

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

**ADMINISTRATIVE
POLICY/CODE
INTERPRETATION #:** CI-124

**MUNICIPAL
CODE SECTIONS:** 4-6-060, Street Standards; 4-4-080, Parking, Loading, and Driveway
Regulations; and 4-11-040, Definitions D

REFERENCE: N/A

SUBJECT: Exception for Shared Driveways and Eligibility of Joint Use Driveways

BACKGROUND: “Shared driveways” replaced “private streets” in 2015 via docket #D-103 by reducing the number of lots that may be accessed from six to four and introducing other regulations and standards to mitigate unintended consequences of private streets (e.g., lack of maintenance, disputed access rights, etc.).

In order to use a shared driveway at least one lot must have at least 50' linear feet of frontage along a public street where the shared driveway is accessed, which qualifies it as a corner lot. Infill development is often occurring on relatively narrow lots with significant depth; these narrow lots typically provide enough width to accommodate a fifty-foot-wide lot along the public street and the minimum width of the shared driveway. The orientation of this corner lot (width measured parallel to the public street and depth measured parallel to the shared driveway) establishes a predictable pattern for other lots located along the shared driveways. These subsequent lots must locate their front yards along the shared driveway thereby establishing their depth to be measured perpendicular to the shared driveway, which creates cumbersome buildable areas that are difficult to reconcile with our design guidelines and often creates an obstacle for properties to be subdivided and attain minimum density, hence the conflicts in Title IV.

Among other standards, a shared driveway must be located within an access easement/tract, which reduces the amount of land used to calculate density and lot area. If a landscape strip is required to buffer adjoining properties outside of the proposed subdivision then it too must be located within the tract. The decision to require the shared driveway be within a tract was largely to establish common ownership and responsibilities to mitigate disputes over access rights and maintenance

costs. By requiring the landscape strip to be within the shared driveway tract, allowed density is unnecessarily reduced.

Emergency turnarounds (e.g., hammerhead turnaround) are often required within shared driveways, and typically provide the increased surface area upon a common lot line; this creates an ideal location for the two lots to utilize a joint use driveway that extends from the hammerhead. However, joint use driveways may only provide access from a public right-of-way to one or more adjoining commercial or industrial lots upon common property lines with the goal of reducing the number of curb cuts along individual streets and thereby improve safety and reduce congestion while providing for additional on-street parking opportunities.

JUSTIFICATION:

(1) The requirement that the lot fronting both a public right-of-way and a shared driveway have a minimum street frontage of 50' linear feet isn't based on any specific development standard. Because any new development utilizing a shared driveway is likely to be part of a short plat, the corner lot will need to meet the dimensional lot standards of the given zone, and so the minimum lot width of the zone should be required instead of 50' for every zone.

(2) Because hammerhead turnarounds may be permitted for roadways up to 300' in length, the maximum permitted length of shared driveways should also be 300'.

(3) Because the concerns regarding access disputes over shared driveways are not present with regard to landscape strips, they should not be required to be within the shared driveway tract. However, the landscape strip will need to be within a tract for the purpose of ensuring continual maintenance.

(4) The following policies from the Land Use Element of the 2015 Comprehensive Plan provide some justification to make exceptions that encourage infill development in order to help meet Renton's growth targets and fulfill objectives of the Growth Management Act:

Policy L-3: Encourage infill development of single-family units as a means to meet growth targets and provide new housing.

Policy L-48: Address privacy and quality of life for existing residents by considering scale and context in infill project design.

The option to designate lots that only front a shared driveway as corner lots offers a favorable lot orientation for properties that have enough land area to subdivide but not enough width to meet existing standards. The corner lot designation also ensures that the newly created lots will have functional yards and the houses are adequately separated from the shared driveway.

(5) Because shared driveways are required to be within tracts, which reduce land area used to compute allowed density, and the commonly required hammerhead turnaround often creates an ideal location between abutting lots to establish a common driveway, an exception should be made in these instances to allow joint use driveways to be

accessed from a non-public right-of-way and to not require them to be located within a shared driveway tract.

(6) Because the goal of reducing the number of curb cuts along individual streets to improve safety and reduce congestion while providing for additional on-street parking opportunities is especially important in residentially zoned areas, joint-use driveways should be allowed to access up to two residential lots that both have street frontage.

(7) Because joint-use driveways often result in public benefits (e.g., less curb cuts for a better pedestrian environment, more on-street parking as a result of fewer curb cuts, efficient use of land, etc.), joint-use driveways should be encouraged, and the necessary access easements should not adversely affect density calculations.

DECISION:

(1) Instead of 50' linear feet, require the lot fronting both a public right-of-way and shared driveway to have a minimum street frontage equal to the minimum lot width of the zone.

