



Eastin, Darryl

From: Traci Shallbetter <traci@shallbetterlaw.com>
Sent: Friday, February 14, 2014 10:40 AM
To: Eastin, Darryl
Subject: Point Wells Transportation

Darryl,

Could you please help me understand the applicability of the following provision of the Snohomish County Code (SCC 30.66B.720) to the Point Wells project vis a vis the City of Shoreline? Are there any interlocal agreements between Shoreline and Snohomish County, as contemplated in SCC 30.66B.720, and, if not, doesn't the County feel it incumbent upon the County to effectuate such an interlocal agreement with Shoreline? If not, has the County made any binding commitments to, or agreements with, the City of Shoreline vis a vis impacts on the Shoreline city roads? I have reviewed the Memorandum of Understanding that exists between Shoreline and Point Wells/BSRE, but am not aware of any interlocal agreements, representations, or commitments made by Snohomish County to the City of Shoreline pertaining to the County's respect and enforcement, vis a vis BSRE in the permitting process, of the City of Shoreline road standards and code provisions as they pertain to roads in the City of Shoreline that will be utilized by the Point Wells project.

30.66B.720 Mitigation requirements for impacts to city streets and roads in another county.

When a development's road system includes city streets or another county's roads:

- (1) Mitigation requirements for impacts to city streets and roads in another county will be established consistent with the terms of an interlocal agreement as authorized by SCC 30.61.230(6), between the county and the appropriate jurisdiction.
- (2) The director of public works shall forward to the representative of the appropriate jurisdiction the traffic study and any other information on traffic impact for any development whose road system includes that jurisdiction's streets or roads. The jurisdiction may review the material and recommend mitigation to the director of public works;
- (3) The director of public works will review the jurisdiction's recommended mitigating measures and to the extent that such requirements are reasonably related to the impact of the proposed development and consistent with the terms of the interlocal agreement, the director of public works shall, as part of the director's recommendation under SCC 30.66B.050, recommend that those requirements be imposed. The approving authority will impose such measures as a condition of approval of the development in conformance with the terms of the interlocal agreement;
- (4) A development which takes access from or has frontage on a city street or another county's road will be required to meet the city's or county's requirements for dedication or deeding of additional right-of-way, provision of access and construction of frontage improvements on the city's street or county's road as determined necessary by the city or county;
- (5) Any payment to mitigate impacts on city streets or another county's roads must be made at the time specified in SCC30.66B.340;
- (6) Construction of improvements to mitigate impacts on city streets or another county's roads is required at the time specified by SCC 30.66B.440; and
- (7) Right-of-way required for cities' streets or other counties' roads shall be dedicated or deeded at the time specified by SCC30.66B.540.

(Added Amended Ord. 02-064, December 9, 2002, Eff date February 1, 2003; Amended by Amended Ord. 10-072, Sept. 8, 2010, Eff date Oct. 3, 2010)

Thanks in advance for your response to these questions.

Traci Shallbetter
SHALLBETTER LAW
The Best in Real Estate and Land Use
3201 Airport Road

Cle Elum, WA 98922
Cell: (509) 260-0037
www.shallbetterlaw.com