



Spokane Plan Commission Agenda

Wednesday, March 23, 2022

2:00 PM

Virtual / In-person

Council Briefing Center

808 W Spokane Falls Blvd, Spokane, WA 99201

Hybrid - Virtual Meeting - See Below For Information

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 – 2:30

1. Approval of current agenda
2. Approve [3/9/2022](#) meeting minutes
3. City Council Report
4. Community Assembly Liaison Report
5. President Report
6. Transportation Sub-Committee Report
7. Secretary Report
8. Preliminary Next Agenda

All
All
CM Lori Kinnear
Mary Winkes
Todd Beyreuther
Clifford Winger
Spencer Gardner

Workshops:

2:30 – 3:30

1. [Continued Phase 1 – Residential Development Code Changes](#)

Nate Gwinn, Amanda Beck,
MAKERS

3:30 – 4:00

2. [T.O.D regulatory framework - final draft review](#)

Colin Quinn-Hurst

Adjournment: The next PC meeting will be held on Wednesday, April 13, 2022

Plan Commission Meeting Information

Wednesday, March 23, 2022

Meetings will be held both in-person in the City Council Briefing Center and virtually on Webex.

Members of the general public are encouraged to join the on-line meeting using the following information:

Meeting Password: PlanCommission	Join Webex Meeting Online: JOIN MEETING
	Tap to join from a mobile device (attendees only): +1-408-418-9388,,24908460369## United States Toll
	Join by phone: +1-408-418-9388 United States Toll
Meeting Number (access code): 2490 846 0369	Global call-in numbers: https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m514c2d4fc1d4af78645594_43420dee7b
	Join from a video system or application: Dial 24908460369@spokanecity.webex.com You can also dial 173.243.2.68 and enter your meeting number.

Please note that public comments will be taken during the meeting, but the public is encouraged to continue to submit their comments or questions in writing to:

plancommission@spokanecity.org

The audio proceedings of the Plan Commission meetings will be recorded, with digital copies made available upon request.

Spokane Plan Commission - Draft Minutes

March 9, 2022

Webex Teleconference

Meeting Minutes: Meeting called to order at 2:00 PM by Todd Beyreuther

Attendance:

- Board Members Present: Todd Beyreuther (President), Greg Francis (Vice President), Michael Baker, Jesse Bank, Kris Neely, Ryan Patterson, Carole Shook, Tim Williams, Clifford Winger
- Non-Voting Members Present: Mary Winkes (Community Assembly Liaison), Council Member Lori Kinnear, Council Member Zack Zappone
- *Quorum Present: yes*
- Staff Members Present: Spencer Gardner, Tirrell Black, Stephanie Bishop, KayCee Downey, Amanda Beck, Nate Gwinn, Scotty Nicol, James Richman, Giacobbe Byrd, Jeff Gunn, Steve MacDonald, Giacobbe Byrd, Kirstin Davis, Dean Gunderson, Brian McClatchey, Tyler Kimbrell, Maren Murphy

Public Comment: Citizens are invited to address the Plan Commission on any topic not on the agenda. 3 Minutes each. **NONE**

Minutes: Minutes from the February 23, 2022 meeting approved unanimously.

Briefing Session:

1. City Council Liaison Report - Lori Kinnear

- CM Kinnear had a meeting with CM Betsy Wilkerson and the mayor of Vancouver, WA. They discussed Vancouver's implementation of Safe Park Communities initiative. Vancouver will send information to Council members for review and possible use by the City of Spokane.
- Giacobbe Byrd and CM Kinnear met with Legal to work on the riverbank restoration legislation. Working with draft an updated ordinance.
- CM Kinnear will be meeting with Planning staff next week (Teri Stripes) to talk about projects to Citywide Significance.

2. Community Assembly Liaison Report - Mary Winkes

- None

3. Commission President Report - Todd Beyreuther

- In discussions with Planning staff, and in the leadership meeting prior to today's PC meeting, Todd discussed the possibility of adding 10-15 minutes of "Commission Time" during future PC meetings to discuss particular topics relevant to commissioners.

4. Transportation Subcommittee Report - Clifford Winger

- PCTS and ICM met last week reference the 6-year plan. It should be coming forward soon.
- PCTS would like a representative from Planning or PC to attend one of their meetings to discuss land use issues as they pertain to transportation and mobility for all (cyclists, disabled, etc.) throughout the city. For further clarity for PC, Spencer Gardner will check with Colin Quinn-Hurst about adding further discussion to the next

PCTS meeting agenda in order to narrow down the topic or get specific questions they are looking for answers to. That information will be brought back to PC.

5. Secretary Report - Spencer Gardner

- Tyler Kimbrell started as a new planner in the department. Tyler introduced himself.
- Comp Plan Amendments went before Council at their briefing session and will go to Resolution March 21st. There will be a separate discussion about LU.... to separate them from the other comp plan amendments and keep them from bogging the others down in the process.

Workshop(s):

1. Continued Phase 1 - Residential Development Code Changes

- Presentation provided by Nate Gwinn, Amanda Beck, and Bob Bengford & Ian Crozier (MAKERS Architecture and Urban Design)
- Questions asked and answered
- Discussion ensued

2. Design Guidelines Update, City Wide Skywalks, Public Projects

- Presentation provided by Dean Gunderson
- Questions asked and answered
- Discussion ensued

Meeting Adjourned at 4:27 PM

Next Plan Commission Meeting scheduled for Wednesday, March 23, 2022

BRIEFING PAPER
Plan Commission Workshop
Shaping Spokane Housing, Development Code Amendments
March 23, 2022

Subject

The City is initiating a series of code amendments to the Unified Development Code (UDC) to encourage the development of more housing. This Plan Commission workshop follows the presentation from previous workshops on development standards in the code affecting subjects for new residential development:

- Accessory Dwelling Units: Revisions in the attached draft would change regulations to support new residential development of accessory dwelling units (Chapter 17C.300). These were previously presented to the Plan Commission on February 23, 2022 with some revisions indicated in text and graphics with shaded background in the attached draft.
- Short Plats: The attached draft text was presented to the Plan Commission at its workshop on January 12, 2022 (Chapters 17G.060 and 17G.080 SMC).

Background

The City's Comprehensive Plan provides a vision of affordable housing that is safe, clean, healthy, and attainable for all residents. Approved in July 2021, the City adopted its [Housing Action Plan](#) (HAP) to guide implementation of Comprehensive Plan policies by identifying strategies to achieve our community's housing needs and objectives. The HAP identifies actions that the city can enact to encourage more housing options that create more homes for more people. To implement the work of the HAP, the city is pursuing several residential development code amendments. These proposed changes are also guided by Mayor Woodward's [July 26, 2021 Housing Emergency Proclamation](#) and the City Council's HAP [Implementation Plan](#).

Find more information on the project webpage: ShapingSpokaneHousing.com

Impact

Given the housing shortage locally, the proposed code amendments correspond with action items from the Housing Action Plan that are flagged for short- or mid-term timelines and focus on increasing housing units and the diversity of housing types. These code amendments focus on the following HAP strategies:

- A1, "Explore and expand allowed housing types to encourage missing middle housing throughout Spokane's neighborhoods."
- A3, "Continue to streamline and simplify changes to the City's permit process, as necessary."
- A5, "Revise Accessory Dwelling Unit standards to allow for additional flexibility."

Phase 1 amendments will explore attached houses (townhouses), accessory dwellings, duplexes, and streamlining permit processes that could further encourage construction of housing. Future Phase 2 code amendments may require Comprehensive Plan changes, exploring opportunities for increasing the number of homes allowed per acre of land, and permitting for a wider variety of housing types generally.

The table below shows where the draft text appears in the attached ADU draft document. The numbered items in the list correspond with the January 26 Plan Commission Workshop presentation by the City's consultant, MAKERS, and subsequent presentation by City staff at the February 23 Plan Commission workshop. The presentation at the workshop March 23 will revisit these items, with an emphasis and additional information to support continued discussion on recommendations ADU-1, ADU-3, and ADU-4 (bolded).

Recommendation	Section
ADU-1. Increase allowed size for detached ADUs to 800 sf	17C.300.110(B)
ADU-2. Remove minimum lot size for new ADUs	17C.300.110(A)
ADU-3. Provide a FAR bonus for ADUs	17C.300.110(B)
ADU-4. Integrate strategic adjustments to setbacks & wall/roof height	17C.300.130(B)
ADU-5 Remove ADU owner occupancy requirement in RTF, RMF, and RHD	17C.110.310(F)
ADU-6 Modify owner-occupancy requirement in RSF zones	17C.110.205(B)
ADU-7 Relax parking requirement for ADUs	17C.110.305(C)

Attachment: Redlined Draft Text

DRAFT Chapter 17C.300 SMC Accessory Dwelling Units

Section __. That SMC 17C.300.010 is amended to read as follows:

17C.300.010 Purpose

This chapter establishes the standards for the location and development of accessory dwelling units in residential zones. The purpose of accessory dwelling units is to create new housing units while respecting the look and scale of single-dwelling development. They can increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives. Accessory dwelling units allow more efficient use of existing housing stock and infrastructure and provide a mix of housing that responds to changing family needs and smaller households. They provide a means for residents, particularly seniors, single parents and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and provide a broader range of accessible and more affordable housing.

Section __. That SMC 17C.300.100 is amended to read as follows:

17C.300.100 General Regulations

A. Where the Regulations Apply.
Attached and detached accessory dwelling units are permitted in the RA through RHD zones, including planned unit developments, subject to the limitations of subsection (B) of this section.

B. Limitation.

~~((1. One ADU is allowed per lot as an accessory use in conjunction with a detached single-family residence.))~~

Note:

This subsection (1) is deleted and combined with the text in new subsection (2) below.

~~((2.))~~ 1. A detached ADU must either be combined with a garage or shall be the only detached structure in the rear yard setback area.

~~((3.))~~ 2. ~~((Detached))~~ One accessory dwelling ~~((units are))~~ is allowed per lot in the RA, RSF, RTF, RMF, and RHD zones subject to the development standards of the underlying zoning district.

Note:

Multi-dwelling structures are also currently permitted in RMF, RHD, and commercial zones, offering similar possibilities for more than one dwelling on a lot.

Section __. That SMC 17C.300.110 is amended to read as follows:

17C.300.110 Criteria

~~((A. — Minimum Lot Size.~~

~~The minimum lot size for ADU is five thousand square feet.))~~

Note:

Removing this text would let the other development standards (setbacks, building coverage) sufficiently control for the ADU on small sites

~~((B.))~~ A. ~~((ADU Minimum and))~~ Maximum Size.

1. Internal ADU.

Before the establishment of an internal ADU the ~~((footprint))~~ floor area of the principal structure, excluding an attached garage, must be not less than eight hundred square feet.

a. The ~~((size))~~ internal ADU shall contain no more than two bedrooms and the floor area of the internal ADU must be ~~((not less than two hundred fifty square feet and))~~ not more than eight hundred square feet, excluding any related garage area.

b. The conversion of an existing interior basement space of a principal structure into an ADU may exceed the maximum floor area.

2. Detached ADU.

A detached ADU shall not exceed ~~((six))~~ eight hundred square feet of floor area.

