

1 Adopted:
2 Effective:

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 ORDINANCE NO. 26-038
7

8 RELATING TO GROWTH MANAGEMENT; CONCERNING ROADS AND ACCESS;
9 AMENDING CHAPTER 30.24 AND SECTIONS 30.66B.540, 30.91R.220, AND 30.91R.240 OF
10 THE SNOHOMISH COUNTY CODE
11

12 WHEREAS, the Revised Code of Washington (RCW) 36.70A.130 directs counties
13 planning under the Growth Management Act (GMA) to consider amendments and revisions to
14 the GMA Comprehensive Plan (GMACP) or development regulations on a regular basis; and
15

16 WHEREAS, RCW 36.70A.020(7) states: "Applications for both state and local
17 government permits should be processed in a timely and fair manner to ensure predictability";
18 and
19

20 WHEREAS, Snohomish County Planning and Development Services (PDS) staff and the
21 Department of Public Works have identified opportunities to clarify and modernize access and
22 road network requirements while maintaining public health, safety, and welfare protections; and
23

24 WHEREAS, current code provisions apply uniform road network connectivity and
25 pedestrian facility requirements to both urban and rural development areas despite the differing
26 transportation characteristics of those areas; and
27

28 WHEREAS, PDS staff has determined that separate standards for urban and rural
29 development will provide more appropriate and efficient regulation while preserving the ability of
30 the county engineer to require specific improvements when necessary to protect public safety;
31 and
32

33 WHEREAS, the proposed amendments provide greater flexibility regarding road network
34 connectivity, pedestrian facility requirements, drive aisles, boundary line adjustments, and the
35 timing of right-of-way dedication and deeding; and
36

37 WHEREAS, the proposed amendments clarify the definitions of "public road" and "road
38 system" to improve consistency and administration of title 30 of the Snohomish County Code
39 (SCC); and
40

41 WHEREAS, on February 24, 2026, the Snohomish County Planning Commission
42 ("Planning Commission") was briefed by PDS staff about the proposed code amendments
43 contained in this ordinance; and
44

45 WHEREAS, the Planning Commission held a public hearing on March 24, 2026, to
46 receive public testimony concerning the proposed code amendments contained in this
47 ordinance; and
48

49 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning
50 Commission deliberated on the proposed amendments and voted to recommend approval of the

1 amendments contained in this ordinance, as shown in its approval letter dated April 22, 2026;
2 and
3

4 WHEREAS, on _____, 2026, the Snohomish County Council ("County Council")
5 held a public hearing after proper notice, and considered public comment and the entire record
6 related to the code amendments contained in this ordinance; and
7

8 WHEREAS, following the public hearing, the County Council deliberated on the code
9 amendments contained in this ordinance;
10

11 NOW, THEREFORE, BE IT ORDAINED:
12

13 Section 1. The County Council makes the following findings:
14

15 A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth
16 fully herein.
17

18 B. This ordinance amends title 30 of the SCC as follows:
19

20 1. In chapter 30.24 SCC amendments grant more flexibility and clarity for road network
21 connectivity and pedestrian facilities requirements, as well as establish separate
22 standards for urban and rural development areas. Establishing more specified standards
23 based on location will yield more appropriate regulation catered for each area and
24 synergize with related updates to outdated or ambiguous language. The amendments to
25 chapter 30.24 SCC accomplish the following:
26

27 i. Improve clarity and administration of access and road network regulations.
28 Removing ambiguous language and unnecessary connectivity requirements and
29 pedestrian facilities will help decrease the cost of housing and development where
30 applicable. Shoulders that are outside of urban growth areas (UGAs) and on private
31 roads that serve 200 average daily trips (ADT) or fewer and have a posted speed of
32 25 mph or less on permanent dead end road elements are an unwarranted cost for
33 housing development, as are road network connectivity requirements outside of
34 UGAs with fewer than 200 ADT. The county engineer will address safety concerns
35 through a written determination when necessary to protect public safety and when
36 road network elements are necessary to develop or maintain the planned road
37 system.
38

39 ii. Establish separate road connectivity and pedestrian facility standards for urban and
40 rural development areas. Establishing more specified standards based on location
41 will yield more appropriate regulation catered for each area. Staff and inter-
42 departmental research have determined there are areas outside of UGAs where
43 unnecessary construction of pedestrian facility requirements and network
44 connectivity requirements would jeopardize critical areas. Additionally, road
45 connectivity is intentionally more limited in rural areas, compared to urban areas, to
46 encourage the preservation of rural character, protect agricultural and resource
47 lands, discourage cut-through traffic in low-volume areas, and to encourage a growth
48 management practice that avoids urban levels of traffic demand and infrastructure in

