



NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(s): Co-living Housing Code Update

PROPONENT: City of Spokane

DESCRIPTION OF PROPOSAL: This proposal amends sections throughout the SMC to address the requirements codified in RCW 36.70A.535, adopted by the legislature through ESHB 1998 in 2024. Proposed updates include:

- Updating definitions to be in conformance with RCW 36.70A.535 (SMC 17C.020);
- Allowing co-living in all zones except Residential Agriculture and portions of the industrial zones (SMC 17C.111.115);
- No minimum open space requirements for co-living (SMC 17C.111.205);
- Sleeping units counted as 0.25 dwelling units for calculating density (SMC 17C.111.210);
- Clarifying applicability of design standards for co-living (SMC 17C.111.300 and SMC 17C.111.400);
- Removing conflicting language from the Group Living use description (SMC 17C.190.100); and
- Expanding the Residential Household Living use to be inclusive of co-living (SMC 17C.190.110).

Topics also under consideration include limiting or prohibiting short-term rentals in co-living developments and adopting additional standards for sleeping units, kitchens, and bathrooms.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Citywide

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW [43.21C.030\(2\)\(c\)](#). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

- [] There is no comment period for this DNS.
- [] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). **Comments regarding this DNS must be submitted no later than 5:00 p.m. on October 21, 2025 if they are intended to alter the DNS.**

Responsible Official: Spencer Gardner

Position/Title: Director, Planning Services

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Phone: 509-625-6097

Date Issued: 10/2/2025

Signature:

APPEAL OF THIS DETERMINATION

After a determination has become final, appeal may be made to:



Responsible Official: City of Spokane Hearing Examiner

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Email: hearingexaminer@spokanecity.org

Phone: 509-625-6010

Deadline: 21 days from the date of the signed DNS

12:00 p.m. on October 23, 2025

The appeal must be on forms provided by the Responsible Official, and make specific factual objections. Appeals must be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

**State Environmental Policy Act (SEPA)
ENVIRONMENTAL CHECKLIST**

File No. Co-living Code Updates

PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal.

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable		
Co-living Housing Code Update		
2. Name of applicant		
City of Spokane		
3. Address (Street City, State, Zip)	Phone	Email
808 W Spokane Falls Blvd	(509) 625 - 6500	planning@spokanecity.org
4. Contact Person		
Brandon Whitmarsh		
Address (Street City, State, Zip)	Phone	Email
808 W Spokane Falls Blvd	(509) 625 - 6846	bwhitmarsh@spokanecity.org
5. Project Location		
Address (Street City, State, Zip)	Section	Quarter
Citywide	Citywide	Citywide
Township	Range	Tax Parcel Number(s)
Citywide	Citywide	Citywide
6. Date Checklist Prepared		
10/2/25		
7. Agency Requesting Checklist		
City of Spokane		
8. Proposed timing or schedule (including phasing, if applicable)		
This is a non-project action to meet state legislation adopted through ESHB 1998 (2024), codified in RCW 36.70A.535, with required adoption by local government by December 31, 2025. A Plan Commission Hearing is anticipated for October 22, 2025, with city council adoption anticipated in December 2025.		

9. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

This non-project proposal is intended to meet the requirements of RCW 36.70A.535, Co-Living. The City of Spokane is currently working through its Growth Management Act required Comprehensive Plan Period Update, with an adoption deadline of the end of 2026. The outcomes of that effort will inform additional Spokane Municipal Code changes that could potentially relate to this proposal. Further amendments may also be required to meet any changes to RCW36.70A.535 adopted by the legislature in the future.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.

This is a non-project citywide proposal for development code changes, not specific to City-owned property. The City owns property, including parks and administrative buildings, throughout city limits.

10. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Not applicable, this is a non-project action.

11. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None.

12. List any government approvals or permits that will be needed for your proposal, if known.

Changes to the Unified Development Code (UDC) of the Spokane Municipal Code require a public hearing before the Plan Commission and a public hearing and approval by the Spokane City Council. No permits are needed for this non-project proposal.

13. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

This proposal is a set of citywide development code amendments to implement the co-living requirements of ESHB 1998, adopted by the state legislature in 2024 and codified in RCW 36.70A.535. Proposed updates include:

- Updating definitions to be in conformance with RCW 36.70A.535 (SMC 17C.020);
- Allowing co-living in all zones except Residential Agriculture and portions of the industrial zones (SMC 17C.111.115);
- No minimum open space requirements for co-living (SMC 17C.111.205);
- Sleeping units counted as 0.25 dwelling units for calculating density (SMC 17C.111.210);
- Clarifying applicability of design standards for co-living (SMC 17C.111.300 and SMC 17C.111.400);
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- Expanding the Residential Household Living use to be inclusive of co-living (SMC 17C.190.110).

