

# **AGENDA MONROE CITY COUNCIL**

**June 8, 2010**

**7:00 P.M.**

**City Council Chambers**

## **CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE**

### **COMMENTS FROM CITIZENS:**

This time is set aside for you to speak to the City Council on any issue **except any quasi-judicial matter subject to a public hearing (citizens wanting to voice concerns about quasi-judicial matters must do so during the public hearing process). Those items are marked with an \*. You are welcome to address the council on any other subject. (You must sign in before the meeting starts and give your request to the City Clerk). Please limit your time to 5 minutes.**

### **BUSINESS & ACTION ITEMS:**

1. Council Replacement: A. Interview Candidates (Open Session); B. Executive Session: Discuss Candidate Qualifications; C. Appointment/Councilmember

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

**RECESS MEETING & RECONVENE IN STUDY SESSION prior to 8:00 PM.** (Council may extend discussion on Action Items beyond 8:00 p.m. by majority vote.)

### **STUDY SESSION TOPICS:**

1. Kurt Latimore – Permit Process Analysis Update
2. 2010 Comprehensive Plan Amendments
3. Follow-up to Land Use Update
4. Draft Agenda for June 15, 2010
5. **Executive Session:** Regarding Pricing of Property

**ADJOURN** (Council may extend meeting past 10:00 p.m. by majority vote.)

No final decisions can be made during a Study Session. Decisions on Study Session issues will be scheduled for a regular or special Council meeting; provided however, the City Council may give notice before the recess that action might be taken immediately following the close of the Study Session.

Accommodations for people with disabilities will be provided upon request. Please call City Hall at (360) 794-7400. Please allow one-week advance notice.

**Eadye E. Martinson**

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**From:** Paul Loots [paulloots@yahoo.com]  
**Sent:** Friday, April 23, 2010 11:27 AM  
**To:** Eadye E. Martinson  
**Subject:** Fw: Council Position

Agenda Item  
B&A #1.1  
Date 6/8/10

Eadye,  
Here is the email I sent on Saturday. Thanks again for you help.

Sincerely,  
Paul Loots

--- On Sat, 4/17/10, Paul Loots <[paulloots@yahoo.com](mailto:paulloots@yahoo.com)> wrote:

From: Paul Loots <[paulloots@yahoo.com](mailto:paulloots@yahoo.com)>  
Subject: Council Position  
To: [councilmembers@ci.monroe.wa.us](mailto:councilmembers@ci.monroe.wa.us)  
Date: Saturday, April 17, 2010, 7:48 PM

Dear Mayor Zimmerman, Administrator Brazel and City Council,

I am writing you to express my interest in the council position left vacant by Council member Kennedy. I have lived in Monroe with my family since 2002. I have been serving on the Monroe Planning Commission since August of 2007. I also served on the Downtown Steering Committee.

While serving on the Planning Commission, I have worked on various projects including Lighting Standards, Commute Trip Reduction, the Parks Plan, North Kelsey Sign Guidelines, Binding Site Plan Regulations, Affordable Housing, Code Cleanup projects and other misc. Zoning projects. I am a firm believer in doing your best when representing others. I have missed very few meetings, I am always early and participate in the process.

For the last 12 years I have worked for a small company designing restaurants. I am very involved with the client through all phases, from concept to opening. When a client hires us to represent them during construction I am tasked with making decisions for them. I don't feel the need to act like a know it all and often ask plumbers, electricians, or the contractor what their ideas are for solving problems that may come up. I put our clients needs above my own when making those decisions as they are the ones that are going to live with the consequences of my decisions long after my job is done there. I believe these skills have served me and the Citizens of Monroe well while I have been on the Planning Commission.

I look forward to the interview process, where I can answer any questions you may have about my qualifications or the issues facing the City of Monroe.

Sincerely,  
Paul Loots  
14869 Van AVE SE  
Monroe  
[paulloots@yahoo.com](mailto:paulloots@yahoo.com)

Edwin C. Davis  
15126 173<sup>rd</sup> Ave Se.  
206-423-5090

Agenda Item  
B2A #1.2  
Date 6/8/10

April 7, 2010

Mayor Robert Zimmerman  
City of Monroe  
Monroe, WA

Dear Mayor Zimmerman,

I would like to be considered for appointment to the vacant position on the Monroe City Council. I have lived in and raised my family in this valley for close to twenty years. I have been a resident of Monroe for the last seven years. It is my desire to see Monroe continue to be a community of opportunity for families, friends, and neighbors. I would like to see Monroe's reputation as a safe community grow. For the last 8 years I have worked to promote security in local communities in Washington and the Northwest Region. I believe my background in public safety and community service could make a valuable contribution to the current council. I would like the opportunity to apply these skills and knowledge in decision making at the local level.

In these times it is important to make hard decisions concerning fiscal responsibilities. I believe with common sense and principled choices Monroe can weather these difficult financial times and be a strong and vibrant community. Every so often a person gets the opportunity to get in the game and make a difference. I see this as my opportunity, and it is my desire to make a positive difference for my family and the community at large.

I look forward to hearing from you. Please feel free to contact me if you need any further information, or to let me know the next step in the process. Thank you for your consideration.

Sincerely,

Edwin C. Davis  
[ecdedavis@verizon.net](mailto:ecdedavis@verizon.net)

# Edwin Davis

## Objective

Appointment to Monroe City Council

## Summary of Current Employment

Federal Compliance Inspector

Transportation Security Administration/Department of Homeland Security

Title: Transportation Security Inspector- Surface (TSI-S)

Primarily responsible for Non Aviation and Non Maritime modes of transportation. Communicate with and brief State, County, City, & Private sector Administrative officials on security enhancement and deficit issues in light of the terrorist threat

Analyze stakeholder facilities and procedures to make recommendations to harden security, reduce threat

## Other Skills and Accomplishments

Transportation Safety Institute: Supervisory training, HazMat Trng, Anti-terrorism, Emergency Management in Public Transportation

Federal Law Enforcement Training Center: Systems Security, Facilities Security, Infrastructure Security

## Professional Experience

1977— 1982

*US Army*

*Ft. Bragg, NC*

Chief Warrant Officer US Army, Helicopter Pilot

Flew UH-IH Medivac Helicopter, & AH-1 Attack Helicopter

also served as Motor Pool Officer, Communications Officer, EEO Officer, Asst. Safety Officer, Communications Security Officer

1985— 1987

*Everett Kawasaki*

*Everett, WA*

General Manager in Family Owned Business

Responsible for oversight of sales department, parts department, & service department



## Education

1983— 1985	University Of Maine, Business Administration	Orono, ME
1980 - 1982	Embry Riddle Aero. Univ Extension	Ft. Bragg, NC
	Airport Management/Personnel Management	

## Certifications

Commissioned Federal Inspector

## Awards

Aviator's Badge, May 5<sup>th</sup> 1978

Army Commendation Medal, Good Conduct Medal, Humanitarian Service Award, 1979

## Professional and Community Memberships

Currently involved in teaching parenting classes at my church

Served as Director in Awanas youth group

In process of starting Alert Cadet Program in Washington state, a community service organization with a focus on search and rescue

Licensed Washington State Foster Parents, recently completed adoption of 4yr old daughter

## Personal Interests

Married 30 years to wife Debra, Father of five children ages 4-22 years old

## References

References available upon request

Agenda Item

B+A #1.3

Date 6/8/10

FROM THE DESK OF  
**BRIDGETTE TUTTLE**

May 20, 2010  
Eadye Martinson  
City of Monroe  
806 West Main Street  
Monroe, WA 98272

To Whom it May Concern,

I am interested in serving the community of Monroe as a City Council member. I previously ran for a City Council position in the last election for the 2010 term and am still interested in working at the local level of community government.

My family has gratefully called Monroe home for nearly nine years and I would like to use my enthusiasm and diverse background to serve our town. I am an elected PTA Officer, school district Truancy Board member, school committee coordinator, and have actively participated in church leadership and event coordination in Monroe. I was a site coordinator for the 2009 ServeFest event which accomplished hundreds of hours of community service through local church volunteers. I also acted as a team leader for the YMCA's 2009 Invest in Youth Campaign and have advocated for YMCA partnership with public schools. I understand how to problem-solve, organize, and work with others to set and accomplish goals.

I am a parent and I know that families want to live in a community that is safe, clean, and thriving. My family loves Monroe's beautiful parks and natural recreation and appreciates the ambiance that our city offers to its citizens. Caring for this aspect of Monroe is a high priority to me.

I am a small business owner and understand that business needs support from local government in order to survive. As a City Council member I would like to help small businesses in Monroe grow and prosper. I also have an educational background in Business Management and was a licensed Loan Officer. I understand the technical aspects of planning, budgeting, and balancing that surround the City's financial affairs.

My family is active in Monroe's public school system. I not only work in Monroe School District but have spent many hours as a classroom volunteer, art docent, and Kids Create teacher as well as managing PTA events at various schools in town. I currently work at Leaders in Learning, Monroe's alternative High School, and have a heart for the future generations of our town.

I am intelligent, creative, and ethical. I love Monroe and would work hard to support and nurture our community. Thank you for your consideration.

Sincerely yours,

Bridgette Tuttle

# *Bridgette Tuttle*

15600 179th Ave SE, Monroe, WA 98272

## *Profile*

My personal life includes more than eleven years of marriage to my husband and more than ten years of motherhood to our son and daughter. I have been a home owner within Monroe's city limits for the past 9 years. I love living in Monroe and have a desire to contribute to our community in any way that I can. I have volunteered countless hours in church, education, and local activities. My children attend Salem Woods Elementary and I have been an active parent, classroom volunteer, art docent, event coordinator, elected PTA officer, head of the Garden Club, and general support in the school for the last four years. I serve on Monroe School District's Truancy Board. I hold a position on the school board of a local private school. I acted as Team Leader for the Monroe YMCA's 2009 Invest in Youth Campaign. I was a site coordinator for Monroe's annual Servefest event organized by local churches as a means to serve our community. My family has a strong connection to this town through work, sports, church, and commerce.

My employment history and professional interests are well-rounded and reflect my ability to learn and excel in a variety of fields. I am organized, administrative, and enjoy participating with a team. My experience includes over twenty years of working around the real estate field as an office administrator, broker's personal assistant, property manager, and licensed Loan Originator. During college, I spent four years with the Eagle Hardware and Garden Corporation working in customer service, sales, administration, personnel management, and finance areas. I also enjoy teaching and helping children. I have over twelve years of involvement working with children with autism as an in-home behavioral therapist as well as working one-on-one or as a consultant in the public school system. I am currently employed as a long-term substitute para-educator at Leaders in Learning (Monroe's alternative high school) and am personally invested in the students and program there. When my term ends in June, I will continue to be involved as a volunteer and hope to return in the next school year. In addition, my husband and I have owned and operated a small business in Kirkland since 2004 where, to our credit, we have been able to survive and grow through the past three years of a struggling economy. I manage the financing, website, customer communication, and marketing of our company and have an educational background in Business Management.

## *Work Experience*

### **Electives teacher, The Cornerstone Academy, September 2009-present**

Preparing lessons and Math instruction for 3rd-6th grade students using.

### **Para-educator, Monroe School District, January 2008-present**

I substitute and am requested frequently in a variety of classroom support positions.

### **Business Owner, Autobahn Custom Detail, August 2004-present**

My husband and I own and operate a small business. I manage the finances, marketing, website, etc.

### **Loan Officer, Bellevue City Mortgage, April 2006-January 2010**

My responsibilities included networking, meeting with clients, completing detailed paperwork, staying updated on current market conditions and banking requirements, and representing my clients when brokering a loan.

### **Preschool Teacher, Little Doves Preschool and Kindergarten, December 2006-June 2006**

I was responsible to plan and execute morning circle time, manage snack time, and lead a group of 9-15 through daily preschool activities.

### **In-Home Behavioral Intervention Tutor, Privately Employed, May 1998-August 2001**

I performed one on one behavioral intervention with children with autism, recorded data, adapted curriculum, set academic goals, managed outings, attended and actively participated in team meetings for report and problem solving with students.

### **Behavioral Para-educator, Lake Washington School District, September 1999-August 2001**

I performed one on one behavioral intervention with students with autism, adapted curriculum, recorded data, managed small group interaction with typically developing peers in natural and contrived settings, attended and contributed to IEP meetings to set academic goals and record data, and assisted the classroom teacher with behavior management.

## *Education*

Snohomish High School: Snohomish, WA 1990-1992

Eastern Washington University: Cheney, WA 1993-1996 (English/Education Major, did not graduate)

Northwest University: Kirkland, WA 1998-2001 (Business Major, did not graduate)

Northwest University: Kirkland, WA 2008-2009 (Business Major, graduation pending)

*Telephone* 360.863.0434

*Cell* 425.263.0492

*Email* [bridgette@w-link.net](mailto:bridgette@w-link.net)

## Eadye E. Martinson

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**From:** mjacobson@aol.com  
**Sent:** Monday, May 24, 2010 10:04 AM  
**To:** Robert Zimmerman; Gene Brazel; Eadye E. Martinson  
**Subject:** City Council Position  
**Attachments:** City Counsel Letter.docx

Agenda Item

B7A #1.4

Date 6/8/10

Please see my attached letter in regards to the vacant City Council position.

Thank you,

Michael Jacobson  
13153 Tonga Ridge RD SE  
Monroe, WA 98272

360-863-1132

May 22, 2010

Mayor Zimmerman and City Council members,

I am interested in serving the City of Monroe as a Council Member.

My wife and I have called Monroe home for 12 years and I would like to use my entrepreneurial skills as a business owner to serve our city.

I am a Volunteer Program Supervisor at the Monroe Correctional Complex and I have actively participated in multiple programs at the Prison for the past 7 years. I also serve on the Family Advisory Council with Superintendent Scott Frakes, I am the Family Liaison Volunteer, and the Youth Program Supervisor. Due to this sometimes volatile atmosphere, I understand how to work well with others, be calm and diplomatic and make tough decisions.

I want Monroe to remain a community that is safe, clean, and a beautiful place to live. My wife and I love Monroe's parks and the family-friendly culture.

I am a small business owner of 15 years in internet marketing. As a City Council Member I would like to be the liaison between the City of Monroe and the Monroe Correctional Complex as I know they have had their differences in the past. I would work to help resolve those differences as well as help small business owners grow their businesses and ensure that the needs in our community are met.

I also have an educational background in Sports Medicine, Biblical Studies, Personal development, Mentoring and Coaching. I understand the different aspects of leadership, follow through, communication and listening skills.

I currently serve on the Board of Directors for the Matthew House here in Monroe. I have also been on the Board of Directors for Antioch Adoptions in Redmond, Washington.

I love Monroe and will work hard to protect our families, support policies that grow our local businesses and actively search for solutions to our traffic problems.

Thank you for considering me.

Sincerely,

Michael Jacobson

# Memo

Agenda Item

SS #2

Date 6/8/10

To: Mayor Zimmerman & Monroe City Council

From: Russ Wright, Associate Planner

Date: June 08, 2010

Re: 2010 Comprehensive Plan Docket

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## SUMMARY

The purpose of tonight's discussion is to apprise Council on the status of the city-initiated 2010 Comprehensive Plan amendments and relay the Planning Commission's recommendations for action. The Council should consider the merits of the recommendations individually and collectively as to potential impacts and for consistency with the current Comprehensive Plan.

Staff reviewed the proposed amendments against Resolution 2005/06 – Procedures and Criteria for Amending the Comprehensive Plan to consider potential effects on public health, safety, or welfare and overall compliance with the current Monroe Comprehensive Plan. All of the proposed amendments have undergone Growth Management Act (GMA) review and State Environmental Policy Act (SEPA) review. The SEPA administrator issued a threshold determination for each proposal with the appropriate public comment period. Staff forwarded all of the proposed amendments to the Washington State Department of Commerce, under RCW 36.70A.106(1), for agency review. The city has not received any agency comments indicating concerns with the proposed amendments or appeals.

