



**Agenda Sheet for City Council:**  
**Committee:** Urban Experience **Date:** 11/10/2025  
**Committee Agenda type:** Discussion

<b>Date Rec'd</b>	11/5/2025
<b>Clerk's File #</b>	ORD C36810
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

**Council Meeting Date:** 12/01/2025

**Submitting Dept** PLANNING & ECONOMIC

**Contact Name/Phone** BRANDON (509) 625 - 6846

**Contact E-Mail** BWHITMARSH@SPOKANE CITY.ORG

**Agenda Item Type** First Reading Ordinance

**Council Sponsor(s)** JBINGLE PDILLON

**Sponsoring at Administrators Request** NO

**Lease?** NO **Grant Related?** NO **Public Works?** NO

**Agenda Item Name** CO-LIVING HOUSING CODE UPDATE

#### **Agenda Wording**

An amendment to the Unified Development Code of the Spokane Municipal Code to comply with ESHB 1998: Co-living Housing, adopted by the Washington State Legislature in 2024.

#### **Summary (Background)**

In 2024, the state legislature adopted ESHB 1998: Co-living Housing, which requires the City of Spokane to allow co-living housing development in more areas and regulates what standards can apply to co-living. The intent of this proposal is to meet the requirements and intent of HB 1998 (2024), as codified in RCW 36.70A.535. Co-living is a style of residential development with sleeping units, providing living and sleeping space, that are independently rented and lockable while residents share kitchen facilities with other sleeping units in the building. Examples include Single Room Occupancy (SROs), rooming or boarding houses, and private dormitories. The state's goal with this mandate is to further support housing affordability and choice. Similar to middle housing, this style of residential development was historically common in the City of Spokane and provided affordable and flexible housing options during a time of significant population growth.

FIRST READING OF THE ABOVE  
ORDINANCE HELD ON

*12/1/2025*

AND FURTHER ACTION WAS DEFERRED

*Levi Hosten*

CITY CLERK

PASSED BY  
SPOKANE CITY COUNCIL:

*12/8/2025*

*Levi Hosten*

CITY CLERK

**What impacts would the proposal have on historically excluded communities?**

According to the Washington State Department of Commerce, co-living housing can provide housing options affordable to households making as low as 50% AMI without the need for subsidies. This proposal could expand housing affordability and housing choice for all Spokane residents, including those who have been historically excluded.

**How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?**

The Washington State Growth Management Act (GMA) requires a 5-year check-in after the adoption of the 2026 Periodic Update to the Comprehensive Plan (PlanSpokane 2046). As part of that check-in, data relating to population growth as well as housing availability and affordability are likely to be collected and reviewed. This check-in may also include review of the Racially Disparate Impacts Analysis, published by Planning Services in October 2025, encompassing data around housing access by income and race.

**How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?**

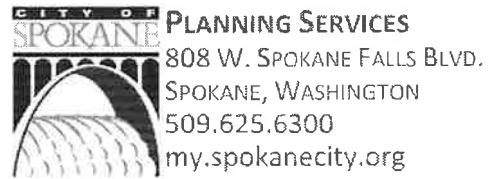
The result of this proposal will likely be reviewed as part of the GMA required 5-year check-in after the adoption of PlanSpokane 2046. However, this proposal is mandated by RCW 36.70A.535 and is unlikely to change unless state law changes.

**Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?**

The proposed code amendments ensure compliance with state law and are consistent with the goals and policies of the Comprehensive Plan, and other City efforts, relating to diversity of housing choice and the efficient use of land. Supportive Comprehensive Plan Goals and Policies include: LU 1 Citywide Land Use LU 3 Efficient Land Use LU 3.6 Compact Residential Patterns H 1 Housing Choice and Diversity H 1.7 Socioeconomic Integration H 1.10 Lower-Income Housing Development Incentives H 1.18 Distribution of Housing Options H 1.21 Development of Single-Room Occupancy Housing

**Council Subcommittee Review**

<b>Fiscal Impact</b>		
Approved in Current Year Budget? N/A		
Total Cost	\$	
Current Year Cost	\$	
Subsequent Year(s) Cost	\$	
<b>Narrative</b>		
No known fiscal impact to city operations.		
<b>Amount</b>	<b>Budget Account</b>	
Select \$	#	
<b>Funding Source</b>	N/A	
<b>Funding Source Type</b>	Select	
<b>Is this funding source sustainable for future years, months, etc?</b>		
<b>Expense Occurrence</b>	N/A	
<b>Other budget impacts (revenue generating, match requirements, etc.)</b>		
<b>Approvals</b>		<b>Additional Approvals</b>
<u>Dept Head</u>	MCDANIEL, ADAM	
<u>Division Director</u>	MACDONALD, STEVEN	
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS	
<u>Legal</u>	SCHOEDEL, ELIZABETH	
<u>For the Mayor</u>	PICCOLO, MIKE	
<b>Distribution List</b>		
		smacdonald@spokanecity.org
sgardner@spokanecity.org		tblack@spokanecity.org
bwhitmarsh@spokanecity.org		eking@spokanecity.org



## Amendments to the Co-living Housing Proposal for Council Consideration

**TO:** Spokane City Council  
**FROM:** Brandon Whitmarsh, Planner II  
**Date:** November 5, 2025  
**RE:** City Council Consideration of Amendments to the Plan Commission Hearing Version of the Co-living Housing Code Proposal

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After the Plan Commission Hearing on October 22, 2025, Staff discussions both internally, with our Current Planners who administer the code, and externally, with the Department of Commerce, have highlighted some differences between the way we talked about the proposal and the effect of the drafted code changes. The following amendments to the Plan Commission Hearing version of the proposal are necessary to unify the proposed code language with the intent of the Plan Commission discussions and recommendation of adoption.

