



# Spokane Plan Commission Agenda

December 13<sup>th</sup>, 2017

2:00 PM to 5:00 PM

Council Chambers

808 W. Spokane Falls Blvd., Spokane WA 99201

**TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE**

## Public Comment Period:

3 minutes each    Citizens are invited to address the Plan Commission on any topic not on the agenda

## Commission Briefing Session:

- |            |   |               |
|------------|---|---------------|
| 2:00 -2:20 | 1) Approve <a href="#">November 8, 2017</a> meeting minutes |               |
|            | 2) City Council Report                                      | Lori Kinnear  |
|            | 3) Community Assembly Liaison Reports                       | Greg Francis  |
|            | 4) President Report   | Dennis Dellwo |
|            | • Appoint members for CC Threshold Review Ad Hoc Committee  |               |
|            | 5) Transportation Subcommittee Report                       | John Dietzman |
|            | 6) Secretary Report   | Lisa Key      |
|            | • UD District Bridge Naming                                 |               |

## Workshops:

- |           |   |                |
|-----------|---|----------------|
| 2:20-2:50 | 1) <a href="#">Historic Preservation/Demolition Ordinance</a> | Lori Kinnear   |
| 2:50-3:15 | 2) <a href="#">DTC-100 Zone Amendment Scope &amp; Charter</a> | Kevin Freibott |
| 3:15-3:55 | 3) <a href="#">Transportation Impact Fee Workshop</a>         | Inga Note      |

## Hearings:

- |           |   |                 |
|-----------|---|-----------------|
| 4:00-4:15 | 1) <a href="#">Sign Ordinance-related Code Amendments</a>                                     | Amy Mullerleile |
| 4:15-5:00 | 2) <a href="#">Infill Code Revision Hearing: Cottage, Pocket, Transition Buffers, Parking</a> | Nathan Gwinn    |

## Adjournment:

Next Plan Commission meeting will be on January 10, 2017 at 2:00 pm

The password for City of Spokane Guest Wireless access has been changed:

**Username: COS Guest**

**Password: 3PptHcSq**

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [jjackson@spokanecity.org](mailto:jjackson@spokanecity.org). Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

# Spokane Plan Commission

**November 8, 2017**

Meeting Minutes: Meeting called to order at 2:01 pm

## **Workshop Attendance:**

- Commission Members Present: Michael Baker, Christopher Batten, Todd Beyreuther, Dennis Dellwo, John Dietzman, Christy Jeffers, Patricia Kienholz, Carole Shook, Sylvia St.Clair, Community Assembly Liaison Greg Francis, Council Liaison Lori Kinnear
- Commission Members Absent: Jacob Brooks
- Staff Members Present: Lisa Key, Darcie Jernberg, Kelly Doty

## **Public Comment:**

Prior to Public Comment, Dennis Dellwo stated that the Historic Preservation Demolition Ordinance workshop has been cancelled.

- None

## **Briefing Session:**

1. Christy Jeffers requested that her name be corrected in the body of the October 25, 2017 minutes. A motion was made by Christy Jeffers to accept the October 25, 2017 meeting minutes with said correction. Todd Beyreuther seconded the motion. The October 25, 2017 meeting minutes approved unanimously.
2. City Council Report- Lori Kinnear provided a brief explanation of why the Historic Preservation Demolition Ordinance was postponed.
  - In October the City Council voted to extend the demolition moratorium ordinance to April 10<sup>th</sup>, 2018 because of the neighborhoods concern.
  - The additional time allows them to be as thorough as possible before the hearing.
  - Sat with Commissioner Batten to discuss concerns with Demolition Ordinance.
  - Still anticipates bringing this ordinance before the Plan Commission in January, 2018.
  - Once these issues are addressed, she will be able to provide a final version of the ordinance to present to the Plan Commission in the workshop in December 2017.
  - Lori wanted to voice that she has worked extensively on this ordinance.
3. Community Assembly Liaison Report - Greg Francis spoke about the November 2<sup>nd</sup> Assembly Meeting.
  - The Mayor attended the November 2<sup>nd</sup> Assembly Meeting and approved the budget.
  - Greg stated that he likes what has been done in regards to the proposed Infill Code Amendments.
  - City staff held an open house on Infill prior to the CA meeting, and a presentation was given at the community assembly in regards to the proposed Infill code amendments to address neighborhood questions and concerns.
4. President Report- Dennis Dellwo reminded everyone that the November 22<sup>nd</sup> Plan Commission Meeting is cancelled and the next Plan Commission Meeting will be on December 13<sup>th</sup>, which will be held in the Council Chambers. There is also a Joint Plan Commission/City Council Meeting on December 14<sup>th</sup> at 3:30 pm, which will be held in the Council Briefing Center.
5. Transportation Sub-committee Report -John Dietzman
  - Possible changes in the impact fee structure - \$2 million dollar change to pay back work already completed.
  - Average is a little over \$5 million for a complete overhaul. No draft out yet. Anticipate it being out sometime early next year.
  - On November 21<sup>st</sup> the TBD Advisory Board will meet to finalize the 2017 report on allocation of funding. The TBD money that didn't get spent will need to be pushed back to the next year.
  - PCTS met and had a discussion in regards to the street standards and the pedestrian sidewalk mobility.
  - They will be tackling bicycle standards at the next meeting.

- PCTS will meet again on December 5<sup>th</sup>.
- 6. Secretary Report- Lisa Key reported that the deadline for accepting applications for next year's cycle of Comprehensive Plan Amendments was October 31<sup>st</sup>.
  - We have received a total of 6 applications, and staff anticipates determining their completeness by the end of the month.
  - The City Council ad hoc committee established for threshold review in the recent amendments to SMC 17G will consist of 3 council members and 3 plan commissioners. They will be meeting in late January with Council resolution.
    - We do need 3 volunteers or recommendations for Plan Commissioners willing to serve on the ad hoc committee. If interested, please reach out to Denny Dellwo.
  - The quarterly study joint Plan Commission/City Council study session is scheduled for Thursday, December 14<sup>th</sup> at 3:30 pm.

#### **Workshops:**

**Infill Code Revisions:** Nathan Gwinn with the City of Spokane Planning Services Department presented proposed Infill Code Revisions on Cottage Housing and Pocket Residential Code Amendments.

- Presentation and overview give
- Questions asked and answered

**Sign Code Amendments:** Lisa Key presented on the behalf of Amy Muellerlie with the City of Spokane Planning Services Department presented proposed additional amendments to the SMC as a result of proposed changes to the Sign Code. The proposed changes will be applied citywide and have a corresponding impact. A public hearing with the Plan Commission is scheduled for December 13, 2017.

- Presentation and overview given
- Questions asked and answered

**Meeting Adjourned at 4:09 P.M.**

**BRIEFING PAPER**  
**Historic Preservation & Demolition Ordinance - Workshop**  
**Spokane Plan Commission**  
**October 11, 2017**

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**Subject:**

An ordinance enhancing protections for historic landmarks and districts, as well as providing increased incentives and new funding for historic preservation; repealing chapter 17D.040; enacting a new chapter 17D.100; amending sections 17G.010.210, 08.02.031, 08.02.065, and 08.10.230, and enacting a new section 07.08.151 of the Spokane Municipal Code.

**Background:**

Spokane is experiencing a period of dramatic growth, construction, and redevelopment. This activity is fundamentally changing certain aspects of the city's diverse architectural character, which reflects Spokane's rich history. Everything from the city's infrastructure to some of its older, most historic buildings are being rehabilitated and repurposed, and these changes are phenomenal. Unfortunately, many of our historic buildings are also quickly being demolished in favor of parking lots and new developments that often do not reflect the historic and architectural character of the neighborhoods and districts in which they once stood.

This ordinance intends to protect Spokane's architectural heritage and the many public benefits that it provides to the community. The city's architectural history has helped make Spokane a leading travel destination in the Intermountain Northwest. This is one of the many features that attract tourists, business conventions, and other events and groups, and each provides an influx of dollars into our local economy. In addition, the architectural heritage that can be strongly felt in many of our city's neighborhoods also creates a sense of place that brings our local communities together, strengthens bonds between neighbors, and creates a sense of familiarity and security. Municipal law must protect these communal and economic benefits by promoting historic preservation from undue demolition. This aligns seamlessly with the City's Comprehensive Plan "Preservation" goal to preserve and protect Spokane's significant historic structures, neighborhoods, and sites.

**Impact:**

The proposed ordinance makes numerous improvements to current law; most notably, it would:

- Create a process for designating historic districts on the Spokane Register (whereas current law only contains a process for designating single historic landmarks), and creates a process for property owners in the proposed district to appeal that designation
  - Create a more thorough and, at times, restrictive process by which the appropriateness of demolition of historic buildings and buildings in historic districts may be determined
  - Eliminate provisions from current law that creates an exemption for historic structures to be demolished in order to provide parking space for an historic structure undergoing rehabilitation on an adjacent parcel
  - Give the Historic Landmarks Commission authority to conduct design review on structures replacing demolished historic landmarks, and to place property management standards on lots left vacant by the demolition of an historic structure
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**BRIEFING PAPER**  
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- Add more clear criteria for determining whether adherence to the provisions of the ordinance for a given historic landmark or contributing building within an historic district would burden the property owner with an economic hardship and would thus be exempted from the ordinance, to be used by the ad hoc committee charged with making such determinations
- Create three new economic incentives to promote historic preservation, which are:
  - A façade improvement grant to help fund improvements to the street-facing façades of historic landmarks or contributing buildings within an historic district
  - A pilot sidewalk improvement grant project that would help fund improvements and repairs to sidewalks adjacent to property upon which an historic landmark or contributing building within an historic district sits
  - An extension of the “Urban Utility Installation Program” to include historic landmarks and contributing buildings within an historic district for an indefinite amount of time by amending SMC 08.10.230

**Action:**

None; a Plan Commission hearing on the final version of the ordinance will occur in January.

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## ORDINANCE NO. C-\_\_\_\_\_

An ordinance enhancing protections for historic structures and districts; repealing chapter 17D.040; enacting a new chapter 17D.100; amending sections 17G.010.210, 08.02.031, 08.02.065, and 03.01A.320; and enacting a new section 07.08.151 of the Spokane Municipal Code.

**WHEREAS**, Spokane is rich in history, including a large number of historic buildings and structures throughout the city, all of which help ensure our city is distinctive, attractive, and vibrant; and

**WHEREAS**, a strong set of historic preservation protections are therefore necessary to implement our comprehensive plan so that we can fulfill our goal to “[r]ecognize and preserve unique or outstanding landmark structures, buildings, and sites” (Comprehensive Plan Goal DP 1.1); and

**WHEREAS**, the comprehensive plan requires that the city “[u]tilize design guidelines and criteria for sub-areas and historic districts that are based on local community participation and the particular character and development issues of each sub-area or historic district” (Goal DP 2.7); and

**WHEREAS**, the city will “[e]stablish historic preservation as a high priority within city programs” (Goal DP 3.1), “[i]dentify historic resources to guide decision making in planning” (Goal DP 3.3) and “[m]aintain and utilize the expertise of the Landmarks Commission in decision making by the City Council, City Plan Commission, City Parks Board, and other city agencies in matters of historic preservation” (Goal DP 3.5), all of which are accomplished by this historic preservation code update; and

**WHEREAS**, the city seeks to “[p]rovide incentives to property owners to encourage historic preservation” (Goal DP 3.9) and “[a]ssist and cooperate with owners of historic properties to identify, recognize, and plan for the use of their property to ensure compatibility with preservation objectives” (Goal DP 3.11) as well as “[e]ncourage the deconstruction and reuse of historic materials and features when historic buildings are demolished.” (Goal DP 3.12); and

**WHEREAS**, because our neighborhoods are one of our finest assets, the city strives to “[a]ssist neighborhoods and other potential historic districts to identify, recognize, and highlight their social and economic origins and promote the preservation of their historic heritage, cultural resources, and built environment.” (Goal DP 3.13); and

**WHEREAS**, protecting historic landmarks and historic districts implements our recently-established strategic planning goals by increasing our social capital, building on the strengths of our neighborhoods and urban experience, strongly supporting our cultural heritage and fabric and, most importantly, extending our own distinctive urban

advantage and experience, by “[p]romoting significant growth that connects people to place and builds upon cultural, historic, and natural resource assets”; and

**WHEREAS**, the City of Spokane’s historic preservation ordinance is in need of amendment to clarify and update the protections for historic properties and districts, as shown by the experiences of the community and the historic landmarks commission in recent years, particularly with respect to the process for establishing historic districts; and

**WHEREAS**, the City Council intends to update the historic preservation ordinance to provide more tools to the landmarks commission and the historic preservation officer so that we can more effectively protect our historic properties, districts, and neighborhoods, while protecting property rights and enabling new development in ways and locations that implement our comprehensive and strategic plans.

**NOW THEREFORE**, the City of Spokane does ordain:

**Section 1.** That chapter 17D.040 of the Spokane Municipal Code is hereby repealed in its entirety.

**Section 2.** That there is enacted a new chapter 17D.100 of the Spokane Municipal Code to read as follows:

#### **Chapter 17D.100 Historic Preservation**

##### **Section 17D.100.010 Purposes**

- A. The City recognizes that the maintenance and preservation of historic landmarks and historic districts benefits all people in Spokane, and provides a general benefit to the public by preserving our City’s history and unique culture.
- B. By creating standards for the designation and protection of historic landmarks and historic districts, the City intends to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the City and County is a public necessity. The intent of this ordinance is to keep qualifying historic buildings in use through their listing on the Spokane Register of Historic Places; incentivize rehabilitation; review changes to historic properties; and promote preservation in all neighborhoods, in balance with property rights protections under Washington law.

##### **Section 17D.100.015 Applicability**

- A. This chapter applies to actions of the Spokane City/County Historic Landmarks Commission, and to properties located in the City of Spokane and in unincorporated areas of Spokane County.
- B. For purposes of this chapter, “Council” refers to the Spokane City Council and “Board” refers to the Spokane County Board of Commissioners.

### **Section 17D.100.020 Historic Landmarks and Districts – Designation**

- A. Generally a building, structure, object, site or district which is more than fifty (50) years old or determined to be exceptionally significant in an architectural, historical or a cultural manner may be designated an historic landmark or historic district if it has significant character, interest, or value as a part of the development, heritage or cultural characteristics of the city, county, state or nation. The property must also possess integrity of location, design, materials, workmanship and association and must fall into one or more of the following categories:
  - 1. Property is associated with events that have made a significant contribution to the broad patterns of the history of the city, county, state or nation; or
  - 2. Property is associated with the lives of persons significant in the history of the city, county, state or nation; or
  - 3. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction;
  - 4. Property has yielded, or is likely to yield, information important in prehistory or history; or
  - 5. A property that represents the culture and heritage of the city of Spokane in ways not adequately addressed in the other criteria, as in its visual prominence, reference to intangible heritage, or any range of cultural practices.
- B. An area within Spokane may be designated as an Spokane Register Historic District according to the process described in SMC 17D.100.030 – 17D.100.110.

### **Section 17D.100.030 Historic Landmarks and Historic Districts – Submittal Process**

- A. An application for the designation of a property or district as an historic landmark or historic district as provided in this chapter shall be submitted to the historic

preservation officer (“HPO”) on a standard form made available by the HPO. The application may be submitted by the property owner(s), a resident of the City, or, in the case of historic districts, approved by a majority of the owners of property located within the potential historic district.

- B. Upon receipt of an application for designation of a property from a non-owner of the property, the HPO must immediately transmit the application to the property owner.
- C. When the HPO is satisfied as to the completeness and accuracy of the information, the nomination is referred within one month of the receipt of the application to the historic landmarks commission (“commission”) for a hearing. Fourteen (14) days prior to the commission hearing, the HPO transmits to commission members copies of the nominations of properties to be considered for designation.
- D. Notice.
  - 1. Once the nomination is scheduled for a hearing, the HPO notifies the owner(s) of the nominated property in writing and, in the case of a proposed historic district, the owners of property within the historic district by first-class mail and by publication in a newspaper of general circulation of the date of the hearing and of the benefits and conditions which may result from designation.
  - 2. Notice of the hearing on proposed historic landmarks shall be sent at least fourteen (14) days before the hearing. Notice of the hearing on proposed historic districts shall be sent at least thirty (30) days prior to the date of the hearing.

#### **Section 17D.100.040 Procedure – Preliminary Designation**

- A. Public hearings of the commission are publicly advertised. Staff causes notice, containing the time, place and date of the hearing and a description of the location of the property in nonlegal language, to be mailed to all property owners of record, and in the case of a proposed historic district, to the owners of property within the proposed historic district, by publication in a newspaper of general circulation, and to be advertised in the legal newspaper of the board or council, as appropriate, at least fourteen (14) days prior to the hearing.
- B. At a publicly advertised hearing, the commission takes testimony concerning the nomination and formulates a recommendation as to the designation. The commission may decide to:
  - 1. recommend approval of designation of the property or district to the council or board as appropriate; or

2. recommend denial of designation of the property or district to the council or board as appropriate; or
3. defer the consideration of the nomination to a continued public hearing, if necessary.

#### **Section 17D.100.050 Procedure – Findings of Fact**

After the hearing, the commission enters findings of fact with reference to the relevant designation criteria. These findings of fact are forwarded, along with the recommendation, to the council or the board, as appropriate.

#### **Section 17D.100.060 Procedure – Notification of Results**

- A. The commission shall, within five (5) days of the preliminary designation, provide notice to the owner(s), and City and County agencies, of the following:
  1. The designation decision and the reasons therefor;
  2. the necessity, once the designation becomes final, of applying for a certificate of appropriateness for any action which would alter the property(ies);
  3. any responsibilities the owner(s) may have in regard to certificates of appropriateness; and
  4. any incentives which may be available for the maintenance of the property.
- B. The commission is also required to review nominations to the National Register of Historic Places (“NRHP”) as part of its duties as a certified local government. Upon approval or denial of a national nomination, the HPO advises the state historic preservation officer of the action taken in accordance with the rules of the “certified local government” program.

#### **Section 17D.100.070 Procedure – Council or Board Action**

The council or the board, as appropriate, must act on the recommendation of the commission within thirty (30) days of the recommendation. A final designation decision may be deferred for consideration at another public hearing. Once a final decision is made, the city clerk, board clerk, or their designee, notifies the commission, property owner(s) and affected City and County agencies.

#### **Section 17D.100.080 Procedure – Appeal of Preliminary Designation**

- A. The commission’s recommendation may be appealed to the Hearing Examiner by filing with an appeal with the Hearing Examiner’s office with a copy to the HPO.

- B. An appeal may only be filed (i) by an owner of record whose property is the subject of the preliminary designation decision or, (ii) in the case of historic district designations, on petition of at least 25% of the owners of property located within the proposed historic district.
- C. An appeal filed under this section may only be accepted if it is filed within ten (10) days of the execution of the findings of fact set forth in SMC 17D.100.050.
- D. An appeal filed under this section must state the grounds upon which the appeal is based, such as procedural irregularities or a clear error of law.
- E. Appeals filed pursuant to this section are reviewed by the Hearing Examiner on a closed record; that is, in rendering a decision, the Hearing Examiner may only take into consideration the written record of the commission's deliberations, factual findings, and preliminary designation. No additional evidence shall be considered by the Hearing Examiner on appeal.
- F. The Hearing Examiner may either affirm the preliminary designation or remand the matter to the commission for further proceedings.

#### **Section 17D.100.090 Procedure – Appeal of Council or Board Action**

Action of the council or the board may be appealed to the superior court.

#### **Section 17D.100.100 Property Management and Design Standards – Agreement or District Consent**

- A. In the case of individual properties, in order for the preliminary designation to become final and the property to be designated as an historic landmark, the owner(s) must enter into appropriate management standards as recommended by the commission for the property under consideration. If the owner does not enter into a management agreement, the preliminary designation does not become final and the property is not listed on the Spokane historic register.
- B. In the case of historic districts, the HPO will submit (i) proposed management and design standards for the district as a whole; and (ii) the nomination document which delineates all contributing resources and non-contributing resources within the district, to the owners of property within the boundaries of the proposed historic district for their consideration and review for a sixty (60) day period. The proposed management and design standards shall only be effective if a majority of the owners of properties located within the boundaries of the proposed historic district submit written consent to be bound by the management standards for the district as a whole within the sixty (60) day review period. Following the expiration of the sixty (60) day consideration period, the HPO shall report to the commission concerning the number of properties within the proposed district and the number of written consents received. If the HPO has

received the requisite number of written consents, the commission shall consider determine whether to set the property management and design standards for the district. For purposes of this requirement, “owners of property” includes owners of units within a condominium association. Written consents may be in any written form, such as by letter, email, or a form designated or accepted by the HPO.

- C. If the commission finds that both the requisite number of written consents have been received by the HPO and that the property management and design standards should be set for the district, the historic district shall be designated as such on the official City zoning map by the use of historic district overlay zones. Non-contributing resources within the overlay zone are subject to administrative review for significant alterations and demolition, including the resulting replacement structures, consistent with the requirements of the management and design standards. No less than every five (5) years, the commission shall review and consider amendments to the management and design standards for each district established under this section.

#### **Section 17D.100.110 Procedure – Final Designation of Landmarks and Districts**

- A. After a management agreement is executed and approved by the City Council, or, in the case of districts, set by commission action, final designation is made, the property or district is placed upon the Spokane register of historic places, and a notice of the management agreement shall be recorded. Historic overlay district designations shall be confirmed by ordinance.
- B. If the commission and the owner(s) cannot agree on management standards, no management agreement is entered into between the parties, the preliminary designation does not become final, and the property is not placed on the Spokane register of historic places.

#### **Section 17D.100.200 Certificates of Appropriateness – When Required**

- A. A certificate of appropriateness is required prior to the issuance of any permit for the following activities:
  - 1. Demolition of a Spokane Register historic landmark or a contributing resource located within an historic district (National or Spokane Register);
  - 2. Relocation of an historic landmark or a contributing resource located within an historic district;
  - 3. any work that affects the exterior appearance of an historic landmark;
  - 4. any work that significantly affects the street-facing façade of a building located within an historic district; and



5. development or new construction located within the designated boundaries of an historic district.
  6. The HPO may administratively approve certificate of appropriateness applications for non-contributing resources within historic districts in consultation with the Design Review Committee of the Commission.
- B. The HPO may exempt ordinary repairs and maintenance from the permit requirements of this section if the work does not involve a change in design, material or exterior treatment or otherwise affect the exterior appearance.

#### **Section 17D.100.210 Certificate of Appropriateness – Procedure**

- A. Any application for an action which requires a certificate of appropriateness under this chapter or which may be within the scope of agreed management standards under this chapter must meet minimum submittal requirements established by the HPO. Prior to taking action on the application, the official responsible for processing the application shall request review of the action by the commission. For non-contributing resources within a local register historic district, an administrative approval may be considered.
- B. The requests for review and issuance of a certificate of appropriateness and any supplemental information shall be transmitted by the HPO to the commission, the property owner or applicant, and interested parties of record at least fourteen (14) days prior to the next scheduled meeting of the commission. The review of requests for certificate of appropriateness which may be approved by the HPO are deemed to be ministerial permits. The review of requests for certificates of appropriateness which are approved by the landmarks commission are subject to the timeline and procedures contained in this section.
- C. At its next scheduled meeting, the commission reviews the request and decides whether to issue a certificate of appropriateness. The commission transmits its findings to the applicant. If the commission is unable to process the request, the commission may extend the time for its determination.
- D. The commission reviews the request for certificates of appropriateness under the following procedure:
  1. The HPO reviews each application, certifies it complete and, within seven (7) days of certification, causes notice of application to be provided. After the notice of application has been given, a public comment period is provided. The purpose of the public comment period is to provide the opportunity for public review and comment on the application. Comments on the application will be accepted at or any time prior to the closing of the record of the open-record public hearing.
  2. At the close of the public comment period, the HPO consults with the commission regarding a date and time for public hearing. At least fifteen

(15) days prior to the public hearing, the officer causes notice of hearing to be provided.

3. Commission review.

- a. The HPO makes a written report regarding the application to the commission, ensures that the application is sent to appropriate other City departments, coordinates their review of the application and assembles their comments and remarks for inclusion in the report to the commission as appropriate. The report of the HPO contains a description of the proposal, a summary of the pertinent Secretary of the Interior's Standards for Rehabilitation, findings and conclusions relating to those standards and a recommendation. If the recommendation is for approval with conditions, the report also identifies appropriate conditions of approval. At least ten (10) days prior to the scheduled public hearing, the report is filed with the commission as appropriate and copies are mailed to the applicant and the applicant's representative. Copies of the report are also made available to any interested person for the cost of reproduction. If a report is not made available as provided in this subsection, commission may reschedule or continue the hearing, or make a decision without regard to any report.
- b. The commission makes a decision regarding the application within ten (10) days of the date the record regarding the application is closed. The time for decision may be extended if the applicant agrees. In making the decision, the commission may approve, approve with conditions, or deny the permit application. The decision is in writing.

4. Within seven (7) days of making the decision, the permit authority causes a notice of decision to be provided.
5. The applicant for a certificate of appropriateness must provide to the commission drawings of the proposed work, photographs of the existing building or structure and adjacent properties, information about the building materials to be used, and any other information requested by the HPO or commission.
6. In making a decision on an application, the commission uses the Secretary of the Interior's Standards for Rehabilitation, historic district design standards and other general guidelines established and adopted by the commission. In adopting and using standards, the commission does not limit new construction to any one architectural style but seeks to preserve the character and integrity of the landmark or the historic district through contemporary compatible designs.

**Section 17D.100.220 Certificates of Appropriateness – Demolition of Historic Landmarks or Contributing Resources Within Spokane Register Historic Districts.**

- A. No permit for the demolition of an historic landmark or a contributing building located within a local historic district shall be processed or issued until the commission issues a certificate of appropriateness for the proposed action. A building permit for a replacement structure under this section may not be accepted, processed, or issued prior to the issuance of the demolition permit.
- B. Within forty-five (45) days of the HPO's receipt of an application for a certificate of appropriateness concerning the demolition of an historic landmark or a contributing resource located within a local historic district, the applicant and the HPO shall meet to determine if there are feasible alternatives to demolition. The attempt to find feasible alternatives may continue beyond forty-five (45) days if both parties agree to an extension.
- C. If no feasible alternative to demolition has been agreed to within the forty-five (45) day window and any extension(s), the commission may either issue or deny the certificate of appropriateness for demolition by taking into account the following:
  - 1. The historic importance of the property;
  - 2. The nature of the redevelopment which is planned for the property;
  - 3. The condition of the existing structure;
  - 4. The effect on the surrounding neighborhood of the planned replacement use;
  - 5. The overall effect of the proposed redevelopment on the neighborhood character and the elements of the neighborhood's urban design; and
  - 6. Any proposed mitigation measures under which the owner would salvage significant architectural features of the structure after properly documenting the building before demolition.
- D. If the commission denies the application for a certificate of appropriateness for a property for which a demolition permit is sought, no demolition permit may be issued. The applicant may appeal the denial, within thirty (30) days to the Hearing Examiner, who shall review the commission's decision. Such appeal is conducted by the Hearing Examiner on a closed record; that is, the Hearing Examiner may only consider the written record of the commission's deliberations, findings, and recommendation, and no additional evidence shall be considered by the Hearing Examiner.
- E. The Hearing Examiner may affirm the denial or may remand to the HPO or commission, as appropriate, for further consideration.

- F. If the commission issues a certificate of appropriateness for the demolition of an historic landmark, or a building located within an historic district, such certificate shall include conditions such as:
1. any temporary measures deemed necessary by the commission for the condition of the resulting property after the demolition, including, without limitation, fencing or other screening of the property;
  2. the provision of ongoing, specific site security measures;
  3. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition;
  4. if no replacement structure is constructed on the site within six (6) months of the issuance of the certificate, the owner must landscape the site for erosion protection and weed control and provide for solid waste clean-up;
  5. abatement of any hazardous substances on the property prior to demolition;
  6. requirement for dust control during the demolition process; and
  7. that the certificate of appropriateness for demolition of the building is valid for three (3) months.

**Section 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area and National Register Historic Districts**

- A. No demolition permits for structures that are listed or eligible to be listed on the National or Local Register of Historic Places located in the area shown on Map 17D.100.230-M1, Downtown Boundary Area, and in all National Register Historic Districts shall be issued unless the structure to be demolished is to be replaced with a replacement structure that is approved by the commission under the following criteria:
1. The replacement structure shall have a footprint square footage equal to or greater than the footprint square footage of the landmark structure to be demolished. The replacement structure must also have a floor area ratio equal to or greater than 60% of that of the landmark structure to be demolished. The square footage of the footprint may be reduced:
    - a. to accommodate an area intended for public benefit, such as public green space and/or public art;

- b. if the owner submits plans in lieu for review and approval by the City's design review board subject to applicable zoning and design guidelines; and
    - c. if the replacement structure is, in the opinion of the HPO and the commission, and in consultation with the Design Review Board, compatible with the historic character of the Downtown Boundary Area or National Register Historic District, as appropriate.
  - 2. Any replacement structure under this section shall satisfy all applicable zoning and design guidelines, and shall be considered by the commission within thirty days of the commission's receipt of an application for a certificate of appropriateness concerning the building for which a demolition permit is sought.
  - 3. A building permit for a replacement structure under this section must be accepted, processed, and issued prior to the issuance of the demolition permit. In the alternative, the owner may obtain a demolition permit prior to the issuance of the building permit if the owner demonstrates to the satisfaction of the director of building services, in consultation with the HPO, that the owner has a valid and binding commitment or commitments for financing sufficient for the replacement use subject only to unsatisfied contingencies that are beyond the control of the owner other than another commitment for financing; or has other financial resources that are sufficient (together with any valid and binding commitments for financing) and available for such purpose.
- B. Eligibility shall be determined by the commission within thirty (30) days of the submission of the application for a demolition permit. The applicant shall be responsible to submit a determination of eligibility demonstrating the ineligibility of the structure based upon the National Register Criteria for Evaluation (36 CFR 60). Applications for structures that are determined not to be listed or eligible to be listed on a National or Local Register of Historic Places shall be processed pursuant to existing regulations.
- C. This section shall not apply to orders of the building official or fire marshal regarding orders that a structure be demolished due to public health, safety, or welfare concerns.
- D. If the commission issues a certificate of appropriateness for the demolition of an building on the national register or located within the downtown boundary zone, such certificate shall include conditions such as:
- 1. any temporary measures deemed necessary by the commission for the condition of the resulting property after the demolition, including, without limitation, fencing or other screening of the property;
  - 2. the provision of ongoing, specific site security measures;

3. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition;
4. if construction on a replacement structure is not commenced on the site within six (6) months of the issuance of the certificate, the owner must landscape the site for erosion protection and weed control and provide for solid waste clean-up;
5. abatement of any hazardous substances on the property prior to demolition;
6. requirement for dust control during the demolition process; and
7. that the certificate of appropriateness for demolition of the building is valid for three months.

