



**CITY OF MONROE**  
**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
**Planning Commission Recommendation**

**A. GENERAL APPLICATION INFORMATION**

<b>File Number(s):</b>	CPA2022-01 (associated with SEPA2022-11)
<b>Project Summary:</b>	Adoption of the 2023-2029 Six-Year Capital Facilities 6-Year Financing Plan (a.k.a., Capital Improvement Plan or CIP)
<b>Applicant:</b>	City of Monroe
<b>Location:</b>	The CIP includes projects located throughout the City of Monroe and within the city's water service area. The City of Monroe is approximately 14 miles east of the City of Everett on US Route 2 and 22 miles north of the City of Seattle on State Route 522.
<b>Public Hearing Date and Location:</b>	<b>Monday, September 26, 2022, at 7:00 PM</b> via Hybrid Meeting: Zoom Virtual Meeting Platform and 806 W Main St, Monroe, WA 98272
<b>Staff Contact:</b>	Scott Peterson, PE, City Engineer City of Monroe 806 West Main Street Monroe, WA 98272 (360) 863-4606 SPeterson@monroewa.gov

**B. BACKGROUND AND DESCRIPTION OF PROPOSAL**

In compliance with the Washington State Management Act (GMA), the City of Monroe annually updates the Six-Year Capital Facilities Financing Plan (CFP or CIP). The CFP is fiscally constrained, identifies the funding sources for each project, and if approved will concurrently amend Chapter 8, *Capital Facilities & Utilities*, and Appendices F (Parks, Recreation, Open Space Plan), G (Public Works and Utilities Plan) and H (Water, Sewer, and Stormwater Plan) of the 2015 City of Monroe Comprehensive Plan. The proposed 2023-2029 Six-Year CFP includes 55 parks, general government, and transportation projects, 35 water system projects, 21 sewer system projects, and 16 stormwater projects. The total estimated cost to complete all the projects is just under \$222,500,000 over the six-year time frame.

**C. REVIEW PROCESS**

**1. Overview**

MMC Table 22.84.060(B)(1): Project Permit Types, designates comprehensive plan amendments as Type IV project permits. Type IV permits require that the Planning Commission review the proposal and make a recommendation to the final decision authority, which is the City Council. The City is proposing the adoption of the 2023-2029 6-Year CFP; therefore, a Planning Commission public hearing and recommendation to the City Council is required. The required public hearing was held in front of the Planning Commission on September 26, 2022.

Following the public hearing, the Planning Commission will forward a recommendation to the City Council. According to MMC 22.84.030(D)(2), the Planning Commission shall make a written recommendation to the City Council regarding Type IV actions at the close of their final public hearing or at their next scheduled meeting. The written recommendation to the City Council shall be one of the following:

- a. Recommendation for additional time and/or resources on the application;
- b. Recommendation of approval of the legislative action;
- c. Recommendation of approval of the legislative action with modifications; or
- d. Recommendation of denial of the legislative action.

No earlier than October 25, 2022, the City Council will hold a first reading to consider the Commission's recommendation. The City Council public hearing to consider this CFP is combined with the 2023/2024 budget hearing. Per MMC Table 22.84.060(B)(2), Decision-Making and Appeal Authorities, the City Council is the final decision authority on the proposed plan amendments. The decision may be appealed to the WA Growth Management Hearings Board.

## **2. Public Notification and Comments**

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- 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 September 21, 2022. Expedited review (14 days rather than 60 days) was requested. If accepted, the review period will, prior to the City Council holding a public hearing for the 2023-2024 Budget and concurrent action on the proposed CFP.
- b. **Notice of Public Hearing:** Notice of Public Hearing was provided in accordance with MMC 22.84.050(C) by posting the notice at City Hall and the Monroe Library and publishing the notice in the Everett Daily Herald on September 16, 2022.

## **3. State Environmental Policy Act (SEPA) Review**

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Pursuant to WAC 197-11-704, the proposal is classified as a non-project action under the State Environmental Policy Act. Non-project 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 plan amendments on September 5, 2022. The public comment and appeal periods for the DNS ended at 5:00 PM on September 21, 2022. No comments or appeals were received.

## **4. Public Hearing**

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The hybrid public hearing on this matter was held in front of the Planning Commission on September 26, 2022, at 7:00 PM in-person at 806 W Main St, Monroe, WA 98272 and via Zoom Virtual Meeting Platform. No written comments were received prior to the public hearing.

## **D. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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Pursuant to MMC 22.74.040(D), *Criteria for Recommendation of Approval*, the Planning Commission shall use the following criteria in considering whether or not to recommend approval or approval with modification of the proposed plan amendment:

1. Shall not adversely affect public health, safety, or welfare in any significant way;
2. Shall be consistent with the overall goals and intent of the comprehensive plan as amended by the proposals;
3. Shall comply with the Growth Management Act and other state and federal laws;
4. Must be weighed in light of cumulative effects of other amendments being considered;
5. Addresses needs or changing circumstances of the city as a whole or resolves inconsistencies between the Monroe comprehensive plan and other city plans or ordinances;

6. Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts;
7. Is consistent with the land uses and growth projections that were the basis of the comprehensive plan and/or subsequent updates to growth allocations;
8. Is compatible with neighboring land uses and surrounding neighborhoods, if applicable; and
9. Is consistent with other plan elements as amended by the proposals.

