

DIRECTOR'S INTERPRETATION: 2016 PW STANDARDS 7.8(H)(1)

REQUEST SUMMARY

The applicant of a proposed 2-lot short plat, PSHP2023-00345, has requested an interpretation of how the adopted 2016 Public Works (PW) Standards Section 7.8(H)(1), an exception to requirements for street frontage improvements, applies to the applicant's proposed project.

Specially, the applicant has requested whether the language of PW Standards Section 7.8(H)(1) that "no street frontage improvements shall be required in conjunction with the building or remodeling of a single family home on single residential lot unless the lot is part of a subdivision of land which required street frontage improvements as a condition of final plat approval" applies whenever the conditions set forth in that language are met or only if the Director of Public Works deems that improvements cannot be accomplished at the time of building construction.

INTERPRETATION

The exception to the requirement for installation of street frontage improvements in PW Section 7.8(H)(1) does not apply to the applicant's project because the applicant's development project is subdividing one lot into two lots. The exception in PW Standards Section 7.8(H)(1) only applies in the instance when the development project is proposing to build or remodel a single-family home on a single residential lot, unless the lot is part of a subdivision of land which required street frontage improvements as a condition of final plat approval.

The City has determined that PW Standards Section 7.8(H)(1) does not apply to the applicant's development project because the applicant's development project is to subdivide one lot into two lots, not to build or remodel a single-family home on a single residential lot; therefore, the applicant is required to install street frontage improvements.

Audrie Starsy

Audrie Starsy, Public Works Director

02/21/2025

Date

Related Code References

[Sammamish Municipal Code \(SMC\)](#)

[Sammamish Public Works Standards](#)

Resources

[King County iMap](#)

[Sammamish Property Tool](#)

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CONTEXT, FACTS, AND FINDINGS

The Sammamish PW Standards, Section 7.8(H)(1), is located under Chapter 7, Section 8, Frontage Improvements, sub-section H, Exceptions. The language of the Sammamish PW Standards, Section 7.8(H)(1), provides as follows:

When the Director of Public Works deems that the above such improvements cannot be accomplished at the time of building construction, a recorded agreement on forms provided by the City shall be completed which provide for these improvements to be installed at a later date by the applicant or by the applicants signing [sic] of a waiver of protest to a local improvement district (LID) in favor of, and on a form acceptable to the City. Provided further that no street frontage improvements shall be required in conjunction with the building or remodeling of a single family home on single residential lot unless the lot is part of a subdivision of land which required street frontage improvements as a condition of final plat approval.

First, the "above such improvements" references the previous sections under Chapter 7, Section 7.8, which include key items requiring installation of street frontage improvements. The subparagraph under Section 7.8 indicates that "[a]ll new developments which obtain access from substandard public or private streets shall be required to construct all necessary street improvements to bring the portion of the roadway frontage to current City standards prior to approval. Such improvements shall run along the *full frontage of the roadway the development is proposing access.*"

A short plat consists of the subdivision of a parcel of land into smaller parcels of land and is considered a land use development. Land use development is defined within Appendix A – Acronyms and Definitions of the PW Standards as "[d]evelopment (Land Use). The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, dredging, drilling, paving, clearing, or grading; changes to surface or ground waters; or any use, change of use, or extension of the use of land. See SMC Chapter 19."

Therefore, the applicant's project to subdivide one lot into two lots is a development project, subject to the street frontage improvement requirements of PW Standards Chapter 7, Section 7.8.

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Section 7.8(A) provides: “[s]tandard frontage improvements consist of right-of-way dedication, curb, gutter, sidewalk, amenity zone and landscaping, drainage improvements, and pavement overlay up to one-half of each right-of-way abutting a property.”

Section 7.8(C) provides: “[w]hen a development proposal triggers frontage improvements, existing frontage improvements shall be upgraded to current standards.”

Section 7.8(E) provides: “[t]he frontage improvements shall run the full length of the property line/right-of-way line. Transitions to existing conditions will occur outside the development frontage.”

Taken together, these provisions—Sections 7.8(A), (C), and (E)—require that any development project provide half street frontage improvements along the full frontage of property adjacent to the right-of-way from which the project is proposing access.

The applicant’s request for interpretation of the language of the exception to install street frontage improvement requirements located in Section 7.8(H)(1) only includes the second sentence of the exception. The first sentence provides: “[w]hen the Director of Public Works deems that the above such improvements cannot be accomplished at the time of building construction, a recorded agreement on forms provided by the City shall be completed which provide for these improvements to be installed at a later date by the applicant or by the applicants signing [sic] of a waiver of protest to a local improvement district (LID) in favor of, and on a form acceptable to the City.”

Statutory construction and caselaw both require that regulations must be read as a whole to ensure all parts of the statutory scheme operate in harmony and to avoid leaving any language without effect. *King Cty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 142 Wn.2d 543, 564, 14 P.3d 133, 144 (2000) and *State v. Malone*, 106 Wn.2d 607, 610–11, 724 P.2d 364 (1986).

This means that first, if the Director of Public Works deems that a development project cannot provide for the required street frontage improvements at the time of building construction, then the City shall record the obligation of the development’s applicant to complete these improvements at a later date, or by the development’s applicant signing a waiver of protest to a LID in favor of these improvements. Only when that occurs, is the second paragraph of Section 7.8(H)(1) triggered.

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The second paragraph of Section 7.8(H)(1) reads “Provided further that no street frontage improvements shall be required in conjunction with the building or remodeling of a single-family home on single residential lot unless the lot is part of a subdivision of land which required street frontage improvements as a condition of final plat approval.” This means that the City cannot, as part of the exception, require that building or remodeling of single-family homes on single residential lots to provide for these required frontage improvements as a part of the agreement made under the first paragraph of Section 7.8(H)(1), unless those improvements were explicitly a condition of the final plat approval of the development.

Specifically, for the PSHP2023-00345 2-lot subdivision project:

- 1) The proposal is considered a development project as it proposes to subdivide existing Lot 17 of Pine Hill subdivision into two new, separate and unique lots.
- 2) This development proposal triggers the requirement to construct frontage improvements pursuant to Chapter 7 of the PW Standards.
- 3) The applicant is required to construct half street frontage improvements running the full length of his property abutting the right-of-way.
- 4) The exception under Section 7.8(H)(1) does not apply to the applicant’s project because he is undertaking a land subdivision, not building or remodeling a single-family home on a single residential lot.

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