

CITY OF GRANITE FALLS

ORDINANCE NO. 745-07

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, AMENDING ORDINANCE NO. 740-07 BY ADDING A NEW SECTION 19.5.015 TO CHAPTER 19.5 OF THE GRANITE FALLS UNIFIED DEVELOPMENT CODE, PROVIDING FOR RIGHT-OF-WAY REQUIREMENTS IN APPROVED DEVELOPMENT AND PROVIDING FOR CONDITIONS AND LIMITATIONS ON APPROVED DEVELOPMENT FOR RIGHT-OF-WAY FOR FUTURE EXPANSION OF THE PUBLIC ROAD SYSTEM.

WHEREAS, the Federal Highway Administration (FHWA), Washington State Department of Transportation (WSDOT), Snohomish County Public Works (SCPW), and the City of Granite Falls have been studying a Granite Falls alternate route to State Route 92 that currently passes through downtown Granite Falls; and

WHEREAS, the new 2.1 mile alternate alignment would serve as a strategic freight corridor for the region and address other needs; and

WHEREAS, the City of Granite Falls and Snohomish County have applied for several sources of funding for the alternate route; and

WHEREAS, the City of Granite Falls may adopt Right-of-Way plans for specific road alignments or roadways within the city limits of Granite Falls when it deems that constructing, extending, or widening of the road to serve the best interest of the City; and

WHEREAS, the City Council finds that the public interest will be served by providing for conditions and limitations on development regarding a right-of-way for future expansion of the public road system; and

WHEREAS, the City Council finds it is necessary for the purpose of promoting the health, safety, morals, or general welfare of the City to enact such an ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 740-07 and Chapter 19.5 of the Granite Falls Municipal Code is hereby amended by the addition of a new Section 19.5.015, Right-of-Way Requirements, to read as follows:

#### 19.5.015 Right-of-Way Requirements.

- (1) A developer shall be required to dedicate, establish, or deed right-of-way to the City of Granite Falls for road purposes as a condition of approval of a development, when to do so is reasonably necessary as a direct result of a proposed development, for improvement, use or maintenance of the road system serving the development.
- (2) In cases where the dedication, establishment, or deeding of additional right-of-way cannot be reasonably required as a direct result of the proposed development but such right-of-way is necessary for future expansion of the public road system, the developer shall reserve the area needed for right-of-way for future conveyance to Snohomish County or the City of Granite Falls. Building setback and all other zoning code requirements will be established from the dedicated right-of-way line. The area reserved for right-of-way may be donated to Snohomish County or the City of Granite Falls and will be purchased by Snohomish County or the City of Granite Falls through a Snohomish County or City of Granite Falls road project.

Section 2. Conflicts. All ordinances or parts of ordinances of the City of Granite Falls in conflict herewith, be and the same, are hereby repealed.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause or phrase of this Ordinance.

Section 4. Publication and Summary. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days' after publication of a summary consisting of the title.

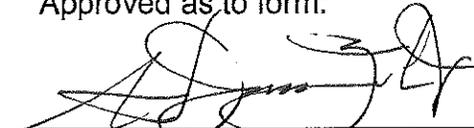
Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 6 day of JUNE, 2007, and signed in authentication of its passage this 6 day of JUNE, 2007.

  
LYLE ROMACK, Mayor

Attest:

  
GERRY JAMES, City Clerk

Approved as to form:

  
H. James Zachor Jr., City Attorney

DATE OF FIRST READING:	<u>5-16-07</u>
DATE OF SECOND READING:	<u>6-6-07</u>
DATE OF PUBLICATION:	<u>6-11-07</u>
EFFECTIVE DATE:	<u>6-16-07</u>