The following **Findings of Fact** have been made regarding the proposed plan amendments, and the resulting **Conclusions of Law** were established from the Findings of Fact:

**1. Shall not adversely affect public health, safety, or welfare in any significant way.**

- a. **Findings of Fact:** The proposed CFP includes 55 parks, general government, and transportation projects, 35 water system projects, 21 sewer system projects, and 16 stormwater projects. All projects are necessary to improve the city's infrastructure, services, and/or quality of life for the residents of Monroe. A sample of these projects includes sidewalk improvements, traffic calming, lighting for the Fryelands trail, replacement of fire hydrants, the Currie Road water system tie-in, improved security measures at the Springhill reservoir, replace and upsize the 177<sup>th</sup> sewer main, modernize the treatment system at the wastewater treatment plant, complete upgrades to the Valley View pump station, improve the Blueberry Lane stormwater infiltration and conveyance system, porous concrete refurbishment along Hill Street and the Lake Tye bioswale.
- b. **Conclusions of Law:** Staff concludes adoption of the CFP will not adversely affect public health, safety, or welfare in any significant way. Additionally, all site-specific projects resulting from the adoption of the CFP will either improve public health and safety or improve the welfare for Monroe residents.

**2. Shall be consistent with the overall goals and intent of the comprehensive plan as amended by the proposals.**

- a. **Findings of Fact:** The proposed CFP is consistent with and/or implements the following adopted 2015 – 2035 Monroe Comprehensive Plan contains goals, policies, and implementation strategies.

Goal/Policy/ Action Item Number	Goal/Policy/Action Item Text
Goal 1	Establish and maintain a safe, secure environment in Monroe for residents, businesses, and visitors.
P.005/P.139	Promote calming of traffic on non-arterial streets
P.017/P.195	Include "Americans with Disabilities Act" compliance access in the design of all new public facilities. Modify existing facilities where readily achievable.
Goal 2	Manage Monroe's environment and natural resources, supporting the health, safety, welfare, recreational needs and economic well-being of current and future residents.
P.031	Promote alternative modes of transportation.
P.032/P.147/ P.175	Coordinate transportation planning with regional trail network plans, enabling future connections to projects including the Centennial Trail and the Stevens Pass Greenway.
P.050	Develop a parks and open space system that provides for passive and active recreation, protects for unique features, and defines and links city neighborhoods.

<b>P.054/P.211</b>	Maintain and enhance access to shorelines, particularly the Skykomish River, Woods Creek, and Lake Tye.
<b>P.055/P.212</b>	Improve physical access to the Skykomish River and Woods Creek from the downtown area.
<b>P.060/P.123/ P.219</b>	Create gateway features marking entries into key areas of Monroe and improve overall wayfinding using creative signage and urban design solutions.
<b>P.087/P.223</b>	Promote the development of new regional draw destination/civic and cultural facilities in downtown and along the Main Street corridor.
<b>Goal 6</b>	Provide and promote both utility and transportation infrastructures that coincide with need, growth, and long-term objectives.
<b>P.127</b>	Require new utility lines be laid underground if possible (Exempt high-voltage transmission lines).
<b>P.131</b>	Promote transportation improvements that support efficient transport of goods and convenient access to businesses.
<b>P.134</b>	Promote alternative modes of transportation by providing sidewalks, walking and biking paths, interconnected street networks, and improved transit systems.
<b>P.162</b>	Capital projects that are not included in the six-year Capital Facilities Plan or which are potentially inconsistent with the Comprehensive Plan shall be evaluated prior to their inclusion into the City's annual budget.
<b>P.163</b>	Maintain at least a six-year Capital Facilities Plan to finance needed capital facilities as determined within projected funding capacities, clearly identifying sources of funding for such facilities. The plan should be reviewed annually prior to the city budget process.
<b>Goal 7</b>	Provide parks and civic facilities, recreational opportunities, and arts and cultural activities on pace with need, growth and long-term objectives.
<b>P.170</b>	Strive to provide an access point to the Skykomish River at the southern terminus of 179 <sup>th</sup> Avenue.
<b>P.182/155</b>	Prioritize the preservation and maintenance of existing facilities over the construction of new ones.
<b>P.185</b>	Develop a parks and useable open space system that provides for passive and active recreation, protects unique features, and defines and links city neighborhoods.
<b>P.191</b>	Promote park design and development that is high quality, aesthetically pleasing and sensitive to the opportunities provided by the built and natural environment.
<b>P.208/P.165</b>	Promote the growth of trails and trail networks within Monroe, facilities in-town connectivity and ties to regional trail networks.
<b>P.213</b>	Improve Lake Tye and adjoining park facilities, including working with the County on trail and park improvements.
<b>P.214</b>	Promote the development of new civil and cultural facilities in downtown and along the Main Street corridor.
<b>P.217</b>	Prioritize the construction and maintenance of improvements commensurate with downtown's role as the focal point of the community.
<b>A.006</b>	Monitor reclamation activity at the Cadman Pit site for consistency with the adopted 1998 Master Program.

