

PRELIMINARY SHORT PLAT APPROVAL

Community Development Department • 501 Delta Avenue • Marysville, WA 98270 Office Hours: Mon - Fri 8:00 AM - 4:30 PM • Phone: (360) 363-8000

PROJECT INFORMATION											
Project Title	Quinn Ave Short Plat			Date of Report		ort	March 7, 2024				
File Number	SP23-002			Attachment			Preliminary Short Plat Map (E017)				
Administrative Recommendation	Approve the preliminary 2-lot short plat subject to the recommended condition						ditions	ions of approval.			
BACKGROUND SUMMARY											
Applicant Rhonda Griffin, Steven Griffin											
Request	The applicant is proposing a NON-Project Action 2-lot short plat. Lot 1 and 2 are existing single-family residences. The access for the proposed lots would remain as-is, with Lot 1 accessing from 10 th Street, and Lot 2 accessing from the alley.										
Site Address	940 Quinn Avenue				APN(s)	0046	5200100800				
Legal Description (abbreviated)	_	arringtons 2nd Add To Marysville Blk 01 D-00 - Lot 8		(Section	28	Township	30N	Range	5E	
Comprehensive Plan	Middle Housing 1 Zoning MH1				Shoreline Environment				N/A		
Water Supply	Current Proposed			Sewer		Current		Proposed			
water Supply	Marysville	ille Marysville			Supply		Marysville		Marysville		
REVIEWING AGENCIES											
Marysville	Local Agencies			State & Federal		County			Other		
 ☑ Building ☑ Planning ☑ PW – Dev. Services ☑ Operations ☑ PW – Water Resources 	☐ Comcast ☐ Marysville SD 25 ☐ PUD No. 1 ☑ Marysville Fire ☐ District ☐ Ziply		US Army Cor Engineers BNSF DAHP DOE WDFW WSDOT WUTC		rps of	Health District☐ Planning☐ Public Works - LandDevelopment☐ Public Works			⊠ Tulalip Tribes ⊠ Stillaguamish Tribe		
			ACTI	ON							
□ Administrative	Administrative										
Date of Action	March 7, 2024		⊠ Appro	ved		Denied			☐ Continued		
STAFF											
Name Emily Tsan Title Planning Technician Phone 360.363.8220 E-mail etsan@marysvillewa.gov											

	SURROUN	IDING USES					
	Comprehensive Plan	Zoning	Land Use				
North	Middle Housing 2	MH2	Duplex and Single family residences				
East	Middle Housing 1	MH1	Single family residences				
South	Middle Housing 1	MH1	Duplex and Single family residences				
West	Middle Housing 1	MH1	Quinn Avenue and Single family residences				
VICINITY MAP							



DEPARTMENT REVIEW - FINDINGS OF FACT & CONCLUSIONS

- 1. **Description of Proposal.** Insight Engineering Co. (contact) on behalf of Rhonda & Steven Griffin (owners) have requested preliminary NON-Project Action short plat approval in order to subdivide the two existing single-family residences, located at 940 Quinn Avenue, into individual lots. A preliminary short plat application is an Administrative Decision. No public hearing is required.
- 2. **Site Location.** The project site is located at 940 Quinn Avenue and is further identified by Assessor's Parcel Number (APN) 00465200100800.
- 3. **Site Description**. The project site is currently developed with two (2) single family residences that are proposed to be retained on-site and subdivided into two individual lots. There is a detached accessory structure on the south-east corner of Lot 1 that does not comply with the required minimum 5 foot side and rear yard setbacks and may be considered a legal nonconforming structure. Pursuant to MMC 22G.090.550, when divisions or redivisions of land are submitted proposing the creation of new lots with existing structures, the existing structures shall comply with all zoning code requirements including, but not limited to, such things as setback requirements, parking requirements and height standards; provided, however, if the structures are legal nonconforming buildings, nothing shall prohibit the division of such land, so long as the division does not increase or intensify the nonconforming nature of the structure.

The applicant shall be required to demonstrate the shed was legally constructed, or reconstructed to comply with the required 5 foot setback, prior to recording the short plat.

The site is relatively flat and vegetated with typical residential lawn grass, shrubs and deciduous and conifer trees.

