

**Agenda Sheet for City Council Meeting of:**

01/22/2018

Date Rec'd	1/8/2018
Clerk's File #	ORD C35575
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	PLANNING
Contact Name/Phone	NATHAN 625-6893
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Agenda Item Type	First Reading Ordinance
Agenda Item Name	0650 - CODE AMENDMENTS TO COTTAGE HOUSING

Agenda Wording

An ordinance relating to relating to cottage housing, pocket residential development, and compact lot standards, amending Spokane Municipal Code (SMC) sections 17A.020.010, 17A.020.030, 17A.020.040, 17A.020.130, 17A.020.190, 17C.110.030, 17C.110.115,

Summary (Background)

Code amendments to Cottage Housing (SMC 17C.110.350) for larger unit floor area, subdivision of internal units, slight increases in height and density, attention to standards for development perimeters, and to allow in the RTF zone. Also, allow Pocket Residential (private access and new lots; SMC 17C.110.360), and some smaller lots (Table 17C.110-3), in the RSF zone, with no changes to aggregate site density for those development tools, using limited design standards.

Fiscal Impact	Grant related? NO	Budget Account
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
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Division Director	TRAUTMAN, HEATHER	Other	Urban Development
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FIRST READING OF THE ABOVE
ORDINANCE HELD ON

1-22-2018

AND FURTHER ACTION WAS DEFERRED

Laura Jensen
CITY CLERK (Acting)

PASSED BY
SPOKANE CITY COUNCIL:

1/29/2018

Tom Hefter
CITY CLERK



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

17C.110.200, 17C.110.350, 17C.110.360, 17C.230.130, 17G.080.065; adopting a new section 17C.110.209 to chapter 17C.110 SMC; and repealing SMC section 17C.110T.002.

Summary (Background)

Fiscal Impact	Budget Account
Select \$	#
Select \$	#

Distribution List

sbishop@spokanecity.org	

COVER SHEET

Infill Development Code Revisions

1.1 Cottage Housing and Pocket Residential Code Amendments

Recommended by Spokane City Plan Commission to City Council for Adoption

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ORDINANCE NO. C35575

An ordinance relating to relating to cottage housing, pocket residential development, and compact lot standards, amending Spokane Municipal Code (SMC) sections 17A.020.010, 17A.020.030, 17A.020.040, 17A.020.130, 17A.020.190, 17C.110.030, 17C.110.115, 17C.110.200, 17C.110.350, 17C.110.360, 17C.230.130, 17G.080.065; adopting a new section 17C.110.209 to chapter 17C.110 SMC; and repealing SMC section 17C.110T.002.

WHEREAS, it is a planning goal of the Washington State Growth Management Act under RCW 36.70A.020(1) to "Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;" and

WHEREAS, in compliance with Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, the City of Spokane's Comprehensive Plan encourages development that is designed to create a positive perception of Spokane (Goal DP 3), and provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), in addition to opportunities for a variety of housing types (Goal H1); and

WHEREAS, Comprehensive Plan Policy LU 2.1, Public Realm Features, states: "*Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment;*" and

WHEREAS, Comprehensive Plan Policy LU 2.2, Performance Standards, states: "*Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses;*" and

WHEREAS, Comprehensive Plan Policy LU 3.6, Compact Residential Patterns, states: "*Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines;*" and

WHEREAS, the discussion section of Comprehensive Plan Policy LU 3.7, Maximum and Minimum Lot Sizes, states: "*One of the ways to use the remaining usable land more efficiently is to increase the overall housing density. Increased density promotes efficient and cost effective provision of city facilities, services, and transportation systems and enables the provision of affordable housing;*" and

WHEREAS, Comprehensive Plan Policy LU 7.1, Regulatory Structure, states: "*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit;*" and

WHEREAS, Comprehensive Plan Policy H 1.18, Distribution of Housing Options, states: "*Promote a wide range of housing types and housing diversity to meet the needs*

of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs;” and

WHEREAS, the City of Spokane’s Comprehensive Plan defines infill development as the development of vacant lots or parcels within an already built up area; and

WHEREAS, design standards and guidelines are required for cottage housing, pocket residential development, and compact lot standards, so as to ensure compatibility of development with existing developed neighborhoods consistent with Comprehensive Plan Policy DP 2.12, Infill Development, which states: *“Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character;”* and

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City’s Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the Washington Administrative Code 365-196-300(3)(b)(i) states “Development regulations must allow development at the densities assumed in the comprehensive plan;” and

WHEREAS, according to the Washington Commerce Department’s 2015 Housing Needs Assessment (“Assessment”), more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as “cost-burdened;” and

WHEREAS, more than 28,000 renter households were also cost-burdened, according to the Assessment; and

WHEREAS, together these households represented a third of the total number of households; meanwhile, only 43 percent of households earning less than \$31,500 (50% of median family income) had access to affordable and available housing, according to the Assessment; and

WHEREAS, according to American Community Survey 1-year estimates, rental vacancies in Spokane County were tied in 2015 and 2016 at the lowest level for at least twelve years, at 3.7 percent, falling from a high of 8 percent in 2011; and

WHEREAS, the city of Spokane’s estimated rental vacancy rate also reached a twelve-year low at 3.1 percent in 2015, rising to 4.6 percent in 2016, which was down from a high of 9.7 percent in 2009 for that period; and

WHEREAS, in 2016, a Plan Commission subcommittee (“committee”) was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land; and

WHEREAS, during a public engagement process that solicited community input, the committee identified development opportunities, recommended removing particular provisions of the development code that discourage single-family homes, and recommended changes needed to achieve high-quality infill development in residential zones; and

WHEREAS, the committee prepared a series of recommendations that included proposed regulatory changes, including amendments to unit lot subdivision (SMC 17G.080.065) to allow new development, update dimensional and other standards such as smaller lot sizes to support attached housing and more efficient use of land (SMC 17C.110.200), enabling internal subdivision of Cottage Housing development (SMC 17C.110.350), allowing cottage housing units to be larger and capable of attaching units, and allowing pocket residential development outright as a tool in the RSF zone or with a conditional use permit rather than through a zoning change to RSF-Compact; and

WHEREAS, the Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee's summary report and recommendation as a guide for future program development and potential regulatory implementation measures; and

WHEREAS, it is necessary to create opportunities for development that can achieve the higher densities envisioned in the Comprehensive Plan, thus reducing impacts on City service delivery; and

WHEREAS, it is necessary to create additional opportunities to compatibly increase the affordable housing supply and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates; and

WHEREAS, residential infill development may occur anywhere that a parcel of land is vacant or is not developed to the full number of units allowed in the underlying zoning designation; and

WHEREAS, there is a need for flexibility in the development of land for residential uses that are consistent with the Comprehensive Plan; and

WHEREAS, related to public health, safety, welfare, and protection of the environment, this ordinance is intended to make more efficient use of available lands, and encourage development in closer proximity to services, effectively reducing sprawl; and

WHEREAS, residential infill development is allowed in most of the zoning categories of the Spokane Municipal Code: in Commercial, Center and Corridor, and Downtown Zones, there are no maximum density of limits for residential uses; and

WHEREAS, this ordinance changes existing provisions for alternative residential development and standards for Residential Zones, where residential density is

regulated, that improve the opportunities for the compatible development of residential uses that are consistent with the Comprehensive Plan; and

WHEREAS, the changes are aligned with the committee recommendations and include additional housing types and enabling subdivision in cottage housing developments, with additional bonus densities to encourage the construction of smaller housing units; and expansion of pocket residential development to additional areas and allowing sites eligible for a rezone to utilize the compact lot standards without requiring a rezone; and

WHEREAS, the City complied with RCW 36.70A.370 in the process of adopting this Ordinance; and

WHEREAS, the City conducted an open house meeting on November 2, 2017; and

WHEREAS, the City encouraged public participation and provided information on the amendments on its website (<http://my.spokanecity.org/projects>); and

WHEREAS, the City of Spokane Plan Commission held workshops throughout the process; and

WHEREAS, a State Environmental Policy Act (SEPA) Checklist was prepared and a Determination of Nonsignificance (DNS) was issued on November 29, 2017, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on December 1 and 6, 2017, giving notice of the Plan Commission public hearing and of the released SEPA Checklist and DNS; and

WHEREAS, on December 13, 2017, the Plan Commission held a public hearing on the recommended amendments and recommended, by a vote of 8-1, approval of the amendments; and

WHEREAS, the City Council adopts the findings and conclusions of the Plan Commission and further incorporates the Planning Department's entire file into the record in support of the Council's adoption of this Ordinance; and

WHEREAS, the public has had opportunities to participate throughout the process and all persons desiring to comment were given an opportunity to be heard; --
Now, Therefore

The City of Spokane does ordain:

Section 1. That SMC section 17A.020.010 is amended to read as follows:

17A.020.010 "A" Definitions

- A. **Abandoned Sign Structure.**
A sign structure where no sign has been in place for a continuous period of at least six months.

- B. **Aboveground Storage Tank or AST.**
Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.

- C. **Accepted.**
A project for which the required plans have been found to be technically adequate.

- D. **Accessory Dwelling Unit (ADU).**
An accessory dwelling unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:
 - 1. "Mother-in-law apartments,"
 - 2. "Accessory apartments," or
 - 3. "Second units."

- E. **Accessory Structure.**
A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure.
 - 1. Accessory structures may be attached or detached from the primary structure.
 - 2. Examples of accessory structures include:
 - a. Garages,
 - b. Decks,
 - c. Fences,
 - d. Trellises,
 - e. Flagpoles,

- f. Stairways,
- g. Heat pumps,
- h. Awnings, and
- i. Other structures.

3. See also SMC 17A.020.160 ("Primary Structure").

F. Accessory Use.

A use or activity which is a subordinate part of a primary use and which is clearly incidental to a primary use on a site.

G. Activity.

See Regulated Activity.

H. Administrative Decision.

A permit decision by an officer authorized by the local government. The decision may be for approval, denial, or approval with conditions and is subject to the applicable development standards of the land use codes or development codes.

I. Adult Bookstore or Adult Video Store.

1. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified anatomical areas," as defined in SMC 17A.020.190, or "specified sexual activities," as defined in SMC 17A.020.190. A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria:

- a. At least thirty percent of the establishment's displayed merchandise consists of said items; or
- b. At least thirty percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items; or
- c. At least thirty percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or
- d. The establishment maintains at least thirty percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations

where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or

- e. The establishment maintains at least five hundred square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or
- f. The establishment regularly offers for sale or rental at least two thousand of said items; or
- g. The establishment regularly features said items and regularly advertises itself or holds itself out, in any medium, by using "adult," "XXX," "sex," "erotic," or substantially similar language, as an establishment that caters to adult sexual interests.

2. For purposes of this definition, the term "floor space" means the space inside an establishment that is visible or accessible to patrons, excluding restrooms.

J. Adult Business.

An "adult bookstore or adult video store," an "adult entertainment establishment," or a "sex paraphernalia store."

K. Adult Entertainment Establishment.

- 1. An "adult entertainment establishment" is an enclosed building, or any portion thereof, used for presenting performances, activities, or material relating to "specified sexual activities" as defined in SMC 17A.020.190 or "specified anatomical areas" as defined in SMC 17A.020.190 for observation by patrons therein.
- 2. A motion picture theater is considered an adult entertainment establishment if the preponderance of the films presented is distinguished or characterized by an emphasis on the depicting or describing of "specified sexual activities" or "specified anatomical areas."
- 3. A hotel or motel providing overnight accommodations is not considered an adult entertainment establishment merely because it provides adult closed circuit television programming in its rooms for its registered overnight guests.

L. Adult Family Home.

A residential use as defined and licensed by the state of Washington in a dwelling unit.

M. Agency or Agencies.
The adopting jurisdiction(s), depending on the context.

N. Agricultural Activities.

1. Pursuant to WAC 173-26-020(3)(a), agricultural uses and practices including, but not limited to:
 - a. Producing, breeding, or increasing agricultural products;
 - b. Rotating and changing agricultural crops;
 - c. Allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded;
 - d. Allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions;
 - e. Allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement;
 - f. Conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment;
 - g. Maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is not closer to the shoreline than the original facility; and
 - h. Maintaining agricultural lands under production or cultivation.
2. The City of Spokane shoreline master program defines agriculture activities as:
 - a. Low-intensity agricultural use is defined as passive grazing and plant cultivation; or
 - b. High-intensity agricultural use includes such activities as feedlots, feed mills, packing plants, agricultural processing plants or warehouse for the purpose of processing, packing, and storage of agricultural products.

O. Agricultural Land.

Areas on which agricultural activities are conducted as of the date of adoption of the updated shoreline master program pursuant to the State shoreline guidelines as evidenced by aerial photography or other documentation. After the effective date of the SMP, land converted to agricultural use is subject to compliance with the requirements herein.

- P. **AKART.**
An acronym for “all known, available, and reasonable methods to control toxicants” as used in the sense of the state Water Pollution Control Act and RCW 90.48.520 thereof. AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.
- Q. **Alkali Wetlands.**
Alkali wetlands means wetlands characterized by the occurrence of shallow saline water. In eastern Washington, these wetlands contain surface water with specific conductance that exceeds three thousand micromhos/cm. They have unique plants and animals that are not found anywhere else in eastern Washington such as the alkali bee. Conditions within these wetlands cannot be easily reproduced through compensatory mitigation.
- R. **Alley.**
See “Public Way” (SMC 17A.020.160).
- S. **Alteration.**
A physical change to a structure or site.
1. Alteration does not include normal maintenance and repair or total demolition.
 2. Alteration does include the following:
 - a. Changes to the facade of a building.
 - b. Changes to the interior of a building.
 - c. Increases or decreases in floor area of a building; or
 - d. Changes to other structures on the site, or the development of new structures.
- T. **Alteration of Plat, Short Plat, or Binding Site Plan.**
The alteration of a previously recorded plat, short plat, binding site plan, or any portion thereof, that results in a change to conditions of approval or the deletion of existing lots or the change of plat or lot restrictions or dedications that are shown on the recorded plat. An alteration does not include a boundary line adjustment subject to SMC 17G.080.030.
- U. **Alternative or Post-incarceration Facility.**
A group living use where the residents are on probation or parole.
- V. **[Deleted]**

W. [Deleted]

X. [Deleted]

Y. [Deleted]

Z. API 653.

The American Petroleum Institute's standards for tank inspection, repair, alteration, and reconstruction.

AA. Appeal.

A request for review of the interpretation of any provision of Title 17 SMC.

AB. Appeal – Standing For.

As provided under RCW 36.70C.060, persons who have standing are limited to the following:

1. The applicant and the owner of property to which the land use decision is directed; and
2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
 - a. The land use decision has prejudiced or is likely to prejudice that person;
 - b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
 - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 - d. The petitioner has exhausted his or her administrative remedies to the extent required by law (RCW 36.70C.060).

AC. Applicant.

An application for a permit, certificate, or approval under the land use codes must be made by or on behalf of all owners of the land and improvements. "Owners" are all persons having a real property interest. Owners include:

1. Holder of fee title or a life estate;
2. Holder of purchaser's interest in a sale contract in good standing;

3. Holder of seller's interest in a sale contract in breach or in default;
4. Grantor of deed of trust;
5. Presumptively, a legal owner and a taxpayer of record;
6. Fiduciary representative of an owner;
7. Person having a right of possession or control; or
8. Any one of a number of co-owners, including joint, in common, by entireties, and spouses as to community property.

AD. Application – Complete.

An application that is both counter-complete and determined to be substantially complete as set forth in SMC 17G.060.090.

AE. Aquaculture.

The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.

AF. Aquatic Life.

