BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Ordinance-TLS 14-8-31B

Adoption of amendments to the   )
Douglas County Code Title 12   )   LAND SERVICES

WHEREAS, Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, and a series of subarea plans for each municipality in the county. These plans have been found to be consistent with each other; and

WHEREAS, the Douglas County Planning Commission transmitted a recommendation of approval to this Board regarding the adoption of amendments of the Douglas County Code Title 12; and

WHEREAS, notice of all public hearings and public meetings on this matter have been published according to law; and

NOW, THEREFORE, the Board of County Commissioners hereby accepts the Findings of Fact and Conclusions adopted by the Douglas County Planning Commission, entering those findings into the record as their own as set forth in Exhibit A and incorporating them in this ordinance by this reference as though fully set forth herein.

BE IT FURTHER, hereby resolved and ordained that the recommendation of the Douglas County Planning Commission is accepted and the amendments to Title 12 Roads and Bridges of the Douglas County Code attached as Exhibit B are adopted, effective immediately.
Dated this 8th day of July, 2014 in Waterville, Washington.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Dale Snyder, Chair

Ken Stanton, Vice Chair

Steven D. Jenkins, Member

ATTEST:

Dayna Prewitt, Clerk of the Board

Ordinance No. TLS 14-8-31B
EXHIBIT A

Findings of Fact:

1. The Board of County Commissioners initiated amendments to Douglas County Code 12.50.150 to address comments submitted to the Douglas County Planning Commission in a letter from Building North Central Washington and the North Central Washington Association of Realtors dated September 6, 2013, proposed amendments were evaluated and language approved by the County’s legal counsel, amendments were forwarded to Staff for presentation to the Planning Commission for consideration and action.

2. The proposed amendments include updates, corrections and clarifications, minor in nature, which will aid in the application of Title 12, Comprehensive Road Standards.

3. Douglas County has adopted a Comprehensive Plan pursuant to the Growth Management Act (GMA), RCW Chapter 36.70A, which covers all unincorporated areas outside of Urban Growth Areas within Douglas County.

4. RCW Chapters 36.70 and 36.70A authorize the adoption of development regulations.

5. The Douglas County Planning Commission is responsible for long range planning matters and providing implementation recommendations to assure compliance with the growth management act for unincorporated areas of Douglas County. These measures include updates and amendments to the comprehensive plan; development regulations, environmental regulations, and any other rules, actions or regulations deemed necessary to implement the Growth Management Act.

6. Amendments to the development regulations were sent to the Washington State Department of Community Trade and Economic Development as part of the Douglas County 60-day review process.

7. Douglas County issued a Determination of Non-significance and Adoption of Existing Environmental Documents for proposed amendments to the Douglas County Code on March 12, 2014 pursuant to WAC 197-11.


9. The Douglas County Planning Commission conducted a duly advertised public hearing on June 11, 2014. The Planning Commission entered into the record the files on this amendment, accepted public testimony, and deliberated the merits of the proposal.

10. The Douglas County Planning Commission has reviewed the entire record including the goals and policies of the comprehensive plans and public testimony as it relates to the proposed development regulations.
Conclusions:

1. The procedural and substantive requirements of the State Environmental Policy Act have been satisfied.
2. The procedural requirements of RCW 36.70A have been satisfied.
EXHIBIT B

12.50.150 Transportation system and frontage improvements.

Transportation system and frontage improvements in accordance with this Chapter maintain and enhance public safety, vehicular travel, property values, storm water mitigation, and infrastructure maintenance. County roads serving development shall meet the current standards of this Chapter, including road widening, additional right-of-way, paving, geometric improvements, additional lanes, traffic control devices, bridge and drainage structure modifications, pedestrian facilities, bike paths and intersection improvements away from the development. Frontage improvements are required for all improvement and development projects that have frontage on a public road that does not meet current standards. Transportation system and frontage improvements necessary to meet current standards of this Chapter shall exist or be in place prior to completion of development. Frontage improvements shall be in place, paid or be secured by means of an approved deferred improvement agreement no later than time of final plat approval or certificate of occupancy, whichever occurs first, for that development or phase. If the improvements are not listed on the county transportation improvement plan, they shall be installed prior to final plat approval. Development within urban growth areas shall meet current standards adopted by the City or Town as may be required by coordination and consistency under the Growth Management Act and interlocal cooperation agreements on coordinated planning under the Growth Management Act.