## PROPOSED 2010 COMPREHENSIVE PLAN AMENDMENTS

### **CPA2010A – North Kelsey**

- City-initiated map amendment to refine the North Kelsey Planning Area and Planned Development Area boundaries and amend the land use designations for the most northern city-owned parcels, from Industrial to General Commercial.
- The Planning Commission held a public workshop on March 08, 2010.
- The Planning Commission held a public hearing on May 10, 2010 and recommended that Council approve the map amendment.

### **CPA2010B – Capital Facilities**

- This proposed comprehensive plan amendment proposes to adopt the Snohomish School District Capital Facilities Plan 2008-2013, City of Monroe 2009 Stormwater System Plan, and the 2008 Water System Plan into the Capital Facilities Element of the City of Monroe Comprehensive Plan 2005 -2025, by reference.
- The Planning Commission held a public workshop on March 08, 2010.
- The Planning Commission held a public hearing on May 10, 2010 and recommended that Council approve the map amendment.

#### **CPA2010C – Roosevelt Road**

- This map amendment proposes to change the land use designation for approximately 71 acres in the Roosevelt Road Area from R 2-5 dwelling units per acre to R 5-7 dwelling units per acre.
- The Planning Commission held public workshops on February 8, 2010 and May 10, 2010.
- The Planning Commission held a public hearing on May 24, 2010.
- At the public hearing, the Planning Commission received testimony that expressed mixed support for the proposal. The majority of the testimony opposed the proposal. The primary concern voiced by residents of the area was increased traffic volumes. Secondary concerns related to property taxes and critical areas.
- The Planning Commission found that the proposal was not consistent with the Comprehensive Plan citing traffic impacts as the largest concern, notably the intersection of Roosevelt Road and US2 and the city's limited ability to improve this intersection.
- The Planning Commission recommended that City Council not approve the proposal.

#### **CPA2010D – Roosevelt Ridge**

- This map amendment proposes to change the preliminary land use designation for approximately 137 acres in the Roosevelt Ridge Area, in the unincorporated Urban Growth Area, from R 2-5 dwelling units per acre to R 5-7 dwelling units per acre. The current county designation is R 4-6 dwelling units per acre.
- City and County staff identified the new land use designation and subsequent zoning as a potential reasonable measure to address the projected population deficit for 2025.
- The Planning Commission held public workshops on February 8, 2010 and May 10, 2010.
- The Planning Commission held a public hearing on May 24, 2010.
- At the public hearing, the Planning Commission received testimony that expressed mixed support for the proposal. The majority of the testimony opposed the proposal. The primary concern voiced by residents of the area was increased traffic volumes. Secondary concerns related to property taxes, critical areas, school district boundaries, current lot sizes and density, and potential for increased crime.
- The Planning Commission found that the proposal was not consistent with the Comprehensive Plan citing traffic impacts as the largest concern, notably ingress and egress into and out of the area.
- The Planning Commission recommended that City Council not approve the proposal.

#### **APPEAL INFORMATION**

Any appeal of the City Council's decision adopting Comprehensive Plan amendments shall be by petition to the Growth Hearings Board for Central Puget Sound, as provided under RCW 36.70A.290. Appellants must file a petition within 60 days of ordinance publication adopting the comprehensive plan amendment.

#### **ATTACHED**

- |   |  |
|---|--|
| 1. Staff Report for CPA 2010A                       | 5. Staff Report for CPA2010D                           |
| 2. Staff Report for CPA2010B                        | 6. Draft Planning Commission Minutes from May 10, 2010 |
| 3. Draft Capital Facilities Element (strikethrough) | 7. Draft Planning Commission Minutes from May 24, 2010 |
| 4. Staff Report for CPA2010C                        |  |

**STAFF REPORT AND RECOMMENDATION**  
**Comprehensive Plan Amendment**  
**CPA 2010A – North Kelsey Map Amendment**

**TO:** City Of Monroe Planning Commission

**FROM:** Russ Wright, Associate Planner

**SUBJECT:** City-initiated comprehensive plan map amendment to change the land use designation for the most northern city-owned parcels, in the North Kelsey Planning Area, from Industrial to General Commercial and to refine the North Kelsey Planning Area and Planned Development Area boundaries.

**HEARING DATE:** May 10, 2010

**A. PURPOSE:**

The proposal is to refine the North Kelsey Planning Area and Planned Development Area boundaries and pursue a map amendment for the most northern city-owned parcels, from Industrial to General Commercial. The original SEIS for the planned action included the northern and southern portions of the North Kelsey area, Galaxy Theater area, proposed Monroe Public Works site, and Little Monroe Pit. City of Monroe Ordinance 016-2003 adopted boundaries for the Planning Area, Planned Development Area and General Commercial zone that excluded the properties in current use by Lakeside Industries, and the future Public Works site. The proposed amendment supports desired development patterns and intended uses for the northern half of the project to integrate the northern and southern portions of the subarea.

**B. BACKGROUND:**

The City of Monroe North Kelsey Development Plan (2003) was a planned action for a 68-acre site in the City of Monroe, known as the North Kelsey Subarea. The SEIS for the planned action included the northern and southern portions of the North Kelsey Area, Galaxy Theater area, proposed Monroe Public Works site, and Little Monroe Pit. Since the plan's inception, elements of the plan have been implemented, including changing the land use designation for a portion of the subarea from Industrial to Commercial (followed by an associated rezone), the construction of an anchor tenant on the southern North Kelsey property, the construction of infrastructure improvements (e.g., new roads, intersection improvements, and stormwater facilities). Lakeside Industries has relocated its operations from the northern North Kelsey parcels to The Little Monroe Pit directly behind the Galaxy Theater. The Monroe Public Works Department has developed their operational site as part of the existing Monroe city campus.

City staff requested the map amendment in July 2009 (Exhibit 1). Staff provided a pre-docket review (Exhibit 2) to the Planning Commission on August 31, 2009. The Planning Commission held a public hearing on the docket October 12, 2010 and recommended that the City Council accept the proposal for docketing in 2010. The City Council approved the application for the 2010 Docket in November 2009. The city issued a SEPA Determination of Non-Significance for this proposal on February 16, 2010 (Exhibit 3). The Planning Commission held a workshop for the proposal on March 08, 2010 and directed staff to schedule a public hearing, which is scheduled for May 10, 2010.



**C. FINDINGS AND CONCLUSIONS**

**1. Compliance with Resolution 2005/06 – Procedures and criteria for amending the comprehensive plan.**

(1) Each amendment:

- a. Shall not adversely affect public health, safety, or welfare in any significant way.
- b. Shall be consistent with the overall goals and intent of the comprehensive plan.
- a. Shall be in compliance with the Growth Management Act and other State and Federal laws.
- b. Must be weighed in light of cumulative effects of other amendments being considered.

(2) In addition to the above mandatory requirements, any proposed amendment must meet the following criteria unless compelling reasons justify its adoption without meeting them:

- a. 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.
- b. Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts.
- c. Is consistent with the land uses and growth projections that were the basis of the comprehensive plan and/or subsequent updates to growth allocations.
- d. Is compatible with neighboring land uses and surrounding neighborhoods, if applicable.
- e. Is consistent with other plan elements and the overall intent of the comprehensive plan.

**Findings and Conclusions:**

- The proposed amendment is consistent with the mandatory review criteria outlined in Subsection (1) above. Re-designation of the northerly planned development area to General Commercial does not adversely affect the public health, safety, or welfare. It is consistent with the city's goal of developing the North Kelsey Planned Development area with retail and public spaces and amenities.
- The amendment is also consistent with the criteria listed in Subsection (2). The proposed amendment specifically addresses changing circumstances of the city, as it would re-designate land previously used by Lakeside Industries and planned for a Public Works facility to General Commercial, to a designation that is consistent with the city's plans for this area, which are favorable to development in retail and mixed uses. This General Commercial designation is consistent with the designation for the remainder of the North Kelsey Planned Development area, as are the proposed uses.
- City staff submitted the proposed comprehensive plan amendment and associated documents to the Department of Commerce for a 60-day review on April 20, 2010 (Exhibit 4). City staff has received no comments.

**2. Compliance with Monroe Municipal Code (MMC) Chapter 20.04 (State Environmental Policy Act).**

Findings:

- City staff submitted an environmental checklist with the subject application addressing potential environmental impacts associated with the approval of the proposed application (see Exhibit 1).
- The City of Monroe SEPA Official issued a Determination of Non-Significance (DNS) for this proposal on February 16, 2010 (Exhibit 3). The comment/appeal period has expired – the city received no comments or appeals.
- As the applicant proceeds with the actual site development, the city will require site-specific SEPA review.

Conclusion: The proposed amendment has met the requirements of SEPA Chapter 20.04 MMC and Chapter 197-11 WAC.

**D. Recommendation**

Staff recommends the Planning Commission recommend the City Council **APPROVE** Comprehensive Plan Amendment CPA 2010A, to change the land use designation for the most northern city-owned parcels, in the North Kelsey Planning Area, from Industrial to General Commercial and to refine the North Kelsey Planning Area and Planned Development Area boundaries, as it has been found to be consistent with Resolution 2005/06, Chapter 20.04 MMC and other state, federal and local regulations.

**G. LIST OF EXHIBITS** (Exhibits are on file & available upon request or available at [http://www.ci.monroe.wa.us/citygov/depts/community\\_development/planning/codeamend/codeamend.php](http://www.ci.monroe.wa.us/citygov/depts/community_development/planning/codeamend/codeamend.php))

1. Application
  - a. Legal Descriptions
  - b. Environmental Checklist
  - c. Map of Existing Boundaries and Comprehensive Plan Designations
  - d. Map of Proposed Boundaries and Comprehensive Plan Designations
2. Pre-Docket Review
3. SEPA Determination
4. Department of Commerce 60-day review packet
5. Notice(s) of Public Hearing
  - a. Notice of Mailing
  - b. Notice of Posting
  - c. Notice of Publication

**STAFF REPORT AND RECOMMENDATION**  
**Comprehensive Plan Amendment**  
**CPA200801B – Capital Facilities Element**

**May 10, 2010**

**TO: CITY OF MONROE PLANNING COMMISSION**  
**FROM: BEN SWANSON, ASSISTANT PLANNER**  
**SUBJECT: CAPITAL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN**

**A. PURPOSE:**

This proposed comprehensive plan amendment would adopt by reference the Snohomish School District Capital Facilities Plan 2008-2013, City of Monroe 2009 Stormwater System Plan and the 2008 Water System Plan into the Capital Facilities Element of the City of Monroe Comprehensive Plan 2005 -2025.

**School District**

The city is proposing to adopt by reference the Snohomish School District Capital Facilities Plan 2008 – 2013 (Exhibit #2) into the Capital Facilities Element. The capital facilities plan includes an inventory and capacity analysis of existing school district facilities; a forecast of the future capital facilities needs; a financing plan; and defines the proposed locations and capacities of expanded or new facilities.

**Stormwater Plan**

The updated Stormwater System Plan provides a broad overview of the stormwater utility and identifies how to meet the needs of the city's ratepayers based on a comprehensive examination of Monroe's current field inventory, policies, programs, and regulatory mechanisms and requirements. The city will adopt the 2009 Stormwater System Plan (Exhibit #3) by reference into the Capital Facilities Element and update text as necessary.

**Water System Plan**

The city is proposing to adopt the 2008 Water System Plan (Exhibit #4) by reference into the Capital Facilities Element and update text as necessary. The Water System Plan provides a comprehensive evaluation of the existing and future system resulting in orderly growth of the service area.

## **B. BACKGROUND:**

### **School District**

In January 2008, the city of Monroe annexed approximately 70 acres in the Roosevelt Road Area into city limits by Ordinance 2008-004. This annexation includes properties located within the Snohomish School District Boundary. There are 200 additional acres in the unincorporated Urban Growth Area that would be affected at the time of annexation into corporate city limits. The adoption of the Snohomish School District Capital Facilities Plan 2008 – 2013 would enable the city to collect school impact fees on affected properties within city limits for the Snohomish School District as well.

### **Stormwater Plan**

In 1996, the city adopted a Stormwater Management Utility to gather revenue for operations and maintenance of the stormwater system. On September 6, 2009 the City Council adopted the updated City of Monroe 2009 Stormwater System Plan, by Ordinance No. 016/2009 to comply with the Washington State Department of Ecology National Pollution Discharge Elimination System (NPDES) Phase II requirements.

### **Water System Plan**

City Council adopted the City of Monroe 2008 Water System Plan on December 27, 2009, by Ordinance No. 027/2009. The Water System Plan provides documentation for utility rates, grants, loan requests, and verifies the city is meeting all state and federal requirements. The Water Plan ensures consistency between the water system planning efforts, the regional Critical Water Supply Plan, and the city's Capital Improvement Plan.

## **C. FINDINGS AND CONCLUSIONS**

### **1. Compliance with the Growth Management Act.**

#### **Findings:**

#### **School District**

- a. The Revised Code of Washington (RCW) Section 36.70A.130 (Comprehensive Plans – Review- Amendments) states that comprehensive plans shall not be amended more frequently than once a year, with three exceptions.
- b. The subject CFP includes all GMA required elements as stated in RCW Section 36.70A.070.3 (Comprehensive plans – mandatory elements – capital facilities plan).
- c. RCW 82.02. 070 (Impact fees – definitions) states that impact fees may be collected for school facilities.
- d. The City of Monroe adopted Ordinance 1205, establishing the authority to collect school impact fees as well as establishing the first school mitigation program under GMA.

#### **Stormwater Plan**

- a. The Revised Code of Washington (RCW) Section 36.70A.130 (Comprehensive

Plans – Review- Amendments) states that comprehensive plans shall not be amended more frequently than once a year, with three exceptions.

- b. The subject CFP includes all GMA required elements as stated in RCW Section 36.70A.070.3 (Comprehensive plans – mandatory elements – capital facilities plan).

#### **Water System Plan**

- a. The Revised Code of Washington (RCW) Section 36.70A.130 (Comprehensive Plans – Review- Amendments) states that comprehensive plans shall not be amended more frequently than once a year, with three exceptions.
- b. The subject CFP includes all GMA required elements as stated in RCW Section 36.70A.070.3 (Comprehensive plans – mandatory elements – capital facilities

Conclusion: The proposed Capital Facilities Plan and amendments to the City of Monroe Comprehensive Plan are consistent with the requirements of the Growth Management Act.

## **2. Compliance with Resolution 2005/06, Comprehensive Plan Amendment Procedures.**

### Findings:

#### **School District**

- a. The application was submitted as a City Initiated Application and the City Council approved this item for the 2010 Docket in January 2010.
- b. The subject amendment will not adversely affect the public health, safety or welfare of the citizens of Monroe. The amendments will actually allow the City to amend the current School Impact Fees to mitigate the impacts of new development on school district facilities.
- c. The amendments are also consistent with the overall goals and policies of the Comprehensive Plan: see section C-3 of this report for a more in depth review.
- d. The subject amendments are consistent with the Growth Management Act: see Section C-1 of this report for a more in depth review.
- e. As the population continues to grow, the Snohomish School District will need to change in order to meet the growing needs of the community. Their CFP is amended annually to identify costs and revenue sources to meet the growing demands of the District.
- f. The proposed CFP and subsequent Comprehensive Plan amendments are being proposed for consistency with the District's school enrollment projections for the next six years.
- g. Included in the CFP are proposed site locations for future schools. The proposed locations are consistent with the Land Use Element and will be compatible with the proposed neighborhoods they are being sited for.

#### **Stormwater Plan**

- a. The application was submitted as a City Initiated Application and the City

Council approved this item for the 2010 Docket in January 2010.