Shall mean all living organisms, whether flora or fauna, in or on water.

AG. Aquifer or Spokane Aquifer.

A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.

AH. Aquifer Sensitive Area (ASA).

That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of SMC 17E.050.260.

AI. Aquifer Water Quality Indicators.

Common chemicals used for aquifer water quality screening. These are:

1. Calcium,
2. Magnesium,
3. Sodium,
4. Total hardness,

5. Chloride,
 6. Nitrate-nitrogen, and
 7. Phosphorus.
- AJ. Archaeological Areas and Historical Sites.
Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.
- AK. Architectural feature
Ornamental or decorative feature attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.
- AL. Architectural Roof Structure
Minor tower or turret extending from the cornice or main roof line of a building, typically highlighting a primary corner or building entry. For purposes of the FBC, such features may not be occupied.
- ~~1. Area of Shallow Flooding.
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).~~
 - ~~2. The base flood depths range from one to three feet.~~
 - ~~3. A clearly defined channel does not exist.~~
 - ~~4. The path of flooding is unpredictable and indeterminate.~~
 - ~~5. Velocity flow may be evident.~~
 - ~~6. AO is characterized as sheet flow and AH indicates ponding.~~
- AM. Area of Shallow Flooding.
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
1. The base flood depths range from one to three feet.
 2. A clearly defined channel does not exist.
 3. The path of flooding is unpredictable and indeterminate.
 4. Velocity flow may be evident.
 5. AO is characterized as sheet flow and AH indicates ponding.
- AN. Area of Special Flood Hazard.

The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

AO. Arterial.
See:

1. "Principal Arterials" – SMC 17A.020.160,
2. "Minor Arterials" – SMC 17A.020.130,
3. "Collector Arterial" – SMC 17A.020.030, or
4. "Parkway" – SMC 17A.020.160.

AP. Articulation.

The emphasis of architectural elements, such as windows, balconies, and entries that create a complementary pattern or rhythm, dividing the buildings into smaller identifiable pieces.

~~((AP))~~AQ. Assisted Living Facility.

A multi-family residential use licensed by the state of Washington as a boarding home pursuant to chapter 18.20 RCW, for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes.

1. An "assisted living facility" contains multiple assisted living units.
2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.

~~((AQ))~~AR. Attached Housing.

Two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. These include:

1. Townhouses,
2. Row houses, and
3. Other similar structures

~~((AR))~~AS. Attached Structure.

Any structure that is attached by a common wall to a dwelling unit.

1. The common wall must be shared for at least fifty percent of the length of the side of the principal dwelling.

2. A breezeway is not considered a common wall.
3. Structures including garages, carports, and house additions attached to the principal dwelling unit with a breezeway are still detached structures for purposes of this chapter and its administration.

~~((AS))~~AT. Available Capacity.

Capacity for a concurrency facility that currently exists for use without requiring facility construction, expansion, or modification (RCW 76.70A.020).

~~((AT))~~AU. Average Grade Level.

Means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property on that part of the lot to be occupied by the building or structure as measured by averaging the elevations at the center of all exterior walls of the proposed structure.

~~((AU))~~AV. Awning

A roof-like cover, often made of fabric or metal, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, or door.

Section 2. That SMC section 17A.020.030 is amended to read as follows:

17A.020.030 "C" Definitions

A. Candidate Species.

A species of fish or wildlife, which is being reviewed, for possible classification as threatened or endangered.

B. Carport.

A carport is a garage not entirely enclosed on all sides by sight-obscuring walls and/or doors.

C. Cellular Telecommunications Facility.

They consist of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.

D. Central Business District.

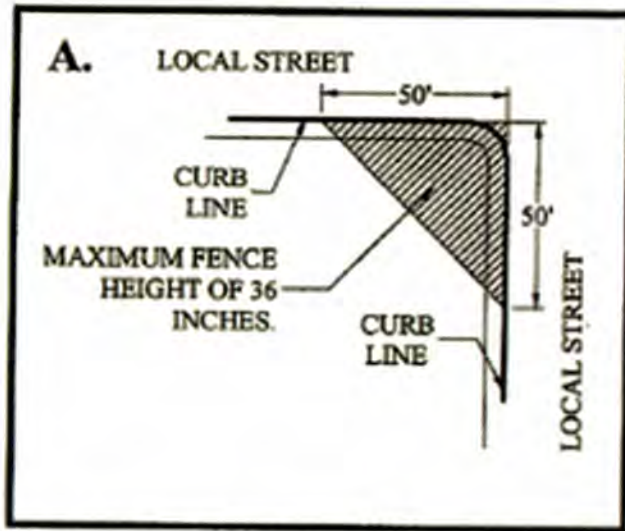
The general phrase "central business district" refers to the area designated on the comprehensive plan as the "downtown" and includes all of the area encompassed by all of the downtown zoning categories combined.

E. Certificate of Appropriateness.

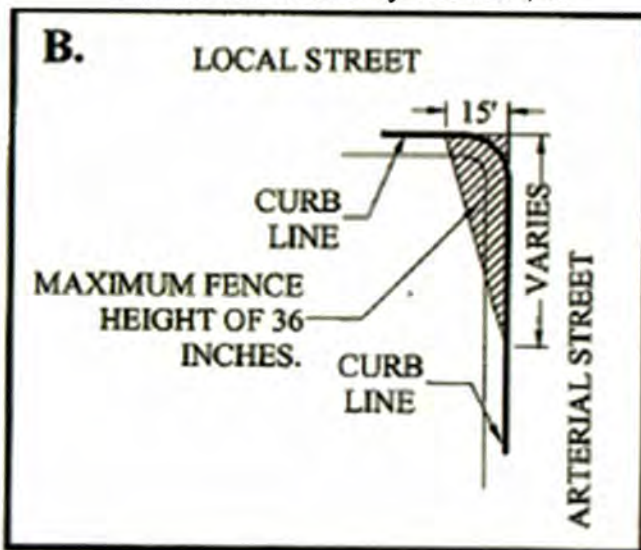
Written authorization issued by the commission or its designee permitting an alteration or significant change to the controlled features of a landmark or landmark site after its nomination has been approved by the commission.

- F. **Certificate of Capacity.**
A document issued by the planning services department indicating the quantity of capacity for each concurrency facility that has been reserved for a specific development project on a specific property. The document may have conditions and an expiration date associated with it.
- G. **Certified Erosion and Sediment Control Lead (CESCL).**
An individual who is knowledgeable in the principles and practices of erosion and sediment control. The CESCL shall have the skills to assess the:
1. site conditions and construction activities that could impact the quality of stormwater, and
 2. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.
- The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.
- H. **Change of Use.**
For purposes of modification of a preliminary plat, "change of use" shall mean a change in the proposed use of lots (e.g., residential to commercial).
- I. **Channel Migration Zone (CMZ).**
A corridor of variable width that includes the current river plus adjacent area through which the channel has migrated or is likely to migrate within a given timeframe, usually one hundred years.
- J. **Channelization.**
The straightening, relocation, deepening, or lining of stream channels, including construction of continuous revetments or levees for the purpose of preventing gradual, natural meander progression.
- K. **City.**
The City of Spokane, Washington.
- L. **Clear Street Width.**
The width of a street from curb to curb minus the width of on-street parking lanes.
- M. **Clear Pedestrian Zone**
Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.
- N. **Clear View Triangle**
A clear view maintained within a triangular space at the corner of a lot so that it does not obstruct the view of travelers upon the streets.

1. A right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or

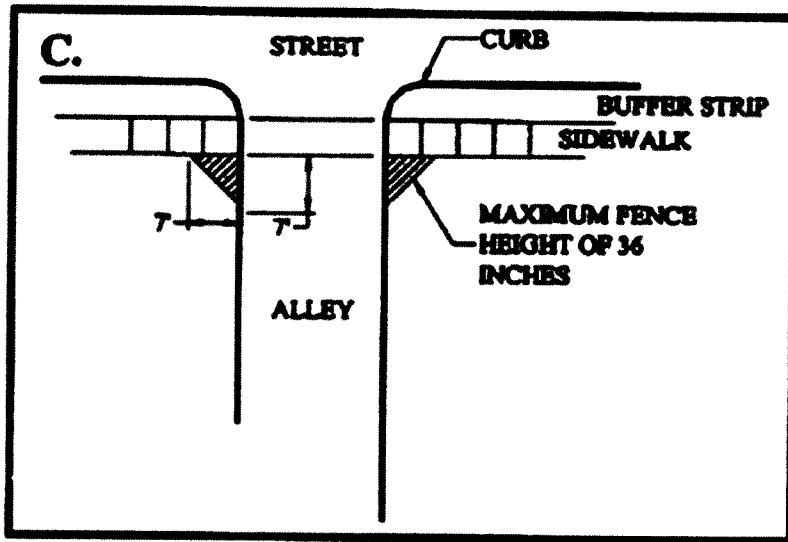


2. A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or



A right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:

- a. the inside line of the sidewalk; or
- b. if there is no sidewalk, a line seven feet inside the curb line.



- O. Clear Zone.
An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles.
- P. Clearing.
The removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, or burning.
- Q. Cliffs.
1. A type of habitat in the Washington department of fish and wildlife (WDFW) priority habitat and species system that is considered a priority due to its limited availability, unique species usage, and significance as breeding habitat. Cliffs are greater than twenty-five feet high and below five thousand feet elevation.
 2. A "cliff" is a steep slope of earth materials, or near vertical rock exposure. Cliffs are categorized as erosion landforms due to the processes of erosion and weathering that produce them. Structural cliffs may form as the result of fault displacement or the resistance of a cap rock to uniform downcutting. Erosional cliffs form along shorelines or valley walls where the most extensive erosion takes place at the base of the slope.
- R. Closed Record Appeal Hearing.
A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that relies on the existing record created during a quasi-judicial hearing on the application. No new testimony or submission of new evidence and information is allowed.

- S. Collector Arterial.
A relatively low speed street serving an individual neighborhood.
 1. Collector arterials are typically two-lane roads with on-street parking.
 2. Their function is to collect and distribute traffic from local access streets to principal and minor arterials.
- T. Co-location.
Is the locating of wireless communications equipment from more than one provider on one structure at one site.
- U. Colony.
A hive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.
- V. Commercial Driveway.
Any driveway access to a public street other than one serving a single-family or duplex residence on a single lot.
- W. Commercial Vehicle.
Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.
- X. Commission – Historic Landmarks.
The City/County historic landmarks commission.
- Y. Community Banner.
A temporary banner made of sturdy cloth or vinyl that is not commercial advertising that has the purpose of the promotion of a civic event, public service announcement, holiday decorations, or similar community and cultural interests and is placed on a structure located in the public right-of-way, subject to procedures authorized by city administrator.
- Z. Community Meeting.
An informal meeting, workshop, or other public meeting to obtain comments from the public or other agencies on a proposed project permit prior to the submission of an application.
 1. A community meeting is between an applicant and owners, residents of property in the immediate vicinity of the site of a proposed project, the public, and any registered neighborhood organization or community council responsible for the geographic area containing the site of the proposal, conducted prior to the submission of an application to the City of Spokane.
 2. A community meeting does not constitute an open record hearing.

- 3 The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.

AA. Compensatory Mitigation.

Replacing project-induced wetland losses or impacts, and includes, but is not limited to, the following:

1. Restoration.

The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation.

2. Re-establishment.

The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.

3. Rehabilitation.

The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.

4. Creation (Establishment).

The manipulations of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.

5. Enhancement.

The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

6. Protection/Maintenance (Preservation).
Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation. Preservation does not result in a gain of wetland acres, may result in a gain in functions, and will be used only in exceptional circumstances.

AB. Comprehensive Plan.

The City of Spokane comprehensive plan, a document adopted pursuant to chapter 36.70A RCW providing land use designations, goals and policies regarding land use, housing, capital facilities, housing, transportation, and utilities.

AC. Conceptual Landscape Plan.

A scale drawing showing the same information as a general site plan plus the location, type, size, and width of landscape areas as required by the provisions of chapter 17C.200 SMC.

1. The type of landscaping, L1, L2, or L3, is required to be labeled.
2. It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.

AD. Concurrency Certificate.

A certificate or letter from a department or agency that is responsible for a determination of the adequacy of facilities to serve a proposed development, pursuant to chapter 17D.010 SMC, Concurrency Certification.

AE. Concurrency Facilities.

Facilities for which concurrency is required in accordance with the provisions of this chapter. They are:

1. transportation,
2. public water,
3. fire protection,
4. police protection,
5. parks and recreation,
6. libraries,

7. solid waste disposal and recycling,
 8. schools, and
 9. public wastewater (sewer and stormwater).
- AF. Concurrency Test.
The comparison of an applicant's impact on concurrency facilities to the available capacity for public water, public wastewater (sewer and stormwater), solid waste disposal and recycling, and planned capacity for transportation, fire protection, police protection, schools, parks and recreation, and libraries as required in SMC 17D.010.020.
- AG. Conditional Use Permit.
A "conditional use permit" and a "special permit" are the same type of permit application for purposes of administration of this title.
- AH. Condominium.
Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.
- AI. Confidential Shelter.
Shelters for victims of domestic violence, as defined and regulated in chapter 70.123 RCW and WAC 248-554. Such facilities are characterized by a need for confidentiality.
- AJ. Congregate Residence.
A dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.
- AK. Conservancy Environments.
Those areas designated as the most environmentally sensitive and requiring the most protection in the current shoreline master program or as hereafter amended.
- AL. Container.
Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.
- AM. Context Areas

Established by the Regulating Plan, Context Area designations describe and direct differing functions and features for areas within FBC limits, implementing community goals for the built environment.

- AN. Conveyance.
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means a mechanism for transporting water from one point to another, including pipes, ditches, and channels.
- AO. Conveyance System.
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means the drainage facilities and features, both natural and constructed, which collect, contain and provide for the flow of surface and stormwater from the highest points on the land down to receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels, and most flow control and water quality treatment facilities.
- AP. Copy.
Letters, characters, illustrations, logos, graphics, symbols, writing, or any combination thereof designed to communicate information of any kind, or to advertise, announce or identify a person, entity, business, business product, or to advertise the sale, rental, or lease of premises
- AQ. Cottage Housing.
1. A grouping of individual structures where each structure contains one or two dwelling units.
 2. The land underneath the structures (~~is not~~) may or may not be divided into separate lots.
 3. A cottage housing development may contain (~~no less than six and no more than twelve individual structures in addition to~~) detached accessory buildings for storing vehicles. It may also include a community building, garden shed, or other facility for use of the residents.
 4. The types of units allowed in cottage housing developments are detached cottages, attached unit homes and carriage units. For the purposes of SMC 17C.110.350, the definitions of these types are:

a. Cottage. A detached, single-family residential building.



b. Attached Unit Home. A structure containing two dwelling units designed to look like a single-family home.



c. Carriage Unit. A single-family dwelling unit located above a garage structure.



- AR. Council.
The city council of the City of Spokane.
- AS. County.
Usually capitalized, means the entity of local government or, usually not capitalized, means the geographic area of the county, not including the territory of incorporated cities and towns.
- AT. Covenants, Conditions, and Restrictions (CC&Rs).
A document setting forth the covenants, conditions, and restrictions applicable to a development, recorded with the Spokane County auditor and, typically, enforced by a property owner's association or other legal entity.
- AU. Creep.
Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.
- AV. Critical Amount.
The quantity component of the definition of critical material.

AW. Critical Aquifer Recharge Areas (CARA).
Critical aquifer recharge areas (CARA) include locally identified aquifer sensitive areas (ASA) and wellhead protection areas.

