

Chapter 11.01 - Land Development Standards^[1]

11.01.010 - Purpose and intent.

The purpose of these provisions is to minimize nuisances associated with development practices which are dysfunctional to the orderly development of Island County. The provisions of this chapter are intended to accomplish these purposes:

- A. Facilitate the development of properly designed and constructed public and private roadways so as to provide a safe, durable, and efficient integrated roadway system for Island County;
- B. Protect public rights-of-way, natural resources, scenic and open space from undue degradation due to poor development practices;
- C. Fulfill the objectives of comprehensive planning policies of Island County in promoting the health, safety, and welfare of the general public, as well as fulfilling the county's responsibilities as trustees of the environment as provided by law.

Satisfactory compliance with the provisions of this chapter shall be consistent with zoning and land use control provisions of Island County, as well as adopted planning policy.

11.01.020 - Definitions.

For the purpose of this chapter:

Access road means a public or private road providing vehicular access to the boundary of a parcel of real property being proposed for development.

All weather road means a roadway suitable by its construction and design features to be passable during adverse weather conditions.

Collector road means a road whose function is to collect traffic from neighborhoods and local streets and which connects to another road of equal or greater classification. A collector arterial also may provide direct access to adjacent properties.

Commercial access means a road providing access to commercial properties in business, commercial, manufacturing, and industrial areas.

Common approach means a shared approach serving ~~no more than~~ (2) or more lots/units. A common approach does not have to straddle a common property line.

County engineer shall be defined in Chapter 36.75 RCW, or the office or person assigned such duties under a county charter.

County road means a road open to the public and maintained for public travel by Island County.

Cul-de-sac means a dead-end road of limited length having a primary function of serving adjoining land and constructed with a turnaround at its end (local access road).

Design Civil engineer means an individual licensed by the State of Washington to practice civil engineering and who has been retained to design land development improvements.

Easement means an interest in land owned by another that entitled its holder to a specific limited use or enjoyment.

Generalized plan means a plan delineating the contiguous property within one (1) ownership and properly delineating natural drainage ways and existing roadway systems as well as indicating a conceptual plan for drainage facilities or improvements thereto, and a suitable access plan for the remnant parcel(s) when topography/development and policies could reasonably be expected to limit locations and number of approaches to public roads. It is not to be construed as a binding site plan.

Internal private road means that road contained solely within the bounds of a proposed short plat which is not used as a means of access to any adjoining properties.

Large tract Long Plat subdivision means the division of land for the purpose of development, sale, lease, transfer, gift, or other conveyance into five (5) or more lots, tracts, parcels, sites, or divisions, ~~wherein no lot, tract, parcel, site, or division is less than five (5) acres in size.~~

Level of service (LOS) means an established minimum capacity of public facilities that must be provided per unit of demand or other appropriate measure of need.

Loop road means a road of limited length forming a loop, having a beginning and ending on the same road, having no other intersecting road, and having as its primary function the provision of direct access to adjoining properties (local access road).

Major arterial means a road connecting two (2) or more towns or communities, connecting two (2) highways of equal or greater capacity, or serving as the primary access to a large land area. A major arterial may also serve a large traffic generator (e.g., an industrial area, recreational area) and perform a secondary function of providing local access.

Neighborhood access means a road the primary function of which is to provide direct access to adjoining properties, but which also provides for traffic circulation within and/or through a neighborhood (local access road).

Planned residential development (PRD) means a cluster residential project approved pursuant to [chapter 16.17](#). A PRD may include detached or attached dwelling units.

Potential number of lots or units served means total possible users of a facility under current and/or contractual zoning, covenant restriction, and extensions to serve adjacent property.

Primitive road means a road so designated in accordance with the provisions of RCW 36.75.

Private road means a road not maintained by Island County, the Washington State Department of Transportation or any other political subdivision of the state.

Public road means a road maintained by Island County or the Washington State Department of Transportation or any political subdivision of the state.

Roadside means the portion of an easement or right-of-way lying on either side of the roadway, including curbs, sidewalks, and ditches.

Roadway means the improved portion of an easement or right-of-way, excluding curbs, sidewalks, and ditches.

Rural area means land not located within an urban growth area as designated in the Island County Comprehensive Plan.

Rural road means a road located within the rural area of Island County.

