

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

**ADMINISTRATIVE
POLICY/CODE**

INTERPRETATION #: CI-68

MUNICIPAL

CODE SECTIONS: 4-4-040

REFERENCE:

N/A

SUBJECT:

Fence Height for Side Yards Along a Street and Rear Yards Abutting a Street

BACKGROUND:

RMC 4-4-040, Fences, Hedges, and Retaining Walls, provides standards for fences, hedges and retaining walls to be located within yard setbacks.

JUSTIFICATION:

RMC 4-4-040.G, Special Administrative Fence Permits, provides a process to apply for a fence that is not allowed by the Section. RMC 4-4-040.G.1.b provides this opportunity for “fences exceeding forty eight inches (48”) within front yard or side yards along a street setback but not within a clear vision area.”

RMC 4-4-040.D.3.c states “Side Yard Along a Street Setbacks: Fences, retaining walls or hedges shall not exceed forty two inches (42”) in height within any clear vision area, as defined by RMC 4-11-030, Definitions C, and forty eight inches (48”) in height elsewhere in the front yard setback. *The remainder of the fence or hedge shall not exceed seventy two inches (72”) in height within the side yard along a street setback.*

The opportunity to apply for a Special Administrative Fence Permit that would allow a fence taller than 48” within front yards or side yards along streets would not exist if the intent was to allow fences taller than 48” within the side yard along a street.

DECISION:

Fences, hedges, and retaining walls up to 72” in height may be installed within rear and side yards along streets, excepting any portion within a front yard setback or clear vision area, if the following criteria are met:

- High-quality fencing materials shall be used (e.g., cedar wood, wrought iron, etc.). Chain link fencing is prohibited.
- The fence is set back at least eight feet (8’) from the subject property line;

- Within the minimum eight feet (8') fence setback, irrigated or drought-tolerant landscaping that complies with the standards of RMC 4-4-070.(I-L.1)(P-Q) shall be installed and continuously maintained so that plantings provide total coverage of the area within three (3) years based on the following requirements:
 - (A) Ground Cover: Eighteen (18) ground cover plants per five (5) linear feet of landscaping strip.
 - ✓ Minimum four inch (4") pots.
 - ✓ Mulch must be confined to areas underneath plants and is not a substitute for ground cover plants.
 - (B) Shrubs: Eight (8) shrubs per five (5) linear feet. Up to fifty percent (50%) of shrubs may be deciduous:
 - ✓ Low Shrub: Mature size under three (3) feet tall. Minimum size at planting: one (1) or two (2) gallon pot or balled and burlapped equivalent.
 - ✓ Medium Shrub: Mature size from three (3) feet to six (6) feet tall. Minimum size at planting: two (2) or three (3) gallon pot or balled and burlapped equivalent.
- The plants shall be planted in a triangular pattern with approximately even spacing depending on the plant material.
- Plants listed as a nuisance or prohibited by King County are prohibited in required landscaped areas.
- Planting of a hedge or plantings that will grow to become a hedge are prohibited to be within the required landscaping area between the property line and fence.
- The finished face of the fence shall be oriented to the street.
- No fence, hedge, or retaining wall shall exceed forty-two inches (42") within any clear vision area, as defined by RMC 4-11-030, Definitions C.
- As an alternative to these standards, an applicant may apply for a Special Administrative Fence Permit per RMC 4-4-040.G.

**ADMINISTRATOR
APPROVAL:**

C. E. "Chip" Vincent

DATE:

March 19, 2015

**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: 4-4-040.D.2.c:

Rear Yard Setbacks: A fence, retaining wall or hedge shall not exceed seventy two inches (72") in height within the rear yard setback unless the rear yard abuts a public or private street, in which case it shall not exceed forty-eight inches (48"). Fences within a rear yard setback abutting a street may be up to seventy-two inches (72") in height if compliant with subsection 4-4-040.D.3.e.

4-4-040.D.3:

c. Side Yard Along a Street Setbacks: Fences, retaining walls or hedges shall not exceed forty two inches (42") in height within any clear vision area, as defined by RMC 4-11-030, Definitions C, and forty eight inches (48") in height elsewhere in the front yard setback. ~~The remainder of the fence or hedge shall not exceed seventy two inches (72") in height within and in the side yard along a street setback.~~

d. Rear Yard Setbacks: Fences, retaining walls, or hedges shall not exceed seventy two inches (72") in height within the rear yard setback except the fence, retaining wall or hedge shall not exceed forty eight inches (48") in height where they intersect the width of the side yard along a street setback or if the rear yard of the lot abuts a public or private street.

e. Fence Height Exception for Rear and Side Yards Along a Street: Fences up to seventy-two inches (72") in height may be installed within rear and side yards along streets, excepting any portion within a front yard setback or clear vision area, if the following criteria are met:

- (i) High-quality fencing materials shall be used (e.g., cedar wood, wrought iron, etc.). Chain link fencing is prohibited.
- (ii) The fence is set back at least eight feet (8') from the subject property line;
- (iii) Within the minimum eight feet (8') fence setback, irrigated or drought-tolerant landscaping that complies with the standards of RMC 4-4-070.(I-L.1)(P-Q) shall be installed and continuously maintained so that plantings provide total coverage of the area within three (3) years based on the following standards:
 - (A) Ground Cover: Eighteen (18) ground cover plants per five (5) linear feet of landscaping strip.
 - 1) Minimum four inch (4") pots.
 - 2) Mulch must be confined to areas underneath plants and is not a substitute for ground cover plants.
 - (B) Shrubs: Eight (8) low shrubs per five (5) linear feet. Up to fifty percent (50%) of shrubs may be deciduous:

- 1) Required Low Shrub: Mature size under three (3) feet tall. Minimum size at planting: one (1) or two (2) gallon pot or balled and burlapped equivalent.
 - 2) Optional Medium Shrub: Mature size from three (3) feet to six (6) feet tall. Minimum size at planting: two (2) or three (3) gallon pot or balled and burlapped equivalent.
- (iv) The plants shall be planted in a triangular pattern with approximately even spacing, depending on the plant material.
 - (v) Plants listed as a nuisance or prohibited by King County are prohibited in required landscaped areas.
 - (vi) Planting of a hedge or plantings that will grow to become a hedge are prohibited to be within the required landscaping area between the property line and fence.
 - (vii) The finished face of the fence shall be oriented to the street.
 - (viii) No fence, hedge, or retaining wall shall exceed forty-two inches (42") within any clear vision area, as defined by RMC 4-11-030, Definitions C.
 - (ix) As an alternative to these standards, an applicant may apply for a Special Administrative Fence Permit per RMC 4-4-040.G.

STAFF CONTACT: Paul Hintz