### Retain the Allowance for SROs

The original proposal replaced the definition of Single Room Occupancy (SROs) with the definition of co-living and expanded where co-living was permitted in order to comply with RCW 36.70A.535. This was done under the impression that the new co-living definition was encompassing of the replaced SRO definition. However, this would result in the prohibition of a currently allowed use, SROs that do not provide kitchen facilities.

The proposal to unify co-living and SROs was intended to reduce the complexity of the code, but inadvertently restricted some cases of the SRO use type. To meet the intent of the proposal, as discussed by Staff and recommended by Plan Commission, a few edits to the proposal are needed.

#### Recommended changes:

- Retain the Single-room Occupancy Housing (SRO) definition in SMC 17A.020.190
- Permit Co-living and SRO uses in the R1, R2, RMF, and RHD zones in SMC 17C.111.115
- Retain callouts for SROs, in addition to co-living, as a Residential Household Living use in SMC 17C.190.110

### Provision of Care: Distinction Between Residential Household Living and Group Living

Under the Plan Commission Hearing version of this proposal, the provision of care, training, or treatment would make a project a Group Living use. This was a new provision intended to strengthen the distinction between Group Living, which is a conditional use in the residential zones, and Residential Household Living, which is allowed outright. In further discussions with our Current Planning Staff and review of recent permit activity, this distinction would negatively impact housing projects that would not have previously been reviewed as Group Living. Staff propose the removal of this added language to ensure consistent review and regulation of projects.

Recommended change:

- Remove the proposed exception stating “Lodging providing any combination of care, training, or treatment is considered Group Living” from SMC 17C.190.110

## ORDINANCE NO. C36810

An ordinance relating to implementing the co-living housing requirements of RCW 36.70A.535, amending portions of SMC 17A.020.030, SMC 17A.020.190, SMC 17C.111.115, SMC 17C.111.205, SMC 17C.111.210, SMC 17C.111.300, SMC 17C.111.400, SMC 17C.190.100, and SMC 17C.190.110.

WHEREAS, in 2024, the Washington State Legislature passed Engrossed Substitute House Bill (ESHB) 1998 related to co-living housing; and

WHEREAS, in passing ESHB 1998 (2024) the State Legislature found that:

- Washington is facing a housing affordability crisis;
- Co-living housing historically provided a healthy inventory of rental homes on the lowest rung of the private housing market;
- Many communities throughout Washington face a severe shortage of workforce housing, and co-living housing provides housing affordable to that income range and below, without public funding;
- Co-living housing reduces pressure on the limited amount of publicly funded affordable housing by providing housing that is affordable to lower income residents who might otherwise wait years for subsidized housing;
- Co-living housing reduces demand for family-sized rentals from singles who would otherwise group together to rent large homes;
- Co-living housing is well-suited for people of diverse incomes, including low and very-low income households;
- State building codes have established minimum sizes and other standards to ensure that co-living housing meets modern health and safety standards; and

WHEREAS, In the early 20th Century, co-living housing in downtown Spokane provided flexible and affordable housing options for the city's growing population; and

WHEREAS, like middle housing, this historically common housing type could provide additional housing choice to residents today; and

WHEREAS, this proposal intends to meet the requirements and intent of ESHB 1998, codified in RCW 36.70A.535; and

WHEREAS, the adopted fee schedule for sewer connection fees is based on the water meter size of a project and is proportional to the needs of the development, meeting the intent of RCW 36.70A.535(8); and

WHEREAS, on September 24, 2025, A Notice of Intent to Adopt was published in the City Council Gazette; and

WHEREAS, on September 24, 2025, and October 8, 2025, the Spokane Plan Commission held workshops open to the public; and

WHEREAS, on October 1, 2025, the Washington State Department of Commerce was given the required 60-day notice before the adoption of proposed changes to the Unified Development Code in accordance with RCW 36.70A.106; and,

WHEREAS, on October 2, 2025, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on this proposal; and

WHEREAS, on October 8, 2025, and October 15, 2025, a joint legal Notice of SEPA Determination and Plan Commission Public Hearing was published in the Spokesman-Review and City Council Gazette; and

WHEREAS, on October 22, 2025, the Spokane Plan Commission held a duly noticed public hearing, allowed for public testimony, deliberated, and voted to recommend City Council adoption of the proposed amendments (Exhibit A); and

WHEREAS, the proposed amendments are consistent with the Goals and Policies of the Comprehensive Plan, especially those relating to diversity of housing choice and the efficiency of land use; and

WHEREAS, adoption of these proposed amendments will bring the City of Spokane into compliance with RCW 36.70A.535 and will serve the public health, safety, welfare, and protection of the environment; and

WHEREAS, the proposed amendments meet the approval criteria outlined in SMC 17G.025.010(G); and

WHEREAS, as outlined in the Plan Commission Findings of Fact, Conclusions, and Recommendations (Exhibit A), interested agencies and the public have had opportunities to participate throughout the process and all persons wishing to comment on the amendment were given an opportunity to be heard; and

WHEREAS, the proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights;  
-- Now, Therefore,

The City of Spokane does ordain:

**Section 1. Findings of Fact:** The City Council adopts the recitals set forth herein as its findings and conclusions in support of the adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Plan Commission Findings of Fact, Conclusions, and Recommendations (Exhibit A) for the same purposes.

