

PDS Director's Rule 18-02



Snohomish County

Planning and Development Services

Department: Snohomish County Planning and Development Services (PDS) Snohomish County Public Works (DPW)	Pages: 4	Supersedes: PDS Rule 5510
	Adopted: May 11, 2018	Effective: May 18, 2018
Subject and Title: Allowing Construction Approval without the Final Placement of Hot Mix Asphalt on New Public and Private Road Network Elements for Certain Development Types	Code and Section Reference: SCC 30.84.105 (Delayed Construction – Performance Security) and 13.10.124 (Delayed Construction – Performance Security)	
	Type of Rule: Code Clarification and Implementation	
	Cite Basis: Chapters 2.01, 2.68, 13.01, and 30.82 SCC	
Approved: //s// signature on file _____ Barbara Mock, PDS Director	Date: <u>May 11, 2018</u>	
//s// signature on file _____ Douglas W. McCormick, PE, County Engineer DPW Deputy Director	<u>May 11, 2018</u>	

BACKGROUND:

From time to time, the staging of development can be more efficiently accomplished by delaying installation of the final placement of hot mix asphalt (HMA) paving on public and private road network elements. In order to facilitate the application of provisions allowing the Director and County Engineer to authorize such delay under SCC [30.84.105](#) or [13.10.124](#), the following rule shall apply for eligible requests.

PURPOSE:

The intent of this rule is to clarify the process and requirements for construction approval when delayed installation of the final placement of HMA paving on public and private road network

elements is sought. Such approval and delay may only be authorized for eligible subdivisions, short subdivisions, and residential developments specified under SCC [30.84.105](#) and eligible subdivisions and short subdivisions specified under SCC [13.10.124](#). This rule complies with Chapters [13.05](#), [13.10](#), [30.41A](#), [30.41B](#), [30.84](#), and [30.86](#) SCC as well as the [Engineering Design and Development Standards](#) (EDDS).

RULE:

In accordance with SCC [30.84.105](#) and [13.10.124](#), installation of the final placement of hot mix asphalt (HMA) paving on public and private road network elements may be delayed if approved by Snohomish County Planning and Development Services and Snohomish County Public Works when the following requirements are met:

1. *Eligibility.* A delayed installation request must be eligible under SCC [30.84.105](#) or [13.10.124](#), which includes the following circumstances:
 - a. The request is for delayed installation of the final placement of HMA paving on public road network elements within a subdivision or short subdivision.
 - b. The request is for delayed installation of the final placement of HMA paving on private road network elements within residential developments, subdivisions, and short subdivisions.
2. *Letter of request.* In order to request the delayed installation of the final placement of HMA paving, the applicant must submit a letter to the Snohomish County Planning and Development Services Engineering Supervisor. The letter shall:
 - a. Identify the type of development;
 - b. The types of road network elements involved;
 - c. A schedule with the completion date of the final placement of HMA paving; and
 - d. A completed [Snohomish County Worksheet for Determining Delay of Final Lift Security Amount](#).
3. *Construction easement.* A [temporary construction easement](#) is required and must be recorded in accordance with SCC [30.84.020\(6\)](#) prior to any request for delayed installation of final placement of HMA paving on private road network elements is approved.
4. *Preliminary or base pavement lift.* A preliminary (or base) HMA road surface shall be installed in accordance with the standards indicated on the applicable [EDDS](#) Standard Drawing for the type of road network element being constructed.
5. *Time limit to complete work.* In accordance with SCC [30.84.105\(3\)](#) and [13.10.124\(3\)](#), the final placement of HMA paving shall be installed within one year of the County's receipt and approval of the performance security, except for a subdivision or short subdivision in which case it shall be one year from recording; provided that the Director or County Engineer may determine an earlier date.
6. *Completion of other construction improvements, when required.* All construction improvements, other than the final placement of HMA paving, shall be completed before a request to delay the final placement of the HMA paving is approved.

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7. *Location of utilities and monuments:* All utilities and monument covers which are located on an asphalt roadway shall be temporarily placed at the preliminary (or base) HMA road grade elevation. The final adjustment of all covers shall be made within 15 days following the final paving.
8. *Bonding amount.* The performance security shall be submitted and approved on forms as provided by Snohomish County in an amount equal to 150% of the estimated cost. Use the [Snohomish County Worksheet for Determining Delay of Final Lift Security Amount](#) to calculate the amount.
9. *Fee payment.* The fee for the required performance security shall be as authorized as follows:
 - a. For a subdivision, as prescribed under SCC [30.86.100](#) (Road Security Device Administration Fee);
 - b. For a short subdivision, as prescribed under SCC [30.41B.400\(3\)](#); or
 - c. For all other residential developments, as prescribed under SCC Table [30.86.510\(2\)](#) (Security Device Administration Fees).

FINDINGS:

The following findings support the purpose of this rule:

1. This rule is necessary to implement SCC [30.84.105](#) and [13.10.124](#) by providing detail and specificity regarding code requirements of Titles [30](#) and [13](#) SCC and the [EDDS](#).
2. This rule is necessary to implement SCC [30.84.105](#) and [13.10.124](#) by providing a specific process for requests and approval.
3. This rule shall apply to all eligible requests submitted before, on, or after the effective date of this rule.
4. PDS Rule 5510 is hereby superseded.
5. Pursuant to Chapters [2.01](#), [2.68](#), [13.01](#), and [30.82](#), the Director and County Engineer have authority to adopt rules as necessary to administer the Snohomish County Code in a clear and expeditious manner.
6. Pursuant to Chapter [30.82](#) SCC, the public participation process and notification requirements for this rule have been satisfied.

RULEMAKING PROCESS:

The following provides the procedural process for adoption of this rule:

Rulemaking Process		
Notice of Proposed Rule		
Filed with Council Clerk	April 6, 2018	
Posted at Counter	April 6, 2018	
Published	April 8, 2018	<i>Everett Herald</i>

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Comment Period (21 days)	April 29, 2018	
Notice of Rule Approval		
Filed with Council Clerk	May 11, 2018	
Published	May 18, 2018	<i>Everett Herald</i>
Copies to Commenters	May 11, 2018	

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