

CITY OF MILTON
ORDINANCE NO. 1909-17

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON;
AMENDING PORTIONS OF CHAPTER 12.24, OF THE
MILTON MUNICIPAL CODE ADOPTING NEW CODE
LANGUAGE TO IMPLEMENT LOW IMPACT
DEVELOPMENT.

WHEREAS, the Washington State Department of Ecology has mandated that all National Pollution Discharge Elimination System (NPDES) permittees review and make standard Low Impact Development design and development principles; and,

WHEREAS, the City of Milton is an NPDES permittee; NOW THEREFORE,
THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON DO
ORDAIN AS FOLLOWS:

Section 1. That the following Section of Chapter 12.24 STREET REQUIREMENTS is amended as follows (additions shown by underline and deletions shown by strikeout):

Chapter 12.24
STREET REQUIREMENTS

Sections:

- 12.24.010 Purpose and application.
- 12.24.020 *Reserved.*
- 12.24.030 Streets – Required widths.
- 12.24.040 Streets – Additional right-of-way dedication required when.

- 12.24.050 *Reserved.*
- 12.24.060 *Reserved.*
- 12.24.070 Streets – Horizontal curves.
- 12.24.080 Streets – Vertical curves.
- 12.24.090 Streets – Reverse curve tangents.
- 12.24.100 Streets – Minimum centerline offsets.
- 12.24.110 Cul-de-sacs.
- 12.24.120 Streets – Private streets.
- 12.24.130 Streets – Names.
- 12.24.140 Alleys.
- 12.24.150 Blocks.
- 12.24.160 Street improvement requirements.
- 12.24.165 Frontage improvements in developed areas.
- 12.24.170 *Reserved.*
- 12.24.180 Standards and specifications.
- 12.24.190 Deviation from standard.

12.24.010 Purpose and application.

The purpose of this chapter is to specify the design requirements for streets in the city of Milton. Nothing in this chapter shall be construed as limiting the authority of the city to impose additional traffic mitigation under other applicable law, including but not limited to the Washington State Environmental Policy Act, Chapter 43.21C RCW. It is the policy of the city to require development to mitigate its impacts to the fullest extent allowed by the law, including but not limited to off-site traffic mitigation. Nothing in this chapter shall be applied in a manner that violates the constitutional rights of a property owner. The public works director is authorized to waive any requirements in this chapter to the minimum extent necessary to protect those rights. The public works director is authorized to commission a traffic study, at the expense of the applicant, to determine if any infrastructure required of any developer by this chapter satisfies constitutional requirements. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.020 Reserved.

(Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.030 Streets – Required widths.

The minimum width of right-of-way, measured from lot line to lot line, shall be not less than as follows:

- A. Principal arterial streets shall have a right-of-way width of not less than 65 feet.
- B. Minor and collector arterial streets, not designated as bicycle routes in the city’s comprehensive plan, shall have a right-of-way width of not less than 52 feet.
- C. Minor and collector arterial streets designated as planned bicycle routes in the city’s comprehensive plan shall have a right-of-way width of not less than 57 feet.
- D. Local access streets shall have a right-of-way width of not less than 47 feet.
- E. Minor access streets shall be 30 feet wide. Minor access streets are streets which are necessary to allow access to properties where additional right-of-way cannot be obtained or which serve property by and through an easement where additional property cannot be obtained.
- F. Alleys shall be 20 feet wide. Alleys are minor public ways used primarily for a service access to the back or side of properties otherwise abutting on a street.
- G. The required right-of-way width for any required right-of-way dedication shall be determined by the public works director.
- H. In cases where topography or other physical conditions make a street of the required minimum width impracticable, the public works director or city engineer may modify the requirements of this section. Through

proposed business areas, the required right-of-way widths shall be increased at least 10 feet on each side, if needed to provide parking without interference of normal passing traffic. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.040 Streets – Additional right-of-way dedication required when.

A. Subdivisions, plats, short subdivisions or site plans that adjoin existing streets shall dedicate additional right-of-way to meet the minimum street width requirements of MMC 12.24.030. A property owner shall also dedicate adjoining right-of-way to meet minimum street width requirements prior to the issuance of a building permit for the construction, repair or alteration of any structure that does not qualify as a single-family home. Dedication shall only be required to the extent generally necessary to mitigate traffic generated by the proposed land use activity.

B. The entire right-of-way shall be provided when any part of the subdivision, plat, site plan, short subdivision or other development activity identified in this section is on both sides of the existing street.