3. FAR.

a. The ~~square footage~~ floor area of an ADU, excluding any garage, is counted as part of the floor area ratio (FAR). ~~((Internal ADUs may not exceed fifty percent of the total square footage of the principal structure's building footprint.))~~

b. To offer greater flexibility in integrating an ADU on smaller lots, the maximum allowable FAR on lots smaller than seven thousand two hundred square feet in area may be increased by 0.1 with an ADU.

*Note: Using the defined term “**floor area**” would allow an internal ADU to be as large as an entire basement, because floor area, as defined in SMC 17A.020.060, does not include “areas where the elevation of the floor is four feet or more below the elevation of an adjacent right-of-way.”*

- The limitation on bedrooms maintains an accessory size and coordinates with other aspects of the use, such as parking.*
- Changing a detached ADU to 800 sq. ft. of floor area would match the internal ADU size.*

DRAFT OPTION 110.C.1: REMOVE OWNER OCCUPANCY COMPLETELY

~~((C. — Occupancy.~~

~~One of the dwelling units in the structure or on the lot shall be occupied by one or more owners of the property as the owner's permanent and principal residence. The owner-occupant must occupy the owner-occupied dwelling unit for more than six months of each calendar year. The owner-occupant may not receive rent for the owner-occupied dwelling unit. If a complaint that an owner has violated these requirements is filed, the owner shall:~~

- ~~1. — submit evidence to the director showing good cause, such as a job dislocation, sabbatical leave, education or illness, for waiver of this requirement for up to one year absence from the property. Upon such showing the director may waive the requirement;~~
- ~~2. — re-occupy the structure; or~~
- ~~3. — remove the accessory dwelling unit.))~~

Note: Recommendations differ for changing this provision. Overall ADU production will likely increase under any draft option, but would increase most under Draft Option 110.C.1.

- *The Proclamation Addressing the Housing Emergency recommends completely eliminating this occupancy requirement, allowing the owner to live off-site and rent both units from construction. Proclamation Addressing Housing Emergency 2.g.*

**DRAFT OPTION 110.C.2: REMOVE OWNER OCCUPANCY IN ALL R-ZONES,
EXCEPT SHORT-TERM RENTALS**

~~((C.))~~ B. Occupancy for Short-Term Rentals.
Where a lot with an ADU also has a Short-Term Rental under chapter 17C.316 SMC, ~~((One))~~ one
of the dwelling units ~~((in the structure or))~~ on the lot shall be occupied by one or more owners of the property as the owner's permanent and principal residence. The owner-occupant must occupy the owner-occupied dwelling unit for more than six months of each calendar year. The owner-occupant may not receive rent for the owner-occupied dwelling unit. If a complaint that an owner has violated these requirements is filed, the owner shall:

1. submit evidence to the director showing good cause, such as a job dislocation, sabbatical leave, education or illness, for waiver of this requirement for up to one year absence from the property. Upon such showing the director may waive the requirement;
2. re-occupy the structure; or
3. remove the accessory dwelling unit.

Note:

Draft Option 110.C.2 would remove the owner occupancy unless there is both an ADU and short-term rental on the property.

Recommendations differ for changing this provision. Overall ADU production will likely increase under any draft option, but would increase most under Draft Option 110.C.1.

DRAFT OPTION 110.C.3: RETAIN 3-YEAR OWNER OCCUPANCY IN RA & RSF ZONES

~~((C-))~~ B. Occupancy.

1. In the RTF, RMF, and RHD zones, the owner is not required to live in one of the dwelling units on the lot.
 2. In the RA, RSF, and RSF-C zones, for three years following the certificate of occupancy of the ADU, or for as long as any structure on the lot contains a Short-Term Rental under chapter 17C.316 SMC, if applicable, ~~((One))~~ one of the dwelling units in the structure or on the lot shall be occupied by one or more owners of the property as the owner's permanent and principal residence. Ownership may change during the three-year period, so long as the current owner continues to occupy one of the dwelling units in the structure or on the lot. After three years, if there is no Short-Term Rental, the owner is not required to maintain residence on the lot. The owner-occupant must occupy the owner-occupied dwelling unit for more than six months of each calendar year. The owner-occupant may not receive rent for the owner-occupied dwelling unit. If a complaint that an owner has violated these requirements is filed, the owner shall:
- ~~((4))~~ a. submit evidence to the director showing good cause, such as a job dislocation, sabbatical leave, education or illness, for waiver of this requirement for up to one year absence from the property. Upon such showing the director may waive the requirement;
 - ~~((2))~~ b. re-occupy the structure; or
 - ~~((3))~~ c. remove the accessory dwelling unit.

Note: Recommendations differ for changing this provision. Overall ADU production will likely increase under either Draft Option 110.C1 or 110.C2, but would increase most under Draft Option 110.C.1.

- *Maintaining a three-year period of owner-occupancy is suggested by the HAP Implementation Plan, Strategy III.2. The edits shown in 110.C.3 do not include a following suggested restriction on sale until after seven years, because that would add a new requirement to track.*
- *Option 110.C.3 is not preferred because it continues to require tracking and enforcement, an administrative responsibility.*

Section __. That SMC 17C.300.120 is amended to read as follows:

17C.300.120 Application Procedures

- A. Application.
Any property owner seeking to establish an ADU must obtain a building permit and a certificate of occupancy from the building services department.
- B. Covenants.
A covenant and deed restriction identifying the ADU and limitations of occupancy and ownership is required to be recorded and filed with the Spokane county auditor's office. A copy of the recorded covenant must be provided to the City of Spokane planning services department prior to the issuance of a building permit or safety inspection.

Note: Item 2(g) of the Proclamation Addressing the Housing Emergency recommends removing the requirement to file a covenant, permanently or on an interim basis.

If the owner-occupancy is completely removed (Draft Option 110.C.1 above), then there is no longer a need for a covenant.

Section __. That SMC 17C.300.130 is amended to read as follows:

17C.300.130 Development Standards

- A. Development Standards – Requirements for All Accessory Dwelling Units.
All accessory dwelling units must meet the following:
1. Creation.
An accessory dwelling unit may only be created through the following methods:
 - a. Converting existing living area, attic, basement or garage.
 - b. Adding floor area.
 - c. Constructing a detached accessory dwelling unit on a site with an existing house, attached house or manufactured home; or
 - d. Constructing a new house, attached house or manufactured home with an internal or detached accessory dwelling unit.

2. Number of Residents.
The total number of individuals that reside in both units may not exceed the number that is allowed for a household.
3. Other Uses.
An accessory dwelling unit is prohibited on a site with a home occupation.
4. Location of Entrances for Internal ADUs.
Only one entrance may be located on the facade of the house, attached house or manufactured home facing the street, unless the house, attached house or manufactured home contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.

DRAFT OPTION 130.A5.1: REMOVE ALL PARKING REQUIREMENTS

~~((5. Parking.
One additional off-street parking space is required for the accessory dwelling unit. Existing required parking for the house, attached house or manufactured home must be maintained or replaced on-site.))~~

- Option to permanently or on an interim basis, reduce parking requirements from 1 stall per ADU to none. Proclamation Addressing Housing Emergency 2.g.

DRAFT OPTION 130.A5.2: REMOVE SOME PARKING REQUIREMENTS

5. Parking.
 - a. Studio and one-bedroom ADUs require no additional parking. One additional off-street parking space is required for the accessory dwelling unit with more than one bedroom. Existing required parking for the house, attached house or manufactured home must be maintained ~~((or replaced on-site))~~.

- Option 130.A5.2 retains a parking space for 2-bedroom units for most areas (see exception under (b)).

b. As an exception to subsection (a), no additional off-street parking space is required for the ADU within one-quarter-mile of stops for a bus or other transit mode providing actual fixed route service at intervals of no less frequently than fifteen minutes for at least five hours during the peak hours of operation on weekdays, defined as a major transit stop under RCW 36.70A.696.

Note: Within ¼-mile of bus stops served by frequent transit, RCW 36.70A.698 currently prohibits minimum parking requirements for ADUs.

DRAFT OPTION 130.A6.1: REMOVE EXTERIOR MATERIALS REQUIREMENT

~~((6. Exterior Finish Materials.
The exterior finish material must be the same or visually match in type, size, and placement the exterior finish material of the house, attached house or manufactured home.))~~

Note: Option 130.A6.1 would remove the exterior materials requirement altogether. Option 130.A6.2 from the February 23, 2022 Plan Commission workshop draft would have continued the exterior materials requirement for corner lots only, where ADUs may be more visible from the street. The discussion at the February 23 workshop suggested removing that option for the March 23 workshop.

DRAFT OPTION 130. A7.1: REMOVE ROOF PITCH REQUIREMENT

~~((7. Roof Pitch.
The roof pitch must be the same as the predominant roof pitch of the house, attached house or manufactured home.))~~

Note: Draft Option 130.A7.1 shown here would remove the roof pitch requirement altogether, although provisions later in this draft would regulate the location and roof form through height and setback rules. Draft Option 130.A7.2 from the February 23, 2022 Plan Commission workshop draft would have continued the roof pitch requirement for corner lots only. It contained a supporting graphic. The discussion at Plan Commission suggested removing that option for the March 23, 2022 workshop – and consider allowing the setback plane and increased height to control the roof form, which appears in the shaded area under Subsection B on pages 9 and 10 below.

~~((8. Trim.~~

~~Trim must be the same in type, size and location as the trim used on the house, attached house or manufactured home.~~

~~9. Windows.~~

~~Windows must match those in the house, attached house or manufactured home in proportion (relationship of width to height) and orientation (horizontal or vertical). This standard does not apply when it conflicts with building code regulations.)~~

