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Yellow

**AMENDMENT TO SPECIAL EXCEPTION PROCESS FOLLOWING DECEMBER 14,  
2011 COBE VOTE**

**23.22.100 Design standards~~((τ))~~**

Except as provided in Section 23.22.106, design of all subdivisions shall conform to the standards set forth in this ~~((subsection))~~ Section 23.22.100:

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D. Special Exception. The Director's recommendation on a proposed subdivision, as a Type II special exception decision, may modify the standards of subsection 23.22.100.C.3, if the applicant demonstrates that the proposed plat meets the following criteria:

1. The property has one of the following conditions not created by the applicant:

a. Natural topographic features or natural obstructions prevent the platting of one or more lots according to the standards of subsection 23.22.100.C.3;

b. Location of existing principal structures that are retained on a lot existing prior to the proposed platting require a platting configuration of one or more lots that cannot reasonably meet the standards of subsection 23.22.100.C.3;

c. Location of existing easements or feasibility of access to portions of the property prevents the configuration of proposed plat lines that meet the standards of subsection 23.22.100.C.3.~~((τ))~~

~~((d. Other similar conditions are that prevent application of the standards of subsection 23.22.100.C.3.))~~

2. Modification of the standards of subsection 23.22.100.C.3 shall be the minimum necessary to allow platting of lots that each contain a building area for development meeting the development standards of the zone in which the proposed plat is located.

3. Lots created under the special exception standards of this subsection 23.22.100.D shall not have a configuration that requires a variance from setbacks and yard requirements of the Land Use Code or a variance or exception from the Regulations for Environmentally Critical Areas for any development that may be proposed on the lots.

**23.24.040 Criteria for approval((;))**

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B. Special Exception. The Director may modify the standards of subsection 23.24.040.A.9, as a Type II special exception decision, if the applicant demonstrates that the proposed plat meets the following criteria:

1. The property has one of the following conditions not created by the applicant:
  - a. Natural topographic features or natural obstructions prevent the platting of one or more lots according to the standards of subsection 23.24.040.A.9;
  - b. Location of existing principal structures that are retained on lots existing prior to the proposed platting require a platting configuration of one or more lots that cannot reasonably meet the standards of subsection 23.24.040.A.9;
  - c. Location of existing easements or feasibility of access to portions of the property prevents the configuration of proposed plat lines that meet the standards of subsection 23.24.040.A.9.((;))

((d. Other similar conditions are that prevent application of the standards of subsection 23.24.040.A.9.))

2. Modification of the standards of subsection 23.24.040.A.9 shall be the minimum necessary to allow platting of lots that each contain a building area for development meeting the development standards of the zone in which the proposed plat is located.

3. Lots created under the special exception standards of this subsection 23.24.040.B shall not have a configuration that requires a variance from setbacks and yard requirements of the Land Use Code or a variance or exception from the Regulations for Environmentally Critical Areas for any development that may be proposed on the lots.

#### **23.28.030 Criteria for approval((τ))**

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4. Modification. The Director's recommendation on a proposed lot adjustment may modify the standards of subsection 23.28.030.A.3 if the applicant demonstrates that the proposed lot boundary adjustment meets the following criteria:

a. The property has one of the following conditions not created by the applicant:

1) Natural topographic features or natural obstructions prevent the reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3;

2) Location of existing principal structures that are retained on lots existing prior to the proposed lot boundary adjustment require a reconfiguration of one or more lots that cannot reasonably meet the standards of subsection 23.28.030.A.3;

3) Location of existing easements or feasibility of access to portions of the property prevents the reconfiguration of lot lines that meet the standards of subsection 23.28.030.A.3.

~~((4) Other similar conditions are that prevent application of the standards of subsection 23.28.030.A.3.))~~

b. Modification of the standards of subsection 23.28.030.A.3 shall be the minimum necessary to allow adjusted lots that each contain a building area for development that meets the development standards of the zone in which the proposed lot boundary adjustment is located.

