



ADMINISTRATIVE ORDER #000100-082107

INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: SMC 20.50.020

I. ISSUE:

Is SMC 20.50.020(A)(2) meant to apply to any project in which the definition of “zero lot line” applies or is it intended to just apply to zero lot line projects with attached dwelling units?

II. FINDINGS:

SMC 20.20.060 defines zero lot line as: “The location of a building on a lot in such a manner that one or more of the building’s sides rest directly on a lot line.” No reference is made to whether the dwelling units must be attached.

SMC 20.50.020(A)(2) states: “These standards [minimum lot size, width and setbacks] may be modified to allow zero lot line developments.”

Several other Administrative Orders (#301127, #000050-061102, #000062-012904) state the intent of SMC 20.50.020(A)(2) is to encourage attached housing in single family residential zones.

SMC 20.50.020(A)(7) states in the R-6 zone: The base density for single-family detached dwellings on a single lot that is less than 14,400 square feet shall be calculated using a whole number, without rounding up.

The intent of SMC 20.50.020(A)(7) is to protect single family residential neighborhoods in the R-6 zone by limiting the density on smaller lots so that projects of 2 detached dwelling units must have enough area so each unit could be located on a lot that meets the minimum lot area standard, whether the project involved subdividing the lot or not.

III. CONCLUSIONS:

The intent of SMC 20.50.020(A)(7) would be circumvented if SMC 20.50.020(A)(2) were allowed to apply to detached single family zero lot line projects. That is, two detached single family dwelling units could be allowed on a lot of less than 14,400 square feet.

The intent of SMC 20.50.020(A)(2) is to allow attached single family dwelling units to be located on individual fee simple lots.

IV. DECISION:

In the R-6 zone, SMC 20.50.020(A)(2) is only applicable to zero lot line developments where:

- All zero lot line dwelling units are attached by a common vertical wall that is at least 50 percent of each side of units facing each other; and
- A building is located on a lot such that one or more of a building's side rests directly on an interior lot line, with at least 50 percent of the side located directly on the lot line.

original signed by Joe Tovar 8/27/07

Director's Signature

Date