foot setback. Side and rear yard setbacks shall be five feet, ~~EXCEPT THAT SIDE YARD AND REAR YARD SETBACKS SHALL BE INCREASED BY TWO FEET FOR EVERY STORY EXCEEDING THE FIRST STORY.~~

Section 4. Amendment of MMC 18.10.180. Monroe Municipal Code (MMC) Section 18.10.180, Planning and Zoning – Land Use Zoning District and District Requirements - Minimum multifamily zone setbacks, is hereby amended as follows:

There shall be twenty-foot front yard setbacks. Rear yard and side yard setbacks in the multifamily zone shall not be less than five feet. [~~SIDE YARD SETBACKS SHALL BE INCREASED BY TWO FEET FOR EVERY STORY EXCEEDING THE FIRST STORY.~~] For single-family residential uses in the multifamily zone, the rear yard and side yard setbacks shall be five feet[, ~~EXCEPT THAT SIDE YARD SETBACK SHALL BE INCREASED BY TWO FEET FOR EVERY STORY EXCEEDING THE FIRST STORY.~~].

Section 5. Amendment of MMC 18.10.185. Monroe Municipal Code (MMC) Section 18.10.185, Planning and Zoning – Land Use Zoning District and District Requirements - Minimum professional office zone setbacks, is hereby amended as follows:

There shall be twenty-foot front yard setbacks. For office uses, the side and rear yard setbacks in the professional office zone shall not be less than ten feet. For multifamily residential uses in the professional office zone, the rear yard and side yard setbacks shall be five feet[, ~~EXCEPT THAT SIDE YARD SETBACK SHALL BE INCREASED BY TWO FEET FOR EVERY FULL STORY EXCEEDING THE FIRST STORY.~~]. For single-family residential uses in the professional office zone, the rear yard and side yard setbacks shall be five feet[, ~~EXCEPT THAT SIDE YARD SETBACK SHALL BE INCREASED BY TWO FEET FOR EVERY STORY EXCEEDING THE FIRST STORY.~~].

Section 6. Transmittal to Department of Commerce. Pursuant to RCW 36.70A.106, this ordinance shall be transmitted to the Washington State Department of Commerce.

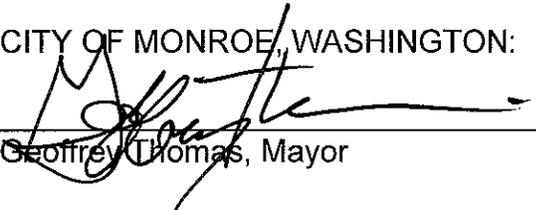
Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 21st day of February, 2018.

First Reading: February 6, 2018
Adoption: February 20, 2018
Published: February 23, 2018
Effective: February 28, 2018

CITY OF MONROE, WASHINGTON:



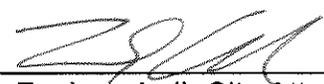
Geoffrey Thomas, Mayor

(SEAL)
ATTEST:



Elizabeth M. Adkisson, MMC, City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney



CITY OF MONROE FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. GENERAL APPLICATION INFORMATION

File Number(s):	CA2017-12 (associated with SEPA2017-17)
Project Summary:	The proposal is non-project action to amend Monroe Municipal Code (MMC) Section 17.16.030 regarding access requirements for streets serving thirty or more dwelling units.
Applicant:	City of Monroe
Location:	The proposal is a non-project action that is not site-specific. The proposed code amendment does not apply to a specific property or properties, but rather to the entire area within the limits of the City of Monroe.
Public Hearing Date:	Monday, January 8, 2018 at 7:00 PM Monroe City Hall Council Chambers 806 West Main Street Monroe, WA 98272
Staff Contact:	Anita Marrero, Senior Planner City of Monroe 806 West Main Street Monroe, WA 98272 (360) 863-4513 amarrero@monroewa.gov

B. BACKGROUND AND DESCRIPTION OF PROPOSAL

The amendments to Monroe Municipal Code (MMC) Section 17.16.030, Street and Block Design, propose revisions to enhance public safety by requiring that all lots within a subdivision containing thirty or more dwelling units either have two vehicular access points at least 100 feet apart, or provide an approved automatic sprinkler system for each dwelling unit.

C. REVIEW PROCESS

1. Overview

MMC section 21.20.040(B) requires that the Planning Commission shall review and make recommendations on the following:

Amendments to the subdivision code, zoning code, and environmental code (MMC Titles 17 through 20).

