



LYNNWOOD
WASHINGTON

ORDINANCE NO. 2968

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
STATING THE CITY'S INTENT TO ADOPT A CITY-WIDE ACCESS
CONTROL POLICY, AND PROVIDING FOR SEVERABILITY, AN
EFFECTIVE DATE AND SUMMARY PUBLICATION.**

WHEREAS, proposed re-channelization project for SR-99, between 202nd St. SW and 208th St. SW necessitated the City develop a City-wide Access Control Ordinance; and

WHEREAS, access to limited access highways is regulated by the Washington State department of Transportation (WSDOT) as stated in Chapter 47.52 RCW. Access to managed access State Highways is regulated by the City per RCW 47.50.020(3). Abutting landowners have a right to access, but not a particular means of access, to State Highways, and such access permits will be reviewed and granted by the City per RCW 47.50.030910. City standards for access permitting must (in accordance with RCW 47.50.030(3)) meet or exceed WSDOT standards; and

WHEREAS, having an adopted Access Control Ordinance allows the City to develop access standards that meet the City's particular needs; now, therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:


1. Adopt a City-wide Access Control Ordinance.

PASSED BY THE CITY COUNCIL, the 26th day of November, 2012, and approved by the Mayor this 27th day of November, 2012

APPROVED:

Don Gough, Mayor

ATTEST/AUTHENTICATE:



Lorenzo Hines, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: 11/21/12
PASSED BY THE CITY COUNCIL: 11/26/12
PUBLISHED: 11/~~30~~/12
EFFECTIVE DATE: 12/0~~5~~/12
ORDINANCE NUMBER: 2968



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**City of Lynnwood Access Control
Guidelines**

Introduction

The purpose of regulating the number, location, and type of vehicle access to City streets is to balance the need for access to private properties with the need to maintain adequate capacity and level of service on the streets providing access. Access permits will be required of all developments for each access on Principal, Minor, and Collector Arterials and all development on Residential Streets. In special development areas of the City with specific access standards, those standards shall supersede these City-wide guidelines.

Access to State Highways is regulated by the Washington State Department of Transportation (WSDOT). Proponents desiring access to a State Highway are responsible for coordinating with WSDOT for satisfactory completion of any requirements prior to construction.

Design Objectives

In reviewing an application for street access permit, the City Engineer shall determine whether all of the following objectives have been met:

1. Adequate corner clearance from any adjacent street intersection has been provided to preserve the functional integrity of the intersection, and spacing from adjacent driveways is sufficient to safely minimize conflicts between traffic entering and exiting adjacent driveways;
2. Adequate stopping sight distance and intersection sight distance is provided;
3. Auxiliary lanes are provided as needed to minimize speed differentials between turning vehicles and mainline traffic, and prevent turning vehicles from blocking mainline traffic;
4. Sufficient vehicular stacking distance between the curb line and the first point of conflict for traffic on the site is provided to prevent vehicles backing onto public streets. This distance shall be adequate to absorb the maximum peak period inbound traffic during the normal weekday;
5. Appropriate conflict reduction measures have been provided to safely manage inbound and outbound left turning traffic. Median design features and driveway channelization shall be used as appropriate to accomplish conflict reduction;
6. Access locations have been properly offset from driveways or street intersections located across the street in order to limit conflicts within the mainline or median of the street;
7. The design of the access satisfies the City's guidelines for turning radii, driveway slope, angle of entry, design speed and width. The access provides for the safe crossing of

- pedestrians and bicyclists, and must meet national accessibility requirements as provided for in City of Lynnwood Standard Details, and the Lynnwood municipal code;
8. The installation of necessary traffic control devices, for the safe and proper operation of the access, meets the requirements of the Manual of Uniform Traffic Control Devices (MUTCD).
 9. Access design provides and maintains emergency access to properties and structures for public safety purposes and reduction of risk to life and property.