- 1 non-urbanized areas. For similar reasons, pedestrian facilities are more limited in
2 rural areas and are less cost-effective due to different land use patterns and
3 transportation needs. From a planning perspective, these differences between urban
4 and rural areas follow a context-sensitive design that reflects the surrounding land
5 use, travel behavior, and safety needs of the users.
- 6
- 7 iii. Allow greater flexibility regarding drive aisles in the T, MR, LDMR, and UC zones.
8 Allowing the construction of drive aisles, rather than public road networks, when
9 done in a manner that does not jeopardize emergency response, and done
10 according to Snohomish County Fire Code standards, will help decrease the cost of
11 housing and development, without jeopardizing public safety.
- 12
- 13 iv. Allow greater flexibility in the timing of road improvements associated with boundary
14 line adjustments and the dedication of right-of-way. Allowing boundary line
15 adjustments to be recorded before the construction of road network elements, and
16 allowing the deeding of right-of-way prior to a certificate of occupancy, will give more
17 flexibility for development, which will decrease the cost of housing.
- 18
- 19 2. In SCC 30.66B.540, amendments allow greater flexibility in the timing of right-of-way
20 dedication and deeding requirements. Boundary line adjustment applications and right-
21 of-way deeding applications are similar in scope in that they are both largely
22 administrative changes and should be processed similarly.
- 23
- 24 3. In SCC 30.91R.240, amendments clarify the meaning and applicability of the terms
25 "public road" and "road system." These terms are used throughout chapter 30.24 SCC
26 and warrant definitions.
- 27
- 28 C. The proposed amendments are consistent with and supportive of the following GMA goals:
- 29
- 30 GMA Goal 7: "Permits. Applications for both state and local government permits should
31 be processed in a timely and fair manner to ensure predictability."
- 32
- 33 GMA Goal 12: "Public facilities and services. Ensure that those public facilities and
34 services necessary to support development shall be adequate to serve the development
35 at the time the development is available for occupancy and use without decreasing
36 current service levels below locally established minimum standards."
- 37
- 38 The proposed amendments provide a more appropriate and efficient permitting process
39 while preserving the ability of the county engineer to require specific improvements when
40 necessary to protect public safety. Public facilities and services will remain when necessary
41 to support development, and the exemption to providing road network connectivity and
42 pedestrian facilities will only be done under the discretion of the county engineer when
43 deemed as safe to do so, providing appropriate guardrails to ensure service levels do not
44 drop below established standards.
- 45
- 46 D. The proposed amendments are consistent with and supportive of the following multicounty
47 planning policies (MPP) from the Puget Sound Regional Council VISION 2050:
- 48

1 MPP-DP-47: "Streamline development standards and regulations for residential and
2 commercial development and public projects, especially in centers and high-capacity
3 transit station areas, to provide flexibility and to accommodate a broader range of project
4 types consistent with the regional vision."

5
6 MPP-DP-44: "Work to conserve valuable rural and resource lands through techniques,
7 such as conservation programs, transfer of development rights, and the purchase of
8 development rights. Focus growth within the urban growth area, especially cities, to
9 lessen pressures to convert rural and resource areas to residential uses."

10
11 The proposed amendments streamline regulations by providing greater flexibility regarding
12 road network connectivity, pedestrian facility requirements, drive aisles, boundary line
13 adjustments, and the timing of right-of-way dedication and deeding. The amendments also
14 lessen the pressure to convert rural and resource lands to impermeable pavement in the
15 form of network connectivity and pedestrian facilities.

16
17 E. The proposed amendments are consistent with and supportive of the following countywide
18 planning policies (CPP):

19
20 CPP-ED-16: "The expeditious processing of development applications shall not result in
21 the reduction of environmental and land use standards."

22
23 TR-7: "The County and cities shall employ professionally accepted methodologies for
24 determining transportation levels of service that consider different development
25 intensities for urban centers, other urban areas and rural areas, high-occupancy vehicle
26 use and community values as reflected by the city and County comprehensive plans,
27 and transit agency long range plans.