#10  
CB117304

Bill Mills/Michael Jenkins  
2011 Platting and lot standard Amendments  
December 14, 2011  
Version #3

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**ORDINANCE \_\_\_\_\_**

AN ORDINANCE relating to land use, zoning and lots, amending Sections 23.22.100, 23.24.040, 23.24.046, 23.28.030, 23.41.012, 23.44.010, and 23.44.012, to require standards for configuration of platted lots, to add specific standards for development on lots qualifying for exceptions to minimum lot area standards in Single Family zones, and to clarify existing standards for structures eligible for unit lot subdivisions.

WHEREAS, the City of Seattle lacks specific standards for configuration of platted lots, standards which are common in other urban jurisdictions; and

WHEREAS, the lack of lot configuration standards has resulted in the creation of lots that do not reflect the prevailing platting pattern of existing neighborhoods, resulting in confusion about lot ownership, a property owner's rights and responsibilities to neighboring properties, and rights to pedestrian and vehicular access ; and

WHEREAS, the lack of lot configuration standards has resulted in the permitting of structures that are out of proportion within existing neighborhoods, evidenced by the size, orientation, and scale of new structures; and

WHEREAS, odd-shaped lots in all zones raise issues of confusion as to the location of property lines, present issues of access to portions of lots for use and maintenance, potential confusion of ownership and loss of property, or creation of nonconformity due to claims of adverse possession, and may interfere with the purpose of other development standards including but not limited to yard, setback or lot coverage requirements; NOW THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 23.22.100 of the Seattle Municipal Code, which Section was last amended by Ordinance 122615, is amended as follows:

1  
2 **23.22.100 Design standards(~~(7)~~)**

3 Except as provided in Section 23.22.106, design of all subdivisions shall conform to the  
4 standards set forth in this (~~(subsection)~~) Section 23.22.100:

5 A. Streets and Alleys.

6  
7 1. All subdivisions shall be served by one (~~((1))~~) or more streets providing  
8 adequate ingress and egress to and from the subdivision.

9 2. New streets within each subdivision shall conform (~~((with))~~) to the City's  
10 thoroughfare and circulation plans and shall provide for the continuation of streets that serve the  
11 property contiguous to the subdivision. Streets serving lots on two (~~((2))~~) sides shall be at least  
12 (~~((sixty-))~~)60(~~(0))~~) feet wide unless a narrower street is warranted by special physical  
13 circumstances as determined by the Director, in consultation with the Director of Transportation,  
14 or as specified in Section 3.1.2b (for nonarterial streets) or 3.1.1a (for arterials) of the Seattle  
15 Right-of-Way Improvements Manual.

16  
17 3. Street intersections shall be as nearly at right angles as practicable and in no  
18 event shall the angle formed be less than (~~((thirty-))~~)30(~~(0))~~) degrees.

19  
20 4. A cul-de-sac shall be designed according to the Seattle Right-of-Way  
21 Improvements Manual to provide a circular turnaround at the closed end. A tee or other  
22 reasonable alternative may be authorized by the Hearing Examiner in lieu of the turnaround. Cul-  
23 de-sac streets shall not exceed (~~((four hundred fifty-))~~)450(~~(0))~~) feet in length and the right-of-way  
24

1 shall be at least (~~fifty~~)50(~~(')~~) feet wide, except under special circumstances a lesser width  
2 (~~will be~~) is permitted.

3 5. Street networks shall provide ready access for fire and other emergency  
4 vehicles and equipment, and routes of escape for inhabitants.

5 6. Alleys shall be at least (~~sixteen~~)16(~~(')~~) feet wide plus such additional width  
6 as (~~shall be~~) is necessary for an adequate turning radius.

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9 B. Blocks. Blocks shall be designed to (~~assure~~) promote traffic safety and ease of  
10 traffic control and circulation. Blocks shall be identified by letters or numbers.

11  
12 C. Lots.

13 1. Every lot shall be provided with convenient pedestrian and vehicular access to  
14 a street or to a permanent appurtenant easement that satisfies the requirements of Sections  
15 23.53.005 and 23.53.006.

16 2. Lots shall be numbered with reference to blocks.