- 4. **Project History.** A pre-application review (PREA22-048) was completed January 10, 2023 for a 2-lot short plat.
- 5. **Letter of Completeness.** The current Short Plat application was deemed complete on June 22, 2023.
- 6. **Public Notice.** Notice was provided in accordance with MMC 22G.010.090, *Notice of development application*. No public comments have been received to date.
- 7. **Request for Review.** A Request for Review of the proposed development was sent to Marysville City departments and the Marysville Fire District identified on page 1 of this report. No comments have been received to date.
- 8. **State Environmental Policy Act Review.** Pursuant to MMC 22E.030.090, the proposed short plat is exempt from SEPA review.
- 9. **Critical Areas.** The subject property does not have critical areas on or near the site; therefore, the provisions of MMC 22E.010 Critical Areas Management would not apply.
- 10. Access and Circulation. Vehicular access for the proposed lots would remain as-is, with Lot 1 accessing from 10th Street, and Lot 2 accessing from the alley.
- 11. **Traffic Impacts.** This is a NON-Project Action short plat. There are no traffic impacts.
- 12. **Park Impacts.** This is a NON-Project Action short plat. There are no park impacts.
- 13. **School Impacts.** This is a NON-Project Action short plat. There are no school impacts.

- 14. **Utilities.** This is a NON-Project Action short plat. Both single family residences are currently connected to public water and sewer.
- 15. **Application Review.** MMC 22G.010.140(3) requires the city to determine whether or not the project is consistent with the following items described in the applicable plans and regulations:
 - 15.1. Type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned residential development and conditional uses, if the criteria for their approval have been satisfied.

Staff Comment: Pursuant to MMC 22C.080.120, single family residences are not a permitted use in the MH1 zone, unless established on or prior to September 27, 2021, and are subject to the provisions of MMC Chapter 22C.100, *Nonconforming Situations*. According to the Snohomish County Assessor's data the two single-family residences were constructed in 1955 and 2000 and are considered legal non-conforming uses.

15.2. Density of residential development in urban growth areas.

Staff Comment: The short plat was vested under the MMC provisions adopted by Ordinance No. 3191, which allowed a maximum base density of 18 dwelling units per net project area in the MH1 zone. The density of the proposed short plat is nine (9) units per net project area (2-units / 0.22 acres), which complies with the density requirements of the MH1 zone.

15.3. Availability and adequacy of public facilities identified in the comprehensive plan.

Staff Comment: The Downtown Master Plan was adopted by Ordinance No. 3191, as a sub-element of the Marysville Comprehensive Plan. The Comprehensive Plan designation for the subject property is Middle Housing 1. The proposed development has been reviewed for compliance with the Downtown Master Plan to ensure consistency with the goals and policies related to Middle Housing 1.

As conditioned, the proposed development would be consistent with the City of Marysville Comprehensive Plan.

15.4. **Development Standards.**

Staff Comment: The project site is currently zoned MH1. Single family residences are not a permitted use in the MH1 zone, unless established on or prior to September 27, 2021, and are subject to the provisions of MMC Chapter 22C.100, *Nonconforming Situations*. According to the Snohomish County Assessor's data the two single-family residences were constructed in 1955 and 2000 and are considered legal nonconforming uses.

The short plat was vested under the MMC provisions adopted by Ordinance No. 3191 and complies with the bulk and dimensional requirements set forth in Table 22C.080.140, Dimensional regulations for Downtown Marysville zones.

The proposed development and subsequent use of the property will comply with the intent of the MH1 zone, and as conditioned herein, complies with all of the applicable design and development standards outlined in Title 22 – Unified Development Code.

As conditioned, the proposed development makes appropriate provisions for the public use and interest, health, safety and general welfare.

