

ORDINANCE NO. _____

AN ORDINANCE of the City of Port Angeles, Washington amending Title 16 and 18, Sections 16.04.010, 16.04.070, 16.04.140, 16.08.060, 16.09.040, 18.08.020, 18.08.040, 18.08.045, of the Port Angeles Municipal Code relating to sidewalks; providing for severability; and establishing an effective date.

THE CITY COUNCIL OF THE CITY OF PORT ANGELES DO HEREBY ORDAIN
AS FOLLOWS:

Section 1. Ordinance 3688 as amended and Chapter 16.04 of the Port Angeles Municipal Code relating to Purpose and intent are hereby amended by amending Section 16.04.010 to read as follows:

16.04.010 Purpose and intent.

The purpose of this chapter is to provide uniform regulations for the subdivision and re-subdivision of land into nine or less parcels, so as to promote the public health, safety and general welfare. It is further the purpose of this chapter to implement the requirements of the Growth Management Act of 1990 through the goals, policies, and objectives of the comprehensive plan of the City, to comply with the requirements of the Zoning Code and Urban Services Ordinance of the City, to ensure orderly growth consistent with the desired urban design of the City, to promote effective and energy-efficient use of land, to prevent over-crowding of land, to provide for adequate light and air, to promote safe and convenient travel and lessen congestion on streets and highways, to provide for proper ingress and egress, to ensure adequate provision for open spaces, stormwater management, transit stops, potable water supplies, sanitary wastes, parks and recreation areas, playgrounds, schools and school grounds, sidewalks and safe walking conditions ~~on~~ ~~school routes~~, and other public requirements, to require uniform monumenting of land subdivisions and conveyancing by accurate legal description, and to prevent the creation of public nuisances.

Section 2. Ordinance 3688 as amended and Chapter 16.04 of the Port Angeles Municipal Code relating to Preliminary short plat – Design Standards are hereby amended by amending Section 16.04.070 to read as follows:

16.04.070 Preliminary short plat – Design standards.

All preliminary short plats shall conform to the following design standards:

A. *Right-of-way access.*

1. Each lot shall abut on a dedicated, improved and maintained City street that connects directly to an existing improved street and that meets current street improvement standards as set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130, with the following exceptions:
 - a. Streets may be established interior to sites within the Industrial Heavy (IH) Zone without dedication as a public street. In all other respects, such streets must be developed and maintained to meet current street improvement standards. The applicant must record a document that requires the property owner to maintain the streets to the required standards.
 - b. An exception from the right-of-way access requirements in this section shall be allowed for a single residential or commercial lot within a proposed short plat, provided that the following conditions are met:
 - i. The single lot contains an existing habitable dwelling that abuts and is accessible by emergency vehicles over an existing 20-foot-wide all-weather street that does not meet City standards, and
 - ii. Either of the following conditions are met:
 - (A) All other lots in the short subdivision shall meet the right-of-way access standards of this section; or
 - (B) All lots abut an improved private street that is otherwise built to City access standards but may not be a dedicated street.

2. Sidewalks and other planning features that assure safe walking conditions ~~for students who walk to and from school~~ shall be provided pursuant to Complete Street Resolution and ~~RCW 58.17.060 and RCW 58.17.110~~.

B. *Lot design.*

1. The minimum area shall be equal to or greater than that required by the zoning code as now enacted or hereafter amended.
2. The minimum depth shall be the total distance between the required front and rear yard setbacks plus 15 feet.
3. The minimum lot width is the horizontal distance between side lot lines measured at the front setback line, provided the average horizontal distance between side lot lines must also meet or exceed the minimum lot width required, and shall be as required by the zoning code as now enacted or hereafter amended.
4. The front lot line shall be the boundary of a lot that abuts a street. On a panhandle lot, the front lot line and setbacks shall be determined during the short subdivision process, or, if not determined during short subdivision review, shall be determined by the Community and Economic Development Director.
5. Irregular lots may be permitted if the original parcel has insufficient frontage width to provide each new lot with the minimum lot width as required by Title 17 for the underlying zone.
6. Panhandle or flag lots shall meet the following criteria:
 - a. The narrow portion of the panhandle or flag lot shall have a minimum width of 20 feet and shall serve no more than one lot.
 - b. The required lot area width and depth shall not include any portion of a panhandle.
 - c. Dead-end access streets and/or driveways in excess of 150 feet in length shall be provided with a turn-around that has a minimum 80-foot diameter (without parking) or a minimum 90-foot diameter (with parking) asphaltic concrete or permeable pavement street or an alternative approved by the City consistent with the urban services ordinance, the Port Angeles Urban Services Standards and Guidelines Manual, and the International Fire Code, except that an all-weather

gravel surface section may be approved for turn-arounds that are anticipated to be temporary due to the future extension of the roadway.

