



## Snohomish County Council

**Committee:** Public Works and Infrastructure  
**ECAF:** 2022-0184  
**Proposal:** Ord. 22-010

**Analyst:** Deb Evison Bell

**Date:** March 1, 2022

### **Consideration:**

The proposal is to approve and accept a Statutory Warranty Deed and establish Richmond Road as a new County Road.

### **Background:**

Originally known as East Filbert Rd, the area was dedicated by the Plat of Alderwood Manor No. 5, in 1918 and recorded in the Auditor's File Number 247322. On July 30, 1980, the Washington State Department of Transportation conveyed via quick claim deed to Snohomish County the described real property recorded under Auditor's File Number 8007300168, the construction of State Route 405 bisected the older road, essentially creating two dead-end segments of Richmond Road and 208<sup>th</sup> St SE.

On August 10, 2020, the petitioners Prospect Development LLC (transferred to Pacific Ridge-DRH LLC with acquisition February 19, 2021), submitted an application, per SCC 13.90.010, to vacate and abandon that portion of opened, maintained, constructed and paved county road and road right-of-way (ROW) of Richmond Road and 208<sup>th</sup> Street Southeast with Ordinance 22-010.

The proposed dedicated right of way is part of the development application, which requires the developer to establish and construct a new public road portion of Richmond Road, that would connect the two bisected roads, per SCC 13.90.020<sup>1</sup> and 30.66B<sup>2</sup>). The proposed dedication is located in the SE<sup>1</sup>/<sub>4</sub> of Section 24, Township 27 North, Range 4 East, W.M., and the SW<sup>1</sup>/<sub>4</sub> of Section 19, Township 27 North, Range 5 East W.M.

### **Current Proposal:**

The County Engineer, per RCW 36.81, has determined that it is in the best interest of the general public and recommends the dedication of the subject ROW. Approval by ordinance is sought from council to authorize the ROW dedication. In accordance with RCW 36.75 and SCC 13.90, the county engineer prepared a report examining the petitioned ROW that includes the following findings:

1. The new proposed public road identified as "Road A" in the May 4, 2021, approval administrative site plan is designated as Richmond Road and will connect to 208<sup>th</sup> Street SE.
2. The new road is classified as a non-arterial residential road. The right-of-way being provided has sufficient width to contain the required road and

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<sup>1</sup> [ch. 13.90 Establishment | Snohomish County Code](#)

<sup>2</sup> [ch. 30.66B Concurrency and Road Impact Mitigation | Snohomish County Code](#)

improvements and will comply with all the applicable code and Engineering Design and Development Standards (EDDS) requirements.

3. The new public road, Richmond Road, will start at the south right-of-way boundary of the existing Richmond Road and run for a length of 282 feet and end at the north right-of-way boundary of 208<sup>th</sup> Street SE. The right-of-way is 36 feet wide.
4. A record of survey depicting the ROW limits and alignment of the roads has been recorded under Auditor's File Number (AFN)202201075001.
5. 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 used of transit systems, pedestrian facilities, and bicycle facilities are promoted.
6. 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 connect is necessary, practicable, and feasible.
7. No public expenditures will be required for the construction of a new road. All construction costs will be paid in full by the applicant.
8. Plans for the consideration of the road to the County standards have been approved by DPW and PDS. The County has accepted a performance security bond for the construction and completion of all right-of-way improvements for the road. Upon completion of construction of the road by the developer, approval of as-built drawings and acceptance of the road by the County (including PDS), a two-year maintenance security bond shall be posted by developer (see Exhibit 10).
9. DPW has reviewed and approved the Statutory Warranty Deed (SWD) and recommends the deed be accepted by the County.
10. The public administrative costs estimated to be incurred by the County in examining, investigating, and processing the establishment application are as follows:

Estimated Public Work Changes	\$4,500.00
Estimated Advertising Costs	\$300.00
Estimated Recording Fee	<u>\$215.00</u>
Total Estimated Fees	\$5,015.00

Application Fee Credit	<\$500.00>
Total Estimated Administrative Costs	\$4,515.00

**CONDITIONS**

1. All outstanding administrative costs are to be paid by the developer to the County Road Fund pursuant to SCC 13.90.070.
2. The line-of-sight easement adjoining the west side of the proposed Unit 49 shall be clear of any obstruction that would hinder the clear sight triangle for the off-site parcel to the north and the line-of-sight easement south of Unit 43 shall be clear of any obstruction, per EDDS 3-08. A plan and profile shall be submitted to verify that Unit 49 was construction outside of the clear sight triangle and line-of-sight easement as shown on Exhibit 6.
3. DPW and PDS, after inspection of the finished construction, will determine if all County road standards have been met.

*Duration:* Under Chapter 36.75 RCW and Chapter 13.90 SCC, dedication of county ROW shall not take effect unless the Petitioner pays the itemized costs and expenses of the proceedings identified and meets the conditions in the engineer's report.

*Fiscal Implications:* All associated costs incurred by the County in processing the petition to dedicate and construction of the proposed road shall be paid by Pacific Ridge-DRH LLC, as per SCC 13.90 and SCC 36.81. The expenses and the balance owing have an estimated balance of \$4,515.00

**2022 Budget:** NA

**Future Budget Impacts:** NA

**Handling:** Expedite

**Approved-as-to-form:** YES

**Risk Management:** APPROVE.

**Executive Recommendation:** APPROVE.

**Attachments:** See ECAF packet/Engineers Report.

**Amendments:** NONE.

**Request:** The requested action is for council to move this to GLS on March 2nd to set a time/date for a Public Hearing (March 23, 2022, at 10:30 am is suggested).