



City of Seattle

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Department of Planning and Development

D. M. Sugimura, Director

**ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 3012807  
Applicant: Paul Pierce of Playhouse Design Group  
Address: 2319 Boylston Ave East

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 2,342 sq. ft. and B) 2,052.2 sq. ft. Project also includes unit lot subdivision of Parcel B into two unit lots. Existing triplex to remain (constructed in 1969 under Permit #533005). The subdivision of Parcel B is only for the purpose of allowing sale or lease of the unit lots. Development standards for Parcel B will be applied to Parcel B as a whole and not to each of the new unit lots.

The following approval is required:

**Short Subdivision** - to create two parcels of land. Chapter 23.24, Seattle Municipal Code.

**Short Subdivision** - to create two unit lots within a parent lot (Parcel B). Chapter 23.24.045, Seattle Municipal Code.

**BACKGROUND INFORMATION**

Zoning: LR-3 (LowRise 3)

Public Comment: none

**ANALYSIS – SUBDIVISION**

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing;*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*

SMC 23.24.045 Unit lot subdivisions

*A. The provisions of this Section 23.24.045 apply exclusively to the unit subdivision of land for townhouse, rowhouse and cottage housing developments, as permitted in Single-Family, Residential Small Lot and Lowrise zones, and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones.*

*B. Except for any lot for which a permit has been issued pursuant to Sections [23.44.041](#) or [23.45.545](#) for a detached accessory dwelling unit, lots developed or proposed to be developed with uses described in subsection 23.24.045.A above may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space or private amenity area for each dwelling unit shall be provided on the same unit lot as the dwelling unit it serves.*

*C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*

*D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

*E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of the King County Department of Records and Elections.*

*F. The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

### Conclusion

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. As conditioned, this short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

The proposal meets the criteria to divide the existing parcel into two separate legal building sites to be known as parcels A and B. In addition, Parcel B is the parent lot for development of a two-unit townhouse structure reviewed under construction permit application 6296601. This short subdivision application further divides Parcel B into two unit lots, allowing separate ownership of each of the new townhouse units. Development standards are applied to the Parent Lot (Parcel B). In order to avoid creating a development that would become non-conforming to the Seattle Land Use Code and the Seattle Building Code, for the existing structure to remain on Parcel A, alterations are required and have been proposed. Approval of the subdivision will be conditioned upon completion of these alterations. The proposed subdivision satisfies the criteria for unit lot subdivision of Parcel B provided that the conditions of approval are met.

### **DECISION –SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

**CONDITIONS**

**Prior to Recording**

- 1) Unless otherwise approved by DPD, Permit 6313845 must either receive approval of the Final Inspection or the following notation shall be added to the final plat:  
”Prior to separate sale of Parcel A from Parcel B, the structure on Parcel A must be modified to resolve land use code and building code non-conformities that would result from this short subdivision”.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date June 4, 2012

Jerry Suder  
Land Use Planner Supervisor  
Department of Planning and Development

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