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

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 and economic development 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.

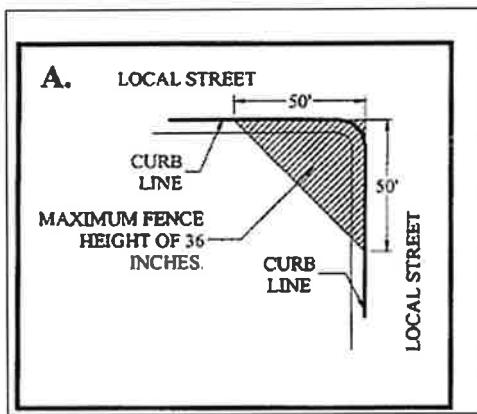
G. **Certified Erosion and Sediment Control Lead (CESCL).**

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.

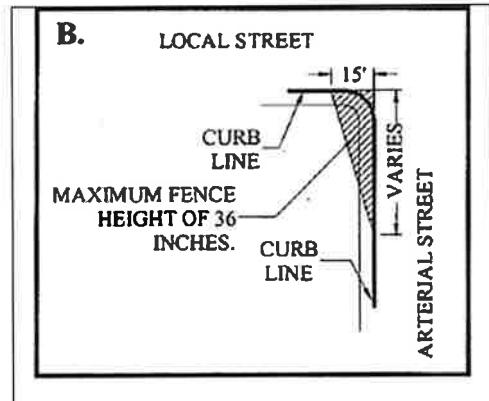
The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.

- 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. City Engineer.  
The Director of the Engineering Services department, or their designee for approval authority.
- M. Clear Street Width.  
The width of a street from curb to curb minus the width of on-street parking lanes.
- N. 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.
- O. Clear View Triangle
  - 1. 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.



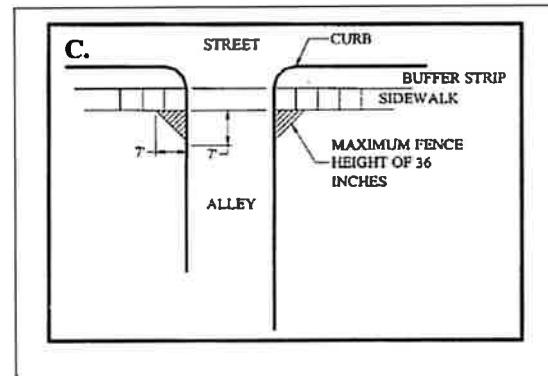
- 2. Intersection of local and arterial: A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles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

triangle has a side along such arterial of one hundred twenty-two feet, or when the arterial speed limit is 40 mph or greater the dimensions of the triangle shall be determined by Street Department staff using AASHTO's A Policy on Geometric Design as a reference.



3. Alleys: 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.



P. Clear Zone.  
The roadside area free of obstacles, starting at the edge of the traveled way.

Q. 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.

R. Cliffs.  
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.  
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.

S. **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.

T. **Collector Arterial.**

Collector arterials (consisting of Major and Minor Collectors) collect and distribute traffic from local streets to principal and minor arterials. They serve both land access and traffic circulation.

U. **Co-living.**

A residential development with sleeping units that are independently rented and lockable and provide living and sleeping space with residents sharing kitchen facilities with other sleeping units in the building (RCW 36.70A.535).

((U-))V. **Co-location.**

Is the locating of wireless communications equipment from more than one provider on one structure at one site.

((V-))W. **Colony.**

A hive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.

((W-))X. **Commercial Vehicle.**

Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.

((X-))Y. **Commission – Historic Landmarks.**

The City/County historic landmarks commission.

((Y-))Z. **Community Banner.**

See SMC 17C.240.015.

((Z-))AA. **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.

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.

A community meeting does not constitute an open record hearing.

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

((AA.))BB. 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.

((BB.))CC. Counter Complete

A land use application is counter complete if the application contains the documents and information required by SMC 17G.061.110 and required fees have been paid. This is the first step in the Land Use Application Determination of Completeness as outlined in 17G.061.120 and the department may request additional information, documents, or studies before certifying the application as technically complete.

((CC.))DD. 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.

((DD.))EE. 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.

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

It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.

((EE.))FF. 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.

((FF.))GG. Concurrency Facilities.

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

1. transportation,
2. public water,
3. fire protection,
4. police protection,
5. parks and recreation,
6. libraries,
7. solid waste disposal and recycling,
8. schools, and
9. public wastewater (sewer and stormwater).

((GG.))HH. 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.

((HH.))II.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.

((I.))JJ.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.

((JJ.))KK.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.

((KK.))LL.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.

((LL.))MM.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.

((MM.))NN.Container.

Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.

((NN.))OO.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.

((OO.))PP.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.

((PP.))QQ.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.

((QQ-))RR.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.

((RR-))SS.Copy.

See SMC 17C.240.015.

((SS-))TT.Cottage Housing.

A grouping of residential units with a common open space.

((TT-))UU.Council.

The city council of the City of Spokane.

((UU-))VV.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.

((VV-))WW.Courtyard apartments.

Three or more attached dwelling units arranged on two or three sides of a yard or court.

((WW-))XX.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.

((XX-))YY.Creep.

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

((YY-))ZZ.Critical Amount.

The quantity component of the definition of critical material.

