
Altaye Short Plat

February 20, 2024

I. Application

Project Name:	Altaye Short Plat
File Numbers:	STP-24-0001
Location:	4229 176 th Place SW Lynnwood, WA 98037
Tax Parcel Number:	00372700601904
Zoning:	RS-8
Future Land Use:	SF-1
Site Area:	0.54 Acres
Property Owner:	Mahlet Altaye
Applicant:	Lee Michaelis Puget Sound Planning 6100 219 th St SW, Suite 480 Mountlake Terrace, WA, 98043 lee.michaelis@pugetsoundplanning.com
Staff Reviewer:	Zack Spencer, Planner zspencer@lynnwoodwa.gov, (425) 670-5435
Decision:	Approved with Conditions

II. Exhibits

1. Preliminary Short Plat Decision, dated February 20, 2024
2. Preliminary Short Plat Site Plan, received January 19, 2024
3. Title Report, received February 12, 2024

III. Findings of Fact

I. Proposal Description

On January 19, 2024, Mahlet Altaye applied for a Preliminary Short Plat to create one new lot by subdividing an approximately 23,561 square feet, or 0.54-acre parcel. The property is zoned Residential 8400 Sq. Ft. (RS-8). The application was deemed complete on January 24, 2024.

The applicant proposes to create one new lot by subdividing approximately 23,561 square feet, or 0.54 acres in area into two lots: Lot A, measuring 10,013 Square Feet and Lot B, Measuring of 13,548 Square Feet.

2. Background

The subject property is located at 4229 176th Place SW (Parcel No. 00372700601903). Eight existing properties obtain access over the road to 44th Ave W ROW via 176th Place SW. LMC 19.35.010.C.6 prohibits private roads serving over 4 lots unless approved by the Public Works Director and Fire Marshall. The Public Works Director and Fire Marshall approved this proposed plat, subject to condition 2.

Lot B will gain access to 176th Place West via a proposed 20-foot easement over the western side of Lot A. Both Lots A and B will obtain access to the 44th Avenue West public right-of-way across parcel number 00372700601903 (the 176th Pl SW private road).

This short plat was previously applied for under permit number STP-009833-2021. The previous application received preliminary approval, however, the preliminary approval expired prior to completing civil improvements.

3. Noticing and Review Timelines

A public notice of application was posted on-site, at the City Hall and locations required per LMC Chapter 1.12, published in the Everett Herald newspaper, posted on the city website, and mailed to residents within 300 feet of the subject site on January 26, 2024. The comment period lasted 14 days and ended on February 9, 2024.

A notice and request for comments was sent to partner agencies and all affected City departments on January 26, 2024. Written comments were received from Ziplly Fiber, City of Lynnwood Parks and Public Works Departments, and the South County Fire Marshalls office. Comments are hereby incorporated into these findings and conclusion.

IV. Short Subdivision (Short Plat) Decision Criteria

The Lynnwood Municipal Code (LMC) 19.50 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.

I. Compliance with LMC 19.50.025

LMC 19.50.025 outlines review criteria for consideration by the Development & Business Services director to make a recommendation to the mayor. The short subdivision must conform to, and it must be the applicant's burden to demonstrate conformance to the following factors as they now exist or as they may be amended:

- i. 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.

- ii. 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.
- iii. The Lynnwood Zoning Code.
Staff Response: The site is zoned Residential 8,400 (RS-8). The proposed short subdivision conforms to the minimum lot standards in that zone. Minimum building standards will be addressed during construction.
- iv. 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.
- v. The Lynnwood Comprehensive Street and Arterial Plan.
Staff Response: The site is located on the existing private road 176th PI SW.
- vi. The City's Environmental Policies.
Staff Response: The site does not contain any critical areas as defined by Title 17 LMC.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Other plans and programs as the City of Lynnwood may adopt.
Staff Response: No other plans or programs were applicable.

2. Compliance with LMC 19.50.028

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 will not be approved unless the mayor makes written findings that:”

- i. The public health, safety, and general welfare.
Staff Response: The proposed short subdivision meets all the minimum requirements of the City of Lynnwood codes, which are the official City standards regarding public health, safety and welfare. This short subdivision

has been reviewed and recommended for approval by the Fire Marshal with respect to public safety. The Public Works Department has reviewed and recommended approval with respect to public safety and welfare.

- ii. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit stops.
Staff Response: The City currently has no requirements for open space or park mitigation. The short subdivision will implement utility easements to cover the utility systems and ingress/egress easements to cover access to Lot B. The physical infrastructure will be designed as part of the construction and final short subdivision process.
- iii. Potable water supplies, and sanitary wastes.
Staff Response: Water and sanitary service are available on 176th PI SW.
- iv. Parks and recreation, playgrounds, schools and school grounds.
Staff Response: A park impact fee will be required when new residences are constructed.
- v. All other relevant facts, including sidewalks and other planning features that assure safe walking conditions.
Staff Response: Sidewalks are not present on 176th PI SW, however it is a low-speed, dead end private street. Sidewalks are present on 44th Avenue West, the public right-of-way 176th PI W connects to.
- vi. 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.
- vii. 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.
- viii. 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.

- ix. 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.

V. Parties of Record

No member of the public provided comment within the comment period.

Agency comments were received:

Comment by Mike HaKahan, Ziplly Fiber: Ziplly Fiber has fiber optic based services available at the utility pole but will need a conduit route back to the house and will need to know the new house address number.

VI. 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 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 LMC 19.50.028.

VII. Recommendation and Conditions of Approval

It is recommended that the preliminary short subdivision be granted, 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 January 19, 2024 (Exhibit 2), shall be the preliminary approved short plat.
2. Prior to recording or bonding, the following conditions must be met:
 - a. A minimum 20-foot wide driveway to Lot B for fire access shall be provided.
 - b. South County Fire approved turnaround, with arms a minimum of 20-feet wide, must be placed in front of the residence on 176th PI SW.
 - c. Improve 176th PI SW from subject property to 44th Ave W right-of-way where it is less than 20 feet wide.
 - d. A private maintenance agreement will be required for the access driveway (LMC 19.35.010(C)(8)).

- e. Provide a fire hydrant at the east end of 176th PI SW, or provide fire sprinklers for new buildings on Lot A and B (LMC 9.16.100).
- f. Any easements for utilities, drainage or other needs, including an access easement across parcel 00372700601903, shall be obtained prior to final plat recording and shown on the final plat map.

VIII. Preliminary Decision

The preliminary short subdivision is **APPROVED WITH CONDITIONS**, subject to compliance with all applicable provisions, requirements, and standards of the LMC, standards adopted pursuant thereto. The Mayor of the City of Lynnwood hereby adopts the above Findings of Fact and Conclusion and approves the proposed preliminary short subdivision of the Altaye Short Plat.

Reviewed by: *Karl Almgren* Date: 2/22/2024
Karl Almgren, AICP
Community Planning Manager

Approved by: *Christine Frizzell* Date: Feb 28, 2024
Christine Frizzell (Feb 28, 2024 17:30 PST)
Christine Frizzell
Mayor, City of Lynnwood

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 & 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.

IX. Notice of Decision and Right of Appeal

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

X. 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 limited to, those of the Public Works, Permit & Inspections, and Fire Departments.

XI. Validity

Any 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 Development & Business Services Department at least two weeks prior to the expiration of the preliminary approval.






Preliminary Decision_STP-24-0001_Altaye

Final Audit Report

2024-02-29

Created:	2024-02-22
By:	Karl Almgren (kalmgren@lynnwoodwa.gov)
Status:	Signed
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