



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

A. SUMMARY AND PURPOSE OF REQUEST:

DATE: February 29, 2016

LAND USE ACTION: Administrative Approval of a 4-lot Preliminary Short Subdivision

PROJECT NAME/NUMBER: Skagit Highlands Pod E Short Plat; PL15-125

APPLICANT/OWNER: The Quadrant Corporation; 14725 SE 36th, Suite 200; Bellevue WA 98226
Contact: Sound Development Group, LLC; 1111 Cleveland Ave, Suite 202 Mount Vernon, WA 98273; 360-404-2010.

PROJECT PLANNER: Marianne Manville-Ailles, Planning Consultant

PROJECT DESCRIPTION: Proposed is a four lot short plat of an approximate 6.32 acre site. The lots range in size from 14,876 square feet (0.34 acre) to 18,755 square feet (0.43 acres). The lots are access by a private road/alley that is to the north of and takes access from Skagit Highland Parkway. In addition the proposal includes two tracts—one for the Native Growth Protection Area (NGPA) and the second as an open space tract. Critical Areas were identified, delineated, and recorded previously. No buffer impacts are anticipated as a result of the proposed short plat.

PROJECT LOCATION: The Skagit County Assessor identifies the property as parcel P127358. It has not been addressed yet. The parcel is located north of Skagit Highlands Parkway, South of College Way and east of Crested Butte Boulevard. The site is located within a portion of Section 15, Township 34 North, Range 04 East, W.M. in Skagit County, Washington.

B. EXHIBIT LIST:

Exhibit 1: Entire Land Use File, P15-125 (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 property is currently vacant.

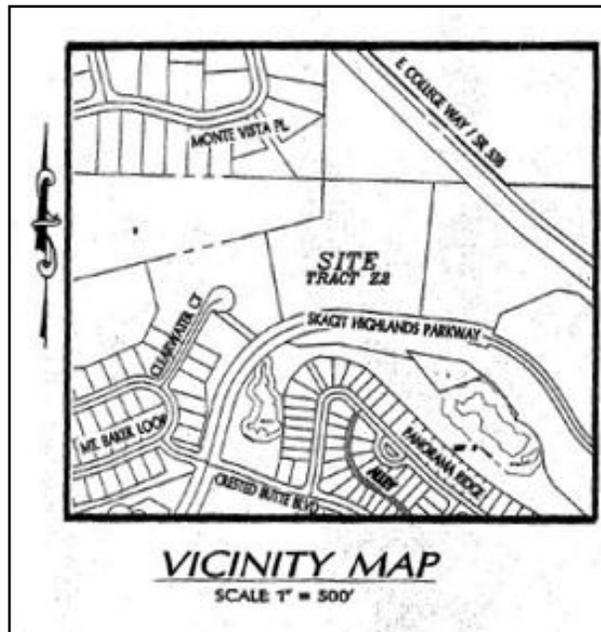
Neighborhood characteristics:

North: Vacant Open Space
South: Skagit Highlands Parkway
East: Vacant Open Space
West: Vacant Single Family Residential

Access: Access for the lots will be from a private asphalt roadway the runs parallel to and roughly 20 feet north of Skagit Highlands Parkway.

Site Area: The area of the parent parcel is ± 6.32 acres

Map: The approximate site boundaries are shown 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:

Environmental review for the project was completed as part of the Skagit Highlands approval process. The parent parcel was designated in the Skagit Highlands as a tract for future development.

G. DEPARTMENT ANALYSIS:

1. Project Description/Background:

The project proponent has requested approval of a Short Plat that would allow subdivision of an approximate 6.32 acre property into 4 lots. The remaining area within the lot will be allocated between Native Growth Protection Area (NGPA) and Open Space—each within a separate tract. The lots range in size from 14,876 square feet (0.34 acre) to 18,755 square feet (0.43 acre). Access to the lots will be from a private road that is parallel to and approximately 20 feet north of Skagit Highlands Parkway. Previous Platting for Skagit Highlands identified a wetland and its buffer on the western portion of the parent parcel. That wetland and its buffer are located within a Native Growth Protection Area tract. The proposal is not anticipated to impact the wetland or its buffer. A large open space tract containing open space and trail system is also part of the proposal and is locate to the north of the lots and to the west of the NGPA tract.

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 December 16, 2015; and was deemed technically complete on January 15, 2016. A Notice of Application (NOA) was issued on January 25, 2016. The NOA was distributed to all properties within 300 feet of the project site on January 27, 2016. 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 January 27, 2016 to February 10, 2016 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.