B. Additional Development Standards for Detached ADUs.

1. Setbacks.

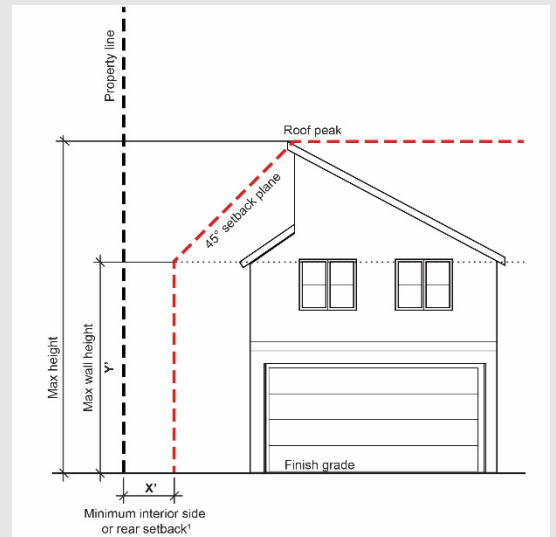
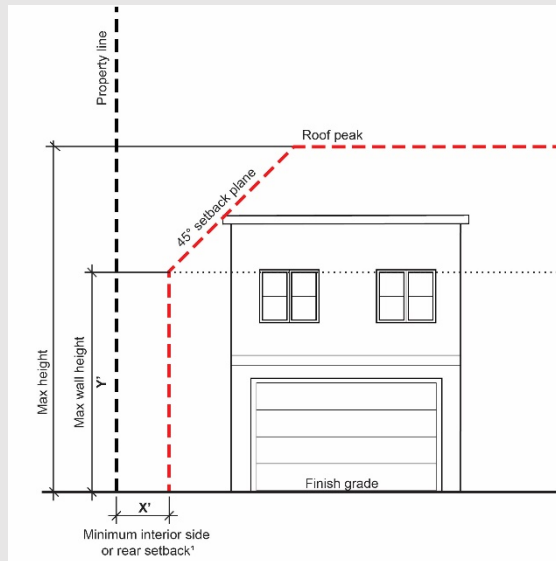
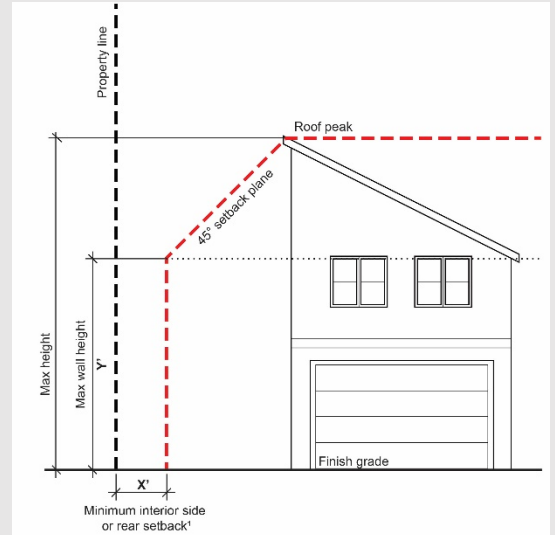
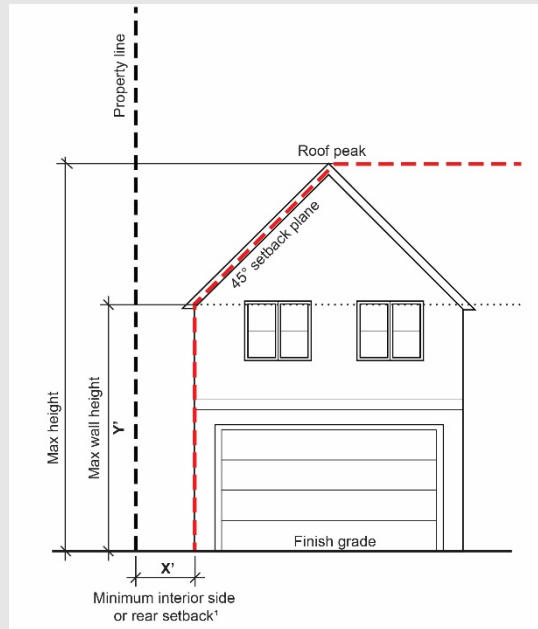
~~((The))~~ Except for conversion of existing accessory structures, the accessory dwelling unit must be at least:

- a. sixty feet from the front lot line; or
- b. six feet behind the house, attached house or manufactured home;
- c. as specified for rear and side yard setbacks in Table 17C.110-3 for ~~((primary structures for attached ADUs and))~~ accessory structures ~~((for detached ADUs.))~~; and

d. in conformance with the following setback plane: From the maximum wall height listed in Table 17C.300-1 at the minimum interior side lot line setback, and rear setback without an alley, in Table 17C.110-3 for accessory structures, the minimum setback plane increases at a 45-degree angle away from the interior side lot line, and rear lot line without an alley, up to the maximum roof height in Table 17C.300-1. No portion of the accessory dwelling unit may project beyond the setback plane except for the roof structure and minor extensions allowed by SMC 17C.110.220(C)(1). See Figure 17C.300-A for examples.

Note: The shaded text and graphics below contain changes from the February 23, 2022 Plan Commission workshop draft version. This shaded text and the following four graphics show examples of maximum wall height, roof height, and the setback plane. An additional exception for wall height for flat roofs would be required to be added.

Figure 17C.300-A. Setback Plane [1]



[Note: Add the four graphics above.]

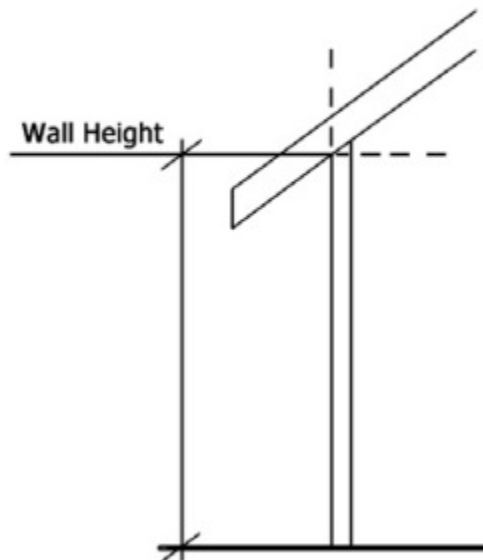
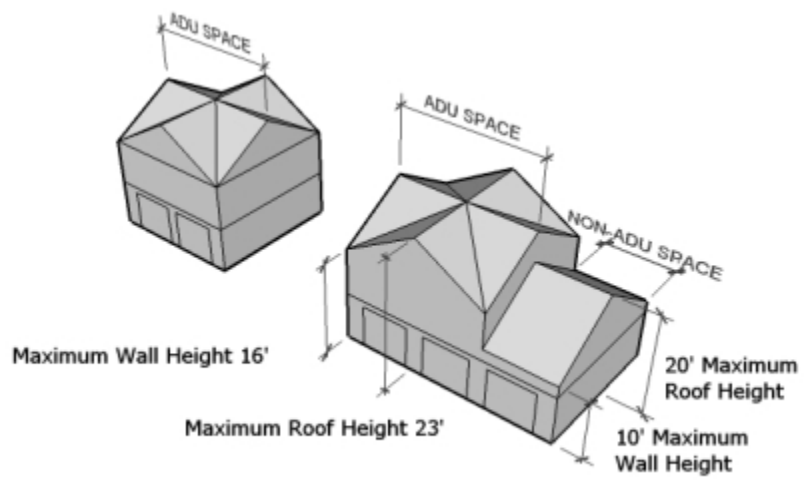
[1] The setback plane does not apply on side setbacks or rear setbacks measured from alley lot lines or street lot lines.

2. Height.
The maximum height allowed for a detached accessory dwelling unit is shown in Table 17C.300-1.

TABLE 17C.300-1 MAXIMUM ROOF AND WALL HEIGHT		
	Maximum Height – Detached Accessory Building Attached to an ADU or Detached ADU [1]	Maximum Height – Detached ADU Over a Detached Accessory Structure
Maximum Wall Height [2]	10 ft.	((16)) <u>17</u> ft.
Maximum Roof Height <u>[3]</u>	20 ft.	((23)) <u>25</u> ft.
<p>[1] Detached accessory structures cannot include living area, nor any storage areas with a ceiling height of six-feet eight-inches or greater.</p> <p>[2] The height of the lowest point of the roof structure intersects with the outside plane of the wall.</p> <p>[3] The height of the ridge of the roof. <u>Exceptions of up to 18 inches above the height stated in the table can be granted for steep roof styles.</u></p> <p>See “Figure ((A)) <u>17C.300-B</u>” below.</p>		

Note: Additional height is often desired when a detached ADU is constructed over a garage that has an 8-ft. ceiling. The edits add flexibility to dimensional standards. Housing Action Plan Strategy A3; Proclamation Addressing Housing Emergency 2.g.

Figure ((A)) 17C.300-B



3. Bulk Limitation.

The building coverage for the detached accessory dwelling unit may not be larger than the building coverage of the house, attached house or manufactured home.

a. ((The)) On lots five thousand five hundred square feet or larger, the combined building coverage of all detached accessory structures may not exceed fifteen percent of the total area of the site.

b. On lots smaller than five thousand five hundred square feet, the combined building coverage of all detached accessory structures may not exceed twenty percent of the total area of the site.

Note: This works with the proposed increase in detached accessory dwelling unit size and decrease in minimum lot size. With the proposed changes, a single-story, 800 sq. ft. ADU would require about 18% building coverage on a 4,350 sq. ft. lot.

4. Conversion of Existing Detached Accessory Structures.

- a. In RA through RTF zones, conversion of an existing detached accessory structure that is in a front building setback required by [Table 17C.110-3](#) is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by [SMC 17C.110.220](#), Setbacks, and [SMC 17C.110.225](#), Accessory Structures.
- b. In RMF through RHD zones, conversion of an existing detached accessory structure that is in a front building setback required by [Table 17C.110-3](#) is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by [SMC 17C.110.220](#), Setbacks, and [SMC 17C.110.225](#), Accessory Structures.
- c. If the accessory dwelling unit is proposed for an existing detached accessory structure that meets any of the standards of subsections (A)(6) through (9) and (B)(2) and (3) of this section, alterations that will move the structure out of conformance with the standards that are met are not allowed.
- d. If the accessory dwelling unit is proposed as a conversion of an existing detached accessory structure or a portion of the building, and the existing detached accessory structure does not meet the standards of subsections (A)(6) through (9) of this section, the

structure is exempt from those standards. If any floor area is added to the existing detached accessory structure to accommodate an ADU, then the entire structure must meet the standards of subsections (A)(6) through (9) of this section and the underlying zoning development standards.

- C. Utilities and Addressing.
The ADU must utilize those municipal utilities and address established for the principal dwelling unit.
- D. Code Compliance.
The ADU must meet all technical code standards of this title including building, electrical, fire, and plumbing code requirements and permits.

Section __. That SMC 17C.300.140 is amended to read as follows:

17C.300.140 ADU Expiration

- A. Transfer.
An ADU permit is not transferable to any other property or any other person except to the new owner of the subject property when the property will be owner occupied.
- B. Expiration.
Approval of an ADU expires when the:
 - 1. accessory dwelling unit is altered and is thus no longer in conformance with the plans approved by the building services department; or
 - 2. property ceases to maintain the required off-street parking spaces for the ~~((accessory and))~~ principal dwelling ~~((units))~~ unit; or
 - 3. legal titleholder of the property ceases to own and reside in either the principal or the accessory dwelling unit before the three-year period following certificate of occupancy, required under SMC 17C.300.110.

17G.060.100 Notice of Application

Within fourteen days of the issuance of a determination of a complete application, a notice of application shall be provided for Type I, II and III project permit applications in accordance with this section (RCW 36.70B.110.2), except short subdivision applications that create only two lots and are categorically exempt from chapter 43.21C RCW (SEPA). The notice of application shall follow the public notice requirements contained in SMC 17G.060.110 through 17G.060.120. The notice of application may be combined with the notice of public hearing, if a hearing has been scheduled by notice of application. The date, time, place and type of hearing, SEPA determination and SEPA appeal deadline (using the optional DNS process) are required to be added to the notice of application if this provision is used (RCW 36.70B.110(2)(f)).

17G.060.110 Public Notice – General

The types of notice for various categories of permit applications and actions are listed in Table 17G.060-3. The specified types of notice are used for community meeting, notice of application, notice of public hearing, notice of decision and notice of appeals, as applicable. It is the responsibility of the applicant to provide public notice and file a statutory declaration as evidence of compliance.

