

	STAFF REPORT AND RECOMMENDATION <hr/> Cooper Ridge <hr/> Public Hearing for Cooper Ridge Preliminary Plat
HEARING EXAMINER:	Mr. Phil Obrechts, City of Monroe Hearing Examiner
DATE:	March 7, 2022
FILE NUMBERS:	PL2021-01
DESCRIPTION:	The proposal is a request for preliminary plat approval for a 33-lot subdivision on approximately 8.35 acres in the Residential 4 Dwelling Units per Acre (R4) zoning district with associated grading, drainage improvements, landscaping, and street frontage improvements.
APPLICANT:	Prospect Development, LLC ATTN: Justin Holland 2913 5 th Avenue NE, Suite 201 Puyallup, WA 98372
PROJECT LOCATION:	The site is located at 19785 137 th Street Southeast, Monroe, WA 98272, Snohomish County tax parcel no. 28073100203800.
HEARING DATE:	March 7, 2022 at 10:00 AM
HEARING LOCATION:	Zoom Virtual Meeting Zoom Join Link: https://us02web.zoom.us/j/89830920158 Call-in Number: 253-215-8782 Meeting ID: 89830920158
STAFF CONTACT:	Amy Bright, Planner

A. PROJECT DESCRIPTION

The applicant, Justin Holland, has submitted an application for preliminary plat approval of a 33-lot, subdivision. The subject project is zoned R4 zone (Single Family Residential - 4 Dwelling Units per Acre) and is addressed 19785 137th Street Southeast, Monroe, WA 98272. The site is identified by Snohomish County Tax Parcel Number 28073100203800. The subject site currently contains one single family residence with associated outbuildings. Conceptual, preliminary site improvements, clearing and grading, and installation of all utilities (sewer, water, storm, power, gas, telephone, cable and telecommunications, etc.) have been reviewed for compliance with the development standards in the applicable sections of the Monroe Municipal Code, as well as other pertinent documents adopted by reference in the code.

B. GENERAL INFORMATION

1. Owner:
Chebuhar Family Trust
19785 137th Street SE
Monroe, WA 98272

2. Applicant & Contact Person:
Prospect Development, LLC
Attn: Justin Holland
2913 5th Avenue NE, Suite 101
Puyallup, WA 98372

3. General Location:
The parcels comprising the project site are identified by Snohomish County tax parcel identification numbers 28073100203800 (Exhibit 2 Vicinity Map).
4. Site Address:
19785 137th Street Southeast, Monroe, WA 98272
5. Description of Proposal:
The applicant, Justin Holland, has submitted an application for a preliminary plat to subdivide a 8.35-acre site into 33 single-family residential building lots. The project site is located west of 137th Street Southeast, bordered by single family residential lots and walking trail to the west. The site is generally rectangular in shape. The site currently contains one single-family residence and associated outbuildings.
6. Critical Areas:
The City's critical areas map does not indicate critical areas on the subject site. Based on the Wetland and Fish and Wildlife Habitat Assessment Report prepared by Soundview Consultants (Exhibit 17) conducted on the parcel, no critical area wetlands or wetland buffers occur on the subject property.
7. Comprehensive Plan Land Use Designations, Zoning Designations, and Existing Land Uses of the Project Site and Surrounding Area:

AREA	EXISTING LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Low Density Single Family Residential (SFR)	Residential 4 Dwelling Units Per Acre (R4)	Single-family residence and associated accessory buildings
North of Site	Low Density Single Family Residential (SFR)	Residential 4 Dwelling Units Per Acre (R4)	Single family residential
South of Site	Low Density Single Family Residential (SFR)	Residential 4 Dwelling Units Per Acre (R4)	Single family residential
East of Site	Low Density Single Family Residential (SFR)	Residential 4 Dwelling Units Per Acre (R4)	Single family residential
West of Site	Low Density Single Family Residential (SFR)	Residential 4 Dwelling Units Per Acre (R4)	Walking trail associated with the Eaglemont subdivision

8. Public Utilities and Services Provided by:

Water:	City of Monroe	Gas:	Puget Sound Energy
Sewer:	City of Monroe	Cable TV:	Comcast
Garbage:	Republic Services	Police:	City of Monroe
Stormwater:	City of Monroe	Fire:	Snohomish County Fire District No. 7
Telephone:	Verizon	School:	Monroe Public Schools
Electricity:	Snohomish County PUD No. 1	Hospital:	Evergreen Health

C. APPLICATION REVIEW PROCESS

1. Regulatory Requirements for Review of Quasi-Judicial Actions:

Pursuant to Monroe Municipal Code (MMC) sections 22.84.030(C)(8) and 22.84.060, preliminary plats are quasi-judicial actions subject to a public hearing with the Hearing Examiner as the final decision body for the application.