- C. *Natural features.* The lots and lot arrangement shall be such that no foreseeable difficulties will be created, due to topography and other natural conditions, for the securing of building permits to build on all lots in compliance with the zoning code and the environmentally sensitive areas protection ordinances, as now enacted or hereafter amended, and all other applicable regulations.
- D. *Large lots.* Where property is subdivided into lots that are of sufficient size to be resubdivided, the lots and streets shall be arranged so as to permit later resubdivision in conformance with the zoning code, as now enacted or hereafter amended, the subdivision regulations ordinance, as now enacted or hereafter amended, and this chapter.
- E. Short subdivisions shall also comply with the following standards and policies of PAMC 16.08.060. If there is a conflict, the Director determines which provisions apply.
 - 1. Block standards in subsection D.
 - 2. Public spaces standards in subsection F.
 - 3. Easement standards in subsection G.
 - 4. Block standards in subsection K.

Section 3. Ordinance 3688 as amended and Chapter 16.04 of the Port Angeles Municipal Code relating to Final short plat – Improvements – Required are hereby amended by amending Section 16.04.140 to read as follows:

16.04.140 Final Short Plat – Improvements – Required.

The following minimum improvements shall be made or installed for each lot created by the short subdivision, before final short plat approval:

- A. Watermains and other appurtenances necessary to provide adequate potable water supply and fire protection as set forth in the comprehensive plan, the urban services

ordinance and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.

- B. Sanitary sewer or approved septic tank and drain field site.
- C. Power, telephone, and all other necessary utilities.
- D. Appropriate dedications or easements if required.
- E. Minimum street improvement cross-section standard as set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines:
 - 1. *Improvements to local access streets:*
 - a. In the RS-9 and RS-11 Zones, local access streets that front or will provide access from the nearest fully improved City street to newly created lots shall be improved to a minimum of 20-foot wide permeable pavement (pervious concrete or porous asphalt [preferred]) or asphaltic concrete street with no on-street parking, drainage swales (ditches) as needed, and one accessible five ~~four~~-foot wide pervious concrete (preferred) or cement concrete sidewalk (ten ~~eight~~-foot wide path when an adopted bicycle route) for pedestrian traffic, which path shall be separated from the street by a ditch. All dead-end City streets in excess of 150 feet in length shall be permeable pavement (pervious concrete or porous asphalt [preferred]) or asphaltic concrete paved and provided with a turn-around consistent with the urban services ordinance, the Port Angeles Urban Services Standards and Guidelines Manual, and the International* Fire Code.
 - * "Uniform Fire Code" updated to "International Fire Code."
 - b. In the RS-7 Zone, local access streets that front or will provide access from the nearest fully improved City street to newly created lots shall be improved to a minimum of 20-foot wide permeable pavement (pervious concrete or porous asphalt [preferred]) or asphaltic concrete street with two ~~one~~ three-foot wide shoulders, and one five-foot wide sidewalk ~~shoulder~~ for pedestrian traffic. All dead-end City streets in excess of 150 feet in length shall be permeable pavement

(pervious concrete or porous asphalt [preferred] or asphaltic concrete and provided with a turn-around consistent with the urban services ordinance, the Port Angeles Urban Services Standards and Guidelines Manual, and the International* Fire Code.

* "Uniform Fire Code" updated to "International Fire Code."