Topics also under consideration include limiting or prohibiting short-term rentals in co-living developments and adopting additional standards for sleeping units, kitchens, and bathrooms.

14. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans

submitted with any permit application related to this checklist.

Citywide (City of Spokane, Washington)

15. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

Yes, this citywide action falls within the ASA, General Sewer Service Area, Priority Sewer Service Area, and the City of Spokane.

16. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

Not applicable, this non-project action will not affect any of these systems.

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

Not applicable, this is a non-project action.

- (3) What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

Not applicable, this is a non-project action.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

Not applicable, this is a non-project action.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Various throughout the city.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts.

Not applicable, this is a non-project action.

B. ENVIRONMENTAL ELEMENTS

Part B does not meaningfully contribute to the analysis of this nonproject action and therefore has been removed in accordance with WAC 197-11-960. Please refer to Part D, below, for information regarding the nonproject action.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 10/2/2025

Signature: X Brandon Whitmarsh

Please Print or Type:

Proponent: City of Spokane

Address: 808 W Spokane Falls Blvd Spokane, WA 99201 Phone: (509) 625 - 6500

Person completing form (if different from proponent): Brandon Whitmarsh, Planner II

Address: 808 W Spokane Falls Blvd Spokane, WA 99201 Phone: (509) 625 - 6846

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Click or tap here to enter text.

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☒ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed development code text amendments are a nonproject action. Any negative externalities would continue to be mitigated at the project level, if necessary, and projects would be subject to the protections under SEPA, the SMP, and CAO.

Proposed measures to avoid or reduce such increases are:

None.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

As a non-project action, no development is planned. The proposal does not amend the development regulations regarding scale or impervious surfaces such as site coverage, setbacks, or height and is not anticipated to increase existing potential impacts on the natural environment from project-level development allowed in the SMC. Previously adopted and enforced protections for plants, animals, and fish in the SMC will remain under this proposal. Any future development would be subject to applicable permitting and environmental review.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

None. However, measures to reduce or control discharge to water; emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise will be evaluated, and if necessary, mitigated on an individual project application basis and are most likely to be associated with the primary use of the project site.

3. How would the proposal be likely to deplete energy or natural resources?

This non-project action does not propose any energy or natural resource impacts. Development under the proposed regulations would use the same energy and resources for construction as any other housing development currently allowed in the SMC. Regarding long-term energy use for daily operations, the Department of Commerce states that a benefit of co-living development is reduced energy demand due to smaller unit sizes.

Proposed measures to protect or conserve energy and natural resources are:

None. Existing State Building and Energy Code standards will continue to apply to development in the city.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

As a non-project action, no development is planned. Regulations for the protection of parks and wilderness, endangered species, cultural sites, the river, and farmlands are established within the SMC and are not affected by this proposal. Future development will be required to follow the existing standards.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed code amendments would not affect the compatibility with existing plans. Co-living development is compatible with residential development, and as required by RCW 36.70A.535, must be allowed in all areas adopted through this proposal. Also required by state law, co-living will be regulated by the same development and design standards that are applied to similar scale residential uses in the underlying zone. Therefore, there should be no incompatibility concerns with existing plans. The proposed amendments do not amend the shoreline development.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None. Measures to avoid or reduce shoreline and land use impacts are evaluated and determined on a project-level basis.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

While allowed density may increase on sites larger than two acres, the proposal does not amend existing bulk requirements such as maximums on impervious surface, building coverage, building footprint, or height, keeping the limitations on the overall scale of development similar than what is currently allowed.

Proposed measures to reduce or respond to such demand(s) are:

None. However, it is a requirement of some development projects to produce a traffic impact study and other studies to assess impacts on transportation or public services and utilities.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

This proposal is largely mandated by RCW 36.70A.535 and is intended to meet the intent of House Bill 1998, adopted by the legislature in 2024. There are no known conflicts between this proposal and any local, state, or federal laws.

Co-living DNS

Final Audit Report

2025-10-02

Created:	2025-10-02
By:	Emily King (eking@spokanecity.org)
Status:	Signed
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"Co-living DNS" History

-  Document created by Emily King (eking@spokanecity.org)
2025-10-02 - 9:19:40 PM GMT
-  Document emailed to Spencer Gardner (sgardner@spokanecity.org) for signature
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-  Email viewed by Spencer Gardner (sgardner@spokanecity.org)
2025-10-02 - 9:25:12 PM GMT
-  Document e-signed by Spencer Gardner (sgardner@spokanecity.org)
Signature Date: 2025-10-02 - 9:25:45 PM GMT - Time Source: server
-  Agreement completed.
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