The City is proposing amendments to MMC Section 17.16.030, Street and Block Design. Therefore, a Planning Commission public hearing and recommendation to the City Council is required. The required public hearing in front of the Planning Commission was held January 8, 2018. Following the public hearing, the Planning Commission will forward a recommendation to

the City Council. No earlier than January 9, 2018, the City Council will hold a first reading to consider the Commission's recommendation. In accordance with MMC 21.50.050(B)(1), the Council shall take one of the following actions on the Planning Commission's recommendation:

- a. Approve as recommended;
- b. Approve with conditions;
- c. Modify, with or without the applicant concurrence;
- d. Deny (reapplication or resubmittal is permitted);
- e. Deny with prejudice (reapplication or resubmittal not allowed for one year); or
- f. Remand back to the Planning Commission for clarification.

Per MMC 21.50.090(H) and MMC 21.50.120, the Council's decision is the City's final action on the proposed code amendments. The decision may be appealed to the Growth Management Hearings Board.

2. Public Notification and Comments

- a. **Department of Commerce:** The proposed amendments were transmitted to the Washington State Department of Commerce for state agency review in accordance with RCW 36.70A.106 on December 12, 2017. Expedited review (14 days rather than 60 days) was requested. On December 27, 2017, the Department of Commerce sent an email stating that expedited review of the proposed amendments had been granted. No comments were received from the Department of Commerce or other state agencies that received notification through the Department of Commerce.
- b. **Notice of Application:** Notice of Land Use Application was provided in accordance with MMC 21.40.020 by posting the notice at City Hall and the Monroe Library, and publishing the notice in the Everett Daily Herald on December 14, 2017.
- c. **Notice of Public Hearing:** Notice of Public Hearing was provided in accordance with MMC 21.40.020 by posting the notice at City Hall and the Monroe Library, and publishing the notice in the Everett Daily Herald on December 29, 2017.

3. State Environmental Policy Act (SEPA) Review

Pursuant to WAC 197-11-704, the proposal is classified as a nonproject action under the State Environmental Policy Act. Nonproject actions involve "decisions on policies, plans, or programs," which includes the adoption of zoning ordinances [WAC 197-11-704(b)(ii)]. A SEPA Determination of Non-Significance (DNS) was issued on the proposed code amendments on December 14, 2017. The public comment period for the DNS ended at 5:00 PM on December 28, 2017, with an appeal deadline of 5:00 PM on January 4, 2018. No comments or appeals were received on the SEPA Threshold Determination.

4. Public Hearing

The public hearing on this matter was held in front of the Planning Commission on January 8, 2018 at 7:00 PM in the City of Monroe Council Chambers. No written comments were received prior to the public hearing.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

There are no specific criteria listed in the Monroe Municipal Code (MMC) for review of a zoning code amendment. However, MMC 21.50.040 stipulates:

...the Planning Commission shall not recommend approval of a proposed comprehensive plan or development regulation amendment unless the following findings and conclusions are made:

1. *The proposal is consistent with the comprehensive plan and meets the requirements and intent of this code.*
2. *The proposal is beneficial to the public health, safety and welfare and is in the public interest.*

The following **Findings of Fact** have been made about the proposed code amendments, and the resultant **Conclusions of Law** were established from the Findings of Fact:

1. Findings of Fact regarding consistency with the City of Monroe 2015-2035 Comprehensive Plan:

- a. The current Monroe Comprehensive Plan contains applicable policies, as shown below.

Policy/Action Item Number	Policy/Action Item Text
P.019:	Develop and maintain an emergency response plan and other related policies to assure continued public safety and quality of life.
P.024:	Support Fire District in efforts to develop additional facilities that will enhance emergency services and public safety throughout the city, especially north of the BNSF railroad tracks.
P.085:	Coordinate licensing and permitting procedures with inspections by other government agencies, if any, to eliminate duplication of efforts.

Conclusions of Law:

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

2. Findings of Fact regarding consistency with the requirements and intent Monroe Municipal Code:

- a. The proposed code amendments would enhance public safety by requiring that all lots within a subdivision containing thirty or more dwelling units either have two vehicular access points at least 100 feet apart, or provide an approved automatic sprinkler system for each dwelling unit. The new requirements facilitate the response of public safety and emergency vehicles by providing more opportunities for access.

Conclusions of Law:

The proposed code amendments do not modify the intent of the existing regulations; are consistent with the purpose of Titles 17 and 18 of the Monroe Municipal Code; and therefore, meet the requirements and intent of the MMC.