Street Classification

Principal Arterials, Minor Arterials, and Collector Arterials are as shown on the current City of Lynnwood's "Lynnwood Arterials" map located within the transportation element of the City's Comprehensive Plan. All other streets, not classified as arterial, are classified as Residential streets.

Access Standards

The following access standards shall apply for all new proposed accesses:

1. No more than one access will be provided to an individual parcel or contiguous parcels under the same ownership or project unless approved by the City Engineer. Additional access may be allowed to contiguous parcels if it can be shown that they will not affect the operation or safety of the adjacent street.
2. Where a parcel or project has frontage on more than one street, access shall be limited to the lowest volume street. Access to higher volume streets will be denied in the interest of traffic safety or traffic congestion.
3. Access to commercial or industrial use corner parcels are to be located on the lower volume street at the property line most distant from the intersection. Right in / Right out connections may be required by the City.
4. Emergency Accesses may be required for certain high volume public safety developments. They are to be designed to the satisfaction of the City Engineer.
5. Driveways shall have a minimum setback of 10 feet from the edge of the driveway to the side property line, except for a shared driveway that shares two or more abutting properties.
6. The setback may be 0 feet for driveways on cul-de-sac flag lots.
7. Access connections are to be constructed to City of Lynnwood's Public Works Standard Plans, and adopted Fire Lane standards.
8. The minimum distance between access connections is 25 feet on the same side of the street for a full access or a right in / right out connection. Intersecting streets or major commercial accesses are to be spaced a minimum of ¼ mile to insure future signal progression, unless approved by the City Engineer.
9. Circular or multiple driveways shall meet all of the following criteria:
 - a) The property frontage must exceed 100 feet and the driveways shall be separated by a minimum of 25 feet between the closest points of the driveways.
 - b) Driveways shall not exceed 20 feet in width for residential and 30 feet in width for commercial properties.
 - c) Driveways shall be no closer than 10 feet to the side property line. The edge of driveway is measured from the point of tangency where the vertical curb of the driveway apron meets the traveled roadway. Where there is no vertical curb, it is

measured from where the prolongation of the driveway edge closest to the property line meets the traveled roadway.

- d) For corner lots, the minimum driveway setbacks from intersections must be followed.
- 10. Driveways on residential streets shall be located a minimum of 50 feet from an intersection or at the appropriate setback from the farthest property line from the intersection.
- 11. Driveways on collector or minor arterial roadways shall be located a minimum of 75 feet from an intersection or at the appropriate setback from farthest property line from the intersection.
- 12. Driveways on principal arterial roadways shall be located a minimum of 150 feet from signalized intersections, 100 feet from unsignalized intersections or at the appropriate setback from the farthest property line from the intersection. Left turn restrictions shall be imposed at driveways that do not meet these criteria.

Existing Access Review Procedure

Any access connections in existence and in active use on the date of adoption of this policy are “Grandfathered” and may continue in use. The existing property access will be reviewed and a new access permit will be required when a site is being substantially altered and/or when it will result in a large increase in site-generated traffic.

Access Review Process

An application for an access permit is submitted to the City Engineer. The City Engineer forwards the application to the City Traffic Engineer and Fire Marshal for review and compliance to the standards. Those officials will make field review of the proposed access if necessary. A recommendation for approval or denial will be returned to the City Engineer for a final decision within 10 working days. Decisions are appealable to the Public Works Department, followed by the City Hearing Examiner.

Substandard Access Approval Process

Where access cannot meet the access standards, the City Engineer shall be guided by the following process in determining whether a substandard access location may be permitted:

1. The City Engineer should first determine whether alternate access is available. Alternate access includes;
 - a. Access to another street that meets the standards.
 - b. Access provided jointly with an adjacent property that will meet the standards, if obtainable from the adjacent property
2. Where alternate access opportunities are determined not to exist, the City Engineer shall grant a reduction in spacing standards.
3. If after considering alternatives under (1) and (2) above the City Engineer determines that no feasible alternatives exist, a substandard access permit may be granted only subject to the following:
 - a. Conditions or circumstances exist which limit the strict application of the standards, including the lack of a secondary access to another public street, the inability to use joint access, and the lack of engineering or construction solutions that can be applied to mitigate the condition; and

- b. The proposed access will not be detrimental to the safety of motoring public using the connecting roadway; and
- c. That limiting access will create an exceptional and undue hardship on the applicant and that the permit issued will allow a reasonable use of the property.