C. When the subdivision, plat, site plan, short subdivision or other development activity identified in this section is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.050 Reserved.

(Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.060 Reserved.

(Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.070 Streets – Horizontal curves.

Where a deflection angle of more than 10 degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On arterial streets, the centerline radius of curvature shall be not less than 300 feet; on other streets, not less than 100 feet, unless specified otherwise by the public works director or the city engineer. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.080 Streets – Vertical curves.

A. All changes in grade shall be connected by vertical curves of a minimum length of 50 feet unless specified otherwise by the public works director or the city engineer.

B. Profiles of all streets showing natural and finished grades shall be drawn to a scale of not less than one inch equals 100 feet horizontal and one inch equals 20 feet vertical, when required by the public works director or the city engineer. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.090 Streets – Reverse curve tangents.

A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial streets. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.100 Streets – Minimum centerline offsets.

Street jogs with centerline offsets of less than 125 feet shall not be allowed. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.110 Cul-de-sacs.

A. Cul-de-sacs shall have an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. A landscaped island may be placed in the center of the cul-de-sac if used for stormwater flow control and treatment, provided that adequate lane width is provided for emergency vehicle access.

B. Hammerhead turnarounds or loop roads may be used instead of the standard cul-de-sac, at the discretion of the Public Works Director.

C. B. Where, in the opinion of the public works director or the city engineer, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Such dead-end streets shall be provided with a temporary turnaround having a right-of-way diameter of at least 80 feet. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.120 Streets – Private streets.

Private streets shall be streets that cannot ever be extended. All private streets shall adhere to the requirements within this chapter. The rights-of-way of private streets shall not be included as part of a lot in determining the applicable bulk and dimensional regulations set forth in Chapters 17.15A and 17.15B MMC. The city shall receive full easement rights over, under, across and through said street for fire, aid, police, and utilities. The city shall regularly inspect the streets to make certain they are kept properly maintained. If a homeowners' association is formed and will be responsible for the maintenance of the private street, a copy of the covenant will be filed with the city. (Ord. 1658 § 1, 2006; Ord. 1355 § 1, 1998; Ord. 955 §§ 2, 3, 1984).

12.24.130 Streets – Names.

A. Proposed streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets. Others shall be named in accordance with the city street naming and numbering system.

B. The council shall have the authority to grant a variance to change street names or numbers to maintain harmony in the city and that the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.140 Alleys.

Alleys shall be provided to the rear of all lots used for business purposes and shall not be provided in residential blocks except where the subdivider produces satisfactory evidence of the need for the alleys. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.150 Blocks.

Blocks shall be as the planning commission, public works department or engineers consider necessary to secure efficient use of land or desired features of street pattern. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.160 Street improvement requirements.

A. All newly dedicated streets shall be improved with a permanent street as approved by the public works director. Improvements shall be permanent hard surface, three-inch asphalt concrete pavement with all the proper base course and drainage control as approved by the public works director or city engineer.

B. All streets shall be improved with no less than a 26-foot width of pavement.

C. Minimum pavement width for half-street improvements shall be 24 feet.

D. Street improvements and street frontage improvements shall be required as follows:

1. Curbs, gutters, and sidewalks shall be required for all frontage improvements on arterial streets designated in the city's comprehensive plan. Frontage improvements shall also be required on the following residential streets: Oak Street, Kent Street from Porter Way to Kent Way, 10th Avenue from Yuma Street to Taylor Street, and 11th Avenue from Taylor Street to Milton Way.

2. Five-foot-wide bike lanes shall be required on all streets designated as bike routes in the city's comprehensive plan.

3. For full subdivisions, frontage improvements shall be required on both sides of all internal streets, regardless of whether they are public or private streets, and on all existing streets adjacent to the subdivision.

4. For three- and four-lot short plats, frontage improvements shall be constructed on all street frontages adjacent to the short plat, including a lot with an existing house if applicable.

5. Curbs, gutters, and sidewalks shall be required on one side only of an internal street serving a four-lot subdivision.

6. For a two-lot short plat, where a house is located on one lot, curbs, gutters, and sidewalks shall be required on existing street frontages adjacent to the lot to be developed in accordance with the policies for requiring frontage improvements in developed areas. However, no frontage improvements shall be required on the lot

which contains the existing house. Where neither lot contains an existing house, frontage improvements shall be required on existing streets adjacent to both lots.

