



Planning & Development Services Dept.

17544 Midvale Avenue North
Shoreline, WA 98133-4921
(206) 546-1811 ♦ Fax (206) 546-8761

ADMINISTRATIVE ORDER#301497 022008
CODE INTERPRETATION

CODE SECTION: 20.40.340 and 20.50.070

ISSUE: The question is what the front setback requirement is for a garage on a duplex in the R-12 zone.

FINDINGS:

- Zoning: R-12, Residential, 12 units per acre. Front yard setback is 10 feet in this zone, pursuant to Shoreline Municipal Code (SMC) Section 20.50.020.
- Duplexes are a permitted use in the R-12 zone under SMC 20.40.120.
- SMC Section 20.40.340 presents use criteria that are applicable to duplexes as follows:

Duplex may be permitted in R-4 and R-6 zones subject to compliance with dimensional and density standards for applicable R-4 or R-6 zone and subject to single-family residential design standards.

Two or more duplexes are subject to multifamily and single-family attached residential design standards. (Ord. 299 § 1, 2002; Ord. 238 Ch. IV § 3(B), 2000).

- SMC 20.50.070, under Single-family Detached Residential Design Standards, allows an exception to the 20 foot front yard setback required in the R-4 and R-6 zones. A note under this exception requires a 20 foot setback for a garage or carport.

Exception 20.50.070(1): The front yard setback may be reduced to the average front setback of the two adjacent lots; provided the applicant demonstrates by survey that the average setback of adjacent houses is less than 20 feet. However, in no case shall an averaged setback of less than 15 feet be allowed. If the subject lot is a corner lot, the setback may be reduced to the average setback of the lot abutting the proposed house on

the same street and the 20 feet required setback. (This provision shall not be construed as requiring a greater front yard setback than 20 feet.)

For individual garage or carport units, at least 20 linear feet of driveway shall be provided between any garage, carport entrance and the property line abutting the street, measured along the centerline of the driveway.

- SMC 20.50.140.B, under Multi-family Single-family Attached Residential Design Standards, requires a 20-foot setback for garages and carports.
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- SMC 20.20.016 defines a multi-family dwelling as “*Multifamily dwellings include: townhouses, apartments, mixed use buildings, single-family attached, and two or more duplexes.* (emphasis added).

CONCLUSIONS: SMC 20.40.340 does not call out specific design standards for a single duplex in the R-12 zone. It only calls out design standards for duplexes in R-4 and R-6 zones, and for more than one duplex on a lot. A single duplex is not considered a multi-family development.

SMC 20.50.340 calls out the use of Single-family Detached Residential Design Standards for duplexes in R-4 and R-6 zones. It does not mention the higher density zones in this section.

SMC 20.50.070 applies to developments in the R-4 and R-6 zones, because it is an exception to the 20 foot front yard setback required in those zones. The statement requiring a 20-foot setback for a garage applies to this specific exception in the R-4 and R-6 zones.

DECISION: Since 20.40.340 does not call out specific design standards for a single duplex in the R-12 zone, and since it is not considered a multi-family development, neither the Single-family Detached Residential Design Standards nor the Multi-family & Single-family Attached Residential Design Standards apply. Density and Dimensional standards as set forth under 20.50.020, plus any applicable Parking, Land Clearing, Use and Critical Areas standards, shall govern the design of such development. A 10-foot setback for a garage is appropriate for a duplex in the R-12 zone.

original signed by Joe Tovar 2/20/08

Director's Signature

Date