CHAPTER 32

ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

User note:

About this chapter: *From time to time it is necessary or appropriate for a portion of a building to encroach onto an adjoining public right-of-way. Chapter 32 establishes parameters for such encroachments not only at grade but also above and below grade.*

SECTION 3201
GENERAL

3201.1 Scope. The provisions of this chapter shall govern the encroachment of structures into the public right-of-way.

3201.2 Measurement. The projection of any structure or portion thereof shall be the distance measured horizontally from the *lot line* to the outermost point of the projection.

3201.3 Other laws. The provisions of this chapter shall not be construed to permit the violation of other laws or ordinances regulating the use and occupancy of public property.

[S] ((~~3201.4 Drainage.~~ ~~Drainage water collected from a roof, *awning*, canopy or marquee, and condensate from mechanical equipment shall not flow over a public walking surface.~~))

[S] 3201.4 Approval of encroachments. All encroachments of buildings and structures on, over or under sidewalks, streets and other public places are subject to approval by the Director of Transportation and the *building official*. Encroachments shall comply with this code and other applicable codes including Seattle Municipal Code, Title 15.

[S] 3201.5 Doors and gates. No door or gate in any position shall project over public property.

[S] 3201.6 Materials. Structures and appendages regulated by this code shall be constructed of materials specified in this code for structures on private property.

[S] ((~~SECTION 3202~~
~~ENCROACHMENTS~~

~~**3202.1 Encroachments below grade.** Encroachments below grade shall comply with Sections 3202.1.1 through 3202.1.3.~~

~~**3202.1.1 Structural support.** A part of a building erected below grade that is necessary for structural support of the building or structure shall not project beyond the *lot lines*, except that the footings of street walls or their supports that are located not less than 8 feet (2438 mm) below grade shall not project more than 12 inches (305 mm) beyond the street *lot line*.~~

~~**3202.1.2 Vaults and other enclosed spaces.** The construction and utilization of vaults and other enclosed spaces below grade shall be subject to the terms and conditions of the applicable governing authority.~~

~~**3202.1.3 Areaways.** Areaways shall be protected by grates, *guards* or other *approved* means.~~

~~**3202.2 Encroachments above grade and below 8 feet in height.** Encroachments into the public right-of-way above grade and below 8 feet (2438 mm) in height shall be prohibited except as provided for in Sections 3202.2.1 through 3202.2.3. Doors and windows shall not open or project into the public right-of-way.~~

~~**3202.2.1 Steps.** Steps shall not project more than 12 inches (305 mm) and shall be guarded by *approved* devices not less than 3 feet (914 mm) in height, or shall be located between columns or pilasters.~~

~~**3202.2.2 Architectural features.** Columns or pilasters, including bases and moldings, shall not project more than 12 inches (305 mm). Belt courses, lintels, sills, architraves, pediments and similar architectural features shall not project more than 4 inches (102 mm).~~

~~**3202.2.3 Awnings.** The vertical clearance from the public right-of-way to the lowest part of any *awning*, including valances, shall be not less than 7 feet (2134 mm).~~

~~**3202.3 Encroachments 8 feet or more above grade.** Encroachments 8 feet (2438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.~~

~~**3202.3.1 Awnings, canopies, marquees and signs.** *Awnings*, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. *Awnings*, canopies, marquees and signs with less than 15 feet (4572 mm) of clearance above the sidewalk shall not extend into or occupy more than two-thirds the width of the sidewalk measured from~~

the building. Stanchions or columns that support *awnings*, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

3202.3.2 Windows, balconies, architectural features and mechanical equipment. Where the vertical clearance above grade to projecting windows, balconies, architectural features or mechanical equipment is more than 8 feet (2438 mm), 1 inch (25 mm) of encroachment is permitted for each additional 1 inch (25 mm) of clearance above 8 feet (2438 mm), but the maximum encroachment shall be 4 feet (1219 mm).

3202.3.3 Encroachments 15 feet or more above grade. Encroachments 15 feet (4572 mm) or more above grade shall not be limited.

3202.3.4 Pedestrian walkways. The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of the applicable governing authority. The vertical clearance from the public right-of-way to the lowest part of a *pedestrian walkway* shall be not less than 15 feet (4572 mm).

3202.4 Temporary encroachments. Where allowed by the applicable governing authority, vestibules and storm enclosures shall not be erected for a period of time exceeding 7 months in any 1 year and shall not encroach more than 3 feet (914 mm) nor more than one-fourth of the width of the sidewalk beyond the street *lot line*. Temporary entrance *awnings* shall be erected with a clearance of not less than 7 feet (2134 mm) to the lowest portion of the hood or *awning* where supported on removable steel or other *approved* noncombustible support.))