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). The Master Plan allows for some reductions in development standards only if the applicant implements measures to preserve privacy, such as screening or tinted glass (hearing examiner condition):
 - i. Minimum Front Setback: Per MVMC (25 feet on arterial streets and 20 feet on all other streets; corner lots shall observe the front setback on both streets). Per Master Plan 20 feet, Porch 15 feet. *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): *The lots as proposed would allow minimum setbacks to be met; setbacks will be verified prior to issuance of building permits.*
 - iii. Minimum Side Setbacks: Side yard: five feet (Per MVMC total of the 2 is 15 feet Per Master Plan total of the two is 10 feet). *The lots as proposed 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: Per MVMC *new construction is required to provide 2 enclosed (private garage) spaces and a driveway apron that would accommodate an additional 2 spaces. Per Master Plan new construction is required to provide 2 parking spaces. The driveway in the front yard may be used as one parking space. 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(J), 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:
The lots are proposed to be served by a private roadway. Engineering has reviewed the proposal and has no comments.
- d. Except as noted in MVMC 16.32.032(J), 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:
The lots are proposed to be served by a private roadway. Engineering has reviewed the proposal and has no comments..
- 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:

Construction Plans have been submitted and are currently under review.

- 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 identified wetland and its buffer shall be dedicated as open space tract and shown on the short plat as an NGPA tract. Appropriate plat notes addressing the NGPA will be required on the final plat map.

- 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: *Engineering has reviewed the short plat for these requirements and offered no comment.*

- 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:

Construction plans have been submitted and review is underway.

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 south side of Skagit Highlands Parkway across the street from the subject property. Submitted construction plans indicate how water and fire protection will be provided. Comments from the relevant departments and agencies will be provided as part of the review of the construction plans.
- b. Sanitary sewer:
The applicant shows that sanitary sewer is available to serve the lots in the center of Skagit Highlands Parkway. Submitted construction plans indicate how sanitary sewer will be provided. Comments from the relevant departments and agencies will be provided as part of the review of the construction plans.
- c. Underground power, telephone, television cable and all other necessary utilities, including undergrounding existing facilities;
Power is available to serve the 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 final plat prior to it being recorded.*

- e. Improvements required for fronting street, if sub-standard:
Street frontage improvements including landscaping have been provided on the submitted construction plans and landscaping plan. Comments from the relevant departments will be provided as part of the review of those plans.
- 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:

The open space tract 998 includes improved surface trails that are part of the recreation network for the Skagit Highlands development as required by the master plan.

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.
- 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 the lots. Prior to final approval water will need to be installed to the lots.

f. Sanitary sewer:

Sewer is available in Skagit Highlands Parkway. Review of construction plans for provision of sewer is underway. Approved construction of proposed sewer will be required prior to final plat approval.

g. Street Improvements:

Review of construction plans for street improvements is under way. Installation of the require improvements and any associated performance bonding will be required prior to final plat approval.

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 **Skagit Highlands Pod E Short Plat** application, **File No. PL15-125**, 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, **March 14, 2016**. 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 29th day of February, 2016 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.

The applicant has filed for a Fill and Grade Permit under application PR15-958. Before any land disturbing activities take place, until and unless said Fill & Grade Permit has been issued.

When all of the preliminary short plat conditions of approval have been met/constructed, 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:

- The wetland and its buffer shall be located within a separate Native Growth Protection Area tract. That tract can also include the small area of trail and open space located north of the wetland buffer.
- Please note that set back reductions as indicated on the plat are only allowed if the applicant implements measures to preserve privacy, such as screening or tinted glass (hearing examiner condition). Please include a plat note indicating the privacy requirements for setback reduction.
- Upon completion of landscape installation the applicant shall be required to submit a Landscape Inspection Report to the Town from an arborist, landscape architect (or other similarly qualified person) that addresses; site preparation; soils—imported and amended; condition of plants before installation; installation of plants and soil; general site review of landscaping; irrigation/drought tolerant plants; and other landscaping elements as necessary.
- Per MVMC 17.93.060 B, a two year maintenance bond or other approved alternative shall be required for the landscaping in order to ensure that the plant materials are in a healthy, growing condition that should continue following the release of the financial security.

Engineering Comments

- Standard plat notes, easement language and addresses will be provided to the Applicant with final short plat review.
- Technical review of survey data, lot closures, etc. will be performed with final short plat review.
- Additional easements will be required, including but not limited to private storm, private sanitary, and access over Tract 999, per construction of improvements.
- Short plat lot and tract layout shall correspond to submitted civil construction drawings and all subsequent revisions.