28
29 The County and cities should use – in coordination with transit agencies – a consistent
30 technique in calculating transportation level of service on a systems basis that:

31
32 a. Incorporates different levels of service depending on development form, mix of uses
33 and intensity/density of land use, availability and adequacy of transit service, and the
34 availability and adequacy of bicycle and pedestrian facilities in accordance with local
35 comprehensive plans and long range transit agency plans;

36
37 b. Employs consistent data collection and processing in determining travel demand and
38 system operations along with the Puget Sound Regional Council (PSRC), adjacent local
39 jurisdictions and transit agencies; and

40
41 c. Monitors level of service and concurrency on a routine basis on those critical
42 transportation facilities and services that serve as indicators of system operation."

43
44 The proposed amendments provide more efficient road network connectivity and pedestrian
45 facility requirements to both urban and rural development areas, without reducing
46 environmental or land use standards. The amendments bifurcate transportation regulations,
47 in order to consider different development intensities for urban areas and rural areas,

48
49 F. The proposed amendments are consistent with and supportive of the following Snohomish
50 County Growth Management Act Comprehensive Plan (GMACP) policies:

ED Policy 2.A.3: “To ensure timeliness, responsiveness, and increased efficiency, the county shall develop and maintain a program of periodic review of the permitting process to eliminate unnecessary administrative procedures that do not respond to legal requirements for public review and citizen input.”

NE Policy 5.B.5 The county should encourage and create incentives for connection of areas of native vegetation within and between land parcels through the adoption of development regulations such as the rural cluster subdivision ordinance and through voluntary programs.

The proposed amendments ensure a more efficient and less costly application process with more appropriate road development standards. The amendments encourage more connection of native vegetation within and between land parcels through development regulations, particularly via exemptions to developing network connectivity and pedestrian facilities when unnecessary in rural areas.

- G. These amendments have been evaluated for their potential to create barriers to the implementation of Low Impact Development (LID) principles and measures for stormwater management. These amendments will reduce the amount of roadway infrastructure needed in certain areas, reduce the amount of required impervious surfaces, and reduce the disruptions to soil, vegetation, and drainage. The updates to SCC advance LID principles and measures.
- H. The amendments will not have an impact on the demand for capital facilities and utilities. County and external service providers maintain long-range plans and financing strategies to meet projected service demands. The amendments are not expected to create new demands or interfere with these plans.
- I. The potential impacts on housing and jobs were assessed. The proposed amendment will not affect jobs; however, it may have a positive impact on housing supply, due to reduced development costs.
- J. Procedural requirements.
 - 1. This proposal is a Type 3 legislative action under SCC 30.73.010.
 - 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on July 1, 2025.
 - 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance of a determination of non-significance on July 1, 2025.
 - 4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and the SCC.

1 5. The Washington State Attorney General last issued an advisory memorandum, as
2 required by RCW 36.70A.370, in October of 2024 entitled Advisory Memorandum
3 and Recommended Process for Evaluating Proposed Regulatory or Administrative
4 Actions to Avoid the Unconstitutional Takings of Private Property to help local
5 governments avoid the unconstitutional taking of private property. The process
6 outlined in the State Attorney General's 2024 advisory memorandum was used by
7 the County in objectively evaluating the regulatory changes proposed by this
8 ordinance.

9
10 Section 2. The county council makes the following conclusions:

- 11
12 A. The amendments proposed by this ordinance are consistent with the GMA and are
13 consistent with all applicable federal, state, and local laws and regulations.
14
15 B. The amendments proposed by this ordinance are consistent with the goals, objectives, and
16 policies of the MPPs, CPPs, and the Snohomish County GMACP.
17
18 C. The County has complied with all SEPA requirements with respect to this non-project action.
19
20 D. The amendments proposed by this ordinance will not negatively impact LID principles or
21 measures.
22
23 E. The amendments proposed by this ordinance will not create additional demand for capital
24 facilities or utilities.
25
26 F. The amendments proposed by this ordinance may create a more affordable supply of
27 housing and will not impact jobs.
28
29 G. The public participation process used in the adoption of this ordinance complies with all
30 applicable requirements of the GMA and title 30 SCC.
31
32 H. The amendments proposed by this ordinance do not result in an unconstitutional taking of
33 private property for a public purpose.
34

35 Section 3. The Snohomish County Council bases its findings and conclusions on the
36 entire record of the County Council, including all testimony and exhibits. Any finding, which
37 should be deemed a conclusion, and any conclusion which should be deemed a finding, is
38 hereby adopted as such.
39

