



CO00023871

SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 92-119

AMENDING SNOHOMISH COUNTY CODE
TITLE 18, CHAPTER 18.41
RELATING TO MINIMUM ACCESS REQUIREMENTS AND
CENTENNIAL TRAIL CROSSING PERMITS

BE IT ORDAINED:

Section 1. That SCC, Title 18, subsection 18.41.010(4), last amended by Ord. No. 86-037 adopted May 7, 1986, is amended to read:

18.41.010 Minimum access requirements. Access to lots shall be as provided herein:

(1) Lots whose access was created prior to April 15, 1957, shall abut upon a public road or be served by a private road or access easement of any width;

(2) Lots whose access was created on or after April 15, 1957, but prior to August 9, 1969, shall abut by not less than fifteen feet upon and have direct access to a public road or be served by a private road or access easement having a minimum right-of-way width of fifteen feet;

(3) Lots whose access was created on or after August 9, 1969, shall abut by not less than twenty feet upon and have direct access to:

(a) An opened, constructed, and maintained public road, or

(b) A private road in a plat or short plat or large tract segregation approved by Snohomish County, or

(c) An exclusive, unshared, unobstructed, permanent access easement at least twenty feet wide where a plat or short plat or large tract segregation is not required;

Provided that, where the lot is 1/128th of a section of land or larger, or five acres or larger, if the land is not capable of description as a fraction of a section of land, it may abut by not less than sixty feet and have direct access to a private road having a right-of-way width of not less than sixty feet which is sufficiently improved for automotive

travel from the nearest opened, constructed and maintained county road to the parcel and which is designed in a manner that would permit reasonable and safe construction of a county road meeting county standards. No parcel qualifying as a lot under the above proviso clause will continue to so qualify if the parcel is redivided creating any parcel less than 1/128th section in size, or five acres in size, if the land is not capable of description as a fraction of a section of land, unless the parcel qualifies as a lot under subsections a, b, or c above;

(4) Lots whose legal access is provided across either a railroad company right-of-way or county owned trail must demonstrate evidence that a crossing permit (license) has been granted by the railroad company in the case of a railroad right-of-way or by the Snohomish County Parks Department in the case of a county owned trail. Such evidence must contain the name of the current property owner or contract purchaser and said permit (license) shall be recorded with the county auditor and presented to the planning division prior to the issuance of development permits.

Aggregations of lots whose legal access is provided across a railroad company right-of-way or county owned trail may collectively enter into an incorporated homeowners association for a single crossing permit (license) to benefit the aggregation of said lots. The articles of incorporation, bylaws and permits (license) shall be recorded with the county auditor. Prior to the issuance of development permits, evidence of the arrangements with the railroad company or Snohomish County Parks Department must be presented to the planning division.

However, the above restrictions shall not apply where the railroad or county owned trail crossing is a maintained county road or county right-of-way.

Dated this 9th day of November, 1992.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Lee McLoughlin
Chairman

Sheila McAllister
Clerk of the Council, asst.

- () APPROVED
() EMERGENCY
() VETOED

DATE

11/17/92

[Signature]
County Executive

PUBLISHED _____

Joe A. Tanner, D.P.A.
Approved as to form only on

August 13, 1992
(Date)