



Instructions: If your jurisdiction has adopted the required access permitting standards described in the enclosed letter, please complete Section A. If not, please complete Section B. Please submit the completed form with original signatures no later than November 30, 2007 to: Karena Houser, WSDOT Policy Development & Regional Coordination, PO Box 47370, Olympia, WA, 98504-7370. Thank you!

SECTION A

CONFIRMING ADOPTION OF REQUIRED ACCESS PERMITTING STANDARDS:

I, Jay Van Ness confirm by my signature below that
Name of City Representative
Othello has adopted standards for access permitting on
City or Town
streets designated as state highways in Ordinance 911 adopted November 8th, 1993 and
Number Month and Day Year
that these standards meet or exceed the access standards adopted by the Washington State Transportation in
Chapters 468-51 and 52 of the Washington Administrative Code (<http://apps.leg.wa.gov/wac>).

Jay Van Ness Signature of City Representative
Date 11/26/07
Municipal Services Coordinator
Title of City Representative

SECTION B

DETAILING PROGRESS TOWARD ADOPTING REQUIRED STANDARDS:

Please briefly describe (1) why your jurisdiction has not yet adopted the required access permitting standards for managed access state highways within city boundaries, (2) where your jurisdiction is in the process of adopting the required standards, and (3) what date you anticipate the required standards will be adopted.

ORDINANCE NO. 911AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
OTHELLO, WASHINGTON ADOPTING ACCESS
STANDARDS FOR STATE HIGHWAY 24

WHEREAS, in 1991 the Washington State Legislature passed RCW 47.50 which required the Washington State Department of Transportation (WSDOT) to develop an access management program; and,

WHEREAS, the law declares all state highways to be controlled access facilities except where access rights have already been acquired on limited access facilities; and,

WHEREAS, the WSDOT also adopted WAC 468-52 which established the access control classification system and standards for access to the state highway system; and,

WHEREAS, WAC 468-52 defines the various classes that place varying levels of restriction on access to the state highway system; and,

WHEREAS, the WSDOT has classified the segments of state highways located within the City; and,

WHEREAS, State Route 24, from State Route 26 to the South city limits the only state route eligible for such access,

NOW, THEREFORE, the City Council do ordain as follows:

Section 1. This ordinance is adopted to implement RCW 47.50 for the regulation and control of vehicular access and connection points of ingress and egress from State Route 24 within the incorporated limits of the City of Othello. The city has the responsibility to issue permits and authority to approve, disapprove, and revoke permits and close connections, with cause.

Section 2. Every owner of property which abuts State Highway 24 has a right to reasonable access, but may not have the right to a particular means of access.

Section 3. For purposes of this ordinance definitions from WAC 468-52 shall apply unless the context indicates otherwise.

Section 4. All new connections including alterations and improvements to existing connections to State Highway 24 shall require a connection permit. The alteration or closure of any existing access connection caused by changes in the character, intensity or the construction of any new access connection shall not be initiated prior to obtaining a connection permit from the city. Use of a new connection at the location specified in the permit is not authorized until the permittee contracts requests or modifies the connection in accordance with the permit requirements. All expenses relating to alterations or improvements authorized by the connection permit are at the expense of the permittee.

Section 5. The following information is required by all permit applicants:

- A. The name, mailing address and telephone number of the property owner, developer and applicant.
- B. The ultimate use(s).
- C. Detail sufficient to determine traffic type and flow.
- D. A plan to scale or a schematic drawing showing dimensions with respect to any existing or proposed driveways.
- E. Any other information required by the city.

Section 6. The Director of Public Works shall be responsible for administering the permit process on behalf of the city.

Section 7. A two hundred fifty dollar, non-refundable fee is established for the city application review process. Payment of the fee shall accompany the permit application.

Section 8. Upon receipt of a completed application and fee the application shall be examined for consistency with current city location, quantity, spacing and design standards. Standards are as provided in RCW 47.50 and WAC 468-52.

Section 9. The right of access to State Highway 24 may be restricted if reasonable access to the state highway can be provided by way of another public road which abuts the property.

Section 10. Access spacing shall be no closer than one hundred twenty-five feet, having a minimum and maximum of one access per development.

Section 11. Permit approval, either as proposed or with conditions, shall be by written notice to the applicant. Construction shall not commence prior to receiving the approval notice.

Section 12. Connection permits authorize specific access construction improvements to be built by the permittee on city WSDOT right-of-way. It is the responsibility of the applicant or permittee to obtain any other local permits or other agency approvals that may be required including satisfaction of any environmental regulations. It is also the responsibility of the applicant to acquire any property rights necessary to provide continuity from the applicant's property to the city or right-of-way if the applicant's property does not abut the right-of-way.

Section 13. In the event a connection application is denied, the applicant may apply for an adjudicative proceeding. The city hereby adopts RCW 34.05.482 through 34.05.494 for purposes of hearing challenges to permit denial or conditions.

Section 14. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provisions to other persons or circumstances is not affected.

Section 15. This ordinance shall be in full force and effect from and after five days from the date of its passage and publication by summary.

PASSED this 8th day of November, 1993.

By: 
TED MUSCOTT, Mayor

ATTEST:

By: 
DEBBIE L. KUDRNA, City Clerk

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