



**STAFF REPORT & DECISION *for*
PRELIMINARY SHORT PLAT**

A. SUMMARY AND PURPOSE OF REQUEST:

DATE: November 23, 2015

LAND USE ACTION: Administrative Approval of a 2-lot Preliminary Short Subdivision

PROJECT NAME/NUMBER: McMonagle/Glyzinski Short Plat; PL15-099

APPLICANT/OWNER: Barrach C McMonagle; 786 West Rd, Sedro-Woolley, WA 98284; (360) 507-1687.

PROJECT PLANNER: Marianne Manville-Ailles, Planning Consultant

PROJECT DESCRIPTION: Proposed is a two lot short plat of an approximate .65 acre (28,435 square feet) site. Proposed Lot 1 will be 12,221 square in size and is located on the east side of the overall site. Proposed Lot 2 will be 16,223 square feet size and is located on the west side of the overall site and will have the existing building located on it.

Approximately 20 linear feet of stream categorized as Np (Non-fish-perennial) is located on the property. The stream requires a 50-foot buffer. The southwest corner of the existing house is located within the buffer area of the stream. No additional buffer impacts are anticipated as a result of the proposed short plat.

PROJECT LOCATION: The address of the project site is 3703 S Woodland Drive, it is identified by the Skagit County Assessor as parcel P65481; it is located north of South Woodland Drive and west of Woodland Drive. The site is located within a portion of Section 28, Township 34 North, Range 04 East, W.M. in Skagit County, Washington.

B. EXHIBIT LIST:

Exhibit 1: Entire Land Use File, P15-099 (on file at the CEDD).
Exhibit 2: Reduced size copy of the proposed lot layout.

C. GENERAL INFORMATION:

Zoning Designation: Single Family Detached Residential (R-1, 3.0)

Comprehensive Plan Designation: Single Family Residential Medium Density (SF-MED)

Existing Site Use: The west side of the site is developed with a single family residence and the east side is vacant.

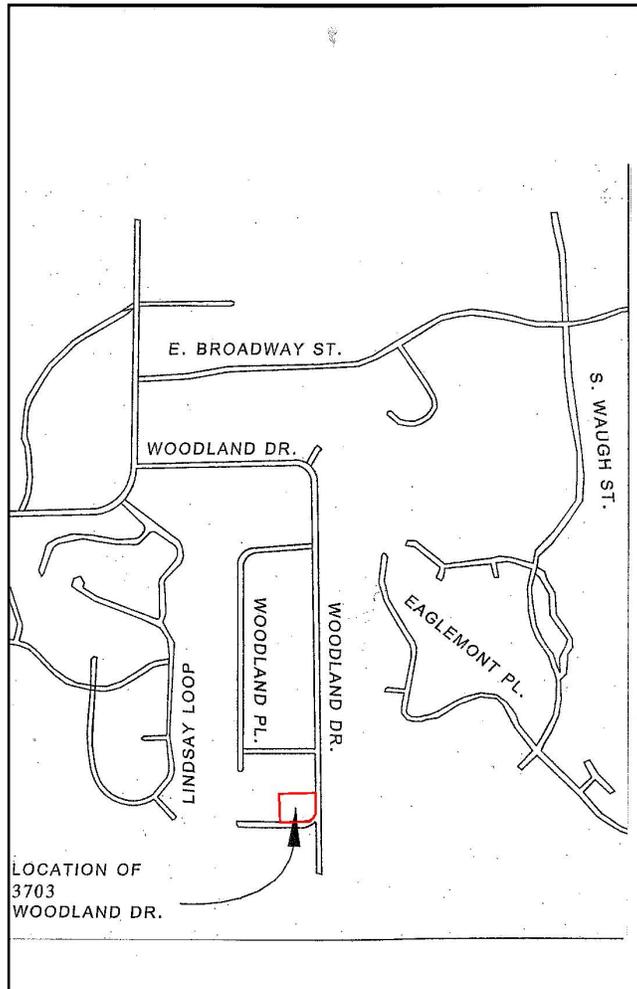
Neighborhood characteristics:

- North: Single family residence
- South: South Woodland Drive
- East: Woodland Drive
- West: Single Family residence

Access: Proposed Lot 1 will access from Woodland Drive. Proposed Lot 2 will continue to have access from South Woodland Drive.

Site Area: The area of the parent parcel is ± .65 acres

Map: The approximate site boundaries are shown in red on the vicinity map below.