40 Section 4. Snohomish County Code Section 30.24.005, last amended by Amended
41 Ordinance No. 21-018 on June 9, 2021, is amended to read:

42
43 **30.24.005 Purpose and applicability.**
44

45 This purpose of this chapter is to establish minimum access and county road network
46 requirements to promote vehicular and pedestrian safety. This chapter shall apply to all
47 development applications except for the following where no new access is created:
48

- 1 (1) Any remodel of an existing single-family detached, duplex or attached single-family
2 structure.
3
4 (2) Site-specific rezones that are not accompanied by another permit or approval.
5
6 (3) Construction of an accessory dwelling unit.
7
8 (4) Construction of an accessory or non-accessory storage structure ~~((that does not require a~~
9 ~~conditional use permit))~~.
10
11 (5) Construction of a detached private accessory or non-accessory garage ~~((that does not~~
12 ~~require a conditional use permit))~~.
13

14 Section 5. Snohomish County Code Section 30.24.010, last amended by Amended
15 Ordinance No. 12-049 on October 3, 2012, is amended to read:
16

17 **30.24.010 General requirements.**
18

19 The following regulations shall ~~((pertain))~~ apply to all development unless exempted pursuant to
20 SCC 30.24.005 or more specific regulations are established within this chapter:
21

22 (1) ~~((Road networks))~~ A road network and ~~((their))~~ any associated stormwater ~~((facilities))~~
23 facility shall be designed and constructed according to titles 30 and 13 SCC, the EDDS and any
24 other applicable local, state ~~((and))~~ or federal requirements.
25

26 (2) ~~((The overall))~~ Any road network, including stormwater ~~((drainage))~~ facilities associated
27 with a road network element, shall be subject to approval of the county engineer, except when
28 these powers are delegated to the department pursuant to SCC 13.01.020(3) and (4).
29

30 (3) ~~((Road))~~ Any road network ~~((elements))~~ element shall be connected pursuant to SCC
31 30.24.020.
32

33 (4) Road network connectivity within urban growth areas, including the extension of any
34 opened or unopened right-of-way that ~~((abut))~~ abuts a proposed development, shall be required
35 unless the county engineer determines that unique circumstances of the site make extension of
36 the road network impractical or infeasible~~((--))~~, including: ~~((Unique circumstances of the site may~~
37 ~~include topography, the surrounding road network, soils, hydrology, or maintenance~~
38 ~~requirements:))~~
39

40 (a) Topography;

41
42 (b) Surrounding road network;

43
44 (c) Soils;

45
46 (d) Hydrology;

47
48 (e) Critical areas; or
49

1 (f) Maintenance requirements.

2
3 (5) Outside urban growth areas, developments generating fewer than 200 average daily trips
4 (ADT) shall not be required to provide road network connectivity, including the extension of any
5 opened or unopened right-of-way that abuts a proposed development, except as follows:

6
7 (a) When the county engineer determines and explains in writing that road network
8 connectivity is necessary to protect public safety; or

9
10 (b) When road network elements are necessary to develop or maintain the planned roads
11 system.

12
13 For the purposes of this subsection, the 200 ADT threshold applies to the cumulative traffic
14 generated by existing and future development of the subdivision. If later phases of development
15 increase the subdivision above this threshold, subsection (6) shall apply.

16
17 (6) Outside urban growth areas, development or cumulative developments generating more
18 than 200 average daily trips (ADT) or more shall require road network connectivity, including the
19 extension of opened or unopened right-of-way that abuts a proposed development, unless the
20 county engineer determines that unique circumstances of the site make extension of the road
21 network impractical or infeasible, including:

22
23 (a) Topography;

24
25 (b) Surrounding road network;

26
27 (c) Soils;

28
29 (d) Hydrology;

30
31 (e) Critical areas; or

32
33 (f) Maintenance requirements.

34
35 ~~((5)))~~ (7) Internal road networks shall be designed to provide:

36
37 (a) Access and circulation that comply with SCC 30.66B.420;

38
39 (b) Emergency vehicle access consistent with the requirements of SCC 30.24.100 and
40 30.53A.512; and

41
42 (c) A connected road network rather than long, irregular loops with deadends and cul-de-
43 sacs, except as provided for in SCC 30.24.010(4).