The decision of the Hearing Examiner shall be final and conclusive, unless appealed as provided by law, in accordance with MMC Chapter 22.84.080. Appeals of final decisions on preliminary plats may be appealed to Snohomish County Superior Court (MMC 22.84.060).

2. Application Submittal and Completeness:

The Cooper Ridge Preliminary Plat application was received by the City of Monroe on June 28, 2021 (Exhibit 4). The application was deemed complete and vested on July 20, 2021 (Exhibit 5).

3. Public Notification and Comments:

Public notice for the application was provided in accordance with the requirements of MMC section 22.84.050(A). A Notice of Application was published, mailed, and posted on July 30, 2021 (Exhibits 6 - 6E). A public comment period was provided from July 30, 2021 through 5:00 PM on August 14, 2021. Two public comments were received within the comment period. The first public comment was from the Puget Sound Clean Air Agency reminding the City and the applicant of agency regulations surrounding outdoor burning, emission control standards and asbestos control standards (Exhibit 7A). The second public comment was from Snohomish County Public Utility District (SnoPUD) discussing capacity and required easements to SnoPUD (Exhibit 7B).

A Notice of Public Hearing was published, mailed, and posted on February 22, 2022 (Exhibits 10 – 10D). The date of the open record public hearing with the Hearing Examiner is set for March 7, 2022 at 10:00 AM.

4. Environmental Review:

An Optional Determination of Non-Significance (ODNS) was issued on January 14, 2022 in error. A modified Determination of Non-Significance (DNS) was issued, published, posted, and mailed on February 1, 2022 (Exhibits 9A – 9B).

The DNS provided a concurrent comment and appeal period, which ended at 5:00 PM on February 15, 2022. No appeals regarding the SEPA threshold determination were received by the City during the specified appeal period.

D. FINDINGS OF FACT

1. Application Submittal and Completeness:

The application was submitted on June 28, 2021 and determined to be complete on July 20, 2021.

2. Environmental Review:

An Optional Determination of Non-Significance (ODNS) was issued on January 14, 2022 in error. A modified Determination of Non-Significance (DNS) was issued, published, posted, and mailed on February 1, 2022 (Exhibits 9 – 9B) with a comment period ending February 15, 2022. No comments were received.

3. Land Use Matrix:

Per MMC Table 22.16.030 – Land Use in the Single Family Residential Zoning Districts, summarizes land uses permitted in the Single Family Residential – 4 Units

per Acre (R4) zoning district. Dwelling Units, Detached are Permitted within this zoning district. The applicant is proposing detached dwelling units which meets the permitted land use within the R4 zone.

4. Bulk Requirements and Dimensional Standards:
Per MMC Table 22.16.040(O): 4 Units per Acre Zoning District (R4) Bulk Requirements, the development shall comply with the following standards for attached residential development in the R4 zone:

Table 22.16.040(O). 4 Units per Acre Zoning District (R4) Bulk Requirements

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

Table Notes:

¹See this section for more information regarding the bulk requirements in the above table.

²Lots fronting onto a cul-de-sac shall meet the minimum lot width at the building setback line.

³On a corner lot, the yard adjacent to the widest dimension of the lot abutting a street is a side yard. The opposite yard is also a side yard.

5. Residential Density Calculations:

Section 22.16.040(I) of the MMC delineates how an applicant can determine the minimum required and maximum allowed residential densities for the R4 zoning district.

To calculate the maximum required residential density for a site in the R4 zone (4 dwelling units per acre), multiply the gross site area, in acres, by the units allowed per acre. The maximum required residential density for the subject site, with a gross site area of 8.35 acres, would be calculated as follows.

Step 1. Gross site area (in acres) * 4 (4 dwelling units per acre in the R4 zone):

$$8.35 \text{ acres} * 4 = 33.4 \text{ dwelling units}$$

The applicant is proposing 33 dwelling units, which meets the residential density requirements of the R4 zone. Thus, the density is consistent with that allowed by the Unified Development Regulations.