D. APPLICABLE SECTIONS OF THE MOUNT VERNON MUNICIPAL CODE (MVMC):

Title 13: Sewers

Title 14: Land Use and Development

Chapter 14.05 Administration of Development Regulations
Chapter 14.10 Concurrency

Title 16: Subdivisions

Chapter 16.04 Title Purpose and Definitions
Chapter 16.16 Street Design Standards
Chapter 16.20 Improvements
Chapter 16.32 Short Plats

Title 17: Zoning

Chapter 17.15 R-1 Single Family Detacher Residential Zone (R-1, 3.0)

E. APPLICABLE SECTIONS OF THE MOUNT VERNON COMPREHENSIVE PLAN:

- Land Use Element
- Transportation Element

F. ENVIRONMENTAL REVIEW:

Under WAC 197-11-800, the subject short plat, is categorically exempt from the threshold determination and the Environmental Impact Statement Requirements of SEPA [MVMC 15.06.095(A)(1)].

G. DEPARTMENT ANALYSIS:

1. Project Description/Background:

The project proponent has requested approval of a Short Plat that would allow subdivision of an approximate .65 acre property into 2 lots. The western proposed lot (Lot 2) will be approximately .28 acres in size and will have the existing home on it. The eastern proposed lot (Lot 1) will be approximately .37 acres in size and is vacant. Access for Lot 2 is and will continue to be off of South Woodland Drive. Access for Lot 1 will be off of Woodland Drive. All existing structures will need to be removed from the required setbacks. There is a stream located on Lot 2 where the existing home is currently located. The proposal is not anticipated to further impact the stream or its buffer. The critical areas buffer and associated building setbacks will be shown on the final plat.

2. City Process:

The proposed short plat requires a Type II review process, which is an administrative decision that may be appealed to the Hearing Examiner. The application for this land use action was submitted to the City on September 23, 2015; and was deemed technically complete on October 21, 2015. A Notice of Application (NOA) was issued on November 3, 2015. The NOA was distributed to all properties within 300 feet of the project site on November 4, 2015. In addition, the site was posted with a Land Use sign and an affidavit of posting was submitted to the Community & Economic Development Department.

3. Public Comments:

During the public comment period that tolled from November 4, 2015 to November 18, 2015 no comments were received by the CEDD Department.

4. Staff Review Comments:

Representatives from various City departments received the application materials during the Notice of Application period and subsequently identified and addressed issues associated with the proposed land use action. Comments received during this review period have been incorporated into this report and are attached hereto.

5. Design of Short Plats - Standards:

The following design standards for short plats have been established (MVMC 16.32.040) to assist decision makers in the review of the short plat:

- a. Lots shall adhere to the standards of the zoning ordinance (Chapter 17.15 and 17.78 MVMC):
 - i. Minimum Front Setback (25 feet on arterial streets and 20 feet on all other streets; corner lots shall observe the front setback on both streets): *new construction must meet minimum front setback requirements for both Woodland Drive and South Woodland Drive; the lots as proposed would allow minimum setbacks to be met; setbacks will be verified prior to issuance of building permits.*
 - ii. Minimum Rear Setbacks: (There shall be a setback of 20 feet): *It appears that the line between the two lots is proposed as the rear setback line for Lot 1 where new construction will take place. The new construction must meet the minimum rear setback requirements. It should be noted that the existing shed on Lot 1 encroaches into the rear setback. The shed is considered an accessory structure and is not allowed without a primary structure. It will need to be relocated to Lot 2 or removed.*
 - iii. Minimum Side Setbacks: Side yard: five feet. *New construction must meet minimum side setback requirements. It appears that the north line of Lot 1 is the side setback. As proposed the lots would allow minimum setbacks to be met; setbacks will be verified prior to issuance of building permits.*
 - iv. Maximum Building Height (2 stories not to exceed 35 feet): *New construction must meet building height requirements; such requirements will be verified prior to issuance of building permits.*
 - v. Parking: *new construction is required to provide 2 enclosed (private garage) spaces and a driveway apron that would accommodate an additional 2 spaces. Verification of adequate parking will occur prior to issuance of building permits.*
- b. The subdivision shall be in compliance with the City's Comprehensive Plan:
The Comprehensive Plan designation of the property is Single Family Medium Density (SF-MED). The City's adopted Comprehensive Plan states that, "The intent of the associated zoning district is to provide for single-family residential housing in neighborhoods of varying densities."
- c. Except as noted in MVMC 16.32.032(I), each lot shall abut a public street by no less than the frontage required (20 feet) by the zoning district in which it is located:
All lots would abut public streets by more than the minimum frontage required.
- d. Except as noted in MVMC 16.32.032(I), all lots created by a short subdivision shall abut

and have access from a dedicated or deeded street and such street shall have the right-of-way width specified by the Community and Economic Development Department:

All lots would abut and have access from a dedicated public street, Lot 1 Woodland Drive and Lot 2 South Woodland Drive.