17 3. Every lot, except unit lots and lots proposed to be platted for individual live-  
18 work units in zones where live-work units are permitted, shall conform to the following  
19 standards for lot configuration, unless a special exception is authorized under subsection

20  
21 23.22.100.D:

22  
23 a. If a lot is proposed with street frontage, then one lot line shall abut the  
24 street for at least 10 feet; and

1                   b. No lot shall be less than 10 feet wide for a distance of more than 10 feet  
2 as measured at any point; and

3                   c. No proposed lot shall have more than six separate lot lines. The lot lines  
4 shall be straight lines, unless the irregularly-shaped lot line is caused by an existing right-of-way  
5 or an existing lot line; and

6                   d. If the property proposed for subdivision is adjacent to an alley, and the  
7 adjacent alley is either improved or required to be improved according to the standards of  
8 Section 23.53.030, then no new lot shall be proposed that does not provide alley access for  
9 vehicles, except that access from a street to an existing use or structure is not required to be  
10 changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet  
11 access standards for the zone in which the property is located.

12                   D. Special Exception. The Director's recommendation on a proposed subdivision, as a  
13 Type II special exception decision, may modify the standards of subsection 23.22.100.C.3, if the  
14 applicant demonstrates that the proposed plat meets the following criteria:

15                   1. The property has one of the following conditions not created by the applicant:

16                   a. Natural topographic features or natural obstructions prevent the platting  
17 of one or more lots according to the standards of subsection 23.22.100.C.3;

18                   b. Location of existing principal structures that are retained on a lot  
19 existing prior to the proposed platting require a platting configuration of one or more lots that  
20 cannot reasonably meet the standards of subsection 23.22.100.C.3;

1                                    c. Location of existing easements or feasibility of access to portions of the  
2 property prevents the configuration of proposed plat lines that meet the standards of subsection  
3 23.22.100.C.3.;

4                                    d. Other similar conditions are that prevent application of the standards of  
5 subsection 23.22.100.C.3.

6                                    2. Modification of the standards of subsection 23.22.100.C.3 shall be the  
7 minimum necessary to allow platting of lots that each contain a building area for development  
8 meeting the development standards of the zone in which the proposed plat is located.

9                                    3. Lots created under the special exception standards of this subsection  
10 23.22.100.D shall not have a configuration that requires a variance from setbacks and yard  
11 requirements of the Land Use Code or a variance or exception from the Regulations for  
12 Environmentally Critical Areas for any development that may be proposed on the lots.

13                                    ~~(D)~~E. Design Standards for Pedestrian Access and Circulation. Design of sidewalks  
14 and private sidewalk easements for pedestrian access and circulation shall meet the standards of  
15 the Seattle Right-of-Way Improvements Manual.

16                                    ~~(E)~~F. Drainage, Storm Sewer and Utility Easements.

17                                    1. Easements for drainage channels and ways shall be of sufficient width to  
18 assure that they may be maintained and improved. Easements for storm sewers shall be provided  
19 and shall be of sufficient width and in proper location to permit future installation. Utility  
20 easements shall be in accordance with plans and specifications prepared by the appropriate City  
21 department.  
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1  
2           2. Easements for electric, telephone, water, gas and similar utilities shall be of  
3 sufficient width to assure installation and maintenance.

4           ~~((F))~~G. Underground Utility Installation. Subdivisions located adjacent to subdivisions  
5 having underground utility lines shall provide underground utility lines including but not limited  
6 to those for electricity, telephone, CATV and street lighting.  
7

8           Section 2. Section 23.24.040 of the Seattle Municipal Code, which Section was last  
9 amended by Ordinance 122615, is amended as follows:

10 **23.24.040 Criteria for approval((+))**

11           A. The Director shall, after conferring with appropriate officials, use the following  
12 criteria to determine whether to grant, condition or deny a short plat:  
13

14           1. Conformance to the applicable Land Use Code provisions, as modified by this  
15 chapter;

16           2. Adequacy of access for pedestrians, vehicles, utilities and fire protection as  
17 provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and  
18 circulation;