3. Findings of Fact regarding consistency with the State Environmental Policy Act [MMC Chapter 20.04, WAC Chapter 197-11, and RCW Chapter 43.21C]:

- a. An environmental checklist and supplemental non-project review sheet were submitted for environmental review on December 11, 2017.
- b. The SEPA Responsible Official issued a Determination of Non-significance on December 14, 2017.
- c. The Determination of Non-significance and SEPA checklist were placed on the City's website and emailed to the City's SEPA distribution list on December 14, 2017. The SEPA distribution list is comprised of interested parties and tribes, including the Department of Ecology.
- d. Notice of the SEPA Threshold Determination was published in the Everett Daily Herald and posted at City Hall and the Monroe Library on December 14, 2017.
- e. The SEPA comment period expired at 5:00 PM on December 28, 2017. No comments were received.
- f. The SEPA appeal period will end at 5:00 PM on January 4, 2018. No appeals were received.

Conclusions of Law:

The proposal is consistent with the requirements of the State Environmental Policy Act, pursuant to Chapter 20.04 MMC, Chapter 197-11 WAC, and Chapter 43.21C RCW.

4. **Findings of Fact regarding consistency with the Washington State Growth Management Act (RCW Chapter 36.70A):**
- The proposal addresses the following Planning Goals listed in RCW 36.70A.020: Urban Growth, Permits, and Public Facilities and Services.
 - On December 12, 2017, the proposed amendments were transmitted to the State of Washington Department of Commerce for state agency review in accordance with RCW 36.70A.106. Expedited review was requested.
 - Expedited review was granted by the Department of Commerce on December 27, 2017. No agency comments were received.

Conclusions of Law:

The proposal is consistent with the requirements of GMA in accordance with RCW 36.70A.

5. **Findings of Fact regarding consistency with Public Notice Requirements (Chapter 21.40 MMC):**
- Notice of the January 8, 2018 public hearing was provided in accordance with MMC 21.40.020. On December 29, 2017, the Notice of Public Hearing was: 1) published in the Everett Daily Herald; 2) emailed to parties of record and required agencies; and 3) posted at City Hall and the Monroe Library.

Conclusions of Law:

The proposal has met noticing requirements detailed within MMC 21.40.

6. **Findings of Fact regarding consistency with the Review and Approval Process (Chapter 21.50 MMC):**
- MMC section 21.20.040(B) requires that the Planning Commission shall review and make recommendations on the following:
Amendments to the subdivision code, zoning code, and environmental code (MMC Titles 17 through 20).
As amendments are proposed to MMC Section 17.16.030, Street and Block Design, a Planning Commission public hearing and recommendation to the Council is required.
 - A public hearing in front of the Planning Commission to consider the amendments and draft a recommendation to the City Council was held on January 8, 2018.
 - In accordance with MMC 21.50.040(C)(1), a finding is made that the proposal is consistent with the City of Monroe Comprehensive Plan and meets the intent of this code.
 - Pursuant to MMC 21.50.040(C)(2), a finding is made that the proposal is beneficial to the public health, safety and welfare and is in the public interest.

Conclusions of Law:

The proposal complies with the Review and Approval Process requirements in Chapter 21.40 MMC.

E. PLANNING COMMISSION RECOMMENDATION

The Planning Commission **ADOPTS** the Findings of Fact and Conclusions of Law contained in Attachment 1 to the Planning Commission agenda bill, **AUTHORIZES** the Planning Commission Chair to sign the Findings on behalf of the Commission, and **RECOMMENDS** that the Monroe City Council **APPROVE** the proposed amendments to Monroe Municipal Code Section 17.16.030.

Dated this 29th day of January, 2018.



**Bridgette Tuttle, Planning Commission Chair
City of Monroe**



CITY OF MONROE FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. GENERAL APPLICATION INFORMATION

File Number(s):	CA2017-13 (associated with SEPA2017-18)
Project Summary:	The proposal is non-project action to amend Monroe Municipal Code (MMC) Chapter 18.10, Land Use Zoning District and District Requirements, regarding setbacks in the single-family residential, multifamily residential, and professional office zones.
Applicant:	City of Monroe
Location:	The proposal is a non-project action that is not site-specific. The proposed code amendment does not apply to a specific property or properties, but rather to the entire area within the limits of the City of Monroe.
Public Hearing Date:	Monday, January 8, 2018 at 7:00 PM Monroe City Hall Council Chambers 806 West Main Street Monroe, WA 98272
Staff Contact:	Shana Restall, Principal Planner City of Monroe 806 West Main Street Monroe, WA 98272 (360) 863-4608 srestall@monroewa.gov

B. BACKGROUND AND DESCRIPTION OF PROPOSAL

The amendments to Monroe Municipal Code (MMC) Sections 18.10.170, Minimum Single-Family Zone Setbacks; 18.10.180, Minimum Multifamily Zone Setbacks; and 18.10.185, Minimum Professional Office Zone Setbacks would remove the requirement in single-family, multifamily, and professional office zones of an additional two-foot side yard setback for each building story exceeding the first story. The proposed amendments would also eliminate the requirement in single-family zones of an additional two-foot rear yard setback for each building story exceeding the first story.

