



CO00023041

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 95-035
ENACTING REGULATORY REFORM AMENDMENTS

AMENDING TITLE 20
SHORT SUBDIVISION CODE

BE IT ORDAINED:

Section 1. Snohomish County Code, Section 20.08.080, adopted by Resolution on August 28, 1972, is amended to read:

20.08.080 Private road.

"Private road" is ~~((that easement or parcel created to provide the access from a county road to short platted lots, the maintenance of which is to be the responsibility of the lot owners.))~~ a privately maintained facility for the passage of vehicles that, where appropriate, may include pedestrian, equestrian and bicycle facilities. Limits may include the outside edge of sidewalks, or curbs and gutters, paths, walkways, or side ditches, including the appertaining shoulder and all slopes, ditches, channels, waterways, and other features necessary for proper drainage and structural stability within the easement or parcel.

NEW SECTION. Section 2. A new section is added to Chapter 20.08 of the Snohomish County Code to read:

20.08.053 Driveway

"Driveway" is that facility for the passage of vehicles, constructed in accordance with the Engineering Design and Development Standards adopted under chapter 13.05 SCC, that provides access from a public or private road to no more than two single family lots or one duplex lot.

Section 3. Snohomish County Code, Section 20.28.010, last amended by Ordinance No. 94-045 on June 1, 1994, is amended to read:

20.28.010 Minimum standards.

The public use and interest require, as to the following subject matters, that the following minimum standards be met:

(1) That each lot shall contain sufficient square footage to meet minimum zoning and health requirements. The square footage of land contained in road easements or access panhandles shall not be included in the lot size computation.

(2) ~~Public ((Bridges))bridges~~ and storm drainage facilities shall be subject to the approval of the county road engineer. Private bridges and storm drainage facilities shall be subject to the approval of the director of planning and development services.

(3) Where any abutting county road has insufficient width to conform to minimum road width standards for Snohomish county, sufficient additional right-of-way shall be dedicated to Snohomish county on the short plat to conform the abutting half to such standards where reasonably necessary as a result of the proposed development or to make appropriate provision for public roads.

(4) If the lots are to be served by septic tanks, soil data and percolation rates may be required by the Snohomish health district. Notations regarding the conditions for health district approval may be required to be inscribed upon the short plat.

(5) Access to Arterials. Lots within a short subdivision shall be designed so that ~~((lots adjacent to county arterials shall be laid out in such a manner as to not require direct))~~ access to arterials shall be limited to one joint access thereto and a waiver of the right of direct access shall be required as a condition of approval except that, if the subdivider presents proof that direct access to such lots is necessary to the development of his property and the department so finds, the department may permit direct access. This shall not apply to any parcels of one-one-hundred-twenty-eighth of a section or five acres or more.

(6) Access to the boundary of all short subdivisions shall be provided by an opened, constructed and maintained county road or county roads except that access to the boundary of a short subdivision by private road may be permitted where such private roads are otherwise permitted by this resolution. Access to each lot shall meet the access requirements of chapter 18.41 SCC.

(7) Minimum access to all lots within a short subdivision containing any lot less than one-one-hundred-twenty-eighth of a section, or five acres in area shall be provided by an opened, constructed and maintained county road or a private road designed and constructed in accordance with the ~~((adopted standards and specifications established by))~~ Engineering Design and Development Standards adopted under chapter 13.05 SCC. Access to two single family lots or one duplex lot may be provided by a driveway, constructed in accordance with the Engineering Design and Development Standards, within a shared access easement.

(8) Short subdivisions where each lot contains one-one-hundred-twenty-eighth of a section, or five acres or more in area, and where the final short plat map is filed as a record of survey, may take access from an opened, constructed and maintained county road or roads, or from a private road ~~((complying with the "Minimum Road Standards for~~

~~Private Roads Serving Large Lot Subdivisions" contained in the county road standards))~~
designed and constructed in accordance with the Engineering Design and Development Standards adopted under chapter 13.05 SCC, PROVIDED, That the county engineer may waive some or all improvement standards of this subsection when he finds that the existing private road is ((minimally)) adequate to serve the additional lots, and that the applicant demonstrates full standards are unnecessary, impossible to achieve or result in an inequitable financial burden. When private road access is provided, a registered professional engineer shall certify, prior to final approval, that road drainage facilities, including cross culverts, and other site improvements, have been constructed and installed in accordance with this title and sound engineering practice.

(9) The maximum number of lots that may be served by a private road shall be eight, generating a maximum of 80 average daily trips in designated urban ~~((areas per the adopted interim arterial plan))~~ growth areas adopted by the county council pursuant to RCW 36.70A and a maximum of 90 average daily trips in ~~((designated rural areas per the adopted interim arterial plan))~~ areas not included within the urban growth areas adopted by the county council pursuant to RCW 36.70A, ((as determined by the Institution of Transportation Engineer (ITE) Trip Generation Manual)) unless modification is granted by the hearing examiner, or unless the short subdivision contains no lot having an area of less than one-one-hundred-twenty-eighth of a section or five acres. In all other cases, access to any lot shall be by an opened, constructed and maintained county road or roads. Trip generation shall be determined based on the latest edition of the ITE Trip Generation report published by the Institute of Transportation Engineers.

(10) Where access to a short subdivision is to be provided via an existing or proposed private road that has the potential of providing access for more than 8 lots, or more than 80 average daily trips in designated urban growth areas, or more than 90 average daily trips in areas not included within urban growth areas, the short subdivision shall provide for the future conversion of such private road to a public road and construction of such private road to public road standards, in accordance with the Engineering Design and Development Standards adopted under Chapter 13.05 SCC.

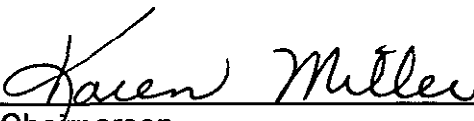
(11) If the subdivider uses a private road, each lot owner or successors in interest having access thereto shall have a responsibility for maintenance of such private road. Any private road shall also contain a utilities easement.

~~((44))~~ (12) Short subdivisions located in special flood hazard areas as defined by Title 27 SCC shall comply with the provisions of SCC 27.24.010~~((C))~~3.

PASSED this 28th day of June, 1995.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ATTEST:



Chairperson



Clerk of the Council, *Asst.*

APPROVED

EMERGENCY

VETOED

DATE:

17/10/97

Robert J. Drewel
Snohomish County Executive

PUBLISHED: _____

Approved as to form only:

Michael Smith
Deputy Prosecuting Attorney
Date: _____

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