19           3. Adequacy of drainage, water supply and sanitary sewage disposal;

20           4. Whether the public use and interests are served by permitting the proposed  
21 division of land;  
22

23           5. Conformance to the applicable provisions of Section 25.09.240, Short  
24 subdivisions and subdivisions, in environmentally critical areas;  
25

1  
2 6. Whether the proposed division of land is designed to maximize the retention of  
3 existing trees;

4 7. Conformance to the provisions of Section 23.24.045, Unit lot subdivisions,  
5 when the short subdivision is for the purpose of creating separate lots of record for the  
6 construction and/or transfer of title of townhouse((s)), rowhouse, and cottage housing  
7 developments, ((clustered housing)) as permitted in Single-Family, Residential Small Lot, and  
8 Lowrise zones, and for single-family ((housing)) dwelling units in Lowrise zones, or any  
9 combination of the above types of residential development, as permitted in the applicable zones;  
10 and;

11  
12 8. Conformance to the provisions of Section 23.24.046, Multiple single-family  
13 dwelling units on a single-family lot, when the short subdivision is for the purpose of creating  
14 two (((2))) or more lots from one (((1))) lot with more than one (((1))) existing single-family  
15 dwelling unit.  
16

17 9. Every lot except unit lots and lots proposed to be platted for individual live-  
18 work units in zones where live-work units are permitted, shall conform to the following  
19 standards for lot configuration, unless a special exception is authorized under subsection  
20 23.24.040.B:

21  
22 a. If a lot is proposed with street frontage, then one lot line shall abut the  
23 street for at least 10 feet; and

1  
2 b. No lot shall be less than 10 feet wide for a distance of more than 10 feet  
3 as measured at any point; and

4 c. No proposed lot shall have more than six separate lot lines. The lot  
5 lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-  
6 of-way or an existing lot line; and

7  
8 d. If the property proposed for subdivision is adjacent to an alley, and the  
9 adjacent alley is either improved or required to be improved according to the standards of  
10 Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except  
11 that access from a street to an existing use or structure is not required to be changed to alley  
12 access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for  
13 the zone in which the property is located.

14  
15 B. Special Exception. The Director may modify the standards of subsection  
16 23.24.040.A.9, as a Type II special exception decision, if the applicant demonstrates that the  
17 proposed plat meets the following criteria:

18 1. The property has one of the following conditions not created by the applicant:

19 a. Natural topographic features or natural obstructions prevent the platting  
20 of one or more lots according to the standards of subsection 23.24.040.A.9;

21 b. Location of existing principal structures that are retained on lots  
22 existing prior to the proposed platting require a platting configuration of one or more lots that  
23 cannot reasonably meet the standards of subsection 23.24.040.A.9;  
24

1  
2 c. Location of existing easements or feasibility of access to portions of the  
3 property prevents the configuration of proposed plat lines that meet the standards of subsection  
4 23.24.040.A.9.;

5 d. Other similar conditions are that prevent application of the standards of  
6 subsection 23.24.040.A.9.

7  
8 2. Modification of the standards of subsection 23.24.040.A.9 shall be the  
9 minimum necessary to allow platting of lots that each contain a building area for development  
10 meeting the development standards of the zone in which the proposed plat is located.

11 3. Lots created under the special exception standards of this subsection 23.24.040.B shall  
12 not have a configuration that requires a variance from setbacks and yard requirements of the  
13 Land Use Code or a variance or exception from the Regulations for Environmentally Critical  
14 Areas for any development that may be proposed on the lots.

15  
16 ((B))C. If the short subdivision contains a proposed dedication, the Director shall refer  
17 the matter to the Director of Transportation for a report and recommendation prior to the  
18 approval of the short subdivision. The short plat or dedication instrument reflecting the proposed  
19 dedication shall be transmitted to the City Council for acceptance of the dedication by ordinance.

