



ADMINISTRATIVE ORDER #000087 062606

INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: 20.50.040 Setbacks – Designation and measurement

REQUEST: Clarification of the designation of setbacks for flag /pipestem lots.

FINDINGS:

- SMC 20.30.032 defines a flag lot as a large lot not meeting minimum frontage requirements where access to the public road is by a narrow, private right-of-way or driveway.
- SMC 20.50.040A states the director shall designate the front yard setback on irregular lots.
- Flag/pipestem lots are irregular lots.
- SMC 20.50.040(C) states rear and side yard setbacks are defined in relation to the designated front yard setback. Included are graphic depictions of various examples of lots and their yard setback designation. There is no graphic depiction of flag/pipestem lots.
- SMC 20.50.040(I)(10) states driveways for single-detached dwellings may cross required yard setbacks or landscaped areas in order to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or yard setback area is displaced by the driveway.
- Engineering Development Guide Section 3.01.C.5.b states the full width of the narrow portion of a flag lot may be used for a driveway and the usual driveway setback from property lines is not applied.

DECISION:

The narrow (stem) portion of flag lots do not have setback requirements. Setback regulations are applicable only to the buildable area portion of the lot.

Therefore, SMC 20.50.040(I)(10) and SMC 20.50.420(B)-(C) do not apply to the stem portion of flag lots so driveways may take up the full width of the stem in accordance with EDG 3.01(C)(5)(b), whether the stem is a part of the lot or is an easement on an adjacent lot.

SMC 20.50.040A does apply, so the director may designate the front yard setback for flag lots, but that setback will not include any part of the stem portion.

This Administrative Order does not change driveway separation standards in the right-of-way.

original signed by Joe Tovar 6/26/06

Director's Signature

Date