17G.060T.003 Table 17G.060-3 Type of Public Notice Required / Project Permit Review Process

TABLE 17G.060-3 TYPE OF PUBLIC NOTICE REQUIRED / PROJECT PERMIT REVIEW PROCESS (Click here to view PDF)						
Project Permit Type	Notice of Community Meeting	Notice of Application	Notice of Public Hearing	Review Official	City Council Review	Expiration of Permit [1]
Building and Code Enforcement – Type I Application						
Building Permit	No	No	No	Building Official	No	180 days
Grading Permit	No	No	No	Building Official	No	180 days
Demolition Permit	No	No [5]	No [2]	Building Official	No	180 days
Building Permit with SEPA	No	Posted / Legal	No	Building Official	No	180 days
Grading Permit with SEPA	No	Posted / Legal	No	Building Official	No	180 days

Demolition Permit with SEPA	No	Posted / Legal [5]	No	Building Official	No	180 days
Planning Services – Type I Application						
Floodplain with SEPA	Posted / Individual	Posted / Individual	No	Planning Director	No	180 days
Planning Services – Type II Application						
Binding Site Plan	No	Posted / Individual	No	Planning Director	No	5 years
Certificate of Compliance	No	Posted / Individual	No	Planning Director	No	None
Conditional Use Permit	No [3]	Posted / Individual	No	Planning Director	No	3 years
Plans-in-lieu	No	Posted / Individual	No	Planning Director	No	3 years
Shoreline SDP	No	Posted / Individual	No	Planning Director	No	Must Comply with WAC 173-27-90
Short Plat with SEPA	No	Posted / Individual	No	Planning Director	No	5 years
<u>Short Plat, 2 Lots only</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Planning Director</u>	<u>No</u>	<u>5 years</u>
<u>Short Plat, 3 Lots or More</u>	<u>No</u>	<u>Individual</u>	<u>No</u>	<u>Planning Director</u>	<u>No</u>	<u>5 years</u>
Planning Services – Type III Application (Hearing Required)						
Certificate of Compliance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	None
Conditional Use Permit	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Floodplain Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Long Plat	Posted / Individual	Posted / Individual	Newspaper / Posted / Individual	Hearing Examiner	No	5 years
Plans-in-lieu	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
PUD	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	5 years [4]
Rezone	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	3 years

Shoreline CUP	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90
Shoreline Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90
Skywalk	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	2 years
Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years

Notes:

[1] Approval expires after the specified time if no permit to develop the project is issued by the City of Spokane or building permit expires without completion of the improvements.

[2] Public Hearing is required if the structure is on the National Historic Register.

[3] Conditional Use Permits required under SMC 17C.110.110, Limited Use Standards for Religious Institutions and Schools, will complete posted/individual notification requirements for a Community Meeting.

[4] If a PUD is approved together with a preliminary plat, the expiration date for the PUD shall be the same as the expiration date of the preliminary plat.

[5] Applications for demolition permits for the demolition of an entire building or structure shall, in addition to any applicable requirements under chapter 43.21C RCW, be subject to a ten day review and comment period. This review and comment period shall run concurrently with any other applicable notice and comment period. Following receipt of such applications, copies shall be forwarded to the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the building or structure is located, at the address for such neighborhood council designee(s) that is on file with the department. Any comments submitted to the department by the neighborhood council during this review and comment period shall be provided to the applicant prior to issuing the demolition permit.

Staff note: The additions to the table above change the notice requirements for some short plats.

This would reduce cost and time, supporting a more efficient and user-friendly process for customers creating new lots, as suggested by HAP Strategy A3, and HAP Implementation Plan, Strategy I.6.

17G.060.130 Public Comment Period

- A. The public comment period for Type I, II, and III applications is fifteen days, except short subdivision applications creating only two lots and categorically exempt from chapter 43.21C RCW (SEPA) shall have no public comment period.
- B. The public comment period for a shoreline substantial development permit, shoreline conditional use, or shoreline variance shall be thirty days.
- C. The public comment period for a shoreline substantial development permit for limited utility extensions and bulkheads shall be twenty days (WAC 173-27-120).
- D. The longest public comment period shall prevail.

Staff note: This change would reduce the time period for the decision on some short plats, without changing review time and comments for agencies/neighborhoods or other aspects of the review process.

17G.080.040 Short Subdivisions

- A. Predevelopment Meeting
- A predevelopment meeting is required if the proposal is located in the central business district, unless waived by the director, and is recommended for all other proposals prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.
- B. Preliminary Short Plat Application and Map Requirements
1. Applications for approval of a preliminary short subdivision shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall include the following:
 - a. The general application.
 - b. The supplemental application.
 - c. The environmental checklist, if required under chapter 17E.050 SMC.
 - d. Title report no older than thirty days from issuance from the title company.
 - e. The filing fees as required under chapter 8.02 SMC.
 - f. The required number of documents, plans or maps drawn to a minimum scale of one inch equals one hundred feet, on a sheet twenty-four by thirty-six inches, as set forth in the application checklist.

- g. A written narrative identifying consistency with the applicable policies, regulations and criteria for approval of the permit requested; and
 - h. Additional application information which may be requested by the permitting department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, critical area studies, noise studies, air quality studies, visual analysis and transportation impact studies.
 - i. One copy of the predevelopment conference notes (if applicable); and
 - j. One copy of the notification district map.
2. Contents of Preliminary Short Plat Map
- The preliminary short plat shall be prepared by a land surveyor and shall show the following:
- a. Plat name and the name of any subdivision to be replatted.
 - b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
 - c. Surveyor's name, mailing address and phone number.
 - d. Legal description.
 - e. Section, township and range.
 - f. Vicinity map.
 - g. North arrow, scale and date.
 - h. Datum plane.
 - i. Acreage.
 - j. Number of lots and proposed density.
 - k. Zoning designation.
 - l. The boundary lines of the proposed subdivision.
 - m. City limits and section lines.
 - n. Park or open space (if proposed).
 - o. Existing topography at two-foot maximum interval.
 - p. The boundaries and approximate dimensions of all blocks and lots, together with the numbers proposed to be assigned each lot and block, and the dimensions, square footage and acreage of all proposed lots and tracts.
 - q. Proposed names of streets.
 - r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.

- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easements.
- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.
- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts, bridges, structures, overhead and underground utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.
- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters 17E.020, 17E.030, 17E.070 and 17G.030 SMC.
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

C. Review of Preliminary Short Plat

The application shall be reviewed in accordance with the procedures set forth in chapter 17G.060 SMC for a Type II application, except a SEPA-exempt application creating only two lots shall be excluded from the public notice requirements contained in SMC 17G.060.110 through 17G.060.120 and public comment period under SMC 17G.060.130.

Staff note: This edit clarifies the process change proposed in Table 17G.060-3.

D. Public Notice

All public notice of the application shall be given in accordance with the procedures set forth in chapter 17G.060 SMC for a Type II application, except a short plat creating only two lots and exempt from SEPA shall not require a notice of application.

Staff note: This edit clarifies the process change proposed in Table 17G.060-3.

E. Preliminary Short Plat Approval Criteria

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in chapter 17G.060 SMC. The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in chapters 17F.050 and 17G.060 SMC.

F. Final Short Plat Review Procedure

1. The subdivider shall submit to the director for review the following:
 - a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
 - b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.
 - c. Covenants, conditions and restrictions, if applicable; and
 - d. Fees pursuant to chapter 8.02 SMC.
2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.
 - a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:
 - b. A cover letter addressing the corrections, additions or modifications required.
 - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and
 - d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the appropriate number of mylar and bond copies of the recorded short plat with the director.

G. Final Short Plat Map Requirements

The subdivider shall submit to the director a final short plat in the same form and with the same content as the preliminary short plat, as provided in subsections (B)(1) and (2) of this section, with the following exceptions or additional requirements:

1. A final short plat shall contain all the information required of the preliminary plat, except the following:
 - a. Show existing buildings.
 - b. Show existing utility lines and underground structures.
 - c. Show the topographical elevations; or
 - d. Contain the names and addresses of adjoining landowners.
2. The final short plat shall include the following:
 - a. Surveyor's certificate, stamp, date and signature, as follows:

The following land surveyor's certificate to be shown on each sheet of the plat: "I, _____ registered land surveyor, hereby certify the plat of _____, as shown hereon, is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.

Signed _____(Seal)"
 - b. A certification by the city treasurer, as applicable:
 - i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this _____ day of _____, 20__.
 - _____
 - City of Spokane Treasurer"
 - ii. "I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this _____ day of _____, 20__.
 - _____
 - City of Spokane Treasurer"
 - iii. "A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner's to initiate the segregation of the LID assessment. After this

assessment is finalized, it shall be due and payable.
Examined and approved this _____ day of _____, 20__.

City of Spokane Treasurer”

- c. The certification by the planning director, as follows:
“This plat has been reviewed on this _____ day of _____, 20__
and is found to be in full compliance with all the conditions of
approval stipulated in the Hearing Examiner’s/Planning Director’s
approval of the preliminary plat # - PP/SP.

City of Spokane Planning Director”

- d. The certification by the city engineer, as follows:
“Approved as to compliance with the survey data, the design of
public works and provisions made for constructing the
improvements and permanent control monuments this _____ day of
_____, 20__.

City of Spokane Engineer”

- e. The certification by the Spokane county treasurer, as follows:
“I hereby certify that the land described in this plat, as of the date of
this certification, is not subject to any outstanding fees or
assessments. Examined and approved _____ day of _____, 20__.

Spokane County Treasurer”

- f. The certification by the Spokane county auditor on each page of the
final short plat including the time, date, book and page number of
the recording of the final mylar.
- g. Signature of every owner certifying that:
- i. the plat is made with the free consent and in accordance
with the desires of the owners of the land;
 - ii. the owners are the owners of the property and the only
parties having interest in the land and is not encumbered by
any delinquent taxes or assessments;
 - iii. the owners adopt the plan of lots, blocks and streets shown;
 - iv. owner dedicates to the City and the City’s permittees the
easements shown for utilities and cable television purposes;
 - v. owner dedicates to the City the streets, alleys and other
public places, including slope and construction easements
and waives all claims for damages against any governmental
authority including, without limitation, the City which may be

occasioned to the adjacent land by the establishment, construction, drainage and maintenance of any public way so dedicated; and

- vi. owner conveys to the City as general City property the buffer strips adjoining unplatted property.

h. The drawing shall:

- i. be a legibly drawn, printed or reproduced permanent map;
- ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
- iii. have margins that comply with the standards of the Spokane county auditor;
- iv. show in dashed lines the existing plat being replatted, if applicable;
- v. show monuments in accordance with SMC 17G.080.020(H)(1);
- vi. include any other information required by the conditions of approval; and
- vii. include any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

Once the final plat has been reviewed, approved and signed by the applicable departments, the applicant shall file the final short plat with the county auditor within ten days of approval. No permits shall be issued for a proposed lot until the required conformed copies of the short plat have been submitted to the planning services department.

I. Redivision.

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with SMC 17G.080.050.

BRIEFING PAPER
Plan Commission Workshop
Transit-Oriented Development Framework Study
March 23, 2022

Subject

Planning Services worked with consultant Center-Based Planning + Urban Design, other city departments, partner agencies and public stakeholders to develop a Transit-Oriented Development Planning Framework focused on the City Line, the Spokane Transit Authority's new Bus Rapid Transit route.

The Action Plan final draft review is now published online at the project website [Here](https://my.spokanecity.org/projects/transit-oriented-development-study/).
<https://my.spokanecity.org/projects/transit-oriented-development-study/>

The Action Plan identifies strategies to foster transit-supportive development as well as a process to conduct this type of assessment for future high-frequency transit investments. Recommendations address infrastructure and accessibility improvements as well as land use policy and zoning changes, including a Transit Overlay Zone focused on City Line transit station areas through the Gonzaga University campus and the Chief Garry Park Neighborhood.