2. *Improvements to arterial streets:*

- a. In the RS-9 and RS-11 Zones, arterial streets that front or will provide access to the lots or parcels being developed shall be improved to the minimum of 20-foot wide permeable pavement (pervious concrete or porous asphalt [preferred] or asphaltic concrete street with no on-street parking, drainage swales (ditches) as needed, and one accessible five ~~four~~-foot wide pervious concrete (preferred) or cement concrete sidewalk or other acceptable hard surface (ten ~~eight~~-foot wide surface when on an adopted bicycle route) for pedestrian traffic, which path shall be separated from the street by a ditch.
- b. In the RS-7 Zone, arterial streets that front or will provide access to the lots or parcels being developed shall be improved to the minimum City arterial street improvement standards.

3. *Exception:* The Public Works and Utilities Department shall require the minimum standard to be increased to match the immediately adjoining City street when the immediately adjoining City street is more fully developed than the minimum standard. This exception shall not apply to short plats when the City finds that there will be an economic and physical hardship in relocating public utilities and there will be no increase in the number of lots within a subject short plat.

F. Drainage ditches, culverts, and/or stormwater treatment and flow control BMPs/facilities shall be provided to address existing and anticipated stormwater runoff occurring on the site and/or within the City rights-of-way and easements as set forth in the urban services ordinance and clearing and grading ordinance development standards.

- G. The subdivider shall provide a street profile acceptable to the Public Works and Utilities Department for the local access streets if the final street grade has not been previously established or accepted by the City.
- H. The subdivider shall execute a Local Improvement District consent and non-protest agreement or other agreement acceptable to the City for street and utilities improvements on the local access streets whenever required improvements are less than the City's full development standards, as set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.
- I. The subdivider shall provide all other public improvements as may be required and set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.
- J. When commercially zoned property is being short platted without any increase in the number of lots, the minimum improvements required by this section may be made or installed after short plat approval without the necessity of being bonded, provided that the final short plat shall be conditioned to provide that such improvements shall be made or installed as part of the building permit process, that vertical construction of the building shall not begin unless or until the International* Fire Code's fire hydrant requirement has been met, and that the property or development shall not be occupied until such improvements have been completed, provided further that said construction shall be noted on the final plat.
- K. Sidewalks and other planning features that assure safe walking conditions will all for ~~students who only walk to and from school shall be provided pursuant to Complete Street Resolution and RCW 58.17.060 and RCW 58.17.110.~~

Section 4. Ordinance 3122 § 2 (part) and Ordinance 3042 § 2 (part) as amended and Chapter 16.08 of the Port Angeles Municipal Code relating to Standards and policies are hereby amended by amended Section 16.08.060 to read as follows:

16.08.060 Standards and policies.

A. *General standards.* If a proposed street and/or lot pattern for any zone in Port Angeles has been made by the City Council or the Planning Commission, the street layout of any new plat submitted shall be in general conformance to said pattern or plan. Otherwise proposed streets in new subdivisions shall conform to the comprehensive plan, the urban services ordinance, the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130, and the standards and requirements of this chapter.

No territory proposed to be subdivided shall be a part of, nor encroach upon, any area designated in the comprehensive plan for future public facilities.

No plan for the platting, replatting, subdivision, or dedication of any area shall be approved by the City unless each lot shall abut on a dedicated, improved, and maintained City street and such street shall connect directly to an existing improved street that meets current street improvement standards as set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.

If any existing rights-of-way abutting the property being subdivided do not meet minimum width standards, additional right-of-way shall be required in accordance with the standards as set forth in the comprehensive plan, the urban services ordinance, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130. Where the comprehensive plan or the City's official street plan indicates the necessity of a new right-of-way of a required width or portion thereof for street purposes, whether within a new plat or new subdivision, or along the boundaries of a new plat, new subdivision or new lot, such required right-of-way or portion thereof shall be dedicated to the City of Port Angeles by the filing of a plat.

The area of a cemetery in one unit shall be not more than 80 acres, which may or can be surrounded by streets and highways. If the area of a cemetery is intersected or cut by dedicated or unplatted streets the areas on opposite sides of said streets shall form and be considered separate units.

Sidewalks, pedestrian walkways, and other planning features intended to assure safe walking conditions will ~~be for students who only walk to and from school~~ be provided pursuant to Complete Street Resolution and RCW 58.17.060 and 58.17.110. The Planning Commission may require plats to provide areas for parks, playgrounds, open spaces, recreation facilities, schools, school grounds, transit stops, and drainage ways.

