



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

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

Application Number: 3013157
Applicant Name: Eve Riley
Address of Proposal: 3015 NE 96th St

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,999 sq. ft., and B) 6,002 sq. ft. Existing structure to remain.

The following approval is required:

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

BACKGROUND INFORMATION

Zoning: Single Family 7200 (Single Family with a minimum lot area requirement of 7,200 sq. ft.)

Public Comment: Public notice was provided on April 5, 2012 and ended on May 18, 2012. No public comments were received.

Site description: The property has a total area of 12,000 sq. ft. and is developed with an existing single family residence (to remain). The site abuts and takes access from NE 96th St. on the east. NE 96th St. improvements currently end at the subject site. The property abuts single family zones properties developed with single family residences on the east, west and south. There are no environmentally critical areas (ECAs) on-site; however, portions of NE 96th St. immediately northwest of the site are mapped as environmentally critical due to the presence of the steep slopes.

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 townhouse, roughhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Low-rise zones and for single-family dwelling units in Low-rise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
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.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23. 53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

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. 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 will be 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.

Regarding lot area, the applicant is utilizing an exception from minimum lot area (7,200 sq. ft.) found in the code at SMC 23.44.010, known as the '75/80 Rule.' This exception allows lots to be created which have an area equal to at least 75 percent of the minimum lot area for the zone and 80 percent of the average of other lots on the same block face. The property meets this exception.

Regarding street improvement, the applicant requested and (in consultation with SDOT) was granted an exception from full street improvement requirements, as follows: A pavement width of 12 feet is allowed, and if the grade is in excess of 10 percent, the surface must be paved. A "No Protest Agreement" must be provided prior to recording of the short plat.

The Seattle Fire Department provided the following comments:

"The following DPD Projects have been approved, subject to ordinance and field inspection, and provided that the following corrections are made or conditions met:

The proposed ingress/egress is inadequate for Fire Department access. If portions of buildings hereafter constructed on **Parcel A** exceed a distance of 150 feet by an approved foot route from NE 96 St., the following corrections apply:

Applicant will provide an approved fire department vehicle access road meeting the provisions noted below or shall obtain an authorization from the fire official to increase the distance allowed to the nearest fire department vehicle access road as per the exception in Section 503.1.1"

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED**.

Signature: _____ (signature on file) Date: August 13, 2012
Molly Hurley, Senior Land Use Planner
Department of Planning and Development

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