((ZZ-))AAA.Critical Aquifer Recharge Areas (CARA).

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

((AAA-))BBB.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.

((BBB-))CCC.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.

((CCC-))DDD.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:
  - 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.

((DDD-))EEE.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.

((EEE-))FFF.Critical Materials Handbook.

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

1. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.

2. The handbook, as approved and modified by the division director of public works and utilities, contains:
  - a. a critical materials list,
  - b. a critical materials activities list, and
  - c. other technical specifications and information.
3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

((FFF.))GGG.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.

((GGG.))HHH.Critical Review Action.

1. An action by a municipal official or body upon an application as follows:
  - a. Application for a building permit where plans and specifications are required, except for Group R and M occupancies (SMC 17G.010.140 and SMC 17G.010.150).
  - b. Application for a shoreline substantial development permit (SMC 17G.061.110(D)(1)).
  - c. Application for a certificate of occupancy (SMC 17G.010.170).
  - d. Application for a variance or a certificate of compliance SMC 17G.061.110.
  - e. Application for rezoning SMC 17G.061.110.
  - f. Application for conditional permit SMC 17G.061.110.
  - g. Application for a business license (SMC 8.01.120).
  - h. Application for a permit under the Fire Code (SMC 17F.080.060).
  - i. Application for a permit or approval requiring environmental review in an environmentally sensitive area (SMC 17E.050.260).
  - j. Application for connection to the City sewer or water system.
  - k. Application for construction or continuing use of an onsite sewage disposal system (SMC 13.03.0149 and SMC 13.03.0304).
  - l. Application for sewer service with non-conforming or non-standard sewage (SMC 13.03.0145, SMC 13.03.0314, and SMC 13.03.0324).
  - m. Application involving a project identified in SMC 17E.010.120.
  - n. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.
  - o. Application for an underground storage tank permit (SMC 17E.010.210); and

- p. Application for permit to install or retrofit aboveground storage tank(s) (SMC 17E.010.060(A) and SMC 17E.010.400(D)).
2. Where a particular municipal action is requested involving a land use installation or other activity, and where said action is not specified as a critical review action, the City official or body responsible for approval may, considering the objectives of this chapter, designate such as a critical review action and condition its approval upon compliance with the result thereof.

((HHH-))III.Critical Review Applicant.

A person or entity seeking a critical review action.

((III-))JJJ.Critical Review Officer – Authority.

1. The building official or other official designated by the director of public works and utilities.
2. or 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.

((JJJ-))KKK.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.

((KKK-))LLL.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.

((LLL-))MMM.Curb Ramp.

A ramp constructed in the sidewalk to provide an accessible route from the sidewalk to the street.

((MMM-))NNN.Cutbank.

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

**Section 3.** That Section 17A.020.190 is amended to read as follows:

- A. **Salmonid.**  
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. **Sandwich Board Sign.**  
See SMC 17C.240.015.
- C. **Scrub-shrub Wetland.**  
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.
- D. **Secondary Building Walls.**  
Exterior building walls that are not classified as primary building walls.
- E. **Secondary Containment.**  
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. **Sediment.**  
Mineral or organic matter deposited as a result of erosion.
- G. **Sedimentation.**  
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. **SEPA Rules.**  
Chapter 197-11 WAC adopted by the department of ecology.
- I. **Service Area.**  
A geographic area defined by the City, which encompasses public facilities that are part of a plan.
- J. **Serviceable.**  
Means presently useable.
- K. **Setback.**  
The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:
  1. "Front setback" means a setback that is measured from a front lot line.
  2. "Rear setback" means a setback that is measured from a rear lot line.
  3. "Side setback" means a setback that is measured from a side lot line.
  4. "Street setback" means a setback that is measured from a street lot line.

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

1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or
2. Any establishment located within an enclosed regional shopping mall.

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

N. **Shall.**  
Unless the context indicates otherwise, the term "shall" means:

1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with "must";
2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or
3. The future tense of the verb "to be."

O. **Shallow Groundwater.**  
Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.

P. **Shared Use Pathway.**  
A non-motorized transportation pathway shared by pedestrians, scooters and bicyclists. May be located next to a street or in a separate right-of-way.

Q. **Shorelands.**  
Or "shoreline areas" or "shoreline jurisdiction" means all "shorelines of the state" and "shorelands" as defined in RCW 90.58.030. Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the entire shoreline master program; the same to be designated as to location by the department of ecology.

R. Shoreline and Ecosystems Enhancement Plan and Program.  
See SMC 17E.020.090, Habitat Management Plans.

S. Shoreline Buffer.

1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.
2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.
3. The term "buffer area" has the same meaning as "buffer."

T. Shoreline Enhancement.

Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.

U. Shoreline Environment Designations.

The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).

V. Shoreline Habitat and Natural Systems Enhancement Projects.

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

W. Shoreline Jurisdiction.

See "Shorelands."

X. Shoreline Letter of Exemption.

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

Y. Shoreline Master Program.

1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and

text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.

2. For the City of Spokane, the shoreline master program includes the:
  3. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
  4. Shoreline Regulations (chapter 17E.060 SMC),
  5. City of Spokane Shoreline Restoration Plan (stand-alone document), and
  6. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).

Z. Shoreline Mixed Use.

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

AA. Shoreline Modifications.

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

BB. Shoreline Protection.

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

CC. Shoreline Recreational Development.

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

DD. Shoreline Restoration.

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

EE. Shoreline Stabilization.

Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and

breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.

FF. Shoreline Structure.