20  
21 Section 3. Section 23.24.046 of the Seattle Municipal Code, which Section was last  
22 amended by Ordinance 121476, is amended as follows:

23 **23.24.046 Multiple single-family dwelling units on a single-family lot((-.))**  
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1 A. The provisions of this ~~((s))~~Section 23.24.046 apply exclusively to the short  
2 subdivision of a lot in a single-family zone containing more than one ~~((1))~~ existing single-  
3 family dwelling unit.

4 \* \* \*

5 D. Short subdivision of a lot under this Section 23.24.046 is exempt from the  
6 requirements of subsection 23.24.040.A.9, unless a lot is created that does not have an existing  
7 single family dwelling unit.

8  
9 Section 4. Section 23.28.030 of the Seattle Municipal Code, which Section was last  
10 amended by Ordinance 122050, is amended as follows:

11 **23.28.030 Criteria for approval~~((r))~~**

12 A. The Director shall approve an application for a lot boundary adjustment if it is  
13 determined that:

- 14 1. No additional lot, tract, parcel, site or division ~~((will be))~~ is created by the  
15 proposed adjustment;
- 16 2. No proposed adjusted lot ~~((is created which))~~ contains insufficient area and  
17 dimensions to meet the minimum requirements for development as calculated under the  
18 development standards of the zone in which the lots affected are situated, except as provided in  
19 Section 23.44.010, and under any applicable regulations for siting development on parcels with  
20 riparian corridors, shoreline habitat, shoreline habitat buffers, wetlands, wetland buffers or steep  
21 slopes in ~~((e))~~Chapter 25.09. Any required nondisturbance area shall be legibly shown and  
22 described on the site plan, and a covenant shall be required as set out in Section 25.09.335;  
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24  
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1                   3. Every proposed adjusted lot shall conform to the following standards for lot  
2 configuration, unless a modification is authorized under section 23.28.030.A.4:

3                   a. If an adjusted lot is proposed with street frontage, then one lot line shall  
4 abut the street for at least 10 feet; and

5                   b. No adjusted lot shall be less than 10 feet wide for a distance of more  
6 than 10 feet as measured at any point; and

7                   c. No adjusted lot shall have more than six separate lot lines. The lot lines  
8 shall be straight lines unless the irregularly shaped lot line is caused by an existing right of way  
9 or existing lot line; and

10                   d. If adjusted lot is adjacent to an alley, and the adjacent alley is either  
11 improved or required to be improved according to the standards of Section 23.53.030, then no  
12 adjusted lot shall be proposed that does not provide alley access, except that access from a street  
13 to an existing use or structure is not required to be changed to alley access. Proposed adjusted  
14 lots shall have sufficient frontage on the alley to meet access standards for the zone in which the  
15 property is located.

16                   4. Modification. The Director's recommendation on a proposed lot adjustment  
17 may modify the standards of subsection 23.28.030.A.3 if the applicant demonstrates that the  
18 proposed lot boundary adjustment meets the following criteria:

19                   a. The property has one of the following conditions not created by the  
20 applicant:

1                                    1) Natural topographic features or natural obstructions prevent the  
2 reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3;

3                                    2) Location of existing principal structures that are retained on lots  
4 existing prior to the proposed lot boundary adjustment require a reconfiguration of one or more  
5 lots that cannot reasonably meet the standards of subsection 23.28.030.A.3;

6                                    3) Location of existing easements or feasibility of access to  
7 portions of the property prevents the reconfiguration of lot lines that meet the standards of  
8 subsection 23.28.030.A.3.

9                                    4) Other similar conditions are that prevent application of the  
10 standards of subsection 23.28.030.A.3.

11                                    b. Modification of the standards of subsection 23.28.030.A.3 shall be the  
12 minimum necessary to allow adjusted lots that each contain a building area for development that  
13 meets the development standards of the zone in which the proposed lot boundary adjustment is  
14 located.

15                                    ~~((3))~~5. ~~((No))~~ The adjusted lot ~~((is created which does not have))~~ has adequate  
16 drainage, water supply and sanitary sewage disposal, and access for vehicles, utilities and fire  
17 protection;

18                                    ~~((4))~~6. The lot boundary adjustment is consistent with applicable provisions of  
19 Title 23 of the Seattle Municipal Code ~~((Land Use Code, Title 23))~~.