44
45 ~~((6)))~~ (8) Maintenance of private road network elements shall be the responsibility of:

46
47 (a) The applicable owners;

48
49 (b) A homeowners association; or

- 1 (c) Any other legal entity made up of all benefited property owners.
- 2
- 3 ~~((7))~~ (9) Building and structural setbacks from road network elements shall be required
- 4 pursuant to chapter 30.23 SCC unless otherwise modified.
- 5
- 6 ~~((8))~~ (10) All privately owned road network elements, except for a drive aisle or driveway,
- 7 shall be located in a tract or easement.
- 8
- 9 ~~((9))~~ (11) All road network elements shall be clearly identified on site plans.

10

11 (12) Access to individual dwelling units within a single family detached units residential

12 development may be provided by a private road or drive aisle under SCC 30.24.055. For all

13 other development types, access to dwelling units within the T, MR, LDMR, or UC zones may

14 be provided by a drive aisle, unless the county engineer determines, under chapter 30.66B

15 SCC, that a public road is required to protect public health, safety, and welfare or to ensure

16 connectivity within the public road system.

17

18 (13) The requirements of this chapter are subject to applicable statutory and constitutional

19 limitations.

20

21 Section 6. Snohomish County Code Section 30.24.055, last amended by Amended

22 Ordinance No. 21-106 on February 23, 2022, is amended to read:

23

24 **30.24.055 Access and road network requirements to individual lots within a proposed**

25 **subdivision, short subdivision or binding site plan development or to proposed SFDU**

26 **units.**

27

28 Access to lots within a proposed subdivision, short subdivision or binding site plan development

29 or to proposed SFDU units shall meet the requirements of this section.

30

31 (1) Access to individual lots, tracts or easements within a proposed subdivision or short

32 subdivision located in ~~((the))~~ urban growth ~~((area))~~ areas shall be provided by a public road,

33 except that a private road or a drive aisle within the T, MR, LDMR, or UC zone may be allowed

34 by the county engineer, in accordance with chapter 30.66B SCC unless the county engineer

35 determines that a public road is required to ~~((provide for the))~~ protect public health, safety and

36 welfare or ensure connectivity ~~((of))~~ within the public road system.

37

38 (2) Access to individual lots, tracts or easements, within a proposed subdivision, short

39 subdivision, or binding site plan development in the rural area may be provided by a private

40 road network element as provided for in this chapter, unless the county engineer, in accordance

41 with chapter 30.66B SCC, determines that a public road is required to provide for the public

42 health, safety and welfare or connectivity of the public road system.

43

44 (3) Access to individual dwelling units within a SFDU shall be provided by a drive aisle, unless

45 the county engineer, in accordance with chapter 30.66B SCC, determines a public road is

46 required to provide for the public health, safety and welfare or connectivity of the public road

47 system.

48

49 (4) Where access by a private road network element is permitted, and the private road network

50 element has the potential for serving more than nine lots or 90 average daily trips, the county

engineer may require the private road to be designed to enable future conversion to a public road and the final subdivision, short plat or binding site plan shall contain a provision that the conversion to a public road may not be protested.

(5) Access to individual dwelling units within a unit lot subdivision or unit lot short subdivision may be provided by a private road or drive aisle, except when the county engineer, in accordance with chapter 30.66B SCC, determines a public road is required to provide for the public health, safety and welfare or connectivity of the public road system.

Section 7. Snohomish County Code Section 30.24.060, added by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.24.060 Access and road network requirements for lots included in a proposed boundary line adjustment (BLA).

Access to lots within a proposed BLA shall meet the requirements in this section.

(1) Lots created through a subdivision, short subdivision, or binding site plan that are included in a proposed BLA shall meet all requirements of this chapter except SCC 30.24.040, 30.24.070, 30.24.080, 30.24.140 and 30.24.150.

(2) Lots not created through a subdivision, short subdivision, or binding site plan that are included in a proposed BLA shall meet all requirements of this chapter except ~~((SCC 30.24.040(7)))~~ SCC 30.24.010(9) and ~~((8))~~ (10), 30.24.070, 30.24.080, 30.24.140 and 30.24.150.

~~((3) Any new primary access shall be constructed from the nearest open, constructed and maintained public or private road prior to recording of the BLA when:~~

~~(a) The access will be from a new or different road network element;~~

~~(b) The BLA involves three or more lots; and~~

~~(c) The access is not constructed to a standard determined appropriate by the county engineer for the existing and anticipated traffic volumes to be generated by the lots reconfigured in the BLA.))~~

(3) A proposed BLA may be recorded prior to construction of any required road network elements. Lot access improvements may instead be constructed at the time of building construction if the access locations conform to EDDS standards and are constructed to a standard determined appropriate by the county engineer based on existing and anticipated traffic volumes.