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

GG. Shorelines Hearings Board (SHB).

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

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

HH. Short Plat – Final.

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

II. Short Plat – Preliminary.

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

JJ. Short Subdivision.

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

KK. Sign.

See SMC 17C.240.015.

LL. Sign – Animated Sign.

See SMC 17C.240.015.

MM. Sign – Electronic Message Center Sign.

See SMC 17C.240.015.

NN. Sign Face.

See SMC 17C.240.015.

OO. Sign – Flashing Sign.  
See SMC 17C.240.015.

PP. Sign Maintenance.  
See SMC 17C.240.015.

QQ. Sign – Off-premises.  
See SMC 17C.240.015.

RR. Sign Repair.  
See SMC 17C.240.015.

SS. Sign Structure.  
See SMC 17C.240.015.

TT. Significant Vegetation Removal.  
The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.  
1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.  
2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

UU. Single Unit Residential Building (or “Single-unit Residential”).  
A dwelling containing only one dwelling unit.

VV. Single-room Occupancy Housing (SRO).  
A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.  
1. The structure may or may not have separate or shared cooking facilities for the residents.  
2. SRO includes structures commonly called residential hotels and rooming houses.

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

XX. Site – Archaeological.  
1. A place where a significant event or pattern of events occurred. It may be the:  
a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or  
b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.

2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.

YY. Site, Parent.  
The initial aggregated area containing a development, and from which individual lots may be divided.

ZZ. Sixplex.  
A building that contains six dwelling units on the same lot that share a common wall or common floor/ceiling.

BA. Sleeping Unit (Co-living).  
A single unit that provides rooms or spaces for one or more persons, includes permanent provisions for sleeping and can include provisions for living, eating, and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

((BA.))BB. Slump.  
The intermittent movement (slip) of a mass of earth or rock along a curved plane.

((BB.))BC. SMC.  
The Spokane Municipal Code, as amended.

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

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

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

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

((BG.))BH. Special Event Sign.  
See SMC 17C.240.015.

((BH.))BI. Species of Concern.

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

((BI.))BJ. Specified Anatomical Areas.

They are human:

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

((BJ.))BK. Specified Sexual Activities.

Any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy; and
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

((BK.))BL. Spokane Regional Stormwater Manual (SRSM).

A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.

((BL.))BM. Spokane Register of Historic Places.

The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.

((BM.))BN. Sports Field.

An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.

((BN.))BO. Stabilization.

The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.

((BO.))BP. Stacked flat.

Dwelling units in a residential building of no more than three stories in which each floor may be separately rented or owned.

((BP.))BQ. Standard Plans.

Refers to the City of Spokane's standard plans.

((BQ.))BR. Standard References

Standard engineering and design references identified in SMC 17D.060.030.

((BR.))BS. Start of Construction

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

((BS.))BT. State Candidate Species.

Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.

((BT.))BU. State Endangered Species.

Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.

((BU.))BV. State Register.

The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).

((BV.))BW. State Sensitive Species.

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

((BW.))BX. State Threatened Species.

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

((BX.))BY. Stealth Facilities.

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

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and

4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

((BY.))BZ. Stewardship.

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

((BZ.))CA. Stormwater.

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

((CA.))CB. Stormwater Management Program (SWMP).

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

((CB.))CC. Story.

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

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

((CC.))CD. Stream.

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

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

((CD.))CE. Street.

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

((CE.))CF. Street Classifications.

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

((CF.))CG. Street Frontage.

The lot line abutting a street.

((CG.))CH. Strobe Light.

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

((CH.))CI. Structural Alteration.

See SMC 17C.240.015.

((CI.))CJ. Structure.

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

1. Structure includes:
  - a. Buildings,
  - b. Decks,
  - c. Fences,
  - d. Towers,
  - e. Flag poles,
  - f. Signs, and
  - g. Other similar objects.
2. Structure does not include paved areas or vegetative landscaping materials.
3. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

((CJ.))CK. Structure – Historic.

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

((CK.))CL. Subdivision.

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

((CL.))CM. Subject Property.

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

((CM.))CN. Sublevel Construction Controls.

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

((CN.))CO. Submerged Aquatic Beds.

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

((CO.))CP. Substantial Damage – Floodplain.

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

((CP.))CQ. Substantial Development.

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

((CQ.))CR. Substantial Improvement – Floodplain.

1. This definition includes structures that have incurred “substantial damage,” regardless of the actual work performed.
2. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
  - a. Before the improvement or repair is started, or
  - b. If the structure has been damaged and is being restored, before the damage occurred.
3. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
4. The term does not, however, include either any:
  - a. Project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
  - b. Alteration of a “historic structure” provided the alteration will not preclude the structure’s continued designation as a “historic structure.”

((CR.))CS. Suffix.

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

**Section 4.** That Section 17C.111.115 is amended to read as follows:

A. Purpose.

Housing types allowed in each zone are consistent with the intended intensity and scale of the zone, as described in section 17C.111.030. The standards allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing. Other housing types, including large multifamily buildings, are allowed in the higher intensity zones under the RMF and RHD categories.