Scenic route means a road affording a view of a scenic area and/or retaining natural roadside characteristics.

Secondary arterial means a road connecting two (2) or more roads of equal or greater classification, or connecting two (2) or more communities. A secondary arterial may serve as an alternate route to a higher classified road or a traffic generation of medium importance, and serves an additional function of land service.

Short subdivision or Short Plat means the division of land into four (4) or fewer lots, tracts or parcels for the purpose of development, sale, lease, transfer, gift, or other conveyance, approved pursuant to [chapter 16.06](#), often referred to as a "short plat".

Sidewalk means a pedestrian access adjacent to or within the right-of-way of an adjoining public or private road.

Special provisions means construction requirements peculiar to a specific project and which are not otherwise thoroughly or satisfactorily detailed and set forth in the standard specifications.

Standard specifications means those specifications adopted for design and construction of land development improvements in this chapter.

Structure means that which is built or constructed, an edifice or building of any kind or any place of work, artificially built up or composed of parts joined together in some definite manner, but not to include utilities for the purposes of this chapter.

Subject property means the tract of land which is the subject of the permit and/or approval action.

Trail means an improved but natural path or way set aside for public and private use providing an access route to, from, or between points of interest and intended for use by pedestrians, equestrians, bicycles, and/or other non-motor vehicular users.

Urban growth area means lands located within an urban growth area as designated in the Island County Comprehensive Plan.

Urban road means a road located within the urban area of Island County.

Utilities means those services provided for private or public use, including electric power lines, gas lines, telephone lines, television cables, sewer lines, water lines, and drainage facilities.

Walkway means a pedestrian access which is within the building site envelope, total building complex, or between lots, but not adjacent to or within the right-of-way of a public or private road.

11.01.030 - Applicability.

This chapter shall apply to the following land development actions or permits, as applicable:

- A. Long Plat Subdivisions;
- B. Short Plat subdivisions;
- C. Condominiums;
- D. Planned residential developments;
- E. Business and professional parks;
- F. Shopping centers;
- G. Mobile home parks;
- H. Campgrounds and recreational facilities;
- I. Industrial parks;
- J. All building permits;
- K. Construction or development activity related to approval of rezones, zoning amendments, conditional use approvals, site plans, use approvals, shoreline substantial development permits;
- L. Access permits sought in connection with or subsequent to any of the above-mentioned land development actions or permits.

11.01.040 - Master land development application—Optional.

Pursuant to the above, Island County may administratively establish a master application procedure to facilitate the processing of permit activities governed by the chapter. The Island County Permit Center, in coordination with affected departments, shall be responsible for developing such procedures ~~which will fully disclose all Island County required permits within ten (10) days upon completion of an application.~~

11.01.050 - General design and construction standards.

- A. The standards for design and construction of land development improvements (as applicable) are:

1. **The Standard Specifications for Road and Bridge Construction** , latest edition, as published by the Washington State Department of Transportation, except as amended herein or by variance granted in writing by the county engineer;
 2. **The Standard Specifications for Municipal Public Works Construction** , latest edition, as prepared by the Washington State Chapter of the American Public Works Association, except as amended herein or by variance granted in writing by the county engineer;
 3. **The Washington State Department of Transportation Local Agency Guidelines**, latest edition, or current design standards for local roads. Modifications to design criteria may be authorized where strict adherence would be counterproductive to the purpose and intent of this chapter;
 4. **American Association of State Highway and Transportation Officials (AASHTO) Design Guidelines** , latest edition. Modifications to design criteria may be authorized where strict adherence would be counterproductive to the purpose and intent of this chapter; and
 5. Those drawings of typical sections for roadway construction and design criteria attached hereto and incorporated herein by this reference as appendix "D." The county engineer shall specify which of the standard specifications will apply to each construction project.
- B. The above standards for construction shall apply to all improvements, whether public or private, and inspection required shall be at the sole expense of the proponent.

11.01.060 - Standards for private roads.

