



11930 Cyrus Way  
Mukilteo, WA 98275  
(425) 263-8000

## Notice of Preliminary Short Plat Approval

for Daffron Short Plat  
at 9018 53<sup>rd</sup> Avenue West  
by Mike Daffron on the behalf of  
Daniel Daffron

The City of Mukilteo has issued a Notice of Decision for a Project Permit as required by Regulatory Reform Act (RCW 36.70B.130) and Mukilteo Municipal Code (MMC 17.13.080), and has **APPROVED** the following project:

**Project Name:** Daffron Short Plat

**Proponent:** Mike Daffron on the behalf of Daniel Daffron

**Project Number:** SP-2017-003

**Description of Proposal:** Development of a 4-lot Short Plat on 1.39 acres zoned RD12.5 with associated grading, drainage improvements, landscaping, and street frontage improvements.

**Location of Proposal:** 9018 53rd Avenue W., Mukilteo, Washington.

**Notice of Approval Date:** October 18, 2019

**End of Appeal Period:** November 1, 2019

**Project Permit Expiration Date:** October 18, 2024

**Project Decision:** Approved

### Project Decision

Staff administratively reviewed this project for consistency with the policies, standards, and regulations of the City of Mukilteo. After considering comments by the public and other agencies, the project permit is hereby approved with conditions based on the following Findings of Fact, and subject to the following Conditions of Project Approval.

### FINDINGS OF FACT

1. The applicant submitted an application for construction and site development of a four (4) lot single-family residential short plat with associated grading and drainage improvements. The application was determined to be complete on March 7, 2018.
2. In accordance with Mukilteo Municipal Code (MMC) 17.13, a Notice of Application was issued on March 21, 2018, and the project was circulated for review in accordance with the City's normal review and permitting procedures.

3. The property is designated Single-Family Low Density per the 2015 City of Mukilteo Comprehensive Plan. The proposal complies with the intended goals, objectives and policies of the Comprehensive Plan. The following Comprehensive Plan Land Use (LU) and Housing (HO) apply to this project:

LU1: Develop as a community which provides housing, job opportunities, and shopping places which are compatible with and complementary to the residential character of the neighborhoods and the quality of life in the City.

LU14: All development shall occur only in areas with adequate public utilities and services including but not limited to water, sewer, storm drainage collection and disposal, solid waste disposal, police and fire protection, or areas into which such utilities and services can be readily extended at no cost to the City of existing users.

HO5: A wide variety of housing options should be encouraged in the city's residential and mixed use zoning districts to meet demands for housing, including affordable housing.

UT7 Surface water management planning and operations shall comply with City, State, and Federal surface water regulations and be consistent with the City of Mukilteo Comprehensive Plan.

UT7d: Drainage, flooding, and stormwater run-off impacts shall be minimized to the maximum extent practical in land use development proposals and City operations.

UT8: Streams and wetlands should be an integral part of the stormwater management program, provided they are protected from the negative impacts created by altered flow regimes and pollutant sources.

4. The subject property is located at 9018 53<sup>rd</sup> Avenue West and is zoned RD-12.5 (Single-Family Residential with a minimum lot size of 12,500 SF).
5. The proposed development of four single-family residences is a permitted use in the RD-12.5 zoning district.
6. Pursuant to the State Environmental Policy Act (SEPA), WAC-197-11-800 states that land use decisions such as short plats (WAC 197-11-800.6(d)), are categorically exempt from SEPA Review.
7. Staff administratively reviewed this project for consistency with all applicable requirements of the Mukilteo Municipal Code that apply to the subject property. Based on this review, it has been determined that development of the site will conform to all applicable zoning and development standards, and that as conditioned, the project will have no adverse impacts to the public health, safety and general welfare.

