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.
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:

<table>
<thead>
<tr>
<th>Rulemaking Process</th>
<th></th>
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<tbody>
<tr>
<td>Notice of Proposed Rule</td>
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</tr>
<tr>
<td>Filed with Council Clerk</td>
<td>April 6, 2018</td>
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<td>April 6, 2018</td>
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<tr>
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<td>April 8, 2018</td>
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<td>April 29, 2018</td>
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<tr>
<td><strong>Notice of Rule Approval</strong></td>
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<tr>
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<td>May 11, 2018</td>
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<tr>
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<td>May 18, 2018</td>
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