#### **Section 17D.100.240      Economic Hardship Determinations**

- A. The City recognizes that there are circumstances under which enforcement of this chapter may cause an undue hardship to a property owner. The City therefore finds that it is necessary to provide property owners the opportunity to demonstrate that an economic hardship exists in specific cases, under which the demolition prohibitions of SMC 17D.100.230 shall not apply.
- B. The requirements of SMC 17D.100.230 shall not apply and the owner may obtain a demolition permit without the requirement of constructing a replacement structure if the owner can demonstrate to the satisfaction of the ad hoc committee established by this section that maintaining the historic structure would impose an economic hardship on the property owner that was created beyond the owner's control.
  1. The ad hoc committee on economic hardship shall be appointed by the commission, and will consist of at least seven members as follows:
    - a. one member of the real estate development community or association such as CCIM Institute, Institute of Real Estate Management, the Society of Office and Industrial Realtors, and Building Owners and Managers Association;
    - b. one member from a banking or financial institution;
    - c. one licensed architect registered in Washington State;
    - d. one member from the property management industry;
    - e. one member representative of property developers;
    - f. one member of the landmarks commission; and

- g. one member representing the neighborhood council where the historic structure is located.
  - 2. The ad hoc committee's decision shall be made by majority vote and within thirty (30) days of the submission of the material demonstrating an economic hardship by the property owners.
    - a. The property owner has the burden of demonstrating the economic hardship.
    - b. Evidence of economic hardship is limited to instances when preservation will deprive the owner of reasonable economic use of the property.
    - c. An owner's financial status is not evidence of economic hardship.
    - d. The decision of the ad hoc committee may be appealed to the hearing examiner within thirty days of the committee's decision.
  - 3. The ad hoc committee will be a standing committee with one revolving member representing the specified neighborhood in which the property resides.
    - a. There is a preference for developer and architects who participate on the ad hoc committee to have both new building construction and historic renovation experience.
    - b. There is a preference for the neighborhood representative who participates on the ad hoc committee to have experience in development, appraising, construction, and/or related skills.
    - c. Members of the ad hoc committee shall serve for two-year terms and may be reappointed for additional two-year terms.
- C. For purposes of this section, a reasonable economic use would be one that provides a greater return on the underlying land value (land with improvements) than the land alone could generate. The following four steps will be taken to determine reasonable economic use:
- 1. The market value of the land, as vacant, is to be estimated.
    - a. The sales comparison approach to value is an approved method.
    - b. The land residual technique is an approved method, but only allowable when accompanied by and reconciled with the sales comparison approach method.
  - 2. The first year market rate of return on leased land is to be estimated. Market data supporting this rate of return must be provided.
  - 3. Based on applying the rate of return to the land value estimate, an annual market return on the underlying land results. This is the base figure or threshold for the analysis.

4. Provide an estimate of the annual market net operating income for the property as is, and under any reasonable modifications thereof. Note that any required capital investment in the property would increase the basis from which the return is estimated.
  - a. The sales comparison approach, income approach, cost approach, and development approach to value are all approved techniques.
  - b. Under valuation scenarios where an additional capital investment is required, the expected market return on the capital investment will be subtracted from the annual return, with the residual income being the return on the land.
- D. In order that a property may be marketed for sale or refinance with knowledge of the property's status, an owner may request an advance determination that a specific property qualifies under the economic hardship exemption established by this section. Upon receipt of a written request from a property owner, the owner shall be entitled to an economic hardship hearing at the owner's expense, to provide a showing that the factors stated in SMC 17D.100.230(B) are present. If the commission agrees, it shall issue a written determination to the owner that the property qualifies for economic hardship status pursuant to this section, and the owner is therefore entitled to represent the such written determination as binding upon the property owner and City to third parties including without limitation prospective purchasers and lenders.
- E. This section does not apply to orders of the building official or fire marshal that a structure be demolished due to public health, safety, or welfare concerns.

#### **Section 17D.100.250 Negotiated Standards**

The owner, the commission, or the HPO may request a negotiation process leading to more specifically defined or different management standards for a specific piece of property; provided, however, that nothing in this section requires the commission to agree to participate in a negotiation process leading to specifically defined or different standards for any particular property which would otherwise be subject to this chapter, and provided also that it is the intent of the City that negotiated standards are to be utilized only in extraordinary circumstances. While the negotiation process is occurring, the requirements for a certificate of appropriateness continue to be in effect.

#### **Section 17D.100.260 Negotiated Standards – Approval Process**

Once the negotiation process is completed and the owner and the commission are in agreement with the negotiated standards, a copy of that agreement is transmitted to the council or board for final approval. Once final approval is received, the commission distributes copies of the agreement to the appropriate boards, commissions and agencies for implementation. If the council or board does not approve the agreement, it



may be sent back, with a statement of the council's or board's objection, for further negotiation. When renegotiation is completed, the agreement is returned to the council or the board for approval.

### **Section 17D.100.270 Negotiated Standards – Arbitration and Appeal**

If no agreement can be reached between the commission and the owner, the matter may be presented to the council or the board, or designees to arbitrate the agreement. Appeal from any arbitration decision may be made to the superior court.

### **Section 17D.100.300 Waiver of Review**

The commission, at the request of the owner, may waive review under SMC 17D.100.240 through 17D.100.290 of those actions which may require a certificate of appropriateness or which may be within the scope of agreed management standards when the action will be reviewed by the Washington State Department of Archaeology and Historic Preservation or the National Park Service and will be subject to the Secretary of the Interior's Standards for Treatment of Historic Properties. The commission may choose to deny said request should it be determined by the Washington State Department of Archaeology and Historic Preservation or the National Park Service that the proposed action does not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties.

### **Section 17D.100.310 Review and Monitoring of Properties for Special Property Tax Valuation**

#### **A. Timeline**

1. Applications shall be forwarded to the commission by the assessor within ten (10) calendar days of filing.
2. Applications shall be reviewed by the commission before December 31 of the calendar year in which the application is made.
3. Commission decisions regarding the applications shall be certified in writing and filed with the assessor within ten (10) calendar days of issuance.

#### **B. Procedure**

1. The assessor forwards the application(s) to the commission.
2. The commission reviews the application(s), consistent with its rules of procedure, and determines if the application(s) are complete and if the properties meet the criteria set forth in WAC 254-20-070(1) and listed in SMC 17D.100.090.
  - a. If the commission finds the properties meet all the criteria, then, on behalf of the City, it enters into a Historic Preservation Special Valuation Agreement (set forth in WAC 254-20-120) with the owner. Upon execution of the agreement between the owner and

- commission, the commission approves the application(s) for special property tax valuation.
- b. If the commission determines the properties do not meet all the criteria, then it shall deny the application(s) for special property tax valuation.
3. The commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and files copies of the certifications with the assessor.
  4. For approved applications, the commission:
    - a. forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4) to the assessor.
    - b. Notifies the state review board that the properties have been approved for special valuation; and
    - c. Monitors the properties for continued compliance with the agreements throughout the 10-year special valuation period.
  5. The commission determines, in a manner consistent with its rules of procedure and based on the report of the HPO, whether properties are disqualified from special valuation. Such disqualification can be based on:
    - a. The owner's failure to comply with the agreement's terms; or
    - b. The loss of the property's historic value due to physical changes to the building or site.
  6. If the commission concludes that a property is no longer qualified for the special property tax valuation, the commission shall notify the owner, assessor, and state review board in writing that the property is disqualified and state the facts supporting its findings.

#### C. Criteria

1. The City attained Certified Local Government (CLG) status in 1986. As a CLG, the City determines the class of property eligible to apply for Special Valuation. Eligible property types in Spokane mean only properties listed on Spokane Register of Historic Places or properties certified as contributing to a Spokane Register Historic District which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW.
2. To be complete, applications must include the following documentation:
  - a. A legal description of the historic property,
  - b. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation,
  - c. Architectural plans or other legible drawings depicting the completed rehabilitation work, and
  - d. A notarized affidavit attesting to the actual cost of the rehabilitation work completed prior to the date of application and the period of time during which the work was performed and documentation of both to be made available to the commission upon request, and
  - e. For properties located within historic districts, in addition to the standard application documentation, a statement from the

- appropriate local official, as specified in local administrative rules or by the local government, indicating the property is a certified historic structure is required.
3. In its review, the commission shall determine if the properties meet all the following criteria:
    - a. The property is historic property;
    - b. The property is included within a class of historic property determined eligible for Special Valuation by the City;
    - c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within twenty-four months prior to the date of application; and
    - d. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1) and listed in 17D.100.210 of this ordinance).
  4. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.
  - D. The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).
  - E. Any decision of the commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to the Superior Court under Chapter 34.05.510 -34.05.598 RCW in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the County Board of Equalization.

### **Section 17D.100.320 Incentives**

- A. In order to help fulfill the purposes of this chapter, the HPO is authorized to approve incentive measures described in this section for historic landmarks and contributing buildings within historic districts, in addition to the other generally applicable provisions of the City's Economic Development Strategy identified by the City Council. In addition, the HPO is authorized to approve the use of funds from the Historic Preservation Incentives Fund to incentivize historic preservation in Spokane and fulfill the purposes of this chapter.
- B. Façade improvement grants

The HPO is authorized to administer a grant program to provide matching funds for the improvement of the street-facing façades of historic landmarks and contributing resources located within historic districts.

C. Pilot sidewalk Improvement grants

1. There is created a Pilot Sidewalk Improvement Grant program to mitigate the cost of improvements or repairs to sidewalks adjacent to historic landmarks or contributing resources located within historic districts, and made in conjunction with the historic rehabilitation of an historic landmark or contributing resource. This grant shall be administered by the HPO and shall be available starting on January 1, 2019.
2. Project Criteria
  - a. The grant program created by this section applies only to projects in which the property owner has invested an amount equaling not less than twenty-five percent (25%) of the assessed value of the property, as measured by the valuation of the project after the completion of the rehabilitation project.
  - b. The property must be located within the boundaries of Council district 2.
3. Applicants shall apply for project funding to the HPO on a form supplied by the HPO. The application shall provide the following information:
  - a. Satisfaction of project criteria stated above;
  - b. Documentation of the property's status as an historic landmark;
  - c. A description of the changes proposed for the property to be made as a result of the project,
  - d. Information sufficient to show that the project has financial funding or commitments for funding; and
  - e. any other relevant information requested by the HPO.
4. Funding
  - a. On or before January 1, 2019, there shall be allocated five thousand dollars (\$5,000) to this Pilot Sidewalk Improvement Grant program.
  - b. No individual project funding may exceed one thousand dollars (\$1,000) dollars.
  - c. On or before January 1, 2020, the program will be evaluated to determine, based on reports of administration staff, the success of the program.
5. This section shall expire on January 1, 2021 unless renewed.

D. Pilot Urban Utility Installation Program

Pursuant to SMC 08.10.230, the Pilot Urban Utility Installation Program shall be made available for historic landmarks and contributing resources within historic districts.

## **Section 17D.100.400      Enforcement; Violations; Penalty**

- A. This chapter shall be enforced by the HPO under the city's civil infraction system, pursuant to chapter 01.05 SMC. The HPO is the "code enforcement officer" as designated by SMC 01.05.020(B).
- B. A violation of SMC 17D.100.200-17D.100.230 is a class 1 civil infraction.
- C. Pursuant to SMC 01.02.950(A), the HPO may refer violations or imminent violations of this chapter to the city attorney for actions in Superior Court seeking declaratory or injunctive relief.

**Section 3.** That section 17G.010.210 of the Spokane Municipal Code is amended to read as follows:

## **Section 17G.010.210 Application for Permits for Special Activities**

- A. **Blasting Permit.**  
An applicant for a permit to conduct blasting operations on a particular job shall make written application to the engineering services department, on prescribed form, showing:
  - 1. if there is a structure at the blasting site, its occupancy, whether its power source is electricity or something else, and the combustibility of its contents;
  - 2. the name of the person to have immediate charge of the blasting operations;
  - 3. that the named blaster has currently in force a license, bond, and insurance;
  - 4. such other information as may be required.
- B. **Building Moving Permit.**
  - 1. An applicant for a permit required to move any building, structure, or part of a structure along, over, or across a public way in the City must pay the prescribed fee and submit a written application on prescribed forms to the department of building services which application:
    - a. gives the applicant's current state contractor registration number;
    - b. is accompanied by the required street obstruction permit;
    - c. states the address and legal description of the land onto which the structure is to be moved and, if such land is within the City, is accompanied by a building relocation permit, as provided in SMC 10.26.010.
    - d. is accompanied by a certificate issued by an insurance company qualified to do business in Washington covering the moving activity with a general liability policy with minimum limits of five hundred

thousand dollars combined single limit or an approved alternate indemnity arrangement;

- e. describes the structure to be moved;
  - f. states the address from which the structure is to be moved;
  - g. details the proposed route; and
  - h. states the date and time of the proposed move and estimates the time required to complete the move.
- 2. A building moving permit is a class IIIB license as provided in chapter 4.04 SMC.
  - 3. No fee shall be charged for applications to move historic landmarks or buildings located within an historic district.

#### C. Sewer Permits.

- 1. A contractor or resident homeowner proposing to construct, reconstruct, extend, or repair a side sewer, private sewer, special side sewer, or private storm sewer, as defined in chapter 13.03 SMC, shall pay the prescribed fee and make application to the engineering services department for a permit, which application:
  - a. gives the applicant's state contractor registration number, or contains a certificate that the applicant proposes to do work in connection with the residence owned by the applicant;
  - b. indicates the legal and street address description of the premises to be served and the type of occupancy;
  - c. subject to waiver by the city engineer, includes duplicate detailed plans of the work showing the entire course of the sewer from its terminus at the building(s) to the connection with the public sewer and, as may be required, detailing the structures and means for measuring, sampling, or otherwise determining the nature, quality, and quantity of sewage;
  - d. gives such further information as maybe required.
- 2. If the work to be done under the sewer permit requires the excavation or obstruction of a public way, the applicant must obtain a street obstruction permit.
- 3. A separate tap permit, as provided in SMC 13.03.0606, is required for connection to the public sewer.

#### D. Street Obstruction Permit.

- 1. A person proposing to dig up, excavate, work in, occupy by person, equipment, structure, or material, or in any fashion obstruct, render less safe, or interfere with the free use of any public way must first make application to the engineering services department for a permit, which may

be individual location under SMC 12.02.0706 or a master annual permit under SMC 12.02.0707.

2. Exemptions.

The following activities do not require a street obstruction permit:

- a. A licensed, bonded, and insured tree trimming firm may trim trees in the public way, provided the work is not on an arterial or within the central business district. Additionally, for all other areas, this exemption does not apply, and a permit is still required if the work:
  - i. involves more than thirty minutes operations in the right-of-way (example: simply trimming branches and loading them in a truck), or
  - ii. if the work involves tree removal, stump grinding or chipping.
- b. A licensed, bonded, and insured sign company performing routine maintenance to existing signs, provided a traffic lane is not obstructed or the work is not within the central business district.
- c. A licensed, bonded, and insured surveyor performing surveying work in the public way, provided the work is not on an arterial or within the central business district.
- d. All persons, whether or not required to obtain a permit, shall notify the department of their activities.

3. The applicant shall:

- a. by plat or map show the exact location of the work, structure, material, or activity when required by city engineer;
- b. describe in detail the activity, the extent, and duration of the obstruction, and the precautions to be taken to protect the traveling public from the hazards occasioned, including, at least, lighting, barricading, and signing;
- c. pay the permit fee;
- d. if the activity is contracting work, demonstrate that the applicant has the appropriate license or registration certificate;
- e. post a bond as provided in SMC 7.02.070.

**Section 4.** That section 08.02.031 of the Spokane Municipal Code is amended to read as follows:

**Section 08.02.031 Building Code**

A. Building Permit.

Building permit fees are based on the value of the work to be done as follows:

<b>VALUE OF WORK (in dollars)</b>	<b>FEE (in dollars)</b>
1 - 500	28.00
501 - 2,000	28.00 plus 3.00 for each 100 over 500
2,001 - 25,000	73.00 plus 13.00 for each 1,000 over 2,000
25,001 - 50,000	372.00 plus 10.00 for each 1,000 over 25,000
50,001 - 100,000	622.00 plus 7.00 for each 1,000 over 50,000
100,001 - 500,000	972.00 plus 5.00 for each 1,000 over 100,000
500,001 - 1,000,000	2,972.00 plus 4.00 for each 1,000 over 500,000
1,000,001 - 99,999,999	4,972.00 plus 3.00 for each 1,000 over 1,000,000

**B. Valuation.**

1. The value of construction for purposes of calculating the amount of the fee is determined by using the:
  - a. most current building valuation data from the International Code Conference (ICC) as published in the "Building Safety Journal"; or
  - b. contract valuation, whichever is greater.
2. "Gross area" when used in conjunction with the ICC building valuation data to determine valuation of a project is the total area of all floors, measured from the exterior face, outside dimension, or exterior column line of a building, including basements and balconies but excluding unexcavated areas.
3. The fee is based on the highest type of construction to which a proposed structure most nearly conforms, as determined by the building official.
4. For roofing permits, the value is determined to be:
  - a. one hundred fifty dollars per square for recovering roofs;



- b. two hundred dollars per square for roofing projects when existing layers of roofing are torn off and a new layer is installed;
- c. two hundred fifteen dollars per square for roofing projects when existing layers of roofing are torn off, new sheeting is installed, and a new layer of roof is installed;
- d. or the contract valuation if it is greater.

C. Building Plan Review.

- 1. Plan review fees are sixty-five percent of the building permit fee as calculated from the table rounded up to the next whole dollar amount for:
  - a. all commercial building permits;
  - b. all industrial building permits;
  - c. all mixed use building permits; and
  - d. new multi-family residences with three or more units.
- 2. Plan review fees are one hundred percent of the building permit fee as calculated from the table for fast-track projects.
- 3. Plan review fees are twenty-five percent of the building permit fee as calculated from the table rounded up to the next whole dollar amount for new:
  - a. single-family residences; and
  - b. duplexes.
- 4. Plan review fees are twenty-five dollars for:
  - a. new buildings that are accessory structures for single-family residences and duplexes to include garages, pole buildings, greenhouses, sheds that require a permit, etc.; and
  - b. additions to existing single family residences and duplexes to include living space, garages, sunrooms, decks, etc.
- 5. Plan review fees for additional review required by changes, additions, or revisions to plans are seventy-five dollars per hour or fraction thereof.
- 6. The building official may elect to assess plan review for remodeling single family residences and duplexes when required. This amount will be not be higher than the twenty-five percent of the building fee as calculated in the table rounded to the nearest whole dollar charged on a new single-family residence or duplex.

D. Demolition.

Demolition permit fees are:

- 1. Single-family residence, duplex and accessory structures: Thirty-five dollars each.

2. Other structures: Thirty-five dollars for every thousand square feet, to a maximum fee of three hundred fifty dollars.
3. The processing fee is twenty-five dollars.
4. For historic landmarks and contributing buildings within an historic district or located within the Downtown Boundary Area: five hundred dollars.
5. All demolition permit fees received by the city are to be deposited in the historic preservation incentives fund established by SMC 07.08.151.

E. Fencing.

1. The permit fee is twenty dollars per one hundred linear feet, or fraction thereof.
2. The processing fee and review fee is twenty-five dollars.

F. Grading.

1. Grading permit fees are as follow:

<b>VOLUME (in cubic yards)</b>	<b>FEE (in dollars)</b>
100 or less	28.00
101 - 1,000	28.00 plus 12.00 for each 100 over 100
1,001 - 10,000	136.00 plus 10.00 for each 1,000 over 1,000
10,001 - 100,000	226.00 plus 45.00 for each 10,000 over 10,000
100,001 and more	631.00 plus 25.00 for each 10,000 over 100,000

2. Grading plan review fees are as follow:

<b>VOLUME (in cubic yards)</b>	<b>FEE (in dollars)</b>
50 or less	None

51 - 100	20.00
101 - 1,000	25.00
1,001 - 10,000	35.00
10,001 - 100,000	35.00 plus 17.00 for each 10,000 over 10,000
100,001 - 200,000	188.00 plus 10.00 for each 10,000 over 100,000
200,001 and more	288.00 plus 5.00 for each 10,000 over 200,000

3. Failure to obtain a grading permit is a class one infraction under SMC 1.05.150.
4. The processing fee is twenty-five dollars.

#### G. Sign Permits.

1. Sign permit fees are:
  - a. thirty dollars for each wall sign, projecting sign and incidental sign; or
  - b. seventy-five dollars for each pole sign, including billboards and off-premises signs.
2. The building services plan review fee is fifty dollars and is in addition to the sign permit fee for pole signs in excess of one hundred square feet or more than thirty feet high.
3. The planning services review fee is fifty dollars for all signs.
4. The processing fee is twenty-five dollars.

#### H. Factory-built Housing.

1. The installation fee for factory-built housing is fifty dollars per section.
2. A foundation or basement requires a separate building permit.
3. Decks, carports and garages require a separate building permit.
4. The development services review fee is fifty dollars.
5. The processing fee is twenty-five dollars.

#### I. Manufactured (Mobile) Home.

1. The installation fee for a manufactured (mobile) home is fifty dollars per section.

2. A basement requires a separate building permit.
3. Decks, carports and garages require a separate building permit.
4. The development services review fee is fifty dollars.
5. The processing fee is twenty-five dollars.

J. Temporary Structures.

Permit fees for temporary structures are:

1. One hundred dollars for the first one hundred eighty days; and
2. Five hundred dollars for the second one hundred eighty days.
3. No third session will be allowed.
4. The development services review fee is fifty dollars.
5. The processing fee is twenty-five dollars.

K. Relocation.

1. The fee for a building relocation inspection for bond determination is seventy-five dollars.
2. The development services review fee is fifty dollars.
3. The processing fee is twenty-five dollars.
4. Any repairs or alterations required for relocation are handled by various building permits and the fees for such building permits are in addition to the relocation permit fee.

L. Early Start and Fast Track Approval.

The fee for an early start or fast track building permit approval is twenty-five percent of the building permit fee rounded to the next whole dollar amount and is in addition to any other required fees.

M. Certificate of Occupancy.

1. There is no separate fee for the issuance of a certificate of occupancy following final inspection under a permit so long as the fee for the permit is at least fifty dollars; otherwise, the minimum fee for a building permit and certificate of occupancy is fifty dollars plus a twenty-five dollar processing fee.
2. The fees for the issuance of a certificate of occupancy not resulting from work done under permit are as provided in SMC 8.02.060.
3. The building official will assess a fee not to exceed one hundred percent of the building permit fee for the issuance or extension of any temporary certificate of occupancy. The minimum fee will be:
  - a. two hundred twenty-five dollars plus a twenty-five dollar processing fee when the building permit fee exceeds this amount;

- b. equal to the amount of the building permit fee when the building permit fee is less than two hundred fifty dollars.

N. Swimming Pools.

1. The building and plumbing permit fee for a swimming pool is:
  - a. seventy-five dollars for those accessory to a single-family residence; and
  - b. one hundred dollars for all others.
2. The planning services review fee is twenty-five dollars.
3. The processing fee is twenty-five dollars.
4. Mechanical, electrical and fence permits are additional.

O. Parking Lot and Site Work Permits.

The fee for a site work permit is charged in accordance with the fee table in subsection (A) of this section.

P. Reinspections.

The fee for reinspections for work that was not ready, or corrections previously identified but remain uncorrected, or site not accessible is seventy-five dollars per incident.

Q. Inspections Outside Normal Inspector Working Hours.

The fee for inspections outside normal inspector working hours is seventy-five dollars per hour or fraction of an hour. A minimum of two hours is payable at the time the request is made and before an inspection can be scheduled.

R. Work Done Without a Permit/Investigation Fees.

Where work has commenced without first obtaining the required permit(s), a work without permit fee equivalent to the greater of:

1. twice the inspection fee, or
2. the permit fee plus one hundred fifty dollars,

must be paid prior to the issuance of the permit(s).

S. Safety Inspections.

The fees for safety inspections are:

1. Commercial Buildings: Seventy-five dollars per hour or fraction of an hour with a prepaid minimum of one hundred fifty dollars.
2. Single-family Residence – Electrical only: Seventy-five dollars.
3. Single-family Residence – Two or more trade categories: One hundred fifty dollars.
4. Two-family Residence: One hundred seventy-five dollars.

5. Multifamily – Three to six units: Two hundred fifty dollars.
6. Multifamily – Seven to fifty units: Two hundred fifty dollars plus twenty-five dollars for each unit over six.
7. Multifamily – Over fifty units: One thousand three hundred fifty dollars plus ten dollars for every unit over fifty.
8. Electrical Service Reconnect - Residence - Twenty-five dollars
9. Electrical Service Reconnect - Commercial - Fifty dollars
10. Processing fee: Twenty-five dollars.

T. Recording Fee For Use of Public Right-of-way and Large Accessory Building Agreement.

The property owner shall be charged a pass-through fee equal to the amount assessed by Spokane County when erecting a fence, retaining wall or other structure in a public right-of-way. This is a recording fee for the acknowledged agreement whereby the property owner covenants to remove the encroachment upon notice by the City. An additional twenty-five dollar processing fee is required when a permit is not issued in conjunction with the recording.

U. Expired Permits Over Six Months.

1. Building Permits.

- a. No inspections have been made: Permits require full resubmittal, and if a commercial project, plan review. Original valuation shall be contained in description of new permit.
- b. Footings and foundations only have been inspected and approved: Minimum of seventy-five percent of the original assessed permit fee plus new processing fees. Original valuation shall be contained in description of new permit.
- c. All rough-in inspections approved: Minimum of twenty-five percent of original permit fee plus new processing fees. Original valuation shall be contained in description of new permit.
- d. Additional work done not on original permit: New valuation shall be calculated based upon either square footage if new construction, or valuation if remodel.

2. Plumbing Permits.

- a. No inspections: A full new permit for all fixtures is required.
- b. Partial inspections approved: If water tests, top outs and ground plumbing have been approved, then twenty-five percent of the original itemized permit fees plus new processing fee.

3. Mechanical Permits.

- a. No inspections: A full new permit is required.

- b. Partial inspections: If all rough-in inspections and air tests have been approved, then twenty-five percent of the original permit fee plus new processing fee.

4. Electrical Permit.

- a. No inspections: A full new permit is required.
- b. Partial inspections: If all rough-in inspections and service inspections have been approved, then twenty-five percent of the original fees plus new processing fee.

V. Processing Fee.

In addition to all of the fees identified in SMC 8.02.031, the processing fee for each permit is twenty-five dollars, unless specifically stated otherwise.

**Section 5.** That section 08.02.065 of the Spokane Municipal Code is amended to read as follows:

**Section 08.02.065 Streets and Airspace**

A. The fees in connection with skywalks are:

- 1. Seven thousand one hundred sixty dollars for the application to the hearing examiner.
- 2. Three hundred thirty-five dollars for annual inspection; and
- 3. Two thousand two hundred ninety dollars for renewal if the renewal is sought within twenty years from date of issuance of the permit.

For the use of public airspace other than pedestrian skywalk, the fee will be as provided in the agreement.

B. [Deleted]

C. The fee for a street address assignment as provided in SMC 17D.050.030 is ten dollars. The fee for a street address change is twenty-five dollars.

D. The street obstruction permit fees are as follows. All fees are minimum charges for time periods stated or portions of said time periods:

- 1. when the public way is obstructed by a dumpster or a temporary storage unit the fee is one hundred dollars per fifteen-day period.
- 2. for long-term obstruction (longer than twenty-one days) in the central business district or other congested area the fee is twenty cents per square foot of public right-of-way obstructed for each month period. The director of engineering services may adjust these boundaries in the interests of the public health, safety, and convenience, considering the need to promote traffic flows and convenience in administrative enforcement needs.
- 3. for an obstruction not provided for in subsections (1) or (2) of this section, the fees are stated below:
  - a. When the public way is excavated for:

- i. the first three working days: One hundred dollars;
    - ii. each additional three-working-day period: Forty dollars.
  - b. When no excavation for:
    - i. the first three days: Twenty-five dollars per day;
    - ii. each additional three-day period: Forty dollars.
  - c. Master annual permit fee set by the development services center manager based on a reasonable estimate of the expense to the City of providing permit services. Permit fees are payable at least quarterly. If a master annual permit fee is revoked, the party may apply for a refund of unused permit fees;
- 4. a parking meter revenue loss fee of thirteen dollars per meter per day within the City central business district and six dollars fifty cents per meter per day for all other meters shall be paid for each meter affected by an obstruction of the public right-of-way;
- 5. a charge of five hundred dollars is levied whenever a person:
  - a. does work without a required permit; or
  - b. exempt from the requirement for a permit fails to give notice as required by SMC 12.02.0740(B);
- 6. a charge of two hundred fifty dollars is levied whenever a permittee does work beyond the scope of the permit;
- 7. no fee is charged for street obstruction permits for activities done by or under contract for the City.
- E. The review fee for a traffic control plan is fifty dollars.
- F. The fee for a building moving permit is one hundred dollars, which shall be waived for the moving of a building which is an historic landmark or a contributing building located within an historic district.
- G. The annual permit fee for applicators of road oil or other dust palliatives to public ways and places of public travel or resort is one hundred dollars. A contractor must notify the department of engineering services in accordance with SMC 12.02.0740(B).
- H. Street vacation application fee is four hundred dollars.
- I. The fees for approach permits are:
  - 1. For a commercial driveway: Thirty dollars; and
  - 2. For a residential driveway: Twenty dollars.

**Section 6.** That section 03.01A.320 of the Spokane Municipal Code is amended to read as follows:

### **Section 03.01A.320 Historic Preservation**

The office of historic preservation shall be directed by the historic preservation officer (HPO), who shall ((serves)) shall serve as staff to the historic landmarks commission established in chapter 04.35, SMC, providing:

- A. current inventories of historic places;



- B. technical information on the proper preparation and processing of nominations to historic registers;
- C. design review for Spokane Register properties;
- D. assistance to applicants in the preparation of documentation for special valuation;
- E. technical assistance to City departments on projects impacting historic resources;
- F. review of projects for impacts on historic properties, including Section 106 review;
- G. technical information and referral regarding rehabilitation/restoration of local historic properties, as well as information pertaining to tax incentives for historic preservation.

**Section 7.** That there is enacted a new section 07.08.151 of the Spokane Municipal Code to read as follows:

**Section 07.08.151 Historic Preservation Incentives Fund**

- A. There is established a special revenue fund to be known as the “historic preservation incentives fund” into which shall be deposited funds received by the city in payment for demolition permits.
- B. Money in this fund shall be disbursed on the recommendation of the city’s historic preservation officer, and pursuant to an historic preservation incentive program established by the historic landmarks commission and approved by the city council by ordinance.

**Section 8.** That section 17A.020.030 of the Spokane Municipal Code is amended to read as follows:

**Section 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.

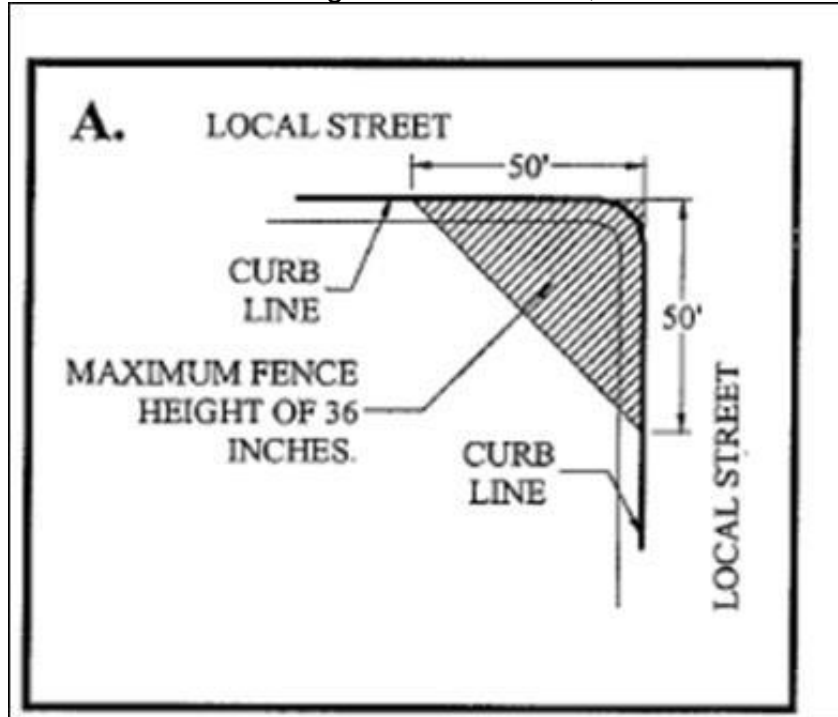
M. Clear Pedestrian Zone

Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.