A. Transportation Improvements—Off Site. Off-site transportation improvements such as road widening, additional right-of-way, paving, geometric improvements, additional lanes, traffic control devices, bridge and drainage structure modifications, pedestrian facilities, bike paths and intersection improvements away from the development shall be required where identified by a traffic impact analysis or otherwise be determined by the county to be necessary as part of the development review process.

The county engineer may eliminate or limit transportation system improvements if the development has no measurable impacts to county road system or full improvements are disproportional to the size and scope of the proposed development.

The Douglas County department of transportation and land services will also review the right-of-way status of abutting and adjoining county roads to determine if additional right-of-way is needed to meet the current road standards as set forth in these standards.

All such required off-site improvements must be completed or other financing arrangements made as approved by the county prior to final development approval. Alternate financing methods such as use of road benefit assessment reimbursement areas as set forth in DCC Chapter 12.45 may be used.

B. Frontage Improvements—General Requirements.

1. Frontage improvements may be required for all improvement and development projects that have frontage on a public county road. “Frontage on a county road” means the proposed development directly abuts or adjoins county-right-of-way or is separated from the county right-of-way by a non-buildable parcel or strip of land under substantially the same ownership as the development project. Frontage improvements shall consist of, but not be limited to, dedication of right-of-way, road widening, turn lanes, traffic signals,
bus stop pads, bus shelter pads, passenger shelters, bus pullouts, pedestrian facilities, and bike paths where designated in the current county comprehensive plan, and safety and drainage improvements, including all tributary runoff.

2. Required dedication of right-of-way and frontage improvements, including the dedication of right-of-way, shall be dedicated and installed complete at the time of development unless otherwise approved by the county.

3. The developer property owner shall coordinate the design and construction with the county and Link Transit when frontage improvements include bus stop pads, shelter pads and bus shelters. Prescription of a passenger shelter shall also incorporate the condition that the shelter meets Link Transit’s standard passenger shelter specifications.

The county engineer may eliminate or limit frontage improvements if the development has no measurable impacts to the county road or full frontage improvements are disproportional to the size and scope of the proposed development.

C. Deferral of Improvements Exceptions. The county engineer may approve an alternative, as set out in subsection D of this section, to the immediate installation of transportation system and/or frontage improvements, other than not including dedication of right-of-way, if one or more of the following conditions apply:

1. The design grade and alignment of the abutting roads cannot be determined at the time of construction of the development.

2. The installation of frontage improvements required for the development would create or intensify a hazard to public safety.

3. The installation of transportation system and/or frontage improvements required for the development could be more safely, efficiently, and effectively implemented if done concurrently with the installation of improvements required for other developments along the same road frontage.

4. The proposed development is a county engineer may defer road frontage improvements for county roads for family farm support divisions as defined in DCC Section 18.16.220(B). The deferral of improvements shall be executed in accordance with the provisions contained in this chapter and shall be conditioned upon the deferred frontage improvements being constructed along the entire parent parcel of the family farm support division upon further division or commercial or industrial development of any of the lots, parcels or remainder parcel created. Dedication of right-of-way shall not be deferred.