8. The proposal complies with use, area, lot dimension, landscaping and parking requirements of the RD-12.5 zoning district:

<b>Regulation</b>	<b>Requirement</b>	<b>Lot 2</b>	<b>Lot 1</b>	<b>Lot 3</b>	<b>Lot 4</b>
<b>Minimum lot area (MMC 17.20)</b>	12,500 square feet	12,500 square feet	12,580 square feet	12,529 square feet	12,884 square feet
<b>Minimum lot width (MMC 17.20)</b>	At setback line: 50' At lot line: 30' Corner lot line: 60'	105.02' 105.02' N/A	85.01 85.01 148'	105.02' 105.02' N/A	70' 20' N/A
<b>Minimum average lot depth (MMC 17.20)</b>	85'	119.05'	148'	119'	229'
<b>Height (MMC 17.20)</b>	30'	Existing Structure	Height requirements will be met at the time of building permit submittal		
<b>Front setback (MMC 17.20)</b>	25'	30.9'	Setback requirements will be met at the time of building permit submittal		
<b>Rear setback (MMC 17.20)</b>	Interior Lot: 25' Corner Lot: 15'	37.8'	Setback requirements will be met at the time of building permit submittal		
<b>Side setbacks (MMC 17.20)</b>	5'/15'	19.8' north	Setback requirements will be met at the time of building permit submittal		
<b>Lot coverage (MMC 17.20)</b>	35%	6%	Lot coverage requirements will be met at the time of building permit submittal		
<b>Hard Surface Coverage (MMC 17.20.025)</b>	55%	18%	Hard surface coverage requirements will be met at the time of building permit submittal.		
<b>Parking (MMC 17.56)</b>	2 stalls per dwelling unit		Parking requirements will be met at the time of building permit submittal.		

9. The preliminary storm water detention proposal meets the City's design standards per the Washington State Department of Ecology's Stormwater Management Manual for Western Washington (2012) as amended in 2014.

10. Draft Maintenance Agreements for stormwater facilities have been reviewed for consistency with MMC 13.12.160.F.

11. The City's Declaration of Covenant and Grant of Easement for Stormwater Best Management Practices and maintenance inspection as outlined in MMC-13.12.160(F) has been submitted and reviewed. Exhibits may be adjusted to reflect field changes and a final copy shall be recorded prior to Final Permit and Final Short Plat.
12. Utilities are available to serve the subject property. Water and sewer is available from the Mukilteo Water & Wastewater District. Electricity is available from Snohomish County PUD. Natural Gas is available from Puget Sound Energy.
13. Development permits will be subject to the requirements of currently adopted regulations at the time of complete application.
12. The property lies outside the 55 DNL noise contour of Paine Field Airport.
13. Staff administratively reviewed Engineering Permit (File No. ENG-2017-037) submitted concurrently with the Short Plat Application for consistency with all applicable requirements of Mukilteo's Development Standards, including but not limited to drainage, clearing, grading, erosion control, access and street standards.
14. This projects proposal is to retain as many trees on-site as possible for stormwater credit per Volume III, Appendix III-C, Section C.8 of the DOE Manual.

## **CONDITIONS OF PROJECT APPROVAL**

### Clearing and Grading and Site Improvements:

1. All improvements shall be constructed in accordance with the approved civil construction drawings dated August 1, 2019 and approved October 9, 2019 and the approved Preliminary Plat Map dated October 8, 2019 and approved October 9, 2019. Minor modifications of the plans submitted may be approved by the Community Development Director or Public Works Director if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. The clearing limits of the approved Site Plan shall be clearly delineated in the field prior to any other work. Where such limits are in proximity to property boundaries or associated with site-sensitive areas, barrier fencing or siltation fencing shall be installed before site disturbance in accordance with the approved Temporary Erosion and Soil Control Plan and/or Stormwater Pollution Prevention Plan.
3. Siltation and erosion control measures shall be employed per the approved Stormwater Pollution Prevention Plan and/or the Temporary Erosion and Sediment Control Plan and as necessary to ensure appropriate on-site and off-site water quality control. Site runoff during construction shall be handled and treated as to quantity and quality impacts by utilizing Best Management Practices, as defined in the current DOE Stormwater Management Manual for Western Washington and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES).

### Landscape Plan

4. Submit a revised landscape plan for review and approval prior to permit issuance. The landscape plan shall match the revised preliminary plat map.

5. Landscaping shall be installed in accordance with the approved landscaping plan and shall be subject the following:
  - a. All landscaping associated with a project permit shall require the submittal of an acceptable warranty surety to warrant all required landscaping improvements against defects in labor and materials for a period of twenty-four (24) months after acceptance of those improvements by the City. The warranty amount shall be fifteen (15) percent of the costs of the improvements, as determined by the City. The surety shall be submitted to and approved by the City of Mukilteo and executed before occupancy of the building.
  - b. All landscaping shall be maintained in healthy growing condition. A final landscape inspection will be performed at the end of the two (2)-year period and any dead, dying or diseased plant material shall be replaced.
  - c. Minor modifications of the landscaping plans submitted may be approved by the Planning Director if the modifications do not change the findings of fact or the conditions of approval.