This document will be brought to Plan Commission for a hearing on Wednesday, April 13, 2022.

Background

The impetus for this study is the City Line, the six-mile, corridor-based Bus Rapid Transit line running from Browne's Addition, through Downtown and the University District to the Logan and Chief Garry Neighborhoods. Scheduled to open for operation in 2023, the permanent station infrastructure of this \$92 million investment supports a premium transit service that is estimated to host more than 1 million rides per year.

The potential to positively impact adjacent land use and redevelopment through Transit-Oriented Development, or TOD, played a central role in the City Line's development and advancement. This project builds on recommendations from past assessments such as the 2014 "Economic and Land Use Impacts of the Spokane Central City Line" report and the 2016 "City Line Strategic Overlay" study.

Following recommendations from those studies, this project undertook a context-sensitive process to assess existing conditions, identify infrastructure improvements, and propose land use policy changes specific to City Line station areas.

Impact

This project recommends specific land use policy and zoning changes in the project area for future adoption, identifies recommended infrastructure investments and accessibility improvements, and specifies areas at the Athletic Center Station and Mission Avenue for future subarea planning efforts, and will be brought forward for

Find more information on the project webpage:
<https://my.spokanecity.org/projects/transit-oriented-development-study/>



TOD Framework Study

Final Report and Action Plan

Transit-Oriented Development Framework Study

City of Spokane Plan Commission

Wednesday March 23, 2022



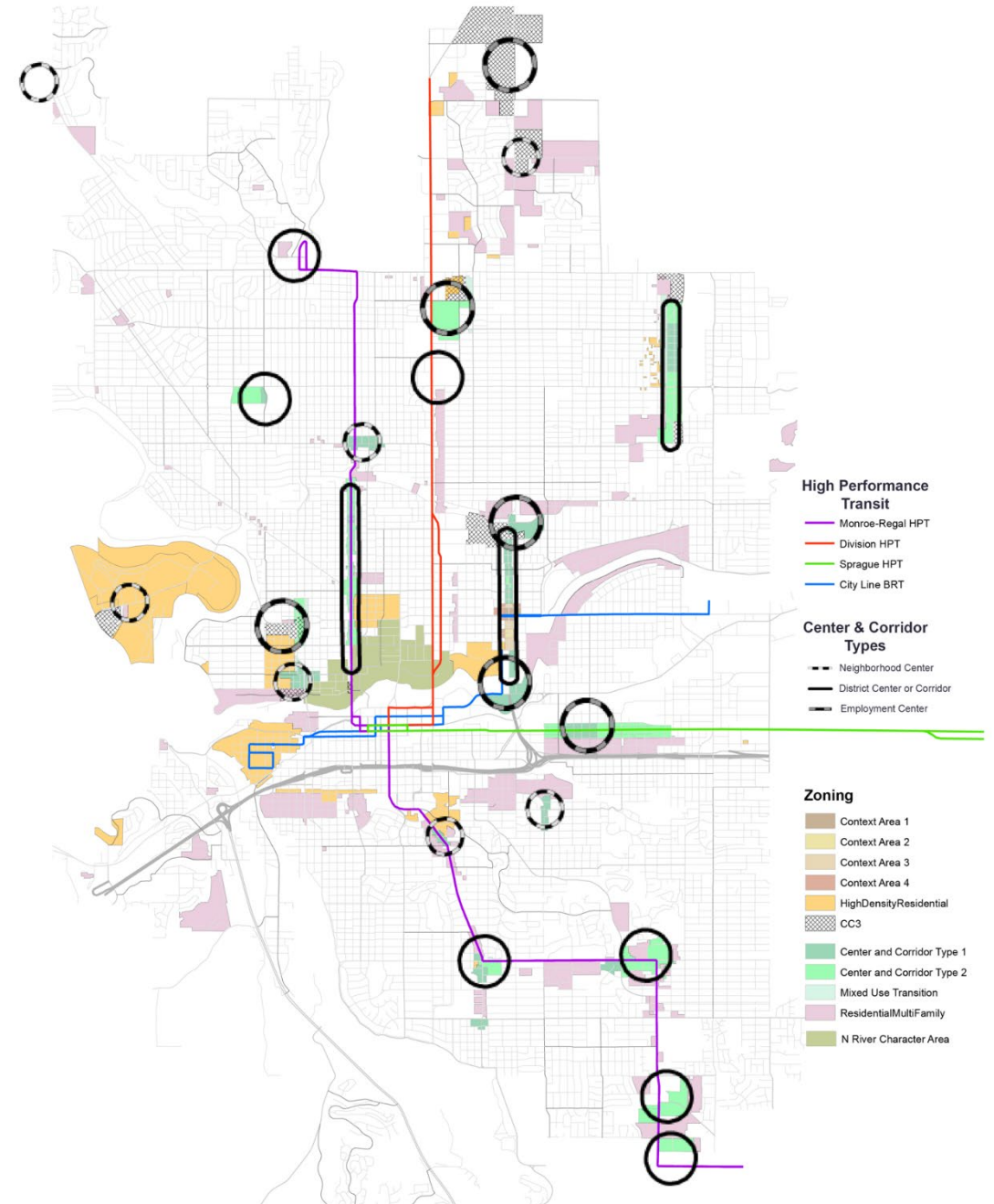
The City of Choice

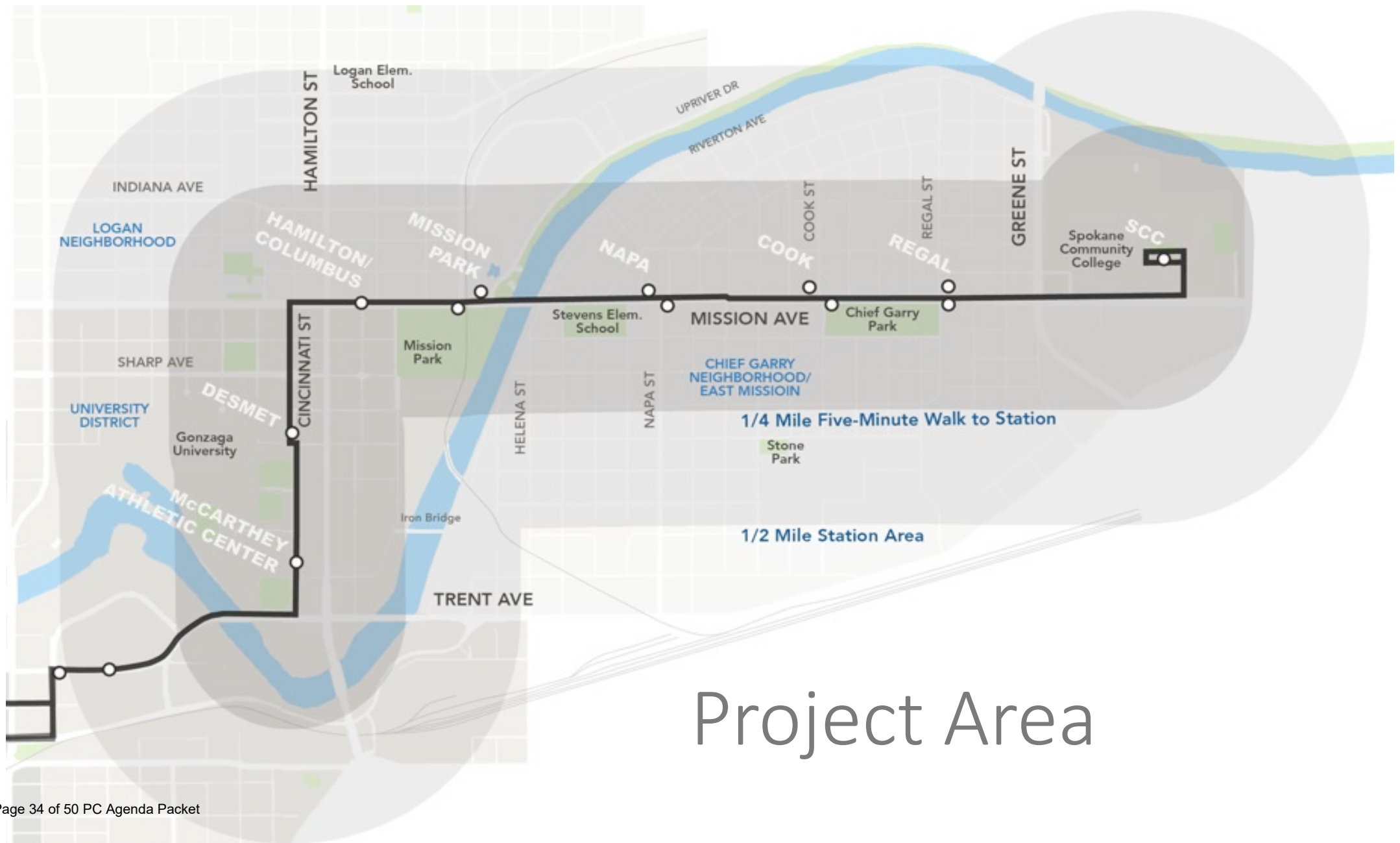


PURPOSE

Provide Spokane with guidance to:

1. Integrate TOD and accessibility
2. Align regulations and investments
3. Test in a specific study area





Guiding Principles



Safety is a priority with activity at the station & well-defined crossings



Direct and continuous walk & bike network links stations to destinations



Density and mix of station & pedestrian-oriented housing, and businesses



Allow a mix of uses, higher densities, & pedestrian-oriented standards with multi-modal streets

Equitable TOD - ETOD

“...equitable transit-oriented development is a driver of positive transformation that may be enjoyed by all residents, and in particular low-income communities and residents of color who stand to gain the most from greater prosperity and connectivity.”

Elevated Chicago



AFFORDABILITY: Equity-focused policy ensures affordable housing options near transit, low-cost transit fares and tenant protection.



DENSITY: Compact development connects people to jobs and commerce, and supports transit infrastructure.



TRANSIT: Transit contributes to equitable development by expanding access to opportunities and providing convenient, reliable transportation services.



WALKABILITY: Pedestrian-friendly elements create vibrant and active spaces, which lead to health, environmental and economic benefits.



MIXED USE: A mix of land uses within a building, block or neighborhood encourages fewer car trips and creates dynamic spaces.