A. **Private roads—General requirements applicable to all private roads.**

1. Private roads shall be allowed only for such roads that have no public interest for traffic circulation and are to be built in accordance with the standards adopted herein.
Private roads are not allowed when in conflict with the adopted road circulation plans or studies.
2. The face of any recorded plat, short plat, planned residential development, or site plan containing a private road shall bear the following language: "Island County has no responsibility to improve or maintain the private roads contained within, or private roads providing access to, the property described in this development."
3. A private maintenance agreement shall be required for all private roads serving three (3) or more lots/units.
4. The approach to a public road of a private road serving nine (9) or more lots shall be paved to the right-of-way line or to such distance so that the drive wheels of a common user vehicle will be upon the paved surface in accordance with the appropriate approach specifications, except that private roads already constructed and serving more than nine (9) lots are exempt from this provision.
5. Private roadway street name and stop signs shall be privately installed and maintained at the intersection of private roads serving nine (9) or more lots with public roads. Such signs shall meet the adopted standards of Island County. The county shall not maintain roads or signs within private rights-of-way.
6. Private roads, except as modified in subsection D.1.c. of this section, are the responsibility of the developer to construct in accordance with the criteria of this section.
7. Private road rights-of-way or private easements may be required to be located within "future public rights-of-way tracts" as provided in this chapter.
8. In situations wherein developments are to be served by private roads serving three (3) or more lots/units, the developer shall file for record, after review by the Island County Engineer, a declaration of covenants in general compliance with those set forth in appendix "A" of this chapter, which shall run with the land. The seller of any property encumbered by the covenant set forth in appendix "A" of this chapter shall obtain from the purchaser and record with the auditor the

purchaser's acknowledgment of the private road maintenance responsibilities and restrictions, as set forth in appendix "B" of this chapter.

B. Private roads—Reduced private road requirements when permitted.

1. The ~~right-of-way~~ easement width requirements for existing private roads may be reduced in accordance with the provisions of this chapter, so long as the following is found:
 - a. No traffic hazard will result;
 - b. No additional extensions will be necessary or permitted;
 - c. There is no public road access alternative available to serve the additional lots; and
 - d. The ~~right-of-way of the~~ existing private road easement cannot be expanded.
2. The limitation on the number of lots/units which may be served by a private road may be modified in accordance with the provisions of this chapter when extending private roads or when subdividing property which abuts such a road, provided:
 - a. The road would be consistent with required findings in subsection B.1. set forth above; and
 - b. The ~~right-of-way~~ private road will be improved consistent with county standards and specifications to the maximum extent practicable.

C. Private roads—Units served—Determination of:

1. The potential number of lots or units used for determination of applicable standards shall be based on the potential number of lots or units that could reasonably be served, using the comprehensive plan and existing zoning to calculate density.
2. Lots abutting and having a legal right of access to a private road, but gaining access to another private road or a public road, shall be included in the calculation of lots or units being served by each abutting private road.
3. Where potential additional lots/units are planned to be served by the private road, there shall be established on the plat an easement for roadway and utility installations which provides for future extensions of the private road to serve the remainder of the potential lots/units for which the road is designed.
4. Potential number of lots/units may be reduced wherein existing or proposed restrictive covenants, contractual zoning, or use approval, limits/specifies density. A suitable restriction upon a short plat, long plat, planned residential development, or site plan, approved by the Island County Engineer, is acceptable.
5. The actual number of lots/units used for determination of applicable standards shall be based on the number of lots along the private road, as shown in the records of Island County and shall include those lots/units within a proposed development. All lots/units shown having access to the private road shall be counted, regardless of size or date of creation.

D. Private roads—General specifications—Design and construction standards. Private roads serving developments, when allowed, shall conform to the following minimum standards:

1. **Short Plat subdivision and planned residential development standards.**
 - a. **Easement requirements:**
 - (i) Private road easement width shall depend on the potential number of lots or units that may be served, in accordance with the following schedule:

Potential No. of Lots/ Units to be Served	Minimum Required Easement Width (When Applicable)
1—2 (common road approach)	30' × 30'

1—4 (all lots 15,000 sq. ft. or less)	20'
1—4	30'
5 or more	40' [2]