A.007	Prepare and present an annual report to the City Council regarding capital facilities inventory, identified needs and finance plan.
A.013	Prepare a long-range master plan for the Skykomish greenway, including park and shoreline areas from eastern City Limits to Tester Road/Sky Meadows Lane. Include funding options and opportunities for capital projects in the master plan.

- b. **Conclusions of Law:** Staff concludes the proposed CFP is consistent with policies and provisions of the Monroe comprehensive plan.

**3. Shall comply with the Growth Management Act and other state and federal laws.**

- a. **Findings of Fact:** The Revised Code of WA (RCW) Chapter 36.70A.070(3), Comprehensive plan mandatory elements – Capital Facilities Plan element, includes the following requirement, “at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes.” Furthermore, several of the water, wastewater and stormwater projects are required for compliance with other state agencies and permits held by the city, such as the WA Department of Ecology 2019 Phase II NPDES Municipal Stormwater Permit.
- b. **Conclusions of Law:** Staff concludes the proposed CFP complies with GMA and other state and federal laws.

**4. Must be weighed in light of cumulative effects of other amendments being considered.**

- a. **Findings of Fact:** The CFP update is the only comprehensive plan request received in 2022. Adoption of the CFP identifies the public funding sources for the 127 projects, including grants, to construct long range capital improvement projects adopted in the 2015 City of Monroe Comprehensive Plan, and as amended.
- b. **Conclusions of Law:** Not applicable, as this is the only requested amendment to the City’s comprehensive plan, but necessary to complete previously approved projects included in Chapter 8 of the Comprehensive Plan and Appendices F-H.

**5. Addresses needs or changing circumstances of the city as a whole or resolves inconsistencies between the Monroe comprehensive plan and other city plans or ordinances.**

- a. **Findings of Fact:** The city is required to annually adopt a 6-year capital facilities plan for consistency with the city’s comprehensive plan and changing circumstances, including but not limited to available funding, unseen opportunities to proceed due to partnerships and/or grant funding, state mandates, and changing community needs.
- b. **Conclusions of Law:** Staff concludes the proposed amendment advances the public interest of the community.

**6. Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts.**

- a. **Findings of Fact:** The City of Monroe issued an Environmental Determination of Non-significance for this non-project action. The CFP implements the long-range capital facilities plan adopted in the 2015 Comprehensive Plan. An Environmental Impact Statement (EIS) was completed to review possible environmental impacts resulting from the plan, including the capital facilities element, and supporting plans in appendices F-G. Additional environmental review will occur with each specific project, when SEPA is triggered and not expressly exempt from SEPA review.
- b. **Conclusions of Law:** Staff concludes the amendment does not adversely affect public health, safety, or welfare.

7. ***Is consistent with the land uses and growth projections that were the basis of the comprehensive plan and/or subsequent updates to growth allocations.***
  - a. **Findings of Fact:** The proposed CFP continues to enable the construction of the capital projects identified in the 2015 Comprehensive Plan which established the land use designations within the City of Monroe to meet the adopted population, housing, and job targets through 2035.
  - b. **Conclusions of Law:** Staff concludes the proposed CFP is warranted and necessary to meet the growth projects and development patterns through 2035, consistent with the adopted 2015 Comprehensive Plan.
  
8. ***Is compatible with neighboring land uses and surrounding neighborhoods, if applicable.***
  - a. **Findings of Fact:** Not applicable. The CFP ensures neighborhoods can develop as outlined in the 2015 comprehensive plan, while protecting the environment.
  - b. **Conclusions of Law:** Not applicable.
  
9. ***Is consistent with other plan elements as amended by the proposals.***
  - a. **Findings of Fact:** The projects listed in the proposal CFP are necessary to implement most of the elements of the 2015-2035 comprehensive plan, including, but not limited to the land use, transportation, housing, parks and economic development. Other projects listed in the plan protect the city's shorelines and natural environment.
  - b. **Conclusions of Law:** Staff concludes the CFP is necessary to implement the other elements of the adopted 2015 Comprehensive Plan.

#### **E. PLANNING COMMISSION RECOMMENDATION**

Based on analysis and findings included herein the Planning Commission **ADOPTED** the above Findings of Fact and Conclusions of Law, **AUTHORIZED** the Planning Commission Chair to sign the Findings on behalf of the Commission, and recommend that the Monroe City Council **ADOPT** the 2023-2029 Six-Year Capital Facilities Plan and **APPROVE** the concurrent amendments to 2015 Comprehensive Plan.

An amendment to the motion was made and approved acknowledging some Commissioners have concern that the 2023-2029 6-Year Capital Facilities Plan does not include any land acquisitions and/or park development projects in the downtown area. These projects are desired to implement *Imagine Monroe* and are in response to the planned increases in residential densities within the downtown area.

  
 Jay Bull, Planning Commission Chair

  
 Date