- b. The subject amendment and CFP will not adversely affect the public health, safety or welfare of the citizens of Monroe.
- c. The amendments are also consistent with the overall goals and policies of the Comprehensive Plan: see section C-3 of this report for a more in depth review.
- d. The subject amendments are consistent with the Growth Management Act: see Section C-1 of this report for a more in depth review.
- e. A Determination of Non-Significance was issued by the City of Monroe on April 20, 2010: see Section C-4 of this report for more details.

#### **Water System Plan**

- a. The application was submitted as a City Initiated Application and the City Council approved this item for the 2010 Docket in January 2010.
- b. The subject amendment and CFP will not adversely affect the public health, safety or welfare of the citizens of Monroe.
- c. The amendments are also consistent with the overall goals and policies of the Comprehensive Plan: see section C-3 of this report for a more in depth review.
- d. The subject amendments are consistent with the Growth Management Act: see Section C-1 of this report for a more in depth review.
- e. A Determination of Non-Significance was issued by the City of Monroe on April 20, 2010: see Section C-4 of this report for more details.

Conclusion: The proposed Capital Facilities Plan and amendments to the City of Monroe Comprehensive Plan are consistent with the amendment criteria of Resolution 2005/06.

### **3. Compliance with the City of Monroe Comprehensive Plan.**

#### Findings:

##### **School District**

- a. The Capital Facilities Element of the Comprehensive Plan incorporates the District's CFP by reference and includes specific goal and policy statements including:
  - i. Goal – To ensure that public facilities necessary to support new development are adequate to serve the development at the time the development is available for occupancy and use based on locally adopted level of service and in accordance with State Law.
  - ii. Goal – To enhance the quality of life in Monroe through plan provision of public capital facilities either directly by the city or via coordination with other public entities.
  - iii. Goal – To ensure that new growth and development pay for a proportionate share of the cost of new facilities needed to serve such

growth and development.

- iv. Policy CFP 15 – The City adopts the Snohomish School District Capital Facilities Plan to enable the district to collect impact mitigation fees. Subsequent updates to the School District’s CFP shall be reviewed and approved by the City Council in order to continue the authorization to collect impact mitigation fees and to provide an opportunity for the District and the City to coordinate discussion of current issues and future planning efforts.
- b. The facilities identified in the District’s CFP are consistent with those identified in the Land Use and Capital Facility Elements of the Comprehensive Plan.

#### **Stormwater Plan**

- a. The Capital Facilities Element of the Comprehensive Plan incorporates the 2009 Stormwater Plan by reference and includes specific goal and policy statements including:
  - i. Goal – To ensure that public facilities necessary to support new development are adequate to serve the development at the time the development is available for occupancy and use based on locally adopted level of service and in accordance with State Law.
  - ii. Goal – To enhance the quality of life in Monroe through plan provision of public capital facilities either directly by the city or via coordination with other public entities.
  - iii. Policy CFP 1 - Develop a capital facilities plan consistent with the provisions of the comprehensive plan for scheduling of community services and facilities.
  - iv. Policy CFP 8 - Monroe’s water, sanitary sewer and stormwater management plans (and future updates and amendments to those plans) are incorporated by reference, as part of this comprehensive plan.
  - v. CFP22 - The following level of service guidelines should be used to evaluate whether existing public facilities are adequate to accommodate the demands of new development:
    - Stormwater Management - Require that new development and redevelopment have adequate stormwater management facilities to meet the Washington State Department of Ecology Stormwater Management Manual for Western Washington, August 2001 or as updated, requirements.

#### **Water System Plan**

- a. The Capital Facilities Element of the Comprehensive Plan incorporates the 2008 Water System Plan by reference and includes specific goal and policy statements including:

- i. Goal – To ensure that public facilities necessary to support new development are adequate to serve the development at the time the development is available for occupancy and use based on locally adopted level of service and in accordance with State Law.
- ii. Goal – To enhance the quality of life in Monroe through plan provision of public capital facilities either directly by the city or via coordination with other public entities.
- iii. Policy CFP 1 - Develop a capital facilities plan consistent with the provisions of the comprehensive plan for scheduling of community services and facilities.
- iv. Policy CFP 8 - Monroe's water, sanitary sewer and stormwater management plans (and future updates and amendments to those plans) are incorporated by reference, as part of this comprehensive plan.
- v. CFP22 - The following level of service guidelines should be used to evaluate whether existing public facilities are adequate to accommodate the demands of new development:
  - Water - Require that new development have adequate water supply for consumption and fire flow. Maintain the current level of service of 800 gallons of domestic storage and demand of 300 gallons per day per ERU. Fire flow per UFC appendix minimum pressure of 20-psi equivalent residential unit.

Conclusion: The proposed Capital Facilities Plan and amendments to the City of Monroe Comprehensive Plan are consistent with the Capital Facilities Plan.

#### **4. Compliance with Monroe Municipal Code (MMC) Chapter 20.04 (State Environmental Policy Act).**

##### Findings:

##### **School District**

- a. Snohomish County Staff conducted environmental review by preparing and issuing an addendum to the 2005 Final Environmental Impact Statement (FEIS) for the Growth Management Act Comprehensive Plan (GMACP) in compliance with the State Environmental Policy Act (SEPA). The recommended amendments are within the scope of analysis contained in the FEIS and associated adopted environmental documents and result in no new significant adverse environmental impacts.

##### **Stormwater Plan**

- a. The City of Monroe is the Lead Agency for SEPA review of the Capital Facilities Plan.
- b. The City of Monroe issued a Determination of Non-Significance (DNS) for this non-



project comprehensive plan amendment on April 20, 2010 (Exhibit #5).

#### **Water System Plan**

- a. The City of Monroe is the Lead Agency for SEPA review of the Capital Facilities Plan.
- b. The City of Monroe issued a Determination of Non-Significance (DNS) for this non-project comprehensive plan amendment on April 20, 2010 (Exhibit #5).

Conclusion: The proposed amendment has met the requirements of SEPA and MMC Chapter 20.04.

#### **5. Compliance with Monroe Municipal Code**

##### Findings:

##### **School District**

- a. The proposed CFP is consistent with Section 20.07.060(2) (Updating of school district plan), which states the CFP may be amended annually if the District finds it necessary to adjust the impact fee.
- b. The proposed CFP is adjusting the existing impact fees to reflect the most current student enrollment counts for the 2008-2013 planning period.

##### **Stormwater Plan**

- a. The proposed CFP is consistent with MMC Chapters 1.04 Enforcement, 6.06 Nuisances, 13.32 Stormwater Management, 13.34 Illicit Discharge Detection and Elimination, 14.01 Flood Hazard Area Regulations, 15.01 Stormwater Management, 15.02 Stormwater Maintenance, 19.01 Shoreline Master Program, 20.05 Critical Areas, and 20.08 Land Clearing and Forest Practices.

##### **Water System Plan**

- a. The proposed CFP is consistent with MMC Chapter 13.04 Water Regulations, Rates and Charges, 13.06 Cross-Connection Control, 13.16 Fire Hydrants and Water Mains, and 13.20 Reimbursement Agreement for Utility Improvements.
- b. The proposed CFP is consistent with the City of Monroe Public Works and Design Construction Manual

Conclusion: The proposed amendments are consistent with Monroe Municipal Code.

#### **D. RECOMMENDATION**

Staff recommends the Planning Commission recommend the City Council **APPROVE** the Snohomish School District Capital Facilities Plan, 2009 Stormwater System Plan, 2008 Water System Plan and amend the highlighted text within the Capital Facilities Element of the Comprehensive Plan as it has been found to be consistent with the Growth Management Act, the Monroe Comprehensive Plan, Monroe Municipal Code and other state, federal and local regulations.

#### **E. EXHIBITS**

1. Capital Facilities Element
2. Snohomish School District Capital Facilities Plan, 2008-2013 (available upon request)
3. 2009 Stormwater Plan (available upon request)
4. 2008 Water Plan (available upon request)
5. SEPA Determinations (available upon request)
6. a) Request for Review to Dept. of Commerce (available upon request)  
b) Acknowledgement Letter from Dept. of Commerce (available upon request)
7. a) Public Hearing Notice (available upon request)  
b) Affidavit for Publication of Public Hearing Notice (available upon request)

# **Capital Facilities Element**

*(Amended 1997-1998, Ordinance 1167)*

*(Amended 2000, Ordinance 1201)*

*(Amended 2003, Ordinance 015/2003)*

*(Amended 2004, Ordinance 029/2004)*

*(Amended 2005, Ordinance 038/2005)*

*(Amended 2006, Ordinance 026/2006)*

*(Amended 2008, Ordinance 036/2008)*



## **Capital Facilities Element**

### **Purpose and Relationship to the Growth Management Act**

The Washington State Growth Management Act (GMA) requires cities to prepare a Capital Facilities Element consisting of:

1. An inventory of current capital facilities owned by public entities showing the location and capacities of those public facilities;
2. A forecast of the future needs for such capital facilities;
3. The proposed locations and capacities of expanded or new capital facilities;
4. At least a six-year plan that will finance capital facilities within the projected funding capacities and clearly identify sources of public money for such purposes; and
5. A requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities element, and finance plan within the capital facilities plan element are coordinated and consistent.

This Capital Facilities Element is concerned with needed improvements in public facilities and services, including potable water, sanitary sewer, stormwater management facilities, parks and recreation, police, fire and emergency medical services and schools that are of relatively large scale, are generally non-recurring high cost, and may require multi-year financing. The list of improvements has been limited to major components in order to analyze development trends and impacts at a level of detail that is both manageable and reasonably accurate.

For the purposes of capital facility planning, capital improvements are major projects, activities, or maintenance, costing over \$20,000.00, requiring the expenditure of public funds over and above annual operating expenses. They have a life expectancy of more than ten years and result in an addition to the city's fixed assets and/or extend the life of the existing capital infrastructure. It does not include capital outlay items such as equipment or the city's rolling stock, nor does it include the capital expenditures of private or non-public organizations. Minor projects, activities, or maintenance costing less than \$20,000.00 are considered minor maintenance and are not a part of capital improvements.

### **Organization of Capital Facilities Element**

This element is presented in five parts:

1. Capital facilities inventories and needs assessment for future projections and their capacities.
2. Level-of-Service Standards for all capital facilities.
2. A discussion of Essential Public Facilities within the City of Monroe.

3. Capital facilities financing sources and amounts. A summary discussion comparing projected capital facilities needs against funding capacity and addressing the requirements in the Growth Management Act that a balance be maintained between needs and funding.
4. Goals, policies, and actions to provide overall direction for capital facilities decisions in accordance with the Growth Management Act.

## Inventories and Needs Projections

### Potable Water

The principal goal of water system planning is to make the best use of available resources in order to provide high quality service and to protect the health of customers. The Monroe Water System Plan is the foundation whereby the city takes a comprehensive look at all of its needs, desires, and statutory requirements and charts a plan of action for achieving those needs, desires, and requirements. The Monroe Water System is required to prepare and submit for approval a Water System Plan at least every six years, pursuant to Washington Administrative Code 246-290-100.

The City of Monroe completed ~~a Draft the six year update by creating the 2008~~ Comprehensive Water System Plan~~, City Council adopted the plan by ordinance in 2009 which will be adopted in early 2006.~~ Ordinance ~~038/2005XXX/2009 then incorporated the draft~~incorporates the plan by reference into the city's Comprehensive Plan~~in 2005~~. The Comprehensive Water System Plan is an appendix to this element and contains an updated inventory and planned potable water capital improvement projects.

### Existing Facilities

~~The City of Monroe water service area boundaries are consistent with the North Snohomish County Coordinated Water System Plan (CWSP) and typically run parallel to section lines and have been established in working with the county and adjacent water purveyors. The general borders of the service area include the Skykomish River on the south, Woods Creek on the east, the City of Everett Pipeline #5 on the north and 163<sup>rd</sup> Street on the west. The service area is shown in Figure 1-1 and the legal description is included in Chapter 10.3 of the City's Water System Plan. The land use within the service areas varies from low density residential (1 house per 10 acres) to high density residential (11 dwelling units per acre) to commercial/industrial use. The higher densities are generally located closer to the core of the city with residential densities decreasing going north. The commercial areas are concentrated in the downtown area, along SR-2 and in the western portion of the service area, south of SR-2.~~

~~The Monroe Water System future service area was developed in 1991 as part of the North Snohomish County Critical Water Supply Service Area planning process and was approved by the Snohomish County Boundary Review Board on September 17, 1990. The future service area is also shown in the North Snohomish County Coordinated Water System Plan.~~



It is the adopted policy of the City of Monroe to provide water service to any property within the water service area boundary. Prior to granting such service the applicant must meet all water department requirements and meet conditions of service. The city currently has two wholesale water customers, the Washington State Department of Corrections Monroe Correctional Complex and the Sky Meadow Water Association. The wholesale rate was determined by a rate study completed in 2003.

The Monroe Water System currently purchases water from the City of Everett. This water is supplied through three connections to the City of Everett's Transmission Main #5, located approximately three miles north of the city. The Everett supply system presently consists of Spada Reservoir, an impounding reservoir located at the source of the supply in the Sultan River Basin; a diversion facility located downstream from Spada Reservoir that diverts the flow in the Sultan River to the Lake Chaplain Equalizing Reservoir; and transmission pipelines extending westward. The City of Everett Water Filtration Plant located on Lake Chaplain provides sand filtration and chlorine disinfection of the drinking water.

#### ***Existing Storage Facilities***

The Monroe Water System existing storage facilities consist of four reservoirs.

- Reservoir #1 Trombley Hill 2 million gallon steel reservoir constructed in 1984.
- Reservoir #2 Ingraham Hill 2 million gallon steel reservoir constructed in 2001.
- Reservoir #3 DOC 750,000 gallon steel reservoir constructed in 1986.
- Reservoir #4 North Hill 1.15 million gallon steel standpipe constructed in 2004. The effective storage volume is 297,781 gallons.

#### ***Existing Transmission Mains***

Three transmission mains connect the Everett pipeline with the distribution system.

- Wagner Hill 14,000 feet of 12-inch main constructed in 1963 also used as a distribution main.
- Chain Lake Road 21,000 feet of 12 and 16-inch main constructed in 1978.
- North Hill 1,700 feet of 12-inch main constructed in 2004.

#### ***Existing Distribution System***

The grid system of the distribution system is primarily 8 and 10-inch pipe with a majority of the pipe looping the system 4-inch and 6-inch mains.

#### ***Neighboring Water Purveyors***

The water service area boundaries for the City of Monroe are consistent with the Snohomish County Coordinated Water System Plan have been established in working with the county and adjacent water purveyors. The following is a brief description of each of those adjacent water purveyors and how they relate to the City of Monroe.

### ***City of Everett:***

The City of Monroe purchases its water from the City of Everett. Monroe has three connections to Everett's Transmission Line No. 5, supplied from Lake Chaplain. This transmission line has a capacity of 50 million gallons per day and, since its construction in 1969, has proven to be a reliable source of supply for the City of Monroe.

### ***Sky Meadows Water Association:***

The Sky Meadows Water Association is a private water association, southwest of Monroe that serves approximately 3,830 acres in the Lords Hill area, and accounts for approximately 8 percent of the water sold. It serves approximately 350 customers and draws water from the Monroe system through a master meter at Frylands Boulevard and West Main Street SE. The 2003 total demand was 62,431,820 gallons or an average daily demand of 171,046 gallons. This is an approximate 25 percent decrease from 1999 consumption due to several large dairies discontinuing operation. The remaining customer base is mostly residential.

### ***Roosevelt Water Association:***

The Roosevelt Water Association is a private water association serving the area northwest of the City of Monroe. It presently has approximately 994 customers serving an area of approximately 2,500 acres. The area is served for the most part by 6 inch waterlines, and is almost entirely residential. The Roosevelt Water Association also purchases its water from the City of Everett. Emergency interties have been informally discussed, but no plans are in place to provide such interties.