AX. Critical Areas.
Any areas of frequent flooding, geologic hazard, fish and wildlife habitat, aquifer sensitive areas, or wetlands as defined under chapter 17E.010 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, and chapter 17E.070.SMC.

AY. Critical Facility.
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to:

1. schools;
2. nursing homes;
3. hospitals;
4. police;
5. fire;
6. emergency response installations; and
7. installations which produce, use, or store hazardous materials or hazardous waste.

AZ. Critical Material.

1. A compound or substance, or class thereof, designated by the division director of public works and utilities which, by intentional or accidental release into the aquifer or ASA, could result in the impairment of one or more of the beneficial uses of aquifer water and/or impair aquifer water quality indicator levels. Beneficial uses include, but are not limited to:
domestic and industrial water supply,
 - a domestic and industrial water supply,
 - b. agricultural irrigation,
 - c. stock water, and
 - d. fish propagation.

Used herein, the designation is distinguished from state or other designation.

2. A list of critical materials is contained in the Critical Materials Handbook, including any City modifications thereto.

BA. Critical Material Activity.

A land use or other activity designated by the manager of engineering services as involving or likely to involve critical materials. A list of critical materials activities is contained in the Critical Materials Handbook.

BB. Critical Materials Handbook.

The latest edition of a publication as approved and amended by the division director of public works and utilities from time to time to accomplish the purposes of this chapter.

1. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.
2. The handbook, as approved and modified by the division director of public works and utilities, contains:
 - a. a critical materials list,
 - b. a critical materials activities list, and
 - c. other technical specifications and information.
3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

BC. Critical Review.

The process of evaluating a land use permit request or other activity to determine whether critical materials or critical materials activities are involved and, if so, to determine what appropriate measures should be required for protection of the aquifer and/or implementation of the Spokane aquifer water quality management plan.

BD. Critical Review Action.

1. An action by a municipal official or body upon an application as follows:
 - a. Application for a building permit where plans and specifications are required, except for Group R and M occupancies (SMC 17G.010.140 and SMC 17G.010.150).

- b. Application for a shoreline substantial development permit (SMC 17G.060.070(B)(1)).
 - c. Application for a certificate of occupancy (SMC 17G.010.170).
 - d. Application for a variance or a certificate of compliance (SMC 17G.060.070(A) or SMC 17G.060.070(B)(1)).
 - e. Application for rezoning (SMC 17G.060.070(A)).
 - f. Application for conditional permit (SMC 17G.060.070(A)).
 - g. Application for a business license (SMC 8.01.120).
 - h. Application for a permit under the Fire Code (SMC 17F.080.060).
 - i. Application for a permit or approval requiring environmental review in an environmentally sensitive area (SMC 17E.050.260).
 - j. Application for connection to the City sewer or water system.
 - k. Application for construction or continuing use of an onsite sewage disposal system (SMC 13.03.0149 and SMC 13.03.0304).
 - l. Application for sewer service with non-conforming or non-standard sewage (SMC 13.03.0145, SMC 13.03.0314, and SMC 13.03.0324).
 - m. Application involving a project identified in SMC 17E.010.120.
 - n. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.
 - o. Application for an underground storage tank permit (SMC 17E.010.210); and
 - p. Application for permit to install or retrofit aboveground storage tank(s) (SMC 17E.010.060(A) and SMC 17E.010.400(D)).
2. Where a particular municipal action is requested involving a land use installation or other activity, and where said action is not specified as a critical review action, the City official or body responsible for approval may, considering the objectives of this chapter, designate such as a critical review action and condition its approval upon compliance with the result thereof.

BE. Critical Review Applicant.

A person or entity seeking a critical review action.

BF. Critical Review Officer – Authority.

1. The building official or other official designated by the director of public works and utilities.
2. For matters relating to the fire code, the critical review officer is the fire official.
3. The critical review officer carries out and enforces the provisions of this chapter and may issue administrative and interpretive rulings.
4. The critical review officer imposes requirements based upon this chapter, regulations, and the critical materials handbook.
5. The officer may adopt or add to any requirement or grant specific exemptions, where deemed reasonably necessary, considering the purpose of this chapter

BG. Critical Review Statement.

A checklist, disclosure form, or part of an application for a critical review action, disclosing the result of critical review. Where not otherwise provided as part of the application process, the critical review officer may provide forms and a time and place to file the statement.

BH. Cumulative Impacts.

The combined, incremental effects of human activity on ecological or critical area functions and values. Cumulative impacts result when the effects of an action are added to or interact with other effects in a particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions.

BI. Curb Ramp.

A ramp constructed in the sidewalk to allow wheelchair access from the sidewalk to the street.

BJ. Cutbank.

The concave bank of a moving body of water that is maintained as a steep or even overhanging cliff by the actions of water at its base.

Section 3. That SMC section 17A.020.040 is amended to read as follows:

17A.020.040 “D” Definitions

A. Day.

A calendar day. A time period expressed in a number of days is computed by excluding the first day and including the last day. When an act to be done requires a City business day, and the last day by which the act may be done is not a City business day, then the last day to act is the following business day.

- B. Debris Flow.
Slow moving, sediment gravity flow composed of large rock fragments and soil supported and carried by a mud-water mixture.
- C. Debris Slide.
A shallow landslide within rock debris with the slide usually occurring within a relatively narrow zone.
- D. "Decibel (dB)" means the measure of sound pressure or intensity.
- E. Dedication.
The deliberate appropriation of land, or an easement therein, by its owner for any general and public uses, reserving to the owner no rights other than those that are compatible with the full exercise and enjoyment of the public uses for which the property has been devoted, and accepted for such use by or on behalf of the public. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat, or binding site plan showing the dedication thereon or by dedication deed to the City. The acceptance by the public shall be evidenced by the approval of such plat, short plat, binding site plan, or at the City's option, by the City recording such dedication deed with the Spokane County auditor.
- F. Degraded Wetland.
A wetland altered through impairment of some physical or chemical property which results in reduction of one or more wetland functions and values.
- G. Demolition or Partial Demolition.
The destruction, removal, or relocation, in whole or in part, of a building or structure or a significant feature of a building or structure that is of important historical character. Demolition (or partial demolition) does not include the removal of past additions for the express purpose of restoration of a structure to its historic appearance, form, or function. Demolition (or partial demolition) does not include the destruction or removal of portions of a building or structure that are not significant to defining its historic character. This exclusion is valid so long as the demolition is done as part of a design review application approved pursuant to chapter 17C.040 SMC.
- H. Density.
The number of housing units per acre as permitted by the zoning code.
- I. Denuded.

Land that has had the natural vegetative cover or other cover removed leaving the soil exposed to mechanical and chemical weathering.

J. Department.

Any of the departments of engineering services, planning services, fire department, or parks and recreation for which responsibility has been assigned by charter or code for administration.

K. Design Departure.

Any change that is sought to modify or waive a design requirement (R) or waive a design presumption (P) contained within the design standards. The design departure process is found in chapter 17G.030 SMC, Design Departures.

L. Design Guidelines.

A set of design parameters for development which apply within a design district, sub-district, or overlay zone. The guidelines are adopted public statements of intent and are used to evaluate the acceptability of a project's design.

M. Design Review Board.

The design review board is defined in chapter 4.13 SMC. The design review board was previously named design review committee. Any reference to design review committee is the same as a reference to the design review board.

N. Designation.

The declaration of a building, district, object, site, or structure as a landmark or historic district.

O. Desired Character.

The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted subarea plans or design guidelines for an area.

P. Detailed Site Plan.

A general site plan to which the following detailed information has been added:

1. Natural vegetation, landscaping, and open spaces.
2. Ingress, egress, circulation, parking areas, and walkways.
3. Utility services.
4. Lighting.
5. Signs.
6. Flood plains, waterways, wetlands, and drainage.

- 7. Berms, buffers, and screening devices; and
 - 8. Such other elements as required in this chapter.
- Q. **Developable Area.**
Land outside of a critical area and associated buffer including wetlands, fish and wildlife habitat conservation areas, riparian habitat area, landslide areas, steep slope areas, floodplain, floodway, shallow flooding, channel migration zone, and associated buffers, or any other restricted area on a particular piece of property.
- R. **Development.**
Any proposed land use, zoning, or rezoning, comprehensive plan amendment, annexation, subdivision, short subdivision, planned unit development, planned area development, conditional use permit, special use permit, shoreline development permit, or any other property development action permitted or regulated by the Spokane Municipal Code.
- S. **Development Activity – Floodplain.**
Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.
- T. **Development Approval.**
Any recommendation or approval for development required or permitted by this code.
- U. **Development Codes.**
The state-adopted codes, boiler and pressure vessel, building, electrical, elevator, fire, mechanical, plumbing, and related publications adopted by the City, along with other provisions of this code that relate to private access to, use and obstruction of public right-of-way, and engineering standards that relate to private construction of public utilities and facilities.
- V. **Development Permit.**
Any permit issued by the City authorizing construction, including a building permit, conditional use permit, substantial development permit, or other permit required by the City.
- W. **Development Plan, Site.**
The final site plan that accompanied a recommendation or approval for development permitted by this code and that may identify standards for bulk and location of activities, infrastructure and utilities specific to the development.
- ((W)) X. **Dike.**
An artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting arable land from flooding.

- ((X)) Y. Direct Impact.
An impact upon public facilities that has been identified as a direct consequence or result of a proposed development.
- ((Y)) Z. Directional.
Any of the four basic compass directions, abbreviated as follows: N, S, E, W, SE, NE, SW, NW shall also be considered as a directional. A directional is placed in front of the root roadway name.
- ((Z)) AA. Directional Sign.
A sign exclusively limited to guiding the circulation of motorists or pedestrians on the site.
- ((AA)) AB. Director.
The administrative official of the department responsible for compliance with this code, the development codes, and the land use codes. These include the director of building services, director of engineering services, and the director of planning services.
- ((AB)) AC. Discharge (n).
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means runoff, excluding offsite flows, leaving a proposed development through overland flow, built conveyance systems, or infiltration facilities.
- ((AG)) AD. Discharge (v).
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any disposal, injection, dumping, spilling, pumping, emitting, emptying, leaching, or placing of any material so that such material enters and exits from the MS4 or from any other publicly owned or operated drainage system that conveys storm water. The term includes other verb forms, where applicable.
- ((AD)) AE. Discharger.
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any person that discharges to the City's MS4 or any other publicly owned or operated drainage system that conveys, manages, or disposes of stormwater flows.
- ((AE)) AF. District.
A geographically definable area, urban or rural, small or large, possessing a significant concentration, linkage, or continuity of buildings, objects, sites, and/or structures united by past events or aesthetically by plan or physical development.
- ((AF)) AG. Disturbance Area.
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means an area where soils are exposed or disturbed by development, both existing and proposed. The disturbance area includes staging and storage areas, structures, and areas needed for vehicle access and maneuvering.

((AG)) AH. Dock.

All platform structures or anchored devices in or floating upon water bodies to provide moorage for pleasure craft or landing for water-dependent recreation.

((AH)) AI. Documented Habitat.

Habitat classified by state or federal agencies as critical to the survival of endangered or threatened or sensitive animal, fish, or plant species.

((AI)) AJ. Domestic Animal.

1. Large Domestic Animals.

- a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
- b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
- c. Bovines under ten months in age.
- d. Sheep, goats, and swine under three months in age are not included when counting large animals.

2. Small Domestic Animals.

- a. Fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined.
- b. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.
- c. Small livestock are defined as:
 1. swine- breeds include miniature Vietnamese, Chinese or oriental pot-bellied pigs (*sus scrofa vittatus*),
 2. other small pig breeds such as Kunekune, Choctaw, and Guinea hogs,
 3. all breeds of goats excluding mature large meat breeds such as Boers, and
 4. all breeds of sheep excluding mature large meat breeds such as Suffolk or Hampshire sheep.
 5. No horned rams shall be permitted as a small livestock.
 6. Under no circumstance shall a small livestock exceed thirty-six inches shoulder height or one hundred and fifty pounds in weight.
- d. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.

((AJ)) AK. Drainage Ditch.

An artificially created watercourse constructed to drain surface or ground water. Ditches are graded (man-made), channels installed to collect and convey runoff from fields and roadways. Ditches may include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities, or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse. Ditches channels that support fish are considered to be streams.

((AK)) AL. Dredge Spoil.

The material removed by dredging.

((AL)) AM. Dredging.

The removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged material from the bottom of water bodies; maintenance dredging and other support activities are included in this definition.

((AM)) AN. Drift Cell.

Or "drift sector" or "littoral cell" means a particular reach of marine shore in which littoral drift may occur without significant interruption and which contains any natural sources of such drift and also accretion shore forms created by such drift.

((AN)) AO. Driveway.

An all-weather surface driveway structure as shown in the standard plans.

((AQ)) AP. Duplex.

A building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.

((AP)) AQ. Dwelling Unit.

A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

Section 4. That SMC section 17A.020.130 is amended to read as follows:

17A.020.130 "M" Definitions

A. Main Assembly Area.

The principal room for persons gathering for religious services.

B. Maintenance.

Or "repair" means those usual activities required to prevent a decline, lapse, or cessation from a lawfully established condition or to restore the character, scope,

size, and design of a serviceable area, structure, or land use to a state comparable to its previously authorized and undamaged condition. This does not include any activities that change the character, scope, or size of the original structure, facility, utility, or improved area beyond the original design.

C. Manufactured Home.

1. "Manufactured home" is a single-family dwelling unit constructed after June 15, 1976, built in accordance with department of housing and urban development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.
2. "Manufactured home accessory structure" is any attached or detached addition to a manufactured home, such as an awning, basement, carport, garage, porch, or storage structure, which is ordinarily appurtenant.

D. Manufactured Home Park.

Two or more manufactured homes or mobile homes used as dwelling units on a single parcel or lot.

E. Marquee Sign.

A sign incorporated into or attached to a marquee or permanent canopy.

F. Marsh.

A low, flat wetland area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, or other hydrohytic plants. Shallow water usually stands on a marsh at least during part of the year.

G. Mean Annual Flow.

The average flow of a river or stream (measured in cubic feet per second) from measurements taken throughout the year. If available, flow data for the previous ten years should be used in determining mean annual flow.

H. Mining.

The extraction and removal of sand, gravel, minerals, or other naturally occurring material from the earth for economic use.

I. Minor Arterials.

A two- to four-lane facility which collects and distributes traffic from principal arterials to collector arterials and local access streets.

J. Mitigation – Mitigate.

An action which avoids a negative adverse impact and is reasonable and capable of being accomplished.

K. Mitigation – Mitigation Sequencing.

The use of any or all of the following actions listed in descending order of preference:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures.

Mitigation may include a combination of the above measures.

L. Mobile Home.

A factory-built dwelling built prior to June 15, 1976, to standards other than the housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since introduction of the housing and urban development Manufactured Home Construction and Safety Standards Act.

M. Mobile Home Park.

Any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

N. Modification to a Preliminary Plat, Short Plat, or Binding Site Plan.

A change, prior to recording, of an approved preliminary plat, preliminary short plat, or binding site plan that includes, but is not limited to, the addition of new lots or tracts, or a change of the boundaries or dimensions of lots or tracts.

O. Modular Home.

A single-family dwelling unit (which may be in the form of a factory-built or manufactured housing permit as well as a standard building permit) constructed in a factory in accordance with International Building Code and bearing the

appropriate gold insignia indicating such compliance. The term includes "pre-fabricated," "panelized," and "factory-built" units.

P. Modulation.

A measured and proportioned inflection in a building's face. Articulation, modulation, and their interval create a sense of scale important to residential buildings.

~~((P))~~Q. Monitoring.