PROCESS



PROCESS

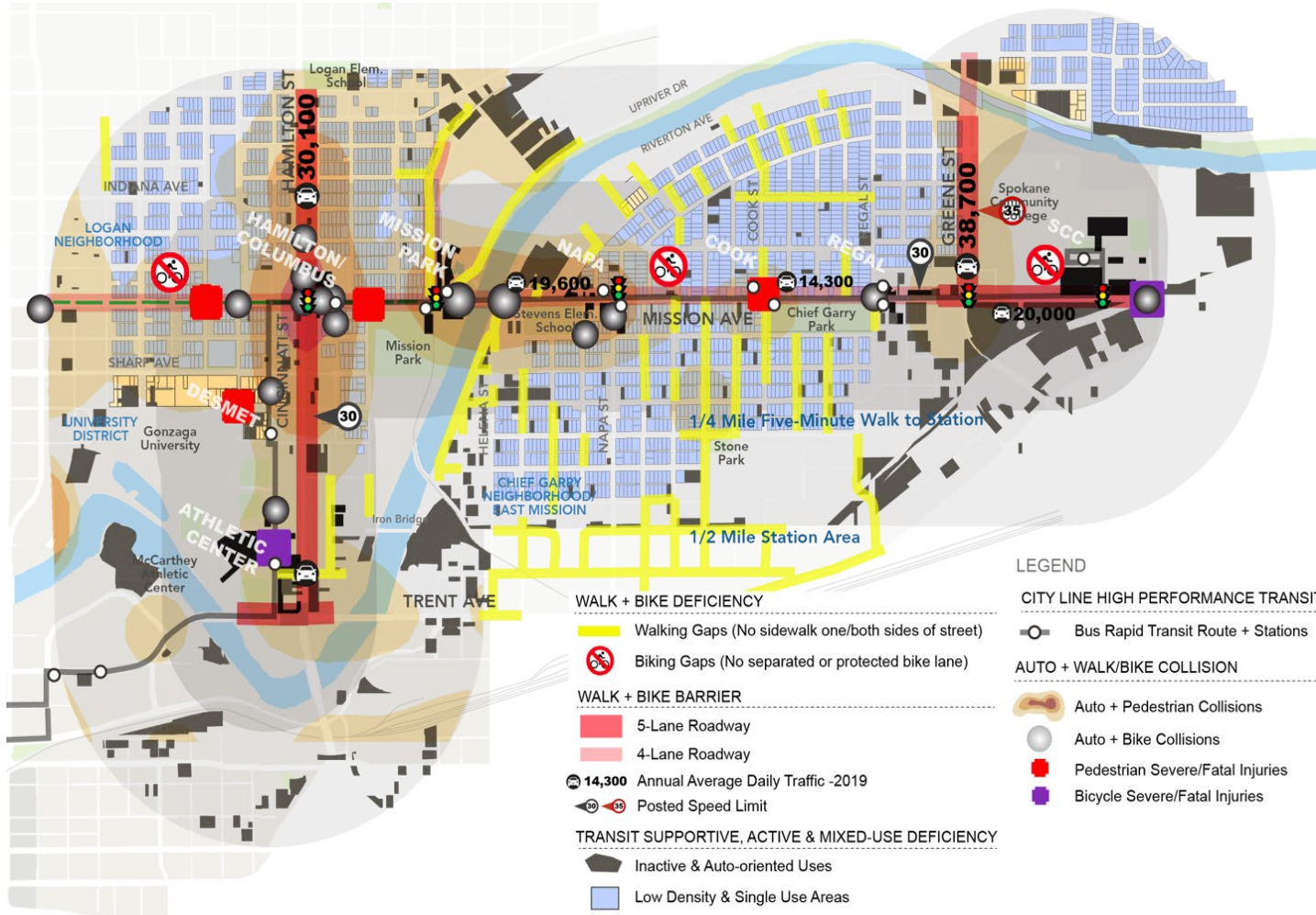


Figure 16: TOD CHALLENGES
Page 38 of 50 PC Agenda Packet

SESSIONS

2 X Public Meetings workshops with neighborhood residents

2 X Neighborhood Council presentations and discussions with Logan and Chief Garry Park Neighborhood Councils

4 X Steering Committee reviews by community organizations and institutions

4 X Technical Committee reviews by City departments and partner agencies

4 X Plan Commission introductory and review presentations and discussions

2 X Council Subcommittee project update presentation and discussion

STATION AREA TYPES

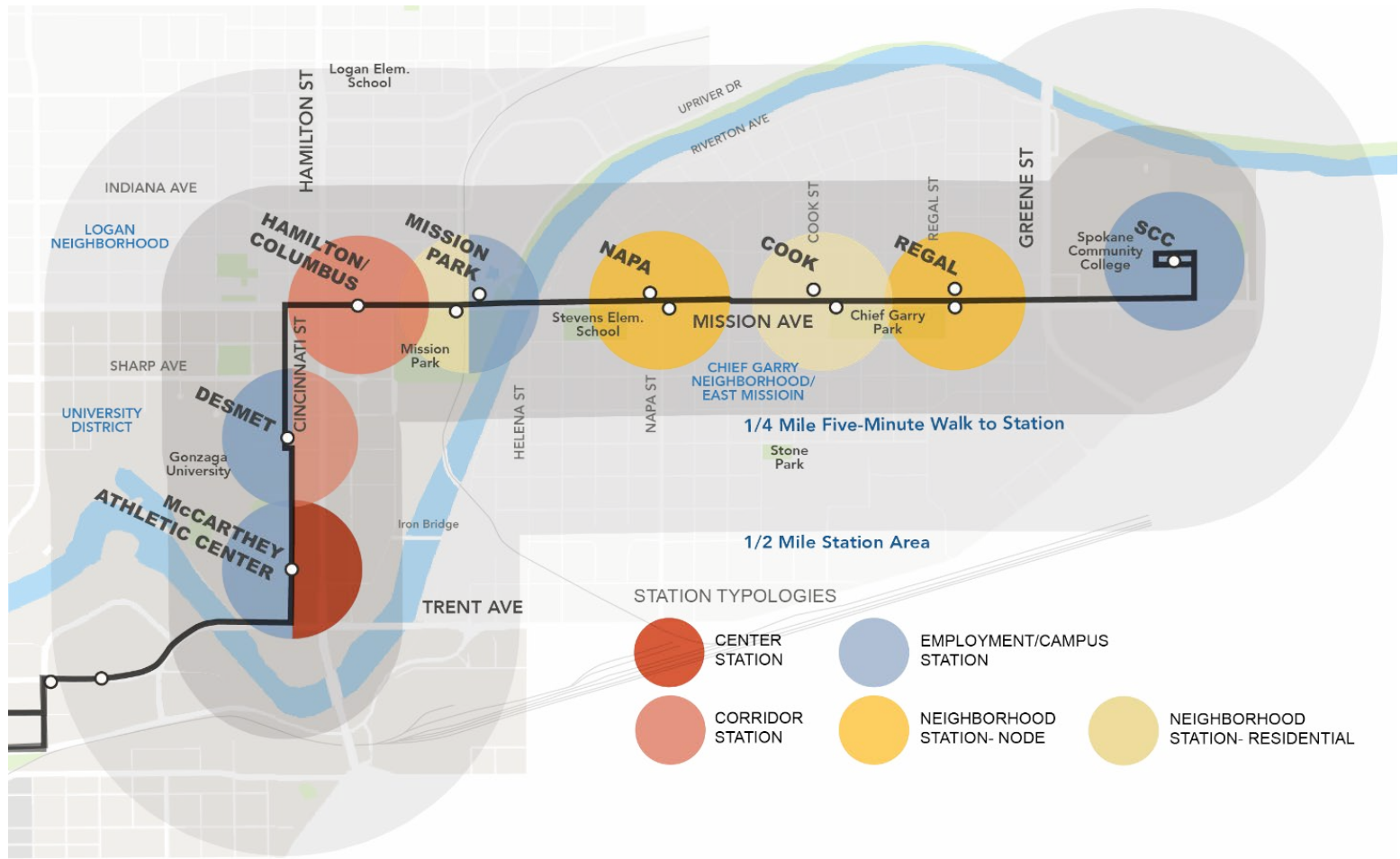


Figure 23: TOD Framework- CITY LINE Study Area Corridor

TOD OPPORTUNITY AREAS

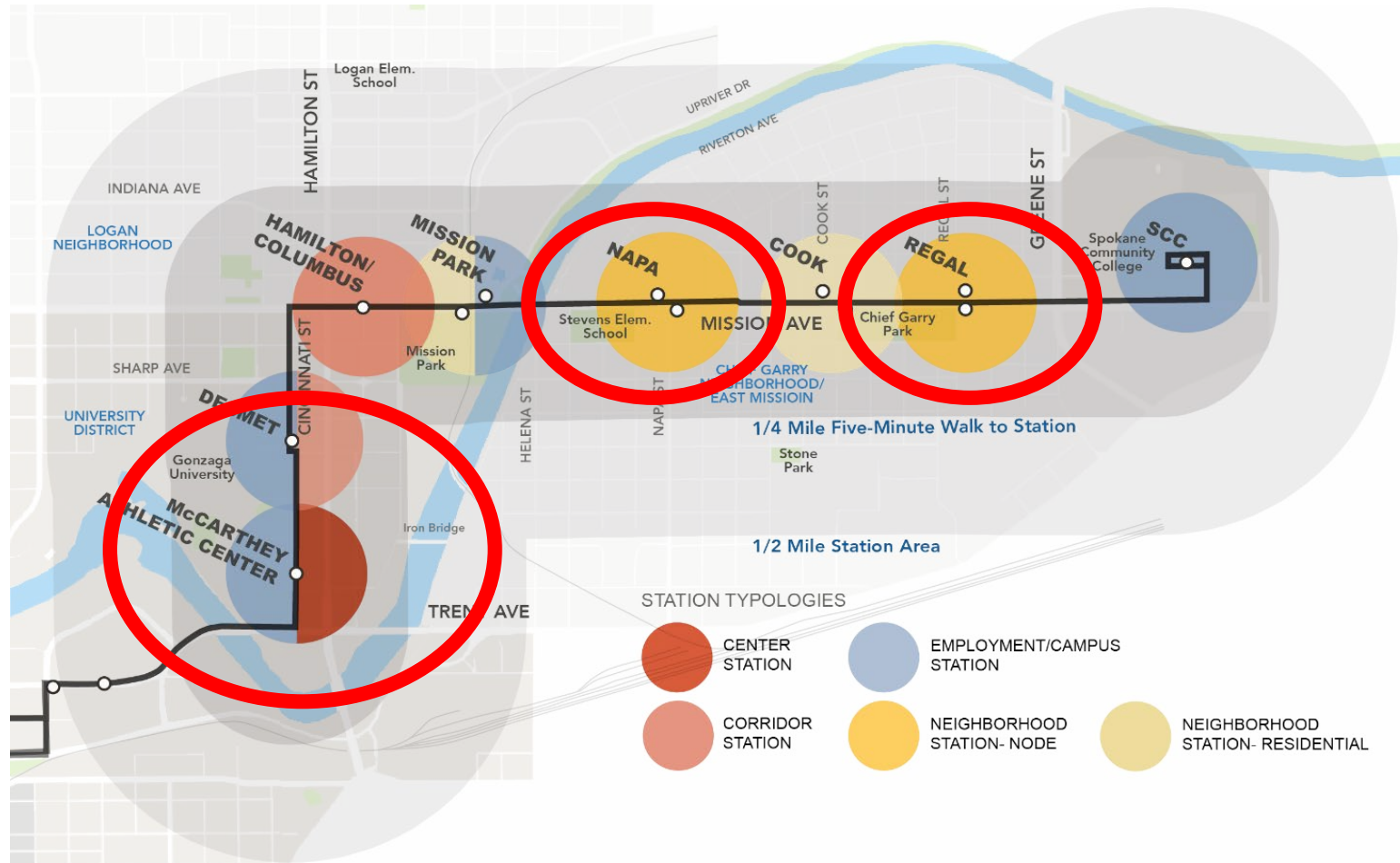
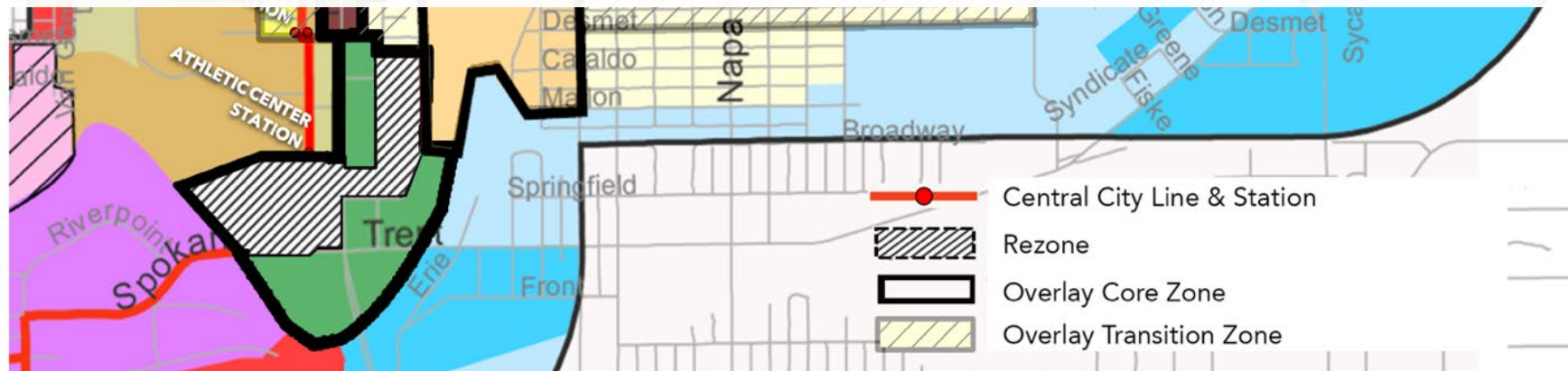