- e. Short subdivisions that contain a dedication of land to the public shall have been surveyed and monumented and recorded with the County Auditor. The monumentation requirement may be waived if the centerline of the right-of-way is already monumented:

Not required for this subdivision.

- f. Where approval of a short plat is conditioned upon construction of improvements, the construction plans shall be submitted to the City Engineer accompanied by a fee as outlined within the City's current fee schedule:

Engineering comments for the short plat indicate that a fill and grade permit and Right-of-way permit are required for installation of utilities and driveway (See Notes to Applicant Section I.).

- g. Land that the Community and Economic Development Department Director has found to be unsuitable due to flooding, bad drainage, or swamp conditions and that the Community and Economic Development Department Director considers inappropriate for development, shall not be subdivided unless adequate means of control or abatement have been formulated by the subdivider and approved by the Community and Economic Development Department:

Not applicable to this short plat as code requirements will control and/or abate potential impacts. Please note that the stream located on the property is categorized as a Non-fish perennial (Np) requiring a 50 foot buffer and a 15 foot setback. Per MVMC 14.40.040, the critical area and its buffer shall be dedicated as open space tracts or an easement or covenant encumbering the buffer and shown on the short plat as an NGPA tract.

- h. In the event the land to be subdivided has a slope or slopes of more than 20 percent and/or rock or unstable soil conditions, the subdivider shall furnish soil data to the City Engineer. If conditions warrant control measures to correct slide, erosion, or other similar problems, the subdivider shall be responsible for the design, installation, and expense of any device or corrective measure, subject to approval by the Community and Economic Development Department:

Not applicable to this short plat.

- i. Detached, single-family residential short plats may be accessed by private roadway easements, provided that the following requirements are met: *(None of the following are applicable)*

- i. The requirements of Chapter 16.16 MVMC are met;
- ii. All lots within the short plat shall have an undivided interest in the ownership of the easement tract and shall record on the face of the plat that the owners will maintain both the easement and a sign where the easement joins the public road identifying it as a private road;
- iii. Private roads will not be allowed where the Public Works Director feels that public roads are necessary for the future traffic circulation;
- iv. At the discretion of the Community & Economic Development Department, the specific design standards for short plats served by private roads are as follows:
 - a) Easements as specified by the Community and Economic Development Department;

- b) Roadways shall be constructed of a minimum of two inches of asphalt pavement, three inches of crushed rock, and six inches of gravel base. The maximum grade shall be 10 percent;
- c) Horizontal curvature shall have a minimum radius of 60 feet;
- d) Vertical clearance shall be a minimum of 13 feet, 6 inches;
- e) Roadways serving a maximum of two lots shall be 15 feet in width; and roadways serving three to nine lots shall be a minimum of 20 feet in width;
- f) Sidewalks, or other pedestrian facilities approved by the Community & Economic Development Department, shall be provided when a private road serves, or could serve, more than four (4) lots;
- g) When fire hydrants are located on a private street the minimum street width shall be 26 feet;
- h) The Fire Department in consultation with the Community & Economic Development Department shall specify the signing and painting of curbs, as necessary, to limit parking on private streets;
- i) Roadways that are in excess of 150 feet long shall have a turnaround that meets the Fire Department standards;
- j) Sewer service may be provided by an eight-inch line on the roadway easement or by individual side sewers for each lot. Paved access and easement to the City shall be provided for all eight-inch lines;
- k) Hydrants must be installed in accordance with Chapter 15.14 MVMC;
- l) Adjoining contiguous easements are not desirable and shall be avoided;
- m) Where the specified easement passes through properties not owned by the developer, all necessary easements shall be obtained by the developer and verified by the Community and Economic Development Department prior to approval;
- n) Storm drainage runoff from the easement road shall be directed away from other properties and preferably into a public storm sewer system;
- v. The following note shall be added to the short plat: "All maintenance and construction of private roads shall be the responsibility of the lot owners".
- vi. No further subdivision shall occur without compliance with this title, the subdivision requirements of the City, without filing a final plat.
- j. Where approval of the short plat is conditioned upon construction of improvements, prior to the construction plans receiving final approval, the Community and Economic Development Department shall receive a construction inspection fee as outlined within the City's current fee schedule:

Engineering comments for the short plat indicate that a fill and grade permit and Right-of-way permit are required for installation of utilities and driveway (See Notes to Applicant Section I.).