C. REVIEW PROCESS

1. Overview

MMC section 21.20.040(B) requires that the Planning Commission shall review and make recommendations on the following:

Amendments to the subdivision code, zoning code, and environmental code (MMC Titles 17 through 20).

The City is proposing amendments to MMC Chapter 18.10, Land Use Zoning District and District Requirements. Therefore, a Planning Commission public hearing and recommendation to the City Council is required. The required public hearing in front of the Planning was held January 8, 2018. Following the public hearing, the Planning Commission will forward a recommendation

to the City Council. No earlier than January 9, 2018, the City Council will hold a first reading to consider the Commission's recommendation. In accordance with MMC 21.50.050(B)(1), the Council shall take one of the following actions on the Planning Commission's recommendation:

- a. Approve as recommended;
- b. Approve with conditions;
- c. Modify, with or without the applicant concurrence;
- d. Deny (reapplication or resubmittal is permitted);
- e. Deny with prejudice (reapplication or resubmittal not allowed for one year); or
- f. Remand back to the Planning Commission for clarification.

Per MMC 21.50.090(H) and MMC 21.50.120, the Council's decision is the City's final action on the proposed code amendments. The decision may be appealed to the Growth Management Hearings Board.

2. Public Notification and Comments

- a. **Department of Commerce:** The proposed amendments were transmitted to the Washington State Department of Commerce for state agency review in accordance with RCW 36.70A.106 on December 12, 2017. Expedited review (14 days rather than 60 days) was requested. On December 27, 2017, the Department of Commerce sent an email stating that expedited review of the proposed amendments had been granted. No comments were received from the Department of Commerce or other state agencies that received notification through the Department of Commerce.
- b. **Notice of Application:** Notice of Land Use Application was provided in accordance with MMC 21.40.020 by posting the notice at City Hall and the Monroe Library, and publishing the notice in the Everett Daily Herald on December 14, 2017.
- c. **Notice of Public Hearing:** Notice of Public Hearing was provided in accordance with MMC 21.40.020 by posting the notice at City Hall and the Monroe Library, and publishing the notice in the Everett Daily Herald on December 29, 2017.

3. State Environmental Policy Act (SEPA) Review

Pursuant to WAC 197-11-704, the proposal is classified as a nonproject action under the State Environmental Policy Act. Nonproject actions involve "decisions on policies, plans, or programs," which includes the adoption of zoning ordinances [WAC 197-11-704(b)(ii)]. A SEPA Determination of Non-Significance (DNS) was issued on the proposed code amendments on December 14, 2017. The public comment period for the DNS ended at 5:00 PM on December 28, 2017, with an appeal deadline of 5:00 PM on January 4, 2018. No comments or appeals were received on the SEPA Threshold Determination.

4. Public Hearing

The public hearing on this matter was held in front of the Planning Commission on January 8, 2018 at 7:00 PM in the City of Monroe Council Chambers. No written comments were received prior to the public hearing.

D. FINDINGS OF FACT AND CONCLUSIONS OF LAW

There are no specific criteria listed in the Monroe Municipal Code (MMC) for review of a zoning code amendment. However, MMC 21.50.040 stipulates:

...the Planning Commission shall not recommend approval of a proposed comprehensive plan or development regulation amendment unless the following findings and conclusions are made:

1. *The proposal is consistent with the comprehensive plan and meets the requirements and intent of this code.*
2. *The proposal is beneficial to the public health, safety and welfare and is in the public interest.*

The following **Findings of Fact** have been made about the proposed code amendments, and the resultant **Conclusions of Law** were established from the Findings of Fact:

1. Findings of Fact regarding consistency with the City of Monroe 2015-2035 Comprehensive Plan:

- a. The current Monroe Comprehensive Plan contains applicable policies and implementation action items, as shown below.

Policy/Action Item Number	Policy/Action Item Text
P.084:	Make City licensing and permitting regulations and procedures coherent, fair and expedient.
P.085:	Coordinate licensing and permitting procedures with inspections by other government agencies, if any, to eliminate duplication of efforts.
P.114:	Promote housing design and construction that enhances community image and fosters compatibility with surrounding development.
A.008:	Update and maintain development regulations, working to eliminate inconsistencies, conflicts and ambiguities, and aid timely permit processing.