Figure 23: TOD Framework- CITY LINE Study Area Corridor

Regulatory Recommendations

- 1. Modify TOD-Supportive zones to more directly promote TOD**
- 2. Create an Overlay Zone to apply modifications**
- 3. Rezone selected TOD opportunity areas**
- 4. Conduct targeted plans and studies at key locations**



1. Modify TOD-Supportive Base Zones to more directly promote TOD

Center and Corridor

Form-based Code

Neighborhood Retail

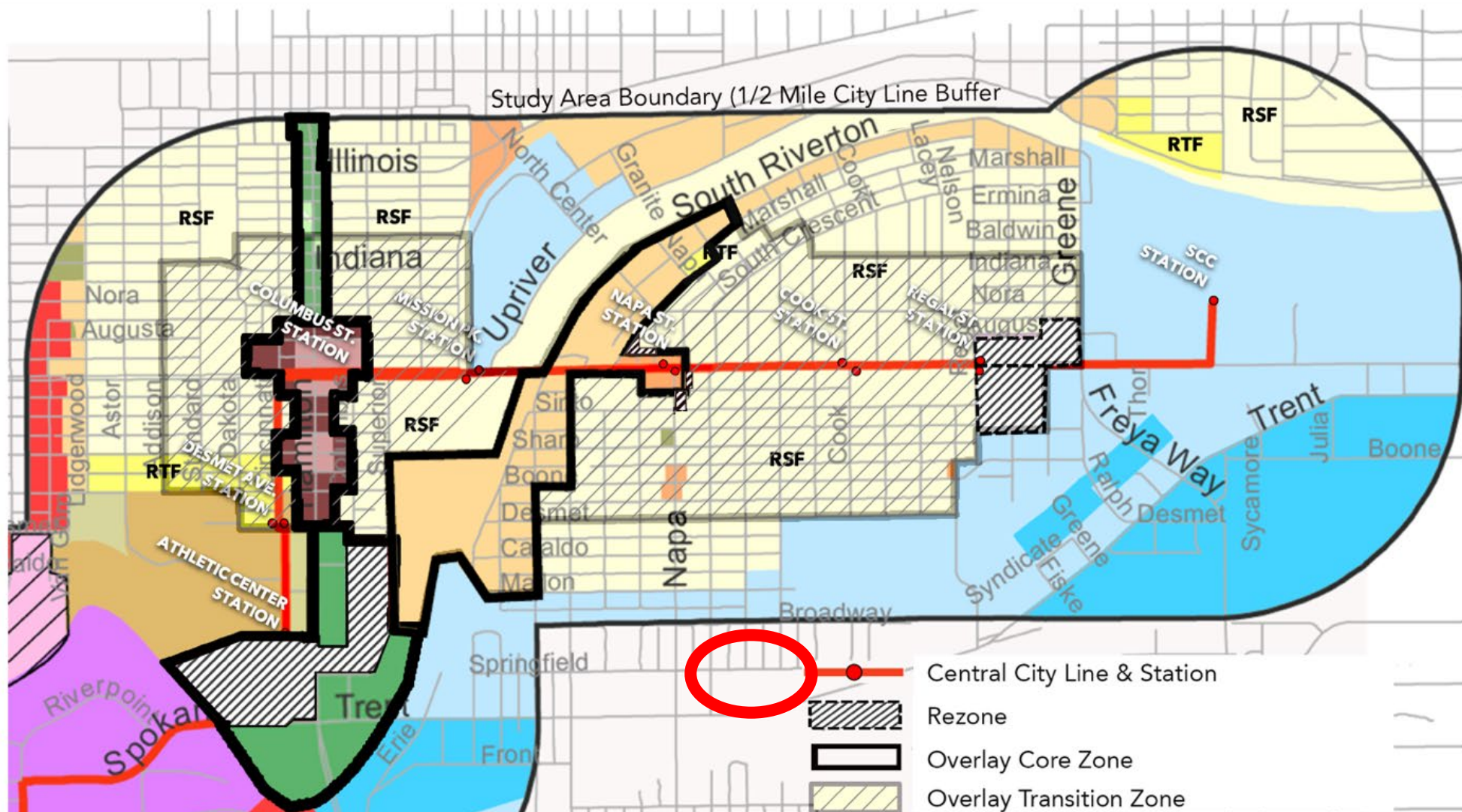
Residential Multi-Family

Residential High-Density

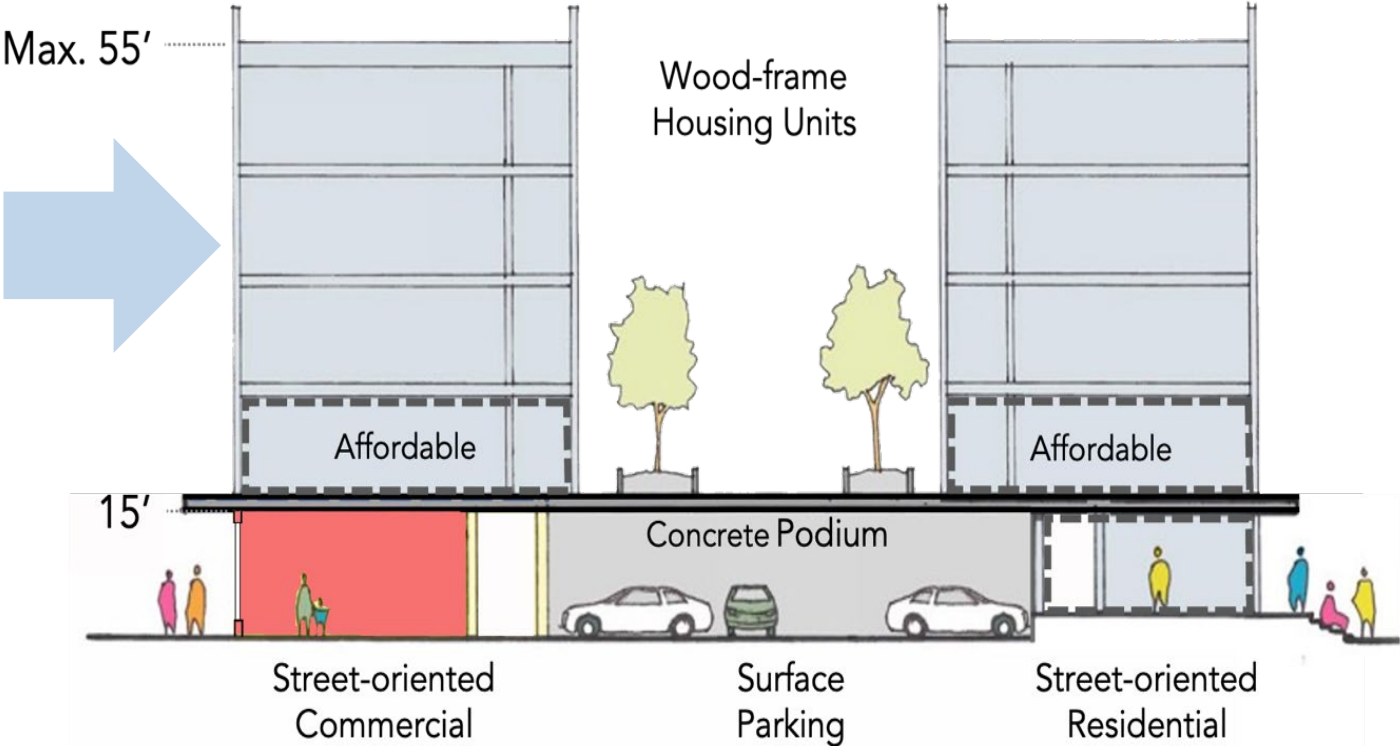
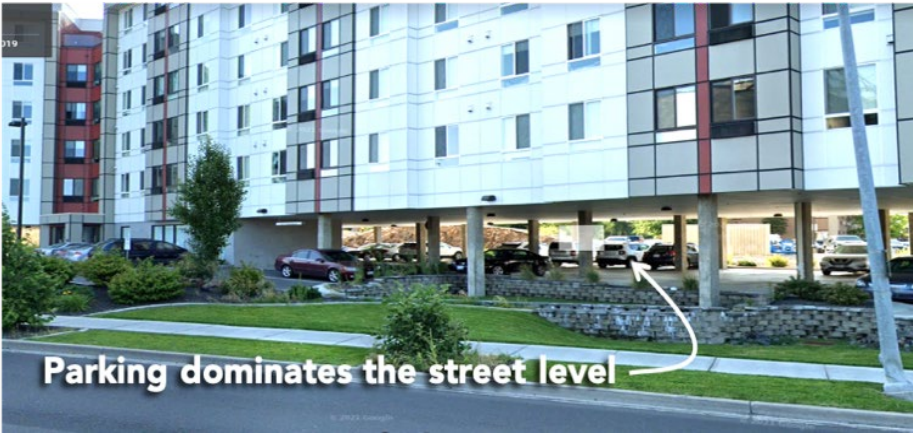
Neighborhood Mixed-Use



