



CO00023799

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED
ORDINANCE NO. 92-109

**AMENDING SNOHOMISH COUNTY CODE TITLE 26B RELATING TO RIGHT-OF-WAY
REQUIREMENTS ASSOCIATED WITH LAND DEVELOPMENT PROPOSALS**

WHEREAS, the County Council has delegated authority to the County Road Engineer to modify the Engineering Design and Development Standards with respect to County roads pursuant to SCC 1.28.020, SCC 13.05.010, and SCC 26B.52.130; and

WHEREAS, State Statute RCW 36.86.010 requires that county roads shall be 60 feet in width, with 30 feet on each side of the centerline, unless the County Council shall adopt and designate a different width; and

WHEREAS, Right-of-Way widths may be appropriately reduced from the 60 foot standard for non-arterial roads where adequate provision for public health, safety and welfare is made and provisions for sidewalks, walkways, trails, bikeways, landscaping and transit facilities and maintenance of same are adequately assured; and

WHEREAS, the ability to allow lesser right-of-way widths will allow more flexible development site planning and design and facilitate more affordable housing;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 26B.55.060, adopted by Amended Ordinance No. 90-186 on November 14, 1990, is amended to read:

26B.55.060 Right-of-Way requirements.

(1) **Dedication Required.** Developers shall be required to dedicate right-of-way to the county for road purposes as a condition of approval of a development, when to do so is found to be reasonably necessary by the ~~((director))~~ **County Road Engineer** or a county hearing body, to mitigate an impact which is a direct result of a proposed development, for improvement, use or maintenance of the road system serving the development.

~~(((a))2)~~ **Reservations of Right-of-Way.** In cases where the dedication of additional right-of-way can not be reasonably required as a mitigation of direct impact but any right-of-way abutting the development does not have the proper width from centerline to provide a total standard right-of-way width as indicated in subsection ~~(((2))3)~~ below, the developer shall reserve the area needed for right-of-way for future deeding to the county. Building setback and all other zoning code requirements will be established with respect to the reservation line rather than the deeded or dedicated right-of-way line. The area reserved for right-of-way may be donated to the county or will be purchased by the county through a county road project.

~~((2))3~~ Standard Right-of-Way Widths. Right-of-way dedications shall be made to provide sufficient right-of-way widths to accommodate road improvement needs. The ~~((minimum))~~standard right-of-way widths based on road classification are:

Non-Arterials

((Local Service)) <u>Access Streets</u>	50 feet
((Local Access)) <u>Subcollector Streets</u>	60 feet
((Neighborhood)) <u>Collector(s) Streets</u>	60 feet

Arterials

Collector Arterials-Urban Area	70 feet
Minor Collector-Rural Area	70 feet
Minor Arterials-Urban Area	80 feet
Major Collector-Rural Area	80 feet
Principal Arterials-Urban Area	100 feet
Principal or minor arterial-Rural Area	100 feet

~~((3))4~~ Modifications to Standard Right-of-Way Width - Criteria. Wider or narrower right-of-way widths than the ~~((minimums established above))~~standard may be required as determined by the ~~((director))~~County Road Engineer. The determination shall be based on meeting one or more of the following ((factors))criteria:

(a) Contents of the transportation elements of the currently adopted comprehensive plans including but not limited to the provision of safe and efficient movement of pedestrians, equestrians and bicyclists with emphasis on schools, parks and scenic areas;

(b) Whether sidewalks, walkways, trails, bikeways or planters will be adequately maintained outside of public right-of-way.

~~((b))c~~ An adopted design report, roadway design or right-of-way plan which calls for a different right-of-way width for the road under investigation~~((:));~~

~~((c))d~~ Nature of the roadway and road involved, and its impact on neighboring properties including width, slopes, cuts, fills, ~~((and))~~ vertical and horizontal curvature, sight distance at intersections, the development and the land upon which it is situated; access existing or to be provided thereto; ~~((traffic and design standards applicable thereto; and))~~

(e) Engineering Design & Development Standards requirements including but not limited to land alteration, site access, road types and geometrics, road elements and roadside features, drainage and utilities; and

~~((d))f~~ Any other factors affecting the health, safety, property and general welfare of the public, including users of the roads, sidewalks, walkways, trails, or bikeways and the development.

(g) The provision of adequate public transit facilities.

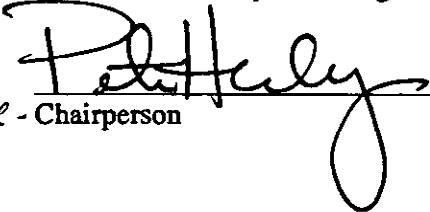
~~((If it can be demonstrated that the long range traffic conditions can be accommodated within a cross-section requiring less right-of-way than the minimum widths established above, a reduction to the following right-of-way widths can be approved by the director:))~~ Provided, in no instance shall right-of-way widths be reduced for arterials below the following minimums without express approval from the Council:

<u>Collector Arterials-Urban Area</u>	60 feet
<u>Minor Collector-Rural Area</u>	60 feet
<u>Minor Arterials-Urban Area</u>	70 feet
<u>Major Collector-Rural Area</u>	70 feet
<u>Principal Arterials-Urban Area</u>	80 feet
<u>Principal or minor arterial-Rural Area</u>	80 feet

(5) The County Road Engineer is authorized to include in the Engineering Design & Development Standards, standard drawings depicting the standard right-of-way widths and modification criteria as contained within this title.

PASSED this 23rd day of Sept., 1992.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Vice - Chairperson


Clerk of the Council, Asst.

APPROVED

EMERGENCY

VETOED

DATE: 9/25/92


County Executive

PUBLISHED: _____

Approved as to form only:


Deputy Prosecuting Attorney