### ***Highland Water District:***

The Highland Water District serves the area northeast of the City of Monroe, east of Wagner Lake and north of Old Owen Road. The Highland Water District has approximately 1,200 water service connections. A future intertie and joint use reservoir has been informally discussed in the past; however, due to pressure differences and water main sizing issues this is no longer anticipated.

### ***Marbello Water Association:***

The Marbello Water Association serves approximately 100 customers and is located near the intersection of Chain Lake Road and Brown Road. This association purchases water from the Monroe Water System at out of city residential rates. The 2003 demand was 15,479,112 gallons or an average daily demand of 42,408 gallons. The city is also required to provide standby storage for this water system.

### ***Milwaukee Hill Water Association:***

This small association's water is provided by a well. Located near the intersection of Chain lake Road and North Kelsey Street, the approximately 10 members of this association will probably be absorbed by the Monroe Water System when the property is further developed and sanitary sewer service is requested. A condition of sanitary sewer service is connection to the Monroe Water System.

### ***Current Water Demand***

The 2000 census determined the population of the Monroe Water Service Area to be 16,893, at the same time the population within the City of Monroe was 13,795. However, Monroe does not currently provide water service to all residents of the water service area. Based on the State of



Washington's estimate of 2.91 person per single family household and the number of single family connections outside of the corporate limits of the City of Monroe, the estimated served population was 15,186.

The April 1, 2004, population estimate for the City of Monroe is 15,480 and the estimated served population outside of city is 1,640 for a total served population of 17,120.

### **Projected Land Use**

The City of Monroe adopted its original Comprehensive Land Use Plan in 1994 and significantly revised it in 1998. This Plan was reviewed by the City Planning Commission and Council as part of a comprehensive update and has been followed by the rewriting of the city's Zoning Code and Map. A copy of the land use plan for the Monroe area is shown in figure LU-2 of the Land Use Element. The Land Use Plan is important when sizing major system components such as transmission mains and storage reservoirs to insure sufficient fire flows can be provided.

### **Projected Water Demand and Needs**

The water service area population is expected to increase from 16,893 in 2000 to 27,445 in 2025. During the same time period average daily water consumption is anticipated to increase to 3,624,496 gallons from 1,942,093 gallons. In order to meet these increased system demands a long-term water system capital improvement program has been established. Major items identified within the \$25 million improvement plan include:

- An additional 2.5 million gallon reservoir on Trombley Hill.
- An additional 2.5 million gallon reservoir on Ingraham Hill
- An additional 2.5 million gallon reservoir adjacent to the Department of Corrections.
- Installation of a new 18-inch transmission main from the Everett Pipeline to the Ingraham Hill Reservoirs.
- Replacement of approximately 100,000 feet of aging asbestos-cement pipe.

These improvements will be paid for by a combination of capital improvement fees and water utility rates. The water utility rates are anticipated to increase by approximately 90% by 2011.

Funding is also available from several sources, but the primary local funding source for capital water projects are water rate fees and one-time connection charges. The Comprehensive Water System Plan estimates that if no alternative funding sources are available (e.g., state loans or grants), then the city may be required to fund the improvements from these local revenue sources. This is usually accomplished by issuing revenue bonds that are backed by the revenue generated by the rate fees and connection charges.

### **Stormwater Management Facilities**

The City of Monroe completed the six-year update by creating the 2009 Comprehensive Stormwater System Plan. City Council adopted the plan by ordinance in 2009. Ordinance XXX/2009

incorporates the plan by reference into the city's Comprehensive Plan. The Comprehensive Stormwater System Plan is an appendix to this element.

The 2009 Stormwater System Plan as a stand-alone guiding document that provides a broad overview of the Stormwater Management Utility and identifies how to meet the needs of the City's rate payers while clearly defining the guidelines under which to operate, to meet the requirements of Federal and State law. To accomplish this, the Plan:

- Recommends new programs to achieve regulatory compliance, based on a comprehensive examination of Monroe's current field inventory, policies, programs, and regulatory mechanisms and requirements.
- Identifies and evaluates system deficiencies and develops capital improvements to resolve deficiencies, comply with City requirements, and meet Federal and State law.
- Articulates staffing and costs to construct the capital projects and implement new programs.

~~The City of Monroe's stormwater facilities are a mixture of types. The Downtown core area is served by a combination sanitary/storm sewer system. Newer developed areas use either infiltration systems or discharge to ditches that eventually drain to the Skykomish or Snohomish Rivers. The City adopted a Stormwater Management Ordinance that follows the guidelines of Washington State Department of Ecology (DOE) and requires the use of Best Management Practices. The City is regulating all new stormwater facilities in accordance with the DOE Stormwater Management Manual for Western Washington, August 2001.~~

~~The City of Monroe also adopted a storm water utility in 1996 to finance inspection and maintenance of stormwater management facilities. The stormwater utility went into effect as of March 1997. It provides a supplemental revenue source for stormwater maintenance and drainage improvements throughout the city. The fees collected in 2002 totaled \$488,453, of which \$139,5000 was paid to the collective flood and drainage districts that serve the city, including the French Creek Flood Control District, Drainage District #4 and Drainage District #4A, for operation and maintenance. The remaining funds will be used annually by the city for their own maintenance program, including street sweeping, ditch maintenance, and catch basin cleaning.~~

~~Currently the City owns 51,014 linear feet of storm drainage pipe and 25,513 linear feet of open ditches.~~

~~Additional capital facilities will be constructed as development continues. Developers, through direct construction, mitigation fees, and general revenue, will finance these facilities.~~

### **Wastewater Treatment**

The 2008 Comprehensive Sewer Plan is an appendix to this element and includes an updated inventory and planned wastewater capital improvement projects list. The 2008 Sanitary Sewer System Plan for the City of Monroe addresses the City's comprehensive planning needs for wastewater collection, transmission, treatment, and disposal for a twenty year planning period. Because substantial growth is projected for the Monroe area over the next twenty years, planning for that growth will be essential to properly accommodate new customers within the City and the urban



growth area (UGA). It is also important to evaluate the existing wastewater collection and treatment infrastructure, to determine its capability to serve the projected population and to determine equipment replacement needs for the planning period.

### **Service Area/Existing Facilities**

The City of Monroe has a wastewater collection system service area that spreads throughout the City limits and the City's Urban Growth Area (UGA) of unincorporated Snohomish County. The City of Monroe wastewater treatment plant (WWTP) is located at 522 Sams Street, adjacent to Centennial Park. The City's first WWTP was constructed on this site in the late 1950s and has been extensively expanded and upgraded since that time.

The existing WWTP liquid stream treatment processes include influent screening, grit removal, primary settling, biological treatment in aeration basins, secondary settling, and ultraviolet light disinfection. Primary sludge and waste activated sludge are partially digested in aerated sludge holding tanks. The partially stabilized sludge is then dewatered by a belt filter press. Dewatered sludge is transported to a composting site located on DOC property. The aerated static pile method is used to produce compost that meets the Washington State Department of Ecology's Class "A" pathogen reduction and exceptional quality (EQ) standards (WAC 173-308) for relatively unrestricted use by the public.

The City of Monroe wastewater collection system includes approximately 43 miles of gravity sewer pipes, varying in size from 4-inch-diameter local connections to 24 inch diameter interceptors, and 5.7 miles of force mains. Fourteen of the 21 identified sewer basins in the City and the UGA currently have sewer service. Sewer service may be extended to the other sewer basins as unincorporated UGA areas annex into the City and new development occurs. The sewer system contains nine pump stations owned and operated by the City and several private pump stations. The City's Valley View Pump Station receives sewage from eleven sewer basins and pumps it directly to the wastewater treatment plant through a 12-inch-diameter force main. The remaining three sewer basins with sewers drain to the wastewater treatment plant by gravity. Wastewater is discharged to the City's secondary treatment facility, which has an outfall on the Skykomish River.

### **Historical Background**

Sewers were first installed in 1914 under a series of local improvement districts that discharged directly into the Skykomish River. In 1955, construction of the sanitary sewer system to serve the downtown was completed. This construction included an Imhoff tank to provide primary treatment.

Plans for the Westside system were completed in 1975 to extend service to the Snohomish County Fairgrounds, the State of Washington Department of Corrections Facilities, plus a number of newly developing commercial and residential properties. These plans also included improvements to the treatment facility so it would provide secondary treatment. The improvements also included an influent pump station, aerated grit chamber, side hill screens, rotating biological contactors (RBCs), secondary clarifiers, chlorine contact chambers, and aerobic digesters. Finally, as part of these improvements, the Valley View pump station was also constructed.

In 1980, service was extended to Blueberry Manor, and in 1982 the business/commercial area along SR 2 received sewer service.

In 1995, after nearly 20 years of operation, the treatment plant was expanded and upgraded. These improvements included the addition of primary clarifiers, submerged biological contactors (SBCs), secondary clarifiers, primary aerobic digesters, effluent pump station, and rerouting outfall to a point further downstream. Subsequent to the treatment process modifications, the City installed an odor control collection and air-scrubbing system.

The 1995 treatment plant expansion was designed for a maximum monthly flow of 1.69 million gallons a day (mgd). The February 1999 maximum monthly flow was 1.48 mgd, as noted by the treatment plant.

Phase II treatment plan improvements were completed between March 2001 and March 2003. These improvements included replacement of the effluent pumps, a new in-plant pump station submersible pumps, new anoxic and aeration tankage, new blowers, an ultra-violet disinfection unit, an emergency generator, new palmer read system, a new secondary clarifier (WAS and RAS pumps), belt filter press, odor control modifications, operations building modifications, and related site work.

### **Planning Area**

The planning area includes the City of Monroe Urban Growth Area (UGA) adopted by the City Council and an anticipated service area within the current UGA boundaries. Several factors dictate the need for sewer service in the planning area including: 1) growth along the SR 2 corridor, and 2) existing residential developments that are currently using septic tanks, but may need a sewer collection system. Currently, new sewer service is limited to the City of Monroe corporate limits. The City limits encompass 3,843 acres, and the unincorporated UGA consists of 1,050 acres, for a total of 4,893 acres. The current sewer system serves approximately 89 percent of the residences in the City of Monroe.

### **Projected Demand**

The City of Monroe has experienced moderate population growth since 2000 (an average 2.4 percent annual growth rate), compared to the rapid growth during the 1990s in which the population of Monroe more than tripled. The City has projected 2025 populations for the City and for the UGA based on growth management planning by the Puget Sound Regional Council. The combined annual growth for the City and the UGA from 2005 to 2025 has been projected as 2.21 percent. The existing and projected populations are shown in Table CF-1, including buildout population. Extrapolation of the projected population growth rate indicates that the buildout population could be reached by approximately 2047.

### **Equivalent Residential Unit (ERU) Projections**

Equivalent Residential Units (ERUs) are used to express the amount of water or sewer use by non-residential customers as an equivalent number of residential customers. The *wastewater* ERU value is estimated based on winter water use and an estimate of how much of that water does not enter the sewer system. The *wastewater* ERU is estimated to be 130 gal/day.

**CITY OF MONROE  
PLANNING COMMISSION MINUTES  
May 10, 2010**

The regular meeting of the Monroe Planning Commission was scheduled for May 10, 2010 at 7:00 p.m., in the City Hall Council Chambers at 806 West Main Street, Monroe, WA 98272.

**CALL TO ORDER**

Vice Chairman Philip called the meeting to order at 7:00 p.m.

**ROLL CALL**

Secretary Judy Gribble called the roll. The following were:

Present: Vice Chair Carl Philip, Commissioners James Kamp, John Knettles, Bill Kristiansen, Paul Loots, and Wayne Rodland

Absent: Chairman Demarest

Staff Present: Associate Planner Russ Wright, Assistant Planner Ben Swanson, and Secretary Judy Gribble

**CITIZEN COMMENT**

There were no citizen comments.

**PUBLIC HEARING**

***CPA2010A (North Kelsey Sub-Area Plan) – Associate Planner Russ Wright***

Commissioner Philip opened the public hearing. Planner Wright gave a brief history of this project explaining that it will integrate the north and south halves of the North Kelsey area. The objectives are to refine the boundaries of the planning area and the planned development area; and to do a land use designation change from Industrial to General Commercial. He gave a PowerPoint presentation analyzing the proposal and confirming that the map amendment met all state and city regulations. Staff recommended approval of this Comprehensive Plan Amendment.

Commissioner Philip opened the public testimony portion of the meeting.

**Motion**

Commissioner Loots made a motion to close the public hearing. Commissioner Rodland seconded the motion. By vote the motion passed 6/0.

**Deliberation**

Commissioner Knettles asked Planner Wright that if the Planning Commission did not recommend this comprehensive plan amendment for approval is there another parcel a big box could go on. Planner Wright explained that he has not heard any discussion to place a big box on the southern portion of this property.

**Motion**

Commissioner Loots made a motion to close the public hearing. Commissioner Kamp seconded the motion. By vote the motion passed 6/0.

**Motion**

Commissioner Loots made a motion that the Planning Commission recommend the City Council approve Comprehensive Plan Amendment CPA 2010A, to change the land use designation for the most northern city-owned parcels, in the North Kelsey Planning Area, from Industrial to General Commercial and to refine the North Kelsey Planning Area and Planned Development Area boundaries, as it has been found to be consistent with Resolution 2005/06, Chapter 20.04 MMC and other state, federal and local regulations. Commissioner Kristiansen seconded the motion. By vote the motion passed 5/1.

Commissioner Knettles disagreed with this amendment because there is opposition to a big box store in this area of town. He thinks the property should be rezoned to something other than Commercial that does not permit retail e.g. Professional Office that will accomplish the same kind of development desired for this area.

Commissioner Philip noted that this recommendation will be forwarded to City Council and further public comment both written and oral will be according to City Council procedures.

***CPA2010B (Capital Facilities Element) – Assistant Planner Ben Swanson***

Commissioner Philip opened the public hearing portion of the meeting.

Planner Swanson began by explaining that this comprehensive plan consists of three parts:

1. Stormwater Plan – Adopted by City Council on Sept. 6, 2009
2. Water System Plan – Adopted by City Council on Dec. 27, 2009
3. Snohomish School District Capital Facilities Plan – This is the first step to adopt this document so that Monroe can collect school mitigation fees for the Snohomish School District.

This process is to adopt these documents by reference to the Comprehensive Plan because they are complete separate documents. Director Feilberg was present to answer any questions.

Commissioner Rodland asked if the Snohomish School District fees are the same as Monroe's. Planner Swanson noted that the single family residential fees have a \$100 difference; however, there is a dramatic difference in the multi-family fees.

Commissioner Philip opened the public testimony portion of the meeting.

**Public Testimony**

Karen Washington, 12711 Roosevelt Road, Monroe, Washington

Commissioner Philip offered the affirmation of truth to the witness. Ms. Washington answered affirmatively. Ms. Washington asked about the assessment of school taxes. Planner Swanson replied that the school taxes are assessed according to the school jurisdiction that you live in.

**Motion**

Commissioner Loots made a motion to close the public testimony portion of the hearing. Commissioner Knettles seconded the motion. By vote the motion passed 6/0.

**DRAFT**

**Motion**

Commissioner Loots made a motion to close the public hearing. Commissioner Kristiansen seconded the motion. By vote the motion passed 6/0.

**Motion**

Commissioner Knettles made a motion that the Planning Commission recommend the City Council approve the Snohomish School District Capital Facilities Plan, 2009 Stormwater System Plan, 2008 Water System Plan and amend the highlighted text within the Capital Facilities Element of the Comprehensive Plan as it has been found to be consistent with the Growth Management Act, the Monroe Comprehensive Plan, Monroe Municipal Code and other state, federal and local regulations. Commissioner Loots seconded the motion. By vote the motion passed 6/0.

Commissioner Philip noted that this recommendation will be forwarded to City Council and further public comment both written and oral will be according to City Council procedures.