(2) The allowed length of shared driveways will be increased from two hundred feet (200') to three hundred feet (300').

(3) Although the buffering landscape strips are required to be within a tract, they are not required to be within the shared driveway tract.

(4) Allow the lot orientation (and therefore lot type, setbacks, and lot measurements) of the corner lot abutting the public street to determine the orientation, setbacks, and lot measurements of other lots accessed from the shared driveway.

(5) Allow a joint use driveway, serving no more than two lots, to extend from the emergency turnaround of a shared driveway (not a public right-of-way). The extension does not need to be within a tract but a reciprocal access easement benefitting both properties will be required.

(6) Allow no more than two adjoining residential lots, each with public street frontage, to be accessed by a joint use driveway (this change would apply citywide – i.e., not enabled solely because of a shared driveway).

(7) Exempt the access easements upon joint-use driveways for the purpose of calculating permitted density.

**ADMINISTRATOR
APPROVAL:**

C. E. "Chip" Vincent

EFFECTIVE DATE:

August 31, 2017

**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.

DISCLAIMER: Excerpts from the Renton Municipal Code shown below may not contain the most recently codified text. In such instances, code amendments implemented through this Administrative Code Interpretation shall be construed to affect the current code and past/future Administrative Code Interpretations not yet codified in the same manner as shown below. Should any conflicts result the Administrator shall determine the effective code.

CODE

**AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATION(S):**

4-6-060 STREET STANDARDS:

J. SHARED DRIVEWAY STANDARDS:

1. ~~Where~~ Permitted: Shared driveways may be allowed for access to four (4) or fewer residential lots, provided:

- a. At least one of the four (4) lots abuts a public right-of-way and the street frontage of the lot is equal to or greater than the lot width requirement of the zone with at least fifty (50) linear feet of property; and
- b. The subject lots are not created by a subdivision of ten (10) or more lots; ~~and~~
- c. A public street is not anticipated by the City of Renton to be necessary for existing or future traffic and/or pedestrian circulation through the short subdivision or to serve adjacent property; ~~and~~
- d. The shared driveway would not adversely affect future circulation to neighboring properties; ~~and~~
- e. The shared driveway is no more than ~~two~~ three hundred feet (300~~200~~)' in length; and
- f. The shared driveway poses no safety risk and provides sufficient access for emergency vehicles and personnel; ~~and~~

~~**g. Maintenance:** The applicant shall ensure the shared driveway can be continually maintained to minimum standards listed in this section by the owners of the lots served by the driveway to the satisfaction of the City of~~

~~Renton, prior to the recording of the short plat.~~

~~**h. Covenants, Conditions and Restrictions:** Covenants, conditions and restrictions, which are approved by the Administrator, shall be recorded with the King County Recorder's Office. The applicant shall provide a copy of the recorded document. These covenants shall provide for, at a minimum, the following:~~

- ~~i. Maintenance, repair, operation, and payment of taxes for the commonly owned tract and facilities; and~~
- ~~ii. These covenants shall run with the land and be irrevocable and binding on all the property owners, including their assigns, heirs, and successors.~~

2. Minimum Standards: Shared driveways shall be within a tract; the width of the tract and paved surface shall be a minimum of sixteen feet (16'); the Fire Department may require the tract and paved surface to be up to twenty feet (20') wide. ~~The tract shall be the width of the paved surface plus eight feet (8') for a landscape strip, when the tract~~ If a shared driveway abuts properties that are not part of the subdivision an eight foot (8') wide landscaped strip shall be provided between the shared driveway and neighboring properties. The eight-foot (8') landscaping shall include a~~The landscape strip shall be within a tract and planted with a mixture of trees, shrubs, and groundcover, as required in RMC 4-4-070, and shall serve as a buffer between the shared driveway and abutting properties that are not part of the subdivision.~~ The shared driveway may be required to provide a turnaround per subsection H of this Section. No sidewalks are required for shared driveways; however, drainage improvements pursuant to City Code are required (i.e., collection and treatment of stormwater), as well as an approved pavement thickness ~~(minimum of four inches (4") asphalt over six inches (6") crushed rock).~~ The maximum grade for the shared driveway shall not exceed fifteen percent (15%), except for within approved hillside subdivisions. (Ord. 5841, 6-12-2017)

3. Signage Required: Appurtenant traffic control devices including installation of "No Parking" signs, as required by the Department of Community and Economic Development, shall be provided by the subdivider. Lots served by the shared driveway shall be addressed to the public street to which the shared driveway connects.

4. Tract Required: The shared driveway shall be wholly within a tract. The tract shall

be shown and recorded on the face of the plat to be preserved in perpetuity. The owners of the subject lots shall have an equal and undivided interest in the ownership of the tract.