Periodic evaluation of a wetlands restoration, creation, or enhancement site or habitat management plan area to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.

~~((Q))~~R. Monument.

A physical survey monument as shown in the City's standard plans.

~~((R))~~S. Monument Sign.

A freestanding sign where the base of the sign structure is on the ground or a maximum of twelve inches above the lowest point of the ground adjacent to the sign. The width of the top of the sign structure can be no more than one hundred twenty percent of the width of the base.

~~((S))~~I. Multi-family Residential Building.

A common wall dwelling or apartment house that consists of three or more dwelling units.

~~((T))~~U Multiple Containment.

A means of spill or leak control involving a containment structure having one or more layers of material between the primary container and the environment.

1. Containment layers must be resistant to the material stored.
2. The volume within the containment system must be at least as large as the primary container.
3. Containment layers may be separated by an interstitial space.

~~((U))~~V Municipal Separate Storm Sewer System (MS4).

A conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under state law such as sewer district, flood control district, or drainage district, designated and approved management

agency under section 208 of the Clean Water Act that discharges to water of the United States;

2. designed or used for collecting or conveying stormwater;
3. which is not a combined sewer; and
4. which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR (Code of Federal Regulation) 122.2.

((~~V~~))WMUTCD.

The U.S. department of transportation Manual on Uniform Traffic Control Devices.

Section 5. That SMC section 17A.020.190 is amended to read as follows:

17A.020.190 "S" Definitions

- A. Salmonid.
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. Sandwich Board Sign.
A self-supporting A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, typically on a sidewalk.
- C. Scrub-shrub Wetland.
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.
- D. Secondary Building Walls.
Exterior building walls that are not classified as primary building walls.
- E. Secondary Containment.
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. Sediment.
Mineral or organic matter deposited as a result of erosion.
- G. Sedimentation.
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. SEPA Rules.

Chapter 197-11 WAC adopted by the department of ecology.

I. Service Area.

A geographic area defined by the City, which encompasses public facilities that are part of a plan.

J. Serviceable.

Means presently useable.

K. Setback.

The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:

1. "Front setback" means a setback that is measured from a front lot line.

2. "Rear setback" means a setback that is measured from a rear lot line.

3. "Side setback" means a setback that is measured from a side lot line.

4. "Street setback" means a setback that is measured from a street lot line.

L. Sex Paraphernalia Store.

A commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include:

1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or

2. Any establishment located within an enclosed regional shopping mall.

M. Sexual Device.

Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

N. Shall.

Unless the context indicates otherwise, the term "shall" means:

1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with

this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with “must”;

2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or
 3. The future tense of the verb “to be.”
- O. **Shallow Groundwater.**
Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.
- P. **Shorelands.**
Or “shoreline areas” or “shoreline jurisdiction” means all “shorelines of the state” and “shorelands” as defined in RCW 90.58.030. Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the entire shoreline master program; the same to be designated as to location by the department of ecology.
- Q. **Shoreline and Ecosystems Enhancement Plan and Program.**
See SMC 17E.020.090, Habitat Management Plans.
- R. **Shoreline Buffer.**
1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.
 2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.
 3. The term “buffer area” has the same meaning as “buffer.”
- S. **Shoreline Enhancement.**
Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.
- T. **Shoreline Environment Designations.**
The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies

shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).

U. Shoreline Habitat and Natural Systems Enhancement Projects.

1. Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for propriety species in shorelines.
2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:
3. Modification of vegetation,
4. Removal of nonnative or invasive plants,
5. Shoreline stabilization, dredging, and filling.

V. Shoreline Jurisdiction.
See "Shorelands."

W. Shoreline Letter of Exemption.

Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under SMC 17E.060.300 and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.

X. Shoreline Master Program.

1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
2. For the City of Spokane, the shoreline master program includes the:
 - a. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
 - b. Shoreline Regulations (chapter 17E.060 SMC),
 - c. City of Spokane Shoreline Restoration Plan (stand-alone document), and
 - d. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).

Y. Shoreline Mixed Use.

Combination of water-oriented and non-water oriented uses within the same structure or development area.

Z. Shoreline Modifications.

Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

AA. Shoreline Protection.

1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
2. The terms "Shoreline protection measure" and this term have the same meaning.
3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.

AB. Shoreline Recreational Development.

Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Water-dependent, water-related and water-enjoyment recreational uses include river or stream swimming areas, boat launch ramps, fishing areas, boat or other watercraft rentals, and view platforms.

AC. Shoreline Restoration.

1. The re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials.
2. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

AD. Shoreline Stabilization.

Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.

AE. Shoreline Structure.

A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

AF. Shorelines Hearings Board (SHB).

The shorelines hearings board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

1. Appeals from any person aggrieved by the granting, denying, or rescinding of a permit issued or penalties incurred pursuant to chapter 90.58 RCW.
2. Appeals of department rules, regulations, or guidelines; and
3. Appeals from department decisions to approve, reject, or modify a proposed master program or program amendment of local governments which are not planning under RCW 36.70A.040.

AG. Short Plat – Final.

The final drawing of the short subdivision and dedication, prepared for filing for record with the Spokane county auditor and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.

AH. Short Plat – Preliminary.

1. A neat and approximate drawing of a proposed short subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a short subdivision required by this title and chapter 58.17 RCW.
2. The preliminary short plat shall be the basis for the approval or disapproval of the general layout of a short subdivision.

AI. Short Subdivision.

A division or redivision of land into nine or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of ownership. (RCW 58.17.020(6)).

AJ. Sign.

1. Materials placed or constructed or light projected, but not including any lawful display of merchandise, that:
 - a. Conveys a message or image, and
 - b. Is used to inform or attract the attention of the public
2. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs,

placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images, or holograms.

3. The scope of the term sign does not depend on the content of the message or image conveyed.

AK. Sign – Animated Sign.

A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene.

AL. Sign – Electronic Message Center Sign.

An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

AM. Sign Face.

The portion of a sign which contains lettering, logo, trademark, or other graphic representations.

AN. Sign – Flashing Sign.

1. A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a strobe-like fashion for the purpose of drawing attention to the sign.
2. Time and temperature signs are excluded from this definition.
3. For the purpose of this title, electronic message centers consistent with the standards of SMC 17C.240.240(J) shall not be considered flashing signs.

AO. Sign Maintenance.

Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs.

AP. Sign – Off-premises.

A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.

AQ. Sign Repair.

Fixing or replacement of broken or worn parts. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.

AR. Sign Structure.

A structure specifically intended for supporting or containing a sign.

AS. Significant Vegetation Removal.

The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.

1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.
2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

AT. Single-family Residential Building.
A dwelling containing only one dwelling unit.

AU. Single-room Occupancy Housing (SRO).
A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.

1. The structure may or may not have separate or shared cooking facilities for the residents.
2. SRO includes structures commonly called residential hotels and rooming houses.

AV. Site.
Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.

AW. Site – Archaeological.

1. A place where a significant event or pattern of events occurred. It may be the:
 - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
 - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.

AX. Site, Parent.
The initial aggregated area containing a development, and from which individual lots may be divided, as used in the context of SMC 17C.110.360 Pocket Residential Development, and SMC 17G.080.065, Alternative Residential Subdivisions.

~~((AX))~~AY. Slump.
The intermittent movement (slip) of a mass of earth or rock along a curved plane.

~~((AY))~~AZ. SMC.
The Spokane Municipal Code, as amended.

~~((AZ))~~BA. Soil.
The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.

~~((BA))~~BB. Sound Contours.
A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.

~~((BB))~~BC. Sound Transmission Class (STC).
A single-number rating for describing sound transmission loss of a wall, partition, window or door.

~~((BG))~~BD. Special Drainage District (SDD).
An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in SMC 17D.060.130.

~~((BD))~~BE. Special Event Sign.
A temporary sign used to announce a circus, a carnival, festivals, or other similar events.

~~((BE))~~BF. Species of Concern.
Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

~~((BF))~~BG. Specified Anatomical Areas.
They are human:

1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.

~~((BG))~~BH. Specified Sexual Activities.
Any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
 2. Acts of human masturbation, sexual intercourse, or sodomy; and
 3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
- ~~((BH))~~BI. Spokane Regional Stormwater Manual (SRSM).
A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.
- ~~((BI))~~BJ. Spokane Register of Historic Places.
The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.
- ~~((BJ))~~BK. Sports Field.
An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.
- ~~((BK))~~BL. Stabilization.
The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.
- ~~((BL))~~BM. Standard Plans.
Refers to the City of Spokane's standard plans.
- ~~((BM))~~BN. Standard References
Standard engineering and design references identified in SMC 17D.060.030.
- ~~((BN))~~BO. State Candidate Species.
Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.
- ~~((BO))~~BP. State Endangered Species.
Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.
- ~~((BP))~~BQ. State Register.
The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).
- ~~((BQ))~~BR. State Sensitive Species.
Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a

significant portion of its range within the state without cooperative management or removal of threats.

~~((BR))~~BS. State Threatened Species.

Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

~~((BS))~~BT. Stealth Facilities.

Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and
4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

~~((BT))~~BU. Stewardship.

Acting as supervisor or manager of the City and County's historic properties.

~~((BU))~~BV. Stormwater.

1. Any runoff flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
2. "Stormwater" further includes any locally accumulating ground or surface waters, even if not directly associated with natural precipitation events, where such waters contribute or have a potential to contribute to runoff onto the public right-of-way, public storm or sanitary sewers, or flooding or erosion on public or private property.

~~((BV))~~BW. Stormwater Management Program (SWMP).

A set of actions and activities designed to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of the Eastern Washington Phase II Municipal Permit (WAR04-6505) and any additional actions necessary to meet the requirements of applicable TMDLs.

~~((BW))~~BX. Story.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:

1. The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;
2. That portion of a building between the eaves and the ridge, when over twenty feet in height, is considered a story;
3. That portion of a building below the eaves which exceeds fourteen feet in height is considered a story, each fourteen feet of height (or major part of fourteen feet) being an additional story; and
4. A basement or unused under-floor space is a story if the finished floor level directly above is either more than:
 - a. Six feet above grade for more than half of the total perimeter, or
 - b. Twelve feet above grade at any point.

~~((BX))~~BY. Stream.

A naturally occurring body of periodic or continuously flowing water where the:

1. Mean annual flow is greater than twenty cubic feet per second; and
2. Water is contained with a channel (WAC 173-22-030(8)).

~~((BY))~~BZ. Street.

See "Public Way" (SMC 17A.020.160).

~~((BZ))~~CA. Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:
 - a. Principal arterial.
 - b. Minor arterial.
 - c. Collector arterial.
 - d. Local access street.
 - e. Parkway.
2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under SMC 17A.020.160, "P" Definitions.

~~((GA))~~CB. Street Frontage.

The lot line abutting a street.

~~((CB))~~CC. Strobe Light.

A lamp capable of producing an extremely short, brilliant burst of light.

~~((CG))~~CD. Structural Alteration.

1. Modification of a sign, sign structure, or awning that affects size, shape, height, or sign location.
2. Changes in structural materials; or
3. Replacement of electrical components with other than comparable materials.
4. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a non-electrified sign would all be structural alterations.
5. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.

~~((CD))~~CE. Structure.

Any object constructed in or on the ground, including a gas or liquid storage tank that is principally above ground.

1. Structure includes:
 - a. Buildings,
 - b. Decks,
 - c. Fences,
 - d. Towers,
 - e. Flag poles,
 - f. Signs, and
 - g. Other similar objects.
2. Structure does not include paved areas or vegetative landscaping materials.

~~((CE))~~CF. Structure – Historic.

A work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.

~~((GF))~~CG. Subdivision.

A division or redivision of land into ten or more lots, tracts, or parcels for the purpose of sale, lease, or transfer of ownership (RCW 58.17.020).

~~((GG))~~CH. Subject Property.

The site where an activity requiring a permit or approval under this code will occur.

~~((GH))~~CI. Sublevel Construction Controls.

Design and construction requirements provided in SMC 17F.100.090.

~~((GI))~~CJ. Submerged Aquatic Beds.

Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.

~~((GJ))~~CK. Substantial Damage – Floodplain.

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the assessed value of the structure before the damage occurred.

~~((GK))~~CL. Substantial Development.

For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.

~~((GL))~~CM. Substantial Improvement – Floodplain.

1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
 - a. Before the improvement or repair is started, or
 - b. If the structure has been damaged and is being restored, before the damage occurred.
2. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
3. The term does not, however, include either any:
 - a. Project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which

have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

- b. Alteration of a structure listed on the National Register of Historic or State Inventory of Historic Places.

~~((CM))~~CN. Suffix.

Describes the roadway type and is located after the root roadway name (i.e., street, avenue, court, lane, way, etc.). The appropriate suffix shall be used in accordance with SMC 17D.050A.040(U).

Section 6. That SMC section 17C.110.030 is amended to read as follows:

17C.110.030 Characteristics of Residential Zones

A. Residential Agriculture (RA).

The RA zone is a low-density single-family residential zone that is applied to areas that are designated agriculture on the land use plan map of the comprehensive plan. Uses allowed in this zone include farming, green house farming, single-family residences and minor structures used for sales of agricultural products produced on the premises.

B. Residential Single-family (RSF).

The RSF zone is a low-density single-family residential zone. It allows a minimum of four and a maximum of ten dwelling units per acre. One- and two-story buildings characterize the allowed housing. The major type of new development will be attached and detached single-family residences. In appropriate areas, more compact development patterns are permitted. The RSF zone is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan.

C. Residential Single-family Compact (RSF-C).

The RSF-C zone is a low-density single-family residential zone that is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan. It allows a minimum of four and a maximum of ten dwelling units per acre. One- and two-story attached and detached single-family residences characterize the allowed housing. The RSF-C zone allows lots as small as three thousand square feet provided that the overall maximum density of the development does not exceed ten units per acre. It is the intent of this zone to allow somewhat smaller lots in appropriate locations and to allow new development to move closer to achieving the maximum density of the residential 4-10 designation. To promote compatible infill development, the design standards of SMC 17C.110.310 are applied in this zone. The RSF-C zone is intended to be applied to parcels that are wholly or partially within one-quarter mile of a CC Core designated on the land use plan map of the comprehensive

plan. The RSF-C zone may also be implemented on parcels that are adjacent to or across a street or alley from a zoning category that allows higher density uses than the RSF zone, including the RTF, RMF, RHD, Commercial, Center and Corridor and Downtown zones.

D. Residential Two-family (RTF).

The RTF zone is a low-density residential zone. It allows a minimum of ten and a maximum of twenty dwelling units per acre. Allowed housing is characterized by one and two story buildings but at a slightly larger amount of building coverage than the RSF zone. The major type of new development will be duplexes, townhouses, row houses and attached and detached single-family residences. Cottage-style and pocket residential development are allowed. The RTF zone is applied to areas that are designated residential 10-20 on the land use plan map of the comprehensive plan. Generally, the RTF zone is applied to areas in which the predominant form of development is trending toward duplexes rather than single-family residences.

E. Residential Multifamily (RMF).

The RMF is a medium-density residential zone. Allowed housing is characterized by one to four story structures and a higher percentage of building coverage than in the RTF zone. The major types of development will include attached and detached single-family residential, condominiums, apartments, duplexes, townhouses and row houses. The minimum and maximum densities are fifteen and thirty units per acre.

F. Residential High Density (RHD).

The RHD is a high-density residential zone that allows the highest density of dwelling units in the residential zones. The allowed housing developments are characterized by high amount of building coverage. The major types of new housing development will be attached and detached single-family residential, duplexes, medium and high-rise apartments, condominiums (often with allowed accessory uses). The minimum density is fifteen units per acre; the maximum is limited by other code provisions (i.e., setbacks, height, parking, etc.).