6. Minimum Improvements Required:

Prior to granting approval for any short subdivision, the Community and Economic Development Department shall ascertain that the following improvements, as required by MVMC 16.32.060, have been made or installed for each lot created by the division of land:

- a. Water supply per recommended state standards; adequate fire protection with review by the City of Mount Vernon Fire Department:

The applicant shows that there is an existing water line within the right-of-way on the east side of Woodland Drive and the south side of South Woodland Drive across the

street from the subject property. When proposed Lot 1 is developed, or proposed Lot 2 re-developed, there could be additional requirements from the water district or the City's Fire Department.

b. Sanitary sewer:

The applicant shows that the existing home on Lot 2 is served by sanitary sewer. A minimum 4 inch diameter sewer line is required to service the proposed new lot prior to final plat approval, in accordance with MVMC 13.08. Sewer Connection fees are required and will be collected at the time of permit issuance. (See Engineering Comments Notes to Applicant Section I.)

c. Underground power, telephone, television cable and all other necessary utilities, including undergrounding existing facilities;

Power is available to serve both lots.

d. Appropriate dedications or easements, if required; *Staff will work with the applicant to make sure that all applicable dedications and easements are shown on the face of the plat prior to it being recorded.*

e. Improvements required for fronting street, if sub-standard:

There are no street frontage improvements required prior to final plat approval.

f. Design of improvements in accordance with MVMC 16.04.260 and 16.20;

Staff will make sure that the design of all improvements is consistent with MVMC 16.04.260 and 16.20.

g. As-built mylar construction drawings shall be provided; and

Staff will make sure that as-built mylar construction drawings are received by the CEDD prior to final plat approval.

h. Electronic media shall be provided in an acceptable format.

Staff will make sure that electronic media that is required from the applicant is received by the CEDD prior to final plat approval.

7. Availability and Impact on Public Services:

a. Fire:

No comments were received from the Fire Department.

b. Recreation:

There are no formal recreational amenities existing or planned on or in the immediate vicinity of the subject site.

c. Schools:

New construction will be subject to school impact fees at the time of building permit.

d. Stormwater:

- Stormwater quantity and quality analysis are required per City of Mount Vernon Municipal Code 13.33 and Department of Ecology 2005 Stormwater Manual using WWHM.
- The site drainage evaluation dated September 9, 2015 by Western Geotechnical Consultants and the handwritten stormwater runoff calculation are not in compliance with MVMC 13.33.
- Erosion and sediment control shall be provided as required.
- Protection of the stream and wetlands are required per MVMC 13.33 General

Requirement #8.

e. Water:

The applicant has shown that water is available to both lots. Prior to final approval water will need to be installed to the new Lot 1.

f. Sanitary sewer:

Sewer is available on South Woodland Drive and Woodland Drive via 8" PVC mainline. A minimum 4 inch diameter sewer line is required to service the proposed new lot prior to final plat approval, in accordance with MVMC 13.08. Sewer Connection fees are required and will be collected at the time of permit issuance.

g. Street Improvements:

Additional engineering requirements may be identified with the approval of a Fill and Grade permit, if necessary.

7. Approval Criteria (MVMC 16.32.050):

The Community & Economic Development and Public Works Directors shall determine if appropriate provisions have been included in the short plat for, but not limited to, the public health, safety and general welfare, open spaces, drainage ways, critical areas, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds and sites for schools.

- a. If the Community & Economic Development and Public Works Directors find that the public use and interest will be served by the platting of such subdivision, then the Directors shall recommend approval. If the Directors find that the proposed short plat does not make such provisions or that the public use and interest will not be served, then the Directors may recommend disapproval of the short plat.
- b. Dedication of land to any public body; and/or dedication of easements to abutting property owners may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Directors shall not require, as a condition of the approval of any plat, that a release of liability be procured from other property owners.

H. DECISION:

Based on the information contained in this staff report, and the Short Plat approval criteria outlined above, the **McMonagle/Glyzinski Short Plat** application, **File No. PL15-099**, is **APPROVED** subject to compliance with the standards of the Mount Vernon Municipal Code. Please see the 'Notes to Applicant' section of this staff report that follows.