B. The kinds of housing types allowed in the residential zones are stated in Table 17C.111.115-1.

<b>TABLE 17C.111.115-1</b> <b>RESIDENTIAL ZONE HOUSING TYPES ALLOWED</b> <b>(Click here to view PDF)</b>					
P – Permitted N – Not Permitted CU – Conditional Use review required	RA	R1	R2	RMF	RHD
Single-Unit Residential Building	P	P	P	P	P
Middle housing [1]	N	P	P	P	P
Accessory Dwelling Unit (ADU) [2]	P	P	P	P	P
Manufactured Home [3]	P	P	P	P	P
Mobile Home Parks [3]	CU	CU	P	P	P
Single Room Occupancy (SRO)	N	((N))P	((N))P	P	P
Co-living	N	P	P	P	P
Group Living	See SMC 17C.330.100				
Multi-Unit Residential Building [1]	N	P	P	P	P
Short Term Rentals [4]	P/CU	P/CU	P/CU	P/CU	P/CU

Notes:

[1] See SMC 17A.020.130 for definitions of middle housing and multi-unit residential building.

[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 5.** That Section 17C.111.205 is amended to read as follows:  
Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

<b>TABLE 17C.111.205-1</b> <b>LOT DEVELOPMENT STANDARDS [1]</b>				
	RA	R1	R2	RMF
				RHD

<b>DENSITY STANDARDS</b>					
Maximum density on sites 2 acres or less [2][3]	No maximum	No maximum	No maximum	No maximum	No maximum
Maximum density on sites larger than 2 acres [2]	10 units/acre	10 units/acre	20 units/acre	No maximum	No maximum
Minimum density [2]	4 units/acre	4 units/acre	10 units/acre	15 units/acre	15 units/acre
<b>LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS</b>					
Minimum lot area	7,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Minimum lot width [4]	40 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum lot width within Airfield Overlay Zone	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum lot depth	80 ft.	80 ft.	40 ft.	N/A	N/A
Minimum lot frontage	40 ft.	Same as minimum lot width			
<b>MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS</b>					
Minimum parent lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Maximum parent lot area	2 acres	2 acres	2 acres	2 acres	2 acres
Minimum child lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Minimum child lot depth	No minimum	No minimum	No minimum	No minimum	No minimum
<b>LOT COVERAGE</b>					
Maximum total building coverage [5][6][7]	50%	65%	80%	100%	100%
Maximum lot impervious coverage without engineer's stormwater drainage plan - not in ADC [5][8][9]	50%	60%	60%	N/A	N/A
Maximum lot impervious coverage without engineer's stormwater drainage plan - inside ADC [5][8][9]	40%	40%	40%	N/A	N/A
<p>Notes:</p> <p>[1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.</p> <p>[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.</p> <p>[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.</p>					

[4] Requirements associated with driveways such as minimum approach separation and driveway coverage maximums may limit driveways on narrow lots.

[5] Lot and building coverage calculation includes all primary and accessory structures.

[6] Building coverage for attached housing is calculated based on the overall development site, rather than individual lots.

[7] Developments meeting certain criteria relating to transit, Centers & Corridors, or housing affordability are given a bonus for building coverage. See SMC 17C.111.225 for detailed eligibility criteria.

[8] Projects may exceed impervious coverage requirements by including an engineer's drainage plan in submittals, subject to review by the City Engineer as described in SMC 17D.060.135. "ADC" means Area of Drainage Concern.

[9] Projects in the RMF and RHD zones that are exempted from review under the Spokane Regional Stormwater Manual shall follow the impervious coverage requirements of the R1 zone.

TABLE 17C.111.205-2  
BUILDING AND SITING STANDARDS [1]

	RA	R1	R2	RMF	RHD
<b>PRIMARY BUILDINGS</b>					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Maximum building height [2]	35 ft.	40 ft.	40 ft.	55 ft.	75 ft.
<b>MINIMUM SETBACKS</b>					
Front [3]	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Interior side lot line - lot width 40 ft or less [4] [5]	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Interior side lot line - lot width more than 40 ft [4] [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Street side lot line – all lot widths	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Attached garage or carport entrance from street	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
<b>ACCESSORY DWELLING UNITS</b>					
Maximum building footprint for accessory dwelling unit	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Maximum building height	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				

Minimum rear setback with alley [4] [5] [6]	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
<b>OTHER ACCESSORY STRUCTURES</b>					
Maximum lot coverage for accessory structures – lots 5,500 sq. ft. or less	20%	20%	20%	See Primary Structure	See Primary Structure
Maximum lot coverage for accessory structures – lots larger than 5,500 sq. ft.	20%	15%	15%	See Primary Structure	See Primary Structure
Maximum building height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
<b>OPEN SPACE [7][8]</b>					
Minimum outdoor area per unit [((8))9]	250 sq. ft.	250 sq. ft.	250 sq. ft.	Studio: 48 sq. ft. per unit  1- bedroom: 75 sq. ft. per unit  2+ bedrooms: 150 sq. ft. per unit  Sites 20,000 sq ft. or less: 36 sq. ft. per unit	Studio: 48 sq. ft. per unit  1- bedroom: 75 sq. ft. per unit  2+ bedrooms: 100 sq. ft. per unit  Sites 20,000 sq ft. or less: 36 sq. ft. per unit
Minimum common outdoor area per unit as a substitute for private area - first six units	200 sq. ft.	200 sq. ft.	200 sq. ft.	Studio: 48 sq. ft. per unit  1- bedroom: 75 sq. ft. per unit	Studio: 48 sq. ft. per unit  1- bedroom: 75 sq. ft. per unit

