



PRELIMINARY SHORT PLAT DECISION

Rolen Short Plat January 19, 2021

I. Application

File Number: STP-009882-2021

Location: 3909 188th Street SW

Applicant: Brandon Rolen
3909 188th Street SW
Lynnwood, WA 98037

Staff Reviewer: Brian Lee, Senior Planner
(425) 670-5407, blee@lynnwoodwa.gov

II. Findings of Fact

As per ESHB 2929 (GMA 1990), RCW 58.17.195, and Chapter 19.50 Lynnwood Municipal Code (LMC) entered for preliminary approval for the above referenced application:

Findings

1. A valid application was filed on October 27, 2021, and the application was deemed complete on the same date.
2. The subject property is located at 3909 188th Street SW (Parcel No. 27041500201700).
3. The applicant proposes to subdivide a parcel comprised of approximately 21,176 square feet into two (2) lots. The property is zoned Residential 8,400 (RS-8) and is currently developed with one existing single-family home, which is proposed to be retained on Lot 1.
4. The proposed short plat will create two lots: Lot 1 will be 8,610 square feet, and Lot 2 will be 12,566 square feet in size. The plat includes a 20-foot access easement across Lot 1 to allow access for Lot 2.
5. Referrals were sent to all affected City departments. The comments received are found in file STP-009882-2021 and are hereby incorporated into these findings.



6. Chapter 19.50 of the Lynnwood Municipal Code (LMC) states the decision criteria for a preliminary short subdivision. The applicant bears the burden of proving that the proposed preliminary short subdivision meets these criteria.
7. LMC 19.50.025 outlines review criteria for consideration by the community development director to make a recommendation to the mayor. The short subdivision shall conform to and it shall be the applicant's burden to demonstrate conformance to the following factors as they now exist or as they may be amended:

A) The goals, policies and objectives of the Lynnwood Comprehensive Plan.

Staff Response: The subject property is designated Low-Density Single-Family (SF-1) on the Future Land Use Map in the Comprehensive Plan. The proposal meets the goals, policies and objectives of this land use designation.

B) The Lynnwood Comprehensive Parks and Recreation Plan.

Staff Response: The subject property is not designated for a public park or recreation use on the City of Lynnwood Park and Recreation Plan.

C) The Lynnwood Zoning Code.

Staff Response: The site is zoned Residential 8,400 (RS-8). After lot averaging, the proposed short subdivision conforms to the minimum lot standards in that zone. Minimum building standards will be addressed during construction.

D) The standards of Title 19 LMC and Chapter 58.17 RCW.

Staff Response: The proposal is in conformance with Title 19 LMC and Chapter 58.17 RCW for the reasons set forth in Sections 8 and 9 of this decision.

E) The Lynnwood Comprehensive Street and Arterial Plan.

Staff Response: The site is located on existing 188th Street SW.

F) The City's Environmental Policies.

Staff Response: The site does not contain any critical areas as defined by Title 17 LMC.

G) The Lynnwood Water System Comprehensive Plan.

Staff Response: The proposal complies with the Water System Comprehensive Plan; this proposal does not require upgrade or expansion of existing facilities.



H) The Lynnwood Comprehensive Trunk Storm Drainage Plan, and Chapter 13.40 LMC Drainage Plans.

Staff Response: The short subdivision shall provide a storm drainage system in conformance with City standards.

I) The compatibility of the short subdivision to the existing neighborhoods.

Staff Response: The proposed short subdivision is compatible with the existing adjacent single-family residential uses.

J) Other plans and programs as the City of Lynnwood may adopt.

8. Chapter 58.17 is the Subdivision Map Act for the State of Washington, which the City of Lynnwood Subdivision Ordinance implements under LMC 19.50. The short subdivision makes appropriate and adequate provision for factors set forth in RCW 58.17.110. LMC 19.50.028 states that “a proposed short subdivision shall not be approved unless the mayor makes written findings that:”

A) Appropriate provisions are made for, but not limited to:

1. The public health, safety, and general welfare.

Staff Response: The proposed short subdivision meets all the minimum requirements of the Lynnwood Municipal Code, which is the official City standard regarding public health, safety and welfare. This short subdivision has been reviewed and recommended for approval by the City’s Fire Marshal and Public Works Department with respect to public safety and welfare.

2. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit stops.

Staff Response: Single-family residential developments are exempt from providing open spaces, drainage ways, streets, roads, alleys, other public ways, and transit stops. The short subdivision will include necessary utility and access easements that will be designed as part of the construction and final short subdivision process.

3. Potable water supplies, and sanitary wastes.

Staff Response: Water and sanitary service are available on 188th Street SW.

4. Parks and recreation, playgrounds, schools and school grounds.

Staff Response: The applicable park impact fee will be assessed at construction.



5. All other relevant facts, including sidewalks and other planning features that assure safe walking conditions.

Staff Response: Sidewalks are present on 188th Street SW and will be maintained.

- B) The public use and interest will be served by the platting of such short subdivision.

Staff Response: The City has designated the property for single family use on the Future Land Use Plan of the Comprehensive Plan and zoned the site RS-8, indicating that there is a public need, and that it serves the public use and interest, to develop the subject property with single family detached residences in conformance with those land use and zoning standards. The standards of the City's Subdivision Ordinance are further City standards which meet the public use and interest in the City. The proposed short subdivision conforms to all these standards.

- C) The proposed short subdivision is in conformance with the Lynnwood zoning code and land use controls.

Staff Response: This criterion is met for the reasons set forth above.

Conclusion

1. The applicant has shown that the proposed preliminary short subdivision meets the decision criteria Chapter 19.50 LMC and conforms to the provisions of the Lynnwood Subdivision Code and other applicable City codes.
2. The short subdivision, as proposed, conforms to the general purpose, objectives, and policies of the Comprehensive Plan and with the applicable regulations of the zoning code and other land use controls. Therefore, the application conforms to the criteria of LMC 19.50.025. The short subdivision also conforms to the Lynnwood Zoning Code.
3. The short subdivision conforms to all applicable plans adopted by the City of Lynnwood.
4. The short subdivision conforms to the provisions of Chapter 58.17 RCW and Chapter 19.50 LMC.

III. Conditions and Decision

Conditions

The preliminary short subdivision is **CONDITIONALLY APPROVED**, subject to compliance with all applicable provisions, requirements, and standards of the LMC, standards adopted pursuant thereto, and the following conditions:



1. The short plat site plan, received by the City of Lynnwood on October 27, 2021, shall be the preliminary approved short plat. Any discrepancy between the content of the preliminary short plat and the performance standards of Title 21 LMC shall be resolved in favor of Title 21. Revisions to approved preliminary short plat are governed by LMC Chapter 19.50.
2. Access to Lot 2 must be provided. The proposed 20-foot-wide access easement through Lot 1 shall be preserved. Details of the easement, including a private maintenance agreement will be required for any private road or shared access and shall be recorded on title with the final plat.
3. Traffic impact fee shall be assessed for each new Single-Family Residence.
4. Traffic concurrency fee shall be assessed for each new Single-Family Residence.
5. Sewer connection fee shall be assessed for each new Single-Family Residence.
6. Park impact fee shall be assessed for each new Single-Family residence and paid at building permit issuance.
7. Final plat applications shall include all requirements found in LMC 19.50.040 and the submittal checklist. Final plat applications shall be delivered to the Development and Business Services Department, Community Planning Division. Final plat applications delivered to other divisions will not be reviewed and will be returned to the applicant for proper filing.

Decision

The Mayor of the City of Lynnwood hereby adopts the above Findings of Fact and Conclusions and approves the proposed preliminary short subdivision of the Rolan Short Plat, subject to the conditions shown above.

Approved:  _____
 CHRISTINE FRIZZELL
 MAYOR, CITY OF LYNNWOOD

Date: 1/14/2022



IV. Right of Appeal

Administrative decisions of the director may be appealed by filing a written request for appeal with the Development and Business Services Department within 14 calendar days of this decision. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

V. Other Permits

The approval of preliminary plat does not in any way replace, modify, or waive any requirement for the compliance of the proposal with other applicable codes, standards, or regulations, including, but not necessarily limited to, those of the Public Works, Permit & Inspections and Fire Departments.

VI. Validity

The conditions must be satisfied within 24 months of preliminary approval unless a 12-month extension is applied for and approved by the Mayor. A request for extension must be submitted in writing to the Community Development Department at least two weeks prior to the expiration of the preliminary approval.