The applicant agrees to mitigation consistent with any negative impacts of a proposed substandard access.

Conditions of Approval:

Based upon receipt and approval of plans, specifications, reports and other supporting data, the City Engineer shall approve a driveway permit application if found to be consistent with the access standards, construction standards, and provides reasonable access to the property. In approving such permit, the City Engineer may require:

1. That unobstructed and unencumbered access is provided from the approved access point to adjacent properties. Where such a requirement is made as a condition of approval, the property owner shall record an easement with the deed allowing cross access to and from other designated properties to be served by the joint use driveway or access.
2. That an access point that does not comply with one or more standards be designated as temporary access and that when an alternative means of access is available that better meets the standards, the temporary access be eliminated, altered or limited to certain turning movements.
3. That the applicant be required to participate in the cost of design, installation, operation and maintenance of the access construction and any associated traffic operation equipment required for the functioning of the access point.
4. That the access permit will be reviewed and a new permit may be required when;
 - a) Any change in land use occurs,
 - b) Redevelopment of the property requires a Traffic Impact Analysis.
 - c) The City determines that the access falls below acceptable safety standards, as determined by an accepted traffic engineering study.

Driveway Access Permit Appeals Process:

For appeals the following process shall be followed:

1. When an Applicant objects to the City's denial of a permit, or any condition placed on the Permit, the applicant may file an appeal in writing to the City Engineer within 30 days after receiving such notice.
2. The written appeal shall provide reasons for the appeal and may include changes, revisions and additional conditions that the appellant believes would make the Permit acceptable to the City.
3. The City Engineer will forward the appeal, within 10 days after receipt by the City, along with all pertinent data to the City Traffic Engineer who will review the revisions or changes. A field review of the site will be made if necessary. It may be necessary for the Traffic Engineer to meet with the applicant to attempt to resolve any issues

pertaining to the driveway. The Traffic Engineer will return his recommendation of denial or approval to the City Engineer within 10 working days.

4. The City Engineer will review the Traffic Engineers recommendation and will render a decision of denial or approval on the appeal within 10 working days and respond to the appellant in writing of his decision.
5. If the appeal is denied by the City Engineer, the applicant may file, within 30 calendar days of receipt of the denial, a written appeal to the Director of Public Works. Upon receipt of the appeal, the Director of Public Works will meet with the City Engineer to review all decisions regarding the Permit denial.
6. The Director of Public Works will review the appeal along with the files and will render a decision of denial or approval on the appeal within 10 working days. The appellant will be notified in writing of the decision.
7. If the appeal is denied by the Director of Public Works, the appellant may file a request for an Administrative Decision by the Director of the Community Development Department. An Administrative Decision in writing will be issued within 10 working days.
8. Fees for appeals will be as set by the City.




On the 26th day of November 2012, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 2968. A summary of the content of said ordinance, consisting of the title, provides as follows:

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**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,
STATING THE CITY'S INTENT TO ADOPT A CITY-WIDE ACCESS
CONTROL POLICY, AND PROVIDING FOR SEVERABILITY, AN
EFFECTIVE DATE AND SUMMARY PUBLICATION.**

DATED this 30th day of November, 2012

The full text of this Ordinance will be mailed upon request.




Lorenzo Hines, Finance Director

CERTIFICATE

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 2968 of the City of Lynnwood, Washington, entitled as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, STATING THE CITY'S INTENT TO ADOPT A CITY-WIDE ACCESS CONTROL POLICY, AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on 29th day of November, 2012.



City Clerk of the City of Lynnwood,
Washington