#### Stormwater

6. The stormwater detention design and stormwater discharge shall utilize the Best Management Practices of the current DOE Stormwater Management Manual for Western Washington and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES).
7. Trees are being retained for stormwater detention credit, the project will be required to identify the trees to be retained on the Short Plat Map. Mitigation for any tree that has been identified to be retained, but is removed during construction may include additional stormwater detention requirements, or replant the equivalent for stormwater per the tree planting criteria in BMP T5.16 of the SWMMWW.
8. The SWPPP Minimum Elements state that the detention pond will be used as a sediment pond during construction. The pond shall be cleaned and the volumes matched to the engineered condition prior to final plat approval.
9. Provide the total maximum hard surface coverage for Lot 2 which shall include the existing and new hard surface.

#### Fire:

10. The following requirements shall be adhered to during construction and completed before occupancy of any structure in accordance with Fire Code Development Standards and 2015 International Fire Code:
  - Lots 3 and 4 are required to be protected by an automatic 13D residential sprinkler system in accordance with Section 903.3.1 of the International Fire Code based on limited Fire Department access. A note to this effect shall be placed on the face of the final plat map.
  - A water supply capable of supplying the required fire flow for fire protection must be provided;

- An access route, for firefighting apparatus, must be provided at the start of construction. Minimum access route requirements include a 20' width, 13'6" vertical height clearance, and the ability to support a load up to 75,000 pounds;
- All buildings must be addressed visibly and legibly from the road. When buildings are not visible from the street, appropriate provisions must be made to identify clearly which road or drive serves the appropriate address including private roads.
- Hydrants shall be fitted with a 4" quarter turn Storz adaptor.
- To maintain access for fire vehicles, "No Parking" signs shall be installed within the private road. A note to this effect shall be placed on the face of the plat.
- Provide a Washington State certification number for any work done on fire protection systems, i.e. sprinkler systems, standpipe systems, fire detection/alarm systems or any underground for the fire protection system.

Utilities:

11. The applicant shall enter into a "Developer Extension Agreement" with the Mukilteo Water and Wastewater District. All construction of water and sewer facilities shall be in accordance with the standards, specifications and regulations of the District.
12. The cost of any work, new or upgrade, to the existing electric system and facilities that is required to connect the project to the Snohomish County PUD electric system shall be in accordance with applicable Snohomish County PUD policies.

Other:

13. All contractors and subcontractors working on the project described herein shall obtain a business license from the City before initiation of any site work.
14. All construction equipment, building materials, and debris shall be stored on the applicant's property, out of the public right-of-way. In no case shall the access to any private or public property be blocked or impinged upon without prior consent from the affected property owners and the City of Mukilteo.
15. If at anytime during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director.
16. Noise from construction activity that is audible beyond the property lines of the project site shall not be allowed between the hours of nine (9) p.m. to seven (7) a.m. on weekdays, seven (7) p.m. to nine (9) a.m. on Saturdays and all day on Sundays and holidays.
17. All mailbox locations must be approved and signed off by the U S Postal Service prior to permit issuance. Please contact the Growth Management Coordinator to arrange an appointment.
18. The location of signs on approved plans is for illustrative purposes only. Pursuant to Mukilteo Municipal Code 17.80, a sign permit must be obtained for the placement

of any non-exempt signage. Application for that sign permit shall include an approved site plan specifying the location of all signs.

19. All public improvements associated with a project permit shall require the submittal of an acceptable warranty surety to warrant all required improvements against defects in labor and materials for a period of twenty-four (24) months after acceptance of those improvements by the City. The warranty amount shall be equal to fifteen (15) percent of the costs of the improvements and installation, as determined by the City. The surety shall be submitted to and approved by the City of Mukilteo and executed prior to final plat approval.
20. The applicant and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting the project.
21. The applicant shall submit a performance bond in the amount of one hundred and fifty percent (150%) for all public improvements and the stormwater detention pond.
22. Submit a draft copy of the Statutory Warranty Deed which shall be recorded with Snohomish County prior to final plat approval for the ten (10) feet of right-of-way dedication.
23. An on-site preconstruction meeting with the contractor is required.