- (ii) A cul-de-sac easement with a radius of forty (40) feet or an equivalent turnaround such as a hammerhead shall be required at the terminus of dead end easements longer than 150 feet and may be temporary in nature where extension to serve adjoining properties is planned.
- (iii) Access easements shall extend at least thirty (30) feet into the interior lot(s) when deemed necessary by the Island County Engineer.
- b. **Joint residential driveway standard:** For access to two (2) lots, a minimum useable all weather driveway width of twelve (12) feet is recommended to assure safe ingress and egress of emergency response vehicles. To avoid environmental impact, minimize cut or fill volumes, or if topography makes this width impractical, a narrower width, may be acceptable if the road design is demonstrated to be otherwise safe and maintainable. The minimum acceptable width in these cases is ten (10) feet. Any driveway longer than 150 feet shall provide a turnaround for emergency vehicles.
- c. **Dead end road standards:** Any dead end road or driveway longer than 150 feet shall provide a turnaround at the terminus. The turnaround shall be a constructed cul-de-sac with a radius of thirty (30) feet, or an equivalent turnaround such as a hammerhead. Any dead end road or driveway longer than 150 feet and narrower than eighteen (18) feet shall provide turn-outs or turnarounds at a spacing not to exceed 300 feet. Turn-out and turnaround locations shall be approved by the engineer and located such that opposing vehicles can see each other and pull out to pass.
- d. **Private Roadway construction requirements:**
 - (i) Private roadway construction shall depend on the actual number of lots or units to be served, in accordance with the following schedule:

Actual Number of Lots/Units	Minimum Traveled Surface Width
3—4	14'
5—8	18'
9 or more	22' [3]

- (ii) All short plat subdivision roads shall require a minimum of six (6) inches of gravel base consistent with the general requirements of this chapter. Suitability of in-place material to fulfill all or part of this requirement is subject to the approval of the county engineer.

Planned residential development roads shall require a minimum of two (2) inches of top course in addition to this gravel base.

The intent is to provide an "all-weather roadway" capable of supporting the traffic characteristics for which the road is proposed.

- (iii) Private short plat and planned residential development roads shall be constructed in accordance with the applicable typical section in Appendix D adopted as part of this chapter.
 - (iv) For graveled private roads the maximum permitted grade shall be twelve (12) percent. Steeper grades shall be asphalt concrete, paved consistent with the public road construction requirements to assure all-weather accessibility to a maximum grade of twenty (20) percent. The above-stated grade of twelve (12) percent may, however, be exceeded for distances 100 feet or less.
- e. **Exemption of private roadway construction:**
- (i) Two-lot short plats ~~and site plan segregations~~ are exempted from the requirement of constructing the "internal private road" serving the interior lot.
 - (ii) Planned residential developments in the agricultural or forest management classified lands are exempted from the requirement of constructing private roads providing access to individual parcels, sites, or buildings.
2. **Developments requiring Site Plans wherein no segregations are proposed.** Except where public circulation requires otherwise, roads within subject developments providing access to individual parcels, sites, or buildings may be private roads, but shall be constructed in alignment and width to provide safe and convenient access in accordance with an approved Site Plan.
3. **~~Site plan segregations, large tract~~ Long Plat subdivisions, ~~subdivisions, mobile home parks, condominiums not within a planned residential development.~~** Except where public circulation requires otherwise, roads within subject developments providing access to individual parcels, sites, or buildings may be private roads. In such circumstances, roadways shall be built in accordance with the provisions specified in this chapter for county roads except as follows:
- Private roads serving eight (8) or less total lots/units may meet the easement and roadway widths/standards for short plats/planned residential developments, except that asphalt paving is required.

11.01.070 - Standards for county roads.

A. **General roadway and right-of-way standards.**

1. The minimum right-of-way and roadway widths for all county urban and rural roads shall be as shown on the design criteria adopted by reference in this chapter as standard specifications. Additional right-of-way or private easement may be required where necessary to accommodate slopes, associated roadway improvements, and utilities. Modifications to roadway and right-of-way standards may be considered in support of the county's affordable housing goals and the low-impact site development goals of chapter 11.03.
2. Scenic route design ~~shall~~ may allow reduced design speed and modified roadway and right-of-way widths to preserve naturally-occurring scenic beauty unique to the location of the route. When possible, existing alignment and roadway section shall be used. Special features, such as vehicle turnouts for vista areas for bicycle/pedestrian facilities, may be provided.
3. The roadway section(s) shall be detailed on the construction plans submitted for each new roadway or improvement to an existing roadway in accordance with the typical cross sections of Appendix "D."
4. Surfacing. The depth and type of materials shall be as shown on the typical sections for roadway construction attached hereto unless modified as follows:
 - a. The county engineer, after conducting soil tests in the area, determines a heavier section is required; or,
 - b. The developer provides a soil test report to the county engineer, prepared by a qualified soils engineer, indicating a lesser depth is satisfactory, and the county engineer approves the lesser depth. Any modification approved by the county engineer under this subsection shall

be based upon the standard specifications, taking into consideration anticipated traffic loading characteristics, soils types, surfacing materials, and other relevant factors.

