



**Legislative Department
Seattle City Council
Memorandum**

Date: February 14, 2014

To: Mike O'Brien, Chair
Tim Burgess, Vice Chair
Nick Licata, Member
Sally Clark, Alternate
Planning Land Use and Sustainability (PLUS) Committee

From: Ketil Freeman, Council Central Staff

Subject: Extension of Interim Development Standards for Development on Undersized Lots in Single Family Zones

Background

The Land Use Code prescribes a minimum lot size for development on new lots in single family zones. Depending on the single family zone, new lots must be at least 5,000, 7,200, or 9,600 square feet. The minimum lot size for most single family zoned areas in the City is 5,000 square feet. However, to allow infill development, there are exceptions to minimum lot size requirements. Among others, exceptions are codified for undersized lots established by historical records, including tax records, and lots that are at least 75 percent of the minimum lot area required and at least 80 percent of the average lot area of lots on the same block face.¹

In September 2012, in response to the proliferation of large houses on undersized lots, the Council approved [Ordinance 123978](#), which established interim development standards for development on small lots. These interim standards:

- Limit application of the lot area exception provided for lots of historic record to those lots with an area of at least 50 percent of the general minimum requirement for the zone;
- End the use of historic tax records as a basis for qualifying for lot area exceptions; and
- Continue to allow development of lots with an area of between 50 and 75 percent of the general minimum lot area of the zone (i.e. lots between 2,500 and 3,750 square feet in an Single Family 5000 zone) by allowing development on such lots to be built to the height and floor area that would be allowed for a similarly situated detached accessory dwelling unit.

To allow the Department of Planning and Development (DPD) additional time to prepare permanent regulations, the interim controls established by Ordinance 123978 were extended on September 2013 by [Ordinance 124269](#). Unless extended again, interim controls will expire on March 20, 2014.

¹ [Seattle Municipal Code § 23.44.010.B](#).

Council anticipates that a proposed council bill to establish permanent development standards for development on undersized lots will be submitted by the Mayor in March. However, a March submittal will not allow Council to act on a proposal before the interim development standards expire on March 20th. If the interim development standards expire, projects could vest to development standards in place before Ordinance 123978 became effective.

Legislation Extending Interim Development Controls

The Council is considering extending the interim development controls to prevent projects from vesting to pre-interim development standards. A proposed bill, which would make the extension, is attached. The proposed bill would:

- Set out findings-of-fact in support of the extension and
- Extend the effective date of Ordinance 123978, which established the interim development standards, to the earlier of the effective date of a bill that establishes permanent standards or September 8, 2014.

Schedule for Committee Review

- February 21, 2014 – Initial Briefing and Discussion of Interim Controls Extension
- March 4, 2014 – Public Hearing at a Regularly Scheduled PLUS Committee Meeting