

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

Project Proposal: Amendments to the City of Seattle Land Use Code, Title 23, related to land use and zoning, amending Sections 23.22.062, 23.22.100, 23.24.040, 23.24.045, 23.24.046, 23.28.030, 23.41.012, and 23.44.010, to require standards for configuration of platted lots and to add specific standards for development on lots qualifying for exceptions to minimum lot area standards in Single Family zones.

Project Sponsor: City of Seattle Department of Planning and Development

Location of Proposal: The proposal is a non-project action, applicable to property throughout the City of Seattle. The development standards for undersized lots and limits to lot coverage calculations would apply to all single family zoned property throughout the City of Seattle.

SUMMARY OF PROPOSED ACTION

The proposal is a non-project action that would implement measures addressing lot shape and configuration standards common to the zoning codes of other jurisdictions, establish development standards specific to lots in single family zones that qualify for minimum lot area exceptions but have an area less than 2,500 square feet, and limit lot coverage to certain areas of lots. Unit lots would not be subject to the new lot shape and configuration standards.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, 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

Proposal Description

The proposed Code amendments will accomplish the following:

1. Lot shape and configuration standards: Amend subdivision, short subdivision, and lot boundary adjustment regulations to require that newly created or newly adjusted lots meet specific standards:

- Minimum street frontage of 10 feet for lots proposed with street frontage

- Minimum width of 10 feet for a distance of more than 10 feet as measured perpendicular to the width
- Maximum of 6 lot lines
- Must provide alley access if original lot fronts on alley
- The standards may be waived or modified based on specific site conditions such as location of streets, structures, natural topographic features, etc.
- “Two house/one lot short plats in Section 23.24.046 are exempt
- Departure under Design Review is not allowed

2. Development standards for certain “undersized lots”: Amend SMC Section 23.44.010.B as follows:

- Require lots that are platted under the “75/80” rule to meet the lot configuration standards or qualify for a waiver of those standards, just as a proposal for new lots meeting minimum lot size would be required to do.
- Limit maximum height of new structures on lots less than 2,500 square feet to 22 feet
- Limit structure depth on lots less than 2,500 square feet to two times the width of lot

3. Limit lot coverage calculations on all Single Family zoned lots to certain lot dimensions: Amend Section 23.44.010.C to require that only portions of lots that measure at least 10 feet in any direction would count in lot coverage calculations. (Note that this change would not affect minimum lot area calculation for purposes of compliance with minimum lot size or the exceptions to minimum lot size.)

Public Comment

Proposed changes to the Land Use Code require City Council approval. Public comment will be taken on the proposed text changes during future Council hearings.

ANALYSIS - SEPA

This proposal is an adoption of legislation and is defined as a non-project action. The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated June 20, 2011. The information in the checklist, a copy of the proposed text changes, the Director’s Report and Recommendation, and the experience of the lead agency with review of similar legislative actions form the basis for this analysis and decision.

This is a substantive change to the Land Use Code, to implement measures addressing lot shape and configuration standards common to the zoning codes of other jurisdictions, establish development standards specific to lots in single family zones that qualify for minimum lot area exceptions but have an area less than 2,500 square feet, and limit lot coverage to certain areas of lots. This amendment may result in potential impacts and warrants further discussion.

ELEMENTS OF THE ENVIRONMENT

Adoption of the proposed Land Use Code amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below evaluates the potential long-term impacts that might conceivably result from differences in future development patterns due to the proposed amendments.

Natural Environment

Earth, Air, Water, Plants and Animals, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

The proposed changes would result in no direct impacts, and are unlikely to result in significant indirect or cumulative adverse impacts related to earth, air, water, plants/animals, fisheries, energy, natural resources, sensitive areas, noise, or releases of toxic/hazardous substances. The proposed amendment is a non-project action that would implement measures addressing lot shape and configuration standards for platting, establish development standards specific to lots in single family zones that qualify for minimum lot area exceptions but have an area less than 2,500 square feet, and limit lot coverage to certain areas of lots. Since the amendment would apply to a variety of zones and sites, it is possible that elements of the natural environment on future sites, where development is allowed in accordance with the proposed standards, could be impacted. Development of specific projects on individual sites is subject to the City's existing regulations, such as the Stormwater, Grading and Drainage Ordinance, the Environmentally Critical Areas Ordinance, and Noise Ordinance, and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Built Environment

Land & Shoreline Use, Height/Bulk/Scale

The proposal does not involve changes of use and is unlikely to cause a significant shift in development or land use patterns in a given area, so any impacts to land and shoreline use are expected to be minimal. The standards would not affect minimum lot area requirements or specifically limit the number of lots that could be platted. The amendments could affect height, bulk, or scale of a proposed development by proposed limits to height and structure depth on lots less than 2,500 square feet in area and by limiting lot coverage to portions of lots measuring at least 10 feet in any direction. These changes are not expected to be significant due to the relatively low number of lots in the categories proposed to be regulated. Development of specific projects on individual sites is subject to the City's existing regulations and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Housing

The indirect effects of this non-project proposal are not expected to result in significant increased housing impacts. Based on research of DPD application records, a reasonable estimate of the total number of applications for subdivision of land that would be affected by the proposed standards is less than five percent. It is likely that only a fraction of the five percent of these applications would result in preventing the construction of a house. The development standards for undersized lots could limit overall size of a house but not its construction. No specific measures to reduce or control housing impacts are proposed.

Transportation, Public Services and Utilities

The proposed Code amendments would result in minimal direct impacts and are unlikely to result in indirect or cumulative significant adverse impacts related to transportation or public services/utilities. The standards would not affect minimum lot area requirements or specifically limit the number of lots that could be platted, so changes to the requirements for transportation, public services, and utilities is expected to be minimal. Development of specific projects on individual sites is subject to the City's existing regulations and will be subject to environmental review (if they meet or exceed thresholds for environmental review).

Conclusion

The proposed code amendments to require standards for configuration of platted lots and to add specific standards for development on lots qualifying for exceptions to minimum lot area standards in Single Family zones are not expected to result in significant indirect or cumulative adverse impacts on the natural or built environment. They will have no direct impacts on the natural environment and minimal direct impacts to land and shoreline use, height/bulk/scale, housing, or transportation, public services and utilities, due to the small number of properties and platting actions likely to be affected by the proposal and since no specific limitations to the number of platted lots or minimum lot area requirements are proposed or warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist, code amendment, and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS - SEPA

None.

Signature: -----(Signature on File)-----
Gerald N. Suder, Land Use Planner Supervisor
Department of Planning and Development

Date: July 21, 2011