- B. County roads—plans for construction of roads, utilities, and drainage structures.** The designing engineer shall submit to the county engineer plans and specifications for street, utility, and drainage structures for the proposed development. The plans and specifications shall include a vicinity map and a plan and profile. The plan and profile of the proposed road construction shall be submitted to the county engineer for approval prior to construction and shall include:

Plan:

1. Road alignment in stations of 100-foot intervals;
2. Bearing on road centerline (may be specified on final plat);
3. Radius of horizontal curves;
4. Proposed right-of-way width limits;
5. Label all sheets and adjoining subdivisions;
6. Typical roadway section(s), including utility locations;
7. Existing and proposed drainage structures, showing type and size of culverts, with direction of flow indicated;
8. Suggested scales: One (1) inch equals fifty (50) feet, or one (1) inch equals 100 feet.

Profile:

1. Original ground line. The ground lines for roads extending to the perimeter of any developments shall be extended a sufficient distance beyond the perimeter to include any change in contours which would affect the profile of the proposed road, which extension shall in no event be less than 200 feet;
2. Stationing in intervals of 100 feet;
3. Proposed grade line showing percent grade and vertical curves;
4. Elevation datum; and
5. Horizontal scale shall be the same as the plan; vertical scale shall be at the ratio of ten (10) to one (1) with horizontal scale.

The above plan and profile requirements may be waived by the county engineer in the case of existing private roads petitioned for establishment as county roads.

- C. County roads—Inspection.** The following inspections may be conducted of all road construction covered by these standards. In accordance with the standard specifications, the county engineer may stop or delay construction when, in his opinion, the weather or other conditions indicate that suitable results cannot be obtained. The county engineer's actions do not absolve the contractor's responsibilities should subsequent failure occur.

1. **Inspection No. 1** shall be required following installation of the drainage system, underground utilities, and completion of roadway grading to a suitable subgrade.
2. **Inspection No. 2** shall be required following placement of gravel base, if required, and compaction; oversized material and debris to be removed from the right-of-way.
3. **Inspection No. 3** shall be required following placing of crushed surfacing top course and construction of curbing, if required. Island County reserves the right to conduct tests on all materials.

4. **Inspection No. 4 (final)** shall be required following surfacing, cleaning of drainage systems, monumentation, installation of traffic control signing or devices, seeding of slopes as presented, and all necessary trimming and cleanup has been accomplished.

It shall be the responsibility of the applicant or his representative to notify the county engineer at least one (1) working day in advance of the required inspection. Failure to comply may necessitate appropriate testing of construction materials by a materials lab at the developer's expense. In the event this action is necessary, no further work will be permitted until test results are received.

- D. **County roads—Acceptance by county.** Roads may be accepted for provisional maintenance by Island County upon recommendation of the county engineer. Final acceptance shall not be made for one (1) year from the date of provisional acceptance, and the owner and/or his contractor must repair any failure within the one-year period at the expense of the owner or his contractor; provided, prior to such acceptance, a bond in an amount and with surety acceptable to the county engineer, or other secure method, shall be required providing for and securing to Island County the satisfactory performance and maintenance of such road improvements for a one-year period.

11.01.080 - Utilities.