Each proposed subdivision and the ultimate use of the land therein shall be in the interests of public health, safety and welfare, and subdividers shall be prepared to present evidence to this effect when requested by the City.

Restrictive covenants not contrary to existing regulations regarding the use of land, governing and binding all future owners of lots or tracts, may be shown on any plat.

No final plat of land within the force and effect of existing zoning regulations shall be approved unless it is conforming with such zoning regulations.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building codes, or other official regulations, the highest standard shall apply.

B. *General principles, policies.* The Commission shall ensure that appropriate provision is made for: (1) the harmonious development of neighborhoods by requiring coordination of streets within subdivisions with existing or planned streets, or with other elements of the Comprehensive Plan; (2) adequate open spaces for recreation, schools, light and air; (3) distribution of population and traffic which will create conditions favorable to public health, safety and convenience.

The Commission shall inquire into the public use, interest or need proposed to be served by the establishment of a subdivision. If the results of such an inquiry indicate that a subdivision will not

serve the public use, interest or need, the Commission may recommend denial of such subdivision. The Commission shall ensure that a subdivision is consistent with the Comprehensive Plan and Urban Services Ordinance.

Land which the Commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formations or other feature likely to be harmful to the safety, welfare and general health of the future residents, and the commission considers inappropriate for subdivision, - shall not be subdivided unless adequate methods which are consistent with the City's Wetlands and Environmentally Sensitive Areas Protection Ordinances are formulated by the developer and approved by the Community and Economic Development Director.

C. *Streets.*

1. The arrangement, character, extent, width, grade and location of all streets shall conform with the Comprehensive Plan, the Capital Facilities Plan, the Urban Services Ordinance, and the Urban Services Standards and Guidelines, and shall be considered in their relation to existing and planned roads, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such roads.
2. Where such is not shown on the Comprehensive Plan, the arrangement of streets in a subdivision shall either provide for the continuation or appropriate projection of existing streets in the surrounding area; or shall conform to a street plan for the neighborhood, approved by the City, to meet a particular situation where topographic or other conditions make continuance or conformance to existing streets impracticable. This shall also apply to cluster subdivisions.
3. If a street plan for an area has been made by the City, the street layout of a proposed subdivision in such an area shall be in general conformance to the plan.
4. When a portion of a subdivider's tract is to be subdivided, a street plan for the entire tract shall be submitted to indicate how the street pattern of the plat submitted will

coordinate with the entire tract when fully platted and with streets in the surrounding area.

5. Where a tract is subdivided into lots or tracts larger in area than twice the minimum lot size, the City may require an arrangement of lots and streets such as to permit a later re-subdivision in conformity with the street and lot requirements specified in these regulations.
6. Where a proposed subdivision abuts or contains an existing or proposed arterial street or is adjacent to an existing or planned business, commercial or industrial district, the City may require treatment as may be necessary (1) for the adequate protection of residential properties; and (2) to afford separation of through and local traffic.
7. Where a subdivision borders or contains a railroad or limited access highway right-of-way, the City may require a road approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
8. Streets shall be laid out so as to intersect as nearly as possible at right angles. Acute angle intersection shall be avoided.
9. There shall be no reserve strips controlling access to roads, except where the control of such strips is definitely placed with the City under conditions approved by the Commission.
10. Sidewalks, pedestrian walkways, and other planning features intended to assure safe walking conditions ~~will for students who only walk to and from school shall~~ be provided pursuant to Complete Street Resolution and RCW 58.17.060 and 58.17.110.

D. *Blocks.*

1. The lengths, widths and shapes of blocks shall be determined with due regard to provision of adequate building sites suitable to the special needs of the type of land use contemplated, the zoning requirements as to lot area and dimensions, limitations

and opportunities of the topography and other environmental constraints, needs for convenient access, circulation, control and safety of vehicular and pedestrian traffic, and the desired urban design of the City.

