

**CITY OF QUINCY, WASHINGTON**

**ORDINANCE NO. 08-229**

**AN ORDINANCE ADOPTING STANDARDS FOR THE  
PERMITTING OF MANAGED ACCESS HIGHWAYS  
WITHIN THE CITY**

**RECITALS**

- A. The state highways within the State of Washington are classified as either limited access highways, governed by the provisions of RCW 47.52, or managed access highways, governed by the provisions of RCW 47.50.
- B. The philosophy of the management of managed access highways under RCW 47.50 is that the access rights of a property owner are subordinate to the public's right and interest in a safe and efficient highway system, and that a property owner's direct access to a state highway may be restricted if reasonable access can be provided to another public road. RCW 47.50.020(2) and (3).
- C. The permitting of access to the state's highways is based upon their respective locations, with cities and towns being the permitting authorities for the state managed access highways within their respective boundaries. RCW 47.50.020(3).
- D. In developing the philosophy of an access management program, the Legislature found that such a program should be coordinated with the land use planning decisions by local governments. RCW 47.50.010(1)(b).
- E. The Washington State Department of Transportation has advised the City that the following portions of the state's highways are within the corporate limits of the City, and therefore subject to the permitting authority of the City:

State Route	Milepost		Access Classification	
	Beginning	Ending	Current	Planned
28	27.87	28.97	M3	LM

State Route	Milepost		Access Classification	
	Beginning	Ending	Current	Planned
28	28.97	30.63	M5	LM
281	9.77	10.00	M1	LM
281	10.00	10.55	M5	LM

- F. Washington law requires the City to adopt access permitting standards for the state managed access highways within their boundaries that meet or exceed standards established by the Washington State Department of Transportation. RCW 47.50.030(3).
- G. Under the City's Land Use Code, Titles 17, 19 and 20, the Hearing Examiner is delegated the task of reviewing and granting connections to the state highway system.
- H. The Washington State Department of Transportation adopted an administrative process and classification system and standards for the regulation and control of vehicular access and connection points to the state highway system in WAC 468-51 and WAC 468-52.
- I. The City desires to adopt RCW 47.50 and WAC 468-51 and WAC 468-52 as the access permitting standards for the portions of the state highways within the City, and to utilize the existing process for the issuance of development permits under Title 17 for the issuance of permits for access to the state highway system.

The City Council of the City of Quincy, Washington, do ordain as follows:

**Section 1.** The foregoing Recitals are incorporated into this Ordinance, as if fully set forth.

**Section 2.** A new chapter 12.24 of the Quincy Municipal Code, entitled "Connections to the State Highway System", shall be adopted, as set out in Exhibit "A".

**Section 3.** Section 17.01.010 of the Quincy Municipal Code shall be amended, as follows:

**17.01.010 Intent.** The purpose of this Title, to be known as the Development Code, is to combine and consolidate the application, review and approval process for land development in the City in a manner that is clear, concise, and understandable, and pursuant to RCW 36.70B, as well as the same processes for the review of connections to the state highway system, pursuant to RCW 47.50 and Chapter 12.24. It is further intended

to comply with state guidelines for combining and expediting development review and integrating environmental review and land use development plans. This Chapter is therefore intended to be used to implement the Subdivision Code (Title 19) and the Zoning Code (Title 20). This Title 17, together with the Subdivision Code and the Zoning Code, shall be referred to as the Land Use Code. (Ord. 01-86 §3 (Exh. "A" (part)), 2001).

**Section 4.** If any section, clause, or provision of this ordinance or its application to any person or circumstance is declared by the court to be invalid, the remainder of this ordinance or the application of the provision to other persons or circumstances shall not be affected.

**Section 5.** This Ordinance shall be published in the official newspaper of the City of Quincy and shall take effect and be in full force five (5) days after passage and publication.

PASSED by the City Council of the City of Quincy, Washington, this 15<sup>th</sup> day of January, 2008.

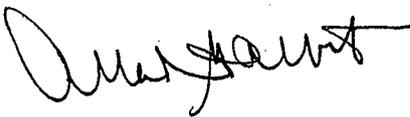
  
MAYOR

ATTEST:

  
CITY CLERK

Approved as to form:

OFFICE OF THE CITY ATTORNEY

  
Allan Galbraith

FILED WITH THE CITY CLERK: January 11, 2008

PASSED BY THE CITY COUNCIL: January 15, 2008

PUBLISHED: January 24, 2008

EFFECTIVE DATE: January 22, 2008

ORDINANCE NO.: 08-229

EXHIBIT "A"

Ordinance 08-229

CHAPTER 12.24

**CONNECTIONS TO THE STATE HIGHWAY SYSTEM**

**Sections:**

**12.24.010 Intent.**

**12.24.020 Standards for Issuing Permits.**

**12.24.030 Standards for Regulation and Control of Access.**

**12.24.040 Process for Issuing Permits.**

**12.04.010 Intent.** The purpose of this chapter is to implement the City's delegated responsibility to regulate access to managed access highways within the City's incorporated boundaries, as directed by RCW 47.50, in a manner coordinated with the City's land use planning process.

**12.24.020 Standards for Issuing Permits.** Subject to the rules regarding the administration of applications for permits for connection to the state highway system, set out in Title 17, the provisions of RCW 47.50, as it currently exists, and as it may hereafter be modified, is adopted as the standards of the City with regard to the regulation and control of vehicular access and connection points of ingress to, and egress from, the state highway system within the limits of the City.

**12.24.030 Standards for Regulation and Control of Access.** Subject to the rules regarding the administration of applications for permits for connection to the state highway system, set-out in Title 17, the provisions of WAC 468-51 and WAC 468-52, as they currently exist, and as they may hereafter be modified, are adopted in order to implement the requirements of RCW 47.50.

**12.24.040 Process for Issuing Permits.** The process of reviewing issues associated with development permits, set out in Title 17, is adopted as the process for reviewing issues associated with connections to the state highway system. To the extent that the processes of Title 17 are inconsistent with the standards set out in RCW 47.50 and/or WAC 468-51 and WAC 468-52 (hereafter, the "State Standards"), the provisions of Title 17 shall govern the process of issuing permits and reviewing compliance with permits, and the State Standards shall govern the substantive requirements relating to the issuance of permits. The Land Use Code Administrator, as defined in Title 17, shall have the authority to resolve disputes as to the application of Title 17 and the State Standards, as an Administrative Interpretation, defined in Section 17.03.020, relying on the findings and policies of the Legislature, set out in RCW 47.50.010.