

**BINGEN MUNICIPAL CODE**

**Chapter 16.32**

**IMPROVEMENTS: LAND DIVISIONS**

**Sections:**

- 16.32.010 Purpose.
- 16.32.020 Applicability of Provisions.
- 16.32.030 Administration.
- 16.32.040 Approval Standards – On-Site Street and Circulation System.
- 16.32.050 Approval Standards – Pathways.
- 16.32.060 Modification of Standards .
- 16.32.070 Street Standards.
- 16.32.080 Private Streets.
- 16.32.090 Ownership, Liability, and Maintenance of Private Streets and Pathways.
- 16.32.100 Utilities.

**16.32.010 Purpose.**

The purpose of this chapter is to provide suitable facility improvements to support new land divisions in a manner that is consistent with the Bingen Comprehensive Plan. (Ord. 507 §2, 2004).

**16.32.020 Applicability of Provisions**

The standards in this resolution shall apply to the following:

- A. Land division applications; and
- B. Street or utility improvement projects sponsored by the City or other agencies. (Ord. 507 §2, 2004).

**16.32.030 Administration.**

Street and circulation provisions of this chapter shall be administered by the City Administrator. (Ord. 507 §2, 2004).

**16.32.040 Approval Standards – On-Site Street and Pathway Circulation.**

- A. On-site streets shall satisfy the following criteria:
  - 1. A subdivision shall have a minimum of two routes of egress and ingress.
  - 2. Streets shall connect to existing streets which abut the development site at existing intersections.

3. Cul-de-sacs and permanent dead-end streets shall be prohibited except where construction of a through street is found to be impracticable according to the provisions of Section 16.32.060.
  4. When cul-de-sacs and permanent dead-end streets are allowed, they shall be limited to 200 feet of street length and no more than 12 dwelling units.
- B. Pathways shall satisfy the following criteria:
1. When approved block lengths exceed 600 feet, as provided in Section 16.32.060, a pathway shall be provided to connect streets for every 300 feet of frontage or portion thereof.
  2. Pathways shall connect with all existing or approved pathways, which abut the development site;
  3. Pathways shall provide practicable access to abutting pedestrian oriented uses, which are not served by a direct street connection from the subject property;
  4. Direct connection of cul-de-sacs and dead-end streets to the nearest available street or pedestrian oriented use; and
  5. Pathways may be required to stub into adjacent developed property if the city administrator or the approval authority determines that existing development patterns or other constraints do not physically preclude future development of an pathway on the developed property and the adjacent developed property attracts a greater than average level of pedestrian use. (Ord. 507 §2, 2004).

**16.32.050 Approval Standards – Pathways.**

- A. Pathways shall be constructed to enhance safety and security for users and adjacent properties.
- B. Pathways shall have a maximum slope of 5 percent wherever practical.
- C. Pathways shall be no longer than 300 feet in length between streets. Pathways shall include a 10-foot wide right-of-way with a 6-foot wide paved surface to safely accommodate both pedestrians and bicyclists.
- D. The pathway shall be free of horizontal obstruction and shall have a 9 foot, 6 inch vertical clearance to accommodate bicyclists.
- E. The right-of-way of a pathway shall be landscaped at a minimum with ground cover. New landscaping materials may include canopy trees, shrubs, ground cover, vines, flowers, lawns, brick, bark, timber, decorative rock, or other decorative materials.

- F. Pathway surfaces shall be constructed of asphalted concrete or other all-weather compacted surfaces approved by the city administrator.
- G. Pathway curb ramps shall be provided where pathways intersect with streets.
- H. Pathways shall be signed to prohibit access by unauthorized motor vehicles where pathways intersect with streets.
- I. Pathways shall require a physical barrier at all intersections with streets, to prevent use of the facility by unauthorized motor vehicles. Barriers shall:
  - 1. Be removable, lockable posts permitting access by authorized vehicles;
  - 2. Be reflectorized for night visibility and painted a bright color for day visibility; and
  - 3. Be spaced 4 feet apart. (Ord. 507 §2, 2004).

**16.32.060 Modification of Standards.**

The City Administrator or approval authority may approve a modification to the standards of Sections 16.32.040 and 050 based upon the relevant approval criteria in this section.

**A. On-Site Street and Pathway Circulation**

- 1. On-site street and pathway circulation standards in Section 16.32.040 may be modified based on findings that the modification is the minimum necessary to address the constraint and the application of the standard is impracticable due to one or more of the following circumstances:
  - a. Physical or topographic conditions make a street or walkway connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not reasonably be provided. Although grades may be too steep for a street, they are not necessarily too steep for a pathway.
  - b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment.
  - c. Where streets or pathways would violate provisions of leases, easements or similar restrictions that are demonstrated to be legally beyond the control of the applicant, developer, or property owner.
  - d. Arterial or collector street access restrictions.

2. When a cul-de-sac is justified as provided in Section 16.32.060 A. 1, a pathway shall be provided to connect with another street, school, or similar destination unless one or more of the circumstances listed in this section also apply to an pathway.

**B. Pathways**

Pathway standards in Section 16.32.050 may be modified by the City Administrator or approval authority based on findings that the modification is the minimum necessary to address the constraint, the application of the standard is impractical, and the alternative design solution proposed by the applicant meets the intent of the standards in this chapter. (Ord. 507 §2, 2004).

**16.32.070 Street Standards.**

**A. Street Classifications**

The streets within and adjacent to a land division shall be improved in a manner consistent with the street classifications provided in Table 16.32-1.

**B. Street Construction Standards**

The appropriate street construction standards employed shall be determined by the city administrator according to the *Washington State Department of Transportation Standard Specifications* as now and hereafter amended.