D. Deferral Agreements of Improvements. Any deferred completion of transportation system and/or frontage improvements shall be secured for installation at a later date by a written agreement and covenant between the county and the property owner whereby the property owner’s obligation for frontage improvements will arise in the future upon one or more conditions occurring. The agreement and covenant shall be executed before the issuance of any improvement and development permits. The county engineer shall select which method to enforce against the property owner at the time when the deferred frontage improvements are required to be installed. Two methods the property owner shall agree to are: The conditions
shall include participation of the subject property in any local improvement district (Chapter 35.43 RCW), road improvement district (Chapter 36.88 RCW), or transportation benefit district (Chapter 36.73 RCW) formed for the construction of such frontage improvements. The conditions shall also include participation of the subject property in any improvement project, not supported by an improvement district, which encompasses the deferred frontage improvements by the person then owning the property paying the cost of the property’s frontage improvements.

The property owner and the county may agree upon additional conditions. The agreement and covenant shall run with the land and bind the property and the owner and the owner’s assignees, heirs, transferees, donees, and/or successors in interest. The agreement and covenant shall be effective for a period of ten years after the date of recording.

1. Commitment to Participate in an Improvement District. The property owner shall execute and record an agreement with the county and covenant running with the land that ensures the participation of the subject property owner in any local improvement district (Chapter 35.43 RCW), road improvement district (Chapter 36.88 RCW), or transportation benefit district (Chapter 36.73 RCW) formed for the construction of such frontage improvements. Said document shall be in a form acceptable to the county prosecuting attorney’s office and shall be effective for a period not exceeding ten years from the date of recording. This document shall bind the owner and its designees, heirs, transferees, donees, and/or successors in interest.

2. Agreement to Participate in Improvement Project. The property owner shall execute and record an agreement with the county and covenant running with the land that ensures the participation of the subject property owner in an improvement project not supported by an improvement district that encompasses the said deferred frontage improvements by paying their share thereof. Such share shall be equal to the county’s costs for installing the deferred frontage improvements. The county shall provide a nonbinding total cost estimate to the property owner at the time the agreement is entered into including a disclaimer that the total cost of the project at the time of construction may vary due to inflation, changes in design standards or other governmental laws and regulations. A contract shall be developed at the time the improvement project is developed outlining the level of participation by the subject property owner in said project and the manner in which payment is to be made; provided, that the financial responsibility of the subject property owner shall not exceed the cost of said deferred frontage improvements at the time of the improvement project. Such an agreement and covenant shall bind the owner and its assignees, heirs, transferees, donees, and/or successors in interest. The agreement and covenant document shall be effective for a period of ten years from the date of recording.

E. Voluntary Payments. In lieu of transportation system improvements, dedication of right-of-way and/or frontage improvements required at the time of development, a property owner and the County may enter into an agreement for the property owner’s current payment for future improvements to be made by the County. See RCW 82.02.020.

12.52.040 Design requirements—New and reconstructed roads.
M. Intersections. All intersections shall be designed in accordance with the most current edition of Chapter 9, “Intersections,” in the AASHTO Green Book or Chapter 910, “Intersections at Grade,” in the current edition of the WSDOT “Design Manual-M22.01,” which requires plus or minus four percent for fifty feet. All intersections with a state highway shall require approval from the WSDOT.

Corner lots located on local roads with no parking and parking one side shall be rounded with a 25-foot minimum radius, all others shall be designed to accommodate the specific roadway section. Corner lots, located at road intersections, shall be rounded with a minimum twenty-foot radius adjacent to roads with sixty-foot or more rights-of-way and twenty-five-foot radius adjacent to roads with less than sixty-foot rights-of-way.

12.53.010 Driveways and access easement.

C. Standards.

1. Common to All Driveways and Access Easements.

   c. Sight Distance. Sufficient sight distances for vehicles to safely enter onto a public road or street as well as for other vehicles on the road or street to avoid accidents with entering or exiting vehicles is required for all driveways and access points. For all driveways and access easements, stopping sight distance in accordance with the AASHTO Green Book and the current WSDOT Design Manual:

   Situations with sight distances less than those specified in the WSDOT Design Manual must be approved by the county engineer. In these cases, the applicant may also be required to obtain the services of a professional traffic engineer to assess the situation and provide written justification for lesser sight distances.