

F. No work shall occur between November 1st and March 31st without special permission from the building official or city engineer.  
(Ord. 542 § 1 (part), 1999)

### **16.16.050 - Required Improvements.**

Prior to approval of any binding site improvement plan, the Short Subdivision Committee shall insure that the following improvements are provided to sufficiently service the anticipated uses throughout the proposed plan:

- A. Adequate water supply;
- B. Adequate sewage disposal
- C. Appropriate storm drainage improvements;
- D. Adequate fire protection
- E. Appropriate access to all anticipated uses within the plan;
- F. Provision for all appropriate deed dedication, and/or easements
- G. Monumentation of all exterior tract corners.

Any and all improvements required pursuant to DMC Section 16.16.050 shall be provided in accordance with the requirements of DMC Chapter 16.20, entitled "Design Standards."  
(Ord. 542 § 1 (part), 1999)

### **16.24.030 - Improvement Agreements and Financial Guarantees**

A. Before any final plat is finally approved; the subdivider shall install required improvements and replace or repair any such improvements, which are damaged in the development of the subdivision. In lieu of installation of all required improvements, the subdivider may execute and file with the town an agreement guaranteeing completion of such improvements together with any needed replacement or repair. The agreement shall:

1. Specify the period of time within which all work required shall be completed. The time for completion shall not exceed one year from the date of final approval of the subdivision. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the Town Council and properly secured in advance of the required initial completion date;
2. Required notice by the subdivider to the public works department promptly upon completion of all required improvements.
3. Provide for notice of approval or disapproval by the department of public works within a reasonable time after receiving a notice of completion.
4. Require financial security to be provided by the subdivider pursuant to subsection C of this section;
5. Provide that if the subdivider fails to complete all required work within the period specified, the town may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of the demand;

6. Provide that if required improvements are not completed within that time, the town may take action to require the subdivider forfeit the financial security;

7. Provide that the town shall be entitled to recover all costs of such action including reasonable attorney's fees;

8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay costs incurred;

9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of costs; the Town shall be entitled to recover the deficiency from the subdivider.

B. Regardless of whether all required improvements are completed prior to final approval of any subdivision of land, as a condition of such approval, the subdivider shall execute an agreement to assure successful operation of said improvements. The agreement shall:

1. Require the subdivider to post a bond or other financial security to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following approval of installation of all required improvements;

2. Require the subdivider to perform maintenance functions on drainage improvements for a period of time not to exceed two-years from approval of their completion or final plat approval, whichever is later. Such maintenance functions shall be specified by the public works director and shall be reasonable related to the burdens which the subdivision will impose on drainage facilities during the time maintenance is required. The Town Council may agree to accept and perform maintenance of the improvements, in which case the subdivider's obligation to perform maintenance functions shall terminate;

3. Not relieve the subdivider of liability for the defective conditions of any required improvements discovered following the effective term of the security given;

4. Provide a waiver by the subdivider of all claims for damages against any governmental authority, which may occur to the adjacent landowner as a result of construction, drainage, and maintenance of the streets and other improvements.

C. To assure full performance of the agreements required herein, the subdivider shall provide one or more of the following in a form approved by the Town Attorney:

1. A surety bond executed by a surety company authorized to transact business in the State of Washington;

2. An irrevocable letter of credit from a financial institution stating that money is held for the purpose of development of the stated project;

3. An assignment of account with a financial institution which holds the money in an account until such time the Town signs a written release. The assignment of an account will allow the Town to withdraw the funds in the event the provisions of the agreement are not met;

4. A cash deposit made with the Town of Darrington.

D. Amount of Financial Security. Financial security provided shall be one hundred and twenty five percent (125) of the estimated cost of the improvements to be completed and all related engineering and incidental expenses, final survey monumentation and preparation of reproducible Mylar or electronic records in a format approved by the Public Works Department. And meeting current drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works department and town engineer.