- A. Domestic water, sewer, and drainage systems shall be designed and constructed in accordance with the applicable state and county regulations.
- B. Utility locations are to be shown on the typical street sections. Any deviations from the standardized locations are to be approved by the county engineer. Waterlines are to be located on the north and east side of streets. The preferred location for waterlines parallel to the road is within six (6) feet of the right-of-way at a minimum cover of thirty (30) inches.
- C. Underground power, telephone and TV lines to be located on the south and west sides in a joint utility area, as provided in Appendix "D," at a minimum depth of thirty (30) inches; sanitary sewer and gas lines as directed by the county engineer. Overhead utilities shall be placed as near as practical to the right-of-way line, no greater than seven (7) feet therefrom, with appropriate utility easements being provided contiguous to the right-of-way line for any resultant overhang.
- D. Wherever feasible, underground utilities, together with service crossing, shall be installed after sub-grade has been completed, but before surfacing has been placed. Backfill of trenches shall be in accordance with approved methods as required by the county engineer. Pipe encasements may be installed under the roadbed for future utility pipe installations.
- E. Franchises for utilities are required to construct, operate, and maintain utilities in county right-of-way pursuant to Island County Code Chapter 12.16. All utilities installed in proposed county right-of-way prior to the approval of a subdivision, condominium, planned unit development, or other similar development shall be covered by an application for a franchise which would be subject to the approval by the Board of County Commissioners subsequent to the approval of the development.
- F. The minimum easement width for utilities is fifteen (15) feet, unless subject easement is contiguous to a private or public right-of-way. In such case, the minimum easement width shall be seven and one-half (7½) feet.
- G. Utilities shall be located in recognition of the potential for future expansion of the existing roadway beyond current use.

11.01.090 - Development standards.

General requirements and improvements.

- A. Additional building setbacks to accommodate future right-of-way requires a development restriction which imposes a sufficient building setback to guarantee that future right-of-way expansion could be accomplished without infringing on the yard requirements of the zone. When the setback requirements of the Island County Zoning Ordinance are insufficient to protect the future use or function of the roadway, additional setbacks may be imposed consistent with the functional roadway requirements of Appendix "D."

- B. When only a portion of land having the same ownership, including contiguous property, is being developed by a subdivision or site planning process, a generalized plan for the entire ownership shall be required at the time of application to indicate that the roadways, drainage, and general design can be coordinated with the entire ownership when fully developed.
- C. Roadway systems shall be planned and designed to facilitate the development of an integrated public roadway network. Any subdivision containing forty (40) lots or more should contain at least two (2) developed/planned ingress-egress routes. Any right-of-way of less than county standards for public road shall be retained permanently as privately-owned and maintained; except when subsequently the street is developed to adopted county standards and specifications and established as a county road in accordance with the provisions of law.
- D. Maintenance responsibilities and the method of financing said maintenance for all privately-owned and operated facilities (e.g., water, sewer, drainage, and road systems), shall be established prior to approval of development actions.
- E. Nothing herein shall be construed to preclude the imposition of additional requirements for off-site access road improvements as a condition of approving a preliminary long plat, preliminary short plat, rezone, zoning amendment, site plan, use approval, conditional use, or other discretionary land use permit or approval, where such additional improvements are found by the county approving authority to be necessary in order to either provide adequate road access to the proposed development, to maintain the adopted level of service standards, or to mitigate traffic hazards caused or aggravated by the proposed development.
- F. Future public right-of-way tracts or trail systems. The setting aside of sufficient future right-of-way may be required when it is necessary, consistent with the Island County Comprehensive Plan, to provide for future public street or trail system right-of-way to assure the orderly development of neighborhood circulation. When required, the form set forth in Appendix "C" of this chapter shall be used as a condition of approving a preliminary long plat, preliminary short plat, rezone, zoning amendment, site plan, use approval, or conditional use. The dimensions of such tract, when required, shall be consistent with the adopted standards and plans for public streets, roads, and tracts attached. Such tracts may contain a private road consistent with the requirements of this chapter.
- G. Every development applicable in this chapter shall be provided with an adequate public or private access complying with construction standards applicable to the development action. Where any abutting county road has insufficient right-of-way to conform to the provisions of Appendix "D," sufficient additional right-of-way shall be deeded and/or dedicated to Island County to conform the abutting half to such standards.
- If the access road serving and/or adjoining a development is a state road or highway, required dedication and/or improvements thereto shall be governed by the provisions of this chapter as they relate to county roads, unless specified otherwise by the Washington State Department of Transportation.
- H. In order to protect and preserve the function and character of adjoining public roadways, access to adjoining public roads may be restricted or denied by Island County. In such circumstances, the developer shall be required to fulfill the access road requirements herein stated.
- I. The county engineer may require the construction of individual or common lot accesses concurrent with roadway construction when said access requires excessive excavation, filling, or clearing to meet the county's standard requirements.
- J. The deed/dedication of right-of-way to the county per this chapter shall only be required when an individualized determination shows that the deed/dedication requirement is reasonably calculated to prevent or compensate for the adverse public impacts of the proposed development and the deed/dedication requirement is roughly proportional to the nature and extent of the adverse impacts of the proposed development.
- K. Pedestrian circulation.