Section 7. That SMC section 17C.110.115 is amended to read as follows:

17C.110.115 Housing Types Allowed

A. Purpose.

In the RA through RTF zones, housing types are limited to maintain the overall image and character of the city's residential neighborhoods. However, the standards allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing. Other housing types, including multifamily units, are allowed in the higher density zones under the RMF and RHD categories.

- B. The kinds of housing types allowed in the residential zones are stated in Table 17C.110-2.

TABLE 17C.110-2 RESIDENTIAL ZONE HOUSING TYPES ALLOWED (Click here to view PDF)					
P – Permitted N – Not Permitted CU – Conditional Use review required	RA	RSF and RSF-C	RTF	RMF	RHD
Single-family Residence (detached)	P	P	P	P	P
Attached Single-family Residence [1]	P	P	P	P	P
Cottage Housing [1]	CU	CU	((N)) CU	((N))	((N))
<u>Housing on Transitional ((Housing)) Sites [1]</u>	P	P	P		
Zero Lot Line [1]	P	P	P	P	P
Accessory Dwelling Unit (ADU) [2]	P	P	P	P	P
Detached ADU [2]	P	P	P	P	P
Duplexes	N	N	P	P	P
Manufactured Home [3]	P	P	P	P	P
Mobile Home Parks [3]	CU	CU	N	N	N
Single Room Occupancy (SRO)	N	N	N	P	P
Group Living	See SMC 17C.330.100				
Multidwelling Structure	N	N	N	P	P
Short Term Rentals [4]	P/CU	P/CU	P/CU	P/CU	P/CU
Notes:					
[1] See SMC 17C.110.300 through 17C.110.360 , Alternative Residential Development Standards.					
[2] See chapter 17C.300 SMC , Accessory Dwelling Units.					
[3] See chapter 17C.345 SMC , Manufactured Homes and Mobile Home Parks.					
[4] See chapter 17C.316 SMC , Short Term Rentals.					

Section 8. That SMC section 17C.110.200 is amended to read as follows:

17C.110.200 Lot Size

A. Purpose.

The standards of this section allow for development on lots, but do not legitimize lots that were divided in violation of [chapter 17G.080 SMC](#), Subdivisions. The required minimum lot size, lot depth, lot width and frontage requirements for new lots ensure that development will, in most cases, be able to comply with all site development standards. The standards also prevent the creation of very small lots that are difficult to develop at their full density potential. Finally, the standards

also allow development on lots that were reduced by condemnation or required dedications for right-of-way.

B. Existing Lot Size.

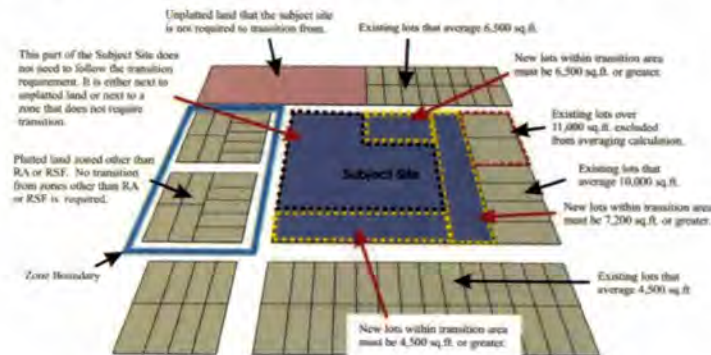
1. Development is prohibited on lots that are not of sufficient area, dimension and frontage to meet minimum zoning requirements in the base zone. Except:
 - a. one single-family residence may be developed on a lot that was legally created under the provisions of chapter 58.17 RCW, Plats – Subdivisions – Dedications, or applicable platting statutes;
 - b. a PUD lot may be less than the minimum size of the base zone, if such lot is delineated on a PUD plan, which has been approved by the hearing examiner. All use and development standards of the zone wherein such lot is located, shall be complied with, unless modified through the PUD process by the hearing examiner. A PUD shall comply with the requirements of subsection (C) of this section.
2. No lot in any zone may be reduced so that the dimension, minimum lot area, frontage or area per dwelling unit is less than that required by this chapter, except as modified through the PUD process by the hearing examiner.
3. Lots Reduced by Condemnation or Required Dedication for Right-of-way. Development that meets the standards of this chapter is permitted on lots, or combinations of lots, that were legally created and met the minimum size requirements at the time of subdivision, but were reduced below one or more of those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

C. Land Division.

All new lots created through subdivision must comply with the standards for the base zone listed in Table 17C.110-3.

1. Transition Requirement.
For sites two acres or greater, transition lot sizes are required to be included as a buffer between existing platted land and new subdivision subject to the requirements of this section. The purpose of this section is to transition lot sizes between the proposed and existing residential developments in order to facilitate compatible development and a consistent development pattern. In the RA and RSF zones, the minimum lot size is subject to transitioning of lots sizes. Lots proposed within the initial eighty feet of the subject property are required to transition lot sizes based on averaging under the following formulas:

- a. Transitioning is only required of properties adjacent to or across the right-of-way from existing residential development. "Existing residential development" in this section shall mean existing lots created through subdivision or short plat.
- b. Lot size in the transition area is based on the average of the existing lot size in subdivisions adjacent to, or across the street from, the subject property. Lots greater than eleven thousand square feet are not counted in the averaging.
- c. If the existing average lot size is greater than seven thousand two hundred square feet, then the lot size in the transition area can be no less than seven thousand two hundred square feet.
- d. If the existing average lot size is less than seven thousand two hundred square feet, then the lot size in the transition area can be equal to or greater than the average.
- e. If the subject site shares boundaries with more than one subdivision, the minimum lot size in the transition area shall be based on the average lot sizes along each boundary. When two boundaries meet, the lot size shall be based on the larger of the two boundaries. See example below; and



- f. If the subject site shares a boundary with property zoned other than RA or RSF, then there are no transition requirements along that boundary.
 - g. After the first set of lots in the transition area, lot sizes may be developed to the minimum lot size of the base zone, i.e., four thousand three hundred fifty square feet in the RSF zone.
2. Planned unit developments, combined with a subdivision, may reduce the minimum lot size, lot width, lot depth and frontage requirements in the RA and RSF zones pursuant to SMC 17G.070.030(C)(1), except in the transition area required by subsection (C)(1) of this section.

D. Ownership of Multiple Lots.

Where more than one adjoining lot is in the same ownership, the ownership may be separated as follows:

1. If all requirements of this chapter will be met after the separation, including lot size, density and parking, the ownership may be separated through either a boundary line adjustment (BLA) or plat, as specified under chapter 17G.080 SMC, Subdivisions.
2. If one or more of the lots does not meet the lot size standards in this section, the ownership may be separated along the original plat lot lines through a boundary line adjustment (BLA).

E. New Development on Standard Lots. New development on lots that comply with the lot size standards in this section are allowed subject to the development standards and density requirements of the base zone as required under Table 17C.110-3.

F. Lot Frontage. All residential lots shall front onto a public street and meet the minimum lot frontage requirements of Table 17C.110-3. Except, that frontage on a public street is not required for lots created through alternative residential subdivision under SMC 17G.080.065, and lots approved in a planned unit development or a manufactured home park may have lots or spaces fronting onto private streets, subject to the decision criteria of SMC 17H.010.090.

TABLE 17C.110-3 DEVELOPMENT STANDARDS [1]						
DENSITY STANDARDS						
	RA	RSF & RSF-C	((RSF-G))	RTF	RMF	RHD
Density - Maximum	4,350 (10 units/acre)	4,350 (10 units/acre)	((4,350 (10 units/acre)))	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density - Minimum	11,000 (4 units/acre)	11,000 (4 units/acre)	((11,000 (4 units/acre)))	4,350 (10 units/acre)	2,900 (15 units/acre)	2,900 (15 units/acre)
MINIMUM LOT DIMENSIONS LOTS TO BE DEVELOPED WITH:						
Multi-Dwelling Structures or Development						
	RA	RSF & RSF-C	((RSF-G))	RTF	RMF	RHD
Minimum Lot Area					2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width					25 ft.	25 ft.
Minimum Lot					70 ft.	70 ft.

Depth						
Minimum Front Lot Line					25 ft.	25 ft.
<u>Compact Lot Standards [2]</u>						
<u>Minimum Lot Area [3]</u>		<u>3,000 sq. ft.</u>				
<u>Minimum Lot Width</u>		<u>36 ft.</u>				
<u>Minimum Lot Depth</u>		<u>80 ft.</u>				
<u>Minimum Front Lot Line</u>		<u>30 ft.</u>				
<u>Attached Houses</u>						
Minimum Lot Area (([2])) [3]	7,200 sq. ft.	4,350 sq. ft.	((3,000 sq. ft.))	1,600 sq. ft.	1,600 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	((36 ft.))	36 ft. or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	((80 ft.))	50 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	((30 ft.))	Same as lot width	Same as lot width	Same as lot Width
<u>Detached Houses</u>						
Minimum Lot Area (([2])) [3]	7,200 sq. ft.	4,350 sq. ft.	((3,000 sq. ft.))	1,800 sq. ft.	1,800 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	((36 ft.))	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	((80 ft.))	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	((30 ft.))	30 ft.	25 ft.	25 ft.
<u>Duplexes</u>						
Minimum Lot Area				4,200 sq. ft.	2,900 sq. ft.	None
Minimum Lot Width				25 ft.	25 ft.	25 ft.
Minimum Lot Depth				40 ft.	40 ft.	25 ft.
Minimum Front Lot Line				25 ft.	25 ft.	25 ft.

PRIMARY STRUCTURE						
Maximum Building Coverage						
	RA	RSF & RSF-C	((RSF-C))	RTF	RMF	RHD
Lots 5,000 sq. ft. or larger	40%	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	((2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.))	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	50%	60%
Lots 3,000 - 4,999 sq. ft.	1,500 sq. ft. + 37.5% for portion of lot over 3,000 sq. ft.					
Lots less than 3,000 sq. ft.	50%					
Building Height						
Maximum Roof Height (([4])) [5]	35 ft.	35 ft.	((35 ft.))	35 ft.	35 ft. (([5])) [6]	35 ft. (([5])) [6]
Maximum Wall Height	25 ft.	25 ft.	((25 ft.))	25 ft.	30 ft. (([5])) [6]	--
Floor Area Ratio (FAR)						
FAR	0.5	0.5 [4]	((0.5 [3]))	0.5 (([3])) [4]	--	--
Setbacks						
Front Setback (([6, 7])) [7, 8]	15 ft.					
Side Lot Line Setback – Lot width more than 40 ft.	5 ft.					
Side Lot Line Setback – Lot width 40 ft. or less	3 ft.					
Street Side Lot Line Setback (([6])) [7]	5 ft.					
Rear Setback (([8, 9])) [9, 10]	25 ft.	25 ft. [11]	((15 ft.))	15 ft.	10 ft.	10 ft.
Required Outdoor Area						
Required Outdoor Area for attached and detached houses. Minimum dimension	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	((250 sq. ft. 12 ft. x 12 ft.))	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.	48 sq. ft. 7 ft. x 7 ft.

(See SMC 17C.110.223)						
ACCESSORY STRUCTURES						
	RA	RSF & RSF-C	((RSF-G))	RTF	RMF	RHD
Maximum Roof Height	30 ft.	20 ft.	((20 ft.))	20 ft.	35 ft.	35 ft.
Maximum Wall Height	30 ft.	15 ft.	((15 ft.))	15 ft.	35 ft.	35 ft.
Maximum Coverage ((10%)) [12]	20%	15%	((15%))	15%	See Primary Structure	See Primary Structure
Front Setback	20 ft.					
Side Lot Line Setback – Lot width 40 ft. or wider ((14)) [13]	5 ft.					
Side Lot Line Setback – Lot width less than 40 ft. ((14)) [13]	3 ft.					
Street Side Lot Line ((12)) [14]	20 ft.					
Rear ((14)) [13]	5 ft.					
Rear with Alley	0 ft.					
Notes:						
-- No requirement						
[1] Plan district, overlay zone, or ((SMC 17C.110.300, Alternative Residential Development,)) development standards contained in SMC 17C.110.310 through 360 may supersede these standards.						
[2] See SMC 17C.110.209, Compact Lot Standards.						
((2)) [3] For developments two acres or greater, lots created through subdivision in the RA, RSF and the RSF-C zones are subject to the lot size transition requirements of SMC 17C.110.200(C)(1).						
((3)) [4] In the RSF-C and RTF zones, and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, FAR may be increased to 0.65 for attached housing development only.						
((4)) [5] No structure located in the rear yard may exceed twenty feet in height.						
((5)) [6] Base zone height may be modified according to SMC 17C.110.215, Height.						
((6)) [7] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.						
((7)) [8] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.						
((8)) [9] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.						
((9)) [10] Attached garages may be built to five feet from the rear property line except, as specified in SMC 17C.110.225(C)(6)(b), but cannot contain any living space.						
[11] In the RSF-C zone and sites in the RSF zone qualifying for compact lot development						

standards, described in SMC 17C.110.209, the rear setback is 15 feet.

~~((140))~~ [12] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

~~((141))~~ [13] Setback for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner, except, as specified in SMC 17C.110.225(C)(5)(b).

~~((142))~~ [14] The setback for a covered accessory structure may be reduced to five feet from the property line.

Section 9. That there is adopted a new section 17C.110.209 to chapter 17C.110 of the Spokane Municipal Code to read as follows:

17C.110.209 Compact Lot Standards

A. Purpose.

This section allows for development of sites one and a half acres or less for the purpose of compact residential development. It is the intent of these standards to allow somewhat smaller lots in appropriate locations and to allow new development to move closer to achieving the maximum density of the residential 4-10 designation.

B. Applicability.

The compact lot development standards in Table 17C.110-3 apply for the housing types allowed in Table 17C.110-2 on sites defined in SMC 17C.110.209(B)(1) below in the RSF zone, and throughout the RSF-C zone, unless superseded by development standards of a plan district, overlay zone, or development standards contained in sections SMC 17C.110.310 through 17C.110.360.

1. The standards apply within the RSF zone only on developments meeting the size requirements of subsection (3) below and located:
 - a. At least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay; or
 - b. On a lot that is a transitional site as described in SMC 17C.110.330.
2. To determine eligibility of a site, the distance in subsection (1)(a) above is measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.
3. The maximum size for a development using the compact lot standards of Table 17C.110-3 in the RSF zone is one and a half acres. Compact lot developments over one and a half acres must be approved as a planned unit development.

- C. The design standards of SMC 17C.110.310 apply to projects using the compact lot standards in Table 17C.110-3 in order to complement and reinforce positive residential character.