5. Easement Required: An access easement shall be recorded with the King County Recorder's Office and be shown on the face of the plat to encumber the entirety of the tract. The easement shall prohibit any temporary or permanent physical obstructions within the easement including, but not limited to, the parking of non-emergency vehicles.

6. Timing of Improvements: The shared driveway must be installed prior to recording of the plat unless approved for deferral.

7. Lot Type and Orientation: The Administrator may permit lots that only front a shared driveway to be designated as a corner lot. If permitted by the Administrator, lot width, lot depth and yard setbacks shall be measured consistent with the corner lot designation (see illustration).

8. Maintenance: The applicant shall ensure the shared driveway can be continually maintained to minimum standards listed in this section by the owners of the lots served by the driveway to the satisfaction of the City of Renton, prior to the recording of the short plat.

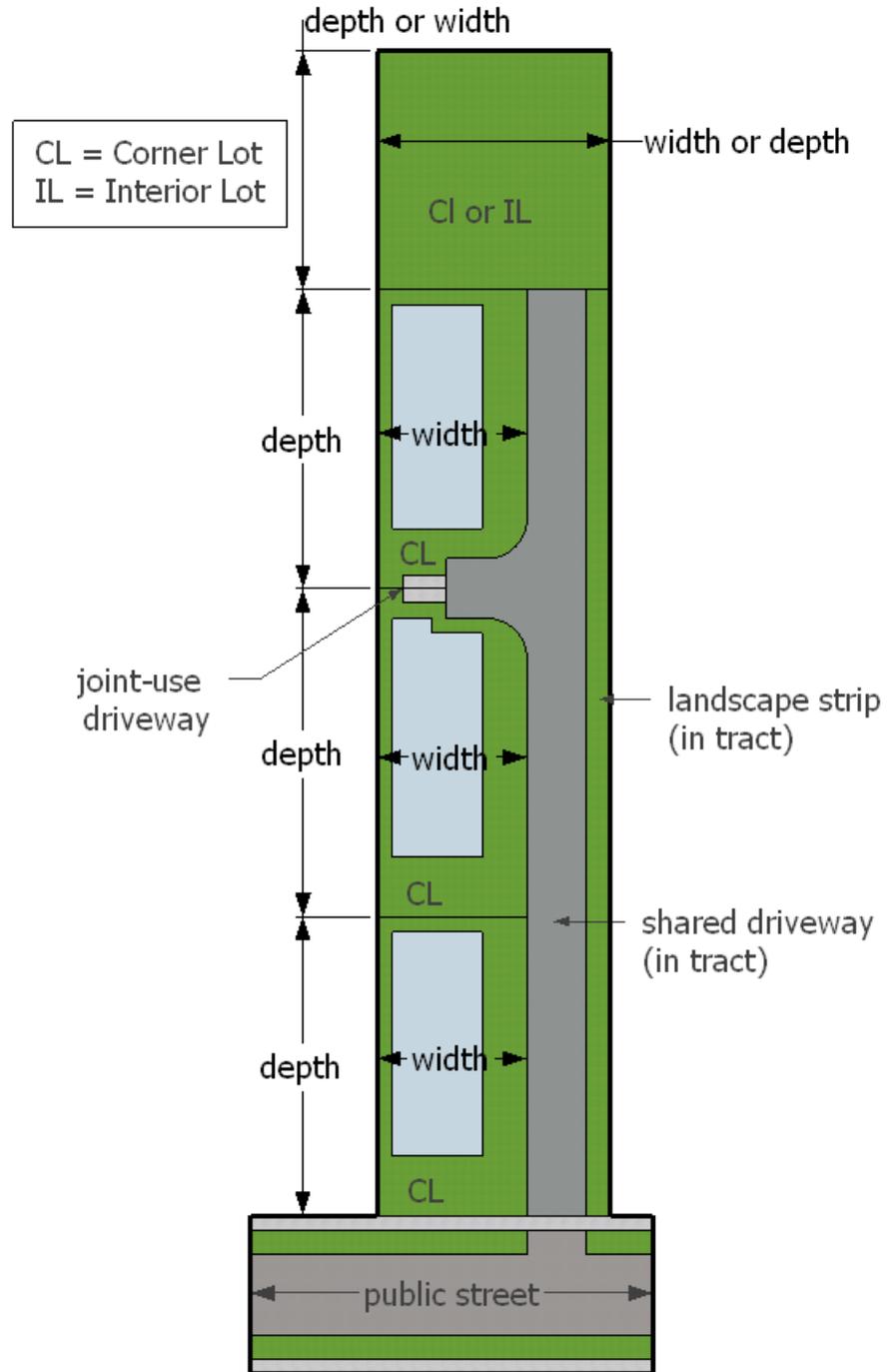
9. Covenants, Conditions and Restrictions: Covenants, conditions and restrictions, which are approved by the Administrator, shall be recorded with the King County Recorder's Office. The applicant shall provide a copy of the recorded document. These covenants shall provide for, at a minimum, the following:

a. Maintenance, repair, operation, and payment of taxes for the commonly owned tract and facilities; and

b. These covenants shall run with the land and be irrevocable and binding on all the property owners, including their assigns, heirs, and successors.