***ZCA2010-01 (School Impact Mitigation Fees) – Assistant Planner Ben Swanson***

Commissioner Philip opened the public hearing. Planner Swanson stated that this zoning code amendment is directly related to the earlier comprehensive plan amendment CPA2010B. Once the CPA2010B is incorporated into the Comprehensive Plan the zoning code amendment is necessary for implementation. The changes to the verbiage are minor.

Commissioner Philip opened the public testimony portion of the meeting.

**Motion**

Commissioner Kamp made a motion to close the public testimony portion of the hearing. Commissioner Rodland seconded the motion. By vote the motion passed 6/0.

**Motion**

Commissioner Knettles made a motion to close the public hearing. Commissioner Kristiansen seconded the motion. By vote the motion passed 6/0.

**Motion**

Commissioner Loots made a motion that the Planning Commission recommend City Council approve ZCA2010-01 as proposed as it is consistent with the Growth Management Act, Chapter 20.04 MMC, and other state, federal, and location regulations. Commissioner Knettles seconded the motion. By vote the motion passed 6/0.

Commissioner Philip noted that this recommendation will be forwarded to City Council and further public comment both written and oral will be according to City Council procedures.

**WORKSHOP**

***RZ2010-02 (Introduction North Kelsey Rezone) – Associate Planner Russ Wright***

Planner Wright explained that this rezone is necessary to implement comprehensive plan amendment (CPA2010A) for the North Kelsey change if adopted by City Council. The proposed rezone changes the land use designation for the northern portion from General Industrial to

General Commercial. Staff recommends Planning Commission schedule a public hearing for June 28.

Commissioner Philip invited the public to comment on this workshop item. There was no public comment.

Commissioner Knettles asked if there is any other activity in this area at the moment. Planner Wright said there is the purchase and sale agreement with a site plan expected back to City Council within 30 days. There is also some interest on one of the parcels in the southern half with no agreement.

Commissioner Knettles read the North Kelsey Subarea Plan and noted it is amazing how far away the city is from this plan. He invited the other Planning Commissioners to re-read the plan to see how far away the city is. Planner Wright noted that City Council still shares the vision of a common open space, smaller retail shops, and seeing the two halves integrated; however, there are obvious economic constraints right now.

Commissioner Kristiansen commented that he has been going to City Council meetings and said they have a lot of mixed feelings regarding this development; however, they still want a main street and common public area; however, because of funding they are looking at all options.

Commissioner Philip confirmed the public hearing will be on June 28.

***WS#2 - CPA2010C (Roosevelt Road Map Change) – Associate Planner Russ Wright***

Planner Wright explained this is the second workshop for the proposed land use designation change from R2-5 dwelling units per acre to R5-7 reflecting the 71 acres along Roosevelt Road. The proposed change is a potential reasonable measure and will allow possible zoning options within the city.

As a follow-up to the Planning Commission request for more information on the impacts to the city's infrastructure regarding this change, Planner Wright noted the following:

- Water system can meet projected population by 2025; however, system does need some upgrades e.g. additional reservoir capacity;
- Stormwater system needs upgrades;
- Wastewater-system has a large build-out capacity for up to 43,248 residents;
- Park System impacts are paid as mitigation for any new development;
- School Districts - Monroe and Snohomish impact fees will be collected as the area develops.
- Roosevelt Map Change projections have changed since last review - there is a potential of increasing this area by 52 units (142 additional people) over the existing zoning.
- Traffic impacts – At the intersection of Frylands, Roosevelt Road and US2 it was determined that the level of service (LOS) currently does not meet LOS-D during PM trips. The Transportation Plan does not have any specific improvements listed for this intersection. The constraints include the Burlington Northern Railroad and US2; both of



the rights of way are controlled by other agencies that have their own controls and protocols.

Commissioner Loots asked if a developer will have to address traffic issues at Roosevelt Rd and SR 2. Planner Wright explained that at the time of development; there will be a determination regarding the type of improvements that will need to be completed.

Commissioner Knettles asked about traffic mitigation fees and if they have to be spent in the area where collected. Planner Wright explained that the city has adopted a Transportation Plan and in that plan there are priority projects that are reviewed and adopted annually. The money could be spent in that area; however, it may be spent in another area.

Commissioner Loots noted that the letter from Engineer Inahara recommended not to develop this area because the traffic load would be raised and the level of service lowered.

Commissioner Kristiansen asked if the trip generation study took into account the higher levels of traffic on Friday afternoon. Planner Wright explained the study is based on traffic data from a trip generation reference manual and he does not know the variables. Commissioner Rodland noted that the last traffic study in Monroe indicated that 90% of the traffic was pass through.

Commissioner Knettles said his recommendation would be the same for both comprehensive plan amendments; he is against any increase in traffic to the areas. The only feasible mitigation is the bypass project.

Commissioner Loots commented that the city has no control over development in the county further up the road.

Commissioner Kamp asked if there is anything that the city can do for this intersection at Roosevelt and US2. Planner Wright explained the city has not identified any plans to change that intersection.

#### **Public Comment**

Jim Campbell, 12621 Roosevelt Road, Snohomish, WA

Mr. Campbell has lived at this address for 35 years. He commented on lot sizes and traffic issues on Roosevelt Road. Mr. Campbell invited Planning Commissioners to come out and sit on his porch to watch the traffic on Friday afternoons and during the Fair. The only solution he sees is a bypass to which he asked, "who will pay for that?"

Mr. Campbell noted that the Monroe Engineering Department recommended against this. When there is an accident or flooding on US2, Roosevelt Road then becomes US2. He is against this change.

Karen Washington 12711 Roosevelt Road, Monroe, Washington

Ms. Washington invited the city to get more accurate information on traffic especially when the fair is in full swing before any decision is made. She feels that the only thing the city wants to do is increase property taxes. She explained that out of 71 acres, that potentially only 50 acres

can be developed because of wetland issues. Ms. Washington stated this change does not have to be done this year we have until 2025. She would like to see this tabled for a couple of years.

Planner Wright explained that this is coming to public hearing on May 24.

Commissioner Knettles asked Ms. Washington if a developer knocked on her door today would she want to develop even with all of the traffic issues. Ms. Washington said no she would like to address it when it happens. There are several issues that the developer will have to address e.g. water, sewer, etc.

Commissioner Knettles commented that Roosevelt Road is the de facto US2 bypass now.

Ms. Washington asked if they have any say in how the area develops in the county in the future. Planner Wright replied that the city and homeowners can comment when the county provides notification through some sort of outreach, e.g. posting site, mailing, etc. requesting comments on land use actions.

Mr. Campbell explained that there are already two developments nearby in the county; the traffic on Roosevelt Road is going to continue to get worse.

Commissioner Philip commented that the city has a burden through the Growth Management Act to reasonably increase density; however, when the state has control of the intersection, the city doesn't have the ability to provide solutions. He also explained that notification for land use actions through the county is sent to home owners within a certain radius of the land action.

Commissioner Philip noted that the Planning Commission public hearing will be on May 24.

***WS#2 – CPA2010D (Roosevelt Ridge Map Change) - Associate Planner Russ Wright***

Planner Wright explained that this proposal is on the north side of the US2 bypass with the primary access along 179<sup>th</sup> off of US2. The goal is to re-designate 137 acres that is currently R4-6 dwelling units per acre in the county. The city has pre-zoned this area R2-5 dwelling units per acre. The city's proposal is to make the designation as consistent as possible with the county's designation. Planner Wright explained that this would help to identify zoning options.

In looking at density assumptions, Planner Wright commented, the difference in the number of dwelling units between the two proposed city designations is 244. He then noted that even though the county has a larger lot size designation, there would be a higher unit yield and population under current county zoning predicated on sewer availability.

Planner Wright explained that the Planning Commission had asked him to look at current development in the area and he identified six projects. The residents in the area asked the city why it is re-designating this area when there is current development going on. One option the Planning Commission has, Planner Wright explained, is to shrink this area and consider those properties, not being developed.

As follow-up to the Planning Commission request for more information on the impacts to the city's infrastructure regarding this change, Planner Wright noted the following:

- The utilities, water, sewer, stormwater, parks, school districts have the same impacts as mentioned for Roosevelt Road.
- Traffic impacts – At the intersection of 179<sup>th</sup>, Robinhood Lane at that point, is a collector and US2 the arterial. The LOS is D and during PM trips is performing at LOS-C. The county's numbers show a reduction in trips because currently sewer is not available therefore, the density is not be attainable. The city has more of an opportunity for improving and maintaining the LOS at the 179<sup>th</sup>/US2 intersection than at the Roosevelt Road/US2 intersection because it is not as developed. Currently, there are no plans for improvement of this intersection in the Transportation Plan.

Commissioner Knettles noted that not all issues are captured by the traffic study numbers and that other issues need to be considered e.g. wear and tear on road by continual traffic all day long, the need for police and fire response. This is not just a look at AM/PM trips, he explained.

Commissioner Philip noted that the Planning Commission public hearing will take place on May 24.

Karen Washington, 12711 Roosevelt Road, Snohomish, Washington

Ms. Washington said that the assumption so far has been that all traffic is flowing south to US2. However, if traffic chooses to go north, then the traffic ends up on Roosevelt Road which again adds to their traffic issues.

Planner Wright asked if there is any feedback on the boundaries of this area. Commissioner Philip feels the boundaries are fine as they stand. It is appropriate to look at the entire area to consider all the impacts.

#### **DISCUSSION BY COMMISSIONERS AND STAFF**

Planner Wright is going to City Council tomorrow night to give a general land use update that will describe all projects that are currently being worked on. He will then bring back feedback as to how the Planning Commission will be moving forward for the rest of the year.

#### **ADJOURNMENT**

##### **Motion**

Commissioner Loots made a motion that the May 10, 2010 Planning Commission meeting be adjourned. Commissioner Knettles seconded the motion. By vote the motion carried unanimously. The meeting was adjourned at 8:17 p.m.

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Carl Philip  
Planning Commission Vice Chair

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Judy Gribble  
Planning Commission Secretary

**STAFF REPORT AND RECOMMENDATION (Exhibit 1)**  
**Comprehensive Plan Amendment**  
**CPA 2010C – Roosevelt Road**

**TO:** City Of Monroe Planning Commission  
**FROM:** Russ Wright, Associate Planner  
**SUBJECT:** Map Amendment to Change the Land Use Designation for Approximately 71 Acres, from R 2-5 Dwelling Units per Acre to R 5-7 Dwelling Units per Acre  
**HEARING DATE:** May 24, 2010

**A. PURPOSE & BACKGROUND:**

The 2007 *Snohomish County Buildable Lands Report* (BLR) predicts a residential capacity deficiency for the city of Monroe and the unincorporated Monroe Urban Growth Area (UGA). By 2025, the BLR report projects that the Monroe UGA will have a 2,519-person shortfall in residential capacity. The Growth Management Act (GMA), RCW 36.70A.215 directs jurisdictions facing deficiencies to develop “reasonable measures.” Reasonable measures are steps that a jurisdiction can take to reduce the projected deficiency.

Under a Grant from the Department of Trade and Economic Development, now the Department of Commerce, the city of Monroe and Snohomish County evaluated reasonable measures to address the identified residential shortfall. The city of Monroe identified a number of reasonable measures modeled after the “Reasonable Measures List” found in the *Snohomish County Tomorrow Countywide Planning Policies* (2007).

The city requests a comprehensive plan map amendment (Exhibit 2), CPA2010C (Roosevelt Road Map Change) to change the land use designation for approximately 71 acres, near Roosevelt Road, from R 2-5 dwelling units per acre to R 5-7 dwelling units per acre. If approved, the city will implement the change through a rezone to UR6000. The proposed amendment would allow approximately an additional 50 dwelling units to the area (total estimated dwelling units equals 156 or and additional 450 people).

If adopted, the new land use designation and subsequent zoning would provide the possibility for allowing different housing stock. This is important because in the northern end of the city most zones have larger, suburban minimum lot sizes. If adopted, this zone would create medium density lot sizes.

Staff has held pre-docket workshop, a docketing public hearing, and two project workshops with the Planning Commission and provided analysis of potential impacts from the proposed amendment (Exhibits 3a, 3b, and 3c).

**B. FINDINGS AND CONCLUSIONS**

**1. Compliance with Resolution 2005/06 – Procedures and criteria for amending the Comprehensive Plan.**

(1) *Each amendment:*

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

**Findings:**

- Future development in the Roosevelt Road area would require the extension of city services e.g., water and sewer at the time of development, traffic improvements, and the payment of utility fees and mitigation fees for school, parks, traffic, and stormwater.

*b. Shall be consistent with the overall goals and intent of the Comprehensive Plan.*

**Findings:**

- Staff has listed several applicable goals and policies from the Land Use, Housing, and Economic Development elements from the current Monroe Comprehensive Plan.

Land Use Goals

- LUG1 - To pursue well managed, orderly expansion of the City and actively influence the character of the City by managing land use change and by developing City regulations, facilities and services in a manner that directs and controls land use patterns and intensities.
- LUG-3 - Accommodate the city's expected growth in a way that enhances its character, quality of life and economic vitality.
- LUG-5 - Promote the small-town atmosphere of the City by providing that new residential development must be compatible with the present housing stock, yet provide for a broad range of housing types and densities.
- LUG-7 - Encourage development both within and outside the corporate limits of Monroe to be consistent with the goals and policies of the Comprehensive Plan.

Housing Goals

- HO-G1 - Promote a variety of residential densities and housing types to encourage an adequate choice of attractive living accommodations to persons desiring to reside in Monroe.
- HO-G5 - Encourage the maintenance and creation of healthy residential neighborhoods as well as the revitalization of those that are declining.

Economic Development Goals

- Promote a strong, diversified, and sustainable local and regional economy, respecting the natural environment and preserving or enhancing the quality of life in the community.
- Encourage economic development activities, which take into consideration the capacities of the area's natural resources, public services, and facilities.

*c. Shall be in compliance with the Growth Management Act and other State and Federal laws.*

**Findings:**

- RCW 36.70A.215 directs jurisdictions facing deficiencies to develop "reasonable measures" to reduce projected deficiencies.
- The city identified several reasonable measures modeled after the "Reasonable Measures List" found in the *Snohomish County Tomorrow Countywide Planning Policies* (2007).
- The GMA requires Land Use Elements designate the proposed general distribution, general location and extent of the uses of land. The proposed map amendment includes the location and type of uses that will be encouraged in the subject area.
- Staff sent Notification for a 60-Day Review of Comprehensive Plan Amendment to the Department of Commerce on April 20, 2010 (Exhibit 4a).
- The Department of Commerce emailed a Letter of Acknowledgement on April 20, 2010 with material ID # 15588 (Exhibit 4b).

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

**Findings:**

- As noted, the city is addressing the predicted population shortfall through targeted density increases.
- The city is also considering changing the land use designations of other areas in the city and UGA to increase residential density, notably CPA 2008B, CPA 2008C, CPA2010D, and CPA2010-01.
- The city has implemented some reasonable measures, namely the Downtown Plan that will help reduce the deficit.
- The effects of two of the plan amendments (e.g., CPA 2008 B & C) are unknown, as the land uses and boundaries were not set at the time of analysis.
- This year's docket offers several alternate or additional reasonable measures.

**Conclusions:**

- The proposed amendment is consistent with the mandatory review criteria outlined in Subsection (1) above. In general, the potential population from the proposed land use falls within the anticipated population range for public services at build-out, with the exception of traffic. The requested amendment will not adversely affect public health, safety, or welfare as mitigated at the time of development.
- At the time of development, project proponents will need to extend services and mitigate potential impacts to housing, schools, utilities, parks, and transportation.
- At the time of development, the city will analyze additional impacts for compliance with the Comprehensive Plan, Monroe Municipal Code, and SEPA.
- The proposed rezone is consistent with the Monroe Comprehensive Plan.
- The proposal has met the Growth Management Act requirements.
- The Planning Commission can judge each comprehensive plan amendment cumulatively and individually then decide which proposal best addresses the BLR residential deficit.