				2+ bedrooms: 150 sq. ft. per unit	2+ bedrooms: 100 sq. ft. per unit
					Sites 20,000 sq ft. or less: 36 sq. ft. per unit
Minimum common outdoor area per unit as a substitute for private area - all units after six	150 sq. ft.	150 sq. ft.	150 sq. ft.	Studio: 36 sq. ft. per unit  1- bedroom: 48 sq. ft. per unit  2+ bedrooms: 48 sq. ft. per unit	Studio: 36 sq. ft. per unit  1- bedroom: 48 sq. ft. per unit  2+ bedrooms: 48 sq. ft. per unit
					Sites 20,000 sq ft. or less: 25 sq. ft. per unit
<b>Notes:</b>					
[1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.					
[2] Base zone height may be modified according to SMC 17C.111.230, Height.					
[3] Certain elements such as covered porches may extend into the front setback. See SMC 17C.111.235, Setbacks.					
[4] There is an additional angled setback from the interior side lot line. Refer to SMC 17C.111.230(C) and 17C.111.235(E) for more detail.					
[5] Setbacks 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 as specified in SMC 17C.111.240(C).					
[6] Accessory structures may be subject to an additional side setback adjacent to streets as specified in 17C.111.240(C)(5).					
[7] Residential units with a continuous pedestrian route as defined in SMC Section 17C.111.420(B) from the property boundary to a public park within 800 feet shall have a minimum of not more than 36 square feet of open space per unit.					
[8] Sleeping units in a co-living development do not require open space.					

[(8)] Common outdoor area may be substituted for private outdoor area according to SMC 17C.111.310.

TABLE 17C.111.205-3 DEVELOPMENT STANDARDS FOR PROPERTIES QUALIFYING FOR DEVELOPMENT BONUS [1] [2]					
	RA	R1	R2	RMF	RHD
<b>LOT COVERAGE</b>					
Maximum total building coverage	N/A	80%	90%	100%	100%
<b>PRIMARY BUILDINGS</b>					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Notes:					
[1] Standards not addressed in this table are consistent with the general standards in Tables 17C.111.205-1 and 17C.111.205-2.					
[2] Criteria to qualify for Development Bonuses is outlined in SMC 17C.111.225.					

**Section 6.** That Section 17C.111.210 is amended to read as follows:

- A. Purpose.  
The number of dwellings per unit of land, the density, is controlled so that housing can match the availability of public services. The use of density minimums ensures that in areas with the highest level of public services, the service capacity is not wasted and that the City's housing goals are met.
- B. Unless specifically exempted, all residential development shall meet the minimum and maximum densities provided in Table 17C.111.205-1.
- C. Gross Density Used.  
The calculation of density for a subdivision or residential development is based on the total (gross) area of the subject property.
- D. Critical Areas May Be Subtracted.  
Land within a critical area (see definitions under chapter 17A.020 SMC) may be, but is not required to be, subtracted from the calculation of density.
- E. Right-of-Way May Be Subtracted.  
Land dedicated as Right-of-Way may be, but is not required to be, subtracted from a calculation of density.
- F. Sleeping Units in Co-Living Development.

When calculating allowed density for co-living housing, sleeping units are treated as one-quarter of a dwelling unit. For example, when a calculation results in a density of four dwelling units allowed on a site, a density of 16 sleeping units is allowed on the site.

((F-))G. Numbers Rounded Up.

When the calculation of density results in a fraction, the density allowed or required is rounded up to the next whole number. For example, when a calculation results in 4.35 units, the number is rounded up to five units.

((G-))H. Formula.

The following formula is used to determine the maximum number of units allowed or the minimum number of units required on the site:

Square footage of site, less any land within a critical area or dedicated to right-of-way, divided by the square footage of one acre (43,560 square feet), multiplied by the density number from Table 17C.111.205-1 equals maximum number of units allowed or minimum number of units required.

Example of determining the minimum number of units with a minimum density of 4 units/acre on a 135,036 square foot (3.1 acre) site:

$$(135,036 \text{ square ft} / 43,560 \text{ square ft/acre}) * 4 \text{ units/acre} = 12.4 \text{ units}$$

(rounded up to 13 units)

Example of determining the maximum number of units with a maximum density of 20 units/acre on a 112,400 square foot (2.58 acre) site encumbered by 21,780 square feet (0.5 acre) of Critical Areas (see Title 17E):

$$[(112,400 \text{ square feet} - 21,780 \text{ square feet}) / 43,560 \text{ square ft/acre}] * 20 \text{ units/acre} = 41.6 \text{ units}$$

(rounded up to 42 units)

If calculating allowed density for co-living development, multiply the result of the density maximum calculation by four.

If this formula results in a decimal fraction, the resulting number of units allowed is rounded up to the next whole number.

((H-))I. Land Division in R1 or R2 Zones.

If a land division is proposed in an R1 or R2 zone, the calculation of density shall count one lot as one dwelling unit.

((I-))J. Exceptions to Maximum Density Limits.

1. Development Less Than Two (2) Acres.

If the development site excluding any land within a critical area is two (2) acres or less in area, the maximum density standards shall not apply.

Proposed new Right-of-Way may also be subtracted from the development site.

2. Middle Housing Allowance.

Notwithstanding any density maximum resulting from a density calculation, any combination of Middle Housing types identified under SMC 17A.020.130(J) shall be allowed on a lot up to six total units, including Accessory Dwelling Units. Such development shall still be subject to other

site development standards which may limit the total amount of achievable development on the site.

((J.))K. Exceptions to Minimum Density Requirements.