E. Defective Work. The acceptance of improvements by the Town shall not prevent the Town from making claim against the developer for any defective work if such is discovered within two years after the date of completion of the work.

(Ord. 542 § 1 (part), 1999)

### **16.12.050 - Installation of Improvements or Bonding in Lieu Of.**

A. Required Improvement. Every subdivider shall be required to grade and pave streets and alleys, install curbs and gutters, landscaping, sidewalks, monuments, sanitary and storm systems, water mains, street lights, underground utilities, name signs and all existing utilities brought up to code or standards. Subdividers are responsible for providing all improvements to the interior of the plat and those required improvements that border the plat. All improvements are to be extended to the furthest most boundary of the plat. All improvements shall be approved by the public works department and in accordance with other standards of the town.

B. Supervision and Inspection. A licensed engineer or engineering firm, unless found to be unacceptable to the department of public works, shall be responsible for the supervision and inspection of all subdivision improvements with the town inspector's wages to be reimbursed by the developer. All improvements shall be certified in writing and completed in accordance with plans and specifications as approved by the department of public works.

C. Permits. Prior to proceeding with any subdivision improvements, the subdivider shall obtain those permits from the town as are necessary. The subdivider is also responsible for complying with all applicable permit requirements of other federal, state and local agencies.

D. Deferred Improvements. A final plat shall not be approved by the Town Council until all required improvements are constructed in a satisfactory manner and approved by the responsible town departments or sufficient bond has been satisfactorily posted in lieu of completion.

1. In the event a subdivider wishes to defer certain on-site improvements, written notice shall be made to the Planning Department. The subdivider shall furnish a performance bond to the town in an amount equal to one hundred twenty-five percent of the estimated cost of the deferred improvements. The decision of the director of public works, regarding the amount of the performance bond shall be final and conclusive.

2. Time Limit. Such bond, to be filed with a held by the town clerk, shall list the exact work that shall be performed by the applicant, and shall specify that all of the deferred improvements be completed within one year from the date of approval of the final plat by the Town Council. The director of public works may authorize extensions of this time period. In the event an extension is authorized, the bond shall be revised to reflect the new completion date.

3. Check in Lieu of Bond. The subdivider may substitute a certified or cashier's check assignment of funds or any other method of security acceptable to the Town Council in lieu of a performance bond. Such substitution shall be made payable to the town treasurer (finance director), and shall be in the same amount and carry with it the same restrictions as the bond for which it is substituting.

4. Proceed Against Bond or Other Security. The town reserves the right in addition to all other remedies available to it by law, to proceed against such bond or other security in lieu thereof.

5. Binding Upon Applicant. The requirement of the posting of any performance bond or other security shall be binding upon the subdivider, his heirs, successors and assigns.

6. Notification to the Planning Department. The director of public works shall inform the Planning Department in writing verifying that the subdivider has completed the required installations and/or bonding in accordance with the provisions of this title and the specifications and standards of the department.  
(Ord. 542 § 1 (part), 1999)

### **16.20.030 - General Standards.**

#### **A. Environmental Considerations.**

1. Land which contains a sensitive area or its buffer as defined by the adopted Sensitive Areas Ordinance, Title 18 of this code, shall be plated to reflect the sensitive nature of the site with all the appropriate setback and water quality requirements.

2. Trees. In addition to meeting the requirements of Ch. 17.54, every reasonable effort shall be made to preserve existing trees and vegetation, and integrate them into the subdivision design.

#### **B. Compatibility with Existing Land Use and Plans.**

1. Buffer Between Uses. Where single-family residential subdivisions are to be adjacent to multiple-family, commercial or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for screening shall be provided.

2. Conformity with Existing Plans. The location of all streets shall conform to any adopted plans for streets in the town, with special consideration going to the completion of through streets wherever possible. If a subdivision is located in the area of an officially designated trail, provisions may be made for the reservation of

the right-of-way or for the easements to the town for trail purposes. The proposed subdivision shall respond to and complement town ordinances, resolutions, and comprehensive plans.