Section 8. Snohomish County Code Section 30.24.080, last amended by Amended Ordinance No. 17-061 on March 28, 2018, is amended to read:

30.24.080 Pedestrian facility requirements.

The intent of this section is to improve the pedestrian environment and encourage walking as a convenient means of transportation by requiring developments to provide pedestrian facilities.

1
2 (1) Pedestrian facilities shall be ~~((required))~~ provided ~~((, except as provided in subsection (3) of~~
3 ~~this section))~~ within urban growth areas as follows:

4
5 (a) In any existing or proposed road network element when required by the county
6 engineer in accordance with chapter 30.66B SCC and the EDDS, and in any abutting state,
7 city, town or other county's rights-of-way in accordance with chapter 30.66B SCC.

8
9 (b) Within the development:

10
11 (i) To, from and between:

12
13 (A) Lots in a subdivision, short subdivision, unit lot subdivision or short subdivision,
14 or binding site plan;

15
16 (B) Dwellings in single-family detached unit, cottage housing, single-family
17 attached, duplex, townhouse, or multiple family developments;

18
19 (C) Non-residential buildings;

20
21 (D) Community facilities;

22
23 (E) Open space areas for active or passive recreation uses when either provided by
24 a developer or required pursuant to SCC 30.23A.080, 30.34A.070(3),
25 30.41C.090(2)(b), or 30.42B.115(1)(b)(i) and (iv); and

26
27 (F) Common open space as part of a cottage housing development;

28
29 (ii) Between an individual dwelling and the adjacent road network element when the
30 dwelling is required to be handicapped accessible under this title, state law or the
31 Americans with Disabilities Act (ADA); and

32
33 (iii) Between parking spaces and the residential dwellings they serve.

34
35 (c) Off-site to satisfy criteria in SCC 30.41A.100 or 30.41B.100, or as required to mitigate
36 impacts under chapter 30.61 or 30.66B SCC.

37
38 (2) Pedestrian facilities shall comply with the applicable specifications and standards of the
39 ADA for accessibility.

40
41 (3) Pedestrian facilities ~~((shall not be required for:))~~ within urban growth areas are not required:

42
43 ~~((a) Permanent dead-end road network elements that are 150 feet or less in length and~~
44 ~~serve 90 average daily trips or less;~~

45
46 ~~(b) Connecting individual dwellings with or without an attached garage or carport to the~~
47 ~~adjacent road network element, provided that the dwelling is not required to be handicapped~~
48 ~~accessible under this title, state or federal law; or~~

1 ~~(c) Connecting detached accessory or non-accessory garages or storage structures, or~~
2 ~~carports to the adjacent road network element.))~~
3

4 (a) For permanent dead-end road network elements that serve 200 average daily trips or
5 fewer, except when the county engineer determines and explains in writing that shoulders
6 are necessary to protect public safety;
7

8 (b) To connect individual dwellings, with or without an attached garage or carport, to the
9 adjacent road network element, provided that the dwelling is not required to be accessible
10 for a person with a disability under this title or by state or federal law; or
11

12 (c) To connect detached garages, storage structures, or carports to the adjacent road
13 network element.
14

15 (4) Pedestrian facilities outside urban growth areas are not required, except for shoulders,
16 which are regulated under subsection (5) of this section.
17

18 (5) Shoulders outside urban growth areas are not required:
19

20 (a) For private road network elements that serve 200 average daily trips or fewer, and given
21 posted speed of 25 mph or less, on a permanent dead-end road element, except when the
22 county engineer determines and explains in writing that shoulders are necessary to protect
23 public safety;
24

25 (b) To connect individual dwellings, with or without an attached garage or carport, to the
26 adjacent road network element, provided that the dwelling is not required to be accessible
27 under this title or by state or federal law; or
28

29 (c) To connect detached garages, storage structures, or carports to the adjacent road
30 network element.
31

32 ~~((4))~~ (6) Pedestrian facilities ((shall be prohibited)) are not required in ((an alley, or a drive
33 aisle)) drive aisles and alleys that ((is)) are less than 20 feet in width, and shall comply with fire
34 apparatus access road requirements under SCC 30.24.100 and 30.53A.512.
35