20                                    B. An application for a lot boundary adjustment on a parcel containing an~~((d))~~  
21 environmentally critical area or buffer shall include the information described in Section  
22

1 25.09.330, unless the Director determines that some of the information listed is not necessary for  
2 reviewing the application.

3 Section 5. Section 23.41.012 of the Seattle Municipal Code, which Section was last  
4 amended by Ordinance 123776, is amended as follows:

5 **23.41.012 Development standard departures**

6 A. Departure from Land Use Code requirements may be permitted for new multifamily,  
7 commercial, and Major Institution development as part of the design review process. Departures  
8 may be allowed if an applicant demonstrates that departures from Land Use Code requirements  
9 would result in a development that better meets the intent of adopted design guidelines.

10 B. Departures may be granted from any Land Use Code standard or requirement, except  
11 for the following:

12 \* \* \*

13 23. Lot configuration standards in subsections 23.22.100.C.3, 23.24.040.A.9, and  
14 23.28.030.A.3, which may be modified as authorized in those provisions.

15 Section 6. Section 23.44.010 of the Seattle Municipal Code, which Section was last  
16 amended by Ordinance 123649, is amended as follows:

17 **23.44.010 Lot requirements**

18 \* \* \*

19 B. Exceptions to Minimum Lot Area Requirements. The following exceptions to  
20 minimum lot area requirements are allowed, subject to the development standards for undersized  
21 lots in subsection 23.44.010.C, except as limited under subsection 23.44.010.B.2:



1 a) for a lot that is subdivided or short platted, the  
2 configuration requirements of subsections 23.22.100.C.3 and 23.24.040.A.9 or with the  
3 modification provisions of subsections 23.22.100.D and 23.24.040.B, as applicable; or

4 b) for an existing lot that is reconfigured under the  
5 provisions of Chapter 23.28, the configuration requirements of subsection 23.28.030.A.3 or with  
6 the or modification provisions of subsection 23.28.030.A.4.

7  
8 b. The lot area deficit is the result of a dedication or sale of a  
9 portion of the lot to the City or state for street or highway purposes, payment was received for  
10 only that portion of the lot, and the lot area remaining is at least 50 percent of the minimum  
11 required.

12 c. The lot would qualify as a legal building site under  
13 subsection 23.44.010.B but for a reduction in lot area due to court- ordered adverse possession,  
14 and the amount by which the lot was so reduced was less than 10 percent of the former area of  
15 the lot. This exception does not apply to lots reduced to less than 50 percent of the minimum  
16 area required under subsection 23.44.010.A

17  
18 d. The lot was established as a separate building site in the  
19 public records of the county or City prior to July 24, 1957, by deed, contract of sale, mortgage,  
20 property tax segregation, platting or building permit, and falls into one of the following  
21 categories:  
22

23 1) The lot has not been held in common ownership  
24 with any contiguous lot after January 17, 1987, or  
25



1 to eaves and unenclosed decks extending onto an adjacent property do not serve to tie the  
2 properties together for purposes of this exception, and these features may be removed to allow  
3 separate development of the lots if they otherwise qualify; or

4 e. The lot is within a Clustered Housing Planned Development  
5 pursuant to Section 23.44.024, a Planned Residential Development pursuant to Section  
6 23.44.034, or a development approved as an environmentally critical areas conditional use  
7 pursuant to Section 25.09.260.  
8

9 f. The lot is or was created by short subdivision of a lot  
10 containing more than one existing single family dwelling unit pursuant to Section 23.24.046.

11 2. Limitations.