3. Consideration should be given to enhancing pedestrian access to shoreline areas. This may include providing or upgrading direct access to the shoreline or providing access to a recognized cross connection which links the shoreline with upland parks or public areas.

4. Other Regulations. All subdivisions shall comply with all town regulations. In the event of a conflict, the more restrictive regulation shall apply.

#### C. Streets.

1. Extension. Proposed street systems shall extend existing streets at the same or greater width, unless otherwise approved by the department of public works and authorized by the Town Council in approval of the plat. Streets and pedestrian facilities shall be extended to the boundaries of the plat to ensure access to neighboring properties. Darrington's goal is to have an integrated system of local streets rather than a system of cul-de-sacs. Grading of steep topography may be necessary to achieve this objective. However, in sensitive areas, the layout and construction of streets shall follow the standards and procedures of the sensitive areas overlay zone.

2. Names. All proposed street names or numbers shall be subject to approval by the town planner.

3. Intersections. Any intersection of public streets, whatever the classification, shall be at right angles as nearly as possible and not be offset insofar as practical.

4. Street Layout. Street layout shall provide for the most advantageous development of the subdivision, adjoining areas and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions and promote through streets whenever possible. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal. Where sensitive areas are impacted, the standards and procedures for rights-of-way in the sensitive areas overlay zone shall be followed.

5. Private access roads may be authorized if:

a. Allowing private access roads in the area being subdivided will not adversely affect future circulation in neighboring parcels of property; and

b. Adequate and reasonable provisions are made for the future maintenance and repair of the proposed private access roads; and

c. The proposed private access roads can accommodate potential full (future) development on the lots created; and

d. For residential subdivisions, the proposed private access roads do not serve as primary access to more than four lots nor are more than two hundred feet

in length. Those access roads one hundred and fifty feet or greater shall provide a turn-around built to fire safety standards. Access roads, which serve as secondary access to rear loading lots, may be extended by the planning commission if appropriate.

e. For commercial and industrial subdivisions, when private access roads are authorized, there shall be a minimum easement width of forty feet. With the exception of minimum easement widths, private access roads shall be designed and constructed in accordance with public works standards, and zoning setbacks shall be requiring as though the easement were a public right-of-way. In all cases, public rights-of-way are the preferred alternative.

6. Public Roads.

a. Right-of-way and paving widths for public roads shall be based on the table below. The minimum paving and right-of-way width shall be used unless the town engineer demonstrates a wider width is needed due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities, that justify an increase in width.

Type of Street	Right-of-way	Pavement
Principle Arterial	80—100 feet	48—84 feet
Minor Arterial	60—80 feet	36—64 feet
Collector	60—80 feet	30—48 feet
Local Street	50—60 feet	28—36 feet
Cul-de-sac:		
Roadway	50 feet	28 feet
Turnaround	80-foot diameter	60-foot diameter
Alley	20 feet	15 feet
Private Access Road		
Residential	20 feet	20 feet
Commercial	40 feet	28 feet

b. Design. The design and alignment of all public streets shall conform to the following standards unless otherwise approved by the department of public works:

1. Cul-de-sacs. Cul-de-sacs are not allowed unless there is no reasonable alternative or the cul-de-sac is shown on an officially adopted street plan. When allowed, they shall not exceed a length of six hundred feet.

2. Street Grades. Street grades shall not exceed fifteen percent. However, provided there are no vehicular access points, grades may be allowed up to eighteen percent, for not more than two hundred feet when; exceeding the grades would facilitate a through street and connection with the larger neighborhood; the greater grade would minimize disturbance of sensitive slopes; the fire marshal grants approval and tangents, horizontal curves, vertical curves and improvements conform to adopted standards.