Conclusions of Law:

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

2. Findings of Fact regarding consistency with the requirements and intent Monroe Municipal Code:

- a. The proposed code amendments would remove the requirement in single-family, multifamily, and professional office zones of an additional two-foot side yard setback for each building story exceeding the first story. The proposed amendments would also eliminate the requirement in single-family zones of an additional two-foot rear yard setback for each building story exceeding the first story. The proposed code amendments would make all bulk requirements applicable to the aforementioned zones consistent throughout MMC Title 18.

Conclusions of Law:

The proposed code amendments do not modify the intent of the existing regulations; are consistent with the purpose of Titles 17 and 18 of the Monroe Municipal Code; and therefore, meet the requirements and intent of the MMC.

3. Findings of Fact regarding consistency with the State Environmental Policy Act [MMC Chapter 20.04, Washington Administrative Code (WAC) Chapter 197-11, and Revised Code of Washington (RCW) Chapter 43.21C]:

- An environmental checklist and supplemental non-project review sheet were submitted for environmental review on December 11, 2017.
- The SEPA Responsible Official issued a Determination of Non-significance on December 14, 2017.
- The Determination of Non-significance and SEPA checklist were placed on the City's website and emailed to the City's SEPA distribution list on December 14, 2017. The SEPA distribution list is comprised of interested parties and tribes, including the Department of Ecology.
- Notice of the SEPA Threshold Determination was published in the Everett Daily Herald and posted at City Hall and the Monroe Library on December 14, 2017.
- The SEPA comment period expired at 5:00 PM on December 28, 2017. No comments were received.
- The appeal period ended at 5:00 PM on January 4, 2018 and no appeals were received.

Conclusions of Law:

The proposal is consistent with the requirements of the State Environmental Policy Act, pursuant to Chapter 20.04 MMC, Chapter 197-11 WAC, and Chapter 43.21C RCW.

4. **Findings of Fact regarding consistency with the Washington State Growth Management Act (RCW Chapter 36.70A):**
- The proposal addresses the following Planning Goals listed in RCW 36.70A.020: Urban Growth, Housing, and Permits.
 - On December 12, 2017, the proposed amendments were transmitted to the State of Washington Department of Commerce for state agency review in accordance with RCW 36.70A.106. Expedited review was requested.
 - Expedited review was granted by the Department of Commerce on December 27, 2017. No agency comments were received.

Conclusions of Law:

The proposal is consistent with the requirements of GMA in accordance with RCW 36.70A.

5. **Findings of Fact regarding consistency with Public Notice Requirements (Chapter 21.40 MMC):**
- Notice of the January 8, 2018 public hearing was provided in accordance with MMC 21.40.020. On December 29, 2017, the Notice of Public Hearing was: 1) published in the Everett Daily Herald; 2) emailed to parties of record and required agencies; and 3) posted at City Hall and the Monroe Library.

Conclusions of Law:

The proposal has met noticing requirements detailed within MMC 21.40.

6. **Findings of Fact regarding consistency with the Review and Approval Process (Chapter 21.50 MMC):**

- MMC section 21.20.040(B) requires that the Planning Commission shall review and make recommendations on the following:

Amendments to the subdivision code, zoning code, and environmental code (MMC Titles 17 through 20).

As amendments are proposed to MMC Chapter 18.10, Land Use Zoning District and District Requirements, a Planning Commission public hearing and recommendation to the City Council is required.

- A public hearing in front of the Planning Commission to consider the amendments and draft a recommendation to the City Council was held on January 8, 2018.
- In accordance with MMC 21.50.040(C)(1), a finding is made that the proposal is consistent with the Monroe Comprehensive Plan and meets the intent of this code.
- Pursuant to MMC 21.50.040(C)(2), a finding is made that the proposal is beneficial to the public health, safety and welfare and is in the public interest.

Conclusions of Law:

The proposal complies with the Review and Approval Process requirements in Chapter 21.40 MMC.

E. PLANNING COMMISSION RECOMMENDATION

The Planning Commission **ADOPTS** the Findings of Fact and Conclusions of Law contained in Attachment 1 to the Planning Commission agenda bill, **AUTHORIZES** the Planning Commission Chair to sign the Findings on behalf of the Commission, and **RECOMMENDS** that the Monroe City Council **APPROVE** the proposed amendments to Monroe Municipal Code Sections 18.10.170, 18.10.180, and 18.10.185.

Dated this 29th day of January, 2018.



**Bridgette Tuttle, Planning Commission Chair
City of Monroe**