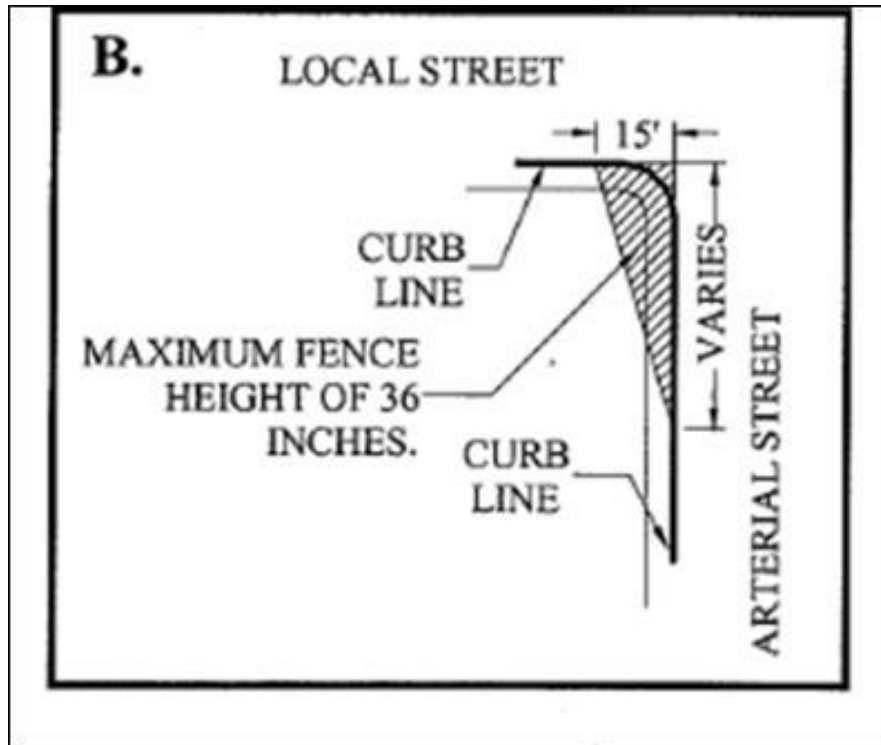
N. Clear View Triangle

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

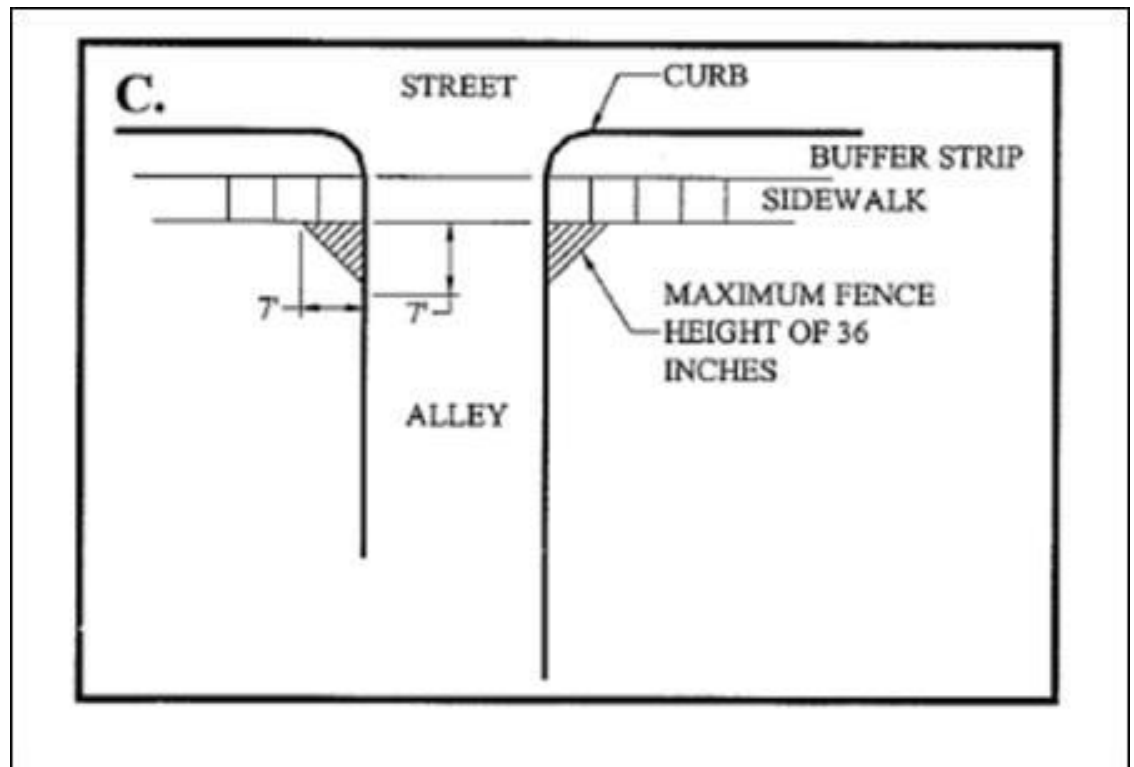


2. A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along 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:

- the inside line of the sidewalk; or
- 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.

7. The type of landscaping, L1, L2, or L3, is required to be labeled.
8. 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:

9. transportation,
10. public water,
11. fire protection,
12. police protection,
13. parks and recreation,
14. libraries,
15. solid waste disposal and recycling,
16. schools, and
17. 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. Contributing Resource

Contributing resource is any building, object, structure, or site which adds to the historical integrity, architectural quality, or historical significance of the local or federal historic district within which the contributing resource is located.

~~((AN-))~~AQ. 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.

~~((AQ-))~~AP. 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-))~~AQ. 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-))~~AR. Cottage Housing.

1. A grouping of individual structures where each structure contains one dwelling unit.
2. The land underneath the structures is not 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.

~~((AR-))~~AS. Council.

The city council of the City of Spokane.

~~((AS-))~~AT. 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-))~~AU. 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-))~~AV. Creep.

Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.

~~((AV-))~~AW. Critical Amount.

The quantity component of the definition of critical material.

~~((AW-))~~AX. Critical Aquifer Recharge Areas (CARA).

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

~~((AX-))~~AY. 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-))~~AZ. 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-))~~BA. 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-))~~BB. 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-))~~BC. Critical Materials Handbook.

1. 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.
2. 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.

3. 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.
4. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

~~((BG-))~~BD. 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-))~~BE. Critical Review Action.

1. An action by a municipal official or body upon an application as follows:

- e. 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](#)).
- f. Application for a shoreline substantial development permit ([SMC 17G.060.070\(B\)\(1\)](#)).
- g. Application for a certificate of occupancy ([SMC 17G.010.170](#)).
- h. Application for a variance or a certificate of compliance ([SMC 17G.060.070\(A\)](#) or [SMC 17G.060.070\(B\)\(1\)](#)).
- i. Application for rezoning ([SMC 17G.060.070\(A\)](#)).
- j. Application for conditional permit ([SMC 17G.060.070\(A\)](#)).
- k. Application for a business license ([SMC 8.01.120](#)).
- l. Application for a permit under the Fire Code ([SMC 17F.080.060](#)).
- m. Application for a permit or approval requiring environmental review in an environmentally sensitive area ([SMC 17E.050.260](#)).
- n. Application for connection to the City sewer or water system.
- o. Application for construction or continuing use of an onsite sewage disposal system ([SMC 13.03.0149](#) and [SMC 13.03.0304](#)).
- p. Application for sewer service with non-conforming or non-standard sewage ([SMC 13.03.0145](#), [SMC 13.03.0314](#), and [SMC 13.03.0324](#)).
- q. Application involving a project identified in [SMC 17E.010.120](#).
- r. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.

- s. Application for an underground storage tank permit ([SMC 17E.010.210](#)); and
  - t. 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-))~~BF. Critical Review Applicant.

A person or entity seeking a critical review action.

~~((BF-))~~BG. 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-))~~BH. 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-))~~BI. 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-))~~BJ. Curb Ramp.

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

~~((B.J.))~~BK. 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 9.** That section 08.10.230 of the Spokane Municipal Code is amended to read as follows:

### **Section 08.10.230 Pilot Urban Utility Installation Project**

#### **A. Pilot Urban Utility Installation Project**

There is created a Pilot Urban Utility Installation Project established to provide funding to the City's utilities departments to mitigate the cost of the installation of new or upgrades to city-owned public utility infrastructures in the city right-of-way which is associated with the redevelopment of existing structures or in-fill development with new structures on properties in the downtown core, ~~((and))~~ in ~~((other))~~ centers and corridors targeted for infill identified in the Urban Utility Installation Area map, within historic districts established under chapter 17D.100, SMC, and for properties listed on the Spokane and National Historic Register.

#### **B. Project Criteria**

1. The City will coordinate with abutting property owners to install new or upgrade existing public utilities infrastructure located in the city right-of-way. Projects will be evaluated based on objective criteria which includes but is not limited to, the timing and extent of the redevelopment project, project financial resources, increased demand for public utility services, projected utility revenue to the city, and the impact and efficiency of the existing infrastructure. The city administration shall develop criteria consistent with this section for the awarding of project monies which shall be approved by resolution by City Council.
2. Priorities for funding shall include, but are not limited to, the following:
  - a. Re-use of buildings (historic preservation),
  - b. Density & infill mix of housing,
  - c. Affordable housing within a development,
  - d. Mix use of commercial and retail, and
  - e. Increased demand on public utility services.

#### **C. Urban Utility Installation Area**

The projects to be funded by Pilot Urban Utility Installation Project shall be located in the Urban Utility Installation Area, which is established in the map set forth in Attachment A, ~~((which may be))~~as amended by the ~~((city council))~~City Council ~~((to include other centers and corridors targeted for in-fill development))~~from time to time, as well as Spokane and National Historic Districts and historic landmarks.

#### **D. Application Process**

The applicant shall make application for project funding to the Utilities Department on a form supplied by the department. The application shall include, but not limited to, information regarding the redevelopment project financial funding and any other relevant financial information requested by the planning and development department director. The information required on the application and provided by the applicant shall demonstrate how the project satisfies the project criteria set forth in this section and the administrative policies.

#### E. Initiation and Completion of Projects

Once a project is approved, the City shall determine when to initiate and complete projects for the installation of new or upgrades to existing city-owned public utility infrastructures in the city right-of-way. Funding for the specific projects shall be allocated to the applicable utilities department pursuant to the City's existing financial transfer procedures

#### F. Funding

1. Increases in utility revenue associated with the installation of new or upgrades to existing public utility infrastructures installed pursuant to this section, including utility hook-up fees and charges, shall be allocated to the Pilot Urban Utility Installation Project.
2. Individual project funding shall not exceed forty thousand dollars (\$40,000).
3. As a pilot program, the amount of utility revenue generated will be evaluated over the course of five years to determine the success of the Project. The program will sunset after five years ~~((and must be))~~ unless earlier renewed ~~((at that time))~~.

#### G. Administrative Policy.

The city administration shall develop policies and procedures to implement the provisions of this section, which shall be approved by resolution of the city council. Such policies and procedures must be consistent with and shall not conflict with the provisions of this section. The policies and procedures may include provisions developing the criteria necessary to award project funding.

- H. The city administration shall update the city council at least twice a year on the Pilot Urban Utility Installation Project program including the number of applications, the status of approved and completed projects and the amount of increased property taxes.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

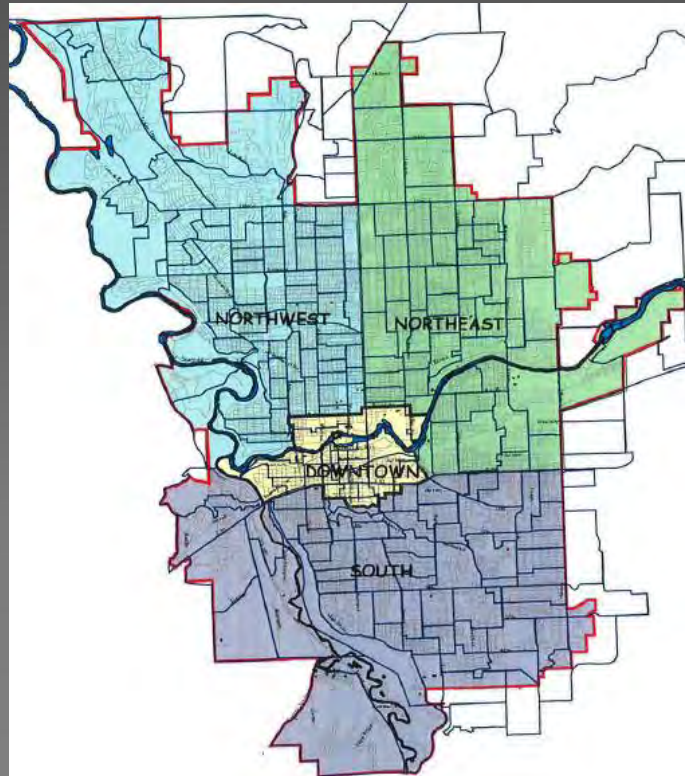
\_\_\_\_\_  
Effective Date



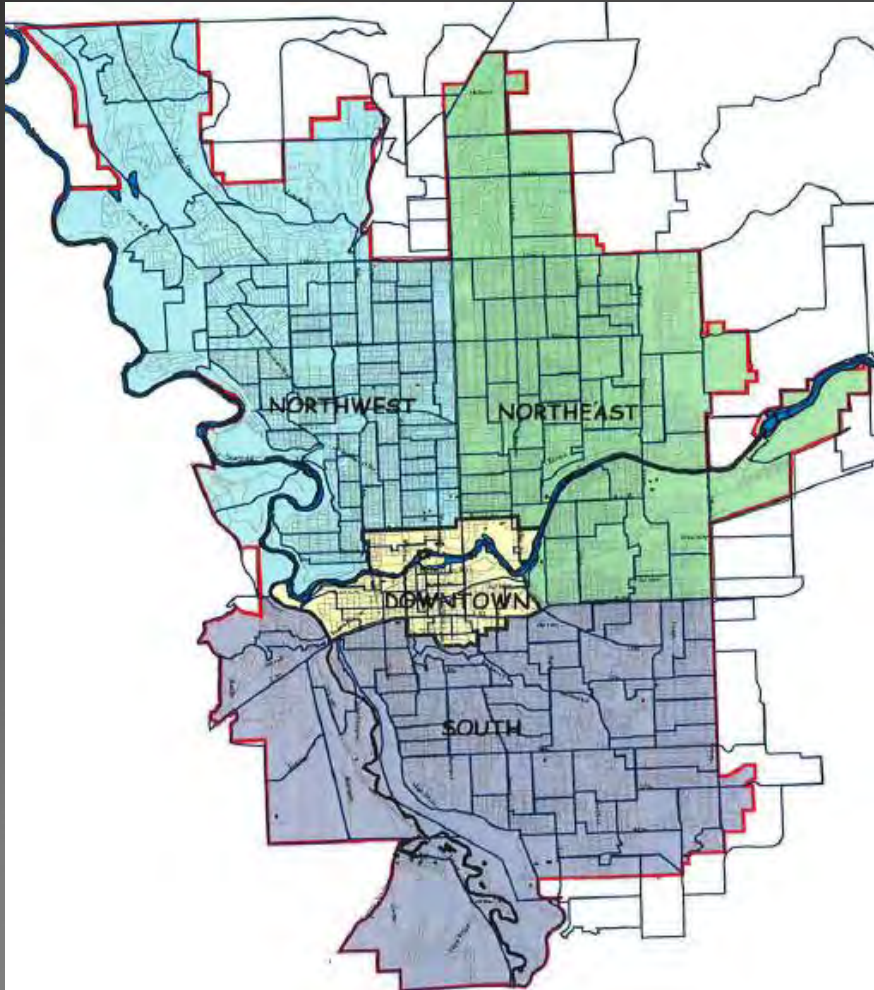
# *Transportation Impact Fee Update*

## *Plan Commission*

### *Dec 13, 2017*



# Transportation Impact Fees Enacted in 2011



Service Area	\$ / PM trip*
Downtown	\$90
Northwest	\$634
South	\$587
Northeast	\$850

*\*Base rate is adjusted for pass-by trips and trip length to arrive at fee per unit.*

# *Why Adopted?*

- *Predictability for developers*
- *Faster permitting*
- *Funding source for grant match*

# *Projects partially funded with Impact Fees*

- *NE - Havana Street RR Overpass*
- *NW - Cedar/Country Homes Signal*
- *S - 44<sup>th</sup> Avenue – Regal to Freya, 37<sup>th</sup> Avenue*





# *Scope of the Update*

## **CODE REFERENCE**

Chapter 17D.075 Transportation Impact Fees

Section 17D.075.140 Review

The fee schedules set forth in this chapter shall be reviewed by the city council as it may deem necessary and appropriate every two years in conjunction with the annual update of the capital facilities plan element of the City's comprehensive plan.

A **transportation impact fee advisory board** consisting of individuals representing the building, real estate, and property development industries, the broader business community, community leaders, community assembly, and citizens shall be appointed by the mayor to review proposed changes to the fee schedules set forth in this chapter prior to their review and adoption by the city council. This review shall occur when the city council may deem it necessary and appropriate every two years in conjunction with the annual **update of the capital facilities plan element of the City's comprehensive plan**. Provided, this section shall not be interpreted as requiring review by an advisory board or city council prior to the automatic fee adjustments contemplated in SMC 17D.075.040(A).

# *Transportation Impact Fee Advisory Committee*

Name	Representing
Alan Springer / John Fisher	Inland Construction (developer)
Andrew Rolwes	Downtown Spokane Partnership
Arthur Whitten	Spokane Home Builders Association
Bill White	Traffic Engineer (development)
Craig Soehren	Kiemle & Hagood (real estate)
John Dietzman	Plan Commission / PCTS Chair
E.J. Iannelli	Citizen / neighborhood
Jim Bakke	Citizen / neighborhood
Joe Tortorelli	NE Public Development Authority
Kerry Brooks	Citizen / neighborhood
Sabrina Minshall	SRTC Director
Ben Stuckart	City Council President
Amber Waldref	City Council

# *Project Timeline*

Impact Fee Committee Mtg #1 – July 26<sup>th</sup> 2017

Impact Fee Committee Mtg #2 – Sept 6<sup>th</sup> 2017

Impact Fee Committee Mtg #3 – Oct 4<sup>th</sup> 2017

West Plains Open House – Oct 24<sup>th</sup> 2017

Impact Fee Committee Mtg #4 – Nov 1<sup>st</sup> 2017

PCTS Meeting #1 – Nov 7<sup>th</sup> 2017

Impact Fee Committee Mtg #5 – late Nov 2017

PCTS Meeting #2 – Dec 5<sup>th</sup> 2017



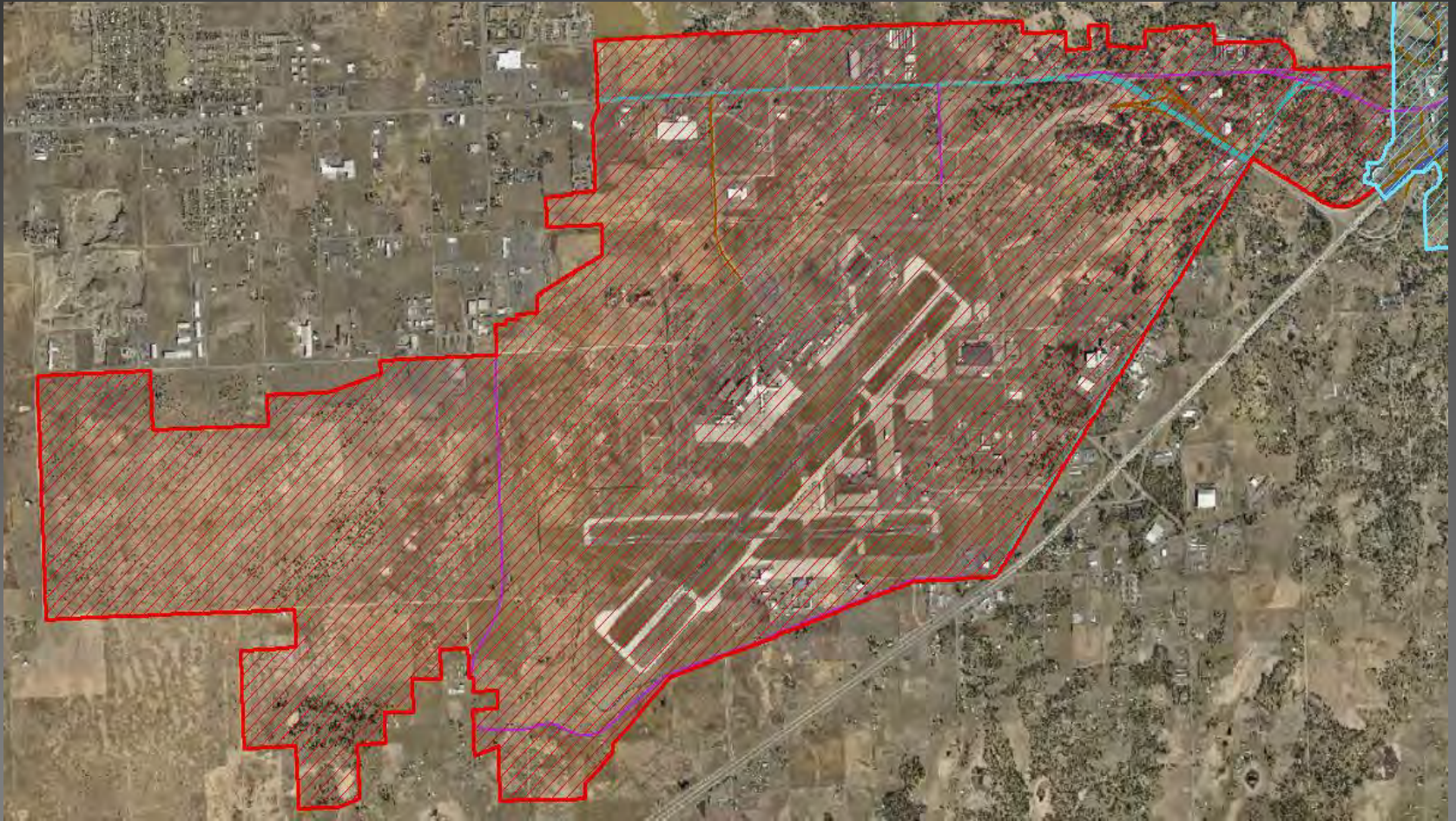
Plan Commission Workshop – Dec 13<sup>th</sup> 2017

Plan Commission Workshop or Hearing – Jan 10<sup>th</sup> 2018

City Council Adoption – Feb 2018



# *West Plains District*





# *Existing Code Incentives*

*17D.075.070*

- *10% development within CC zones*
- *10% for mixed use development incorporating an “active” first floor (e.g. office, retail) and residential above*
- *10% for the development of complete streets that provide pedestrian connections to surrounding neighborhoods and districts*
- *Total credit may not exceed 20%*

# *Revised Code Incentives*

*17D.075.070*

- *10% development within CC zones*
- *10% for mixed use development incorporating an “active” first floor*
- *20% for bicycle & ped connections*
- *\$1000 per space for covered bicycle parking*
- *10% for certain transit stop improvements*
- *Total credit may not exceed 30%*

# *Revised Code Incentives*

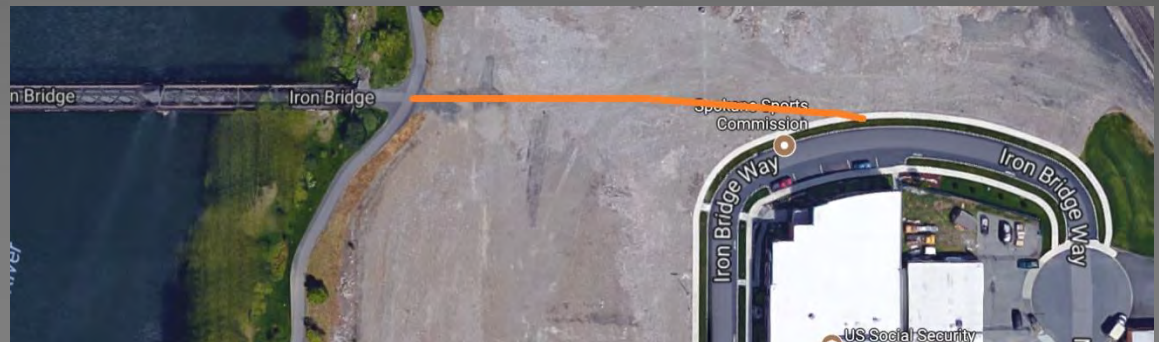
## *Bike-Ped Connections*



***Subdivision connection to  
Prairie View Elementary***



***Subdivision connection to Ben Burr Trail***



***Desired Iron Bridge connection***

# *Revised Code Incentives*

## *Covered, lockable bicycle parking*



**2 bike locker**  
**\$1,800**



**2 bike locker**  
**\$2,100**



**2 bike - BikeLid**  
**\$2,000**



**2 bike locker**  
**\$3,100**



# *Revised Code Incentives*

## *transit stop improvements*



*Donation of ROW or other  
improvements for HPTN stop*

*Awning on building serves  
as a bus stop shelter*



# *Construction Cost Indices*

## *WSDOT CCI*

- *Based on historical cost of 7 bid items*
  - *Roadway excavation, crushed surfacing, hot mix asphalt, concrete pavement, structural concrete, steel reinforcing bar, structural steel*
- *No longer being updated!*

## *National Highway Construction Cost Index (NHCCI)*

- *Based on historical cost of the 6 bid items*
  - *Common excavation, PCC surface, asphalt concrete surface, structural concrete, reinforcing steel, structural steel*

# *Other Cost Indices*

## *West Region Urban Consumer Price Index*

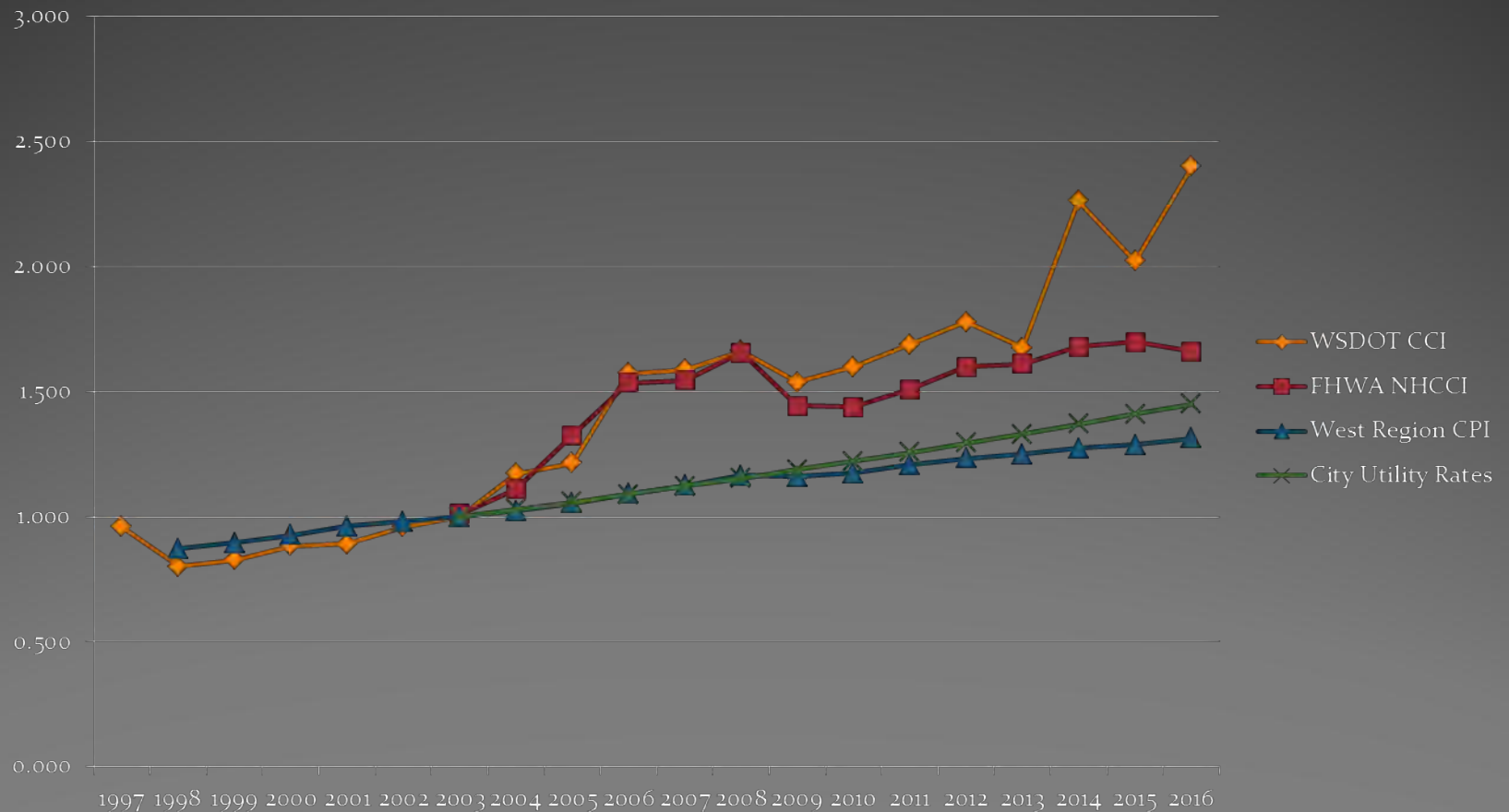
- Covers 89% of the total population
  - *Food, clothing, shelter, fuels, transportation fares, medical services, drugs and other goods and services for day-to-day living.*

## *City Utility Rates*

- Fixed inflation rate of 2.9%, based on historic trends

# Cost Indices

## Cost Trends





# Cost Index Recommendation

*Update to code to specify that the rate increase happens January 1<sup>st</sup>.*

FHWA NHCCI  
Rolling 5-year Average %



# *Time Limit on Use of Fees*

*RCW.82.02.070(3)(a)*

In 2011 state law allowed required expenditure of impact fees within 6 years.

This was revised to 10 years, but our city code still says 6 years.

Need to update city code to match state law.

# *Frequency to review fees*

*SMC 17D.075.140*

Says “shall be reviewed by the city council as it may deem necessary and appropriate every two years”

Recommend changing this to a longer time frame, approximately 4-6 years.