36 ~~((5))~~ (7) Pedestrian facilities required for a public road may be located outside of the right-of-
37 way if an EDDS deviation is approved.
38

39 ~~((6))~~ (8) The county engineer, pursuant to this chapter, chapter 30.66B SCC, Title 13 SCC,
40 and the EDDS, shall determine the requirements for those pedestrian facilities located within the
41 limits of a road network element, or located outside of the right of way pursuant to SCC
42 30.24.080(5). The director, pursuant to SCC 30.81.010, shall determine the requirements for
43 those pedestrian facilities located outside the limits of a road network element.
44

45 Section 9. Snohomish County Code Section 30.66B.540, added by Amended Ordinance
46 No. 02-064 on December 9, 2002, is amended to read:
47

48 **30.66B.540 Dedication, establishment, or deeding of right-of-way- timing.**
49

(1) Right-of-way shall be dedicated, established, or deeded prior to ~~((building permit))~~ issuance of a certificate of occupancy, except as follows:

~~((a))~~ For rezone applications accompanied by an official site plan, as a precondition of approval;

~~((b))~~ ~~((a))~~ For binding site plans, subdivisions or ~~((short subdivisions))~~ short subdivisions, ~~((prior to))~~ at the time of recording; or

~~((c))~~ ~~((b))~~ For conditional use or administrative conditional use permits ~~((for which no))~~ that are not associated with a building permit ((is associated)), as a precondition to permit approval.

(2) If more than one of ~~((SCC 30.66B.540(1)(a)-(c)))~~ subsection 30.66B.540(1)(a)-(b) apply, the right-of-way shall be dedicated or deeded at the earliest applicable stage of development.

Section 10. Snohomish County Code Section 30.91R.220, last amended by Amended Ordinance No. 12-049 on October 3, 2012, is amended to read:

30.91R.220 Road, public.

"Road, public" ("public road") used interchangeably with road, roadway or street, means improvements located ((in the)) within a right-of-way ((maintained by the county)) owned, opened, and maintained by the county, city, or state intended for the passage of vehicles, ((that)) and where appropriate, may include ((pedestrian, equestrian, and bicycle facilities)) facilities for pedestrians, bicyclists, and equestrians. ((Limits)) The limits of a public road include the ((outside)) outer edge of sidewalks, ((or)) curbs and gutters, planter strips, paths, walkways, or side ditches, ((including the)) together with associated ((shoulder and all)) shoulders, slopes, ditches, channels, waterways, and other features necessary for proper drainage and structural stability within the right-of-way.

Section 11. Snohomish County Code Section 30.91R.240, last amended by Ordinance No. 16-010 on June 1, 2016, is amended to read:

30.91R.240 Road system.

"Road system" means those existing or proposed public or private road network elements whether state, county, city or town (including freeway interchanges with county roads, city or town streets and the ramps for those interchanges but excluding freeway mainlines), within:

(1) The transportation service area, as defined by the Snohomish County transportation needs report, in which a development is located, except that an adjacent transportation service area may apply if determined by the county engineer to be more appropriate where a development has a greater impact on public roads in an adjacent transportation service area than in the transportation service area in which the development is located; or

(2) The area of another county which is adjacent to the transportation service area in which the development is located.

1 This definition applies only to the concurrency and road impact mitigation regulations in chapter
2 30.66B SCC and the general development standards in chapter 30.24 SCC.
3

4 Section 12. Severability and Savings. If any section, sentence, clause, or phrase of this
5 ordinance shall be held invalid by the Growth Management Hearings Board, or unconstitutional
6 by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the
7 validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.
8 Provided, however, that if any section, sentence, clause, or phrase of this ordinance is held to
9 be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause, or
10 phrase in effect prior to the effective date of this ordinance shall be in full force and effect for
11 that individual section, sentence, clause, or phrase as if this ordinance had never been adopted.
12

13 PASSED this _____ day of _____, 26____.

14
15 SNOHOMISH COUNTY COUNCIL
16 Snohomish County, Washington
17

18 _____
19 Council Chair

20 ATTEST:

21
22 _____
23 Asst. Clerk of the Council
24

25 () APPROVED
26 () EMERGENCY
27 () VETOED
28

DATE:

29 _____
County Executive

30 ATTEST:
31
32 _____

33 Approved as to form only:
34
35

36  7/23/26
37 Deputy Prosecuting Attorney