



## City of Seattle

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

### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Application Number:** 3014368  
**Applicant Name:** Harlan Chinn – Playhouse Design  
**Address of Proposal:** 2116 1<sup>st</sup> Ave West

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel containing two existing single family residences into two parcels with one single family residence on each. Proposed parcel sizes are: A) 3,399.8 sq. ft. and B) 2,044.5 sq. ft.

The following approval is required:

**Short Subdivision – Multiple single-family dwelling units on a single-family lot.** To subdivide one parcel into two parcels. (Chapter 23.24.046 Seattle Municipal Code).

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

#### **BACKGROUND DATA**

##### Site and Area Description

The approximately 5,444 square-foot site is located in a Single Family 5000 zone (SF 5000). The zoning of properties north, south and west of the site is SF5000. The zoning east of the abutting alley is Neighborhood Commercial NC2 along Queen Anne Avenue N.

The street frontage includes curbs, gutters, sidewalks, and planting strips. The site abuts an improved alley, which accesses parking for the westerly single family structure.

### Proposal

The applicant proposes to short plat the property using the SMC subdivision section 23.24.046 to subdivide the property when there are multiple single-family dwelling units on a single-family lot. Historically, there had been two structures that were both recognized and established for the record by DPD project number 9401070 as two single family residences on one lot. Proposed Parcel A will have direct access to 1<sup>th</sup> Ave W and the alley and proposed Parcel B will have direct access to the abutting alley. The existing single family residence will remain on Parcel A; at the time of this decision there was an application for new construction of a single family residence on Parcel B under DPD permit number 6340796. The subject of this analysis and decision is only the proposed division of land.

### Public Comment:

Public Comment: The public comment period ended on January 16, 2013. Several comment letters were received, expressing concerns about impacts related to the redevelopment of the site, which is beyond the scope of this review.

### **ANALYSIS – SHORT SUBDIVISION**

This short subdivision is subject both to general approval criteria for short subdivisions and the specific requirements multiple single-family dwelling units on a single-family lot.

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, 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; 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.*

### **Summary – Short Subdivision**

Based on information provided by the applicant, referral comments from DPD, Water (SPU) (WAC #20110627), Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above-cited criteria have been met.

This short subdivision can be provided with public and private utilities and access (including emergency vehicles and a pedestrian access easement for Parcel B, across Parcel A to the street). 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 if any are needed.

The westerly existing single family residence is proposed to remain. At the time of this decision there was an application for new construction of a single family residence on Parcel B under permit number 6340796.

An existing tree along the north property line of the site was removed prior to review of this short plat.

Criterion SMC23.24.040A 7 is not relevant to this project as it is not a unit lot. SMC23.24.046A.D exempts this project from the requirements of item #9.

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 ownership opportunities in the City.

### **ANALYSIS - SHORT SUBDIVISION - Multiple single-family dwelling units on a single-family lot.** (Chapter 23.24.046 Seattle Municipal Code).

The following code criteria will determine if a lot with multiple dwelling units can be short platted.

- A. *The provisions of this section apply exclusively to the short subdivision of a lot in a single-family zone containing more than one (1) existing single-family dwelling unit.*

Currently there are two single family dwelling units on the lot.

- B. *A lot in a single-family zone containing more than one (1) existing single-family dwelling unit may be divided in accordance with this chapter as long as each of the following conditions is satisfied:*

1. *Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a nonconforming development in accordance with Section [23.42.102](#), Establishing nonconforming status;*

The second house on the lot was recognized by permit that established use for the record under DPD permit No. 9401070.

2. *Each existing single-family dwelling unit was constructed prior to February 20, 1982;*

The structures containing the dwelling units were originally constructed prior to February 20, 1982.

3. *Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit;*

The proposal is for only one single family dwelling unit on each lot.

4. *Parking is provided in accordance with Section [23.44.016](#), Parking location and access, unless the Director determines that at least one (1) of the following conditions is present:*
  - a. *Providing parking accessory to an existing single-family dwelling unit is undesirable or impractical because of the location of an environmentally critical area, existing drainage patterns, natural features such as significant trees, or access to a resulting or adjacent lot; or*
  - b. *The short subdivision cannot be configured to provide parking in compliance with Section [23.44.016](#); If the Director determines that at least one (1) of the foregoing conditions is present, the Director may waive or modify the parking requirements of Section [23.44.016](#) as long as the short subdivision does not reduce the number of off-street parking spaces existing prior to the short subdivision. In connection with such waiver or modification, the Director may require access and parking easements as conditions of approval of the short subdivision; and*

The site currently has only one parking space serving the westerly residence. The plat is configured to preserve the parking space for the westerly residence on Parcel A. The parking requirement for Parcel B is waived as this will not reduce the number of off –street parking spaces.

5. *Each resulting lot conforms to all other development standards of the zone unless the Director determines that the short subdivision cannot be approved if such standards are strictly applied and modification or waiver of some or all of such standards would further the public interest. If the Director makes such determination, then the Director may waive or modify development standards, provided that:*
  - a. *Each existing single-family dwelling unit shall be set back at least three (3) feet from each common lot line in the short subdivision; and*
  - b. *No resulting lot shall be smaller than one thousand eight hundred (1,800) square feet.*

Due to the location of the existing structures, lot lines cannot be drawn which will satisfy all of the required yard requirements. The proposal meets a. and b. above and is therefore eligible to receive development standard waivers. Parcel A will meet the single-family development standards in that the existing building meets lot coverage and yard requirements. Parcel B does not meet the current single family yard development standards; however the required 3' setback and 1,800 sq. ft lot area minimum are met. The City of Seattle provides opportunities for various housing types and ownership configurations. Short plats are one such vehicle to provide home ownership. It furthers the public interest to waive any applicable Seattle Municipal Code development standards.

- C. *Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section [23.42.112](#).*
- D. *Short subdivision of a lot under this Section 23.24.046 is exempt from the requirements of subsection [23.24.040.A.9](#), unless a lot is created that does not have an existing single family dwelling unit.*

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **GRANTED**.

Signature: \_\_\_\_\_ (signature on file) Date: May 30, 2013  
Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

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