# Housing Recommended Rates

Type	PM Trips per unit	Comments
Single Family	1.0	No change
Apartments	0.62	Removed low and medium-rise apartments, combined into one rate
Condo / Townhouse	0.52	Separated from Apartments (owner vs. rental)
Low-income Multi-Family	0.40	Average from PSRC and Los Angeles studies

# *Low-income Housing Reduced Rate*

- *WA State's Low Income Housing Tax Credit*
- *City of Spokane's HOME program*
- *WA State Housing Trust Fund*
- *HUD Project-Based Voucher Program*
- *similar programs per staff review*



# *Land Use Revisions*

## *Additions –*

- *Fast Casual restaurant*
- *Mini-Storage*
- *Veterinary Clinic*



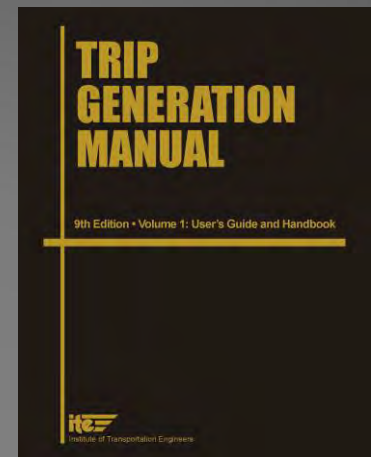
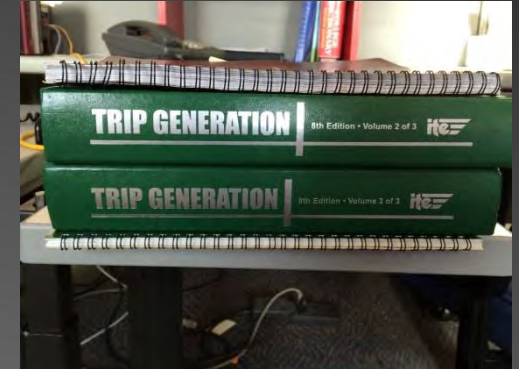
# Land Use Revisions

*Deleted –*

- *Video Rental store*

*Updated -*

- *School rates now use GFA instead of students*
- *Revised all rates per 9<sup>th</sup> Edition of ITE Manual*





# *Land Use Revisions*

## *College/University Rates*

*Assignable Square Feet – the sum of all areas of a building assigned to an occupant or specific use. Can be classroom, labs, offices, study facilities, special use, support, health care, residential. Areas defined as building service, circulation, mechanical are not included.*

*WSU ratio of 1 student FTE / 337 Assignable Sq Ft*



# *Land Use Revisions*

## *College/University Rates*

### *Trip Generation Rates*

- *Junior/Comm College = 0.12 PM trips/student*
- *University/College = 0.17 PM trips/student*
- *Use average of 0.15 PM trips/student*

*Combined with floor area data*

*Rate = 0.000445 PM trips/Assignable Square Feet*

# Land Use Revisions

## Elementary School

School	Students	Gross Sq Ft	Students/Sq Ft
Adams	351	42,210	0.0083
Arlington	612	56,292	0.0109
Audubon	422	52,365	0.0081
Balboa	353	36,871	0.0096
Bemiss	552	54,372	0.0102
		*Average	0.0089

*\*The average rate represents all District 81 elementary schools.*

- *ITE Elementary School = 0.15 PM trips/student*
- *Average of 0.0089 students/Gross Sq Ft*
- *Rate = 0.0013 PM trips / Gross Sq Ft*

# Land Use Revisions

## Middle School

School	Students	Gross Sq Ft	Students/Sq Ft
Chase	724	112,586	0.0064
Garry	577	106,426	0.0054
Glover	609	108,040	0.0056
Sacajawea	786	112,613	0.0070
Salk	726	142,861	0.0051
Shaw	583	112,613	0.0052
		Average	0.0058

- *ITE Middle School = 0.16 PM trips/student*
- *Average of 0.0058 students/Gross Sq Ft*
- *Rate = 0.00093 PM trips / Gross Sq Ft*

# Land Use Revisions

## High School

School	Students	Gross Sq Ft	Students/Sq Ft
North Central	1351	273,785	0.0049
Lewis & Clark	1792	264,626	0.0068
Ferris	1716	271,724	0.0063
Rogers	1511	263,742	0.0057
Shadle Park	1305	274,975	0.0047
		Average	0.0057

- *ITE High School = 0.13 PM trips/student*
- *Average of 0.0057 students/Gross Sq Ft*
- *Rate = 0.00074 PM trips / Gross Sq Ft*

# *Fee Calculation*

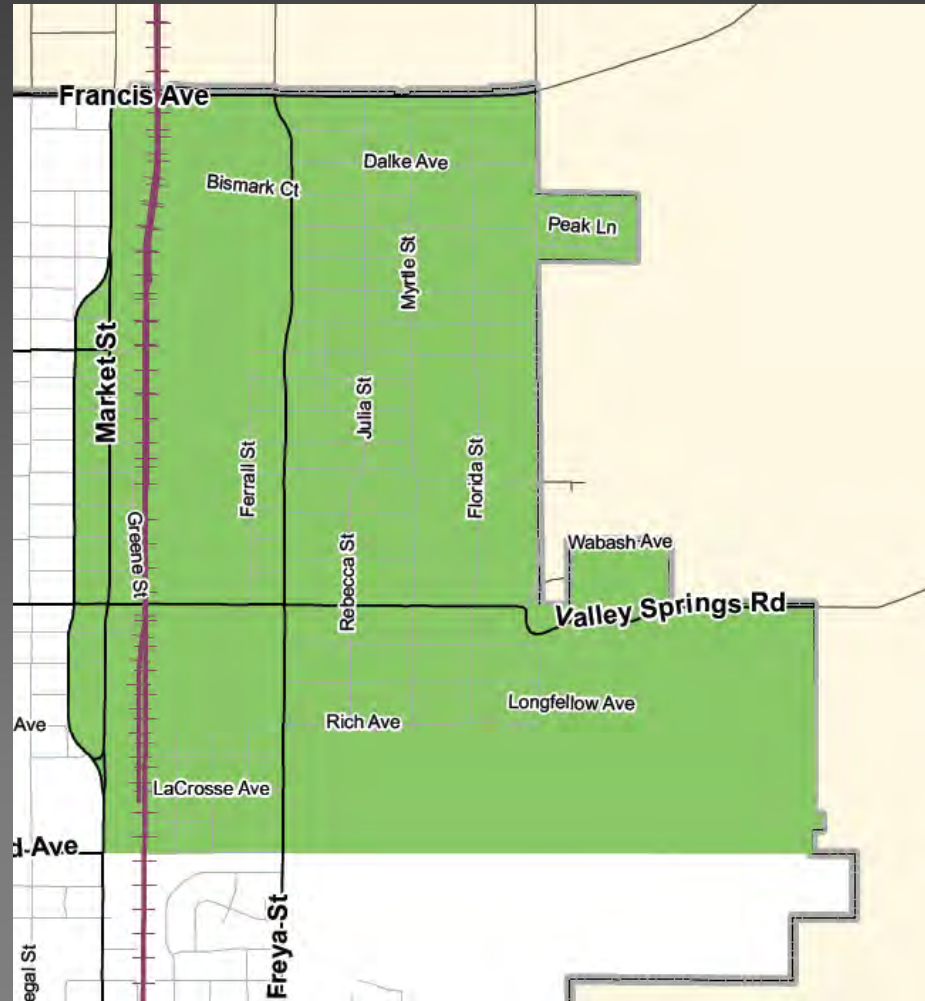
$$\text{Base Fee} = \frac{\text{Project Costs}}{\text{Trip Ends}} * \text{Developer \%}$$

## **Definitions:**

*Trip Ends* – growth in PM peak trips over 20 years from SRTC model.

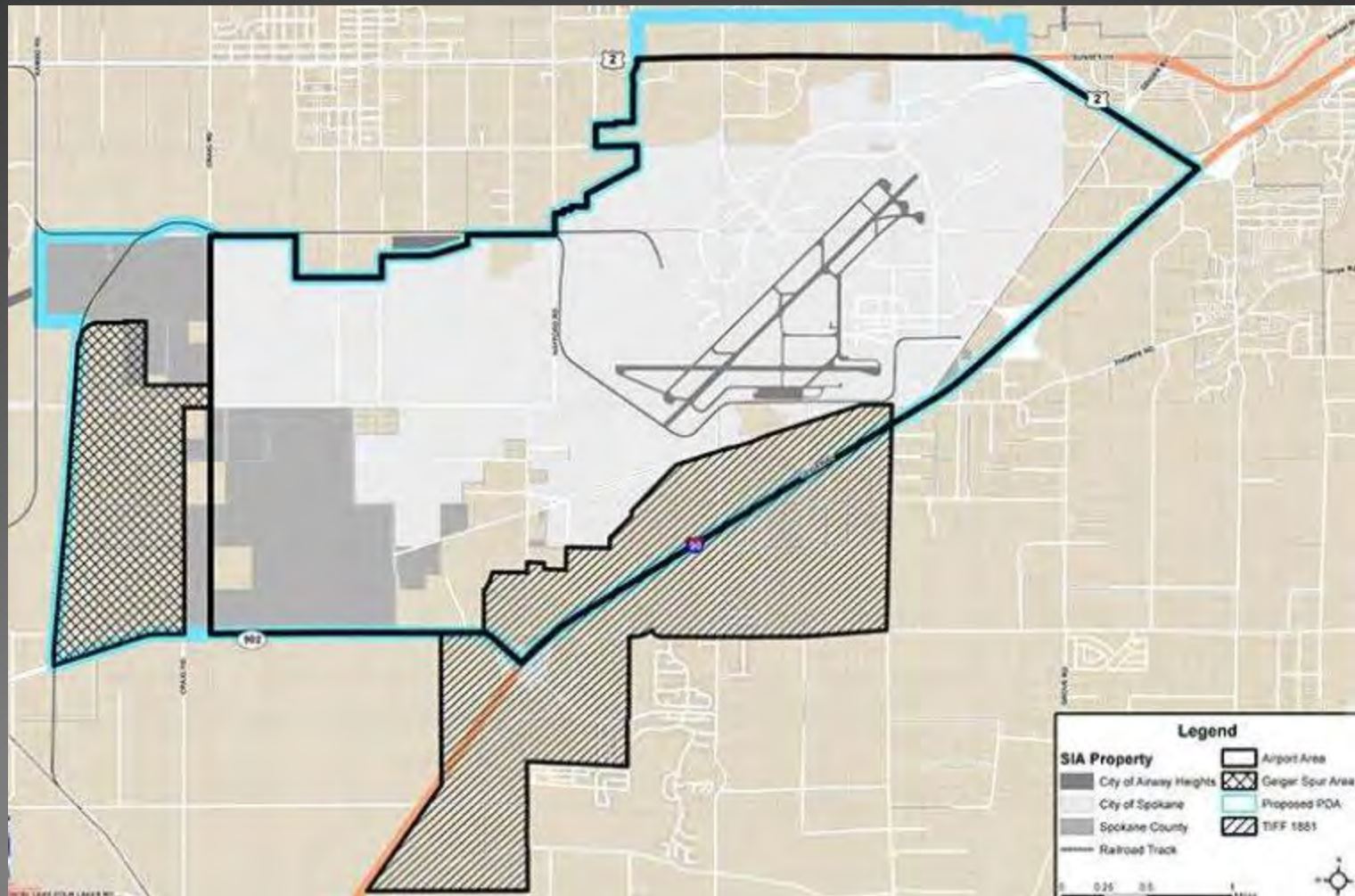
*Developer %* = Share of costs assigned to developers vs. city or grant funds. (currently 40%)

# NEPDA Investment





# Airport PDA Investment



# *PDA Investment*

- *Additional city funding to subsidize impact fees in Northeast and Airport Public Development Authorities.*
- *Approximately \$300,000 / year / PDA*
- *Will reduce or eliminate fees for certain development projects within those PDAs.*
- *Applies only to industrial or manufacturing type development.*



# Draft Project List

## Downtown

5th Ave / Sherman St	Intersection - Install new traffic signal
Downtown Bike Share	Paid bike share program
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.
D Bicycle Improvements	stripe bike facilities on arterials
D Pedestrian Improvements	install pedestrian facilities on arterials

# *Downtown 5<sup>th</sup>/Sherman*



# *Downtown Bike Share*





# *Downtown Ash Street 2-Way*



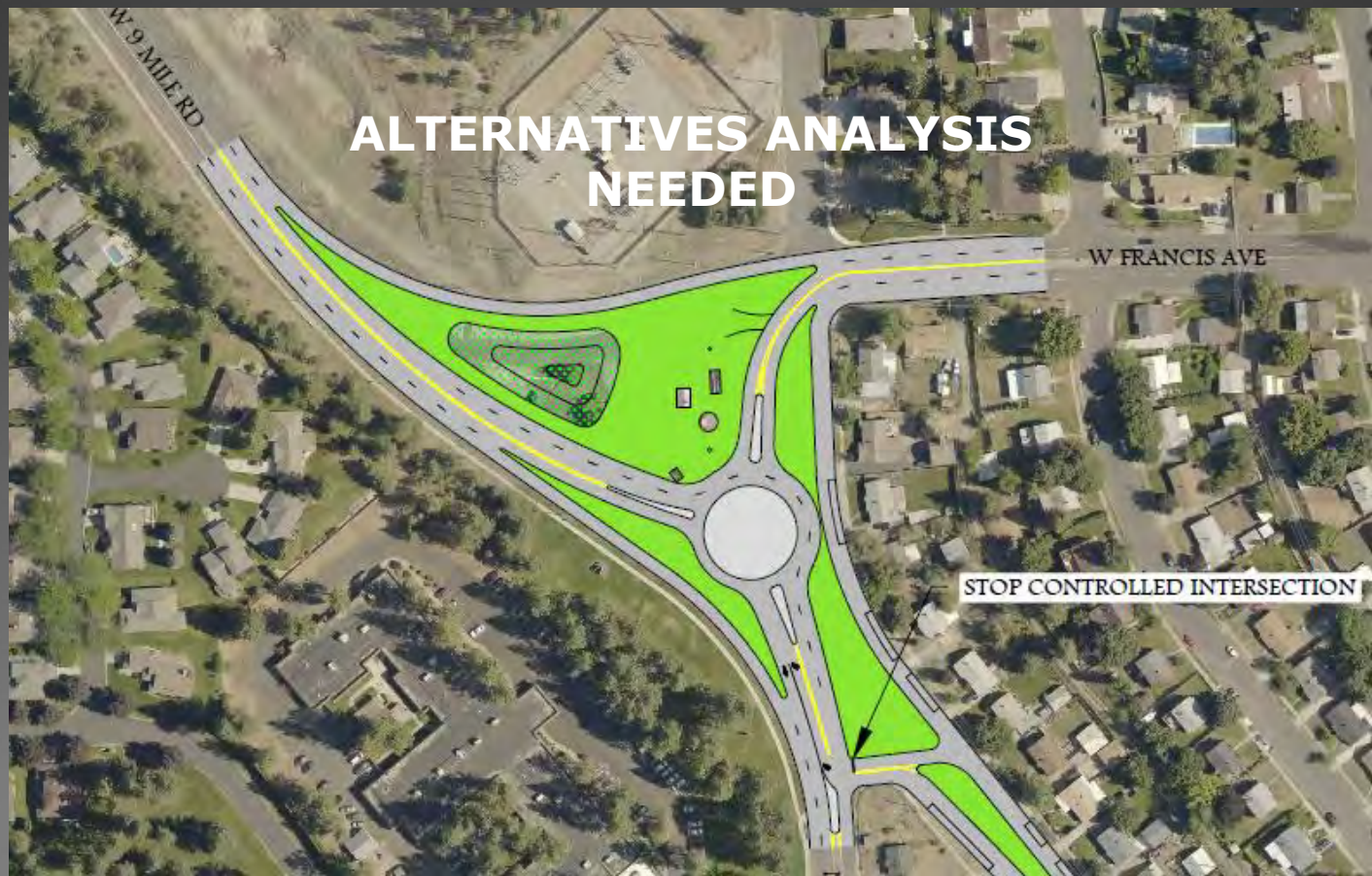
# *Draft Project List*

## *Northwest*

Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section
Wellesley / Driscoll	WB right turn lane
Wellesley / Assembly	Signal
Wellesley / Maple	WB thru pocket, NB right turn lane
Francis/Alberta	modify NB and SB lanes to allow protected phasing
Francis/Maple	add WBR lane
NW Bicycle Improvements	stripe bike facilities on arterials
NW Pedestrian Improvements	install pedestrian facilities on arterials

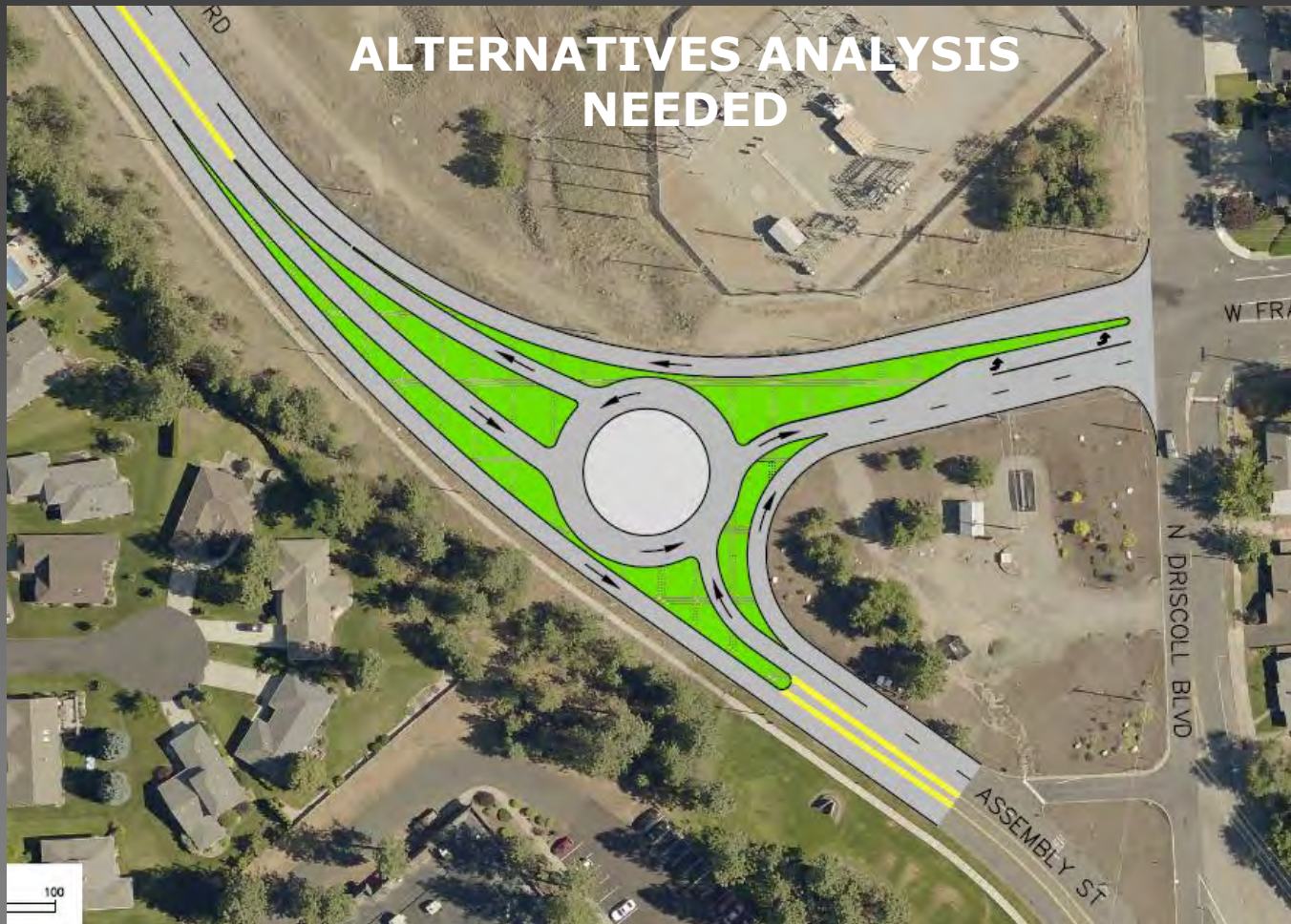


# Northwest Francis/9 Mile/Assembly

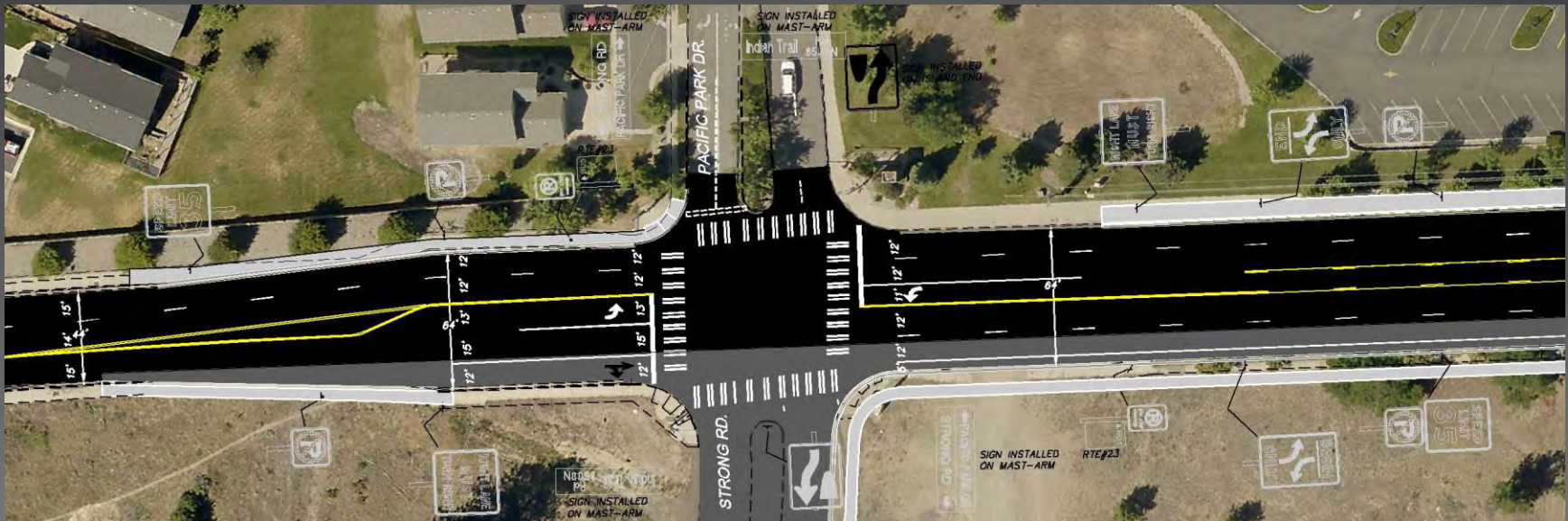




# Northwest Francis/9 Mile/Assembly



# Northwest Indian Trail





# Northwest Wellesley / Driscoll



# Northwest Wellesley/Assembly

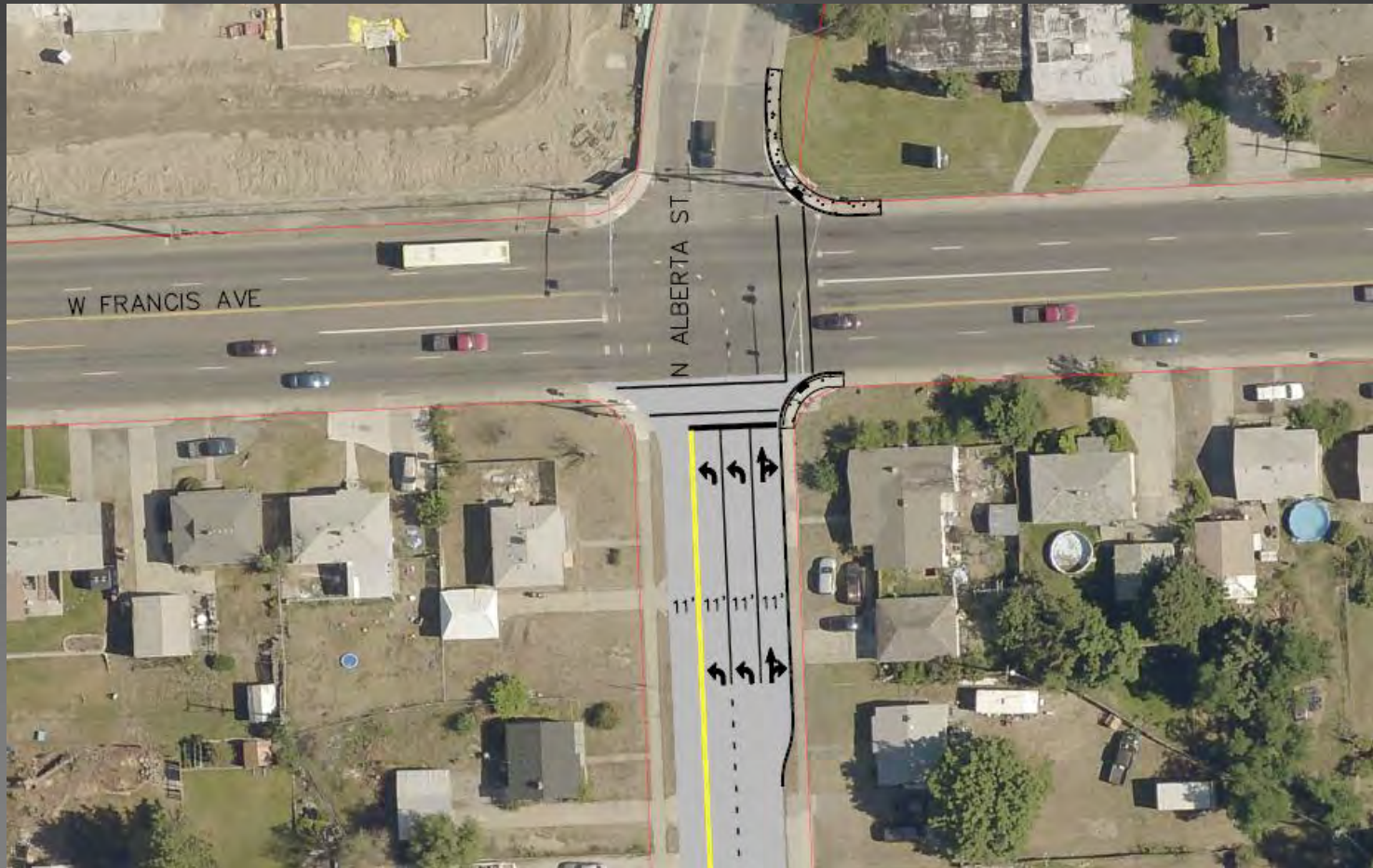




# *Northwest Wellesley/Maple*

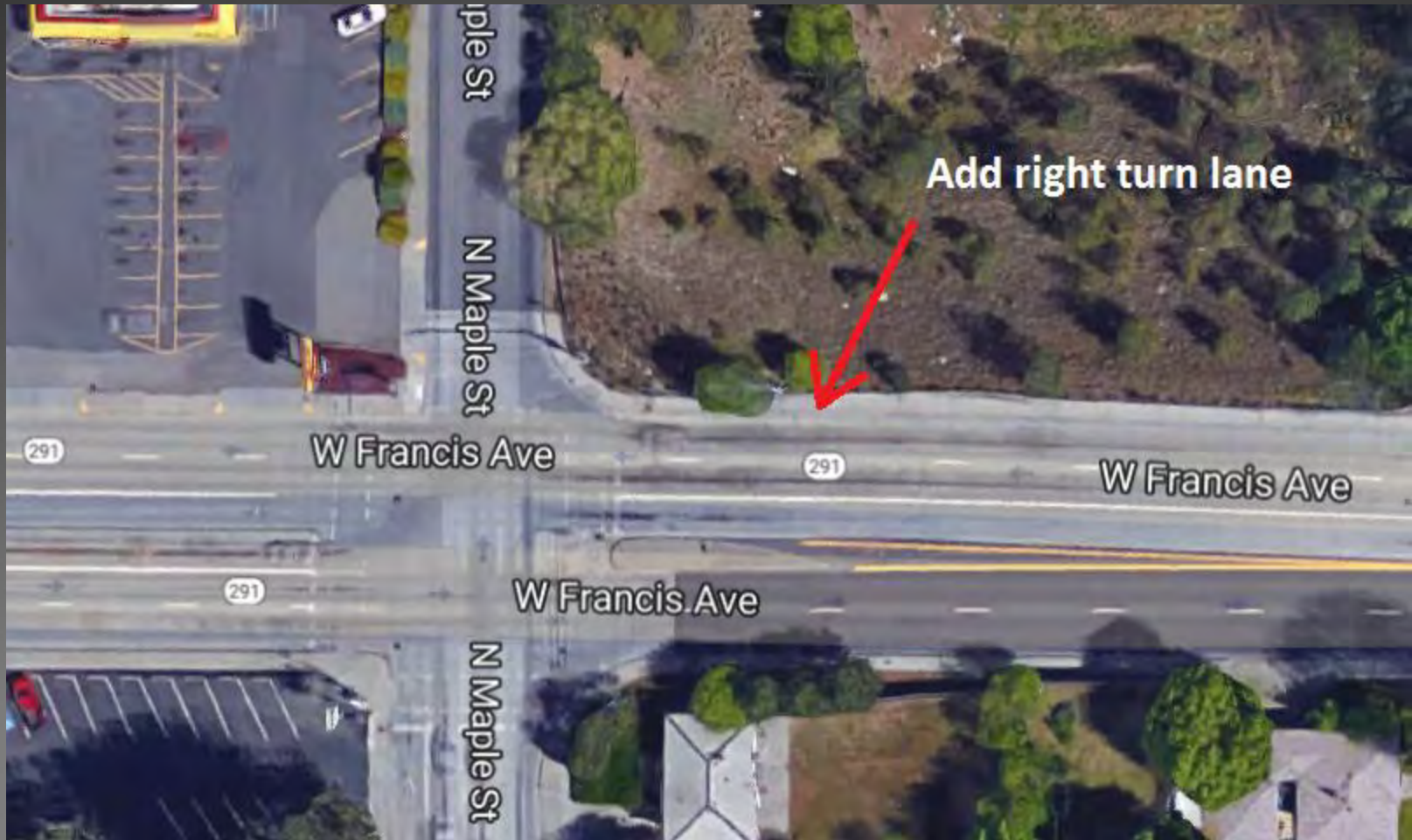


# Northwest Francis/Alberta





# Northwest Francis/Maple

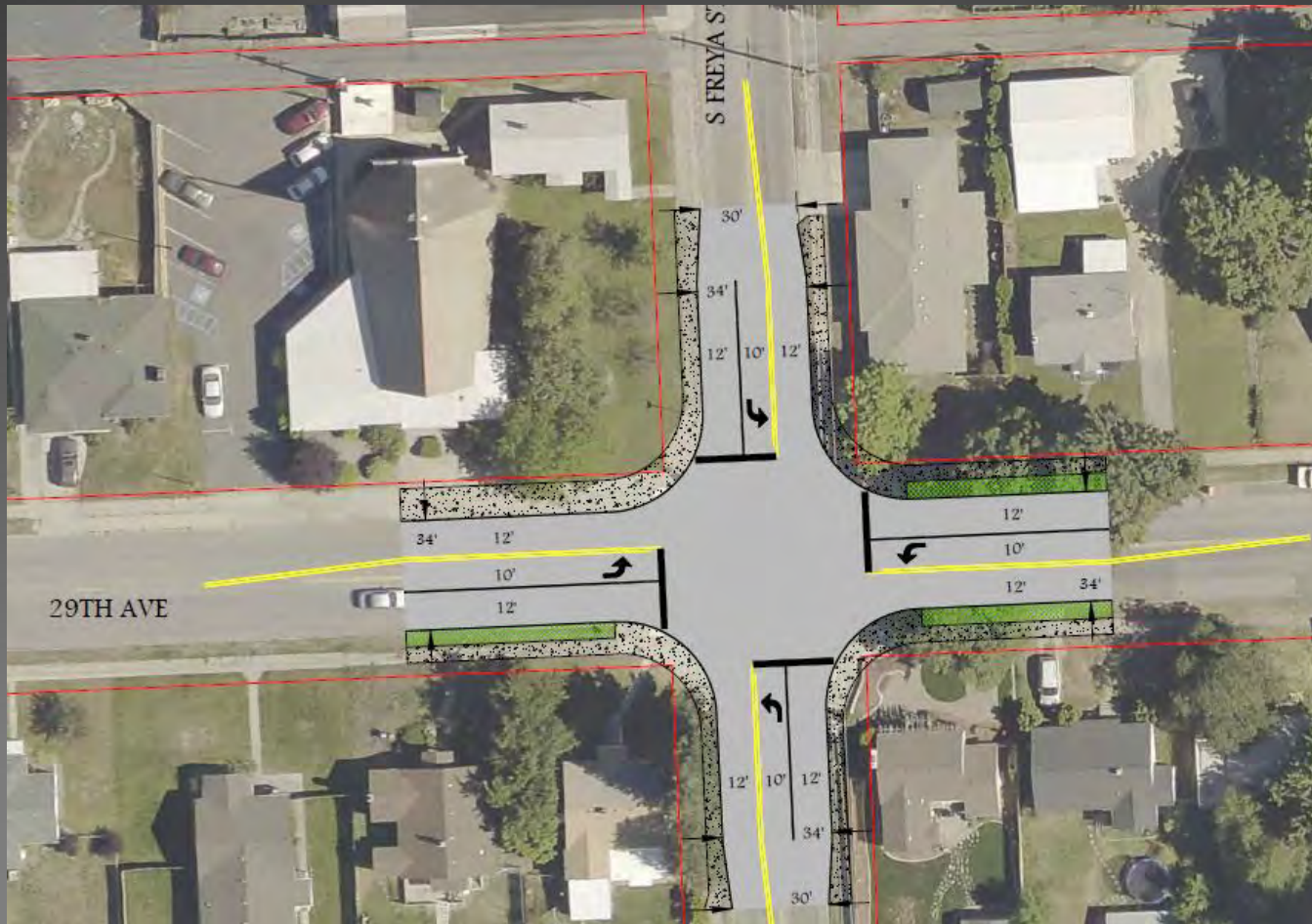


# Draft Project List

## South

29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.
29th Ave TWLTL	add TWLTL between Pittsburg and Lee
29th / Regal	Intersection improvements, EBR turn lane, maybe left turns
Ray-Freya Alternative	<i>Placeholder for after alternatives analysis, may include intersection improvements at 37<sup>th</sup>/Freya and 37<sup>th</sup>/Ray</i>
44th Ave from Crestline to Altamont	new collector road section
44th/Regal	Widen northbound approach to 2 lanes
Freya / Palouse Hwy	roundabout or turn lanes
Sunset Hwy / Assembly	signal
US 195 Frontage from 16 <sup>th</sup> to Thorpe	2-3 lane frontage road
US 195 / Meadowlane	Interim intersection improvements
S Bicycle Improvements	stripe bike facilities on arterials
S Pedestrian Improvements	install pedestrian facilities on arterials