Final Plat:

24. The following notes and information shall appear on the face of the final short plat map. All signature blocks shall be in accordance with City standards, which are available at the Planning Department.
  - “The use and development of the property included within this plat shall be governed by the Conditions of Approval imposed through Case Number SP-2017-003 and shall be binding upon the land until that approval is amended, revoked or expires.”
  - The following free consent statement shall be acknowledged by property owners and shall be notarized:

“We, the undersigned, attest that we are the contract purchaser or owner in fee simple of the land represented on this short plat and have no right, title or interest of any kind in any unplatted land contiguous to any part of the land included in this short plat. This Short Plat is made with our free consent and in accordance with our desires.”
  - “Lots 1, 3 and 4 shall pay park, school, and traffic mitigation fees at the time of building permit issuance. The total fee or mitigation amount shall be based on the mitigation fee established by ordinance in effect at the time of fee payment.”
  - “Landscape areas located within the public right-of-way are the responsibility of the adjoining land owners.”

- “Maintenance of drainage facilities is subject to the recorded maintenance agreement under AFN No. \_\_\_\_\_.”
  - “Building setbacks for the lots contained within this short plat are subject to the approval by the City’s Planning Department prior to the issuance of a building permit. Applicants should have the setback on their site plan verified by the City’s Planning Department prior to submitting plans for a building permit.”
  - “No lot created by this short plat may be re-subdivided for a period of five (5) years from the date of approval of this short plat without the submission and approval of a final subdivision pursuant to all provisions of Mukilteo Municipal Code Title 16 concerning the subdivision of land into five or more lots, tracts, or parcels. Any future subdivision of the lots in this short plat will be contingent on obtaining adequate right-of-way to meet the standards for a public road to provide access to the lots.”
  - “Refer to Auditor Recording Number” shall be shown on the recording block section of the plat map.
  - The title block on the final plat map shall have the names of all the legal owners of the property named on the plat and the name of the surveyor/engineering firm that prepared the final plat map. “The property as described herein is located within or near a designated noise contour of the Snohomish County Airport at Paine Field. The property is subject to noise levels that residents may find objectionable as a result of aircraft operations. Property owners may want to consider adding noise attenuation materials in the final design.” The following items are required to be shown on the face of both the final plat map and supplemental map prior to final approval. The required language for these items may be obtained from the City Planning Department:
    - Surveyor Certificate;
    - Correct legal description of all lots;
    - Owners Statement;
    - All new easement(s) over the property, their legal description(s) and associated dedication block (s);
    - Recording block/Certification block for Community Development Director and Public Works Director approval;
    - Certification of Payment of Taxes and Assessments;
    - Auditor’s Certificate;
    - North arrow;
    - The survey control scheme, monumentation and references.
25. All lot corners must be installed with rod and cap prior to Final Short Plat approval.
26. The applicant shall have a licensed Civil Engineer prepare and/or supervise the preparation of As-Built drawings to be reviewed, approved and signed by the City Engineer upon satisfactory installation of the constructed infrastructure improvements and site work. One (1) reproducible, one (1) signed Mylar drawing



and one (1) 11"x17" reduced copy of the drawings shall be submitted prior to final approval of the proposed project.

The project permit shall be valid for five (5) years from the date of this Notice of Decision. If a building permit, grading permit, or occupancy permit is not obtained within this period, the project permit shall become null and void, and a new project permit application would need to be submitted. The Planning Director may grant an extension to the approval date for a period of one (1) year if such is requested prior to the expiration of the project permit.

Any violation of the Conditions of Approval shall be considered a violation of the project permit and shall be subject to the City's code enforcement procedures.

### Appeals

A Party of Record must file an appeal of this project decision within fourteen (14) calendar days from issuance of this Notice of Decision. Appeals must be delivered to the City Clerk by mail, personal delivery, or other method, during normal business hours by **4:30 p.m., Friday, November 1, 2019**, at City Hall, 11930 Cyrus Way, Mukilteo, WA 98275. Appeals shall be in writing on the approved form with the required information provided, accompanied by an appeal fee as outlined in the city's most current fee resolution, and shall include the appellant's signature.