2. Create an Overlay Zone to apply base modifications along City Line



Address the Role Parking and Building Heights Play in Limiting TOD



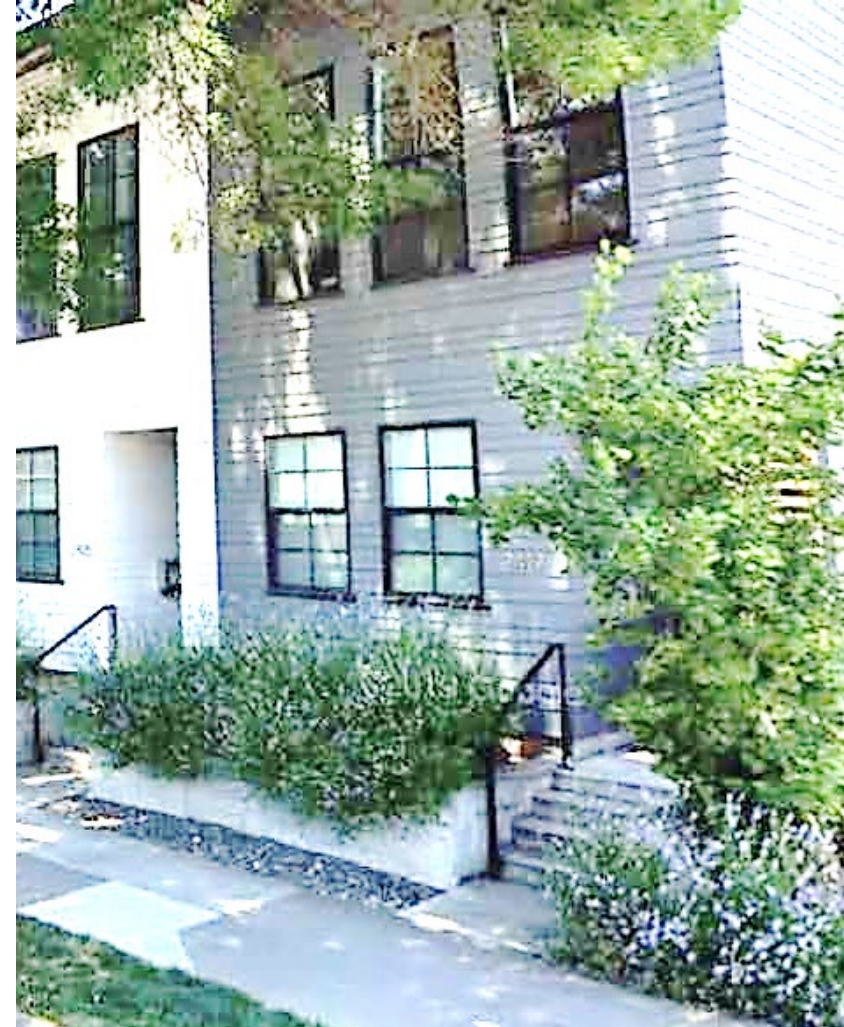
Maximize Incentives and Allowances to Promote Affordable Housing and Pedestrian Amenities



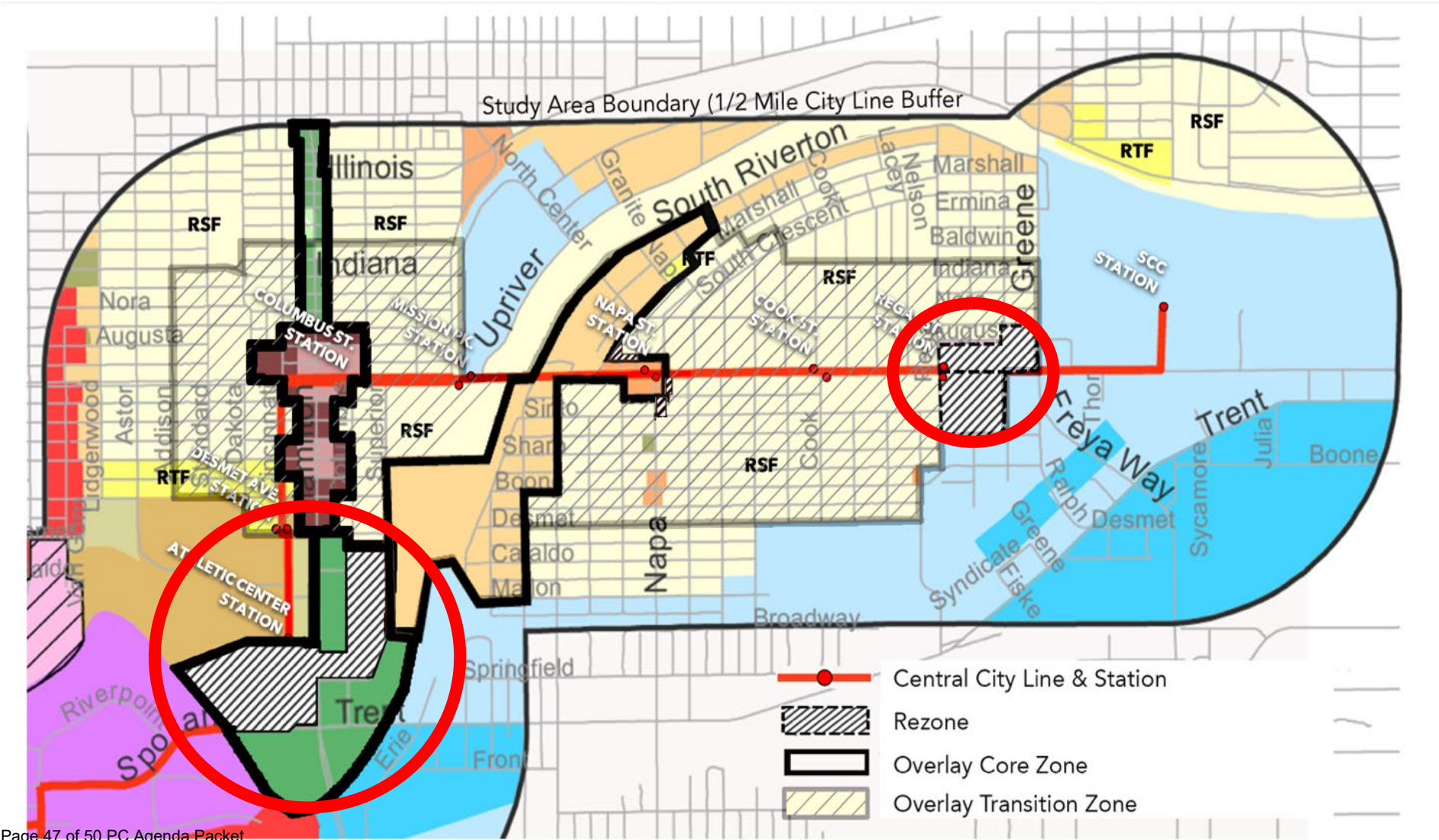
Figure 34: Middle Housing- SE Division Street, Portland OR

Standards that promote safe and active street environments

- **design** - form, massing, scale and materials
- **orientation** - front windows and doors facing the street
- **access** - window transparency and primary entries from street adjacent sidewalks—not parking lots
- **frontage** - percent of building façade along the front lot



3. Rezone opportunity areas at McCarthy Athletic Center and Regal



4. Carry out focused plans and studies at key locations

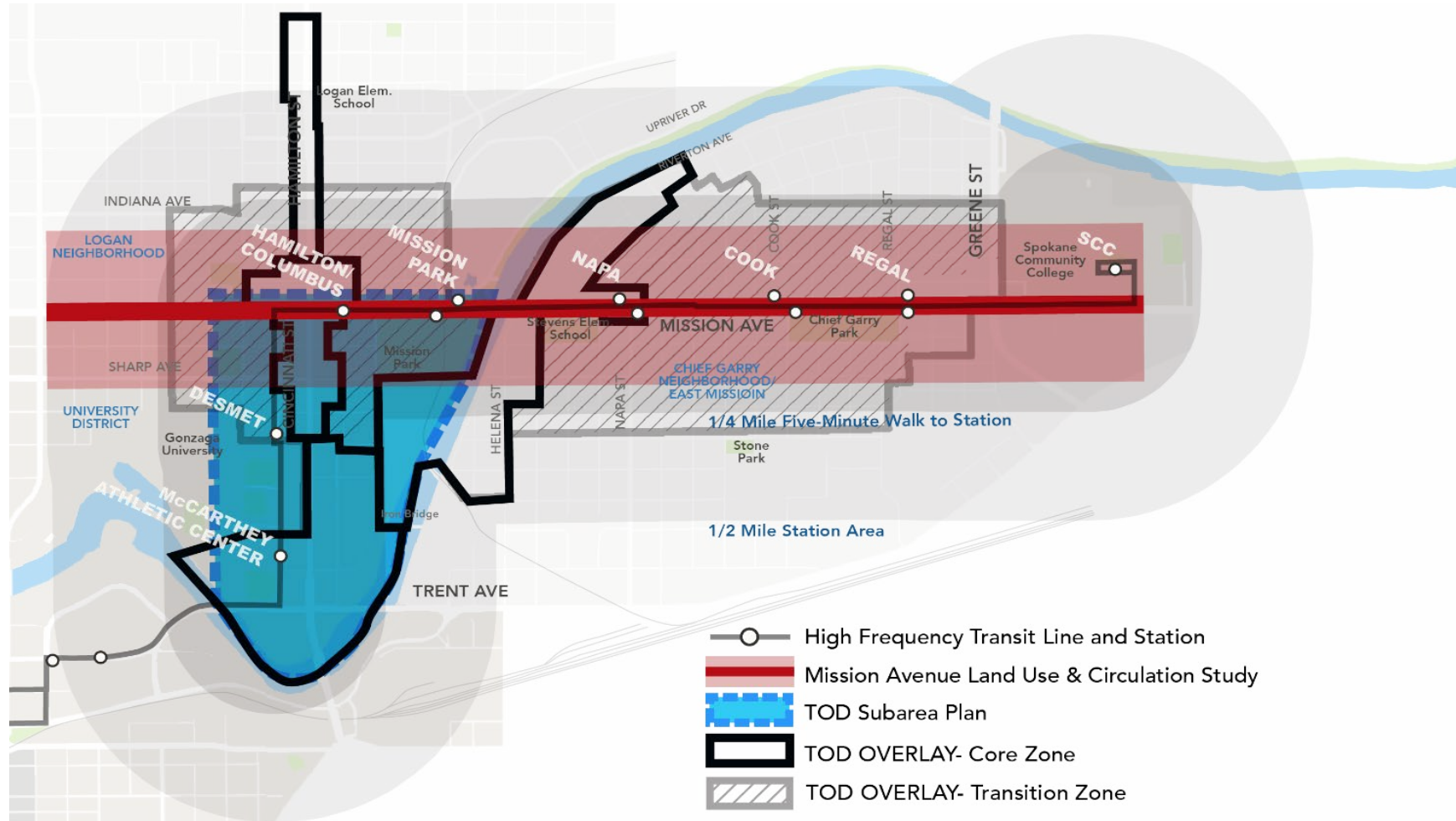


Figure 9: Action Plan Projects

ACTION PLAN

Available online at:

[TOD Framework Study Website](https://my.spokanecity.org/projects/transit-oriented-development-study/)

- Summarizes guiding principles,
- Reviews analysis and study process, and
- Reviews recommendations and next steps

<https://my.spokanecity.org/projects/transit-oriented-development-study/>



NEXT STEPS

April 13

Plan Commission Hearing

Action Plan recommendations

April/May

City Council

Resolution recognizing recommendations

Through 2023

TOD Implementation Project

McCarthy Athletic Center Station Area