**C. Street Right-of-Way and Roadway Widths**

1. Requirements

The required right-of-way and roadway widths for local and collector street classifications are shown in Table 16.32 – 1 below.

2. Selection of Appropriate Street Standards

The City Administrator or the approval authority, in the case of a related land division application, shall use the following guidelines in Table 16.32 – 1 to determine the appropriate street standard to apply.

**Table 16.32 - 1**

<b>Local Residential Street Type</b>		<b>Application Guidelines</b>
<b>ROW Width</b>	<b>Street Width</b>	
60 feet	38 feet	Through street with curb and sidewalk on both sides. Intended for new residential or mixed residential/commercial development with anticipated average daily traffic (ADT) for the street of over 600 vehicles per day. Anticipated on-street parking demand is relatively high due to existing uses with limited on-site parking, nearby commercial uses, or other factors. Generally, this standard should be required for developments with more than 40 residential units. If physical constraints prevent construction of all design elements, curb-to-curb pavement width should be reduced first, followed by omitting a sidewalk on one side of the street.
60 feet	30 feet	Through street with curb and sidewalks on both sides. Intended for new residential development with anticipated average daily traffic (ADT) for the street of less than 600 vehicles per day. Anticipated on-street parking demand is relatively low because of sufficient on-site parking, low density uses, or other factors. Generally, this standard should always be required for developments with more than 20 residential units. This standard is also appropriate for infill development of any size when comparable street improvements, such as curb and sidewalk, exist or are anticipated in the immediate vicinity. If physical constraints prevent construction of all design elements, curb-to-curb pavement width should be reduced first, followed by omitting a sidewalk on one side of the street.
60 feet for street and 45-foot radius for bulb	30 feet	Cul-de-sac or hammerhead with curb and sidewalk on both sides. Intended for new residential development with anticipated average daily traffic (ADT) for the street of less than 200 vehicles per day. Street width and cul-de-sac bulb radii should be designed to accommodate anticipated on-street parking and emergency access. Generally should be allowed to serve a maximum of 12 dwelling units.
50 feet	24 feet	Though street without curb and sidewalk. Intended for new residential development with anticipated

		average daily traffic (ADT) for the street of less than 600 vehicles per day. Anticipated on-street parking demand is relatively low because of sufficient on-site parking, low density uses, or other factors. This standard should be required for developments of any size only when it is determined that the 38-foot or 30-foot standard is not appropriate.
60 feet	40 feet	Through street with curb and sidewalk on both sides. Intended for designated collector streets where the anticipated on-street parking demand is relatively low because of low intensity uses and/or sufficient on-site parking. Although it may take a long time to complete, sidewalks and bicycle lanes should be planned for and ultimately provided on both sides of the street. This street design should be used in areas with difficult topography or similar physical constraints. For significantly constrained situations, consideration should be given to omit design features in the following general order: 1. Sidewalk on one side; 2. Bicycle lanes; and 3. Prohibit parking on both sides. Safety and anticipated need should be evaluated to determine which features to omit.
60 feet	48 feet	Through street with curb and sidewalk on both sides. Intended for designated collector streets where the anticipated on-street parking demand is relatively high due to existing uses with limited on-site parking, nearby commercial uses, or other factors. Although it may take a long time to complete, sidewalks and bicycle lanes should be planned for and ultimately provided on both sides of the street.

(Ord. 507 §2, 2004).

**16.32.080 Private Streets.**

The City Administrator or approval authority may allow the use of private streets to serve lots created by a land division, when the following criteria are satisfied:

- A. The private street shall serve no more than a maximum of 4 (four) lots or 8 (eight) dwelling units;

- B. At a minimum, the private street shall be constructed to the same standard as the 24-foot wide local street described in Table 16.32 – 1 and shall be within an easement or tract that is sufficient to accommodate the private street. (Ord. 507 §2, 2004).

**16.32.090 Ownership, Liability and Maintenance of Private Streets and Pathways.**

To ensure that all private streets and pathways will be adequately maintained over time, the city administrator shall require the following:

- A. The developer shall incorporate the pathway or private street in a recorded easement, which specifically requires the property owner and future property owner(s) to provide for the ownership, liability, and maintenance of the pathway or private street. In this case, the city administrator shall determine whether the pathway shall be recorded as an easement.
- B. A maintenance agreement should be recorded. (Ord. 507 §2, 2004).

**16.32.100 Utilities.**

Utilities shall be available to serve the lots created by a land division according to the following provisions:

**A. Sanitary Sewer**

All lots created in the City shall be served by the city sanitary sewer system. The specific design requirements shall be determined by the City Administrator.

**B. Water**

All lots created in the City shall be served by the city water system. The specific design requirements shall be determined by the City Administrator.

**C. Storm Drainage**

All lots created in the City shall be served by appropriate storm drainage facilities. The specific design requirements and method for conveying storm water shall be determined by the City Administrator.

**D. Other Utilities**

Other utilities provided by public utility companies including, but not limited to, electrical power, natural gas, and telecommunications shall be available as necessary.

**E. Utility Easements**

1. Easements for public utilities shall be required. Easements for utilities shall be a minimum of 10 feet wide and generally centered on rear or side lot lines. Additional easement width and/or alternative locations may be required by the City Administrator.
2. When a lot is traversed by a drainage way or stream, a storm water easement may be required, which has a width and alignment that corresponds to the location of the watercourse.

**F. Design Standards**

City utility facilities shall be designed in accordance with the standards provided by the City of Bingen Public Works Department. (Ord. 507 §2, 2004).