3. Street Intersection Offsets. Where street intersections must be offset, such offsets shall not measure less than two hundred fifty feet from centerline to centerline.

c. Full Width Improvements. When interior to a subdivision all publicly owned streets shall be designed and installed to full width improvement as provided below:

1. Shall be graded as necessary to conform to adopted standards;
2. Shall be of asphaltic concrete according to adopted standards;
3. Shall have permanent concrete curbs and gutters according to adopted standards;
4. Shall have storm drains consisting of the proper size pipe and catch basins; sizes to be approved by the department of public works;
5. Shall have sidewalks provided at a minimum residential width of five feet on both sides of the right-of-way, when possible;
6. Commercial sidewalks shall be provided at a minimum ten-foot width. Additional width may be required by the planning department to better serve pedestrian needs;
7. Shall have planting strips located between the edge of pavement and the sidewalk at a minimum width of five feet. Width may be reduced to not less than four feet when necessary;
8. Commercial planting areas shall consist of four by six planting pits spaced every thirty-five feet when possible. Adjustments to the dimension and location requirements shall be approved by the Town Council.

d. Half Width Improvements. Streets abutting the perimeter of the subdivision shall provide the full improvements on the half of the street adjacent to the site, provide additional paving as required to ensure safe and efficient roads exist to serve the subdivision; provided further that there are no physical obstructions

to completing the other half of the roadway; and that there is a minimum of twenty feet of paving.

D. Utilities. All utilities designed to serve the subdivision shall be placed underground and if located within a sensitive area, shall be designed to meet the standards of the sensitive areas overlay zone. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the department of public works; such installation shall be completed and approved prior to application of any surface materials. All existing overhead utilities shall be placed underground to the greatest extent possible. Easements may be required for the maintenance and operation of utilities as specified by the public works department.

1. Sanitary Sewers. Unless septic tanks are specifically approved by the appropriate health agencies, sanitary sewers shall be provided at no cost to the town and designed in accordance with town standards.

2. Storm Drainage. An adequate drainage system shall be provided for the proper drainage of all surface water; the amount of runoff shall be determined by the rational method. Cross drains shall be provided to accommodate all water flow, and shall be of sufficient length to permit full width roadway and required slopes. The diameter to be provided shall be determined by Manning's Equation, but in no case shall the inner diameter be less than twelve inches. All storm drainage designs shall be reviewed and approved by the department of public works.

3. Water System. The water distribution system, including the locations of fire hydrants, shall be designed and installed in accordance with town standards. Location of fire hydrants and flow rates shall be in accordance with the Uniform Fire Code.

E. Blocks.

1. Length. Blocks should not be less than three hundred feet nor more than one thousand feet in length. Where circumstances warrant, the planning commission may require one or more public pathways of not less than six feet nor more than feet in width dedicated in the town to extend entirely across the width of the block at locations deemed necessary to provide for pedestrian access.

2. Width. Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the planning commission may approve a single tier.

3. Pedestrian Consideration. Blocks, roads and pedestrian improvements shall be designed to provide a safe and convenient pedestrian network.

F. Lots.

1. Arrangement. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Each lot must have access to a public street that is approved at the time of plat review; however, rather than designing flag lots, access shall be accomplished with common drive easements. Location of yards shall



reflect the prevailing pattern within the neighborhood. For example, if adjacent developed lots front on the street, the subdivisions lots fronting the street should also establish front yards for those lots.

2. Minimum Size. The size, shape, and orientation of lots shall meet or exceed the minimum area and width requirements of the applicable zoning classification, and shall be appropriate for the type of development and use contemplated.

3. Corner Lots. Corner lots may be required to be platted with additional width to allow for the additional side yard requirements.

4. Through Lots. Residential through lots are not encouraged and shall only be approved if there is a topographic or traffic safety concern preventing double-tiered lots. Approved through lots shall be permitted access to only one street, unless otherwise approved by the Planning Department and shall provide a twenty-foot rear yard buffer of native vegetation.