6. Chapter 22.68 MMC: Subdivisions:

The Zoning Administrator, City Engineer, Fire Marshal, and Building Official have all reviewed and commented on the proposed project. Their comments are included in the body of this report and in the project permit conditions of approval.

7. Chapter 22.68 MMC: Preliminary Plat Review Criteria:

Pursuant to MMC 22.68.040(A)(2), Review Criteria, each proposed subdivision or short subdivision shall be reviewed to ensure that the following criteria are met. Listed below are the criteria for reviewing the proposed preliminary plat along with findings regarding the consistency of the proposal with said criteria.

Criteria	Analysis	Consistency with Criterion
<p>a. The proposal conforms to the goals, policies, and plans set forth in the Monroe comprehensive plan;</p>	<p>The City of Monroe’s 2015-2035 Comprehensive Plan Future Land Use Map designates the project site as “Low Density SFR.” The proposed preliminary plat, under Single Family Residential 4 Units per Acre (R4) zoning, which provides a maximum of 4 dwelling units per acre, conforms to the City of Monroe’s 2015-2035 Comprehensive Plan “Low Density SFR” designation for density. Table 3.07 in the City of Monroe 2015-2035 Comprehensive Plan provides the following description of the “Low Density SFR” land use plan designation:</p> <p><i>Low Density SFR. The Low Density Single-Family Residential designation will develop at an approximate gross density of three to five units per acre. This is a gross density, applying this density to every acre within the designation regardless of physical constraint. By using a gross density – and not one tied specifically to a particular lot size – developers can explore clustering or other creative design approaches when their sites include constraints imposed by critical areas, easements or rights of way. In cases where land is relatively free of constraint, single-family subdivisions in this designation may have individual lots ranging from about 9,000</i></p>	<p>The proposal is consistent with the criterion.</p>

	<p><i>square feet to 14,500 square feet.</i></p> <p><i>In highly constrained areas individual lots may be smaller. The Low Density SFR designation allows for parks. The Low Density SFR designation allows for neighborhood scale retail and commercial developments along arterials.</i></p>	
b. The proposal conforms to the site and design requirements set forth in this title. No final subdivision or short subdivision shall be approved unless the requirements are met;	The proposal conforms to all of the site requirements set forth in MMC Title 22, Unified Development Regulations, including but not limited to MMC 22.42 Design Standards.	The proposal is consistent with the criterion.
c. The proposed street system and pedestrian system conform to the Monroe comprehensive plan, Chapter 22.42 MMC, Design Standards, and applicable public works design standards, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of vehicular and pedestrian traffic;	The proposed streets and pedestrian circulation system have been reviewed by planning and engineering staff, and, as described in this staff report, are consistent with the Monroe comprehensive plan, Chapter 22.42 MMC, and applicable public works design standards. The layout also provides for the safe, orderly and efficient circulation of vehicular and pedestrian traffic.	The proposal is consistent with the criterion.
d. The proposed subdivision or short subdivision will be adequately served with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;	The proposed plat will be served by City water and sewer. The facilities have adequate capacity to accommodate the additional units. Exhibit 7B from Snohomish County Public Utility District # 1 verifies that there is sufficient electrical system capacity for the proposed development.	The proposal is consistent with the criterion.
e. The layout of lots, and their size and dimensions, takes into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;	The subject site does not have any identified critical areas, including those classified as geohazards. Therefore, topographic disruption will be minimal. MMC 22.42.020 requires that the development take into consideration the natural terrain. The development, in conjunction with the Architectural Plans (Exhibit 15) ensure that the project conforms to these standards. The vegetation on site is comprised mainly of grasses, and the proposed landscaping plan will provide a greater diversity of vegetation. The layout of the development will accommodate 33 dwelling units, which is within the maximum allowed density for the R4 zoning district.	The proposal is consistent with the criterion.
f. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil, considering the stress and loads to which the soil may be subjected; and	As stated above, no geohazards have been identified on the subject site. However, soil amendments designed to handle the additional load of the development will be used when necessary. The proposed plat is designed to be accessed from 137 th Street SE, which appears to be the only feasible location for points of ingress and egress. Internal streets have been designed to maximize vehicle and pedestrian circulation.	The proposal is consistent with the criterion.