3. Construction on Existing Legal Lots.  
Except as provided in subsection (K), when renovation or new construction is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density shall not apply.
4. Land Divisions with Existing Structures.  
When a land division is proposed on a lot below the minimum density and with an existing dwelling unit, any new lots created shall meet these density requirements. A lot which retains an existing primary structure may continue its nonconforming density.

((K.))L. Nonconforming Situations.

A site with pre-existing development may not move out of conformance or further out of conformance with the density standards, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).

((L.))M. Transfer of Density.

Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.

((M.))N. Other Standards Apply.

The number of units allowed or required on a site is based on the presumption that all site development standards will be met. A calculation of maximum allowable density does not ensure the maximum number is achievable under other standards and regulations that govern site development.

**Section 7.** That Section 17C.111.300 is amended to read as follows:

Except as specified in this section, all new development of single-unit residential and middle housing must address the following design standards, administered pursuant to SMC 17C.111.015, Design Standards Administration. When existing single-unit residential or middle housing development is expanded or additional dwelling units are added, only those portions of the development that are new or renovated must meet the standards in this section. Co-living development in the R1 and R2 zones is subject to these standards. Manufactured Home Parks are not subject to these standards.

**Section 8.** That Section 17C.111.400 is amended to read as follows:

A. Purpose.

Multi-unit housing at intensities above Middle Housing types is often more intensive than single-unit or Middle Housing development and can have different design considerations. These standards are intended to address the specific needs of multi-unit housing; mitigate impacts to light, air, visual intrusions, and noise; and assist these buildings in complementing surrounding development.

These standards may also be used to make higher density housing more livable communities.

B. Applicability.

These standards apply to multi-unit development, including co-living, in the RMF and RHD zones where permitted unless otherwise noted.

**Section 9.** That Section 17C.190.100 is amended to read as follows:

A. Characteristics.

Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Residential Household Living.((  
~~The size of the group will be larger than the average size of a household.~~))  
Tenancy is primarily arranged on a month-to-month basis, or for a longer period.((~~Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).~~)) Generally, Group Living structures have a common eating area for residents. The residents may or may not receive any combination of care, training or treatment, as long as they also reside at the site.

B. Accessory Uses.

Accessory uses commonly found are recreational facilities, parking of autos for the occupants and staff, and parking of vehicles for the facility.

C. Examples.

Examples include((~~dormitories, communes, fraternities and sororities, monasteries and convents,~~)) nursing and convalescent homes, assisted living facilities, confidential shelters,((~~congregate residences,~~)) residential care facility for adults or youth, and alternative or post incarceration facilities. Group Living may include dormitories, communes, fraternities and sororities, monasteries and convents, and congregate residences that do not meet the definition of co-living.

D. Exceptions.

1. Residential structures occupied by persons with disabilities requiring reasonable accommodations pursuant to the federal or state law are included in the Residential Household Living category.
2. Lodging ((~~where tenancy may be arranged for periods less than one month~~)) where the proportion of units rented on a short-term basis exceeds the limits in SMC 17C.316.040 and SMC 17C.316.050 for the underlying zone is considered a hotel or motel use and is classified in the Retail Sales and Service category. However, in certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use such as short-term housing or mass shelters.

((3.) Lodging where the residents meet the definition of "household," and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Residential Household Living.))

((4.))3. Facilities for people who are under judicial detainment and are under the supervision of detention/incarceration officers are included in the Detention Facilities category.

**Section 10.** That Section 17C.190.110 is amended to read as follows:

A. Characteristics.

Residential Household Living is characterized by the residential occupancy of a dwelling or sleeping unit by a household. Tenancy is primarily arranged on a month-to-month basis, or for a longer period. ((Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories.))) Apartment, SRO, or co-living complexes that have accessory services such as food service, dining rooms, and housekeeping are included as Residential Household Living. ((Single room occupancy housing (SROs) that does not have totally self-contained dwelling units is also included if at least two thirds of the units are rented on a monthly basis. SROs may have a common food preparation area, but meals are prepared individually by the residents.)) Residential structures occupied by persons with disabilities requiring reasonable accommodations pursuant to the federal or state law are included in the Residential Household Living category.

B. Accessory Uses.

Accessory uses commonly found are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Home occupations, accessory dwelling units, short-term rentals, and bed and breakfast facilities are accessory uses that are subject to additional development standards of the zoning code.

C. Examples.

Uses include single-family residences, duplexes, middle housing, apartments, condominiums, retirement center apartments, manufactured housing, co-living, SROs, and other structures with self-contained dwelling or sleeping units. ((Examples also include living in SROs if the provisions are met regarding length of stay and separate meal preparation.))

D. Exceptions.

1. Lodging((in a dwelling unit or SRO where less than two thirds of the) where the proportion of units((are)) rented on a ((monthly))short-term basis exceeds the limits in SMC 17C.316.040 and SMC 17C.316.050 for the underlying zone is considered a hotel or motel use and is classified in the Retail Sales and Service category.
- ((2.) SROs that contain programs that include common dining are classified as Group Living.))
- ((3.))2. Guest houses that contain kitchen facilities are prohibited as accessory to Residential Household Living uses.

((4.))3. In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a Community Service use, such as short-term housing or mass shelter.

**Section 11. Severability:** If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 12. Clerical Errors:** Upon approval by the City Attorney, the City Clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Passed by the City Council on

12-8-25

Betsy Wilkerson  
Council President

Attest:

Lin Stegner  
City Clerk

Approved as to form:

Meredith Parish  
Assistant City Attorney

Lisa Brown  
Mayor

Dec 19, 2025  
Date

1/18/2026  
Effective Date