#### G. Landscaping (Residential/Commercial).

1. Each lot within a new residential subdivision shall be landscaped with at least one tree in either the front or back yard. To create a uniform streetscape, street trees shall be planted every thirty-five feet (when possible) on center in the planting area provided along the public right-of-way (row). In circumstances where planting areas are not provided, one street trees shall be placed in the front yard of each new lot/unit. Tree selection should be based on the approved town landscape pallet available from the Planning Department. Installation shall be in accordance with best management practices.

2. Landscaping in commercial developments shall be provided as specified by the town planner.

H. Street Signs. The subdivider shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, necessary in the subdivision as required by the department of public works.

I. Streetlights. All developments shall produce an approved street lighting plan, which conform to current PUD lighting standards for residential development. In the case of condominiums or multifamily development, street lighting within the development shall be metered separately and billed to the applicable owner/homeowner's association on an annual basis. The town shall provide final approval of the lighting plans.

#### J. Monumentation.

1. Imprinted Monuments. All monuments set in subdivisions shall be at least one-half inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

2. Centerline Monument. After paving, except as provided in subsection 5 of this subsection, monuments shall be driven flush with the finished road surface at the following intersections:

a. Street centerline intersections;

b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;

c. Intersections of the plat boundaries and street center lines.

3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in subsection 5 of this subsection. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property-line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of said property lines. If curb Monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.

4. Post-monumentation. All monuments for exterior boundaries of the subdivision shall be set and referenced on the plat prior to that plat being recorded. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final subdivision construction inspection by the department of public works, and if the developer guarantees such interior monumentation.

5. Post-monumentation Bonds. In lieu of setting interior monuments prior to final plat recording as provided in subsection 3 of this subsection, the public works director may accept a bond in an amount and with conditions that are satisfactory to the director.

(Ord. 542 § 1 (part), 1999)

### **17.10.050 - Basic Development Standards.**

Development within the R-SF district shall conform to the following listed and referenced standards. All lot area standards subject to Snohomish Health District review. All off-street parking shall occur in designated areas only.

Any barn, stable, coop or similar structure for the enclosure of animals shall be constructed no closer than seventy-five feet from any property line; any corral, exercise yard or noncommercial arena shall maintain a distance of thirty-five feet from any property line.

#### **R-SF Basic Development Standards**

Lot area, minimum	10,000 square feet (new lots with sewer service) *
	12,500 square feet (new lots without sewer service)

Average lot width (minimum twenty feet street frontage width), minimum	50 feet
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Lot coverage	50% maximum
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#### **Setbacks to yards (minimum)**

Front	20 feet
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Front, decks or porches	15 feet
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Second front	10 feet
Sides	10 feet
Rear	20 feet**
Height, maximum (mean average)	30 feet
Recreation space	350 square feet per dwelling unit

**Off-street parking**

Residential	Minimum 2 per dwelling unit
Accessory dwelling unit	See Section 17.10.030 of this chapter
Other uses	See Off-street parking and loading regulations Ch. 17.56

\* Minimum lot area required to allow development of existing lots to be determined by the Snohomish County health district.

\*\* Accessory structures such as wood or tool sheds are allowed no closer than five feet from the rear property line and no closer than ten feet from side property lines. Such structures shall not exceed twelve feet in height.

(Ord. No. 605, Att. A, 11-10-2004; Ord. No. 587, 3-10-2004; Ord. 541 § 1 (part), 1999)

**18.08.270**

The subdivision of land in wetlands and associated buffers is subject to the following:

- A. Land that is located wholly within a wetland or its buffer may not be subdivided.
- B. Land that is located partially within a wetland or its buffer may be subdivided provided that an accessible and contiguous portion of each new lot is:
  - 1. Located outside of the wetland and its buffer; and
  - 2. Meets the minimum lot size requirements.
- C. Access roads and utilities serving the proposed subdivision may be permitted within the wetland and associated buffers only if the town determines that no other feasible alternative exists in and when consistent with this chapter.  
(Ord. No. 606, § 2(2.040), 11-10-2004)