- 16. **Factors Considered by City Departments.** MMC 22G.090.360 requires the City to review the short plat application to determine whether it meets the following criteria:
 - 16.1. **Public Use and Interest.** Evaluation of the proposed short subdivision to determine whether the public use and interest are served;
 - **Staff Comment:** Based on the review of application materials for the proposed project, staff concludes that as conditioned, the public use and interest would be served.
 - 16.2. **Public Health, Safety, and General Welfare.** Evaluation of the proposed subdivision to determine whether the public health, safety and general welfare have been served and that the subdivision is consistent with the requirements of RCW 58.17.110;
 - **Staff Comment:** Per above Finding 15.4, the proposed short plat application would make appropriate provisions for the public health, safety, and general welfare would be served in accordance with RCW 58.17.110.
 - 16.3. **Comprehensive Plan.** Evaluation of all elements of the comprehensive plan and its consistency with the proposed short subdivision;
 - **Staff Comment:** Per above Finding 15.3, the proposed development would be consistent with the elements of the Comprehensive Plan.
 - 16.4. **Existing Zoning.** Evaluation of existing zoning and its compliance with the proposed short subdivision and Article V of this chapter, Land Division Requirements;
 - **Staff Comment:** The project site is zoned MH1. This zone encourages small infill housing, especially "missing middle" housing and protects the fine-grained, residential character of historic neighborhoods.
 - As conditioned, the proposed development would comply with the applicable development standards of MMC Title 22.
 - 16.5. **Natural Environment.** Evaluation of the impacts and provision for mitigation of all impacts on all elements of the natural environment including topography, vegetation, soils, geology and all environmental issues;
 - **Staff Comment:** The proposal is a NON-Project Action subdivision that does not contain critical areas and is not subject to environmental review via the SEPA review process pursuant to MMC 22E.030.090(1)(a) and WAC 197-11-800(6); therefore, this provision would not apply.
 - 16.6. **Drainage.** Evaluation of all drainage impacts and provisions made for mitigation of all drainage impacts;
 - **Staff Comment:** The proposal is a NON-Project Action subdivision and has no historical drainage impacts; therefore, this provision would not apply.
 - 16.7. **Open Space**. Evaluation of all impacts and provision for open space;
 - **Staff Comment:** The proposed development does not include open space areas nor are open space areas required; therefore, this provision would not apply.

- 16.8. **Public Systems Capacity**. Evaluation of all impacts and provisions made for mitigation of impacts on public systems including parks, schools and community facilities;
 - **Staff Comment:** The proposal is a NON-Project Action; therefore, this provision would not apply.
- 16.9. **Public Services**. Evaluation of all impacts and provisions made for mitigation of impacts on public services including streets, all public utilities, fire and police protection;
 - **Staff Comment:** The proposal is a NON-Project Action; therefore, this provision would not apply.
- 16.10. **Floodplain**. Identification of short subdivisions proposed in the floodplain and compliance with requirements of this title and Chapter 22E.020 MMC, Floodplain Management;
 - **Staff Comment:** The proposed development is not located within floodplain area; therefore, this provision would not apply.
- 16.11. **Sidewalks.** Pursuant to RCW 58.17.060(2), the applicant shall be required to show that sidewalks are provided to assure safe walking conditions for students who walk to and from school;
 - **Staff Comment:** Curb, gutter and sidewalk are currently installed along Quinn Avenue and 10th Street. The sidewalk on 10th Street is substandard and will be required to be replaced with a 5 foot wide Engineering Design and Development Standards (EDDS) compliant sidewalk, prior to recording the final short plat.
- 17. **In House Days.** Pursuant to MMC 22G.010.200, a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made thirty-six (36) in-house calendar days from the date of completeness.

CONDITIONS OF APPROVAL

Based on the foregoing findings and conclusions, review of the environmental documents submitted by the applicant, and the City's regulatory authority to implement the policies, standards, and regulations of the Comprehensive Plan and Marysville Municipal Code, the Community Development Director hereby grants *Preliminary Administrative Short Plat Approval* subject to the following conditions:

- 1. The preliminary short plat map (Exhibit 017) shall be the approved site layout.
- 2. The sidewalk on 10th Street is substandard and will be required to be replaced with a 5 foot wide Engineering Design and Development Standards (EDDS) compliant sidewalk, prior to recording the final short plat.
- 3. Street trees planted 1 per 30 feet of frontage along Quinn Avenue and 10th Street installed in accordance with EDDS SP 3-504-001 and MMC 22C.120.140 shall be required, prior to recording the final short plat.
- 4. Prior to recording the final short plat, the applicant shall be required to demonstrate the existing accessory structure on the southeast corner of Lot 1 was legally permitted, and complies with the

non-conforming structure provisions, or it shall be removed or relocated to comply the minimum
foot side and rear yard setbacks required for accessory structures.

Prepared by: Emily T. Reviewed by: Chris

DETERMINATION

This *Preliminary Administrative Short Plat Approval* is issued pursuant to MMC Section 22G.010.150(h). Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010, Article VIII, *Appeals*. Appeals must be filed within fourteen (14) calendar days of the date of the Preliminary Administrative Binding Site Plan and Planned Residential Development Approval.

Date: March 7, 2024 Signature: Haylie Miller, CD Director

The above recommendation, including conditions of preliminary approval, are subject to change if the proposed phasing parameters, land uses or any other information provided by the applicant or their authorized representative proves inaccurate.



