

**TOWN OF YARROW POINT
ORDINANCE NO. 711**

**AN ORDINANCE OF THE TOWN OF YARROW POINT, WASHINGTON
AMENDING YARROW POINT MUNICIPAL CODE SECTIONS 17.08.010 AND
12.04.030 TO CORRECT INCONSISTENCIES REGARDING PANHANDLE
DRIVEWAYS AND DRIVEWAY WIDTH AND STANDARDS, AND TO
COORDINATE THE MUNICIPAL CODE WITH ADOPTED TOWN DESIGN
STANDARDS; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Town of Yarrow Point has determined that Section 17.08.010 of the Yarrow Point Municipal Code is inconsistent with Section 16.16.040 of the Municipal Code regarding the exclusion of panhandle driveways for the purpose of lot area calculation; and

WHEREAS, the Town of Yarrow Point has determined that Section 12.04.030 of the Municipal Code is inconsistent with the Town's adopted Design Standard for "Driveway in Public Right-of-Way RD-09" as referenced in Section 15.30.010.A of the Municipal Code regarding the allowable width of driveways within the public right-of-way; and

WHEREAS, the Town Council of Yarrow Point desires to correct the foregoing inconsistencies for the benefit of the Town and its residents and finds that such action will be in the best interests of the Town and its residents;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF YARROW POINT, WASHINGTON AS FOLLOWS:

SECTION 1. The definition of "Lot Area" in Yarrow Point Municipal Code Section 17.08.010 (Definitions) is amended in its entirety to read as follows:

"Lot area" means the total horizontal area included within the lot lines, which shall not include inundated land except where portions of the lot are inundated land created by excavation for the purpose of creating a cove. The lot area shall not include the area provided for private lanes.

SECTION 2. Yarrow Point Municipal Code Section 12.04.030 is amended to add and amend subsections G and H, as follows:

12.04.030 Plans required.

- A. The applicant shall submit a site plan as part of the required right-of-way permit. The site plan shall clearly show the proposed impacts to the right-of-way. The town may ask for additional details as deemed necessary to review the application.
- B. No complete road closures may occur within the town at any time except in an emergency.
- C. Only asphalt driveway approaches are allowed within the public right-of-way.
- D. Grading activities proposed within the public right-of-way shall not vary from existing grade by more than one foot.

E. In the case of a new or modified driveway approach made to a public right-of-way, a thickened edge shall be provided to prohibit downstream properties from collecting and/or conveying any runoff from the public right-of-way.

F. There shall be no more than two driveways for entry and exit from a lot.

G. A driveway within the right-of-way shall not be less than 10 feet in width and shall not exceed 20 feet in width.

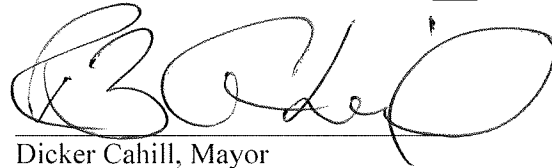
G H. The aggregate width of all driveways within the right-of-way shall not exceed 20 feet. No driveway shall exceed 30 feet in width where it abuts a public right-of-way.

SECTION 3. Validity. If any section, paragraph, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that they would have passed this Ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses or phrases may subsequently be found by competent authority to be unconstitutional or invalid.

SECTION 4. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the Town, and the Ordinance shall take effect and be in full force five (5) days after the date of publication.

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF YARROW POINT ON THE 11th DAY OF MAY, 2021 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THE 13th DAY OF MAY 2021.




Dicker Cahill, Mayor

Approved as to form:
Ogden Murphy Wallace, PLLC



Scott M. Missall, Town Attorney

Attest/Authenticated:


Bonnie Ritter, Town Clerk-Treasurer

PUBLISHED BY THE TOWN COUNCIL: May 11, 2021
PUBLISHED: May 18, 2021
EFFECTIVE DATE: May 19, 2021
ORDINANCE NO.: 711

AFFIDAVIT OF PUBLICATION

RECEIVED

Bonnie Ritter
Town Of Yarrow Point
4030 95th Ave NE
Yarrow Point WA 98004

MAY 24 2021

TOWN OF YARROW POINT
Clerk's Office

YARROW POINT, WASHINGTON
SUMMARY OF ORDINANCE NO. 711

On the 11th day of May, 2021, the Town Council of the Town of Yarrow Point, Washington passed Ordinance No 711. A summary of the content of said ordinance, containing of the title and a summary of each section provides as follows:

AN ORDINANCE OF THE TOWN OF YARROW POINT, WASHINGTON, AMENDING TWO CHAPTERS OF THE YARROW POINT MUNICIPAL CODE IN ORDER TO CORRECT INCONSISTENCIES BETWEEN CODE SECTIONS AND BETWEEN THE MUNICIPAL CODE AND ADOPTED TOWN DESIGN STANDARDS

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

Bonnie Ritter, Clerk-Treasurer

STATE OF WASHINGTON, COUNTIES OF KING AND SNOHOMISH

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by orders of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

05/18/2021

Agent MAUREEN DUGGAN Signature Maureen Duggan

Subscribed and sworn to before me on 05/20/2021
Debbie Collantes Debbie Collantes

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

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