*(2) In addition to the above mandatory requirements, any proposed amendment must meet the following criteria unless compelling reasons justify its adoption without meeting them:*

- a. 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.*
- See narrative in Section A and response to Subsection B-1(1)d.
- b. Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts.*

**Findings:**

- The environmental checklist and other application materials note the potential environmental impacts.
- There are inventoried critical areas including wetlands and streams in the area.
- Chapter 20.05 of the MMC addresses protection measures for identified critical areas.

- The defined Level of Service transportation at the primary intersection of US-2 and Roosevelt Road is Level D. The city's Transportation Plan notes that the intersection functions at Level E during PM peak hours.
  - No capital improvements for the intersection of US-2 and Roosevelt Road were identified in the transportation plan.
  - The proposed amendment could add approximately 500 additional average weekday trips, 40 AM trips, and 50 PM trips.
- c. *Is consistent with the land uses and growth projections that were the basis of the Comprehensive Plan and/or subsequent updates to growth allocations.*

**Findings:**

- The city has cited the need to resolve a residential capacity shortfall identified in the 2007 Snohomish County BLR. This proposal may help rectify projected growth allocations.
  - If approved, the city will implement the change through a rezone to UR6000.
  - The proposed amendment would allow approximately an additional 50 dwelling units to the area.
- d. *Is compatible with neighboring land uses and surrounding neighborhoods, if applicable.*

**Findings:**

- The land use designation for the area is single-family residential.
  - The existing parcels in the Roosevelt Road area consist of large, undeveloped single-family lots.
- e. *Is consistent with other plan elements and the overall intent of the Comprehensive Plan.*
- See response to Subsection B-1(1)b.

**Conclusions:**

- The proposed change is compatible with neighboring land uses and surrounding neighborhoods. As the area is largely undeveloped, any future subdivision of land will have similar impacts on the existing infrastructure, traffic, and general environment on surrounding neighborhoods.
- The amendment is consistent with the criteria listed in Subsection (2). The proposed amendment specifically addresses changing circumstances of the city to accommodate increased residential density.
- The city's Managing Engineer predicts that the volume for AM and PM Peak queues may exceed the intersection capacity and likely negatively affect the adopted level of service.
- Future project actions will need to identify practical alternatives to mitigate potential traffic impacts at the intersection of US-2 and Roosevelt Road to maintain the current level of service.

**2. Compliance with Monroe Municipal Code (MMC) Chapter 20.04 (State Environmental Policy Act).**

**Findings:**

- City staff submitted an environmental checklist with the subject application addressing potential environmental impacts associated with the approval of the proposed application (Exhibit 2b).
- The city of Monroe SEPA Official issued a Determination of Non-Significance (DNS) for this proposal on April 20, 2010 (Exhibit 5). The comment/appeal period has expired – the city received no comments or appeals.

- As the applicant proceeds with the actual site development, the city will require site-specific SEPA review.

**Conclusions:** The proposed amendment has met the requirements of SEPA Chapter 20.04 MMC and Chapter 197-11 WAC.

**C. RECOMMENDATION**

Forward a recommendation to the City Council to **APPROVE** Comprehensive Plan Amendment CPA 2010C, to change the land use designation for from R 2-5 Dwelling Units per Acre to R 5-7 Dwelling Units per Acre, as it has been found to be consistent with Resolution 2005/06; Chapter 20.04 MMC; and other state, federal and local regulations.

**D. EXHIBITS** (Exhibits are on file & available upon request or available at [http://www.ci.monroe.wa.us/citygov/depts/community\\_development/planning/codeamend/codeamend.php](http://www.ci.monroe.wa.us/citygov/depts/community_development/planning/codeamend/codeamend.php)).

1. Staff Report
2. Application
  - a) Legal Descriptions
  - b) Environmental Checklist
  - c) Map of Proposed Boundaries and Comprehensive Plan Designations
3. Workshops
  - a) Pre-Docket Review
  - b) February 8, 2010 Staff Memo
  - c) May 10, 2010 Staff Memo
4. Dept of Commerce
  - a) Notification for a 60-Day Review
  - b) Letter of Acknowledgement
5. SEPA Determination
6. Public Notice
  - a) Affidavit of Mailing
  - b) Affidavit of Posting
  - c) Proof of Publication



**STAFF REPORT AND RECOMMENDATION (Exhibit 1)**  
**Comprehensive Plan Amendment**  
**CPA 2010D– Roosevelt Ridge**

**TO:** City Of Monroe Planning Commission  
**FROM:** Russ Wright, Associate Planner  
**SUBJECT:** Map Amendment to Change the Land Use Designation for Approximately 71 Acres, from R 2-5 Dwelling Units per Acre to R 5-7 Dwelling Units per Acre  
**HEARING DATE:** May 24, 2010

**A. PURPOSE & BACKGROUND:**

The 2007 *Snohomish County Buildable Lands Report* (BLR) predicts a residential capacity deficiency for the city of Monroe and the unincorporated Monroe Urban Growth Area (UGA). By 2025, the BLR report projects that the Monroe UGA will have a 2,519-person shortfall in residential capacity. The Growth Management Act (GMA), RCW 36.70A.215 directs jurisdictions facing deficiencies to develop “reasonable measures.” Reasonable measures are steps that a jurisdiction can take to reduce the projected deficiency.

Under a Grant from the Department of Trade and Economic Development, now the Department of Commerce, the city of Monroe and Snohomish County evaluated reasonable measures to address the identified residential shortfall. The city of Monroe identified a number of reasonable measures modeled after the “Reasonable Measures List” found in the *Snohomish County Tomorrow Countywide Planning Policies* (2007). In this study, city and county staff recommended that the city of Monroe consider the adoption of a pre-designation similar to the existing county designation, for this area.

Following this recommendation, the City Council docketed CPA2010D (Roosevelt Ridge Map Change) (Exhibit 2), to consider changing the city’s pre-designation for approximately 131 acres, near Roosevelt Ridge, from R 2-5 dwelling units per acre to R 5-7 dwelling units per acre. The city’s pre-designation for most of the northern unincorporated UGA would allow between 2 - 5 dwelling units per acre; whereas, the existing Snohomish County land use designation is R 4-6 dwelling units per acre with a zoning of R-7200. The proposed land use designation of R 5-7 dwelling units per acre is roughly equivalent to the current Snohomish County residential designation.

If approved, the city will implement the change through a rezone to UR6000. This zone allows medium density lot sizes. The proposed amendment would allow approximately an additional 240 dwelling units in the area. Using the UR6000 zoning designation, staff estimates the maximum number of potential houses will be approximately 640 units or and additional 1850 people.

Staff has held pre-docket workshop, a docketing public hearing, and two project workshops with the Planning Commission and provided analysis of potential impacts from the proposed amendment (Exhibits 3a, 3b, and 3c).

**B. FINDINGS AND CONCLUSIONS**

**1. Compliance with Resolution 2005/06 – Procedures and criteria for amending the Comprehensive Plan.**

(1) *Each amendment:*

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

**Findings:**

- Future development in the Roosevelt Ridge area would require the extension of sewer services at the time of development, traffic improvements, and the payment of utility fees and mitigation fees for school, parks, traffic, and stormwater.
- Water is provided by the Roosevelt Water Association.

*b. Shall be consistent with the overall goals and intent of the Comprehensive Plan.*

**Findings:**

- Staff has listed several applicable goals and policies from the Land Use, Housing, and Economic Development elements from the current Monroe Comprehensive Plan.

Land Use Goals

- LUG1 - To pursue well managed, orderly expansion of the City and actively influence the character of the City by managing land use change and by developing City regulations, facilities and services in a manner that directs and controls land use patterns and intensities.
- LUG-3 - Accommodate the city's expected growth in a way that enhances its character, quality of life and economic vitality.
- LUG-5 - Promote the small-town atmosphere of the City by providing that new residential development must be compatible with the present housing stock, yet provide for a broad range of housing types and densities.
- LUG-7 - Encourage development both within and outside the corporate limits of Monroe to be consistent with the goals and policies of the Comprehensive Plan.

Housing Goals

- HO-G1 - Promote a variety of residential densities and housing types to encourage an adequate choice of attractive living accommodations to persons desiring to reside in Monroe.
- HO-G5 - Encourage the maintenance and creation of healthy residential neighborhoods as well as the revitalization of those that are declining.

Economic Development Goals

- Promote a strong, diversified, and sustainable local and regional economy, respecting the natural environment and preserving or enhancing the quality of life in the community.
- Encourage economic development activities, which take into consideration the capacities of the area's natural resources, public services, and facilities.

*c. Shall be in compliance with the Growth Management Act and other State and Federal laws.*

**Findings:**

- RCW 36.70A.215 directs jurisdictions facing deficiencies to develop "reasonable measures" to reduce projected deficiencies.
- The city identified several reasonable measures modeled after the "Reasonable Measures List" found in the *Snohomish County Tomorrow Countywide Planning Policies* (2007).
- The GMA requires Land Use Elements designate the proposed general distribution, general location and extent of the uses of land. The proposed map amendment includes the location and type of uses that will be encouraged in the subject area.
- Staff sent Notification for a 60-Day Review of Comprehensive Plan Amendment to the Department of Commerce on April 20, 2010 (Exhibit 4a).
- The Department of Commerce emailed a Letter of Acknowledgement on April 20, 2010 with material ID # 15589 (Exhibit 4b).

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

**Findings:**

- As noted, the city is addressing the predicted population shortfall through targeted density increases.
- The city is also considering changing the land use designations of other areas in the city and UGA to increase residential density, notably CPA 2008B, CPA 2008C, CPA2010C, and CPA2010-01.
- The city has implemented some reasonable measures, namely the Downtown Plan that will help reduce the deficit.
- The effects of two of the plan amendments (e.g., CPA 2008 B & C) are unknown, as the land uses and boundaries were not set at the time of analysis.
- This year's docket offers several alternate or additional reasonable measures.

#### **Conclusions:**

- The proposed amendment is consistent with the mandatory review criteria outlined in Subsection (1) above. In general, the potential population from the proposed land use falls within the anticipated population range for public services at build-out. The requested amendment will not adversely affect public health, safety, or welfare as mitigated at the time of development.
  - At the time of development, project proponents will need to extend necessary services and mitigate potential impacts to housing, schools, utilities, parks, and transportation.
  - At the time of development, the city will analyze additional impacts for compliance with the Comprehensive Plan, Monroe Municipal Code, and SEPA.
  - The proposed rezone is consistent with the Monroe Comprehensive Plan.
  - The proposal has met the Growth Management Act requirements.
  - The Planning Commission can judge each comprehensive plan amendment cumulatively and individually then decide which proposal best addresses the BLR residential deficit.
- (2) *In addition to the above mandatory requirements, any proposed amendment must meet the following criteria unless compelling reasons justify its adoption without meeting them:*
- a. *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.*
  - See narrative in Section A and response to Subsection B-1(1)d.
  - b. *Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts.*

#### **Findings:**

- The environmental checklist and other application materials note the potential environmental impacts.
- There are inventoried critical areas including wetlands and streams in the area.
- Chapter 20.05 of the MMC addresses protection measures for identified critical areas that would be in effect at the time of annexation.
- The defined Level of Service transportation at the primary intersection of US-2 and 179th is Level D. The city's Transportation Plan notes that the intersection functions at Level C during PM peak hours.
- No capital improvements for the intersection of US-2 and 179th were identified in the transportation plan.
- The proposed amendment could add approximately 2300 additional average weekday trips, 180 AM trips, and 245 PM trips.

c. *Is consistent with the land uses and growth projections that were the basis of the Comprehensive Plan and/or subsequent updates to growth allocations.*

**Findings:**

- The city has cited the need to resolve a residential capacity shortfall identified in the 2007 Snohomish County BLR. This proposal may help rectify projected growth allocations.
- If approved, the city will implement the change through a rezone to UR6000.
- The proposed amendment would allow approximately an additional 240 dwelling units to the area.

d. *Is compatible with neighboring land uses and surrounding neighborhoods, if applicable.*

**Findings:**

- The land use designation for the area is single-family residential.
- The existing parcels in the Roosevelt Ridge area consist of large, undeveloped single-family lots.

e. *Is consistent with other plan elements and the overall intent of the Comprehensive Plan.*

- See response to Subsection B-1(1)b.

**Conclusions:**

- The proposed change is compatible with neighboring land uses and surrounding neighborhoods. As the area is largely undeveloped, any future subdivision of land will have similar impacts on the existing infrastructure, traffic, and general environment on surrounding neighborhoods.
- The amendment is consistent with the criteria listed in Subsection (2). The proposed amendment specifically addresses changing circumstances of the city to accommodate increased residential density.
- The city's Managing Engineer predicts that the volume for AM and PM Peak queues may exceed the intersection capacity and may negatively affect the adopted level of service.
- Future project actions will need to identify practical alternatives to mitigate potential traffic impacts at the intersection of US-2 and 179th to maintain the current level of service.

**2. Compliance with Monroe Municipal Code (MMC) Chapter 20.04 (State Environmental Policy Act).**

**Findings:**

- City staff submitted an environmental checklist with the subject application addressing potential environmental impacts associated with the approval of the proposed application (Exhibit 2b).
- The city of Monroe SEPA Official issued a Determination of Non-Significance (DNS) for this proposal on April 20, 2010 (Exhibit 5). The comment/appeal period has expired – the city received no comments or appeals.
- As the applicant proceeds with the actual site development, the city will require site-specific SEPA review.

**Conclusions:** The proposed amendment has met the requirements of SEPA Chapter 20.04 MMC and Chapter 197-11 WAC.

**C. RECOMMENDATION**

Forward a recommendation to the City Council to **APPROVE** Comprehensive Plan Amendment CPA 2010C, to change the land use designation for from R 2-5 Dwelling Units per Acre to R 5-7 Dwelling Units per Acre, as it has been found to be consistent with Resolution 2005/06; Chapter 20.04 MMC; and other state, federal and local regulations.

**D. EXHIBITS** (Exhibits are on file & available upon request or available at [http://www.ci.monroe.wa.us/citygov/depts/community\\_development/planning/codeamend/codeamend.php](http://www.ci.monroe.wa.us/citygov/depts/community_development/planning/codeamend/codeamend.php)).

1. Staff Report
2. Application
  - a) Legal Descriptions
  - b) Environmental Checklist
  - c) Map of Proposed Boundaries and Comprehensive Plan Designations
3. Workshops
  - a) Pre-Docket Review
  - b) February 8, 2010 Staff Memo
  - c) May 10, 2010 Staff Memo
4. Dept of Commerce
  - a) Notification for a 60-Day Review
  - b) Letter of Acknowledgement
5. SEPA Determination
6. Public Comment
  - a) 5/11/2010 email from Jeff Treiber with Monroe Land Investment, LLC
  - b) 5/10/2010 letter from Larry Adamson with Snohomish County PDS
7. Public Notice
  - a) Affidavit of Mailing
  - b) Affidavit of Posting
  - c) Proof of Publication

Attachment 7 – Draft 5/24/2010 Planning Commission Minutes will be available prior to the Council Study Session.

# Memo

Agenda Item

SS #3

Date 6/8/10

To: Mayor Zimmerman & Monroe City Council  
From: Russ Wright, Associate Planner *REV*  
Date: June 08, 2010  
Re: Land Use Status Update

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## **SUMMARY**

Following the May 11, 2008 Council workshop related to long-range planning projects, staff wanted to follow-up with Council to ensure that staff prioritized the long-range projects correctly through the end of 2010. Furthermore, staff wanted to know if Council is considering any comprehensive plan changes or zoning code amendments for 2011. Typically, Council develops the long-range schedule for the following year by the end of July.