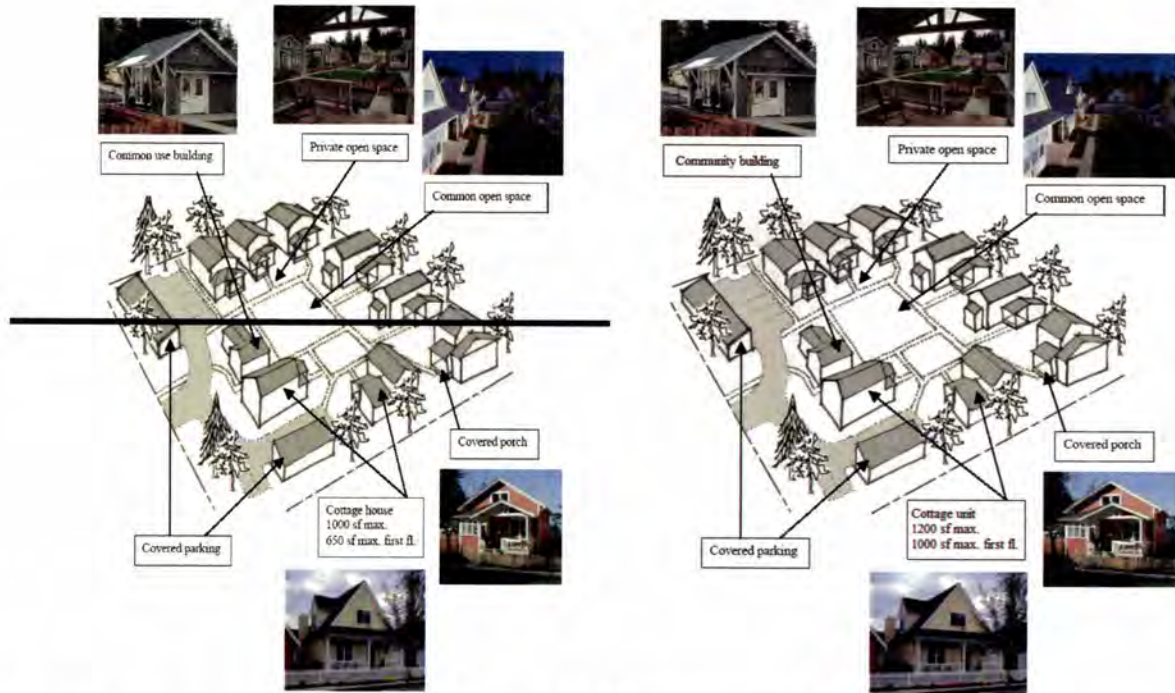
Section 10. That SMC section 17C.110.350 is amended to read as follows:

17C.110.350 Cottage Housing

A. Purpose and Intent.

The intent of cottage housing is to:

1. Support ((the)) a diversity of housing ((, increases the variety of housing types for smaller households and provides the opportunity for small, detached single-family dwelling units within existing neighborhoods.)) choices citywide by providing a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households);
2. Require specific design standards on the perimeter of the development to improve compatibility with the surrounding neighborhood;
3. Incentivize higher levels of design, usable open space, and more livable developments through use of density bonuses;
4. Provide opportunities for ownership of small, detached and attached single-family housing types clustered around a centrally located, functional common open space that fosters a sense of community; and
5. Provide semi-private areas around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.



[Note: Graphic above left is to be deleted and replaced with graphic at right.]

B. Qualifying Situations.

Cottage housing developments are allowed in the RA through RTF zones on sites of ~~((one-half-acre))~~ fourteen thousand five hundred square feet or larger with a minimum of ~~((six))~~ four units ~~((and a maximum of twelve units))~~.

C. Procedure.

Cottage housing is allowed by Type II conditional use permit in the RA₁, ~~((and))~~ RSF, and RTF zones, subject to ~~((the))~~ compliance with subsections (D) and (E) of this section. When cottage housing development involves subdivision of land, the permit application shall be processed concurrently with a Type II or Type III application for subdivision in accordance with the procedures of SMC 17G.080.065, Alternative Residential Subdivisions. If processed concurrently with a subdivision of greater than nine lots, the permit application shall be processed concurrently with the Type III subdivision application. This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. ((Design)) Staff will review ((of)) the site plan and each building permit application ((is required)) for consistency with this chapter.

1. A site plan depicting ~~((the))~~ building locations and orientation, ~~((open space;))~~ dimensions of common and private open space, fencing, landscaping, parking, setbacks, easements, footprints of all adjacent structures, and compliance with subsections (D) and (E) of this section ((is required)) shall be submitted with the ((Type II)) permit application. If the site plan ((, if)) is approved, ((is required to be recorded at the Spokane

County auditor's office including)) deed restrictions for the subject property that ((enforces)) enforce the elements of the cottage housing ordinance, including limitation on unit floor area, shall be recorded at the Spokane County auditor's office.

2. The permit application shall include elevations of all proposed model types, showing architectural expression and fenestration (to include window and door placement), and photographs of all adjacent structures.

((2)) 3. ((A)) Common open space, parking areas, and common use buildings will be maintained by the owner or an appropriate property management entity, if under singular ownership. In the event that the development is subdivided or condominium platted, a homeowners' association is required to be created for the maintenance of the common open space, parking ((area)) areas and common use areas, buildings((;)), and utilities within the development. This requirement shall be included in deed restrictions as required in paragraph 1.

4. With the exception of critical or natural areas, prior to occupancy of more than fifty percent of units approved for the development, the common open space, and private open space landscaping for those units, shall be completed in accordance with the approved landscaping plans. Occupancy of the last fifty percent shall be contingent upon the completion of all site landscaping.

D. Cottage Housing Site Development Standards.

This subsection provides development standards intended to achieve compatibility with adjacent single-family residential uses. Emergency access shall be provided to all units as required by applicable building and fire code regulations. The special cottage housing site development standards table displays basic requirements that vary from the development standards of the underlying zone.

TABLE 17C.110.350-1 COTTAGE HOUSING SITE DEVELOPMENT STANDARDS	
STANDARD	SITE REQUIREMENTS
<u>Cluster Size</u>	<u>4 or more units</u>
<u>Maximum Floor Area [1]</u>	<u>Detached Cottage: 1,200 sq. ft.(1,000 sq. ft. footprint) Attached Unit Home: 2,000 sq. ft. total Carriage Unit: 800 sq. ft.</u>
<u>Density Bonus [2]</u>	<u>20 or 40 percent above the maximum density in the zone</u>
<u>Maximum wall height for Cottage Housing Units [3]</u>	<u>20 ft.</u>
<u>Maximum roof height for buildings with minimum roof slope of 6:12 [4]</u>	<u>30 ft.</u>
<u>Minimum common open space per unit [5]</u>	<u>300 sq. ft.</u>
<u>Minimum private open space per unit [6]</u>	<u>200 sq. ft.</u>

<u>Setback from common open space [7]</u>	<u>10 ft.</u>
<u>Rear setback [8]</u>	<u>15 ft.</u>
<u>Minimum distance between structures (Including accessory structures) [9]</u>	<u>10 ft.</u>
<u>Minimum parking spaces required</u>	<u>1 per unit, plus 1 per bedroom after 2 bedrooms</u>
<u>Notes:</u>	
<u>[1] See SMC 17C.110.350(D)(2) for limitation on total unit floor area and exclusions for below-grade basements and other spaces from floor area calculation.</u>	
<u>[2] See SMC 17C.110.350(D)(3)</u>	
<u>[3] The height of the lowest point of the roof structure intersects with the outside plane of the wall. See SMC 17C.110.350(D)(4)</u>	
<u>[4] All parts of the roof above 20 ft. shall be pitched with a minimum roof slope of 6:12.</u>	
<u>[5] No dimension of the common open space shall be less than 20 ft. See SMC 17C.110.350(D)(5)</u>	
<u>[6] No dimension of the private open space shall be less than 10 ft. See SMC 17C.110.350(D)(6)</u>	
<u>[7] Porches or patios are allowed up to 6 ft. within this setback.</u>	
<u>[8] Measured from property line on exterior of development. See SMC 17C.110.350(D)(7) for exceptions for accessory structures and carriage units.</u>	
<u>[9] See SMC 17C.110.350(D)(7) for exceptions.</u>	

1. Cluster Size.

At least four units are required around a common open space.

((4)) 2. Floor Area.

a. Dwelling Units.

Floor area is defined in SMC 17A.020.060, and for the provisions of this section SMC 17C.110.350 excludes any space identified in SMC 17C.110.350(D)(2)(c), Exclusions, below. Cottage housing unit types are defined in SMC 17A.020.030.



i. The total floor area of each cottage unit shall not exceed one thousand two hundred square feet and the footprint shall not exceed one thousand square feet. ((Total floor area is the area included with the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet.))

ii. The total combined floor area of attached unit homes, including all units in the structure and the total footprint, shall not exceed two thousand square feet.

iii. The total floor area of a carriage unit home shall not exceed eight hundred square feet.

~~((b. The maximum first floor or main floor area for an individual principal structure shall be as follows:~~

~~i. For at least fifty percent of the units, the floor area may not exceed six hundred fifty square feet; and~~

~~ii. For no more than fifty percent of the units, the floor area may be up to one thousand square feet.))~~

~~((e) b. Limitation on Total Unit Floor Area.~~

~~The total square footage of a cottage housing dwelling unit may not be increased. A note shall be placed on the title to the property for purpose of notifying future property owners that any increase in the total square footage of a cottage housing unit is prohibited for the life of the cottage housing unit or the duration of the City cottage housing regulations.~~

~~((d) c. Exclusions from Total Floor Area Calculation.~~

~~((Cottage)) In addition to exclusions in the definition of floor area in 17A.020.060, cottage housing unit areas that ((d)) do not count toward the total floor area calculation are:~~

~~((i. Unheated storage space located under the main floor of the cottage;~~

~~ii) i. Architectural projections, such as bay windows, fireplaces or utility closets no greater than eighteen inches in depth or six feet in width;~~

~~((iii. Attached roof porches (unenclosed);~~

~~iv. Detached garages or carports;))~~

~~ii. Stairways;~~

~~((v) iii. Spaces with ceiling height of ((six)) five feet or less ((measured to the exterior walls)); and~~

~~((vi) iv. ((The director may approve)) Other exemptions similar in nature provided the intent of this section is met and upon approval of the director.~~

~~((2. Lot Coverage. The maximum lot coverage permitted for all structures shall not exceed forty percent.))~~

3. Density.

a. Density Bonus.

i. The cottage housing development is permitted a twenty percent density bonus ((based on the minimum lot size permitted in the base zone to a maximum of twelve units in the development)) above what is allowed in the zone. ((To calculate the permitted density, divide the lot area by the minimum lot size of the base zone, and then multiply that number by twenty percent.))



ii. To encourage smaller dwelling units, cottage housing development is permitted a forty percent density bonus above what is allowed in the zone provided that:

(A) The development is located at least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, as measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development; and

(B) All units in the development are five hundred square feet or less; and

(C) Only a maximum of two dwelling units are allowed within twenty-five feet of any rear lot line of RSF-zoned lots of less than ten thousand square feet in size with a single-family residential use that abuts the development; and

(D) A sight-obscuring fence or wall, at least six feet in height where permitted by the fence requirements of SMC 17C.110.230, shall be provided on those abutting rear lot lines described in paragraph (C) above, in addition to the required landscape standard of SMC 17C.110.350(E)(2)(a); and

- (E) A community building is provided for use of the residents that supports small living, such as laundry facilities, working or meeting space, exercise room, community kitchen, or other such facility meeting the intent of this paragraph. The community building shall be in addition to and located adjacent to the required common open space; or
- (F) The requirement for the community building may be waived by the director upon an affirmative finding that the cottage housing development is otherwise adequately provided with those functions typically served by such a facility, as described above. The applicant assumes the burden of proof. When making this decision, the director shall consider the walking proximity of the site to locations that provide laundry services, food preparation, public gathering areas, and other community facilities.

b. The transition lot size requirements of SMC 17C.110.200(C) do not apply for purposes of calculating the number of units permitted in a cottage housing development.

c. The following formula is used to determine the maximum number of units allowed on the site:

Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for access and/or stormwater facilities;

Divided by maximum density from Table 17C.110-3;

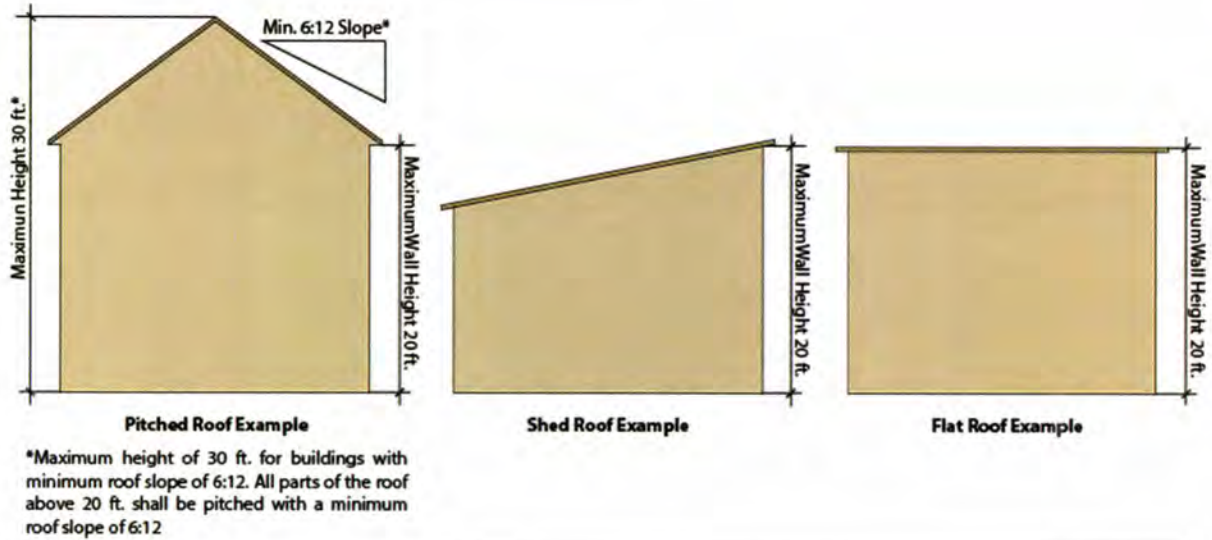
To achieve the density bonus, multiply by 1.2, or by 1.4, if eligible under SMC 17C.110.350 (D)(3)(a)(ii) above;

Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded to the next whole number. Decimal fractions of five tenths or greater are rounded up. Fractions less than five tenths are rounded down.

- 4. Height.
The height for all structures with cottage housing units shall not exceed ~~((eighteen))~~ twenty feet. ~~((Cottage or amenity buildings))~~



Structures with cottage housing units having pitched roofs with a minimum slope of 6:12 may extend up to ((twenty-five)) thirty feet at the ridge of the roof. Height requirements for accessory structures are listed in Table 17C.110-3.



[Note: Add graphic above.]

~~((5. — Porches.~~

- ~~a. — Cottage housing units shall be oriented around and have the covered porches of main entry from the common open space. Except, cottages adjacent to a public street shall orient the front of the cottage to the street including placement of the porch. This provision does not preclude the use of additional porches or architectural features of the cottage from being oriented to the common open space.~~
- ~~b. — Cottage housing units shall have a covered porch or entry at least sixty square feet in size with a minimum dimension of six feet on any side.~~

6)) 5. Common Open Space.

- a. This section requires units clustered around a common open space. The common open space ~~((must)) shall~~ be at least ~~((two hundred fifty)) three hundred~~ square feet per cottage housing unit. Open space with ~~((a)) any~~ dimension of less than twenty feet shall not be included in the calculated common open space.

~~((b. Each cottage housing unit shall be provided with a private use open space of two hundred fifty square feet with no dimension of less than ten feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space.))~~

b. Common open space shall be located in a central area and be easily accessible to all dwellings within the surrounding cluster.

~~((c. The common open space is required to be landscaped prior to the occupancy of any of the structures and shall be maintained by a homeowners association.))~~

c. Landscaping located in common areas shall be designed by a Landscape Architect registered in the State of Washington. The design shall follow standards in:

i. SMC 17C.110.350(D)(5)(d) for open space preservation in site design;

ii. Subsection (D)(8) for fences and screening;

iii. Subsection (D)(9) for parking areas;

iv. Subsection (D)(10) for pedestrian connectivity;

v. Subsection (E)(2) for open space and landscaping design standards and guidelines; and

vi. For all other parts of the common open space, the design shall be lawn or follow the general requirements and L3 open area landscaping described in SMC 17C.200.030 Landscape Types.

d. The following critical and natural areas, where proposed to be preserved through site design, may be used to meet up to fifty percent of the total requirement for common open space, provided that these areas are either accessible to pedestrians to the extent practical or visually accessible from adjacent common open space:

i. Wetlands and wetland buffers;

ii. Frequently flooded areas;

iii. Shorelines and Shoreline buffers;

iv. Natural features (such as basalt outcroppings); and

v. Native vegetation (including stands of mature trees).