7. If a two-lot short plat is proposed, where one lot is a developed lot with frontage on a public street, and a new "panhandle lot" is created behind the front lot, frontage improvements will be required on the lot fronting the public street in accordance with the policies for requiring frontage improvements in developed areas.

8. For a two-lot short plat, where both lots contain an existing house, no frontage improvements will be required.

9. All development, including single-family home construction, and all short plats, in the MX zone shall construct frontage improvements on all adjacent street frontages.

10. For all commercial, industrial, and multifamily developments, frontage improvements shall be required on all existing streets adjacent to the proposed development.

11. Where the construction of frontage improvements requires the construction or relocation of utilities, the cost of such utility construction or relocation shall be borne by the developer or property owner.

12. Single-family residences in accordance with the policies for frontage improvements in developed areas.

Note: "Frontage improvements" shall mean the construction of cement concrete curbs, gutters, and sidewalks. Frontage improvements and street improvements shall include design and construction of storm water facilities as required by the most currently adopted storm water manual and at the direction of the city engineer or designated city engineer. They may also include landscaping where required by the Milton Municipal Code.

Wherever cement concrete curbs are required, vertical curbs shall be installed. Rolled or wedge curbs shall not be allowed. Ord. 1865 § 2, 2015; Ord. 1721 § 1, 2008; Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.165 Frontage improvements in developed areas.

A. Frontage improvements shall be required to be constructed if:

1. It will result in the installation of at least 150 feet of sidewalk, or where the proposed installation and undeveloped land immediately adjacent to the proposal add up to at least 150 feet (undeveloped land may include a buildable site that is part of a large improved property), or

2. If sidewalk presently exists within 150 feet of the proposed development, within the same block and on the same side of the street.

B. If neither of the above situations exist, the developer or property owner shall have the following choices:

1. Build the required frontage improvements, or

2. Pay a fee, equal to the estimated cost of construction of the frontage improvements, that would go into a fund to construct sidewalks within the city at locations that would be more beneficial to the general public than the small frontage of the proposed development. The public works director shall take notice that RCW 82.02.020 may require the fees to be expended or refunded within five years of collection, and shall manage the fees accordingly. (Ord. 1658 § 1, 2006).

12.24.170 Reserved.

(Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.180 Standards and specifications.

All roads whether public or private shall be constructed as per the most current edition of the "Standard Specifications for Road and Bridge and Municipal Construction," as adopted by the Washington State Department of Transportation. (Ord. 1658 § 1, 2006; Ord. 955 §§ 2, 3, 1984).

12.24.190 Deviation from standard.

A. Authority. The director of public works may grant a deviation from the requirements of this chapter using Process Type II (Chapter 17.71 MMC). In granting any deviation, the director may prescribe conditions that are deemed necessary or desirable for the public interest.

B. Application. Any applicant may apply to the director for a deviation from the requirements of this chapter with the submission of a completed application and fee pursuant to Chapter 3.48 MMC (City Fees and Permit Charges).

C. Findings of Fact. The director may grant a deviation from the minimum requirements in order to avoid unnecessary hardship to the applicant prior to permit approval and construction. A deviation may be granted; provided, that a written finding of fact is prepared by the city engineer that addresses the following:

1. The deviation from the standard does not create any safety hazards;
2. The deviation from the standard is not counter to sound engineering practice;
3. The deviation from the standard will not be detrimental to public health, nor injurious to other properties in the vicinity;
4. The deviation does not violate any other local, state, county, or federal regulation or ordinance; and
5. The deviation from standard fulfills the intent of the public works standards of the city of Milton.

D. Prior Approval. Any deviation shall be approved prior to permit approval and construction.

E. Duration of Deviation. Deviations granted by the director shall expire one year from the date of approval. The director may grant successive extensions up to one year each for good cause if the requested deviation continues to satisfy the standards of approval. The construction permitted under this deviation shall be completed and approved prior to expiration of the deviation.

F. Approval of a deviation shall not be construed as a new standard.

G. Decision and Appeal. Decisions and appeals on deviations to standards shall be made pursuant to Process Type II (Chapter 17.71 MMC, Permit Decision and Appeal Processes). (Ord. 1741 § 10, 2009).

Passed by the Milton City Council the 21st day of February, 2017, and approved by the Mayor, the 21st day of February, 2017.

APPROVED:



DEBRA PERRY, MAYOR

ATTEST/AUTHENTICATED:



KATIE BOLAM, CITY CLERK

APPROVED AS TO FORM:

BY 

WILLIAM L. CAMERON, CITY ATTORNEY

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