g. Lack of compliance with the criteria set forth in this section and in subsection (B) of this section, Subdivision Standards, shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.	Staff finds that the proposal complies with the review criteria in MMC 22.68.040(B) and recommends that preliminary approval be granted.	The proposal is consistent with the criterion.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------

8. RCW 58.17.110 - Approval or disapproval of subdivision and dedication-factors to be considered-Conditions of approval-Finding-Release from damages:

1) The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine:

(a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

The preliminary plat map (Exhibit 3) confirms that the preliminary plat application includes provisions for the public health, safety, and general welfare including open spaces, drainage ways, streets or roads, potable water, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and sidewalks that assure safe walking conditions for students who only walk to and from school. The Monroe School District was notified of the development application. No comments were received from the Monroe School District on the proposal.

(b) Whether the public interest will be served by the subdivision and dedication.

The public interest would be served by the subdivision and dedication, provided that the subdivision and dedication were developed under the provisions for the current zoning district (R4). Under this scenario, an existing parcel in the City would be developed allowing for efficient provision of public services, consistent with densities identified in the Monroe 2015-2035 Comprehensive Plan.

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that:

(a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

The preliminary plat map (Exhibit 3) confirms that the preliminary plat application includes provisions for the public health. The Staff Analysis addresses the provisions made for safety and general welfare, including open spaces, drainage ways, streets or roads, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and sidewalks that assure safe walking conditions for students who only walk to and from school.

(b) The public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.

The proposed preliminary plat includes provisions for the public health, safety, and general welfare including open spaces, drainage ways, streets or roads, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and sidewalks. The Monroe School District will bus students to the applicable public schools. The subject proposal does not include dedication of a public park. Private open space has been provided in Tract A. Required site improvements and impact fees will be required as conditions of plat approval.

9. Design Standards:

Pursuant to MMC 22.42.020, the Design Standards in MMC 22.42 shall apply to all new developments and/or construction, including long or short subdivision. At the time of building permit review, building permits will be reviewed against MMC 22.42.060 Single-Family residential design standards, as conditioned below.

10. Critical Areas:

The City's critical areas map does not indicate critical areas on the subject site. In addition, the applicant's consultant, Soundview Consultants, provided a report dated June 2021 confirming that no critical areas were present on site. City staff concurs with that determination.

11. Utilities:

There is sufficient capacity available in the City's public water and sanitary sewer system to serve the proposed subdivision. All lots will connect to the City's water and sewer system. The applicant is proposing to connect to existing water lines in the 136th Place SE and 137th Street SE rights-of-way and the sewer to an existing sewer main in Rainier View Road, all in accordance with the current City's Public Works Design and Construction Standards. The conceptual utilities plan is attached Exhibit 3.

The applicant will design stormwater improvements to meet the requirements of the 2014 Department of Ecology Storm Water Management Manual for Western Washington as administered by the City Engineer. The preliminary design employs the use of a detention vault to reduce the rate of stormwater runoff leaving the plat and meet stormwater quality standards. Any future permitted activities, such as building permits, will also have to comply with the provisions of the Storm Water Management Manual in effect at the time of the vesting of the permit application.

12. Streets and Traffic:

Access to the subdivision is proposed via 137th Street SE. The Traffic Impact Analysis prepared by Gibson Traffic Consultants, Inc. with a reception date of December 14, 2021 concludes that the proposal does not cause the City’s streets to fall below the adopted level-of-service standards. (Exhibit 14).

Traffic control devices and street signs shall be installed prior to final plat approval, and all 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 Engineer prior to final plat approval.

Impacts to the City’s transportation system are mitigated through the collection of traffic mitigation fees. In accordance with the City’s traffic impact fee program under MMC Chapter 3.54, impact fees require a standard fee amount per dwelling unit as a condition of residential development within the City. Traffic impact fees shall be paid in accordance with MMC Chapter 3.54 and shall be based on the amount in effect at the time of payment. Frontage improvements and paving, including curb, gutter, sidewalk, and street trees shall be installed along all streets within the subdivision in accordance with the City’s Public Works Design and Construction Standards.

New streets comply with MMC 22.42.050 New Street Design.

13. Park and Recreation Usable Open Space:

Per MMC 22.42, Open Space requirements do not apply to single family residential developments. However, the proposal includes 49,642 square feet of grass open space at the south of the subject site.