6. Private Open Space.

A private use open space of two hundred square feet shall be provided for each cottage housing unit, which may include porches or balconies. Open space with any dimension of less than ten feet shall not be included in the calculated private open space. The private open space shall be contiguous to each unit, for the exclusive use of that unit's resident(s).

7. Setbacks and Subdivisions.

a. All ~~((structures))~~ cottage housing units shall maintain ~~((no less than))~~ a minimum of ten feet of separation from structures within the cluster, except as allowed in paragraph (b) below.

b. Projections may extend into the required separation as follows:

i. Eaves may extend up to ~~((twelve))~~ twenty-four inches.

ii. Architectural projections, such as bay windows, fireplaces or utility closets no greater than eighteen inches in depth or six feet in width.

~~((ii))~~ iii. Minor appurtenances such as pipes, gas and electrical meters, HVAC equipment, alarm systems, air vents, and downspouts.

~~((b))~~ c. Setbacks for all structures from the exterior side and front property lines shall be ((an average of ten feet, but shall not be less than five feet, and not less than fifteen feet from a public street, similar to the front yard setback required of a standard detached single family residence)) the setbacks of the underlying zone. The exterior rear yard setback shall be fifteen feet, except as provided for accessory structures under SMC 17C.110.225. Carriage units built adjacent to an alley shall meet the setback for attached accessory structures in SMC 17C.110.225(C)(6)(b).

~~((e. Cottage housing may be developed as condominiums, and shall not be allowed as small lot subdivision.))~~

d. All cottage housing units shall maintain a minimum setback of ten feet from the common open space. Patios or porches may extend up to six feet within this setback. Fences thirty-six inches in height or less may be located within this setback. See Figure 17C.110-C.



e. When cottage housing development involves subdivision of land, the application shall be processed in accordance with the procedures of SMC 17G.080.065, Alternative Residential Subdivisions. Frontage on a public street is not required for lots created in a cottage housing development.

8. Fences.

a. All fences on the interior of the development shall be no more than thirty-six inches in height.

b. Fences along the exterior property lines are subject to the fence requirements of SMC 17C.110.230.

c. Chain link ~~((fences shall))~~ fencing is not ~~((be))~~ allowed that is visible from and/or adjacent to the external project boundary. Chain link fencing must be painted or vinyl coated and all part must be a uniform dark matte color such as black or other dark color.

9. Parking.

~~((a. The required minimum number of parking stalls))~~ Parking requirements for ~~((each))~~ cottage housing ~~((unit shall be provided as required for single family))~~ are as stated for residential uses in chapter 17C.230 SMC, Parking and Loading, except as modified in this subsection.

~~((b. Parking shall be clustered and separated from the common area by landscaping and/or architectural screen. Solid board fencing shall not be allowed as an architectural screen.~~

~~c. Parking shall be screened from public streets and adjacent residential uses by landscaping and/or architectural screen. Solid board fencing shall not be allowed as an architectural screen.))~~

a. General Parking Requirements.

i. The minimum number of parking spaces required for cottage housing units shall be one parking space per dwelling unit, plus one parking space per bedroom after two bedrooms. The director may approve a lower minimum under SMC 17C.230.130(C).

~~((d))~~ ii. Parking, garages, and vehicular maneuvering areas, excluding driveways, shall be set back a minimum of twenty feet from a public street lot line.

iii. All parking shall be separated and screened from adjacent public streets, residential areas, and the common open

space by landscaping and/or architectural screen, consistent with landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types.

iv. Parking areas shall be located to the side or rear of cottage clusters and not between a public street and cottage housing structures. Parking may be located between structures and an alley.

v. Garage doors and/or carport openings shall not face a public right-of-way except where alley access is provided.

((e) b. Surface parking shall be ~~((located))~~ configured in clusters of not more than five adjoining spaces. To allow more efficient use of the site in some parking configurations, the minimum parking spaces and aisle dimensions shall follow the standards in Table 17C.230-4.

~~((f. A pitched roof design is required for all parking structures.))~~

c. Attached Garages and Carports.

i. Garages may be attached to individual cottage housing units provided all other standards herein are met and the footprint of the ground floor, including the garage, does not exceed the maximum allowed under SMC 17C.110.350(D)(2). Such garages shall not abut the common open spaces, but may abut and shall access an alley, if provided under SMC 17H.010.130.

ii. Attached garages and carports for cottages and attached housing units shall not exceed four hundred square feet per unit. Attached garages below carriage units shall not exceed the total for detached garages.

iii. Excavated basement garages may be allowed. The first floor elevation shall be no more than three feet above finished grade.

d. Detached Garages and Carports.

Detached garage structures and carports shall not exceed a total of one thousand five hundred square feet.

10. Pedestrian Connectivity.

~~((All buildings and common spaces shall be served by a pedestrian circulation system that connects to an existing or planned sidewalk, public sidewalk or trail system.))~~

- a. The pedestrian circulation system shall connect all main entrances on the site. For cottage housing units fronting the street, the public sidewalk may be used to meet this standard.
- b. Direct pedestrian access should be provided to adjacent, publicly accessible parks, open space, and trails, transit, rideshare, and bicycle storage facilities, where feasible.
- c. Pedestrian walkways shall be separated from structures by at least three feet.
- d. Pathways in common open space and other shared areas of the development must be at least five feet wide and meet Americans with Disabilities Act (ADA) standards.

11. Attached Unit Homes and Carriage Units.

Attached unit homes and carriage units, defined in chapter 17A.020 SMC, are permitted within cottage housing developments, subject to the applicable site development standards and design standards and guidelines of this section. A maximum of two units may be attached in a single attached unit home structure.

12. Existing Structures.

- a. Existing detached single-family residential structures may be permitted to remain.
- b. Retained existing structures will be counted in calculating density and building coverage on the site.
- c. Existing structures may be modified to be more consistent with this section. For example, roof pitches may be increased consistent with subsection (D)(4) Height above, but neither the building ground floor nor total floor area may be increased beyond the maximum allowed in this section.

13. Community Buildings.

- a. Community buildings are permitted as accessory structures in cottage developments, and shall not contain a dwelling unit.
- b. Community buildings shall be located within the cottage housing development.

E. ~~((Building))~~ Design Standards and Guidelines.
~~((To prevent the repetitive use of the same combination of building features and site design elements within a cottage housing~~



development, and to help provide compatibility of the cottage housing development with the character of the surrounding neighborhood, building and site design shall provide variety and visual interest. The following are required to be provided within a cottage housing development:

~~1. Variety in Building Design. The same combination of building elements, features and treatments shall not be repeated for more than twenty percent of the total dwelling units in a cottage housing development. Dwellings with the same combination of features and treatments shall not be located adjacent to each other. For example, each dwelling in a six unit cottage housing development could include a porch provided building elements such as the details of the porch, roof shape or color, building color or materials, or building accents were varied to achieve visual interest.~~)

1. Orientation and Building Facades.

a. Each building abutting a public street shall have ((A)) a minimum of four of the following building elements, features, and treatments ((that provide variety and visual interest shall be provided)) incorporated into the street-facing facade: (R)

~~((a. Additional porches and patios (required porch not included).~~



~~b. Varying roof shapes or gables between adjacent structures.~~

e) i. Windows with visible trim and mullions or recessed windows.

~~((d. Roof brackets.~~

e) ii. Dormers.

~~((f. Fascia boards.~~

g) iii. Bay windows.

~~((h) iv. Entry enhancement such as a well detailed door (multi-panel or glass insert), window adjacent to front door ((τ)) (sidelite). ((or roof extension.~~



~~i. Trellis.~~

~~j. Modulation.~~

~~k. Chimney (shown on the exterior of the house).~~

l)) v. Variation in roof or building colors and materials, on individual units, such as brick, stone or other masonry as accents.



~~((m. Variation in housing type and size.~~

n)) vi. Other building elements, treatments, features, or site designs approved by the ~~((code administrator))~~ director that provide variety and visual interest.

b. Exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)

c. Parking lots, garages, and solid, blank wall facades shall not dominate common areas or other public areas. (R)

d. Each of the units abutting a public street must have its address, windows, and main entrance oriented toward the street frontage. (R)

e. Attached unit homes abutting public streets shall be designed to appear like a detached single-family home, with only one entry per building face/elevation. Attached unit homes on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)

f. Units that are on the interior of a development should be oriented toward the common open space or the most important path or street. (P)

g. Design of attached units and carriage units shall be similar in terms of style, materials, color, detailing, articulation, fenestration (including window and door placement), etc., of the entire development. (P)

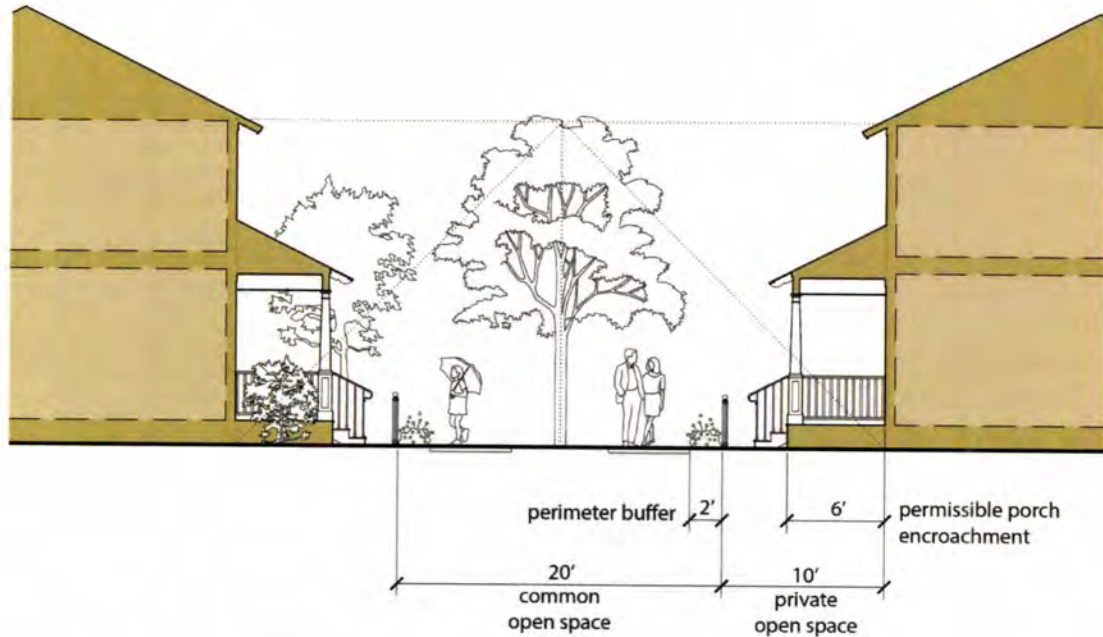
2. Open Space and Landscaping.

a. A planting strip five feet in width shall be provided along exterior rear and side property lines consistent with L2 see-through buffer landscape standard of SMC 17C.200.030. (R)

b. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)

- c. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- d. Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is required, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030. (R)
- e. At least fifty percent of the units in the development shall abut a common open space. A cottage housing unit is considered to "abut" an area of open space if there is no structure between the unit and the open space. (P)
- f. Common area sidewalks should be located at the edge of the common open space, and separated from private open space by narrow plantings and/or fencing. (P)
- g. No more than one driveway per cottage cluster should be permitted, except along an alley or where clusters front onto more than one street. (P)
- h. Landscaping and trees should be used to achieve compatibility in areas where these are unifying elements of community character. (C)
- i. To enhance the function of the required open spaces and delineate the thresholds between public and private areas, the following features are encouraged in the open spaces: (C)
 - i. When a sidewalk in a common open space is adjacent to a private residence, a perimeter buffer of two feet should be provided between the sidewalk and the residence's private open space.
 - ii. A residence's private open space should be generously planted with a variety of plantings, such as herbaceous shrubs and flowers, and foundational plantings near the home.

Figure 17C.110-C: Minimum Open Space and Maximum Porch Encroachment Dimensions



[Note: Add the graphic above.]

3. Patios and Porches.

a. Cottage housing units shall have a covered, unenclosed porch or entry at least sixty square feet in size with a minimum depth of six feet and minimum width of eight feet. (R)

b. If the cottage housing unit is fronting on a public street then at least one primary entry porch shall be located to face the street. If the unit is not fronting on a public street then the covered porch shall be located on the side of the home that serves as the main entry from a common open space. (R)



c. Porch or patio railings within the private open space should be semi-transparent and a maximum of forty-two inches in height. (C)

4. Exterior Building Lighting.

a. The common open space shall be provided with lighting in the common area or alternately, the individual units fronting on the common open space shall have exterior lighting features. (P)

b. The design shall incorporate lighting fixtures on any shared access or external lighting on units facing private access areas. (P)

c. To diminish the amount of glare and spillover from lighting, the following standards shall apply: (R)

i. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.

ii. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080.

5. Variety in Design and Architectural Features.

a. Reduce the potential impact of new cottage housing development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)

b. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

((2)) c. Modulation and Articulation.

i. Modulation and articulation ((is—achieve through a combination of changes in plan and materials detailing. They function)) should be incorporated on each individual building to add visual interest through shadows, human scale detailing, and textures while ((reducing)) reducing the ((apparent)) appearance of mass and scale of the buildings. The use of these techniques shall be varied between adjacent buildings. (P)



((a. Articulation is the giving of emphasis to architectural elements (like windows, balconies, entries, etc.), that create a complimentary pattern or rhythm, dividing the buildings into smaller identifiable pieces.

b. Modulation is a measured and proportioned inflection in a building's face. Together articulation, modulation

and their interval create a sense of scale important to residential buildings.))

- ii. Attached units must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
- d. Design of garage structures and carports shall be similar to the style, materials, color, detailing, articulation, fenestration, etc. of the cottage housing units. (R)
- e. Carriage unit homes shall not comprise more than fifty percent of the total dwelling units in a cottage housing development. (P)
- f. Detached, combined garages or carports are encouraged. (C)

Section 11. That SMC section 17C.110.360 is amended to read as follows:

17C.110.360 Pocket Residential Development

A. Purpose.

The purpose of the pocket residential development is to:

1. Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.
2. Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
3. Produce a broader range of building forms for residential development.
4. Expand opportunities for affordable home ownership.
5. Promote high quality housing of a character compatible with existing neighborhoods.
6. Encourage adequate, usable open space.

B. Applicability.

Pocket residential development is permitted within the RSF, RSF-C, RTF, RMF, RHD, O, OR, CC, NR, CB, and GC zones.

C. Application Procedure.

Pocket residential development is allowed outright with a building permit ((~~except when a subdivision of land is proposed. In the RTF zone a community meeting with the Planning Department and the neighborhood is required prior to the issuance of a development permit~~)). When pocket residential development involves subdivision of land, the application shall be processed in accordance with the procedures of chapter 17G.080 SMC, Subdivisions.

D. Basic Development Standards.

1. Maximum Building Height.

The maximum height of structures within a pocket residential development is as allowed in the underlying zone.