2. Where the local access streets follow a grid system, the width of blocks shall be sufficient for two tiers of lots, unless existing conditions are such, in the judgment of the City, to render such requirements undesirable or impractical.
3. Where the local access streets follow a curvilinear system, the size of blocks should follow the large rectangular area bounded by arterial streets, unless future considerations are such that, in the judgment of the City, will render such allowances undesirable or impractical.
4. For residential subdivisions, where frontage is on an arterial, the short dimension of the block should front the arterial.
5. Pedestrian crosswalk and sidewalks shall be required where deemed essential to provide circulation or access to schools, playgrounds and parks, shopping areas, arterial streets and trails, and other community facilities.

E. *Lots.*

1. The lot area, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision, for the type of development and land use contemplated, and for the type of street systems planned for the area, and shall conform with the requirements of the Zoning Ordinance.
2. Excessive depth in relation to width shall be avoided. No lot shall have a depth greater than three times its width.
3. Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

4. To ensure public health, convenience and safety, the subdividing of land shall provide, by means of a public street, each lot with direct access to an existing public street that is improved to City street standards.
5. Double frontage and reverse frontage lots shall be avoided, except where essential to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography and orientation. A planting screen easement across which there shall be no right of access shall be provided along the line of lots abutting such a principal arterial street or disadvantageous use.
6. Side lot lines shall be substantially at right angles or radial to street lines and front lot lines.
7. No lot or lots for residential purposes shall be divided or sold into additional lots or building sites, without compliance with Title 16 PAMC.

F. *Public spaces.*

1. Where a proposed park, playground, school, or other public use shown in the Comprehensive Plan, including the Capital Facilities Plan, and Urban Services Ordinance is located in whole or in part in a subdivision, the City may require the dedication or reservation of such area within the subdivision in those cases in which the City deems such requirement to be reasonable.
2. Where deemed essential by the City due to the location of the subdivision and upon consideration of the particular type of development proposed in the subdivision, and especially in subdivisions of 30 lots or more, the City may require the dedication or reservation of such areas or sites of a character, extent and location suitable to the needs created by such large subdivisions for schools, parks and other neighborhood purposes.
3. Due regard shall be shown for the preservation of outstanding natural and cultural features such as scenic spots, water courses, and historic sites, consistent with the

Comprehensive Plan, the Wetlands Protection Ordinance, and the Environmentally Sensitive Areas Protection Ordinance.

G. *Easements.*

1. Utility easements shall be provided, centered on front, rear, or side lot lines, where possible.
2. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel roads or parkways may be required in connection therewith.

H. *Street lighting.* Street lighting installations shall be located in reference to the dimensions of full grown trees and in accordance with the determinations and standards of the Public Works and Utilities Department.

I. *Dimensional standards.* Variations from and exceptions to the following standards may be made by the City, where topographic or other existing conditions make adherence to these regulations impractical.

J. *Street improvements.* Street improvements shall be provided in accordance with the Urban Services Standards and Guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.

K. *Blocks.*

1. Maximum length of all blocks shall be approximately 1,200 feet.
2. Minimum length of all blocks shall be approximately 500 feet.
3. Crosswalks may be required near the middle of all blocks longer than approximately 800 feet.
4. Minimum width of all blocks with two tiers of lots (plus width of alley, if any), shall be 300 feet.

L. *Lots.*

1. The minimum width, depth, area and setback dimensions of all lots in proposed subdivisions shall conform with City Zoning Regulations. If any dimension in a plat approved by the City is more restrictive than the said Regulations, then the most restrictive dimension shall apply.

M. *Building line setback.*

1. The building line setback from the property lines of all lots shall be indicated by a dashed line on all plats.
2. Required setbacks are a minimum, not a uniform standard. Varied setbacks along a street help avoid a monotonous barracks appearance.

N. *Standard pipe size.* The size of water, sanitary sewer, and storm drainage pipes shall be as set forth in the Comprehensive Plan, Urban Services Ordinance, the Urban Services Standards and Guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.

O. *Procedure for reimbursement* Procedures for reimbursement shall be the same as that set forth in section 13.68.140 PAMC.

P. *Signage.* One freestanding sign no larger than 24 square feet in area shall be permitted for identification of the subdivision. The sign shall be placed in a location in conformance with the development standards of a particular zone.