At the May 11, 2008 meeting, staff relayed that the 2010 Docket is on schedule and estimates completion by mid-summer. Council agreed that staff should complete the West Main Street project in 2010 including the rezone and zoning regulations. Upon completion of this project, staff will focus on the Chain Lake Road corridor and update to the North Area Plan update in 2011. Council also agreed with the timing to complete the rezones and zoning regulations under review. Council concurred with staff's recommendation to begin a SEPA Chapter update in the latter part of the year. Council noted their priorities for annexations including completing the proposed 2010 schedule, except for the East Monroe (Future Annexation Area 4). Staff recommended that Council hold off on this annexation because the parcel crosses jurisdictional boundaries, is composed of future right-of-way, and legal questions would need to be addressed before proceeding. Council expressed an interest in moving forward with the annexation of Roosevelt Ridge (Future Annexation Area 6) in 2011. Specific descriptions and timelines follow below.

I have also attached the staff report and draft code amendments for ZCA2010-01 – the update to Chapter 20.07 the School Impact Mitigation Fee Program.

## **COMPREHENSIVE PLAN**

### **2010 Comprehensive Plan amendments**

CPA2010A – North Kelsey, CPA2010B – Capital Facilities, CPA2010C – Roosevelt Road, and CPA 2010D – Roosevelt Ridge have all had public hearings, introductions with Council, and are scheduled for action on July 06, 2010.

CPA2010-01 – Hager/Welcome Map Change is on hold pending the submittal of additional information by the applicant. Staff anticipates completing review of this proposal by the end of the year.

### **2008 Comprehensive Plan amendments**

CPA2008B – West Main Street (Land Use Analysis) is scheduled for a public workshop on June 14, 2010. The consultant team will follow up with the Planning Commission to help define boundaries and land use designations. Staff started environmental review and anticipates taking the proposed amendment to public hearing in late

summer. Staff proposes to submit a rezone application (RZ2010-04) mid to late summer to implement CPA2008B following the completion of draft policies for the comprehensive plan amendment and proposes to draft zoning regulations and design standards concurrently for the area.

CPA2008C – North Area Community Plan is on-hold pending completion of the West Main Street project. Staff intends to focus on this project in 2011. As the magnitude of this project is larger in scale than the West Main Street project and potential impacts are greater, staff anticipates that Council will need to consider a budget for the project for professional services including a market analysis, traffic studies, and updates to the critical areas inventory along the corridor.

## **REZONES**

RZ2010-01 – Panattoni rezone – The Planning Commission held a public hearing on May 24, 2010 and recommended the City Council approve the application. Staff held an introductory workshop with Council on June 01, 2010. Council directed staff to draft an adopting ordinance, which is set for action on June 15, 2010.

RZ2010-02 – North Kelsey – Staff has held an introductory workshop with the Planning Commission. The acting SEPA Administrator issued a DNS for the project on May 19, 2010. Staff has scheduled a public hearing for the proposal on June 28, 2010. Staff has scheduled the rezone for final action, on July 06, 2010, for concurrent action with the comprehensive plan map change by City Council.

RZ2010-03 – Village at Steven's Court has had one workshop with the Planning Commission on May 24, 2010. The acting SEPA Administrator issued a DNS for the project on June 01, 2010. Staff has scheduled a second workshop with the Planning Commission on June 28, 2010 and a public hearing on July 26, 2010. Staff will schedule an introduction with Council in August.

## **COUNTY DOCKET**

SW UGA Expansion – County staff indicated that the County Council would set the docket (Docket XV) around September of this year after Docket XIV is completed. If docketed, Snohomish County will require funds to complete an Environmental Impact Statement (EIS) for the proposal that may include critical areas studies, traffic studies, geotechnical studies, analysis of public services capacity, etc.

## **ZONING CODE AMENDMENTS**

ZCA 200901 – Code Review – The Planning Commission held a public hearing on April 26, 2010 and forwarded a recommendation of approval to the City Council. Staff held an introductory workshop with City Council on May 11, 2010. Staff has scheduled the code amendment for final action on June 15, 2010.

ZCA 200903 – Zoning Regulations – Staff has held several workshops with Planning Commission analyzing existing and proposed requirements with each meeting covering a different type of land use and associated zones (e.g., single-family, multifamily, public, office, commercial, & industrial). Staff will begin drafting the regulations mid-summer and estimates that the Planning Commission will hold a public hearing in the fall.

ZCA 2010-01 – School Impact Fees – This project is a companion to CPA2010B to adopt the Snohomish School District Capital Facilities Plan into the current Comprehensive Plan. The proposed amendment is procedural adding parallel references for the Monroe and Snohomish School districts in Chapter 20.07 MMC. The proposed change will enable the city of Monroe to collect mitigation fees for the Snohomish School District upon issuance of a residential building permit. The Planning Commission held an introductory workshop. The Planning Commission held a public hearing on May 10, 2010 and forwarded a recommendation of approval to City Council.



ZCA 2010-XX – SEPA update (proposed) – Chapter 20.04 MMC SEPA is out of date in several sections. Staff recommends that the City Council add this project to the Planning Commission's 2010 work schedule, to begin late summer or early fall, with the goal of updating the chapter and reviewing thresholds for infill development.

### **ANNEXATIONS**

AN200901 – Chain Lake West ILA – City Council adopted Resolution 2009/16 initiating an annexation of the area known as Chain Lake West through an interlocal agreement (ILA) with Snohomish County. Snohomish County PDS staff indicated that their Public Attorney should have a draft available for review by the city in June.

AN2010-01 – Northeast Monroe (Future Annexation Area 3) – This the first annexation scheduled for initiation by the city in 2010 following Resolution 2009-12. Staff recommended that Council commence this annexation through an Interlocal Agreement following the completion of AN200901 as a template. Council concurred.

AN2010-XX – Old Owen Road (Future Annexation Area 5) – This is the second proposed annexation scheduled for 2010. Staff recommended that Council commence this annexation through the Island Annexation Method following the completion of AN200901 by resolution. Council recommended finding out what the interest is of affected property owners before commencing the annexation to start mid-summer.

AN2011-XX – Roosevelt Ridge (Future Annexation Area 6) – Council recommended moving forward on this annexation in 2011. If the City proposes this annexation, it would need to be through an Election Method. Staff will schedule a dedicated meeting to discuss this proposal and associated costs.

### **ATTACHED**

1. Staff Report for ZCA2010-01
2. Chapter 20.07 School Impact Mitigation Fee Program

**STAFF REPORT AND RECOMMENDATION**  
**Zoning Code Amendment**  
**ZCA 2010-01**

**TO:** City Of Monroe Planning Commission  
**FROM:** Ben Swanson, Assistant Planner  
**SUBJECT:** Zoning Code Amendment to Chapter 20.07 of the Monroe Municipal Code (MMC) related to school impact fees.  
**HEARING DATE:** May 10, 2010

**A. PURPOSE:**

As part of the city's annual comprehensive plan update, the city is proposing to adopt, by reference, the Current Snohomish School District Capital Facilities Plan (CFP) into the Capital Facilities Element of the City of Monroe Comprehensive Plan. As a result of the proposed adoption impact fees under the updated CFP have changed. Currently, 20.70 MMC allows the city to collect impact fees to the Monroe School District. The proposed changes to 20.70 MMC (Exhibit #1) will allow the city to collect impact fees for the Snohomish School District. For consistency with the CFP, MMC 20.70 also needs to be updated to reflect this change.

The amendment to the CFP and zoning code are running concurrently through the adoption process, pending the Planning Commission's recommendation to approve the update School District CFP. A recommendation to approve the related zoning code amendment, by the Planning Commission, to City Council is also required.

**BACKGROUND:**

The Growth Management Act (GMA) allows cities to collect fees to mitigate impacts of development. Cities can collect impact fees for public facilities, including schools. Before collecting impact fees, cities must adopt a GMA compliant comprehensive plan, with a capital facilities element that identifies capital improvement plans for each item for which fees are collected, and an ordinance establishing the city's authority to collect such fees.

In January 2008, the city of Monroe annexed approximately 70 acres in the Roosevelt Road Area into city limits by Ordinance 2008-004. This annexation includes properties located within the Snohomish School District Boundary. The adoption of the Snohomish School District Capital Facilities Plan 2008 – 2013 (under review) would enable the city to collect school impact fees on affected properties for the Snohomish School District. The proposed zoning code amendment will make changes in Chapter 20.07 of the Monroe Municipal Code as needed to implement the capital facilities plan.

The capital facilities plan includes an inventory and capacity analysis of existing school district facilities; a forecast of the future capital facilities needs; a financing plan; and defines the proposed locations and capacities of expanded or new capital facilities.

To finance capital improvements, School Districts rely on three (3) primary funding sources including local bonds assessed on property value, state matching funds, and impact fees. The Snohomish School District CFP projects impact fees, for new construction, in the City of Monroe are \$4,672 for single-family residences, \$0 for multi-family dwellings with one (1) bedroom and \$37 for multi-family dwellings with two (2) or more bedrooms.

The Planning Commission has held a workshop on the adoption of the Snohomish School District CFP. At the workshop, staff also discussed the proposed change to the zoning code. There were no objections to the proposed revision from the Planning Commission.

## **B. FINDINGS AND CONCLUSIONS**

### **1. Compliance with the Growth Management Act**

#### **Findings:**

- a. RCW 82.02.070 (Impact fees – definitions) allows local jurisdictions to collect impact fees for school facilities.
- b. The City of Monroe adopted Ordinance 1205, revised in 2004 by Ordinance 033/2004 establishing the authority to collect school impact fees and a school mitigation program under GMA.
- c. On April 20, 2010, the proposed amendments were submitted, for review, to the WA Department of Commerce and other state agencies as required that review development regulations. Commerce gave the materials a case number: # 15601. No comments have been received.

**Conclusion:** The proposed code amendment is consistent with the requirements of the Growth Management Act.

### **2. Compliance with the City of Monroe Comprehensive Plan**

#### **Findings:**

- a. The Capital Facilities Element of the Comprehensive Plan incorporates the district's CFP by reference, including proposed impact fees, and specific goal and policy statements including:
  - Goal – To ensure that public facilities necessary to support new development are adequate to serve the development at the time the development is available for occupancy and use based on locally adopted level of service standards and in accordance with state law.
  - Goal – To ensure that new growth and development pay for a proportionate share of the cost of new facilities needed to serve such growth and development.
  - Draft Policy CFP 14 – The city adopts the Monroe School District Capital Facilities Plan to enable the district to collect impact mitigation fees. The City Council shall review and approve subsequent updates to the School District's CFP in order to continue collecting impact mitigation fees and to provide an opportunity for the district and the city to coordinate planning efforts.
- b. The Snohomish School District's CFP is consistent with the Land Use and Capital Facility Elements, as amended, for the Monroe Comprehensive Plan.

**Conclusion:** The proposed code amendment is consistent with the Capital Facilities Element of the Monroe Comprehensive Plan, and impact fees are consistent with the remaining elements of the Comprehensive Plan and internally consistent with the Capital Facilities Plan.

### **3. Compliance with Chapter 20.04 of the Monroe Municipal Code (MMC) and Chapter 197-11 of the Washington Administrative Code (State Environmental Policy Act)**

#### **Findings:**

- a. The proposed code amendments to Chapter 20.070 MMC were determined to be categorically exempt from the State Environmental Policy Act, following Washington Administrative Code (WAC) 197-11-800(19), on April 15, 2010 (Exhibit #2).

**Conclusion:** The proposed amendment is consistent with the State Environmental Policy Act.

## **D. RECOMMENDATION**

Staff recommends that the Planning Commission recommend that the City Council APPROVE ZCA2010-01, as proposed, as it consistent with the Growth Management Act, Chapter 20.04 MMC and other state, federal and local regulations.

**E. LIST OF EXHIBITS**

- 1 Proposed Amendments to MMC 20.07
- 2 Determination of Categorical Exemption (Available Upon Request)
- 3A Request for Review to Dept. of Commerce (Available Upon Request)
- 3B Acknowledgement Letter from Dept. of Commerce (Available Upon Request)
- 4A Public Hearing Notice (Available Upon Request)
- 4B Affidavit for Publication of Public Hearing Notice (Available Upon Request)

## Chapter 20.07 School Impact Mitigation Fee Program

### 20.07.010 Title.

This chapter shall be hereinafter known as the "school impact mitigation fee program ordinance," may be cited as such, and will be hereinafter referred to as "this chapter." (Ord. 1205, 2000)

### 20.07.020 Purpose.

This chapter provides the necessary regulatory mechanism for determining school impact mitigation fees, that a property owner meets the concurrency provisions of the comprehensive plan for development purposes and which ensures that adequate public facilities at acceptable levels of service are available to support the development's impact. (Ord. 1205, 2000)

### 20.07.030 Words defined by RCW 82.02.090.

Words used in this chapter and defined in RCW 82.02.090 shall have the same meaning assigned in RCW 82.02.090 unless a more specific definition is contained in MMC 20.07.040. (Ord. 1205, 2000)

### 20.07.040 School mitigation definitions.

~~"District" means the Monroe School District No. 103.~~

### 20.07.050 School capital facilities plan.

The Monroe School District's capital facilities plan and the Snohomish School District's capital facilities plan shall be included in and shall be considered as a part of the capital facilities plan element of the city of Monroe comprehensive plan as adopted by the city council. School mitigation fees shall be based upon this element of the current city comprehensive plan. (Ord. 1205, 2000)

### 20.07.060 Updating of school district plan.

A. ~~The district's plan~~School district plans shall be transmitted to the city at least sixty days prior to the biannual public hearing date for the capital facilities element of the city comprehensive plan. The plan must be submitted to the state by the city as a part of the city comprehensive plan review required under GMA; consequently, the district plan must meet any submittal deadline imposed by the state. The city shall notify the affected school district of the schedule for review of the capital facilities element of the comprehensive plan at such time as the schedule is established.

B. ~~The district~~School districts shall amend ~~its~~ their facilities plan on a biannual basis in conjunction with the city biannual amendment to the comprehensive plan. However, the affected school district may amend its facilities plan on an annual basis if the district finds it necessary to adjust impact fees. The city may not consider such an amendment more than once per year unless otherwise allowed by state law. The plan shall require approval by the city council as an amendment to the city's comprehensive plan.

C. The timing of amendments to ~~the either school~~ district's school impact fees shall be commensurate with the current amendment schedule adopted by Snohomish County. Conformance with the county schedule is designed to ensure a uniform procedural change throughout both the incorporated and unincorporated areas of the school district. (Ord. 033/2004; Ord. 1205, 2000)

#### **20.07.070 City adoption.**

Upon receiving a recommendation from the hearing authority, on the affected school district's amendments to its capital facilities plan, the city council shall consider adoption of said plan or amendment by reference as part of the capital facilities element of the city's comprehensive plan. (Ord. 1205, 2000)

#### **20.07.080 Delays.**

If ~~the either school~~ district fails to submit ~~its-an~~ updated ~~d of-the~~ capital facilities plan in a timely manner, the city shall not be obligated to complete review prior to the city's comprehensive plan amendment date. If an updated capital facilities plan has not been adopted by the city council prior to the existing plan's expiration date, due to the affected school district's failure to submit an updated plan, ~~the-that school~~ district shall be ineligible to receive school impact fees until the updated plan has been adopted by the city council. (Ord. 1205, 2000)

#### **20.07.090 Fee required.**

Each development activity, as a condition of approval, shall be subject to the impact fee established pursuant to this section. ~~The-s~~ School impact fees shall be calculated in accordance with the formulas set forth in either the current Monroe School District No. 103's Capital Facilities Plan, or the current Snohomish School District Capital Facilities Plan, as adopted into and made a part of the capital facilities element of the city of Monroe comprehensive plan. (Ord. 034/2008 § 1; Ord. 019/2007 § 1; Ord. 033/2004; Ord. 014/2004; Ord. 1277, 2002; Ord. 1205, 2000)

#### **20.07.100 Impact fee schedule – Exemptions.**

A. The school impact fees specified in the affected school district's capital facilities plan and adopted by the city council shall constitute the city's schedule of school impact fees. The department shall, for the convenience of the public, keep available an information sheet summarizing the schedule of school impact fees.