# South 29<sup>th</sup> / Freya



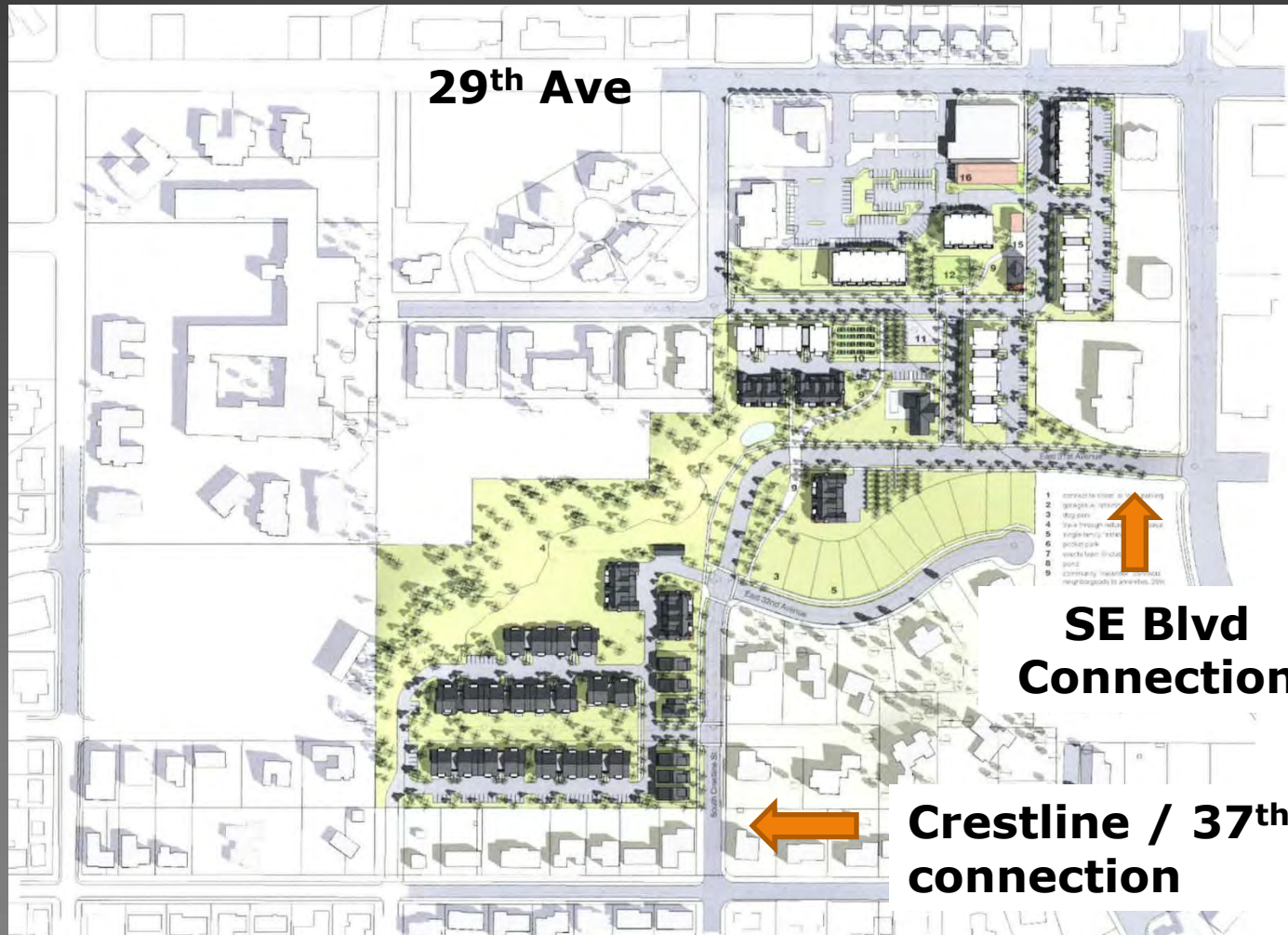


# South 29<sup>th</sup> Ave TWLTL





# South 29<sup>th</sup> Ave TWLTL



# South 44<sup>th</sup> / Regal





# South Ray-Freya Alternative



**ALTERNATIVES  
ANALYSIS** to look at  
the crossover and  
other options to  
improve traffic  
circulation in this  
area.

# South 44<sup>th</sup> Ave Connection





# *South Palouse/Freya Roundabout*



# South Sunset/Assembly





# South US 195 Frontage: 16<sup>th</sup> to Thorpe



# South US 195 / Meadowlane





# Draft Project List

## Northeast

Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 5-lane east of Nevada 1000'
Hamilton St Corridor - Desmet Ave to Foothills Ave	Segment Improvements - Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing. New signal or HAWK at Desmet.
Market/Wellesley improvements	Add EBL turn lane, NBR turn lane, rebuild signal to allow protected EB lefts
Haven/Wellesley improvements	Add WBL turn lane, rebuild signal to allow protected WB lefts
Mission/Havana	signal
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner
NE Bicycle Improvements	stripe bike facilities on arterials
NE Pedestrian Improvements	install pedestrian facilities on arterials

# Northeast Nevada/Lincoln



# *Northeast Market/Haven/Wellesley*





# *Northeast Mission/Havana*



# Northeast Crestline/Magnesium





# Northeast Nevada/Magnesium



# Northeast Sprague/Freya



# *Draft Project List*

## *West Plains*

US 2 / Deer Heights Intersection	new signal or roundabout
21st Avenue: Deer Heights to Flint/Granite	segment - construct new 3-lane arterial
Deer Heights Road: south end to 18th/21st	segment - construct new 2-lane arterial
12th Avenue: Deer Heights to Flint/Granite	segment - construct new 2-lane arterial
W Bicycle Improvements	stripe bike facilities on arterials, US 2 bike path
W Pedestrian Improvements	install pedestrian facilities on arterials, US 2 bike path



# *Recommended First Projects*



# West Plains 18<sup>th</sup>-21<sup>st</sup> Avenue





# West Plains 12<sup>th</sup> Avenue



# *Project Timeline*

Impact Fee Committee Mtg #1 – July 26<sup>th</sup> 2017

Impact Fee Committee Mtg #2 – Sept 6<sup>th</sup> 2017

Impact Fee Committee Mtg #3 – Oct 4<sup>th</sup> 2017

West Plains Open House – Oct 24<sup>th</sup> 2017

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PCTS Meeting #2 – Dec 5<sup>th</sup> 2017



Plan Commission Workshop – Dec 13<sup>th</sup> 2017

Plan Commission Workshop or Hearing – Jan 10<sup>th</sup> 2018

City Council Adoption –Feb 2018



## District Transportation Impact Fee Schedule

This rate will vary by district.  
Current rates are:  
DN - \$90  
NW - \$634  
S - \$587  
NE - \$850

Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Residential</b>			
Single Family	210	dwelling	\$117.00
Apartments	220	dwelling	\$76.26
Condo / Townhouse	230	dwelling	\$63.96
Multi Family Low-Income	-	dwelling	\$49.20
Nursing Home	254	bed	\$26.97
Continuing Care Retirement Comm	255	dwelling	\$14.88
Assisted Living	620	bed	\$20.46
<b>Commercial - Services</b>			
Hotel (3 Levels or More)	310	room	\$78.47
Hotel/Motel	320	room	\$62.51
Movie Theater	444	sq ft/GFA	\$0.23
Health Club	492	sq ft/GFA	\$0.27
Day Care	565	sq ft/GFA	\$0.56
Bank	912	sq ft/GFA	\$0.61
<b>Commercial - Institutional</b>			
Elementary School	520	sq ft/GFA	\$0.06
Middle School	522	sq ft/GFA	\$0.04
High School	530	sq ft/GFA	\$0.05
University/College	550	ASF	\$0.07
Religious Institute	560	sq ft/GFA	\$0.06
Library	590	sq ft/GFA	\$0.37
Hospital	610	sq ft/GFA	\$0.12
<b>Commercial - Administrative Office</b>			
Veterinary Clinic	640	sq ft/GFA	\$0.51
General Office	710	sq ft/GFA	\$0.17
Medical Office / Clinic	720	sq ft/GFA	\$0.39
Office Park	750	sq ft/GFA	\$0.17

BASE RATE PER PM TRIP		\$100	
Land Use	ITE Land Use Code	Unit of Measure	Fee per Unit
<b>COST PER TRIP</b>			
<b>Commercial - Retail</b>			
Free-Standing Discount Superstore	813	sq ft/GFA	\$0.18
Specialty Retail Center	826	sq ft/GLA	\$0.10
Hardware/Paint Store	816	sq ft/GFA	\$0.19
Nursery/Garden Center	817	sq ft/GFA	\$0.34
Shopping Center	820	sq ft/GLA	\$0.16
Car Sales - New/Used	841	sq ft/GFA	\$0.23
Tire Store	848	Service bay	\$203.90
Supermarket	850	sq ft/GFA	\$0.40
Convenience Market	851	sq ft/GFA	\$0.90
Pharmacy	881	sq ft/GFA	\$0.28
Furniture Store	890	sq ft/GFA	\$0.02
Quick Lubrication Vehicle Shop	941	Service Bay	\$332.16
Auto Parts & Service Center	943	sq ft/GFA	\$0.25
Service Station/Minimart/Carwash	853	VFP	\$610.24
<b>Industrial</b>			
Light Industry/High Technology	110	sq ft/GFA	\$0.15
Heavy Industrial	120	sq ft/GFA	\$0.10
Industrial Park	132	sq ft/GFA	\$0.13
Manufacturing	140	sq ft/GFA	\$0.11
Warehousing	150	sq ft/GFA	\$0.05
Mini-Storage	151	sq ft/GFA	\$0.02
<b>Commercial - Restaurant</b>			
Drinking Establishment	925	sq ft/GFA	\$0.46
Quality Restaurant	931	sq ft/GFA	\$0.44
High Turnover Restaurant	932	sq ft/GFA	\$0.44
Fast Casual	-	sq ft/GFA	\$0.74 new
Fast Food Restaurant	934	sq ft/GFA	\$1.09
Coffee Shop with Drive-Thru	937	sq ft/GFA	\$0.43

### Notes:

Updated Dec 2016 using the ITE Trip Generation Manual, 9th Edition  
Fees are reduced, where applicable, to account for "pass-by" trips

### Definitions:

VFP- Vehicle Fueling Positions (Maximum number of vehicles that can be fueled simultaneously)

GFA= Gross Floor Area

ASF= Assignable Square Feet (aka Net Assignable Area): the sum of all areas on all floors of a building assigned to, or available for assignment to, an occupant or specific use. It can be subdivided into Classroom, labs, offices, study facilities, special use, general use, support, health care, residential and unclassified. Areas defined as building service, circulation, mechanical and structural should not be included.

ITE = Institute of Transportation Engineers

Drinking Establishment = contains a bar, serves alcohol and food, may have TV screens, pool tables, and other entertainment. Restaurants that specialize in food but also have a bar are considered High-Turnover Restaurants.

Quality Restaurant = duration of stay > 1 hour, not a chain, serves dinner and sometimes lunch, patrons wait to be seated, order from menu, pay after (Ex. Milford's, Clunkerdagger, Anthony's, Luna)

High-Turnover Restaurant = duration of stay approx. 1 hour, often a chain restaurant, may be open 24 hours, patrons wait to be seated, order from menu (Ex. Applebee's, Denny's, Buffalo Wild Wings, The Onion, Twigs)

Fast Casual Restaurant = duration of stay < 1 hour, patrons order at counter and eat in the restaurant. Food is typically made to order. Most do not have a drive-through. (Ex. Chipotle, Panera Bread, Five Guys, Qdoba, Mod Pizza).

Fast Food Restaurant = with drive-thru and indoor seating, open breakfast-lunch-dinner, order at register and pay before eating (Ex. McDonalds, Zips, Taco Bell)



Draft Project List for 2017-2018 Impact Fee Update -

Approx.  
Build  
Timeline

Project	Description	Need for Project	Estimated Cost (in 2018 dollars)	Cost Notes	District	6-yr	20-yr
5th Ave / Sherman St	Intersection - Install new traffic signal	LOS F, expected to meet signal warrants	\$700,000		D		X
Trent / Hamilton intersection	modifications due to new traffic patterns with NSC	poor LOS for left turns to freeway with new bridge layout	\$0	WSDOT funded with bridge	D	X	
Downtown Bike Share	Paid bike share program	reduce vehicle trips	\$100,000	n/a	D	X	
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	better traffic dispersion through network	\$210,000	updated	D	X	
D Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$200,000	n/a	D		X
D Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips	\$200,000	n/a	D		X
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	LOS F in future	\$3,000,000	concept level	NW		X
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	LOS F at Indian Trail / Pacific Park, lanes must continue southward	\$4,100,000	concept level	NW	X *	X
Wellesley / Driscoll	WB right turn lane	LOS F in future	\$30,000		NW		X
Wellesley / Assembly	signal	arterial intersection expected to meet signal warrants (with school development)	\$1,000,000		NW	X	
Wellesley / Maple	WB thru pocket, NB right turn lane	LOS F in future	\$526,000	updated	NW		X
Francis/Alberta	modify NB and SB lanes to allow protected phasing	LOS F in future	\$800,000		NW		X
Francis/Maple	add WBR lane	LOS F in future	\$800,000		NW		X
NW Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$100,000	n/a	NW		X
NW Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips	\$100,000	n/a	NW		X
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	LOS F in future	\$237,000	updated	S	X	
29th Ave TWLTL	add TWLTL between Pittsburg and Lee	DISCUSS	\$1,194,000	updated	S		X
29th/ Regal	intersection improvements - EBR turn lane, possibly others	STA HPTN route	\$500,000	concept level	S	X	
37th Avenue	Reconstruction and intersection improvements between Regal and Havana	---- complete ----	\$0	in payback	S	-	-
Ray-Freya Alternative	Placeholder for after analysis is complete. May include improvements at 37th/Freya and 37th/Ray	preserve Regal capacity, better traffic dispersion through network	\$4,000,000	concept level	S		X
44th Ave from Crestline to Altamont	new collector road section	better traffic dispersion through network	\$978,000	updated	S		X
44th/Regal	Widen northbound approach to 2 lanes	better utilization of existing infrastructure, shorter queues, minor capacity increase	\$470,000	updated	S		X
Freya / Palouse Hwy	roundabout (or turn lanes)	LOS F in future	\$1,500,000	concept level	S	X	
Sunset Highway/Assembly	signal	growth on Assembly	\$500,000	concept level	S	X	
US 195 Frontage from 16th to Thorpe	2-3 lane frontage road, with bridge for trail	LOS F in future at Thorpe, 16th	\$7,000,000	WSDOT + \$5 mill for bridge	S		X
US 195 / Meadowlane Intersection	interim improvements to expand capacity	LOS F in future	\$1,500,000	concept level	S		X
S Bicycle Improvements	stripe bike facilities on arterials	reduce vehicle trips	\$100,000	n/a	S		X
S Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips	\$100,000	n/a	S		X
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 5-lane east of Nevada 1000'	LOS F in future	\$1,500,000		NE		X
Havana Street Overpass	Grade separation on Havana Street over the railroad yard	---- complete ----	\$0	in payback **	NE	-	-
Hamilton St Corridor - Desmet Ave to Foothills Ave	Segment Improvements - Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing. New signal at Desmet.	LOS F in future	\$4,446,786	from 6-year plan	NE	X	
Market/Wellesley improvements	Add EBL turn lane, NBR turn lane, rebuild signal to allow protected lefts on Wellesley	LOS E-F in future and to improve interchange access	\$1,426,000	updated	NE	X	
Haven/Wellesley improvements	Add WBL turn lane, rebuild signal to allow protected lefts on Wellesley	LOS E-F in future and to improve interchange access	\$1,500,000	similar to Market/Wellesley	NE		X
Mission/Havana	signal	arterial intersection expected to meet signal warrants	\$800,000		NE		X
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.	LOS F in future	\$246,000	updated	NE		X
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner	LOS E-F in future	\$1,000,000		NE		X
Sprague/Freya	Add NBR turn lane	LOS E-F in future	\$488,000	updated	NE		X
Greene/Ermina	New signal to accommodate SCC access for transit and future NSC (mostly funded by STA)	reduce vehicle trips by improving transit and non-motorized access to SCC	\$0		NE	X	
NE Bicycle Improvements	stripe bike facilities on arterials	Plan Commission Transportation Subcommittee – 12/5/2017	\$100,000	n/a	NE		X
NE Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips	\$100,000	n/a	NE		X
US 2 / Deer Heights Intersection	new signal or roundabout	LOS F in future	\$1,500,000	concept level	WP	X	
21st Avenue: Deer Heights to Flint/Granite & Deer Heights: extend to 21st	segment - construct new 3-lane arterial	better traffic dispersion through network, preserve Highway 2 capacity	\$2,080,000	\$3.2 mill from Parametrix, 50% in Spokane, added 30% contingency	WP		X
12th Avenue: Deer Heights to Flint	segment - construct new 2-lane arterial	better traffic dispersion through network, preserve Highway 2 capacity	\$1,865,000	from West Plains study	WP	X	
W Bicycle Improvements	stripe bike facilities on arterials or US 2 Bike Path	reduce vehicle trips	\$50,000	n/a	WP		X
W Pedestrian Improvements	install pedestrian facilities on arterials	reduce vehicle trips	\$50,000	n/a	WP		X

Total Downtown =	\$1,410,000
Total Northwest =	\$10,456,000
Total South =	\$18,079,000
Total Northeast =	\$11,606,786
West Plains =	\$5,545,000
Grand Total =	\$47,096,786

Note:  
\* A portion of Indian Trail funds may be used during the 2018-2019 maintenance project to restripe the road and improve capacity  
\*\* The cost figure for Havana Street Bridge is adjusted to reflect the needed payback amount, not the full project cost

# BRIEFING PAPER

## Plan Commission

### December 13, 2017

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#### **Subject**

Transportation Impact Fee update.

#### **Background**

City staff met with the Mayor on 5/31/17 to discuss the need to convene a Transportation Impact Fee Advisory committee and the process for updating the transportation impact fee code. The committee members are shown below.

Alan Springer / John Fisher	Inland Construction (developer)
Andrew Rolwes	Downtown Spokane Partnership
Arthur Whitten	Spokane Home Builders Association
Bill White	Traffic Engineer (development)
Craig Soehren	Kiemle & Hagood (real estate)
John Dietzman	Plan Commission / PCTS Chair
E.J. Iannelli	Citizen / neighborhood
Jim Bakke	Citizen / neighborhood
Joe Tortorelli	NE Public Development Authority
Kerry Brooks	Citizen / neighborhood
Sabrina Minshall	SRTC Director
Ben Stuckart	City Council President
Amber Waldref	City Council

We have since held five meetings with the committee and are ready to move their recommendations forward to the Plan Commission and City Council.

#### **Committee Recommendations**

West Plains District – The code will be updated to add a new district for transportation impact fee collection. The boundary will follow the city limits and will include all the area that was annexed since 2011. This district will have its own project list and base fee.

Credits in SMC 17D.075.070 – The update will include revisions to the credits that reduce developer's impact fee obligation. Examples include developing in Centers and Corridors zones, providing covered bicycle parking, providing certain transit stop improvements, and providing better bicycle and pedestrian connectivity through the site. Because these improvements will encourage multi-modal transportation to and from the site, they receive a small reduction in fees.

Land Use Tables – Each of the districts has a base fee per PM peak hour trip. The base fee is applied to a land use table to develop rates for specific land uses. The land use table is developed using data from the Institute of Transportation Engineers Trip Generation Manual. City staff has recommended several changes to the table that were agreed to by the committee. These are outlined below.

**BRIEFING PAPER**  
**Plan Commission**  
**December 13, 2017**

Land Use	Issue	Proposed Change
Mini-Storage	Missing from table	Add
Veterinary Clinic	Missing from table	Add
Fast Casual Restaurant	New category (Panera, Chipotle)	Add
Video Store	Not needed	Delete
K-12 Schools	Based on # of students, which fluctuates	Rate now tied to Gross Sq Ft
College/University	Based on # of students, which fluctuates	Rate now tied to Assignable Sq Ft

The committee also discussed ways to reduce the fee for low-income development. Studies of low-income housing have shown that these units generate less vehicular trips on average than comparable market rate development. After much discussion the committee recommends adding “low-income multi-family” as a separate land use on the table. The table below shows the proposed residential categories.

Residential Land Use	Proposed Change
Single Family	No change
Apartments	Combined low and medium-rise apartments into one rate
Condo/Townhouse	Separated from apartments (owner vs. rental)
Low-income, Multi-Family	Add

**Inflation Adjustment** – The impact fee ordinance includes a provision to make annual rate adjustments for inflation. The city has not utilized this provision, but intends to do so annually starting in January 2019. The impact fee ordinance ties the adjustment to WSDOT’s Construction Cost Index, however WSDOT stopped updating this index in 2016. After evaluating several options the committee recommends using a similar index provided by FHWA. The National Highway Construction Cost Index (NHCCI) tracks the cost of concrete, asphalt, base rock, etc. and is updated several times a year. The committee recommends using a rolling 5-year average of the NHCCI as the basis for the annual inflation adjustment. Another option would be to take the most recent 5-year average and adopt that as a fixed rate until the next update.

**Frequency to review fee schedule** – SMC 17D.075.140 states that the fee schedules “shall be reviewed by the city council as it may deem necessary and appropriate every two years”. The city has not followed this schedule as the impact fee rates have remained unchanged since implementation in 2011. The consensus was that reviewing every two years is too frequent, and that allowing 4-6 years between reviews provides better predictability for developers and more time to evaluate needed changes in the program.

**BRIEFING PAPER**  
**Plan Commission**  
**December 13, 2017**

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*Time frame for use of collected fees* – When the impact fees were adopted in 2011 state law required expenditure of impact fees within 6 years. The language in the city code matches the 6 year limit. The state law has since changed to allow a 10 year timeframe to spend impact fee funds (RCW.82.02.070(3)(a)). The committee recommends updating the city code to match the state law.

*Developer share in projects* – The base fee for each district is calculated using the equation below.

$$\text{Base Fee per District (\$)} = \frac{\text{District Project Costs}}{\text{20 year PM peak trip growth}} * \text{Developer \%}$$

The current impact fees were calculated using the goal that 40% of the project cost would be developer funded. The committee recognized that the impact fees are an important source of matching funds for grant applications. They recommend increasing the developer share to 50%, which will result in higher fee collection and should allow for more projects to be completed within the 20 year planning horizon.

*Impact Fee Exemption for Industrial/Manufacturing in PDAs* – The committee discussed a proposal from Council President Stuckart to incentivize development in the Northeast and Airport Public Development Authorities. The intent is to pay the impact fee obligation of any industrial or manufacturing type development that occurs within these boundaries. The details of the funding source, amount, and duration of the program will be finalized in the next couple of months.

*Improvement project list and resulting base fee (see attachment)* – The Transportation Impact Fee Project List has gone through a significant update. The intent of these projects is to add maintain acceptable levels of service at intersections within the city. Staff evaluates traffic forecasts for 2040 and looks for locations where level-of-service is expected to deteriorate. As a result the projects are focused on adding capacity through intersection improvements, new roadway connections, and other similar projects. Staff has also updated the cost estimates for these projects. The cost estimates are used in the base fee calculation (shown above) to determine the fees for each district. The project list is relatively dynamic. City staff makes project additions or deletions to it with each update of the 6-year plan. It will likely go through further refinement before adoption by City Council in 2018.

**Attachment List**

Proposed Land Use Table  
Draft Project List  
Draft base fee calculation

12/6/2017

## DRAFT Fee Estimate - 50% developer share

Service Area	Developer Share of Project Costs	20 Year PM Peak Trip Ends (with Forecast Correction)	New Base Cost per Trip	Current Base Cost per Trip
Downtown	\$705,000	8963	\$ 78.66	\$ 90.00
Northwest	\$5,228,000	8043	\$ 650.00	\$ 634.00
South	\$9,039,500	9402	\$ 961.46	\$ 587.00
Northeast	\$5,803,393	8441	\$ 687.52	\$ 850.00
West Plains	\$2,772,500	2088	\$ 1,327.94	-



**BRIEFING PAPER**  
**City of Spokane**  
Plan Commission  
November 8, 2017

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**Subject**

Updates to the SMC as a result of proposed changes to the Sign Code.

**Background**

Staff began working on updates to the City's sign code in May 2017. Three workshops were held with the Plan Commission on June 14, September 13, and September 27 and a public hearing was held on October 11, 2017. Within that time frame, public outreach was conducted and a SEPA determination of non-significance was issued. The Plan Commission unanimously recommended the City Council adopt the changes proposed at the hearing.

As a result of those changes to the City's sign code, several housekeeping changes were needed in other parts of the SMC. The proposed changes impact chapters 17A.020 – Definitions, 17C.340.110 – Home Occupation Development Standards, and 17C.370.030 - Existing Neighborhood Commercial Structures in Residential Zones.

As discussed in the workshops, the current organization of sign related definitions is confusing, with some terms being listed under specific letters and others being listed under "S" for sign. For example interpretative signs are listed under 17A.020.090 – "I" Definitions while animated sign is listed under 17A.020.190 "S" Definitions. Because these definitions are particular to the sign code and it is common practice for these definitions to be included in the chapter, staff has recommended incorporating all sign related definitions into the sign code chapter. The changes proposed today provide a reference in the definitions chapter to where the term can be found in the sign code chapter.

The current sign code, under Section 17C.240.260(C), states that "sites with home occupations must meet the sign regulations for household living." However, Section 17C.340.110 (E) of the Home Occupation chapter provides conflicting signage standards. Staff is recommending that the standards listed in the sign code chapter be applied.

The recently updated Existing Neighborhood Commercial Structures in Residential Zones chapter provides that signage for projects regulated under that chapter shall comply with the signage standards listed for the CC4 zone. Staff is recommending this provision be changed so that projects will comply with the signage standards listed in table 17C.240-1 – Standards for Permanent Signs in Residential Zones. These standards are similar to those for CC4 zones but

provides for an additional 5 feet of height and slightly more flexibility under certain circumstances.

Staff is also proposing to amend the sign code language that was recommended by the Plan Commission on October 11 to refer to code users to other sections of the code where sign regulations currently exist. SMC section 17C.345.120 contains signage standards for mobile home parks; a reference to that section was added to Table 17C.240-1. SMC Section 17C.350.040 contains signage standards for mini storage facilities; a footnote has been added to Table 17C.240-2 directing people to this code section for signage standards related to this use.

**Impact**

The proposed changes will be applied citywide and have a corresponding impact.

**Action**

Staff is requesting the Plan Commission provide a recommendation to the City Council regarding the adoption of the draft amendments.

**Funding**

Not applicable.

#### Section 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.~~  
See SMC 17C.240.015

#### Section 17A.020.020 "B" Definitions

A. Backed Sign.

~~A sign where the faces of the sign are parallel or within twenty degrees of parallel to each other.~~  
See SMC 17C.240.015

B. Balloon Sign.

~~A sign that is blown up with air or gas.~~ See SMC 17C.240.015

F. Banner.

~~A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners. Banners also include non-rigid signs anchored along one edge, or two corners, with weights installed that reduce the reaction of the sign to wind. See also Flag.~~ See SMC 17C.240.015

#### Section 17A.020.030 "C" Definitions

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.~~ See SMC 17C.240.015

PP. 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~~ See SMC 17C.240.015

#### Section 17A.020.040 "D" Definitions

Z. Directional Sign.

~~A sign exclusively limited to guiding the circulation of motorists or pedestrians on the site.~~ See SMC 17C.240.015.

#### Section 17A.020.050 "E" Definitions

##### H. Electric Sign.

~~Any sign containing electrical wiring, lighting, or other electrical components, but not including signs illuminated by a detached exterior light source.~~ [See SMC 17C.240.015.](#)

#### Section 17A.020.060 "F" Definitions

##### A. Facade.

~~All the wall planes of a structure as seen from one side or view. For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.~~ [See SMC 17C.240.015.](#)

##### F. Fascia Sign.

~~A single faced sign attached flush to a building or other structure or a sign consisting of light projected onto a building or other structure. Fascia signs do not include signs that are attached to or projected onto structures defined as sign structures by this chapter.~~ [See SMC 17C.240.015.](#)

##### M. Flag.

~~A sign made of fabric or other similar non-rigid material supported or anchored along only one edge or supported or anchored at only two corners. If any dimension of the flag is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported. See also "Banner."~~ [See SMC 17C.240.015.](#)

##### X. Freestanding Sign.

~~A sign on a frame, pole, or other support structure that is not attached to any building.~~ [See SMC 17C.240.015.](#)

#### Section 17A.020.090 "I" Definitions

##### Q. Interpretive Signs.

~~A sign that identifies historic buildings or sites where important events occurred or which serve educational, cultural, historical, or scientific purposes.~~ [See SMC 17C.240.015.](#)

#### Section 17A.020.130 "M" Definitions

##### E. Marquee Sign.

~~A sign incorporated into or attached to a marquee or permanent canopy.~~ [See SMC 17C.240.015.](#)

##### R. 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.~~ [See SMC 17C.240.015.](#)

#### Section 17A.020.140 "N" Definitions

P. Nonconforming Sign.

~~A sign that was created and issued a permit in conformance with development regulations, but which subsequently, due to a change in the zone or land use regulations, is no longer in conformance with the current applicable development standards.~~ [See SMC 17C.240.015.](#)

#### Section 17A.020.160 "P" Definitions

A. Painted Wall Highlights.

~~Painted areas that highlight a building's architectural or structural features and that do not convey a message or image.~~ [See SMC 17C.240.015.](#)

B. Painted Wall Sign.

~~A sign applied to a building wall with paint or a thin layer of vinyl, paper, or similar material adhered directly to the building surface and that has no sign structure.~~ [See SMC 17C.240.015.](#)

J. Pedestrian-Scaled Signs

~~Permanent, first-floor, exterior signs designed and placed to address pedestrian traffic; may be mounted flush with or projecting from a column, building wall, awning or transom.~~ [See SMC 17C.240.015.](#)

O. Permanent Sign.

~~Any sign not classified as a temporary sign.~~ [See SMC 17C.240.015.](#)

AU. Projecting Sign.