1. **Requirements.** Sidewalks and/or surfaced walkways shall be constructed adjacent to and/or within a parcel being "developed" in a municipal urban growth area, non-municipal urban growth area, and in a rural area of intensive development where subcommunity plans have been adopted and so dictate, as provided for below:
 - a. All commercial/industrial development contiguous to highway, arterial, and collector streets.
 - b. Residential development—Contiguous to external highway, arterial, and collector streets. Internal pedestrian ways shall be provided in accordance with an approved plan to separate pedestrian and motor vehicular traffic.
 2. **Trail and bikeway systems.** Consistent with the Island County Comprehensive Plan, Freeland Subarea Plan, and Island County Non-Motorized Trails Plan, trail and bicycle systems may be required to implement adopted plans.
 3. **Construction standards.** Material and construction for sidewalks, trails, and bikeways adjacent to county roads shall conform with the standard specifications or approved alternatives.
 4. **Construction.** Unless earlier installation is required by the Island County Engineer, required sidewalks shall be installed in conjunction with either the construction of an adjacent road or the construction of a building structure. That portion of any required sidewalks adjacent to any lot shall be constructed prior to issuance of a certificate of occupancy for a building constructed on such lot.
- L. Lighting. Illumination of intersections adjoining highway, arterial, and collector roads shall be required for residential development generating in excess of 250 average daily traffic trips as per the Institute of Traffic Engineer's data. All lighting shall be low intensity (200-watt sodium vapor or equivalent) and shielded to reflect downward towards the street and consistent with outdoor lighting standards pursuant to Island County Zoning Ordinance Chapter 17.03.
- M. Fire protection. All new short and long subdivisions, ~~site plan segregations~~, developments, and buildings, shall be required to provide fire protection in accordance with requirements specified in chapter 13.03 [4], in addition to those required by the Uniform Building and Fire Code as adopted by Island County.
- N. Direct access driveway/road approach requirements shall meet the following criteria:
1. Direct access driveway/roadway placement must be such that an exiting vehicle has an unobstructed sight distance according to the following schedule:

Posted Speed Limit (mph)	Minimum Sight Distance (feet)
25	250—275
30	300—330
35	350—385
40	400—440
45	450—495
50	500—550

The longer distances reflect heavy truck traffic.

2. The Business Village zoning district in the Freeland Non-Municipal Urban Growth Area (NMUGA) utilizes a build-to line. To accommodate the intent of the district to place all or a portion of the building on the property line, the Public Works Director may approve an alternate minimum sight distance triangle in the Business Village zoning district.
3. Driveway/roadway spacing on arterial and collector roads will be determined as a function of posted operating speeds. Spacing will be determined according to the following schedule:

Posted Speed Limit (mph)	Minimum Spacing (feet)
25	105
30	125
35	150
40	180
45	230
50	275

- a. These spacings are based on average vehicle acceleration and deceleration rates and are considered necessary to maintain safe traffic operation.
- b. Spacing and sight distances will be measured from the midpoint of each driveway/roadway.
- c. In the event that a particular parcel lacks minimum sight distance or spacing by the above criteria, but safe sight distance or spacing is available, the Island County Engineer may grant an administrative variance.

11.01.100 - Performance and construction bonds.

In lieu of the completion of any required public or private improvements prior to approval of a final short plat or long plat, condominium, or planned residential development, or other facility required by this chapter for projects of similar scope, or to secure the successful operation and maintenance of said facilities, the Island County Engineer may recommend acceptance of a bond in an amount and with surety and conditions satisfactory to him, or other secure method as Island County may require, providing for and securing to Island County the actual construction and installation and operation of such improvements within a period specified by Island County and specified in the bond or other agreement, and to be enforced by Island County by appropriate legal and equitable remedies.

11.01.110 - Modifications.

