



*Planning & Community Development.*

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**ADMINISTRATIVE ORDER #000130- 091318**  
**CODE INTERPRETATION**

**CODE SECTION: SMC 20.70.450 Access Widths**

**I. ISSUE(S):**

- A.** Is the clause “without adjacent development potential” superfluous to give effect to SMC 20.70 Subchapter 6 access widths?
- B.** What SMC section regulates vehicle and pedestrian internal circulation beyond the access approach for five (5) or more single-family attached dwellings?

**II. FINDINGS:**

**A. Relevant Shoreline Municipal Code (SMC) Provisions**

**SMC 20.20.010** defines “access” to mean “a way or means of approach to provide vehicular or pedestrian physical entrance to a property.”

**SMC 20.20.017** defines “dwelling, single-family attached” as “a building containing more than one dwelling unit attached by common vertical wall(s), such as townhouse(s) and duplexes. Single-family attached dwellings shall not have units located one over another (except duplexes may be one unit over the other).”

**SMC 20.50 Subchapter 3 Multifamily and Single-Family Attached Residential Design**

**20.50-140 Parking –Access and location – Standards**

**SMC Subchapter 6 - Access Widths provides the standards for access:**

**20.70.440 Purpose.**

The purpose of this subchapter is to establish basic dimensional standards for access widths when applied to certain types of development. Access widths are described and defined in the Engineering Development Manual.

**Table 20.70.450 – Access Widths.**

Dwelling Type and Number	Engineering Development Manual Access Types and Width
1 unit	Residential
2 – 4 units	Shared
5 or more units	Multifamily
Commercial, public facility	Commercial
Circular	Per Criteria in EDM
5 or more units without adjacent development potential	Private Street

**B. Relevant 2016 Engineering Development Manual (EDM) provisions**

**EDM Appendix A** defines “access” to mean “the safe, adequate, and usable ingress/egress (entrance/exit) between private property and the public street system. Usually defined at the right-of-way.

**EDM Section 11.2, Table 9 Access Widths**

Access Types	Non-arterial Street		S		Arterial Streets	
	Width (FT)		Width (FT)		Width (FT)	
	Min.	Max.	Min.	Max.	Min.	Max.
Residential	10	20	10	20	10	20
Shared	20	30	20	30	20	30
Multi-family	20	30	20	30	20	30
Commercial	20	30	20	30	20	36
Circular Drive	10	12	NA	NA	NA	NA
Private Street	20	30	20	30	20	30

C. Unlike EDM *Table 9*, which speaks to access types, SMC *Table 20.70.450 – Access Widths* speaks to the number of dwelling units in relationship to access types. For the purposes of this Administrative Order, SMC *Table 20.70.450* provides for two distinct

access types when “5 or more units” are proposed. Multi-family access is required for 5 or more units but private street access is required when those same units are “without adjacent development potential.”

- D. According to EDM *Table 9 Access Widths*, multifamily and private street access require the same width - a minimum width of 20 feet and a maximum width of 30 feet on both arterial and non-arterial streets.
- E. As the definitions in the SMC and EDM denote, access is the point at which a property connects to the public street system. Thus, access is not a type of driveway (single, shared, circular) or street (public or private), it is limited to the paved area (asphalt or concrete) between the property line and the edge of the public right-of-way. Access does not extend beyond this point.
- F. The method of internal circulation beyond the access point is determined by the land use category for the proposed development. SMC 20.50.140 contains access standards for multi-family and single-family attached developments and SMC 20.60.150 sets the general requirement for adequate vehicular and pedestrian access to the public right-of-way.
- G. It is generally presumed that the City Council meant precisely what it said when it adopts a regulation and, therefore, when possible, regulations should be construed so that no clause, sentence, or word is rendered meaningless, made superfluous, void, or insignificant. Because of this maxim, the Department cannot simply choose to ignore the clause but, the Department can subtract language when it is certain that the City Council did not intend the words to be in the regulation and the rejection of the words serves merely as a correction of careless language and actually gives the true intention of the regulation. In other words, the Department can look at the purpose of the statute which must prevail over express but inept language.
- H. The purpose of SMC Subchapter 6 is clearly set forth in SMC 20.70.440 - to establish basic dimensional standards for access widths when applied to certain types of development. SMC Table 20.70.450 does this by assigning an access width by the number of dwelling units in a proposed project. Which for projects of 5 units or more, is the same regardless of adjacent development potential.

### III. CONCLUSIONS

- A. Is the clause “without adjacent development potential” superfluous to give effect to SMC 20.70 Subchapter 6 access widths?  
Yes, in this instance, since the access widths for multifamily and private streets are the same, the Department concludes the clause “without adjacent development potential” does not have any useful purpose within the context of SMC 20.70 Subchapter 6. It is mere surplusage and unnecessary to give the regulation’s purpose effect.

- B.** What SMC section regulates internal vehicle and pedestrian circulation beyond the access approach for five (5) or more single family attached dwellings?

Single family attached residential developments are regulated by SMC 20.50 Subchapter 2. Internal circulation is expressly regulated by SMC 20.50.140 Parking – Access and location – Standards. In addition, SMC 20.60.150 Adequate access sets forth requirements for vehicular and pedestrian access. Access widths contained in SMC 20.70.450 and EDM Table 9 have not impact on internal circulation.

**IV. DECISION:**

When processing development applications for five (5) or more dwelling units, the City of Shoreline shall disregard the clause “without adjacent development potential” contained in SMC Table 20.70.450 and shall apply the access width of a minimum of 20 feet and a maximum of 30 feet.

When processing development applications for five (5) or more dwelling units, the City of Shoreline shall apply the internal circulation requirements of SMC 20.50.140 and SMC 20.60.150 when those units include single-family attached dwellings.

*Note: This decision does not vest a project and is subject to the code in effect at the time of this action.*

  
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Director's Signature

9/13/18  
Date