~~A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.~~ See SMC 17C.240.015.

#### Section 17A.020.180 "R" Definitions

~~B. Real Estate Sign.~~

~~A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent.~~

~~AF. Roof Top Sign.~~

~~A sign on a roof that has a pitch of less than one to four.~~

#### Section 17A.020.190 "S" Definitions

A. 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.~~ [See SMC 17C.240.015.](#)



A. 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.~~

~~3.1. The scope of the term sign does not depend on the content of the message or image conveyed. [See SMC 17C.240.015.](#)~~

B. Sign – Animated Sign.

~~A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene. [See SMC 17C.240.015.](#)~~

C. 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. [See SMC 17C.240.015.](#)~~

D. Sign Face.

~~The portion of a sign which contains lettering, logo, trademark, or other graphic representations. (See [SMC 17C.240.140](#), Sign Face Area.) [See SMC 17C.240.015.](#)~~

E. 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.~~

~~3.1. 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. [See SMC 17C.240.015.](#)~~

F. Sign Maintenance.

~~Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs. [See SMC 17C.240.015.](#)~~

G. 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. [See SMC 17C.240.015.](#)~~

H. 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. See SMC 17C.240.015.~~

I. Sign Structure.

~~A structure specifically intended for supporting or containing a sign. See SMC 17C.240.015.~~

A. Special Event Sign.

~~A temporary sign used to announce a circus, a carnival, festivals, or other similar events. See SMC 17C.240.015.~~

J. 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.~~

~~5.1. 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. See SMC 17C.240.015.~~

[Title 17C](#) Land Use Standards

[Chapter 17C.340](#) Home Occupations

[Section 17C.340.110](#) Development Standards

Structural alteration to accommodate the occupation is not permitted:

- A. unless required by code, a separate outside access to the area devoted to the occupation is not permitted;
- B. the occupation, including storage, does not occupy more than twenty-five percent of the residence's finished floor area, nor in any case more than two hundred square feet;
- C. the occupation does not occupy any accessory structure, including an attached garage;
- D. the number of persons engaged in the home occupation may not exceed two persons. This may consist of either one family member and one nonfamily member or two family members;
- E. [the sign standards are stated in chapter 17C.240 SMC, Signs.](#)~~there is no commercial advertising, except that there may be one nonilluminated sign, up to three square foot in area, bearing the name and occupation of the occupant, placed flat against the building;~~
- F. There is no window or outdoor display.
- G. Any stock of goods has been produced on the premises.
- H. No use is made of equipment or material that produces vibration, noise, dust, smoke, odor, or electrical interference to the detriment of surrounding residences.
- I. There are no deliveries or shipments to or from the premises of such quantities or frequency as would involve commercial motor vehicles or suggest a need for a customer parking area.
- J. The property shall retain its residential appearance and character.
- K. No commercial use of the streets shall be allowed as specified in [SMC 17C.319.100.](#)

Date Passed: Monday, April 25, 2011

Effective Date: Friday, June 3, 2011

ORD C34717 Section 26

## [Chapter 17C.370](#) Existing Neighborhood Commercial Structures in Residential Zones

### [Section 17C.370.030](#) Procedure

- A. Planning Director Administrative or Hearing Examiner Decision.
  - 1. Establishing a use under this chapter in an eligible structure requires following the same application and posting process as a Type II or III Conditional Use Process as provided in [chapter 17G.060 SMC](#). A Type III application is required for projects that have a floor area of three thousand square feet or more, including building additions, and for any non-residential project on a site that does not have frontage on a designated arterial (principal, minor, or collector). For projects that do not exceed this threshold, a Type II conditional use permit application is required, except the planning director may require a Type II conditional use permit application be processed as a Type III application when the director issues written findings that the Type III process is in the public interest.
  - 2. The planning director administrative decision or hearing examiner decision is only for the use approved through the process. If a proposed change of use for the site proposes other uses that are not within the use category description approved for the site, a new planning director administrative decision or hearing examiner decision is required to determine the requirements that the new use shall follow.
- B. The fee for the planning director administrative decision is the same as a Type I application. The fee for a Type III hearing examiner decision shall be the same as a Type III application.
- C. A predevelopment meeting as provided in [SMC 17G.060.040](#) is required before an application may be submitted.
- D. Decision criteria are found in [SMC 17G.060.170](#) and applications shall follow the same procedures for a Type II or III conditional use process, as may be applicable depending on the type of application reviewed.
- E. If the planning director or hearing examiner makes a determination with supporting findings that the benefits of the proposed use and improvements to the existing structure and the property on which the structure is located would mitigate potential negative impacts on the residential character of the area, then a planning director administrative decision or hearing examiner decision may be granted consistent with the following uses. The director or hearing examiner may make a determination with supporting findings that a proposed use is not permitted because the nature of the use would have negative impacts on the residential character of the area that cannot be mitigated with conditions of approval.
  - 1. Uses Not Allowed.
    - Sale or leasing of:
      - a. motorized consumer vehicles,



- b. fire arms,
- c. weapons,
- d. marijuana.

2. Uses Allowed:

- a. Office uses found in [SMC 17C.190.250](#);
- b. Retail sales and service uses found in [SMC 17C.190.270](#); and
- c. Uses allowed within the RMF zone found in [SMC 17C.110.100](#).

F. Development and operation standards in addition to the base zone:

- 1. The structure on the site must have been originally legally built to accommodate a non-residential use and, at the time of application, its existing use must not be classified within the institutional use category as described in Article V of [chapter 17C.190 SMC](#), which may be converted under [SMC 17C.320.060](#).
- 2. Reserved.
- 3. The site must be located within the RA, RSF, RTF, RMF, or RHD zones.
- 4. The site size may not be expanded and the uses approved under this section may not expand onto surrounding sites beyond the site area existing on July 26, 2012. Any expansion of existing structures is subject to the current applicable development standards, except structures larger than five thousand square feet shall not be expanded. A planting of L2 see-through buffer as described by [SMC 17C.200.030](#) shall be required for any structural expansion or provision of additional off-street parking.
- 5. Parking and loading requirements are specific to the use authorized by the hearing examiner or director and shall follow the standards in [chapter 17C.230 SMC](#) Parking and Loading for a Neighborhood Retail Zone (NR).
- 6. Business operation hours shall be determined by the hearing examiner or director. Operational hours for non-residential uses operating later than ten p.m. and earlier than five a.m. will need to demonstrate that all off-site impacts will be fully mitigated.
- 7. Drive though facilities are prohibited.
- 8. Outdoor storage is prohibited. Outdoor seating areas and daytime display of merchandise is allowed.

9. Lighting shall be provided within parking lots and along pedestrian walkways. Lighting fixtures shall be limited to sixteen feet in height. All lighting shall be shielded from producing off-site glare.
  10. All exterior garbage cans, garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. Trash receptacles for pedestrian use are exempt.
  11. The signage standards ~~for the CC4 zones~~ in SMC 17C.240.150, Table 17C.240-1 shall apply. ~~Temporary outdoor signage is prohibited except that one sandwich board sign is permitted.~~ If ~~the~~ a sandwich board sign is erected in the public right-of-way it must be consistent with ~~SMC 17C.240.240~~ SMC 17C.240.244.
- G. If the hearing examiner or planning director determines that proposed use is appropriate for the site, the hearing examiner or director may attach additional conditions to the decision that may include items such as:
1. Building and property improvements that must be completed prior to issuance of a certificate of occupancy.
  2. Conditions needed to mitigate off-site impacts consistent with SMC 17C.220 Off-Site Impacts.
  3. Specific conditions under which the use may operate.
- H. Appeals.
- The decisions of the planning director may be appealed to the hearing examiner as provided for in SMC 17G.060.210 and follow an appeal process consistent with a Type II Conditional Use Permit application. The decisions of the hearing examiner may be appealed to superior court as provided for in SMC 17G.060.210.

Date Passed: Monday, August 21, 2017

Effective Date: Sunday, September 24, 2017

ORD C35535 Section 3

**Spokane City Plan Commission  
Findings of Fact, Conclusions, and Recommendation  
Proposed Amendments to Spokane Municipal Code,  
Chapters 17C.340 - Home Occupations, 17C.370 - Existing Neighborhood  
Commercial Structures in Residential Zones, and 17A.020 - Definitions**

**A recommendation from the City Plan Commission to the City Council to APPROVE/DISAPPROVE the proposed amendments to the Spokane Municipal Code, Chapters 17C.340 - Home Occupations, 17C.370 - Existing Neighborhood Commercial Structures in Residential Zones, and 17A.020 - Definitions.**

**Findings of Fact:**

- A.** The City's Comprehensive Plan and existing sign code prohibit off-premises signage. However, SMC 17C.240.250 (B) provides an exception for existing off-premises signs that must be removed in order to accommodate a public works project. These signs may be relocated along the same roadway and in the geographical vicinity from where it was removed. On April 10, 2017, City Council passed Emergency Ordinance C35490, imposing an immediate moratorium on the relocation of off-premise signs into areas having a Center and Corridor zoning designation or sites located in an historic district. A hearing was held on May 22, 2017 regarding this moratorium, and the expiration was extended to November 22, 2017.
- B.** During the moratorium, Planning Department staff conducted workshops with the Plan Commission and City Council to discuss revisions to the City's sign regulations to (i) address the concerns that prompted the Council's adoption of the moratorium and (ii) to meet the guidelines set forth in the U.S. Supreme Court's opinion in *Reed v. Gilbert*, 135 S. Ct. 2218, 192 L.Ed.2d 236 (2015) and other applicable law (the "Sign Code Update");
- C.** The Plan Commission held workshops on the proposed Sign Code Update on June 14, 2017, September 13, 2017, and September 27, 2017, and a public hearing on October 11, 2017
- D.** The changes proposed by the Sign Code Update necessitated changes to other sections of the Spokane Municipal Code for consistency and administrative purposes.
- E.** A website was created in early July to provide easy access to information and allow the public to comment directly through the website. This website was continually updated with presentations, materials, and other documents as they became available.
- F.** On November 10, 2017, staff provided a draft of the proposed changes to the Community Assembly Land Use Committee.
- G.** On October 25, and November 8, 2017, the Spokane City Plan Commission held workshops to study the proposed updates to the City's sign code.

- H. On October 18, 2017, pursuant to RCW 36.70A.106, the City notified the Washington State Department of Commerce of its intent to adopt proposed changes to chapter 17C.240 SMC. On October 19, 2017, the City received an acknowledgement letter from the Department of Commerce.
- I. On November 29 and December 6, 2017, the City caused Notice of the proposed ordinance and announcement of the Plan Commission's December 13, 2017 hearing to be published in the Spokesman Review.
- J. On November 15, 2017, the responsible official issued a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance for the proposed amendments to SMC chapter 17C.240. The public comment period for the SEPA determination ended on December 13, 2017.
- K. A public hearing was held before the Plan Commission on December 13, 2017.

**Public Testimony:**

- A.
- B. No other testimony was heard.

**Plan Commission Deliberations:**

- A.

**Conclusions:**

With regard as to whether the proposed amendments to Chapters 17C.340, 17C.370, and 17A.020 SMC, as amended, meet the approval criteria of SMC 17G.025.010(F) for text amendments to the Development Code, the Plan Commission made the following findings:

- A. The proposed amendments **ARE/ARE NOT** consistent with the applicable provisions of the City's Comprehensive Plan.
- B. The proposed amendments **DO/DO NOT** bear a substantial relation to public health, safety, welfare, and protection of the environment.

**Recommendation:**

By a vote of **X** to **X**, the Plan Commission recommended to the City Council the **APPROVAL/DENIAL** of the proposed amendments to Chapters 17C.340, 17C.370, and 17A.020 of the Spokane Municipal Code.

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**Dennis Dellwo, President  
Spokane Plan Commission  
December 13, 2017**

**BRIEFING PAPER**  
**City of Spokane**  
**Cottage Housing & Pocket Residential Code Amendments**  
**Plan Commission Hearing**  
**December 13, 2017**

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**Subject**

Cottage housing, pocket residential amendments, and compact lot standards were recommended by the infill development steering committee in 2016 as priority code revisions to allow additional infill development. The draft before the Commission today consists of amendments to Spokane Municipal Code Chapters 17A.020, 17C.110, 17C.230, and 17G.080.

**Background**

The steering committee recommended removing restrictions on pocket residential development in the Residential Single-family (RSF) zone, and to allow subdivision of cottage housing units. Cottage housing is a group of homes arranged around a common open space, such as a large courtyard. Pocket residential development allows arrangements that efficiently utilize current residential lots, but without the density incentive or the required smaller houses and common open space contemplated in Cottage Housing regulations.

The [Comprehensive Plan](#) emphasizes use of design standards and guidelines in regulations as primary tools to ensure that infill and redevelopment projects are well-designed and compatible with their surroundings. Incentives are provided to enhance the public realm, preserve and protect open space within developments, and promote a wide range of affordable housing in all neighborhoods (LU 2.2, LU 3.6, LU 5.5). In allowing new high-quality and diverse residential investment, while strengthening residential character and encouraging adequate, usable open space, the revisions also align with the [Strategic Plan](#) initiatives.

The discussion and written public comment received both supports and expresses concerns about these code changes. [Comments received this year](#) regarding the proposal are attached. Also attached is a [summary of public outreach](#) presentations to community groups, open house, and social media.

**Impact**

The amendments enable some sites in the RSF zone to be developed with additional units, by allowing smaller developments to use different site arrangements, shared driveways, or private access, with the ability to subdivide new lots that do not require frontage on a public street. For the most part, the number of housing units per lot, and per acre, is within the level designated by the Comprehensive Plan. A slight maximum density increase is permitted in this draft of SMC 17C.110.350, Cottage Housing, to encourage small home construction. [Comprehensive Plan](#) Policies LU 2.2, LU 7.1, H 1.10, and PRS 1.4 contemplate density bonuses.

Meanwhile, changes to design standards and guidelines will make projects more responsive to surrounding development. The proposal will also provide streamlined application of these infill tools. Potentially increasing the supply of housing stock helps preserve housing affordability, and helps to meet housing demand for the city's growing population. Local businesses and existing residents benefit from the investment in vacant and underutilized properties within their neighborhoods.

**Action**

Following the hearing, the Plan Commission will consider the proposal and prepare and forward a recommendation to the City Council under [SMC 17G.025.010\(F\)](#).



## **PUBLIC OUTREACH SUMMARY**

Development Code Amendment to Chapters 17A.020, 17C.110, 17C.230, and 17G.080  
Cottage Housing, Pocket Residential, and Compact Lot Standards

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- January 19, 2017 Presentation to Land Use Committee of the Community Assembly
- March 8, 2017 Plan Commission public workshop – Infill Project Update
- June 30, 2017 Integrated Infill Committee and Housing Quality Task Force Update
- July 13, 2017 City Council and Plan Commission study session
- July 26, 2017 Plan Commission public workshop – Infill Project Update
- September 25, 2017 Plan Commission public workshop – Infill Code Revisions
- October 11, 2017 Plan Commission public workshop – Infill Code Revisions
- October 13, 2017 Notification of intent to adopt to email contact list  
60-day notice of intent to adopt regulations – WA Dept. of Commerce
- October 19, 2017 Presentation to Land Use Committee of the Community Assembly
- October 25, 2017 Plan Commission public workshop – Infill Code Revisions
- November 2, 2017 Open house attended by 25 people – W. Central Community Center  
Presentation to Community Assembly
- November 8, 2017 Plan Commission public workshop – Infill Code Revisions
- November 16, 2017 Facebook live webcast to answer questions from the public
- November 29, 2017 Notice of December 13 Plan Commission public hearing, and State  
Environmental Policy Act (SEPA) Determination of Nonsignificance  
(DNS)
  - Notice to interested parties via email
- December 13, 2017 Plan Commission public hearing
- December 14, 2017 City Council study session
- January, 2018 (tentative) City Council public hearing

## Substantive Public Comments Received - updated December 6, 2017

Date	Name	Comment Summary	Subject of Comment	Comment Start page
10/15/2017	Gilliland, Merle	Cottage housing is totally out of character with surrounding neighborhood. Request that cottage housing not occur on Five Mile Prairie	Cottage Housing	4
10/16/2017	Curryer, Alan	Requests floor area larger than 1200 square feet per unit, flexibility in achieving appearance goals of attached unit homes abutting streets.	Cottage Housing	11
10/25/2017	Arnold, Tom	Require fire suppression systems to save lives and structures. Consult with each neighborhood council to determine limitations/boundaries. Make sure sidewalks and transit serve areas allowed.	Cottage Housing	14
11/2/2017	Gilliland, Merle	Vacant parcels in 5-Mile not appropriate for small houses or cottage housing.	Small Houses, Cottage Housing	17
11/2/2017	Bennett, Marcella	Vacant parcels in 5-Mile not appropriate for small houses or cottage housing.	Small Houses, Cottage Housing	18
11/2/2017	McKee, Kevin	Great options to add to the tool bag for providing affordable housing.		19
11/2/2017	<b>General Open House Comments - Summaries</b>			<b>20</b>
11/6/2017	Whitten, Arthur	Recommend removal of required variety in design.	Cottage Housing	22
11/6/2017	Frank, Jim	Supports proposal. Need different set of standards for townhouses with alley access. Recommends deleting provisions for variety of unit building design.	Compact Lot Standards, Pocket Residential, Unit Lot Subdivision, Cottage Housing	27
11/8/2017	Farnham, Carol	Opposed to pocket residential housing in West Central neighborhood.	Pocket Residential	29
11/15/2017	Clark, Marshall	Supports proposal. Allow for garages without reducing the floor area of the unit.	Cottage Housing	31
11/15/2017	Forman, Bill	Peaceful Valley Neighborhood Council supports changes. Supports small home development.	Cottage Housing, Pocket Residential, Compact Lot Standards	34
11/15/2017	Brake, Gene	Opposes proposal.	Pocket Residential, Compact Lot Standards	36
11/16/2017	<b>Facebook Live Post Questions and Comments</b>			<b>38</b>
12/6/2017	West Central Neighborhood Council	Concerned about allowing compact lot standards and pocket residential in areas that are not near Centers and Corridors without a rezone.	Pocket Residential, Compact Lot Standards	45

**From:** [Gwinn, Nathan](#)  
**To:** ["Merle Gilliland"](#)  
**Cc:** ["Marcella Bennett"](#); [Condon, David](#); [Key, Lisa](#)  
**Subject:** RE: Cottage Housing & Pocket Residential Code Amendments  
**Date:** Monday, October 16, 2017 11:18:01 AM

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Good morning Mr. Gilliland,

Thank you for your comment. I will include this message, as well as the written comment sheets and letter you submitted in September 2016, in the packets and public record for this file. For more information, please visit the project webpage:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Merle Gilliland [mailto:m.gilliland5@yahoo.com]  
**Sent:** Sunday, October 15, 2017 8:37 PM  
**To:** Gwinn, Nathan  
**Cc:** Marcella Bennett; Merle Gilliland; Condon, David; Key, Lisa  
**Subject:** Cottage Housing & Pocket Residential Code Amendments

Mr. Gwinn,

I understand the City's need to plan for the continuously growing housing needs. I have previously provided written comments as well as testimony of my concerns with the implementation of In-Fill with Cottage Housing on the Five Mile Prairie. Please include my previous comments in your packets to the Plan Commission and City Council. The City has identified numerous undeveloped parcels within the Five Mile Prairie area that, if developed, would be attractive to a developer for Cottage Housing. As I previously pointed-out such would be totally out of character with the surrounding neighborhood. The existing families have a lot at risk with such In-Fill projects. These families have tremendous investments in their homes. I have not seen any data that would indicate In-Fill housing incorporated into these neighborhoods would not cause depreciation of property values of surrounding housing.

My only experience with such Cottage Housing in Spokane is the recently almost completed Ledge on Five Mile Road. This development is totally within a neighborhood of the typical single family detached homes and totally out of character of the neighborhood.

Along with the City's pursuit of a code for Cottage Housing I respectfully request protections for the families on the Five Mile Prairie such that cottage housing will not

occur in their neighborhoods.

Thank you for your consideration.

Merle Gilliland  
3007 W Horizon Avenue  
Spokane, WA 99208

### Infill Development Steering Committee Meetings

Date: 9/13/2016

Do you wish to provide verbal comments? Yes X No           

**PLEASE NOTE:** Public comments are limited to three minutes each. Time for public comments will be provided at the end of the meeting.

I would like to yield my time to: NAME: \_\_\_\_\_

Comments: INTERESTED IN POLICY ON IN-FILL PROJECTS

(Please PRINT legibly)

NAME: MEBLE GILLAUD

STREET ADDRESS: 3007 W HORIZON AVE

CITY: SPOKANE

STATE: WA

ZIP: 99228

Phone Number: 509-847-5888

E-mail Address: m.gilliland5@yahoo.com



**Merle Donald Gilliland**

3007 W. Horizon Ave. Spokane, WA 99208

M. 509 847 5888 H. 509 474 9294

E-mail: [m.gilliland5@yahoo.com](mailto:m.gilliland5@yahoo.com)

September 14, 2016

Lisa Key, Director  
Planning and Development  
City Hall, Third Floor  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

Re: Planning for Spokane's Growth – 20 Year Plan  
Infill Development Project  
Infill Development Steering Committee's Report on September 13, 2016

Dear Director Key,

I appreciate the efforts of Nathan Gwinn, Omar Akkari, Melissa Owen and Tami Palm in preparing the report for the Infill Development Steering Committee. This task is a major effort and your staff is handling it in a very professional manner. I trust that my comments will be given due consideration.

A healthy city needs to grow and one needs to plan for that growth in order to remain healthy and to continue to improve upon the quality of life for the residents. In accommodating this growth in an orderly manner one needs to look at expanding the borders of the city, opportunities for infill development and changing zoning for higher density development where appropriate. This also provides an opportunity to create incentives to rid the city of blight areas. I witnessed this in Sacramento in the 1960's when many dilapidated buildings were taken down and new development sprung up; that re-vitalized the downtown area.

Opportunities for meeting housing needs for the broad spectrum of society must be included in a 20 year plan.

While looking at infill opportunities, the city has the responsibility to build in protections for established and well maintained neighborhoods. Approving plans for an infill project on small parcels of land within an established neighborhood of single family detached homes with a project of a much greater density is going to generate some homeowner unrest and possibly anger. I have been the victim of such groups getting organized and creating very powerful political objections to growth in Moraga, California, such that they overturned the city's process of approving planning standards.

The Five Mile Prairie area, approximately six miles from the downtown core area, has small and large undeveloped areas within the residential neighborhoods. In looking at possible densities the Planning Department may have to look into site specific detail as to acceptable densities while pursuing the goal of planning for expected growth. In the

planning process it may be necessary to look at being site specific for allowable densities. A density designation for a twenty acre infill parcel may differ from a density for an infill parcel of two acres.


When I mentioned that this current recession at the Infill Development Project Meeting on September 13th, for which we have not fully recovered, caused residential property values to drop as much as 37% the reaction included some prominently furrowed eyebrows. The number is a real number. Families that purchased homes in 2007 - 2008, most likely experienced such a loss in value. A number of homes in the Five Mile Prairie area were purchased in the 2007 - 2008 period. The City must be sensitive of this factor in pursuing policy that may have the effect of reducing property values.

The City of Spokane is a great place in which to live. Growth of the City is in all our best interests. How to proceed with this planning for growth is a real challenge. It is my hope that the residents of the Five Mile Prairie will get engaged in the process and provide helpful support.

Please find a vehicle whereby the residents of Five Mile Prairie are kept informed of your progress with this planning effort with appropriate notices.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Merle D. Gilliland', written in a cursive style.

Merle D. Gilliland

CC Mayor Condon

### Infill Development Steering Committee Meetings

Date: 9/22/2016

Do you wish to provide verbal comments? Yes X No           

**PLEASE NOTE:** Public comments are limited to three minutes each. Time for public comments will be provided at the end of the meeting.

I would like to yield my time to: NAME: \_\_\_\_\_

Comments: INTERESTED IN HOW PROGRAM WOULD AFFECT  
FIVE MILE PRAIRIE AREA

(Please PRINT legibly)

NAME: MERLE GILLILAND

STREET ADDRESS: 3007 W HORIZON AVE

CITY: SPOKANE STATE: WA ZIP: 99208

Phone Number: 509-247-5888 E-mail Address: m.gilliland5@yahoo.com

**From:** [Alan Curryer](#)  
**To:** [Gwinn, Nathan](#)  
**Subject:** RE: comments on proposed revisions to Cottage Housing  
**Date:** Monday, October 16, 2017 4:43:59 PM

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Thanks so much. I look forward to learning more as these new rules are finalized.



**Alan Curryer**  
CEO

**Rockwood Retirement Communities**

2903 E 25<sup>th</sup> Ave.  
Spokane, WA 99223  
T: 509-536-6845  
F: 509-536-6662  
[www.rockwoodretirement.org](http://www.rockwoodretirement.org)

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**From:** Gwinn, Nathan [mailto:[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)]  
**Sent:** Monday, October 16, 2017 4:27 PM  
**To:** Alan Curryer <[Alan@rockwoodretirement.org](mailto:Alan@rockwoodretirement.org)>  
**Cc:** 'Kay Murano' <[kay@slhc.org](mailto:kay@slhc.org)>; Key, Lisa <[lkey@spokanecity.org](mailto:lkey@spokanecity.org)>; Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>  
**Subject:** RE: comments on proposed revisions to Cottage Housing

Mr. Curryer,

Thank you for your comments. I will include the message in the public record for the file.

Cottage housing allows slightly more units per acre than other development. For information, the floor area proposed is an increase over the existing 1,000 square foot limitation, and the purpose is to preclude larger households than might occupy the site if the house sizes are smaller. The city already has 3-bedroom units developing under the 1,000 square foot standard.

However, please note that another aspect of this proposal is to allow pocket residential development – which does not have the associated increase in number of units per acre, and therefore the floor area limit becomes determined by the site area – generally more than 2,000 square feet average at maximum densities in most of the same areas where cottage housing is now allowed. A similar cottage-style development with as few as two housing units would therefore be possible on separate lots and larger homes, under the separate pocket residential section ([SMC 17C.110.360](#)), and without being limited to the cottage housing standards. In other words, a developer could do a project similar to cottage housing but with larger homes on newly created

separate lots, as long as the additional density is not necessary for the project.

Yes, while there is a minimum of four units proposed for cottage housing, there is no maximum number of units in the contemplated rules.

There is some flexibility built into the design guideline that each attached unit home abutting a public street be designed to appear like a detached single-family home. The only attached unit home I found in the handout is built away from the public street. As with the floor area limitation, this design guideline as proposed would not apply to pocket residential development, only to cottage housing.

A public hearing for this proposal has not been scheduled yet. I will pass along the public notice when that has been scheduled, as well as other opportunities for comment in the meantime.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Alan Curryer [<mailto:Alan@rockwoodretirement.org>]  
**Sent:** Monday, October 16, 2017 1:05 PM  
**To:** Gwinn, Nathan  
**Cc:** Kay Murano  
**Subject:** comments on proposed revisions to Cottage Housing

I was pleased to learn that the City is looking at revision to the rules to provide “Cottage Housing”. We have been contemplating different neighborhood models for senior living housing and the new rules are pretty much right on the mark with what we have in mind.

One comment I would like to share and ask that you consider is to increase the permitted size of the housing units. While 1200 might work just fine in some circumstances, having the ability to provide units in the 1400 – 1500 foot range would broaden the pool of interested seniors. I don’t feel units of this size are so large as to detract from the neighborhood concept or preclude the development from blending in well with most of Spokane’s neighborhoods.

Also, I am unclear as to how many units are permitted in the contemplated rules? I see that there must be a minimum of four, but would there be a maximum so long as the various requirements for common space and everything else are met?

The proposed rules state that attached unit homes abutting public streets shall be designed to appear like a detached single family home. My hope is that there will be sufficient flexibility in the final rules so that the developer would have flexibility in how to achieve this and that the only solution acceptable would not be as depicted in hand out provided.

That’s it for my comments. I won’t be able to attend the hearing but want you to know you have our



support.



*Alan Curryer*

CEO

**Rockwood Retirement Communities**

2903 E 25<sup>th</sup> Ave.

Spokane, WA 99223

T: 509-536-6845

F: 509-536-6662

[www.rockwoodretirement.org](http://www.rockwoodretirement.org)

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Important: The information contained in this e-mail is privileged and confidential. This information is intended for the addressee only. If you have received this information in error, please destroy the documents immediately and notify the sender at the above address by using the reply button. Use and release of this information is strictly limited by the current Health Insurance Portability and Accountability Act (HIPAA).

**From:** [Gwinn, Nathan](#)  
**To:** ["Arnold, Tom"](#)  
**Cc:** [Kokot, Dave](#)  
**Subject:** RE: Draft amendments to Cottage Housing and Pocket Residential  
**Date:** Wednesday, November 01, 2017 10:00:02 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good morning Tom,

Thank you for taking time to look over the initial working draft and provide your comments. I have provided responses to the items in your message below.

- 1) The definition of building coverage in [SMC 17A.020.020](#) includes roofs and covered and uncovered decks, and no change is proposed to building coverage for development by zone in this ordinance. Stormwater treatment will be provided on site, with review specific to each new development project, and requirements dependent on conditions at the project site.
- 2) Dave Kokot, Fire Protection Engineer, who is copied above, provided the following information:  
Building and Fire Codes are required to be met. For example, the Fire Code applies to single-family, two-family, and townhouse dwellings in regards to site fire flow and site access.

Fire sprinklers are required for one or two-family residential developments (including townhouses) where the number of dwelling units exceeds 30 on a single fire access road. Access is also required to be provided from approved fire apparatus setup locations to within 150' of all points around the dwelling along an acceptable path of travel (meaning pathways and not across lawns that could be covered with snow). Access roads for fire apparatus need to be a minimum of 20' clear width, 13'-6" clear height, constructed of all-weather surface with a minimum 28' internal and 50' external radius. Grass block is not acceptable. An approved turn-around (culdesac or hammerhead meeting the Municipal Fire Code dimensions) is required for dead-end fire lanes that exceed 150'.

Fire hydrants are to be located within 600 feet of all points around dwellings along an acceptable path of travel. For single family residential infill projects in existing developed areas, fire hydrants are allowed to be within 500 feet of the property line along an acceptable path of travel (SMC 17F.080.321), but they still need to comply with the distance around the dwelling.

As fire sprinklers are not required for one or two-family dwellings and townhouses, we waive the requirements for both site access and site fire flow when they are installed. For developments with more than 30 dwelling units on a single access road, the site access and fire flow is still required to be met as fire sprinklers would be required.

If you have any questions regarding this, please let me know.

- 3) The floor area for each unit is limited in cottage developments, and the total floor area ratio (FAR)

would continue to apply for each site for developments using pocket residential or the compact lot standards. No changes to density are proposed except for the possibility of an additional 20 percent for cottage developments whose units are all detached (min. 10 feet apart) and not more than 500 sq. ft. each.

4) The decision criteria under [SMC 17G.060.170](#) require that development standards for parking (minimum one space per unit plus one space for each bedroom over three), and the concurrency requirements of chapter 17D.010 SMC, be met at the time of development. Proximity to 15-minute frequent transit service has been part of the discussion for the compact lot standards, but is not part of the proposed draft at this time for this round of amendments.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Arnold, Tom [mailto:[arnold@coffman.com](mailto:arnold@coffman.com)]  
**Sent:** Wednesday, October 25, 2017 9:18 AM  
**To:** Gwinn, Nathan  
**Subject:** RE: Draft amendments to Cottage Housing and Pocket Residential

Nathan,

Thanks for sending the below information. Being a Civil Engineer and previous City Engineer for the City of Spokane (2004 thru 2007) I have a couple of comments that you may have already been heard or addressed:

1) Increasing the impervious density of areas (ie roofs, walkways, garages, patios) in the City where there are poor draining soils; such as 5 Mile and Moran Prairie; may really exacerbate stormwater runoff and flooding problems. Is that being looked at – especially for adding cottage housing in existing established neighborhoods?