Impacts to the City park and recreation system from the anticipated additional public park users will be mitigated. In accordance with the City’s park impact mitigation fees established under MMC Chapter 3.52, impact fees require a standard fee amount per dwelling unit as a condition of residential development within the city. Park impact fees shall be paid in accordance with MMC 3.52. Park impact fees shall be based on the fee amount in effect at the time of payment.

14. Parking:

Per MMC 22.44.050, single family – detached subdivisions shall provide for parking per the following table:

Conforming Land Use	Minimum Required Parking Spaces
Single-Family – Detached	2 per unit
Subdivision – Single-family-detached	1 per 7 lots ^{1,2}

Table Notes:

1. Garages shall not count toward this parking requirement.

2. This requirement is in addition to those established for individual dwelling units in this table.

The proposed subdivision provides for a minimum of 2 spaces per unit. The total required parking spaces is 71 off-street spaces located outside of garages. Parking allocations will be reviewed during building permit review.

15. Schools:

Impacts to the Monroe Public Schools and the Snohomish School District in the form of additional students are addressed through mitigation programs. The City of Monroe has adopted the Monroe and Snohomish School Districts' 2018 - 2023 Capital Facilities Plan and imposes impact fees for schools in accordance with the plan and MMC Chapter 3.50. School impact fees require a standard fee amount per dwelling unit as a condition of residential development within the city. School impact fees are based on the amount in effect at the time of payment.

16. Impact Fees and Capital Improvements:

RCW 58.17.110(2) requires the City to make a finding that the proposed subdivision assures "safe walking conditions for students who only walk to and from school." Students within the development will be bussed from streets near the development to the appropriate Elementary and Middle Schools and Monroe High School by the Monroe School District. There are existing sidewalks adjacent to the subject property, and, as shown in Exhibit 3, sidewalks will be installed throughout the plat to provide for pedestrian circulation and safe walking conditions.

17. Impact Fees and Capital Improvements:

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

18. Preliminary Plat Expiration:

Per MMC section 22.68.040(A)(5)(c), preliminary approval of a proposed plat shall be effective for a period not to exceed five years from the date of Hearing Examiner approval, or concurrently with the expiration of the preliminary plat, whichever occurs earlier.

E. CONCLUSIONS OF LAW

1. The City of Monroe 2015-2035 Comprehensive Plan Future Plan Map designation for the site is "Low Density SFR," which assumes an approximate gross density of 3-5 dwelling units per acre. The site's present zoning designation of Single-Family Residential – 4 Units per Acre (R4) is in compliance with the future land use designation adopted in the current Comprehensive Plan.
2. The proposed subdivision, as conditioned herein, will be consistent with the pertinent development goals and policies outlined in the Monroe 2015-2035 Comprehensive Plan.
3. The proposed subdivision, as conditioned herein, will be consistent with the pertinent development standards outlined in MMC Title 22, Unified Development Regulations.
4. The proposed subdivision, as conditioned herein, will make appropriate provisions for public use and interest, health, safety, and general welfare.
5. The proposed preliminary plat as conditioned meets all MMC requirements for a subdivision.
6. The preliminary plat should be approved subject to the conditions noted below.
7. The preliminary plat approval shall expire five years from the date of Hearing Examiner approval.

F. STAFF RECOMMENDATION

Based on the Findings of Fact and Conclusions of Law detailed in the staff report, staff recommends that the Hearing Examiner **APPROVE** the Cooper Ridge Preliminary Plat (project number PL2021-01), subject to the following conditions of preliminary approval:

1. All improvements shall be constructed in accordance with the approved preliminary plat map (Exhibit 3). Minor modifications of the plans submitted, as described in MMC 22.68.040(G), may be approved by the Community Development Director or his/her designee if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. Final engineering drawings depicting the street improvements, water and sewer improvements, and drainage design shall be submitted to the City's Public Works Director for final review and approval before issuance of any grading permits. The street, water and sewer, and drainage improvements shall be designed in accordance with the City's most current Public Works Design and Construction Standards. The final engineering drawings shall include the design and details for all retaining walls.
3. The project shall implement all of the applicable recommendations contained in the following technical reports submitted to the City:
 - a. Preliminary Stormwater Report prepared by Barghausen & Associates, dated June 9, 2021 and revised October 8, 2021. (Exhibit 12)
 - b. Geotechnical Engineering Study, prepared by Earth Solutions NW, LLC, dated April 23, 2021 (Exhibit 13) and Geotechnical Addendum prepared by Earth Solutions NW, LLC dated September 27, 2021 (Exhibit 13A).