10. Exception for Joint-Use Driveway Extending from Emergency Turnaround: A driveway that extends from the terminus of an emergency turnaround (excluding cul-de-sacs) and provides access to no more than two (2) lots shall be permitted as joint-use driveway that does not take access from a public right-of-way (see illustration below). The joint-use driveway shall be constructed to City standards prior to

recording the short plat, and a reciprocal access easement for the benefit of the two (2) lots, in a form satisfactory to the City Attorney, shall be recorded with the King County Recorder. (Ord. 5100, 11-1-2004; Ord. 5517, 12-14-2009; Ord. 5702, 12-9-2013; Ord. 5727, 10-20-2014)



4-4-080 PARKING, LOADING AND DRIVEWAY REGULATIONS:

I. DRIVEWAY DESIGN STANDARDS:

9. Joint Use Driveways:

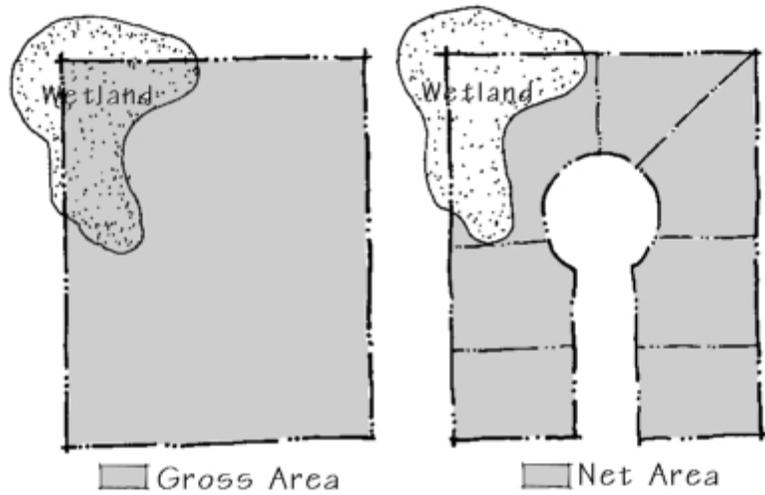
a. Benefits: Joint use driveways reduce the number of curb cuts along individual streets and thereby improve safety and reduce congestion while providing for additional on-street parking opportunities. Joint use driveways should be encouraged when feasible and appropriate, particularly when there is existing underutilized parking proximate to a subject site. (Ord. 4517, 5-8-1995)

b. Where Permitted: ~~Adjoining commercial or industrial uses~~ lots may utilize a joint use driveway accessed from a public street where such joint use driveway reduces the total number of driveways entering the street network, subject to the approval of the Department of Community and Economic Development. Joint use driveways must be created upon the common property line of the properties served or through the granting of a permanent access easement when said driveway does not exist upon a common property line. If the adjoining lots are residential, the joint use driveway shall provide access to no more than two (2) lots and each lot shall abut a public street. Joint use access to the driveway shall be assured by easement or other legal form acceptable to the City. (Ord. 3988, 4-28-1986; Ord. 4517, 5-8-1995; Ord. 5450, 3-2-2009; Ord. 5727, 10-20-2014)

4-11-040, Definitions D

DENSITY, NET: A calculation of the number of housing units and/or lots that would be allowed on a property after critical areas, i.e., very high landslide hazard areas, protected slopes (except evaluate on a case-by-case basis those protected slopes created by previous development), wetlands, Class 1 to 4 streams and lakes, or floodways, and public rights-of-way and legally recorded private access easements are subtracted from the gross area (gross acres minus streets and critical areas multiplied by allowable housing units per acre). Developments meeting the definition of a shopping center are not required to deduct areas within access easements from the gross site area for the purpose of calculating net density. Required critical area buffers, streams that have been daylighted including restored riparian and aquatic areas, public and private alleys, unit lot drives, joint use driveways (and the access easements upon them), and trails shall not be subtracted from gross acres for the

purpose of net density calculations. All fractions which result from net density calculations shall be truncated at two (2) numbers past the decimal (e.g., 4.5678 becomes 4.56). Calculations for minimum or maximum density which result in a fraction that is one-half (0.50) or greater shall be rounded up to the nearest whole number. Those density calculations resulting in a fraction that is less than one-half (0.50) shall be rounded down to the nearest whole number.



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