City of Seattle

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

Project Number: 3014904

Applicant Name: Dave Biddle

Address of Proposal: 6208 Latona Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one development site into two unit lots. Existing residential units have been established under Permit #714012. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approval is required:

Short Subdivision - to create two unit lots. (Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: [X] Exempt [ ] DNS [ ] MDNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND INFORMATION

Zoning: Single Family 5000 (SF5000).

Public Comment: The public comment period ended on April 17, 2013. Four comment letters were received.

Background: The original permit #714012 was re-issued as #2001898 on June 7, 2000, and established for the record the second single family dwelling.

ANALYSIS - SHORT SUBDIVISION

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.*

Summary - Short Subdivision

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 unit lot subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This unit lot subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. This plat will be required to provide an easement or covenant to allow for the proper posting of address signage for Unit Lots B and C since they do not have street frontage. Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each unit lot and service is assured, subject to standard conditions governing utility extensions.

Unit lot subdivisions are not subject to SMC 25.09.240. Tree and landscaping requirements were considered under the building permit review. 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.

ANALYSIS –UNIT LOT SUBDIVISION

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.

A. The provisions of this section apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, and cluster development for housing, 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 site for which a permit has been issued pursuant to Section 23.44.041 for a detached accessory dwelling unit, sites developed or proposed to be developed with dwelling units listed in subsection 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 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 fact 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.

Summary - Unit Lot Subdivision

Review of this application shows that the proposed short subdivision conforms to applicable standards of SMC 23.24.045. The structures, as reviewed under the separate building permit, conform to the development standards for the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited, the applicant will be required to add a note to the face of the plat that reads as follows: *"The lots created by unit subdivision are not separate building lots. Additional development on any individual unit lot in this unit subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code."* A joint use and maintenance agreement, City Light easement, and addressing easement or covenant and will be required prior to recording.

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS:

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. On the plat show and describe an easement or covenant to allow for the proper posting of an address sign adjacent to Latona Avenue NE for the benefit of Unit Lot B (#6206) which does not have street frontage. Include the intent, who benefits, costs and maintenance of the address sign easement in the Joint Use/Maintenance Agreement.

Signature: (signature on file) Date: May 16, 2013
Marti Stave, Senior Land Use Planner
Department of Planning and Development

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