SIGNATURE:

Bob Hyde, Director
Community & Economic Development Department

Date

Appeals:

The decision of the Community & Economic Development Director is final unless an appeal to the Mount Vernon Hearing Examiner is filed within fourteen (14) business days from the date of mailing of the written decision. An appeal to the Hearing Examiner is governed by MVMC

14.05.160 and .170. Appeals must be made in writing on or before 4:30 PM, **December 8, 2015**. Any appeal must be accompanied by a \$100.00 fee and must state the appellant's reason(s) for the appeal based upon the provisions of the Mount Vernon Municipal Code.

Expiration Periods:

Short Plat: Land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries. The owner who files the original short plat may transfer this right to the subsequent owners with a statement on the face of the short plat.

TRANSMITTED this 23rd day of November, 2015 to the property owner/applicant, there are no parties of record to transmit records to.

I. NOTES TO APPLICANT:

This approval is for preliminary short plat approval **only**. Applicants are required to demonstrate compliance with code or install all necessary infrastructure improvements before final short plat approval can be granted.

Before any land disturbing activities take place, the applicant is required to apply for and obtain a Fill & Grade Permit, and possibly a utility permit and/or right-of-way permit(s).

When all of the preliminary short plat conditions of approval have been met/constructed (refer to attached Engineering and Planning comment letters for list of requirements), an applicant will need to schedule another pre-application meeting with the CEDD to receive their list of submittal requirements for final plat approval.

Lots cannot be created, sold, or marketed for sale until final short plat approval is granted and the plat map is recorded with the Skagit County Auditor. Final short plat approval is a separate process from the preliminary short plat approval process.

CED Department Comments:

- Setbacks shown on sheet 1 of 2 need to be revised to reflect the stream, its 50 foot buffer and the required 15 foot building setback.
- The stream and its buffer shall be included in a separate NGPA tract and a restrictive covenant added to the plat notes. Please contact the CED Department for wording of the NGPA restrictive covenant if you or your surveyor do not already have it.
- Revise the Short Plat Legend on Sheet 1 of 2 to show: Zoning Designation R-1, 3.0 and Comprehensive Plan Designation SF-MED. Remove references to Density and replace with Comprehensive Plan Designation.
- Revise Sheet 2 of 2 to include proposed lot lines and lot numbers.
- Revise call out 11 on Sheet 2 of 2 (Existing Shed) to indicate shed will either be relocate to Lot 2 or removed.
- Revise call out 18 on Sheet 2 of 2 (OHW line for stream) to indicate stream type.
- On Sheet 2 of 2 it appears the symbol for "Yard Setbacks" is either missing or turned off please revise.

- Prior to final plat approval all of the appropriate dedications, plat notes, and signature blocks shall be added to the short plat drawing.

Engineering Comments

General Comments:

- The project shall comply with all City standards, policies and codes.
- A Fill & Grade Permit is required for installation of utilities and grading.
- Construction plans are required before any improvements are installed.
- Right-of-way Permit is required for any work within City right-of-ways.
- Security is required for all work inside City right-of-ways.

Traffic Impact MVMC 14.10.110:

- Impact fees are required and will be collected at the time of the building permit

Street Improvements and Access MVMC 16.20 & Engineering Standards:

- Driveway shall meet most current ADA requirements and standards. Residential driveways are typically 6" concrete and are 20 feet in width. Plans shall be submitted for review and approval

Stormwater Flow Control and Water Quality MVMC 13.33 & 15.16:

- Stormwater quantity and quality analysis are required per City of Mount Vernon Municipal Code 13.33 and Department of Ecology 2005 Stormwater Manual using WWHM.
- The site drainage evaluation dated September 9, 2015 by Western Geotechnical Consultants and the handwritten stormwater runoff calculation are not in compliance with MVMC 13.33.
- Erosion and sediment control shall be provided as required.
- Protection of the stream and wetlands are required per MVMC 13.33 General Requirement #8.

Sanitary Sewer MVMC 13.08:

- Sewer is available on South Woodland Drive and Woodland Drive via 8" PVC mainline. A minimum 4 inch diameter sewer line is required to service the proposed new lot prior to final plat approval, in accordance with MVMC 13.08. Sewer Connection fees are required and will be collected at the time of permit issuance.

Additional Utilities:

- Prior to final approval, water and power will need to be installed to the property.

City Standards and Policies:

- The project is required to comply with current City codes, standards and policies as well as WSDOT Standard specifications for municipal construction and the 2005 Department of Ecology Stormwater Manual for flow control and water quality.