2) To address limited fire access and increased density with these types of development; are there discussions about requiring fire sprinklers for these residential units. The ability to fight and preserve adjacent homes from fire would be even more critical and adding the requirement for fire sprinklers for these units would really help give folks time to get out (save lives) and fire fighters a better chance at saving adjacent structures.

3) As you may be aware, this has been a hotly debated issue historically around university and CC campus areas, where the growth in student population has essentially decimated existing neighborhoods with cottage type units where home owners tend to pack in students to this type of existing and new cottage type garage/housing (best example Logan Neighborhood). Are there any discussions on preserving or specifically specifying or limiting the boundaries for this type of new development? Would need to be vetted w/ each neighborhood council.

4) Traffic and parking may become a real issue. I suggest that the City make sure sidewalks and STA bus routes robustly serve an area where this is allowed to help minimize the need for more automobiles.

Thanks for the opportunity to comment.

Sincerely,

**Tom Arnold, P.E., LEED AP**  
Principal, Civil Engineering

**Coffman Engineers, Inc.**  
p 509.328.2994 | f 509.328.2999 [www.coffman.com](http://www.coffman.com)

---

**From:** Gwinn, Nathan [<mailto:ngwinn@spokanecity.org>]  
**Sent:** Friday, October 13, 2017 12:45 PM  
**To:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
**Subject:** Draft amendments to Cottage Housing and Pocket Residential

Good afternoon Infill Development Project Contacts,

I have attached a working draft of the cottage housing and pocket residential code amendment, the first of a series of ordinances that will be presented to the City Plan Commission beginning this fall. A public open house has been scheduled **November 2, 2017 from 4:00 to 6:30 PM** at West Central Community Center, 1603 N. Belt Street in Spokane. The draft text also includes a briefing paper and frequently asked questions to provide additional information.

Following last year's Infill Development Steering Committee recommendation, these first proposed code amendments are to Cottage Housing ([SMC 17C.110.350](#)) for larger unit floor area, additional house types, and subdivision of internal units. The draft includes slight corresponding increases in height, attention to design standards for development perimeters (to improve the transition and overall compatibility with the surrounding neighborhood), and to allow this form of development in the Residential Two-family (RTF) zone, in addition to areas currently allowed. Within the cottage housing process, additional bonus increase to the number of units allowed per acre is being considered for tiny housing projects (with smaller dwelling units and a community facility). I also attached summaries of proposals, to be updated on the [project webpage](#) as the draft evolves.

In addition to cottage housing, amendments are proposed to allow Pocket Residential (private access and new lots, in developments between 0.2 and 1.5 acres; [SMC 17C.110.360](#)), and some smaller lots, in the Residential Single-family (RSF) zone, but without any changes to aggregated (combined) housing units permitted per acre of land for these development tools. This would allow subdivisions of remaining irregular shaped land at the density already designated by the Comprehensive Plan. Unlike cottage housing, Pocket Residential does not permit an increase in the housing units per acre allowed, so developments using pocket residential and compact lot standards would be subject to similar development standards (height, setbacks) as surrounding development, with more limited design standards than required for cottage housing. More information can be

viewed online at the project webpage: <https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Please review the draft text to consider whether the amendments to the Development Code will meet the community's needs. The City seeks feedback about how the proposal is consistent with its [Comprehensive Plan](#) provisions; relevant policies are attached.

The procedure for text amendments to the development code is in [SMC 17G.025.010](#). I will provide additional information soon regarding the process and opportunities for participation.

Thank you for your time and attention,



**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)



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## **COMMENT SHEET**

**Open House for Infill Development Project**

**November 2, 2017**

**For more project info visit:**

**[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)**

**Name:** MERLE GILLILAND

**ADDRESS:** 3007 W HORIZON AVE, SPOKANE **PHONE NUMBER:** \_\_\_\_\_

**E-MAIL CONTACT:** mgilliland5@yahoo.com

FIVE MILE PRAIRIE THERE ARE NUMEROUS IN-FILL  
PARCELS. THE IN-FILL OF THESE VACANT PARCELS  
ARE INAPPROPRIATE FOR COTTAGE HOUSING  
AND/OR SMALL HOUSES & SHOULD BE BUILT-OUT  
WITH HOUSING CONSISTANT WITH SURROUNDING  
HOUSES.

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!

Planning & Development Services, City of Spokane



## **COMMENT SHEET**

**Open House for Infill Development Project**

**November 2, 2017**

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**[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)**

**Name:** MARCELLA BENNETT

**ADDRESS:** 3003 W. HORIZON AVE, SPOKANE **PHONE NUMBER:** \_\_\_\_\_

**E-MAIL CONTACT:** MARCELLA.BENNETT@hotmail.com

FIVE MILE PRAIRIE IS NOT AN APPROPRIATE  
LOCATION FOR COTTAGE HOUSING OR OTHER  
SMALL HOUSES. THE INFILL PARCELS SHOULD BE  
BUILT OUT WITH HOUSES CONSISTENT WITH  
THE EXISTING. THE EXISTING FAMILIES HAVE  
INVESTED HEAVILY IN THEIR HOMES &  
WOULD SUFFER IF COTTAGE HOUSING  
WERE TO BE BUILT THERE.

Please feel free to share your questions, comments or concerns with us!

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**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!

Planning & Development Services, City of Spokane



## **COMMENT SHEET**

### **Open House for Infill Development Project**

**November 2, 2017**

**For more project info visit:**

**[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)**

**Name:** Kevin McKee

**ADDRESS:** 1608 N. Monroe

**PHONE NUMBER:** 509-475-4002

**E-MAIL CONTACT:** Kevin@KevinMcKee

Great option to add to the tool bag  
for providing affordable housing.

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you...We look forward to hearing from you!

Planning & Development Services, City of Spokane

## General Open House Comments

The comments summarized below were written notes placed under a "Like" or "Change" category for each subject. The open house was attended by 25 people, and held on November 2, 2017.

Date	Name	Comment Summary	Subject of Comment
11/2/2017	General Open House Comment	Pocket development must take into consideration the character of the neighborhood. The Ledge on 5 mile is completely out of character. (Category: "Change")	Pocket Residential
11/2/2017	General Open House Comment	Residential design to be compatible with surrounding neighborhoods. Maybe a little difficult in some areas of Spokane without well defined style (Category: "Change")	Pocket Residential
11/2/2017	General Open House Comment	Frontage on private driveway or walkway is good. (Category: "Like")	Pocket Residential
11/2/2017	General Open House Comment	The proposed application procedure and proposed regulation is good. (Category: "Like")	Pocket Residential
11/2/2017	General Open House Comment	Fronting on private access provides more architectural flexibility. (Category: "Like")	Pocket Residential
11/2/2017	General Open House Comment	No minimum lot size allows more options for home size. (Category: "Like")	Pocket Residential
11/2/2017	General Open House Comment	Must find inexpensive land to make either cottage or pocket work for affordable housing (public funded) looks good for market rate. (Category: "Change")	Cottage Housing
11/2/2017	General Open House Comment	The character of each neighborhood needs to be considered on each development. (Category: "Change")	Cottage Housing
11/2/2017	General Open House Comment	Incorporate neighborhood design elements into cottage developments. Front and side porches good too. (Category: "Like") (2 others agreed)	Cottage Housing
11/2/2017	General Open House Comment	The overall height on cottages/carriage houses are a great idea for the overall appearance. I have seen similar developments outside of Seattle without height restrictions and 1 or 2 make the majority look "tacky" and out of place. (Category: "Like")	Cottage Housing

Date	Name	Comment Summary	Subject of Comment
11/2/2017	General Open House Comment	Water department will have easement issues and metering and maintenance issues. (Category: "Like")	Cottage Housing
11/2/2017	General Open House Comment	Prefer citywide (Category: "Like")	Compact Lot Standards

**Map: Options to Achieve Complementary Residential Development**  
**Vote for preferred areas to allow reduced lot sizes.**

Centers & Corridors 1/4 mile buffers	High Frequency Transit 1/4 mile buffer	Both CC & HFT
7 votes		7 votes



**From:** [Gwinn, Nathan](#)  
**To:** ["Arthur Whitten"](#)  
**Subject:** RE: Infill questions  
**Date:** Monday, November 06, 2017 3:17:01 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Thanks for your comments and questions, Arthur. I will include them in the public record for the file.

A parent site with an ADU would qualify, although 5,000 square feet is required for a lot (created) with an ADU ([SMC 17C.300.110\(A\)](#)).

PUDs have a separate process and section. Is there a particular provision in alt. residential subdivision that would be useful in a PUD?

I will pass your other comments regarding maximum floor area per unit and variety in architectural design onto the Plan Commission and include them in the ongoing discussion.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Arthur Whitten [<mailto:AWritten@shba.com>]  
**Sent:** Monday, November 06, 2017 11:39 AM  
**To:** Gwinn, Nathan  
**Subject:** Infill questions

Hi Nate,

I thought of a couple questions around the infill ordinances.

Under alt residential subdivision, could a parent site with an ADU qualify? Would everything under alt. residential subdivision apply to PUDs?

Under cottage housing: I've been doing some research on Kirkland's cottage housing ordinance which has a 1500 sqft maximum size and have gotten feedback advocating for the same to allow 3 bedroom units. Could there be inclusion of some higher sized units up to 1,500 sq ft or even removal of a maximum unit size as long as the site standards are met?

Also under cottage housing, I would recommend removal of section 5 (variety in design) D for the reasons stated to the Plan Commission in the comments.

Arthur

**Arthur Whitten**

**Government Affairs Director  
Spokane Home Builders Association**

**5813 E. 4<sup>th</sup> Ave Ste. 201  
Spokane Valley, WA 99212  
509-532-4990  
[awhitten@shba.com](mailto:awhitten@shba.com)**



**From:** [Gwinn, Nathan](#)  
**To:** ["Jim Frank"](#)  
**Cc:** [Key, Lisa](#); ["Arthur Whitten"](#); [Palmquist, Tami](#); [Black, Tirrell](#); [Becker, Kris](#)  
**Subject:** RE: Infill - Follow up and examples  
**Date:** Wednesday, November 29, 2017 9:41:00 AM

---

Good morning Jim,

I would like to follow up on your previous message with a closer analysis of the examples you presented related to the compact lot standards.

Example 1: 3000sf lot with 850sf footprint 2 story home is 1700sf+400sf 2 car garage + 100sf front covered porch=2200sf or FAR of 73%. Without front porch still 70%. you have to reduce to a 500SF footprint to meet the standard.

QUESTION: Does detached garage and covered porch count as "floor area" as it does in site coverage?

*[Gwinn, Nathan]* A detached or attached garage would not count as since accessory structures in residential zones, without living space, are not included in the calculation of "floor area" defined under [SMC 17A.020.060\(T\)](#). In any zone, covered porches would not count as "floor area" unless they are enclosed by walls more than 42 inches high for more than 50 percent of the perimeter.

For this example,  $FAR = 1700sf/3000sf = 0.57$ . That would be allowed as an attached home (townhouse); for this house type, the proposed compact lot standards allow a 0.65 FAR. It would not be allowed as a detached home, which limits the FAR to 0.5 – requiring a reduction of 200 sf to the floor area or an increase of 400 sf to lot size.

Building coverage is 1350 sf, which is within the existing/proposed 2,250 sf limit.

Example 2: 1100sf rancher+400sf detached garage+100sf covered porch= 1600sf or FAR of 53%.

*[Gwinn, Nathan]* For Example 2,  $FAR = 1100sf/3000sf = 0.37$ . This is within the 0.5 FAR limit for detached homes.

Building coverage is 1600 sf, which is within the 2,250 sf limit.

Example 3: Attached townhouse unit 1000sf footprint 2-story unit is 2000sf+400sf garage+100sf covered from porch= 2500sf or FAR of 83%. Still 80% not counting covered porch.

*[Gwinn, Nathan]* For Example 3,  $FAR = 2000sf/3000sf = 0.67$ . Since this exceeds the limit of 0.65 FAR for attached homes, this would require a reduction of 50 sf from the floor area or an increase of 77 square feet to lot size.

Building coverage is 2500 sf, which exceeds the 2,250 sf limit by 250 sf.

To provide updates related your cottage housing comments, the proposal has changed to not

include attached garages in the calculation of floor area, while still maintaining a 1000sf footprint and maximum 1200 sf floor area. Therefore, a 1200 sf cottage could include an attached garage of up to 400 sf, for a combined gross structural area of 1600 sf when including the maximum sized garage. The parking requirement is increased in the proposal by one space for three bedroom units, but is still only one space for one- and two-bedroom units. Further, the existing design standards in question, related to placement of similar units and variety in design, were discussed with the Plan Commission and removed from the proposal. An updated draft ordinance should be posted on the project webpage shortly:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

As mentioned previously, the City intends to look closer at FAR and standards for townhomes with alley access in proposed code amendments in the near future, possibly as early as January. I will let you know when any proposed language related to those standards has been prepared for input.

Thanks again,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Monday, November 06, 2017 6:44 PM  
**To:** Gwinn, Nathan  
**Cc:** Key, Lisa; Arthur Whitten; Palmquist, Tami; Becker, Kris  
**Subject:** Re: Infill

Thank you.

Jim Frank  
Greenstone Corporation

Enriched Living. Lasting Value.  
[www.greenstonehomes.com](http://www.greenstonehomes.com)

On 7/11/2017, at 12:42 PM, Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

Hi Jim,

I received your message this time. Thank you for resending it and for the phone call this afternoon. I will include this comment in the record and forward to the Plan Commission.

I offer a partial response to some of your questions, and I have forwarded your message to Tami Palmquist for further clarification if needed.

The compact lot standards will not change the limit in RSF areas of up to 2 attached

houses (the number of attached houses can be exceeded beyond 2 through a PUD). Neither garages (as attached or detached accessory structures), nor covered porches, are included in these residential areas in the calculation of Floor Area Ratio, which is explained in the definition of Floor Area in [SMC 17A.020.060\(T\)\(5-6\)](#):

T. Floor Area.

The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:

1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
2. Roof area, including roof top parking.
3. Roof top mechanical equipment.
4. Attic area with a ceiling height less than six feet nine inches.
5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached accessory structures (without living space), detached accessory structures (without living space).

U. Floor Area Ratio (FAR).

The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.

The limit on unit size is meant to be a slight increase to the current restriction—put in place as a result of the permitted density increase of 20 percent to control for such impacts as increased parking and population that would otherwise occur in a development with more residents in larger homes. As we discussed, if the pocket residential development is extended to the same area as cottage housing, then development could occur under PRD without the density increase or unit size restriction. However, I will include your comments in the discussion about the increasing maximum cottage housing unit floor area, as well as your comments regarding the difficulty in implementing variety in architectural design in the design standards.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Jim Frank [<mailto:jfrank@greenstonehomes.com>]  
**Sent:** Monday, November 06, 2017 2:35 PM  
**To:** Gwinn, Nathan; Key, Lisa  
**Cc:** Arthur Whitten  
**Subject:** Infill

Nathan and Lisa,

I have reviewed the urban infill code changes. Overall these are well done and very helpful. My comments below address a few issues that I believe are important. Site coverage (or FAR) are very restrictive and I believe need to be adjusted to allow homes on small lots. In the target approach you are using homebuyers are not looking for large yards and open space on the lot. In urban situations site coverage needs to be relaxed.

Thanks for all of the work you have put into these changes.

Jim

### **Compact Lot Standards:**

**This section is helpful. I believe FAR at .5 for detached and .65 for attached is too restrictive.**

I think it would be helpful to illustrate graphically some examples to see the impact.

Example 1: 3000sf lot with 850sf footprint 2 story home is 1700sf+400sf 2 car garage + 100sf front covered porch=2200sf or FAR of 73%. Without front porch still 70%. you have to reduce to a 500SF footprint to meet the standard.

QUESTION: Does detached garage and covered porch count as “floor area” as it does in site coverage?

Example 2: 1100sf rancher+400sf detached garage+100sf covered porch= 1600sf or FAR of 53%.

Example 3: Attached townhouse unit 1000sf footprint 2-story unit is 2000sf+400sf garage+100sf covered from porch= 2500sf or FAR of 83%. Still 80% not counting covered porch.

**This will allow small SF units but will be not effective for townhouses which will need different dimensional standards. Why not a different set of dimensional standards for attached units that would allow town homes? This is especially important for lot with alley access.**

### **Pocket Residential Development**

This section is helpful and the changes beneficial with the exception of site



coverage.

### **Unit Lot Subdivision**

These changes are helpful. Are all of the advantages of Unit Lot Subdivision available in a PUD for larger project?

### **Cottage Development**

These changes are helpful, in particular allowing subdivision using the Unit Lot Subdivision provisions. Why such a strict limit on unit size? At a minimum should allow a three bedroom home. I suggest the maximum unit size be eliminated. if it must be retained the I suggest raising the maximum unit size to 1500 feet with the building footprint maximum of 1000 sf.

Under section E. Design Standards I recommend deletion of subsection 6.e and f. AS you note in plan commission comments they are too restrictive and difficult to implement.



### COMMENT SHEET

#### Open House for Infill Development Project

November 2, 2017

For more project info visit:

[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)

Name: CAROL FARNHAM

ADDRESS: 2809 W. SUMMIT BLVD.

PHONE NUMBER: 509-326-2397

E-MAIL CONTACT: Cfarnham458@gmail.com

Re: Infill Housing

I think infill housing is a terrible idea for the West Central neighborhood because of the following:

1) West Central already has too many crummy & unmaintained rentals because of its lower income population & pocket residential housing will only promote & result in more of these!

2) It destroys the flavor of a historic residential neighborhood.

3) West Central homes are older with most having only a one-car garage. It already has too many additional cars parked on the street. More cars associated with PRH will end up on the street, impeding street cleaning & snow removal.

(over)

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!

Planning & Development Services, City of Spokane

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PLANNING & DEVELOPMENT

- 4) West Central has had several older homes moved from the intersection of Boone & Ash/Maple onto vacant lots in the neighborhood, 2 of which have been sitting unfinished for over a year, thus creating an eye sore & inviting squatters & the City has made no effort to finish them. I ~~believe~~ believe pocket residential housing could become a like problem since the City doesn't seem to have much of an oversight & enforcement followup.
- 5) West Central does not need more <sup>of</sup> what would be low income, higher density housing!



Planning & Development Services  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3343

City of Spokane  
Planning & Development Services  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3343

P.S. I also think the Monroe Street corridor project is a horrible idea. All it's going to do is create a huge bottleneck.

**From:** [Gwinn, Nathan](#)  
**To:** ["Marshall Clark"](#)  
**Subject:** RE: Online Open House this Thursday  
**Date:** Thursday, November 16, 2017 11:14:01 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Good morning Marshall,

It was good to talk with you. Thank you for your comment, which I will add to the public record for this file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Marshall Clark [mailto:Marshall@clarkpacific.net]  
**Sent:** Wednesday, November 15, 2017 9:57 AM  
**To:** Gwinn, Nathan  
**Subject:** RE: Online Open House this Thursday

Hello Nathan,

Thank you for speaking with me today. I would like to see the cottage housing amendment and allow for garages (both attached and/or detached) without reducing the square footage of the proposed 1,200 SF house.

Thank you,

*Marshall Clark,*

**Designated Broker**  
**Clark Pacific Real Estate**  
**2320 N. Atlantic Suite 100**  
**Spokane WA 99205**  
**Phone: (509) 325-3333**  
**Cell: (509) 994-7331**  
**Fax: (509) 325-4534**  
**Email: [clark@clarkpacific.net](mailto:clark@clarkpacific.net)**

---

**From:** Gwinn, Nathan [<mailto:ngwinn@spokanecity.org>]  
**Sent:** Tuesday, November 14, 2017 2:58 PM  
**To:** Gwinn, Nathan  
**Subject:** Online Open House this Thursday

Hello,



Please participate in an online open house this Thursday, November 16, at 7:00 AM by “tuning in” to the [City’s Facebook page](#). Between now and then, we invite you to ask questions in advance by replying or using the comments section following the blog post in the City’s Disqus interactive feature at the link below. Find more information and join in the discussion forum following the blog post at this link:

<https://my.spokanecity.org/news/stories/2017/11/14/infill-development-facebook-live-qa/>

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

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---

**From:** Gwinn, Nathan  
**Sent:** Friday, October 13, 2017 12:45 PM  
**To:** Gwinn, Nathan  
**Subject:** Draft amendments to Cottage Housing and Pocket Residential

Good afternoon Infill Development Project Contacts,

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In addition to cottage housing, amendments are proposed to allow Pocket Residential (private access and new lots, in developments between 0.2 and 1.5 acres; [SMC 17C.110.360](#)), and some smaller lots, in the Residential Single-family (RSF) zone, but without any changes to aggregated (combined) housing units permitted per acre of land for these development tools. This would allow subdivisions of remaining irregular shaped land at the density already designated by the Comprehensive Plan. Unlike cottage housing, Pocket Residential does not permit an increase in the housing units per acre allowed, so developments using pocket residential and compact lot standards would be subject to similar development standards (height, setbacks) as surrounding development,

with more limited design standards than required for cottage housing. More information can be viewed online at the project webpage: <https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Please review the draft text to consider whether the amendments to the Development Code will meet the community's needs. The City seeks feedback about how the proposal is consistent with its [Comprehensive Plan](#) provisions; relevant policies are attached.

The procedure for text amendments to the development code is in [SMC 17G.025.010](#). I will provide additional information soon regarding the process and opportunities for participation.

Thank you for your time and attention,



**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)





**From:** [Gwinn, Nathan](#)  
**To:** [Martin, Abigail](#); [william.forman@yahoo.com](mailto:william.forman@yahoo.com); [Freibott, Kevin](#); [Key, Lisa](#)  
**Subject:** RE: Infill  
**Date:** Thursday, November 16, 2017 11:01:00 AM

---

Good morning Bill,

Thanks for your comment. I will add it to the public record for this file.

The topic of manufactured homes was identified in the 2016 steering committee recommendations for further study. You are on the contact list for this project, so you should be notified when that proposal comes forward. Please see the infill development project webpage to follow updates and find the recommendations from 2016 related to manufactured housing in the summary report and recommendation:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Martin, Abigail  
**Sent:** Wednesday, November 15, 2017 3:04 PM  
**To:** [william.forman@yahoo.com](mailto:william.forman@yahoo.com); [Freibott, Kevin](#); [Gwinn, Nathan](#); [Key, Lisa](#)  
**Subject:** FW: Infill

Good afternoon, all!

Bill, thank you for your message and your due diligence on behalf of your neighborhood!

I'm also CCing Kevin (who you met at the Peaceful Valley meeting), Nathan and Lisa (Planning) who have been working on this. Hopefully, Kevin, Nathan and/or Lisa can get back to you regarding their thinking on the specifics you're referencing.

Best,  
Abbey.

**From:** William Forman [<mailto:william.forman@yahoo.com>]  
**Sent:** Wednesday, November 15, 2017 3:00 PM  
**To:** Martin, Abigail <[amartin@spokanecity.org](mailto:amartin@spokanecity.org)>  
**Cc:** Jan Loux <[twux11@msn.com](mailto:twux11@msn.com)>  
**Subject:** Infill

Abby

We discussed the city's infill proposal at our peaceful valley neighborhood council meeting

last week. Those in attendance were supportive of the changes proposed although they would have little impact on our neighborhood because we're already mostly zoned multi family or high density. We like the idea of our neighborhood being one with small houses on small lots rather than having very large multi-unit buildings. I still believe that the city needs to revisit the issue of manufactured homes. I like the idea of tiny homes. The current rules requiring them to be double wide is far too large for our neighborhood. Please keep me posted as to the thinking of the planning department on this issue.

Bill Forman  
Chair, PVNC

[Sent from Yahoo Mail on Android](#)

**From:** [Gwinn, Nathan](#)  
**To:** ["Gene Brake"](#)  
**Cc:** [Mumm, Candace](#); [Stratton, Karen](#); [Mallahan, Jonathan](#); [Key, Lisa](#)  
**Subject:** RE: Infill Housing Proposal Troubling  
**Date:** Thursday, November 16, 2017 10:50:01 AM

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Good morning Mr. Brake,

Thank you for your comment and engagement. I will add this comment to the public record for the file, and I will also add you to the project contact list regarding future related notifications. Please monitor the project page for updated information and past recommendations:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Gene Brake [mailto:genebrake01@gmail.com]  
**Sent:** Wednesday, November 15, 2017 11:42 PM  
**To:** Gwinn, Nathan  
**Cc:** Mumm, Candace; Stratton, Karen  
**Subject:** Infill Housing Proposal Troubling

Mr. Gwinn,

I'm troubled by the lack of information being provided to the neighborhoods regarding the upcoming plan to implement change targeting Infill Housing. I attend most every neighborhood council meeting and we have gotten no specific information on this plan, simply something is coming and you will hear about it. Now I see tomorrow morning you plan a 7am Facebook live event, with a plan to vote to accept the plan in December and January. I find out about this tonight. If an engaged member of the community doesn't know what's going on, I can assure you most residents have no idea.

We lived in Seattle when similar proposals were passed and they decimated our neighborhood in West Seattle. Row after row of substandard housing took the place of single family homes and once vital neighborhoods were destroyed. Developer ran the show with little to stand in their way, I fear that is what is happening here, a giveaway to developers. Cars lined the streets as there was no parking for these new units and walking safely down the street went out the window. How is it possible, for months there has been discussion supposedly led by city council to save historic housing yet these action wills contradict those plans. The plan to infiltrate RSF zones with this proposal will destroy our neighborhoods that are hanging on by a thread.

Interesting looking at the maps, the Northside is getting the brunt of this the South Hill is almost unscathed. Funny how that happens. I'm a Real Estate agent, I see a lot of houses and I see the sad state of affairs of our neighborhoods. There are huge quality differences between North and South side neighborhoods and well meaning, but misplaced policies like this

perpetuate that.

Candace and Karen, We need programs to help save and restore our Northside homes, not give developers more tools to destroy them. We should be looking for ways to open the door to home ownership for lower income residents and not just push them into tiny houses they will never own. We also must offer condominium projects that are close to mass transit AND designed for lower income residents. How can we promote that along the new Monroe St Corridor? We have to build up and not just out, this plan seems to be the opposite of that.

Please, help save our neighborhoods.

Thank you,  
Gene Brake  
509-981-5555

## City of Spokane Facebook Page

### Comments on Webcast Post - November 16, 2017

#### Facebook Stats (as of November 16, 2017, after live broadcast)

1,249 People Reached

464 Video Views

80 Likes, Comments & Shares

124 Post Clicks

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[City of Spokane - Municipal Government](#) was live.

November 16 at 7:00am ·

#ChatWithAPlanner about the infill development code revisions. Read about infill development on the City's project page, <http://bit.ly/2z1ANQa>.

1.3K Views

25 Likes55 Comments14 Shares

**Share**

[Top Comments \(Unfiltered\)](#)

Barbara Leavitt, Ann Deasy, RJ Keetch and 22 others like this.

[14 Shares](#)

**Comments**



**Terri Anderson** · 0:00 This would be a good time to establish a rental inspection program to ease fears of neighbors about rental homes in their neighborhoods.

1 · November 16 at 1:29pm



**City of Spokane - Municipal Government** · The City is now developing a draft property maintenance code. The City will consider options to address the concerns of residents and neighbors of properties that may be in violation, but the options that will be selected are not clear at this time.

November 20 at 10:34pm



**Kathy Wanner** · 0:00 Please explain the pass & effective dates at the end of the proposal. It is dated 2006.

November 16 at 10:02am



**City of Spokane - Municipal Government** · The section adopted in 2006 is current regulation. The proposed changes are posted under Related Documents at the project webpage: <http://bit.ly/2izlAeX>

#### Infill Housing Strategies/Infill Development

This project targets vacant land in built-up, residential areas designated for higher densities and areas that can support focused growth.

MY.SPOKANECITY.ORG

November 20 at 10:36pm



**Kathy Wanner** · 44:16 Given the growth planning factor of 1000 per year over the next 20 years will this plan meet the need over the next 20 years. What about the the following years?

1 · [November 16 at 7:45am](#)



**City of Spokane - Municipal Government** · The 20-year population forecasts are revised periodically. State law requires an update of the City's Comprehensive Plan every 8 years.

[November 20 at 10:32pm](#)



**Patricia Arlene Kienholz** · 3:18 How much vacant land are we talking about?

[November 16 at 7:04am](#)



**City of Spokane - Municipal Government** · Vacant land varies depending on the area of the city. The Spokane County Assessor's information on the value of assessed improvements to assessed land value for parcels in the city is displayed in the Development Factors Map Application: <http://arcg.is/2xbLWbR>

1 · [November 20 at 10:35pm](#)



**Kelli Johnson** · 30:36 The benefits to developers are obvious, but how is this a benefit to homeowners and their property values?

1 · [November 16 at 11:08am](#)



**City of Spokane - Municipal Government** · New cottage housing and pocket residential development under the proposal would follow design guidelines and standards that are meant to ensure proposals are compatible in character with existing development. Increased investment contributes to additional infrastructure and services, and may have a positive impact on property values.

[November 16 at 11:54am](#)



**Kelli Johnson** · 9:23 With homeowners already being concerned about builders being allowed to increase the number of homes on one acre or building multi family in their neighborhood which can decrease their home value increase traffic and increase traffic and parking issues, how is this going to benefit these homeowners? Why would they want this new planning process to take place?

[November 16 at 10:46am](#)



**City of Spokane - Municipal Government** · Cottage housing currently allows additional units per acre than other development, provided it complies with the smaller home size and common open space required. Although an additional housing type to attach 2 units are proposed for cottage housing, no multifamily dwellings are proposed, and development outside cottage housing may attach 2 units if they are subdivided on separate lots (one unit on each lot sharing a common wall). The new attached unit home would be required to be a maximum of 2,000 square feet total, including both units. Homeowners outside the development might prefer these larger buildings where larger homes are typical. Comments received have also indicated that larger units are more marketable to homebuyers, increasing the opportunity for for-sale development in cottage housing with fee-simple ownership of internal units, which would be possible under the proposal but is not allowed currently. Parking and traffic would be reviewed at the permit stage and should not exceed levels designated by the Comprehensive Plan.

[November 16 at 11:55am](#)



**Kathy Wanner** · **City of Spokane - Municipal Government** reviewing traffic at permitting stage is much too late. Infrastructure costs such as increased maintenance costs of roads shouldn't wait until permitting. Those costs should be projected in order to allocate addition dollars in current & future budget proposals.

[November 16 at 12:46pm](#)





**Brian Weitzel** · Great! Who wins the lottery when their home value drops because of this development?

I bet it won't be in neighborhoods that planning dept decision makers live in

Any bets?

November 17 at 6:04am



**Kelli Johnson** · 22:48 Will this only apply to currently vacant lots? Would this apply to any and all lots or just specific locations?

November 16 at 11:00am



**City of Spokane - Municipal Government** · The proposal would be available for both vacant and developed lots, however vacant lots are the purpose and may be easier to develop than currently developed land if existing structures prevent new development. Different locations in the city are affected by the different sections in the proposed amendments:

- Cottage Housing is currently allowed in the RSF zone, and would be extended to the RTF zone.
- Pocket residential development is currently allowed in several zones, and is proposed to be added to the RSF zone citywide.
- The compact lot standards are proposed to be applied to areas in the RSF zone that are within ¼ mile of Centers or on sites that share a side lot line with a higher density zone.

November 16 at 11:54am



**City of Spokane - Municipal Government** · 1:41 Read about infill development on the City's project page, <http://bit.ly/2z1ANQa>. You can post your questions and feedback here or email them to Nathan Gwinn at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org).

### Infill Housing Strategies/Infill Development

This project targets vacant land in built-up, residential areas designated for higher densities and areas that can support focused growth.