12 a. Development may occur on a substandard lot containing a  
13 riparian corridor, a shoreline habitat and shoreline habitat buffer, a wetland and wetland buffer,  
14 or a steep slope and steep slope buffer pursuant to the provisions of Chapter 25.09, Regulations  
15 for Environmentally Critical Areas, if the following conditions apply:  
16

17 1) The substandard lot is not held in common  
18 ownership with an adjacent lot or lots at any time after October 31, 1992, or

19 2) The substandard lot is held in common  
20 ownership with an adjacent lot or lots, or has been held in common ownership at any time after  
21 October 31, 1992, if proposed and future development will not intrude into the environmentally  
22 critical area or buffer.  
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1 b. Lots on totally submerged lands do not qualify for any  
2 minimum lot area exceptions.

3 C. Development standards for certain lots that qualify for the exception to minimum area  
4 in subsection 23.44.010.B.1.d. Development on those lots that meet the conditions outlined in  
5 subsection 23.44.010.B.1.d but have a total area less than 2,500 square feet shall comply with the  
6 following:

7 1. The height standards of Section 23.44.012.A.3.

8 2. Structure depth shall not exceed two times the width of the lot, for any lot less  
9 than 30 feet wide. If a side yard easement is provided according to subsection 23.44.014.D.3,  
10 then the easement area may be included as part of the width of the lot for purposes of compliance  
11 with this subsection 23.44.010.C.2.

12 D. Maximum Lot Coverage. The maximum lot coverage permitted for principal and  
13 accessory structures is as follows:

Lot Size	Maximum Lot Coverage
Less than 5,000 square feet (sq. ft.)	1,000 sq. ft. + 15% of lot area
5,000 sq. ft. or more	35% of lot area

14 For purposes of computing maximum lot coverage, only those portions of a lot that measure at  
15 least 10 feet in any direction shall be included in lot coverage calculations, except for portions of  
16 a lot that are used for access or that are granted a waiver under subsections 23.22.100.D,  
17 23.24.040.B, or 23.28.030.A.4 for the purpose of providing access.  
18

1 ((D))E. Lot Coverage Exceptions.

2 \* \* \*

3 Section 7. Section 23.44.012.A of the Seattle Municipal Code, which Section was  
4 last amended by Ordinance 123564, is amended as follows:

5 **23.44.012 Height Limits**

6 A. Maximum Height Established.

7  
8 1. Except as permitted in Section 23.44.041.B, and except as provided in  
9 subsections 23.44.012.A.2 and A.3, the maximum permitted height for any structure not located  
10 in a required yard is 30 feet.

11 2. The maximum permitted height for any structure on a lot 30 feet or less in  
12 width is 25 feet.

13 3. The maximum permitted height for any structure on a lot of less than 2,500  
14 square feet is 22 feet, if that lot has less than 15 feet of street frontage and if the front yard or  
15 side yard of that lot abuts, for at least 15 feet, on the rear yard of another lot.

16 4. The method of determining structure height and lot width is detailed in Chapter  
17 23.86, Measurements.

18 \* \* \*

19  
20  
21 Section 8. The provisions of this ordinance are declared to be separate and severable.  
22 The invalidity of any particular provision shall not affect the validity of any other provision.

23 Section 9. Except as otherwise provided herein, this ordinance shall take effect and be in  
24 force 60 days from and after its approval by the Mayor, but if not approved and returned by the  
25

1 Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal  
2 Code Section 1.04.020.

3 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
4 signed by me in open session in authentication of its passage this \_\_\_\_ day of  
5 \_\_\_\_\_, 2012.

6 \_\_\_\_\_  
7 President \_\_\_\_\_ of the City Council

8 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 Michael McGinn, Mayor

12 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

13 \_\_\_\_\_  
14 \_\_\_\_\_  
15 City Clerk

16 (Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Legislative	Michael Jenkins/5-1674	N/A

**Legislation Title:**

An Ordinance relating to land use, zoning and lots, amending Seattle Municipal Code Sections 23.22.100, 23.24.040, 23.24.046, 23.28.030, 23.41.012, 23.44.010, and 23.44.012, to require standards for configuration of platted lots, to add specific standards for development on lots qualifying for exceptions to minimum lot area standards in Single Family zones, and to clarify existing standards for structures eligible for unit lot subdivisions.