2. Maximum Building Coverage.

The maximum building coverage (~~(within a pocket residential development site is forty percent in the RA, RSF-C, RTF zones; fifty percent in the RMF zone and sixty percent in the RHD zone)~~) of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone. Maximum building coverage is not limited in the O, OR, CC, NR, CB, and GC zones.

3. Setbacks.

Setbacks in a pocket residential development are measured from the exterior boundary of the parent site. The following setbacks are required except in commercial and center and corridor zones where the setbacks are as required in the underlying zoning district.

a. Front Setback.

The front yard requirement for the parent site shall be fifteen feet except as allowed under the front yard averaging provisions of SMC 17C.110.220(D)(1).

b. Side Setback, Abutting a Residential Zoning District.

If the side yard of the site is adjacent to other residentially zoned property the side yard shall be a minimum of five feet.

c. Side Setback, Interior to Parent Site.

If platted, the side yard, interior to the parent site, may be zero, provided, however, that any structure located upon a lot created under SMC 17G.080.065 shall comply with applicable building and fire code and the setbacks applicable to the underlying site development plan.

d. Side Setback, Street.

The street side yard requirement for the parent site shall be a minimum of five feet.

- e. Rear Setback of the Parent Site.
Twenty-five feet or as required in the underlying zoning district.
4. Minimum and Maximum Parent Site Size:
 - a. The minimum parent site size for a pocket residential development is as follows:
 - i. RSF and RSF-C zone: Eight thousand seven hundred square feet.
 - ii. RTF zone: Four thousand two hundred square feet.
 - iii. RMF, RHD zones: Two thousand nine hundred square feet.
 - iv. O, OR, CC, NR, CB, and GC zones: No minimum parent site size.
 - b. The maximum parent site size for a pocket residential development is one and a half acres. Pocket residential developments over one and a half acres must be approved as a planned unit development.
5. Density.
The maximum density allowed in a pocket residential development is limited to that allowed in the underlying zoning district in which the parent site is located, except as permitted by SMC 17C.110.330(C) for transitional sites. ~~((The density of a pocket residential development is based on the gross site area including area set aside for public or private street rights-of-way and tracts of land dedicated for stormwater facilities.))~~
6. Frontage and Access.
Frontage on a public street is not required for lots created in a pocket residential development. Private streets or private access may be used to provide lot frontage when a private street or private access is approved in accordance with ~~((SMC 17H.010.090 and a street design variance request is approved in accordance with SMC 17H.010.020))~~ chapter 17H.010 SMC. The parent site shall have frontage on a public street sufficient for adequate access and utilities.
7. Parking.
The minimum required off-street parking for a pocket residential development ~~((is one stall for each dwelling unit))~~ shall comply with the required parking standards of the underlying zone for residential uses in chapter 17C.230 SMC Parking and Loading.
8. Required Outdoor Area.

Pocket residential developments shall comply with the required outdoor area standards of the underlying zone in accordance with SMC 17C.110.223 and Table 17C.110-3 Development Standards. Common outdoor areas designated to meet this requirement ~~((shall))~~ will be permanently maintained by ~~((and conveyed to))~~ the owner or an appropriate property management entity, if under singular ownership. In the event that the development is subdivided or condominium platted, a homeowners' ((or property owners')) association ((as regulated by law)) is required to be created for the maintenance of the common open space within the development. This requirement shall be included in deed restrictions as required in SMC 17G.080.065(D).

9. Permitted Housing Types.
The housing types allowed in a pocket residential development are those allowed in the underlying zone in accordance with Table 17C.110-2.
10. Lot Size.
There is no minimum lot size for lots created within a pocket residential development.

E. Design Standards~~((:))~~ .

1. Ground Level Access.
In order to create the appearance of individual homes, rather than apartments, each attached dwelling unit shall have its own individual access from grade. Stacked units are permitted to have one main entrance with an internal ((stairways)) stair accessed from grade ((are permitted)) to internal individual unit entrances.

Individual Access from Grade



Example of Individual Access for Each Unit

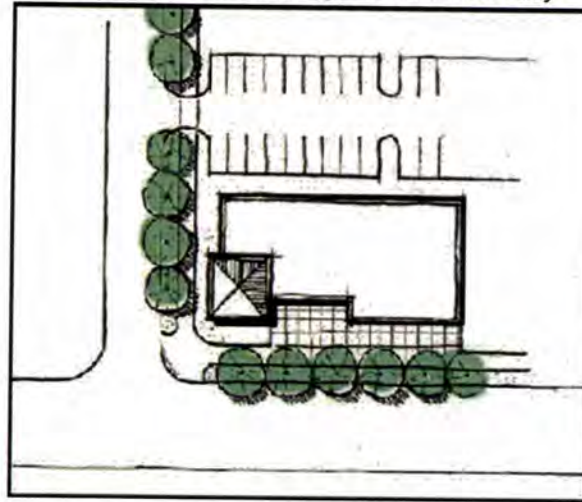


Example of Individual Access with Shared Open Space



2. Parking Lots.
To ensure that parking is as unobtrusive as possible the following standards must be met:
 - a. Alley Access.
If the development abuts an alley, parking must be accessed from the alley.

Example of Surface Parking Accessed from Alley



- b. Screening: Surface parking lots shall be screened both from the street and adjacent residential development by ((a combination of trees and shrubs. Trees shall be at least two inches in caliper at the time of planting and no more than thirty feet apart. Shrubs shall be at least thirty inches in height at the time of planting.)) landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types. Decorative walls or fences no more than forty-two inches in height may be used in lieu of shrubs. Parking is not allowed in a required front yard setback area.

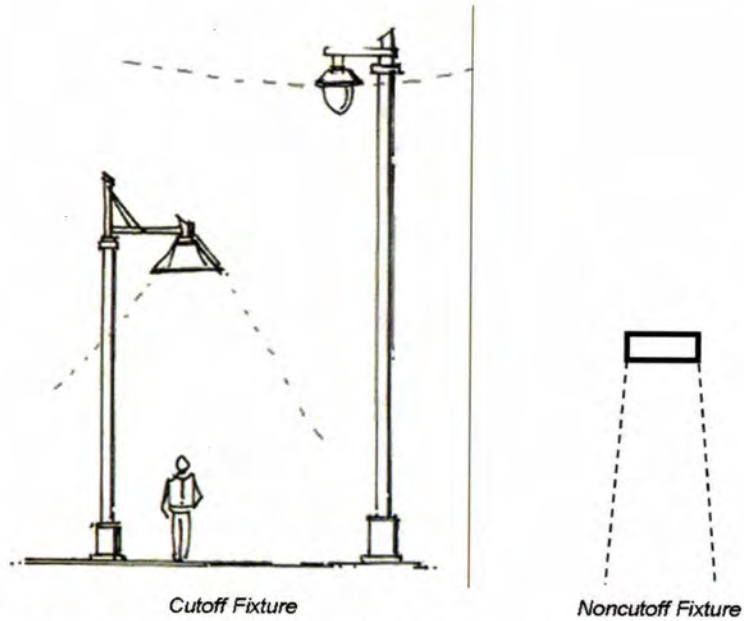
Planting Material Screen



Example of Surface Parking Screened from Street



- c. Paving: All surface parking shall be improved in accordance with the standards of SMC 17C.230.140.
 3. Lighting.
To diminish the amount of glare and spillover from lighting, the following standards shall apply:
 - a. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
 - b. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080



4. Fencing: To ensure a residential atmosphere, fencing higher than forty two inches shall not be permitted along any street frontage.

Residential Fencing



Residential Fence Along Street Frontage No Higher than 42 inches



5. Residential Building Design.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. For pocket residential development, the following design standards must be met:

- a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- c. ~~((Generous))~~ Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030.(P)
- d. Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. All units must meet the following standards. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
 - i. Entrances. Each of the units fronting on the street must have its address, windows, and main entrance oriented toward a street frontage. Units that are on the interior of a parent site may be oriented toward a private access or shared open space. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
 - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
 - iii. ~~((Buildings))~~ Attached units must be modulated along the public street at least every thirty feet. Building modulations

must step the building wall back or forward at least four feet.
(R)

- iv. Reduce the potential impact of new Pocket Residential Development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
- v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

Section 12. That SMC 17C.110T.002 entitled "Table 17C.110-2 Residential Housing Types Allowed" is repealed.

[Note: Repealing this section will eliminate a duplicated table. The Table 17C.110-2, Residential Zone Housing Types Allowed, will continue to exist under SMC 17C.110.115 Housing Types Allowed.]

Section 13. That SMC section 17C.230.130 is amended to read as follows:

17C.230.130 Parking Exceptions

- A. In center and corridor downtown, and FBC CA1, CA2, and CA3 zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.
- B. In the neighborhood retail zone, any existing building, new building, or building addition, having a floor area less than three thousand square feet shall have no parking requirement. In addition, if a building has a floor area of five thousand square feet or less, the parking requirement will be determined after deducting the three thousand square foot exemption from the building's floor area. For example, the parking requirement for a four thousand square foot building would be based on one thousand square feet of floor area – i.e., a four thousand square foot building size minus the three thousand square foot exemption.
- C. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit

service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.

- D. If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.
- E. Except in the residential single-family and residential two-family zones, existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.

**TABLE 17C.230-2
PARKING SPACES BY USE [1]
(Refer to Table 17C.230-1 for Parking Space Standards by Zone)
CU = Conditional Use**

RESIDENTIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Group Living		1 per 4 residents	None
Residential Household Living		1 per unit plus 1 per bedroom after 3 bedrooms; 1 per Accessory Dwelling Unit (ADU); Single Resident Occupancy (SRO) are exempt	None
COMMERCIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Adult Business		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Commercial Parking		Not applicable	None
Drive-through Facility		Not applicable	None

Major Event Entertainment		1 per 8 seats or per CU review	1 per 5 seats or per CU review
Office	General Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Medical/Dental Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Quick Vehicle Servicing		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 330 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 250 sq. ft. of floor area	1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area
	Temporary Lodging	1 per rentable room; for associated uses such as Restaurants, see above	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Mini-storage Facilities		Same as Warehouse and Freight Movement	Same as Warehouse and Freight Movement
Vehicle Repair		1 per 750 sq. ft. of floor area	1 per 200 sq. ft. of floor area

INDUSTRIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Industrial Services, Railroad Yards, Wholesale Sales		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Manufacturing and Production		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement		1 per 1,000 sq. ft. of floor area for the first 3,000 sq. ft. of floor area and then 1 per 3,500 sq. ft. of floor area thereafter	1 per 200 sq. ft. of floor area
Waste-related		Per CU review	Per CU review
INSTITUTIONAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Basic Utilities		None	None
Colleges		1 per 600 sq. ft. of floor area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Daycare		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Medical Centers		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Parks and Open Areas		Per CU review for active areas	Per CU review for active areas
Religious Institutions		1 per 100 sq. ft. of main assembly area or per CU review	1 per 60 sq. ft. of main assembly area

Schools	Grade, Elementary, Junior High	1 per classroom	2.5 per classroom
	High School	7 per classroom	10.5 per classroom
OTHER CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Agriculture		None or per CU review	None or per CU review
Aviation and Surface Passenger Terminals		Per CU review	Per CU review
Detention Facilities		Per CU review	Per CU review
Essential Public Facilities		Per CU review	Per CU review
Wireless Communication Facilities		None or per CU review	None or per CU review
Rail Lines and Utility Corridors		None	None
[1] The director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

Section 14. That SMC section 17G.080.065 is amended to read as follows:

17G.080.065 ~~((Unit-Lot))~~ Alternative Residential Subdivisions

A. Purpose.

The purpose of these provisions is to allow for the creation of lots for ~~((types of))~~ alternative residential development as described in SMC 17C.110.300, including attached housing, ~~((and specified))~~ cottage housing ~~((projects)), and similar developments with multiple dwelling units on a parent site,~~ while applying only those site development standards applicable to the parent site as a whole, rather than to individual ~~((unit))~~ lots resulting from the subdivision.

B. Applicability.

~~((The provisions of this section apply exclusively to the subdivision of land that is already developed with residential dwelling units.))~~ The types of existing development that may use the ~~((unit-lot))~~ alternative residential subdivision are:

1. Cottage housing projects ~~((previously))~~ approved under SMC 17C.110.350 ~~((and built prior to January 1, 2014));~~
2. Housing developed under SMC 17C.110.360 Pocket Residential Development; or

~~((2))~~ 3. A similar existing development that consists of multiple dwelling units on a single parcel or site ~~((; or))~~, provided that such existing structures shall comply with applicable building and fire code.

~~3. An existing townhouse development in zones in which townhouse dwellings are a permitted use.)~~

C. Application Procedure.

~~((Unit lot))~~ Alternative residential subdivisions of nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in SMC chapter 17G.060.

D. General Regulations.

1. ~~((The unit lot))~~ An alternative residential subdivision ~~((as a whole))~~ shall meet development standards applicable to the underlying site development plan approval, if any, the basic development standards and design standards of SMC 17C.110.350 Cottage Housing or SMC 17C.110.360 Pocket Residential Development, and the provisions of this section. As a result of the ~~((unit lot))~~ alternative residential subdivision, development on individual ~~((unit))~~ lots may be nonconforming as to some or all of the development standards based on analysis of the individual ~~((unit))~~ lot. So long as the parent site meets the criteria of the underlying site development plan or the dwelling units are already in existence, each lot will be deemed to be in conformance. If ~~((the))~~ existing dwelling units ~~((are already legally in existence and))~~ do not comply with development standards (i.e.: minimum building setbacks, maximum density, etc.), a ~~((unit))~~ lot may be created for each existing dwelling unit. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site;
2. ~~((Unit lot))~~ Alternative residential subdivisions shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
3. ~~((Unit))~~ Each lot's area and width ~~((per unit))~~ for purposes of subdivision may be as small as the ~~((coverage))~~ footprint of the individual dwelling unit;
4. Portions of the parent site not subdivided for individual ~~((unit))~~ lots shall be owned in common by the owners of the individual ~~((unit))~~ lots, or by a homeowners association comprised of the owners of the individual ~~((unit))~~ lots located within the parent site. A homeowners' association is required to be created for the maintenance of any shared required outdoor area or other open space, shared parking areas, and other common use areas, buildings, and utilities within the development. This requirement shall be included in deed restrictions as required in paragraph 7;

5. Maximum ~~((lot))~~ building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum ~~((lot))~~ building coverage permitted by the underlying zone;
6. Except for existing nonconforming development, building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from individual ~~((unit))~~ lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a ~~((unit))~~ lot created hereunder shall comply with the setbacks applicable to the underlying site development plan;
- ~~((7. Internal drive aisles providing vehicular access to unit lots shall not be considered public or private streets when utilizing the provisions of this section;~~
- 8)) 7. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; ~~((underground))~~ utilities; common open space; exterior building facades and roofs; and other similar features, and shall be recorded with the county auditor's office. Separation requirements for utilities must be met. Each ~~((unit-lot))~~ alternative residential subdivision shall make adequate provisions for ingress, egress and utilities access to and from each ~~((unit))~~ lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan;
- ~~((9))~~ 8. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:
 - a. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number if applicable);
 - b. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
 - c. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;

d. ((The individual unit lots are not separate building sites and)) Additional development of the individual ((unit)) lots may be limited as a result of the application of development standards to the parent site.

E. Conflicts.

Any conflicts between the provisions of this section and the text of other sections in the Unified Development Code shall be resolved in favor of the text of this section.

PASSED BY THE CITY COUNCIL ON

January 29, 2018

Ben Stuchlik

Council President

Attest:

Approved as to form:

Leri Safford
City Clerk

Jacob
Assistant City Attorney

Donna H. C. C. C.
Mayor

February 6, 2018
Date

March 8, 2018
Effective Date