DESIGN STANDARDS

1. At the time of building permit review, all building permits shall comply with the provisions outlined in MMC 22.42.060 and MMC 22.44.050.

CLEARING AND GRADING

1. A comprehensive erosion and sedimentation control plan to ensure appropriate on-site and off-site water quality control shall be developed and implemented for all construction activities. The Best Management Practices outlined in the 2014 DOE Stormwater Management Manual for Western Washington shall be incorporated into the design. At a minimum, the plan shall include the following elements:
 - a. Exposed soils shall be stabilized and protected with straw, hydro-seeding or other appropriate materials to limit the extent and duration of exposure;
 - b. Disturbed areas shall be protected from storm water runoff impacts through the use of silt fence. Other means of filtration of storm water runoff and for limiting erosion/sedimentation such as check dams, and sediment traps may be required and are recommended.
 - c. Clearing and grading activities shall not be performed in the winter-wet season when soils are unstable.

STORM DRAINAGE IMPROVEMENTS

1. The stormwater system design and stormwater discharge shall utilize the Best Management Practices of the 2014 DOE Stormwater Management Manual for Western Washington.
2. Stormwater pollution prevention measures shall be employed per the approved Stormwater Pollution Prevention Plan and as necessary to ensure appropriate on-site and off-site water quality control. Site runoff during construction shall be handled and treated as to quantity and quality impacts by utilizing Best Management

Practices, as defined in the 2014 DOE Stormwater Management Manual for Western Washington.

3. The developer shall obtain a General Construction Stormwater NPDES Permit from the WA Department of Ecology (DOE) prior to beginning construction.

ROAD IMPROVEMENTS

1. Frontage improvements, including curb, gutter, sidewalk, street trees, and traffic control devices shall be provided for all streets within the subdivision; shall be constructed in accordance with the City's most current Public Works Design and Construction Standards; and are to be installed by the developer to the satisfaction of the City Engineer prior to final plat application.

LANDSCAPING

1. Street trees shall be provided per the approved landscape plan (Exhibit 11). Street trees shall be planted when a street frontage is fully owner occupied and as directed by the City of Monroe. The City will coordinate tree plantings to the most favorable time of the year for plant survival. 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 damage.
2. Irrigation is required for all street trees and newly planted vegetation. The applicant shall construct said irrigation system as consistent with a City-approved irrigation plan prior to construction.

FIRE

1. The following requirements shall be adhered to during construction and completed before occupancy of any structure in accordance with the 2015 International Fire Code:
 - a. Fire hydrants shall be provided in accordance with city standards and the direction of the Fire Marshal
 - b. Fire Hydrants shall be installed as per fire flow and spacing requirements specified for the type of development with regards to distances to structures;
 - c. Fire hydrants shall be equipped with four (4) inch quarter-turn Storz adapters;
 - d. An access route, for firefighting apparatus, must be provided at the start of construction. Minimum access route requirements include a 20' width, 13'6" vertical height clearance, and the ability to support a load up to 75,000 pounds;
 - e. All buildings must be addressed visibly and legibly from the road. When buildings are not visible from the street, appropriate provisions must be made to identify clearly which road or drive serves the appropriate address including private roads.
 - f. All dwellings are required to be equipped with an NFPA 13D automatic fire sprinkler system.
 - g. No parking signs shall be installed on all streets in this plat with a width less than 28-feet as directed by the Fire Marshal.

FEES

1. Prior to approval of the final plat, all landscaping associated with the plat shall require the submittal of an acceptable warranty surety to warrant all required landscaping improvements against defects in labor materials for a period of 24 months after acceptance of those improvements by the City. The warranty amount shall be equal to fifteen (15) percent of the costs of the improvements, as determined by the Zoning Administrator.
2. Prior to approval of the final plat, the developer shall submit an acceptable warranty surety to warrant all required public improvements, installed, against defects in labor

- and materials for a period of 24 months after acceptance of those improvements by the City. The warranty amount shall be equal to ten (10) percent of the costs of the improvements, as determined by the Public Works Director. The surety shall be submitted to and approved by the City of Monroe and executed prior to final plat approval.
3. School, park, and traffic impact fees assessed in accordance with MMC Chapters 3.50, 3.52, and 3.54, respectively, shall be required and paid at the rate in effect at the time of building permit issuance.
 4. The water system capital improvement charge, in accordance with MMC Section 13.04.025, shall be required and paid prior to building permit issuance.
 5. The wastewater system capital improvement charge, in accordance with MMC Section 13.08.272, shall be required and paid prior to building permit issuance.

