

ENGINEER'S REPORT

PERMIT REQUEST # 19-106957 RWE

FOR THE ESTABLISHMENT OF A NEW COUNTY ROAD RIGHT-OF WAY
IDENTIFIED AS
21st Ave West

INTRODUCTION

Chapter 36.75 Revised Code of Washington (RCW) gives county legislative authorities broad authority to acquire land for county road purposes by purchase, gift or condemnation. Chapter 13.90 Snohomish County Code (SCC) contains the County's regulations that implement the provisions of Chapter 36.81 RCW. The County's legislative authority's use of this broad authority must be made under the advice and supervision of the County Engineer.

SCC 13.90.010 provides that when the County Engineer determines that the criteria for road establishment have been met, road establishment may be initiated independently by the County Engineer. The County also has the authority under chapter 30.66B SCC to condition land development approvals upon adequate access to a public road, which often requires a new public road and right-of-way (ROW). The process required for the establishment of County roads is found in SCC 13.90.020.

FACTS/BACKGROUND

1. On May 24, 2018, RMH LLC. (the Applicant) applied to Planning and Development Services (PDS) for approval of a Single-Family Detached Unit (SFDU) named Dawson Place SFDU.
2. As a condition of development approval, the Department of Public Works (DPW) and PDS are requiring the developer to construct and establish a new public road identified as 21st Avenue West.
3. A road establishment request from RMH LLC. was received by DPW on May 8, 2019.
4. The proposed development is 2.66 acres in size, situated on the east side of Alder Way, approximately ¼ mile north of the intersection with Maple Road, and in the SE¼ of the SW¼ Section of Section 11, Township 27, N Range 4 W.M. (See Exhibit 1, Assessors Map and Aerial Map)

5. The new road will take access from Alder Way north of the current terminus of 177th Place Southwest as shown on the map of Dankenbring Addition. (See Exhibit 2, Plat Map and Aerial Map). The new road is roughly 280 feet in length and the ROW is 51 feet in width.
6. On September 4, 2019, the development was granted preliminary approval and on February 4, 2021, proposed construction plans were approved.

FINDINGS

1. DPW and PDS, as a condition of development approval, required the Applicant to construct a new public road within the development.
2. The new road is classified as non-arterial, will have a ROW width sufficient to contain the required road improvements, and comply with the applicable code and Engineering Design and Development Standards (EDDS). (See Exhibit 3, Approved Plans)
3. A Record of Survey (ROS) depicting the ROW limits and alignment of the road is recorded under Auditor's File Number (AFN) 202104025002. (See Exhibit 4, ROS)
4. Establishment of a new road is necessary, practicable, and will benefit the public because operation of the arterial road system is improved by dispensing local traffic onto multiple roads and access points, response time for emergency services is reduced, and use of transit systems, pedestrian facilities, and bicycle facilities are promoted.
5. Establishment of a new road is also consistent with the requirements set forth in chapter 30.24 SCC, "General Development Standards-Access and Road Network ", and EDDS chapter 3-01(7), "Road Circulation", including the requirement that a public road connection shall be constructed to any public road stubs on any adjacent parcel when the engineer determines the connection is necessary, practicable, and feasible.
6. No public expenditures will be required for the construction of the new road. All construction costs will be paid in full by the Applicant. The estimated cost of construction of the road is \$ 35,693.45.
7. Plans for the construction of the road to the County standards have been approved by DPW and PDS. The County accepted a performance security bond for the construction and completion of all ROW improvements. Upon completion by the Applicant and acceptance of the road by the County, including PDS approval of as-builts drawings, a two-year maintenance security bond shall be posted by the Applicant.

8. DPW has reviewed and approved the Statutory Warranty Deed (SWD) and recommends the deed be accepted by the County.
9. The public administrative costs estimated to be incurred by the County in examining, investigating and processing the establishment plus additional costs and expenses to be incurred in the final processing of the road establishment as required by the Ordinance are as follows:

Estimated Public Work Charges	\$3,037.60
Estimated Advertising Costs	\$ 300.00
Estimated Recording Fee	<u>\$ 210.00</u>
Total Estimated Fees	\$3,547.60
Application Fee Credit	<\$ 500.00>
Total Estimated Administrative Costs	\$3,047.60

RECOMMENDATION

Based on the foregoing Findings, the establishment of 21st Ave W is necessary, practicable, and in the best interest of the general public. The County Engineer recommends the establishment be granted provided that: (1) all outstanding administrative costs are paid by the developer to the County Road Fund pursuant to SCC 13.90.070; and (2) PDS and DPW, after inspection, determines that all County road standards have been met.

The County Engineer also recommends that the County Council accept the Statutory Warranty Deed conveying ROW for the road and that it be recorded upon the terms and conditions of the Ordinance.

Approved By:

 Douglas W. McCormick P.E
 Deputy Director/County Engineer

Date _____

Maria Acuario

 Prepared By: Maria Acuario
 ROW Investigator III

Date 4/20/2021