

**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**MUNICIPAL
CODE SECTIONS:**

RMC 4-11-190 and RMC 4-11-250, Definitions of Setback and Yard, Side Yard Along a Street

REFERENCE:

RMC 4-11-190 states in part that for lots containing private access easements, setbacks are the minimum required distance between the building footprint and the easement. RMC 4-11-190 states that a side yard along a street is a yard that is neither a front yard nor a rear yard, yet it abuts a street right-of-way or private access easement.

SUBJECT:

Applicable building setbacks from utility easements or certain combined access/utility easements, and fire department turnaround (hammerhead) access easements.

BACKGROUND:

Several platted lots contain easements that provide for access to multiple lots. Some of these easements include a hammerhead turnaround in order for emergency vehicles to make a three-point turn. Other combined access/utility easements include excess width beyond the paved area needed for vehicular access and the area that accommodates utilities. Setbacks are intended to separate buildings from property lines and access easements, as the easements carry traffic and therefore are more akin to a street. However, the emergency vehicle turnarounds and excess utility easements do not require the same level of separation and should be treated differently. An appropriate setback from these types of easements should be 5 feet from the edge of utility easement and 5 feet from the edge of the emergency turnaround easement. An exception would be if the utility easement is paved, then the appropriate setback would be 15 feet.

JUSTIFICATION:

Setbacks are intended to separate buildings from other structures, property lines, and streets. Access easements should be treated like streets where automobile traffic uses the easement for travel. Emergency turnarounds and combined utility/access easements where the utility easement exceeds the pavement area should not be required to maintain the same type of setback that would be required for a yard along a street. Buildings should be permitted to be located 5 feet from the edge of the utility easement, provided no portion of the building (eaves, etc) encroaches into the setback. Buildings should also be permitted to follow the interior side yard setback for that portion of the lot that abuts an emergency hammerhead turnaround.

DECISION: Revise the definitions of Setback to clarify that only the travel lane portion of the access easement requires a setback.

**INTERIM
ADMINISTRATOR/
PLANNING DIRECTOR
APPROVAL:**

C. E. "Chip" Vincent

DATE: _____

**APPEAL
PROCESS:** To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Your submittal should explain the basis for the appeal. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

**CODE
AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATIONS:** RMC should be amended to read as shown on Attachment A.

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4-11-190 DEFINITIONS S:

SETBACK: The minimum required distance between the building footprint and the property line and the travel portion of any private combined access/utility easement. For lots containing private access easements, setbacks are the minimum required distance between the building footprint and the easement. Where the access easement is combined with a utility easement, the setback for a side yard along a street is measured from the edge of the travel or access portion of the combined easement. A setback is measured perpendicularly from a lot line or private easement access to the outer wall of the structure. In the case where a structure does not have an outer wall, such as a carport, the measurement shall be to the posts of such structure, unless otherwise determined by the Development Services Division.

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