Section 5. Ordinance 3688 as amended and Chapter 16.09 of the Port Angeles Municipal Code relating to Standards and criteria are hereby amended by amending Section 16.09.040 to read as follows:

16.090.040 Standards and criteria.

Prior to approval of a ULS, the following standards and criteria shall be met:

- A. Compliance with prior approvals. Sites developed or proposed to be developed with cottages and townhouses per the standards in Chapter 17.21 PAMC may be

subdivided into individual unit lots as provided herein. The development as a whole must conform to the regulations applicable to the site and zone and to applicable plans that were granted approval through provisions of this Code.

- B. Development on individual unit lots is not required to conform with all dimensional standards that typically apply to individual lots as long as the parent lot conforms to all such dimensional standards.
- C. Subsequent platting actions, additions, or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.
- D. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association must be executed for use and maintenance of common garage, parking and vehicle access areas; underground utilities; stormwater treatment and/or detention facilities; common open space; exterior building façades and roofs; and other similar features, must be recorded with the Clallam County Auditor.
- E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use the parking is formalized by an easement recorded with the Clallam County Auditor.
- F. Notes must be placed on the face of the plat or short plat as recorded with the Clallam County Auditor to acknowledge the following:
 - 1. Approval of the design of the unit on each of the lots was granted by the review of the development, as a whole, on the parent lot per the standards of Chapter 17.21 PAMC.
 - 2. Development, redevelopment, or rehabilitation of structures on each unit lot is subject to review and approval of plans that are consistent with the design of the surrounding structures on the parent lot as approved by the

Community and Economic Development Department through subject file number as stated in subsection F.1, above.

- G. Necessary drainage ways; storm drains; and/or stormwater flow control, treatment, and LID BMPs/facilities must be adequate to serve the unit lot subdivision as set forth in the comprehensive plan, the Port Angeles Urban Services Standards and Guidelines Manual, and urban services ordinance development standards. LID approaches and facilities shall be incorporated where feasible to minimize stormwater runoff and impervious surface coverages, and to maximize retention of native vegetation.
- H. The provision of streets and rights-of-way must be adequate to serve the unit lot subdivision and include sidewalks and other planning features that assure safe walking conditions as set forth in the comprehensive plan, PAMC, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.
- I. Water supply and fire protection facilities must be adequate to serve the unit lot subdivision as set forth in the comprehensive plan, PAMC, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130.
- J. Sanitary sewer facilities must be adequate to serve the unit lot subdivision as set forth in the comprehensive plan, PAMC, and the urban services standards and guidelines promulgated consistent with and pursuant to PAMC 18.08.040 and 18.08.130, or a septic tank system must have been approved by the Clallam County Department of Health.

Section 6. Ordinance 2857 as amended and Chapter 18.08 of the Port Angeles Municipal Code relating to Standards and policies are hereby amended by amending Section 18.08.020 to read as follows:

18.08.020 - Definitions.

A. "Development" means any activity, requiring a permit from the City, which would alter the elevation of the land, remove or destroy plant life, cause structures of any kind to be

installed, erected, or removed, divide land into two or more parcels, or any use or extension of the use of the land.

B. "Urban services" means services that are normally available in an urban environment which include provisions for sanitary waste systems, solid waste disposal systems, water systems, urban roads and pedestrian facilities, transit systems, stormwater systems, police and fire and emergency service systems, electrical and communication systems, school and health care facilities, and neighborhood and/or community parks.

C. "Substantial Improvements" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement.

Section 7. Ordinance 2857 as amended and Chapter 18.08 of the Port Angeles Municipal Code relating to Standards and policies are hereby amended by amending Section 18.08.040 to read as follows:

18.08.040 Street and access requirements.

A. All new development which constructs or causes to be constructed any structure improvements which meet the level of substantial improvements as defined in PAMC 18.08.020, will be required to make street frontage improvements on the parcels' frontage which does not currently meet City frontage standards. Such improvements may include, as further specified in the Urban Services Standards and Guidelines, curbs and gutters, traffic signals/signs, walkways, accessible sidewalks, accessible ramps, pathways, bike lanes, street widening, and/or any other reasonably necessary improvements. Such frontage improvements shall generally include the full improvements identified in the Urban Services Standard and Guidelines for the type of street at issue for the side of the street abutting the lot frontage. Full improvements to both sides of the street can be required based on an individual analysis of whether such improvements are reasonably necessary to mitigate the direct impacts of development and/or meet safety concerns. The sidewalk component of frontage improvement requirements set forth in this section may be waived if the criteria of

PAMC 18.08.045 are met and a fee-in-lieu payment or equivalent off-site improvements are used to mitigate the direct impacts.