B. The city council may, on a case-by-case basis, grant exemptions to the application of the fee schedule for low-income housing activities in accordance with RCW 82.02.060(2). Low-income housing is defined as follows: (1) low-income housing projects that are constructed by public housing agencies or private nonprofit housing developments; or (2) low-income residential units, rented or purchased, that are dedicated and constructed by private developers. To qualify for such exemption, the developer of such housing shall submit a petition to the director for consideration by the council prior to application for building permit. Conditions for such approvals shall be established by the council at the time of approval that, at a minimum, meet the requirements of RCW 82.02.060(2) and which shall also include a requirement for a covenant acceptable to the affected school district to assure the project's continued use for low-income housing. The covenant entered into by and between the developer and the affected school district shall be an obligation that runs with the land, and shall be recorded against the title of the real property upon which such housing is located in the real property records of Snohomish County. (Ord. 1205, 2000)

#### **20.07.110 Impact fee limitations.**

A. School impact fees shall be imposed for the affected school district capital facilities that are reasonably related to the development under consideration, shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the development, and shall be used for system improvements that will reasonably benefit the new development.

B. School impact fees must be expended or encumbered for a permissible use within six years of receipt by the affected school district.



C. To the extent permitted by law, school impact fees may be collected for capital facilities costs previously incurred to the extent that new growth and development will be served by the previously constructed capital facilities; provided, that school impact fees shall not be imposed to make up for any existing system deficiencies.

D. A developer required to pay a fee pursuant to RCW 43.21C.060 for district capital facilities shall not be required to pay a school impact fee pursuant to RCW 82.02.050 through 82.02.090 and this title for the same capital facilities.

E. A condition of eligibility shall be that the districtaffected school district must provide documentation that it has petitioned every other county or city served by the district to establish a school impact fee or mitigation program. (Ord. 1205, 2000)

#### **20.07.120 Fee determination.**

A. At the time of development approval, the city shall determine whether school impact fees will be due at the time of building permit issuance. Where such fees are due, the development approval shall state that the payment of school impact fees will be required prior to issuance of building permits. The amount of the fee due shall be based on the fee schedule in effect at the time of building permit issuance. Credit amounts and allocation of credits to be applied against the fees shall be determined at the time of development approval to the extent that information is reasonably available to make this determination. If information is not reasonably available, credit amounts may be deferred to a later date prior to building permit issuance by written decision of the community development director or his/her designee. If a subdivision is involved, any deferred final credit decision shall be issued by the community development director or his/her designee prior to final plan approval. The city may not approve a final plat until all adjustment requests and administrative appeals regarding credit amounts are resolved.

B. The final determination of a development activity's fee obligation under this section shall be made prior to the application for building permit. Said final determination shall include any credits for in-kind contributions. Final determinations may be appealed pursuant to the procedures established in MMC 20.07.190. (Ord. 033/2004; Ord. 1205, 2000)

#### **20.07.130 Credit for in-kind contributions.**

A. A developer may request and the director may grant a credit against school impact fees otherwise due under this title, for the value of any dedication of land, improvement to, or new construction of any capital facilities identified in the affected school district's capital facilities plan provided by the developer. Such requests must be accompanied by supporting documentation of the estimated value of such in-kind contributions. All requests must be submitted to the department in writing prior to its determination of the impact fee obligation for the development activity. Each request for credit will be immediately forwarded to the districtaffected school district for evaluation.

B. Where the affected school district determines that a development activity is eligible for a credit for a proposed in-kind contribution, it shall provide the department and the developer with a letter setting forth the justification for and dollar amount of the credit, the legal description of any dedicated property, and a description of the development activity to which the credit may be applied. The value of any such credit may not exceed the impact fee obligation of the development activity in question.

C. Where there is agreement between the developer and the affected school district concerning the value of proposed in-kind contributions, their eligibility for a credit, and the amount of any credit, the director may: (1) approve the request for credit and adjust the impact fee obligation accordingly, and (2) require that such contributions be made as a condition of development approval. Where there is disagreement between the



developer and the affected school district regarding the value of in-kind contributions, however, the director may render a decision that can be appealed by either party pursuant to city administrative appeal procedures.

D. For subdivisions, PRDs and other large-scale developments where credits for in-kind contributions are proposed or required, it may be appropriate or necessary to establish the value of the credit on a per-unit basis as a part of the development approval. Such credit values will then be recorded as part of the plat or other instrument of approval and will be used in determining the fee obligation, if any, at the time of building permit issuance for development activity. In the event that such credit value is greater than the impact fee in effect at the time of permit issuance, the fee obligation shall be considered satisfied, and the balance of the credit may be transferable to future developments by the applicant with agreement by the ~~district~~affected school district. (Ord. 033/2004; Ord. 1205, 2000)

#### **20.07.135 Exemptions.**

The following development activities shall be exempt from payment of school impact fees:

A. Reconstruction, remodeling or construction of the following activities, subject to the recording of a covenant or recorded declaration of restrictions precluding use of the property for other than the exempt purpose; provided, that if the property is used for a nonexempt purpose, the school impact fees then in effect shall be paid:

1. Construction or remodeling of transitional housing facilities or dwelling units that provide housing to persons on a temporary basis for not more than twenty-four months, in connection with job training, self-sufficiency training and human services counseling, the purpose of which is to help persons make the transition from homelessness to placement in permanent housing.

- B. Rebuilding or replacement of an existing legally established dwelling unit(s) where no additional dwelling unit(s) is created.

C. Alteration or expansion:

1. Of an existing building where no additional residential units are created and where the use is not changed, and/or

2. The construction of any accessory building or structures.

D. Manufactured homes where:

1. The installation of a replacement manufactured home on a lot or other such site where a school impact fee for such manufactured home has previously been paid pursuant to this chapter or where a manufactured home legally existed on such site on or prior to the effective date of the ordinance codified in this section.

2. The construction of any nonresidential building or structure or the installation of a nonresidential manufactured home. Any claim or exemption must be made no later than the time of application for a building permit or permit for manufactured home installation. Any claim not so made shall be deemed waived.

E. Condominium projects in which existing dwelling units are converted into condominium ownership where no new dwelling units are created.

F. Previous mitigation where:

1. The development activity is exempt from the payment of an impact fee pursuant to RCW 82.01.010, due to mitigation of the same system improvement under the State Environmental Policy Act (SEPA).
2. The development activity's school impact fees have been mitigated pursuant to a condition of plan or PRD approval to pay fees, dedicate land or construct or improve school facilities, unless the condition of the plat or PRD approval provides otherwise; provided, that the condition of the plat or PRD approval predates the effective date of fee imposition as provided herein.
3. Any development activity for which school impacts have been mitigated pursuant to a voluntary agreement entered into with the ~~Monroe School-affected school district District~~ and the city to pay fees, dedicate land or construct or improve school facilities, unless the terms of the voluntary agreement provide otherwise; provided, that the agreement predates the effective date of fee imposition as provided herein. (Ord. 033/2004)

#### **20.07.140 SEPA mitigation and other review.**

A. The city shall review development proposals and development activity permits pursuant to all applicable state and city laws and regulations, including the State Environmental Policy Act (Chapter 43.21C RCW), the state subdivision law (Chapter 58.17 RCW) and the applicable sections of this code. Following such review, the city may condition or deny development approval as necessary or appropriate to mitigate or avoid significant adverse impacts to school services and facilities, to assure that appropriate provisions are made for school, school grounds, and safe student walking conditions, and to ensure that development is compatible and consistent with the district's services, facilities and capital facilities plan.

B. Impact fees required by this title for development activity, together with compliance with development regulations and other mitigation measures offered or imposed at the time of development review and development activity review, shall constitute adequate mitigation for all of a development's specific adverse environmental impacts on the school system for the purposes of this section. Nothing in this title prevents a determination of significance from being issued, the application of new or different development regulations and/or requirements for additional environmental analysis, protection and mitigation measures to the extent required by applicable law. (Ord. 1205, 2000)

#### **20.07.150 Collection and transfer of fees.**

A. School impact fees shall be due and payable to the city by the developer at the time of issuance of residential building permits for all development activities.

B. The affected school district, to receive school impact fees collected by the city, shall establish an interest-bearing account separate from all other school district accounts. The city shall deposit school impact fees in the appropriate district account within ten days after receipt, and shall contemporaneously provide the receiving district with a notice of deposit.

C. The affected school district shall institute a procedure for the disposition of impact fees and provide for an annual reporting to the city that demonstrates compliance with the requirements of MMC 20.07.160 and RCW 82.02.070, and other applicable laws. (Ord. 1205, 2000)

#### **20.07.160 Use of funds.**

A. School impact fees may be used by the affected school district only for capital facilities that are reasonably related to the development for which they were assessed and may be expended only in conformance with the affected school district's adopted capital facilities plan.



B. In the event that bonds or similar debt instruments are issued for the advance provision of capital facilities for which school impact fees may be expended, and where consistent with the provisions of the bond covenants and state law, school impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the capital facilities provided are consistent with the requirements of this section.

C. The responsibility for assuring that school impact fees are used for authorized purposes rests with the affected school district. All interest earned on a school impact fee account must be retained in the account and expended for the purpose or purposes for which the school impact fees were imposed, subject to the provisions of MMC 20.07.170.

D. The affected school district shall provide the city an annual report showing the source and the amount of school impact fees received by the district and the capital facilities financed in whole or in part with those school impact fees. The annual report shall be submitted to the city collectively with the affected school district's capital facilities plan. If the affected school district has previously submitted a biannual plan, the annual report shall be due on the anniversary date of the previously submitted plan. If an annual report is not submitted as required, the city may withhold deposit of future impact fees until the annual report has been submitted to the city. (Ord. 1205, 2000)

#### **20.07.170 Refunds.**

A. School impact fees not spent or encumbered within six years after receipt by the affected school district shall, upon receipt of a proper and accurate claim, be refunded, together with interest, to the then-current owner of the property. In determining whether school impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis. At least annually the city, pursuant to MMC 20.07.150, shall give notice to the last known address of potential claimants of any funds, if any, that it has collected that have not been spent or encumbered. The notice will state that any persons entitled to such refunds may make claims.

B. Refunds provided for under this section shall be paid only upon submission of a proper claim pursuant to city claim procedures. Such claims must be submitted to the director within one year of the date the right to claim the refund arises, or the date of notification provided for above, where applicable, whichever is later. (Ord. 1205, 2000)

#### **20.07.180 Administrative adjustment of fee amount.**

A. Within fourteen days of issuance of a building permit by the city, a developer or the affected school district may appeal to the director for an adjustment to the fees imposed by this title. The director may adjust the amount of the fee, in consideration of studies and data submitted by the developer and the ~~district~~affected school district, if one of the following circumstances exists:

1. It can be demonstrated that the school impact fee assessment was incorrectly calculated;
2. Unusual circumstances of the development activity demonstrate that application of the school impact fee to the development would be unfair or unjust;
3. A credit for in-kind contributions by the developer, as provided for under this section, is warranted; or
4. Any other credit specified in RCW 82.02.060(1)(b) may be warranted.

B. To avoid delay pending resolution of the appeal, school impact fees may be paid under protest in order to obtain a development approval. Such written protest must be submitted at or prior to the time fees are paid, and will relate

only to the specific fees identified in the protest. Failure to provide such written protest at the time of fee payment shall be deemed a withdrawal of any appeal to the director of community development.

C. Failure to exhaust this administrative remedy shall preclude appeals of the school impact fee pursuant to MMC 20.07.190. (Ord. 033/2004; Ord. 1205, 2000)

**20.07.190 Appeals of decisions – Procedure.**

A. Any person aggrieved by a decision applying an impact fee under this title to a development activity may appeal such decision to the hearing examiner pursuant to provisions of MMC 21.60.010. Appeals of this title must be combined with the administrative appeal for the underlying development approval. The impact fee amount specified in a building permit issuance shall be construed as subject to appeal under this section and a separate appeal must be filed for each and every permit issuance after each permit has been issued. The community development director or his/her designee may consolidate appeal hearings; provided, that no appeal hearing shall be scheduled more than ninety days after its impact fee decision unless agreed to by the person/entity that owes the fee. Only one appeal fee shall be required for consolidated appeals. All appeals filed under this section must be filed within the specified appeal period of the final decision applying an impact fee to a development activity, or a decision on an adjustment request to that decision, whichever comes later.

B. At the hearing, the appellant shall have the burden of proof, which burden shall be met by a preponderance of the evidence. The impact fee may be modified upon a determination that it is proper to do so based on the application of the criteria contained in MMC 20.07.180. Appeals shall be limited to the application of the impact fee provisions to the specific development activity and the provisions of this title shall be presumed valid.

C. The decision of the hearing examiner pursuant to this subsection shall be final and conclusive with an optional right of reconsideration as provided in MMC 21.50.080 unless appealed to the city council in accordance with Chapter 21.60 MMC. (Ord. 003/2008 (Exh. E); Ord. 033/2004; Ord. 022/2004; Ord. 1205, 2000)

**20.07.200 Vesting of school mitigation.**

School mitigation for a proposed land use development shall not be vested at the time a development proposal is deemed complete, but rather at the time of issuance of a building permit. The applicant for a development proposal shall have the option of claiming vesting for school mitigation at the time an application is deemed complete, however school mitigation must then be paid on all lots of a final plat along with other vested mitigation prior to filing with the county. (Ord. 1205, 2000)

**20.07.210 Conflict with other ordinances and codes.**

In cases of conflict between this chapter or any part thereof, and any part of any other existing or future ordinance or code, the most restrictive in each case shall apply. (Ord. 1205, 2000)

**20.07.220 Savings provision.**

If any part of this chapter is held to be unconstitutional, it shall be construed to have the legislative intent to pass the ordinance codified in this chapter without such unconstitutional part and the remainder of this chapter as to exclusion of such part shall be deemed and held to be valid as if part had not been included herein. (Ord. 1205, 2000)

# Draft

Agenda Item

SS #4

Date 6/8/10

## MONROE CITY COUNCIL AGENDA

June 15, 2010

7:00 P.M.

City Council Chambers

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS/PRESENTATIONS**

**PUBLIC HEARINGS**

### COMMENTS FROM CITIZENS

This time is set aside for you to speak to the City Council on any issue **except any quasi-judicial matter subject to a public hearing (citizens wanting to voice concerns about quasi-judicial matters must do so during the public hearing process). Those items are marked with an \*.** You are welcome to address the council on any other subject. (You must sign in before the meeting starts and give your request to the City Clerk).

**Please limit your time to 5 minutes.**

### CONSENT AGENDA

1. Minutes
  - A. May 18, 2010 Business Meeting
  - B. May 25, 2010 Study Session (Budget)
  - C. June 1, 2010 Business Meeting
2. Bills
3. Adopt Resolution/Six-Year Transportation Improvement Program 2011 – 2016
4. Award Public Works Bid and Authorize May to Sign Construction Contract for West Columbia Street Sidewalk Phase II Project
5. Adopt Findings & Conclusions (AP2010-02) T-Mobile Cell Phone Tower

### NEW BUSINESS

1. Ordinance Adopting 2009 International Codes with revisions to MMC Chapter 15.04/1st & Final Reading
2. Draft Agenda/June 22, 2010 Study Session (Budget)

### FINAL ACTION

1. Ordinance Adopting (RZ2010-01) Rezone to Remove Restrictive Covenants
2. Ordinance Adopting Code Revisions (Definitions) ZCA200901
3. Resolution Adopting Transportation Benefit District
4. Resolution Delegating Authority to Staff to Make Investment Transactions

### COUNCILMEMBER REPORTS

### MAYOR/ADMINISTRATIVE STAFF REPORTS

### EXECUTIVE SESSION

### 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 one-week advance notice.**