**Summary of the Legislation:**

Four changes to the Land Use Code are proposed:

1. *New standards for lot shape and configuration:* Amend subdivision, short subdivision, and lot boundary adjustment regulations to require that newly created lots, or existing lots whose lot size is changed or reconfigured, meet the following standards:
  - a. Minimum street frontage of 10 feet for lots proposed with street frontage;
  - b. Minimum dimension of 10 feet in any direction, except that a lot may be narrower; than 10 feet for a distance of less than 10 feet;
  - c. Maximum of 6 lot lines;
  - d. Must provide alley access if original lot fronts on alley; and
  - e. The standards may be waived or modified based on specific site conditions such as location of streets, structures, natural topographic features, etc.
2. *New lot coverage limit to make buildings more proportionate to lot size/shape:* For all lots, allow only portions of lots that measure at least 10 feet in any direction to count in lot coverage calculations (lot coverage is how much of a lot can be covered by buildings).
3. *New standards for "undersized lots":* Some existing legal lots in Single Family zones are significantly smaller than the minimum lot size requirements established by the Land Use Code – less than 2,500 square feet. These "undersized" lots can also be developed through exceptions to the minimum lot size requirements. To ensure that new structures on such lots are appropriately sized for these small lots that are less than 2,500 sq.ft, new structures must meet the following standards:
  - a. Limit the maximum base height of new structures to 22 feet; and
  - b. Limit the depth of new structures to: two times the width of lot, when the lot is less than 30 feet wide.
4. *Clarify existing standards for structures eligible for unit lot subdivisions:* The proposed amendments would change language in the criteria for approval of short plats so that the



subsection addressing structures and zones to which unit lot subdivisions apply are the same as is listed in the separate standards for specific approval of unit lot subdivisions.

**Background:**

The proposed legislation builds on Code amendments adopted by City Council in 2008 to address issues of height, bulk and scale in single family development. In addition to single family zones, the legislation addresses many issues posed by platting of odd shaped lots in all zones, including concentration of development near the street and issues of lot maintenance. Platting standards similar to the proposal are common in the land use and zoning codes of other jurisdictions. The proposal further addresses issues of bulk and scale of development of small lots that qualify for exceptions to the minimum lot area standards in single family zones. A lack of specific standards in the existing Land Use Code has sometimes led to unique or oddly configured yards, setbacks, street frontages, or access easements, as well as structures on small lots that have an appearance of excessive bulk and scale. The proposed changes to platting and lot standards would align Seattle's regulations with other jurisdictions that address the size, shape, and configuration of new lots and new development to allow for reasonable infill development through the orderly division of property. While some additional review time to implement this legislation could occur for Department of Planning and Development (DPD) staff, research shows that the total number of proposed plats with odd configurations and the total number of very small lots that will be affected by the proposal represent a limited number of projects. The additional review time is not expected to be significant and may be balanced by reduction in staff time currently spent explaining odd-shaped platting proposals and development on very small lots to the general public.

Please check one of the following:

**This legislation does not have any financial implications.**

**This legislation has financial implications.**

**Other Implications:**

a) **Does the legislation have indirect financial implications, or long-term implications?**

No.

b) **What is the financial cost of not implementing the legislation?**

The cost has not been specifically quantified, but the current lack of clarity in the Land Use Code leads to DPD time spent explaining and defending decisions to allow odd-shaped lots in platting reviews, as well as development on very small lots.



**c) Does this legislation affect any departments besides the originating department?**

No.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

No alternatives have been identified.

**e) Is a public hearing required for this legislation?**

Yes. The Seattle City Council must hold a public hearing, currently scheduled for Wednesday November 30, 2011, before the Committee on the Built Environment (COBE).

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

Yes. Publication of notice of the Council public hearing will be(?) made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin. Environmental review under the State Environmental Policy Act (SEPA) is also required for this legislation. Publication of notice of the environmental determination was made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin on July 21, 2011.

**g) Does this legislation affect a piece of property?**

The legislation is of general application in all zones with respect to proposed platting standards and to various residential zones with respect to other proposed requirements.

**h) Other Issues:**

None.

**List attachments to the fiscal note below: None.**