FINAL PLAT

1. Prior to Final Plat submittal, all improvements, including retaining walls, shall be installed, inspected, and approved by the City Engineer per the approved plans. All improvements shall be constructed in accordance with the approved engineering plans and preliminary plat map. Minor modifications of the plans submitted may be approved by the Zoning Administrator if the modifications do not change the Preliminary Plat Findings of Fact and/or Conditions of Approval.
2. All lot corners shall be installed with rod and cap or other City-approved survey method prior to Final Plat approval.
3. All existing and proposed easements and maintenance agreements shall be clearly shown and labeled on the final plat.
4. The following note shall appear on the face of the Final Plat Map: "The Homeowners Association is responsible for maintaining, in a uniform manner, all landscaping and irrigation within all commonly owned Tracts and easements."
5. As this plat includes a dedication, the following Waiver of Claims for Damages Statement shall appear on the face of the Final Plat Map:

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 ownership as shown on or otherwise referenced by the plat. The [insert name here] hereby waives all claims against the City of Monroe and/or any other governmental authority for damages which may occur to the adjacent land as a result of the construction, drainage and maintenance of such facilities and improvements.

6. If the final plat contains dedication of land for public purposes, it shall contain the following statement:

Know all men by these presents that (name of developer) 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 make all necessary slopes for cuts and fills, and the right to continue to drain the roads and ways over and across any lot or lots, where water might take a natural 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 lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of such lot shall be done by and at the expense of such owner, but only after approval by the city engineer.

7. The final plat shall provide space for the approving signatures of the zoning administrator, city engineer, and the mayor. The city clerk shall attest the signatures.

8. The title block on the final plat map shall have the names of all the legal owners of the property named on the plat and the name of the surveyor/engineering firm which prepared the final plat map.
9. An Auditor's Certificate shall be shown on the final plat map.
10. The following are required to be shown on the face of the final plat map:
 - c. Surveyor Certificate;
 - d. Correct legal description of all lots as set out in Chapter 58.17 RCW;
 - e. Owners Statement;
 - f. All new easement(s) over the property, their legal description(s) and associated dedication block(s);
 - g. Recording block/Certification blocks for City approval;
 - h. North arrow;
 - i. Certification of Payment of Taxes and Assessments;
 - j. Auditor's Certificate; and
 - k. The survey control scheme, monumentation, basis of bearing and references.

MISCELLANEOUS

1. Preliminary plat approval shall be effective for a maximum time period of five years upon which a final plat that meets all conditions of the preliminary plat approval must be submitted, in accordance with MMC 22.68.040(A)(5)(c)
2. If applicable, at the time of final plat submittal the developer shall submit a group mailbox plan, approved by the U.S. Post Office, to the Planning Department for final addressing.
3. Mail routes, including mailbox types and locations, shall be approved by the Postmaster prior to construction.
4. The developer shall submit a copy of the final plat to the Snohomish County Assessor's at 3000 Rockefeller Avenue, Everett, WA 98201-4060 for recording.
5. All construction equipment, building materials, and debris shall be stored on the applicant's property, out of the public right-of-way. In no case shall the access to any private or public property be blocked or impinged upon without prior consent from the affected property owners and the City of Monroe.
6. If at any time during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director.
7. Pursuant to MMC 6.04.055(B)(1), construction noise is not allowed Monday through Friday between the hours of 8 P.M. and 7 A.M., and from 8 P.M. and 9:00 A.M. on the weekend.
8. All signs, if any, shown on the approved plans for the subdivision are for illustrative purposes only. Pursuant to Monroe Municipal Code 22.50, a sign permit must be obtained for the placement of any non-exempt signage. An application for a sign permit shall include an approved site plan specifying the location of all signs.
9. The developer and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting construction.