



COMMUNITY DEVELOPMENT DEPARTMENT

- Subject:** Structures within Easements
- Issue:** The Development Code prohibits structures within public utility easements, access/driveway easements, drainage easements, and other easements offered for dedication to the Town unless a minor use permit is approved. There has been some confusion as to whether a minor use permit is required for retaining walls and other supporting structures for a single family dwelling driveway located in a shared driveway access easement. This policy clarifies those structures allowed in an easement without a minor use permit.
- Reference:** Section 18.30.056(A) (Structures Within Easements)
- Policy/Procedure:** A structure intended for the purpose of the easement shall be allowed without first obtaining a Minor Use Permit approval. For example, an electrical transformer located in a public utility easement would be allowed without a minor use permit. Also, a single family driveway, including retaining walls or support posts, encroaching from a shared driveway and located in the driveway/access easement would be allowed without a minor use permit.
- The structure shall comply with all other applicable regulations and standards of the Development Code.
- Effective Date:** September 15, 2004

Approved by: _____
Tony Lashbrook, Director