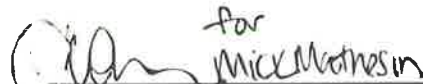
*Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For information regarding property valuations and/or assessments, contact the Snohomish County Assessor's Office at (425) 388-3433.*

**Contact Person:** Linda Ritter, Senior Planner

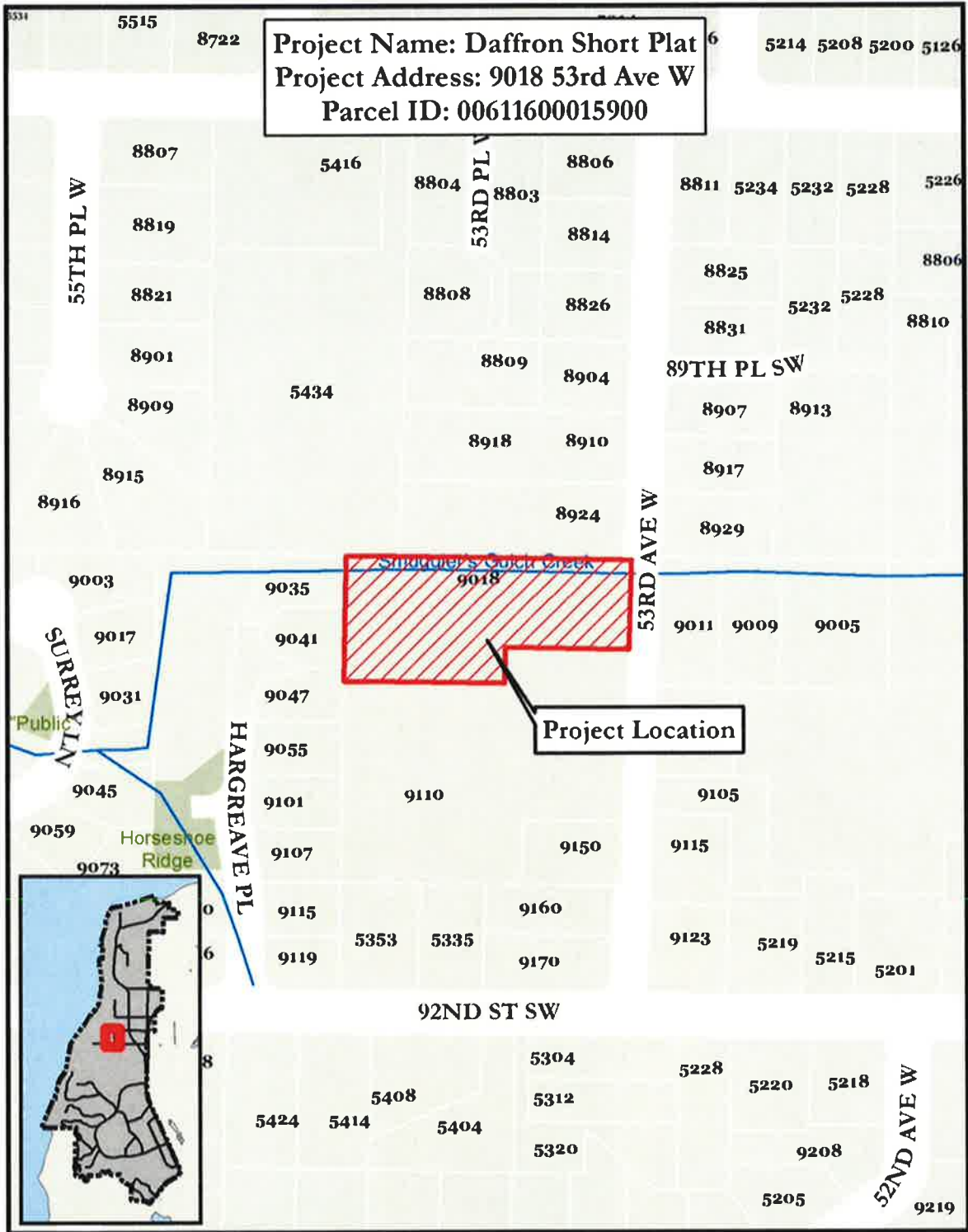
**(425) 263-8043**

  
Linda Ritter  
Senior Planner

Date: 10/19/19

  
for Mick Matheson  
Mick Matheson, P.E.  
Public Works Director

Date: 10/18/2019



**Location Map**

pc: Applicant Community Development Director Permit Services Technicians (2)  
 Owners w/i 300 ft. File Copy (2)  
 Parties of Record (if any) Review Agencies