In the case of repair or replacement of a residential structure as a result of fire or natural disaster the frontage improvements will not be required; provided, that there is no expansion of the building footprint.

BA. Street and access requirements for lots or parcels without established street access shall be as set forth in PAMC 14.01.115.

CB. Street and access requirements for short subdivisions shall be as set forth in Chapter 16.04 PAMC.

DC. Street and access requirements for subdivisions shall be as set forth in Chapter 16.08 PAMC.

E. Street and access requirements for unit lot subdivisions shall be as set forth in Chapter 16.09 PAMC.

~~FD. Development requiring frontage improvements that creates pedestrian traffic on any arterial streets and any other City streets identified in the City's transportation plan as school walking routes shall include accessible pedestrian sidewalks.~~

Section 7. Chapter 18.08 of the Port Angeles Municipal Code relating to Fee-in-Lieu Program are hereby amended by adding Section 18.08.045 to read as follows:

18.08.045 Fee-in-Lieu Program.

A. An applicant may voluntarily request and submit justification to pay a fee or to construct equivalent off-site improvements, in lieu of constructing all or part of the required sidewalk frontage improvements. Allowance of fee-in-lieu shall be at the discretion of the city and may be denied if the city engineer determines it will be more beneficial to the public to have the sidewalk improvements built along the street frontage adjoining the property or access to the property. The city will consider the following:

(i) The feasibility of accurately constructing improvements both horizontally and vertically to effectively drain runoff;

(ii) Whether constructed improvements can transition and connect smoothly with existing adjacent sites;

(iii) Whether other frontage improvements will likely connect into the applicant's required improvements within a reasonable time frame.

(iv) Whether the improvements are likely to have a high usage or public benefit; and

(v) Whether the improvements will remove obligations from the ADA Transition Plan.

B. The justification to allow use of the fee-in-lieu program shall not be based on cost savings to the applicant in comparison with constructing required improvement adjacent to the property. The program will be administered with the following conditions:

(i) Fees collected will be used towards pedestrian safety improvements, which could include sidewalk, curb ramps and lighting in the vicinity, within two miles, from the contributing parcel to ensure that the improvements maintain a sufficient nexus to the project.

(ii) Fees shall be based on linear frontage of developing parcel. The fees will be added to the "Master Fee Table". The fees will be adjusted annually in the "Master Fee Table" according to construction cost indices. If use of the fee-in-lieu program is for only a portion of the required frontage improvements, the fee will be established at an adjusted rate by the city engineer.

(iii) Dedication of necessary right-of-way shall not be deferred or satisfied through payment of a fee-in-lieu.

(iv) As the Fee-in-Lieu program is an elective program, fees agreed to be paid by an applicant in lieu of required frontage improvements shall not be subject to fee waivers as outlined in the "Master Fee Table"

(v) The Public Works Department is authorized and directed to administer this program and to design and make available to applicants the process, procedures, and forms that will be used to administer the program. Where details are not specified in City of Port Angeles Municipal Code, the fee in lieu program will be administered as outlined in the Urban Service Standards and Guidelines.

(vi) The city will track the collection of fees and the location of improvements funded by fees collected.

(vii) A capital fund will be established to administer funds collected from the Fee-In-Lieu, Street Vacation proceeds and Annual Right of Way Use fees. These fees will be tracked with in the Transportation fund.

Section 8. - Corrections The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of the scrivener’s/clerical errors, references to other local, state, or federal laws, codes, rules or regulations, or ordinance numbering, section/subsection numbers and any references thereto.

Section 9. - Severability. If any provisions of this Ordinance, or its application to any person or circumstances, are held invalid, the remainder of the Ordinance, or application of the provisions of the Ordinance to other persons or circumstances, is not affected.

Section 10. - Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the ____ day of _____, 2025.

Kate Dexter, Mayor

APPROVED AS TO FORM:

William E. Bloor, City Attorney

ATTEST:

Kari Martinez-Bailey, City Clerk