In cases where unusual topographic conditions, nature of existing construction, unique development design, or similar factors would make adherence to the width, design, or alignment standards of this chapter undesirable or impracticable, the requirements may be modified, if not otherwise provided herein, upon written request as follows:

- A. Up to ten (10) percent variation from any numerical standard contained within this chapter by the Public Works Director* and/county engineer or the short plat administrator in cases involving short subdivisions;
- B. In the case of roads, the Public Works Director*/Island County Engineer may modify the requirements specified herein upon the written finding, consistent with the conditions specified in this chapter or to support the county's affordable housing and/or low-impact site development goals;

- C. By final approval of the hearing examiner in approving any development actions or permits listed in this chapter over which the hearing examiner has final approval authority. Conditions may be attached to a modification approval which are necessary to protect the public interest and carry out the purpose of this chapter; and
- D. By the Board of County Commissioners in approving any development actions or permits listed in this chapter over which the Board of County Commissioners has final approval authority.

11.01.120 - Caveat and disclaimer.

It is the specific intent of this chapter to place the obligation of complying with its requirements upon the owner of the property of land within its scope, and no provision or term used in this chapter is intended to impose any duty whatsoever upon the county or any of its officers or employees running to any specific person or entity. Nothing contained in this chapter shall be construed as a guarantee or warranty on the part of the county that site development has been or will be accomplished in accordance with the provisions of this chapter, nor shall it be construed to create or form the basis for any liability on the part of the county or its officers, employees, or agents for any injury or damage resulting from the failure of an owner of property or land to comply with the provisions of this chapter, or by reason or in consequence of any inspection notice, order, certificate, permission, or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the county related in any manner to the enforcement of this chapter by its officers, employees, or agents.

11.01.130 - Appendices. [§](#)

Appendices "A" through "E" to this chapter shall be considered a part of this chapter and shall not be amended except by county ordinance.

11.01.140 - Penalties and enforcement.

Any violation of chapter 11.01 shall be enforced by the Planning and Community Development Director and shall be subject to the enforcement provisions of chapter 17.03. The county engineer shall provide support and technical guidance to the Planning and Community Development Director on all chapter 11.01 violations.

11.01.150 - Abatement.

In addition to any other remedy provided herein or by law, the Island County Public Works Director [§](#) may require any person, who creates or maintains a violation of this chapter, to commence corrective work and to complete the work within such time as the Island County Public Works Director determines reasonable under the circumstances. If the required corrective work is not commenced or completed within the time specified, the Island County Public Works Director may proceed to abate the violation and cause the work to be done. The cost thereof will be charged as a lien against the property and as a joint and separate personal obligation of each person who is in violation. The cost of abatement may include administrative costs.

11.01.160 - Repealer.

The following parts of the Island County Code are hereby repealed:

- A. Resolution 876, October 5, 1970, vol. 13, p. 358, of the Commissioners' Proceedings.
- B. Resolution 877, October 5, 1970, vol. 13, p. 359, of Commissioners' Proceedings, section 16.01.060 of the Island County Code.
- C. Ordinance 709, September 8, 1969, vol. 13, p. 215, of Commissioners' Proceedings, sections 16.01.050.2. through 6. of the Island County Code.
- D. That portion of Resolution, September 13, 1965, vol. 12, p. 371, of Commissioners' Proceedings, codified as sections 16.01.004.I.1. through 7. and 9(e) of the Island County Code.
- E. That portion of Ordinance PW-1-80, June 5, 1980, codified as sections 13.03.060.G and H of the Island County Code.
- F. That portion of the Short Plat Ordinance, August 22, 1983, codified as section 16.04A.090.G.

11.01.170 - Fees and charges.

The Board of County Commissioners shall levy such fees and charges as are necessary for the administration or review of the applications, plans, or permits required, to the end that the individuals benefiting from said actions will bear a greater portion of the costs of administration and review.

11.01.180 - Codification.

This chapter shall be codified as a separate chapter in title 11, said chapter to be entitled "Land Development Standards." Each codified section shall be in the same order as set forth in this chapter.

11.01.190 - Severability.

If any portion of this chapter is held invalid, such decision shall have no effect upon the validity of the remaining portion of this chapter. The Board of County Commissioners hereby declares that it would have adopted this chapter and each part or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, parts, or portions thereof be declared invalid or unconstitutional.

11.01.200 - Effective date.

The amendments to this chapter shall take effect on December 1, 1998, and shall apply to new applications submitted on or after that date and to incomplete applications filed prior to that date but made complete after that date.