MY.SPOKANECITY.ORG

1 · November 16 at 7:58am · Edited



**Kathy Wanner** · 33:28 More housing is necessary but “planners” aren’t considering all the infrastructure impacts with more housing. No consideration for schools, roads, fire, & safety.

5 · November 16 at 7:34am



**Mary Phillips** · 36:38 Our police are over whelmed already. Shouldn’t we get police and fire staffed before we start building like this... it’s like we are putting the cart first ...

3 · November 16 at 7:37am



**Rebecca Selby** · 19:17 The “missing middle” that you are forcing into established neighborhoods. Yes, the development community sees dollar signs. We see traffic, worse road conditions with the additional traffic.

2 · November 16 at 7:20am



**Rebecca Selby** · 22:52 12 homes per acre folks. That’s a lot of additional traffic for our tired roads. I’d be happy to take city officials in a ride along on our tired Five Mile roads!

2 · November 16 at 7:23am



**Brian Weitzel** · Any bets this development won't be in the planners neighborhoods?

[1](#) · [November 17 at 6:05am](#)



**Rebecca Selby** · 14:20 How does cottage housing benefit the city over single family homes? More voters? More taxes being paid? Why is infill housing desirable?

[2](#) · [November 16 at 7:15am](#)



**Brian Weitzel** · It follows United Nations Agenda 2030 Sustainability Act protocols

Don't know what that means? Look into it.

[November 17 at 6:07am](#)



**Rebecca Selby** · That's right! My husband told me about that.

[November 17 at 12:09pm](#)



**Kate Bee** · 29:14 Thanks for your answers but relying on buffering and filtering effects are not going to do it for us when it comes to helping out people in a 1% vacancy rental market 😞

[1](#) · [November 16 at 7:30am](#)



**Mary Phillips** · 30:37 Good time... before we get too busy with our day. Evenings cut into dinner and family time and kids activities

[November 16 at 7:31am](#)



**Kathy Wanner** · 0:00 HOAs? Make sense for maintenance of area BUT doesn't exactly align with low income housing. Maintaining parking & common areas will equate to at least \$50 a month in just a small development.

[November 16 at 9:56am](#)



**Rebecca Selby** · 11:35 Is it the developers or city who want infill housing, it certainly isn't the neighborhoods! We don't want to see infill housing when our road conditions in our community can't support the traffic here already!

[1](#) · [November 16 at 7:12am](#)



**Kate Bee** · 22:26 Will the city prioritize affordable infill units by creating incentives for developers to include them? How can we make sure that renters and low-income folks benefit from more housing opportunities close to jobs and transit?

[5](#) · [November 16 at 7:23am](#)



**Kathy Wanner** · 37:08 Where can I read the proposal?

[3](#) · [November 16 at 7:38am](#)



**Patricia Arlene Kienholz** · 1:23 Thanks for getting up so early! Nice work!!

[2](#) · [November 16 at 7:02am](#)



**Jessica Fisher** · 41:56 Is there a good example city who has done this?

[2](#) · November 16 at 7:42am



**Jessica Fisher** · 34:20 The Spokesman wrote about Tiny Houses, will this create a tiny house neighborhood?

[1](#) · November 16 at 7:35am



**Mariah Rose McKay** · 11:40 So these updates wouldn't impact the required specs on a multi-family infill project at all?

November 16 at 7:12am



**Jolene Delyea Baldwin** · 30:25 How will this impact our police and fire departments? Will be a positive impact or a negative?

November 16 at 7:31am



**Rebecca Selby** · 32:30 Are the majority of cottage housing rental properties?

November 16 at 7:33am



**Jonas Elber** · 5:36 Will there be any changes to parking availability/requirements?

[1](#) · November 16 at 7:06am



**Indiana Ludwick** · 42:56 A 1,000 new people each year.. When Seattle is doing a 1000 a week...

November 16 at 7:43am



**Gene Brake** · 46:15 The fact the presenters couldn't point to specific success stories in other cities when asked about them is troubling. The passing suggestion of Seattle being a possible success story is not reassuring, considering the neighborhood being decimated there with their idea of infill housing solutions.

November 16 at 12:05pm



**Patricia Arlene Kienholz** · 25:51 What does it look like for our city and taxpayers if we don't do infill?

[1](#) · November 16 at 7:26am



**Jessica Fisher** · 12:21 If I have room in my backyard or above my garage, could I build an apartment?

[1](#) · November 16 at 8:28am



**Brian Weitzel** · No this will benefit large developers who make larger donations to the elected officials in your city

But not us

November 17 at 6:10am



**Patricia Arlene Kienholz** · 45:18 Where can they see the draft?

November 16 at 7:46am



**Patricia Arlene Kienholz** · 15:14 Can you talk about how often the cottage housing option has been used in the past?

[1](#) · [November 16 at 7:16am](#)



**Danica Parkin** · 0:00 I am very excited about these changes! I think it will help stop sprawl!

[November 16 at 11:50am](#)



**Kelli Johnson** · 15:25 Will this only apply to currently vacant lots? Would this apply to any and all lots or just specific locations?

[November 16 at 10:52am](#)



**Steve Randock Jr** · 5:21 I think the city should allow manufactured homes for the infill and cottage homes. If you are trying to keep housing prices down, manufactured homes cost approx 50% less than comparable site built homes and are built with the exact same materials. Building in a factory costs less. Make the codes with 3/12 and 4/12 roof pitches in mind as this keeps shipping cost down.

[3](#) · [November 16 at 10:36am](#)



**Heather Wallace** · Those units age and deteriorate causing more rundown housing that is regulated under personal property laws. Bad for neighbors and renters. Just look at the parks out in Airway Heights!

[November 16 at 4:40pm](#)



**Steve Randock Jr** · New Manufactured Homes use the exact same materials as site built homes. I think you are thinking of old mobile homes in a trailer park. Not the same thing.

[November 16 at 4:55pm](#) · [Edited](#)



**Suzan Sebbas** · 19:43 Will there be 55+ housing so seniors can support one another?

[November 16 at 12:46pm](#)



**Kathy Wanner** · 44:33 Where is the draft??

[1](#) · [November 16 at 7:45am](#)



**Jonas Elber** · 8:17 Thank you! 😊

[1](#) · [November 16 at 7:08am](#)



**Mindy Jo Muglia** · 46:14 Good stuff! Thanks!

[November 16 at 7:48am](#)



**Gene Brake** · 46:15 The concept of SFR zones is that just that, an area designated for single family homes. This plan allows an overlay of multiple units on what is now a single lot in SFR zones. This plan seems to be a giveaway to developers, which can't frankly be trusted to protect the neighborhoods, without rules that require them to. I see nothing in this plan to prevent a home from being demolished and then rebuilt as two units on that lot. The negative impacts on our neighborhoods can not be understated.

[November 16 at 12:01pm](#)



**Patricia Arlene Kienholz** · 19:50 GMA requires meeting population needs.

[November 16 at 7:20am](#)



**Patricia Arlene Kienholz** · 24:43 Within 1/4 mile of CC.

[November 16 at 7:25am](#)



**Patricia Arlene Kienholz** · 45:39 Thanks!

[November 16 at 7:46am](#)



**Patricia Arlene Kienholz** · 44:00 Richland?

[November 16 at 7:45am](#)



**Randy Mann** · 2:45 Everyone knows what infill development is. 🤔

[November 18 at 9:11pm](#)



**Jessica Fisher** · 22:08 Will this make neighborhoods feel more like Perry District and Garland neighborhoods? Is it good for businesses?

[1 · November 16 at 7:22am](#)



**Anne Stuyvesant Whigham** · 1:27 Why was this held so early. I'm concerned that the City used innovative techniques to include citizen input and then you hold a hearing at 7 a.m.

[1 · November 16 at 8:45am](#)



**Jessica Fisher** · 19:37 Will this make neighborhoods feel more like Perry District and Garland neighborhoods? Is it good for businesses?

[November 16 at 8:30am](#)



**Mariah Rose McKay** · 1:53 Hi Omar, this briefing is REALLY early!

[2 · November 16 at 7:02am](#)



**Rebecca Selby** · 20:22 It's all about dollar \$ign\$ for the city. No thank you.

[November 16 at 7:21am](#)



**Kelli Johnson** · 35:05 Would it be possible to get even ONE of my questions answered???

[November 16 at 11:12am](#)



**Jessica Fisher** · This video is no longer live. The live broadcast started at 7 a.m. that is why they are not answering your questions.

[November 16 at 11:57am](#)

Dear Project Manager,

We, the West Central Neighborhood Council, are concerned about the proposed changes to zoning regulations regarding infill, specifically that certain properties can have additional development without obtaining a zoning review. These changes have the potential to unhealthily increase density and damage neighborhood character. We already have a process in place for circumventing zoning requirements that allows neighbors and citizens to offer input, helping ensure a positive outcome for all. Allowing a way around this diminishes the voice of citizens and gives more power to developers, which is especially troublesome in a low-income neighborhood like West Central.

These changes will take place both along Centers and Corridors and within a quarter mile of high-frequency transit lines. The 21 bus route will soon be changing to a high-frequency line. Therefore, a tremendous portion of the neighborhood would be negatively impacted by these changes, including the historic district of Nettleton's Addition. We ask that these infill changes are suspended along high-frequency transit lines, and only take effect around Centers and Corridors.

Thank you,

Andy Rathbun, Vice-Chair

West Central Neighborhood Council



## **Infill Development Code Revisions**

### **1.1 Cottage Housing and Pocket Residential Code Amendments**

17A.020 Definitions .....	2
17C.110.030 Characteristics of Residential Zones .....	4
17C.110.115 Housing Types Allowed .....	6
17C.110.200 Lot Size.....	7
17C.110.209 Compact Lot Standards .....	11
17C.110.350 Cottage Housing .....	13
17C.110.360 Pocket Residential Development .....	30
17C.110T.002 Table 17C.110-2.....	40
17C.230.130 Parking Exceptions .....	41
17G.080.065 Unit Lot Subdivision .....	45

**Definitions proposed for insertion into the Cottage and Pocket Residential ordinance as separate sections:**

---

17A.020.010 “A” Definitions

- AP. **Articulation.** *[Definition moved from SMC 17C.110.350(E)(2)]*  
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.

---

17A.020.030 “C” Definitions

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.



---

#### 17A.020.040 “D” Definitions

W. **Development Plan, Site.** *[New definition]*

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.

---

#### 17A.020.130 “M” Definitions

P. **Modulation.** *[Definition moved from SMC 17C.110.350(E)(2)]*

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

---

#### 17A.020.190 “S” Definitions

AX. **Site, Parent.** *[New definition]*

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.

Section \_\_\_\_ That SMC 17C.110.030 is amended to read as follows:

**17C.110.030 Characteristics of the 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 \_\_. That SMC Table 17C.110-2 is amended as follows:

## Section 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](#).

[Note: Remove/replace link above in text of “Table 17C.110-2” with link to SMC 17C.110.115.]

<b>TABLE 17C.110-2</b> <b>RESIDENTIAL ZONE HOUSING TYPES ALLOWED</b> (Click here to view PDF)					
<b>P – Permitted</b> <b>N – Not Permitted</b> <b>CU – Conditional Use review required</b>	RA	RSF <u>and RSF-C</u>	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	<del>NCU</del>	<del>N</del>	<del>N</del>
<u>Housing on</u> Transitional <u>Housing Sites</u> [1]	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 <a href="#">SMC 17C.330.100</a>				
Multidwelling Structure	N	N	N	P	P
<u>Short Term Rentals</u> [4]	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>
Notes: [1] See <a href="#">SMC 17C.110.300 through 17C.110.360</a> , Alternative Residential Development Standards. [2] See <a href="#">chapter 17C.300 SMC</a> , Accessory Dwelling Units. [3] See <a href="#">chapter 17C.345 SMC</a> , Manufactured Homes and Mobile Home Parks. <u>[4] See chapter 17C.316 SMC, Short Term Rentals.</u>					



Section \_\_\_\_ That SMC section 17C.110.200 and table 17C.110-3 are amended to read as follows:

***Note: No changes are proposed to subsections (A) through (E).***

***The changes to the table are limited to the RSF and RSF-C zones. Further changes in the table to the RMF and RHD zones are proposed to the dimensional standards in a later stage of text amendments as part of the Phase 1 infill code revisions.***

- 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	<del>RSF-C</del>	RTF	RMF	RHD
Density - Maximum	4,350 (10 units/acre)	4,350 (10 units/acre)	<del>4,350 (10 units/acre)</del>	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density - Minimum	11,000 (4 units/acre)	11,000 (4 units/acre)	<del>11,000 (4 units/acre)</del>	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	<del>RSF-C</del>	RTF	RMF	RHD
Minimum Lot Area					2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width					25 ft.	25 ft.
Minimum Lot Depth					70 ft.	70 ft.
Minimum Front Lot Line					25 ft.	25 ft.

Compact Lot Standards [2]						
Minimum Lot Area [3]		3,000 sq. ft.				
Minimum Lot Width		36 ft.				
Minimum Lot Depth		80 ft.				
Minimum Front Lot Line		30 ft.				
Attached Houses						
Minimum Lot Area [23]	7,200 sq. ft.	4,350 sq. ft.	<del>3,000 sq. ft.</del>	1,600 sq. ft.	1,600 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	<del>36 ft.</del>	36 ft. or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	<del>80 ft.</del>	50 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	<del>30 ft.</del>	Same as lot width	Same as lot width	Same as lot Width
Detached Houses						
Minimum Lot Area [23]	7,200 sq. ft.	4,350 sq. ft.	<del>3,000 sq. ft.</del>	1,800 sq. ft.	1,800 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	<del>36 ft.</del>	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	<del>80 ft.</del>	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	<del>30 ft.</del>	30 ft.	25 ft.	25 ft.
Duplexes						
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	<del>RSF-C</del>	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.	<del>2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.</del>	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 <del>[45]</del>	35 ft.	35 ft.	<del>35 ft.</del>	35 ft.	35 ft. <del>[56]</del>	35 ft. <del>[56]</del>
Maximum Wall Height	25 ft.	25 ft.	<del>25 ft.</del>	25 ft.	30 ft. <del>[56]</del>	--
Floor Area Ratio (FAR)						
FAR	0.5	0.5 <del>[4]</del>	<del>0.5 [3]</del>	0.5 <del>[34]</del>	--	--
Setbacks						
Front Setback <del>[67, 78]</del>	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 <del>[67]</del>	5 ft.					
Rear Setback <del>[89, 910]</del>	25 ft.	25 ft. <del>[111]</del>	<del>45 ft.</del>	15 ft.	10 ft.	10 ft.
Required Outdoor Area						
Required Outdoor Area for attached and detached houses. Minimum dimension (See SMC 17C.110.223)	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	<del>250 sq. ft. 12 ft. x 12 ft.</del>	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.	48 sq. ft. 7 ft. x 7 ft.
ACCESSORY STRUCTURES						
	RA	<del>RSF &amp; RSF-C</del>	<del>RSF-G</del>	RTF	RMF	RHD
Maximum Roof Height	30 ft.	20 ft.	<del>20 ft.</del>	20 ft.	35 ft.	35 ft.
Maximum Wall Height	30 ft.	15 ft.	<del>45 ft.</del>	15 ft.	35 ft.	35 ft.
Maximum	20%	15%	<del>45%</del>	15%	See	See

Coverage [ <del>40</del> 12]					Primary Structure	Primary Structure
Front Setback	20 ft.					
Side Lot Line Setback – Lot width 40 ft. or wider [ <del>44</del> 13]	5 ft.					
Side Lot Line Setback – Lot width less than 40 ft. [ <del>44</del> 13]	3 ft.					
Street Side Lot Line [ <del>42</del> 14]	20 ft.					
Rear [ <del>44</del> 13]	5 ft.					
Rear with Alley	0 ft.					

**Notes**[npg1]:

-- 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.

[23] ~~Lots~~ 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).

[34] 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.

[45] No structure located in the rear yard may exceed twenty feet in height.

[56] Base zone height may be modified according to SMC 17C.110.215, Height.

[67] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.

[78] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.

[89] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.

[910] 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.

[~~40~~12] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

[~~44~~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).

[~~42~~14] The setback for a covered accessory structure may be reduced to five feet from the property line.

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

### **Section 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.

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*Note that the number of housing units per acre permitted (density) does not change for the development as a whole, although some individual lot dimensions within a development may be slightly smaller.*

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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.

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*The text of (1)(a) and (b) above extends the smaller lot size and dimensions in Table 17C.110-3 within one quarter mile of CC zones, and to sites next to zoning districts with higher density zones; these are currently only available by RSF-C rezone.*

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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 \_\_. That SMC 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:

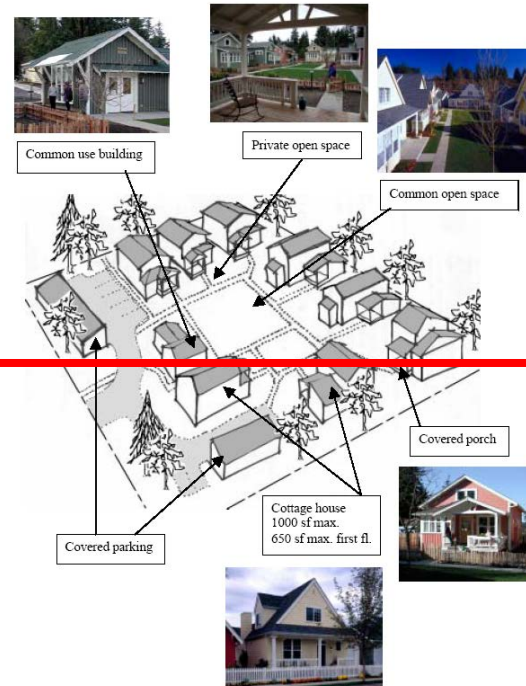
1. ~~support~~ Support the diversity of housing, choices citywide by providing a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households); increases the variety of housing types for smaller households and provides the opportunity for small, detached single-family dwelling units within existing neighborhoods.

2. Require specific design standards on the perimeter of the development to improve compatibility with the surrounding neighborhood;

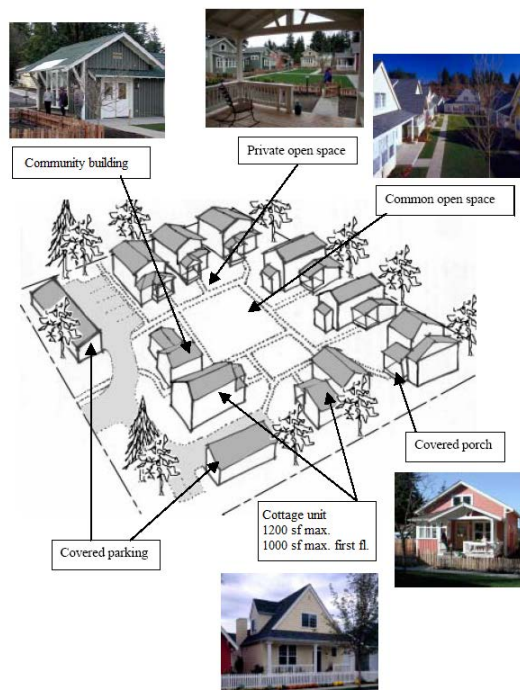
3. Incentivize higher levels of design, usable open space, and more livable developments through use of density bonuses;

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 is to be deleted and replaced with graphic below.]



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 RA, ~~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. ~~Design~~ This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. Staff will review~~of~~ the site plan and each building permit application ~~is required for consistency with this chapter.~~

*Note: Currently cottage housing does not allow subdivision. The text above would allow small lot subdivision.*

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. ~~The~~ 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~~ 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.
23. 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 areas and other 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**

<b><u>STANDARD</u></b>	<b><u>SITE REQUIREMENTS</u></b>
<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)</u> <u>Attached Unit Home: 2,000 sq. ft. total</u> <u>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,</u> <u>plus 1 per bedroom after 2 bedrooms</u>

**Notes:**

[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.

[2] See SMC 17C.110.350(D)(3)

[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)

[4] All parts of the roof above 20 ft. shall be pitched with a minimum roof slope of 6:12.

[5] No dimension of the common open space shall be less than 20 ft. See SMC 17C.110.350(D)(5)

[6] No dimension of the private open space shall be less than 10 ft. See SMC 17C.110.350(D)(6)

[7] Porches or patios are allowed up to 6 ft. within this setback.

[8] Measured from property line on exterior of development. See SMC 17C.110.350(D)(7) for exceptions for accessory structures and carriage units.

[9] See SMC 17C.110.350(D)(7) for exceptions.

1. Cluster Size.

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

42. 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.

eb. 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.

dc. 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 ~~do~~ do not count toward the total floor area calculation are:

- ~~i. Unheated storage space located under the main floor of the cottage;~~
  - iii. 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;
  - ~~viii. Spaces with ceiling height of six five feet or less measured to the exterior walls; and~~
  - ~~viiiv. The director may approve o~~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.
- ii. To encourage smaller dwelling units, cottage housing development is permitted a forty percent density bonus above what is allowed in the zone if all units in the development are five hundred square feet or less, and 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.
- ~~b. 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. 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;

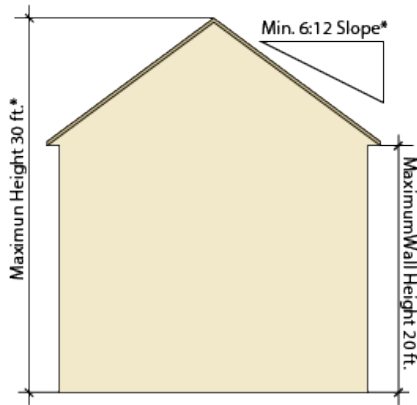
Divided by maximum density from Table 17C.110-3;

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;

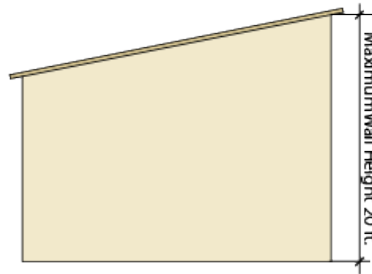
Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded to the next whole number. Decimal fractions of five tenths or greater are rounded up. Fractions less than five tenths are rounded down.

#### 4. Height.

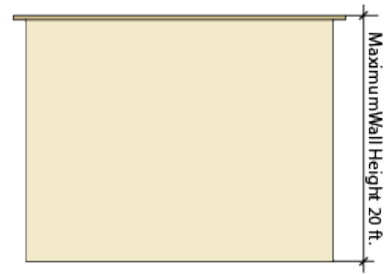
The height for all structures with cottage housing units shall not exceed ~~eighteen~~twenty feet. ~~Cottage or amenity buildings~~ Structures with cottage housing units having pitched roofs with a minimum slope of 6:12 may extend up to ~~twenty-five~~thirty feet at the ridge of the roof. Height requirements for accessory structures are listed in Table 17C.110-3.



Pitched Roof Example



Shed Roof Example



Flat Roof Example

\*Maximum height of 30 ft. for buildings with minimum roof slope of 6:12. All parts of the roof above 20 ft. shall be pitched with a minimum roof slope of 6:12

[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.~~

***Note: The provisions above for porches are moved to Subsection (E)(3), below.***

#### 65. 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.~~

***Note: Provisions for private open space are moved to a new subsection 6, below.***

~~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.~~

***Note: The landscaping requirement above is altered and moved to the Procedures section, in paragraph (C)(4) above.***

~~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.

bc. 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).

c. 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 developments unit shall be provided as required for single-family 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).

dii. 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.

~~eb.~~ Off-Street Surface Parking.

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 compatabilty of the cottage housing develoment 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 incorporated into the street-facing facade that ~~provide variety and visual interest shall be provided:~~ (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 (sidelite), ~~or roof extension~~.

~~i.~~ Trellis.

~~j.~~ Modulation.

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



~~lv.~~ 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.

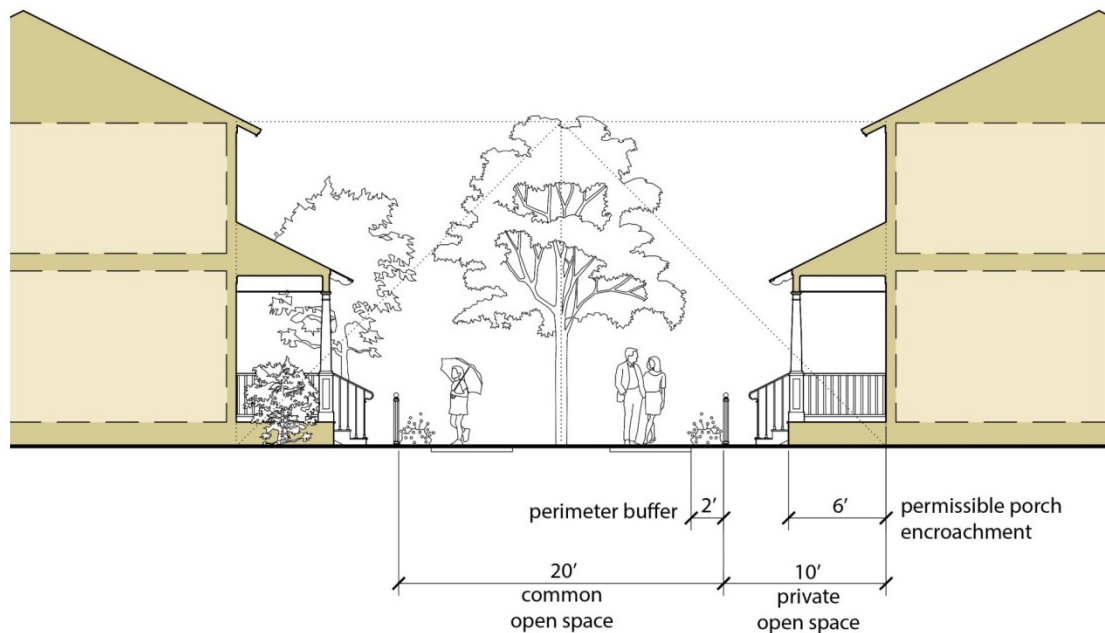
- a. A planting strip five feet in width shall be provided along exterior rear and side property lines consistent with L2 see-through buffer landscape standard of SMC 17C.200.030. (R)
- b. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub 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)

***Note: The three preceding paragraphs are the same as existing text in pocket residential design standards, SMC 17C.110.360(E)(5)(a) through (c).***

- 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 achieved 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)



- 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)
- 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.

***Note: The definition of these terms 'articulation' and 'modulation' are proposed to be moved to the Definitions chapter 17A.020 SMC.***

- 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 \_\_\_\_\_. That SMC 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.

- 
- *The text of subsection (B) above adds all areas zoned Residential Single-family (RSF) to allow pocket residential development. Currently, the only opportunity would be through a rezone, to RSF-Compact (RSF-C), available to areas described in SMC 17C.110.030(C).*
  - *This proposed change would allow pocket residential development by right rather than requiring rezoning RSF to RSF-C; however, a short plat or subdivision would also be required because only one house is allowed per lot in the RSF zone.*
- 

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.

---

*The text of subsection (D)(2) above is moved here from SMC17G.080.065(D)(5). It makes maximum building coverage for pocket residential development the same as the underlying zone.*

---

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<sup>[npg1]</sup>.

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 chapter 17H.010 SMC.090 and a street design variance request is approved in accordance with SMC 17H.010.020. 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.

[Note: Replace link above in text of Table 17C.110-2 with link to SMC 17C.110.115.]

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 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*



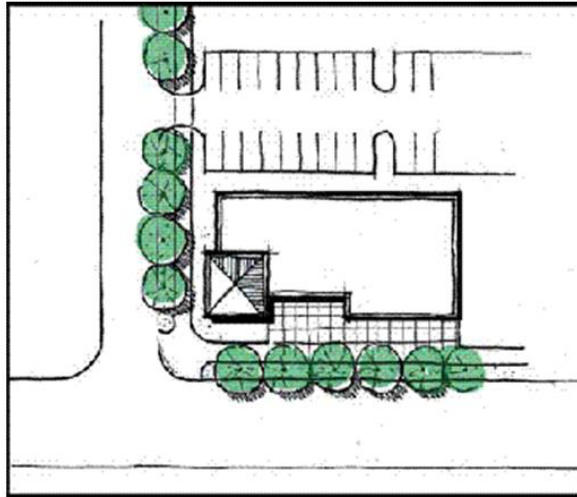
2. Parking Lots.

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*

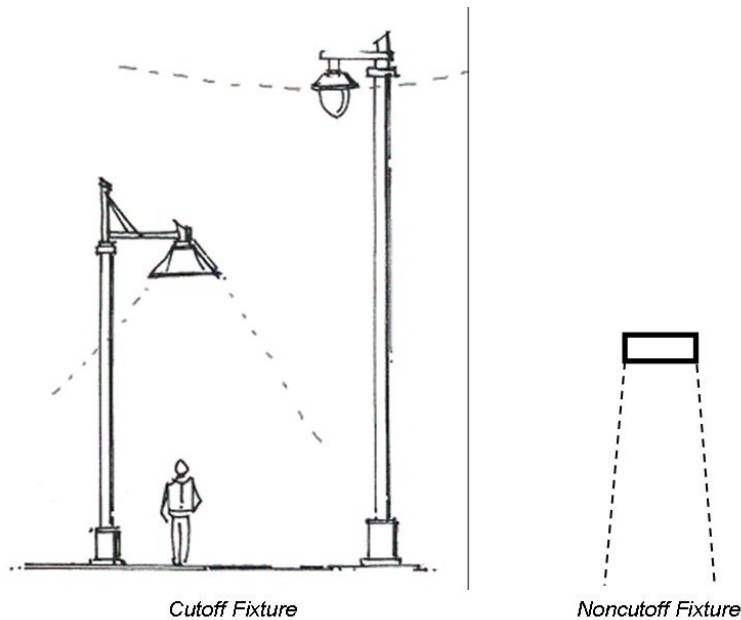


*Example of Surface Parking Screened from Street*



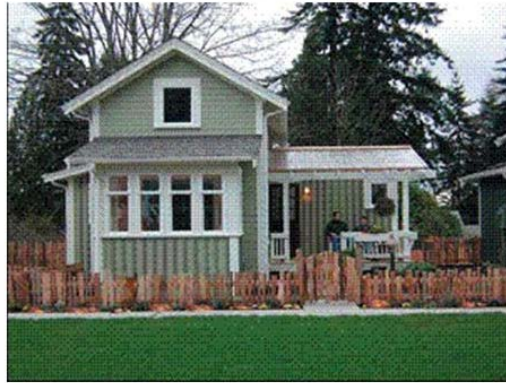


- c. Paving: All surface parking shall be improved in accordance with the standards of SMC 17C.230.140.
- 3. Lighting.  
To diminish the amount of glare and spillover from lighting, the following standards shall apply:
  - a. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
  - 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~~ 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 \_\_. 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 17C.110T.002** Table 17C.110-2 Residential Zone Housing Types Allowed

<b>TABLE 17C.110-2</b> <b>RESIDENTIAL ZONE HOUSING TYPES ALLOWED</b> (Click here to view PDF)					
<b>P – Permitted</b> <b>N – Not Permitted</b> <b>CU – Conditional Use review required</b>	<b>RA</b>	<b>RSF</b>	<b>RTF</b>	<b>RMF</b>	<b>RHD</b>
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	N	N
Transitional Housing [1]	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, 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 \_\_\_\_ 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	SPECIFIC	MINIMUM PARKING	MAXIMUM PARKING

<b>CATEGORIES</b>	<b>USES</b>		
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
<b>COMMERCIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
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	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area



	entertainment, such as Arcades and Bowling Alleys		
	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
<b>INDUSTRIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
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
<u>[1] The director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.</u>			

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

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*The text of subsection (D)(7) is deleted because it is inconsistent with SMC 17C.110.360. Since these provisions have never been used since this section's adoption, subsections below are renumbered.*

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87. 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;

98. 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 a~~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.