

ORDINANCE NO. C 34911

AN ORDINANCE relating to Residential Zones; amending SMC sections 17C.110.020, 17C.110.030, 17C.110.100, 17C.110.205, 17C.110.220, 17C.110.245, 17C.110.310, Table 17C.110-3 and adopting new sections 17C.110.208 and 17C.110.223 to chapter 17C.110 of the Spokane Municipal Code.

WHEREAS, infill development is the development or redevelopment of land that has been bypassed, remained vacant, and or is underutilized. Residential infill development may occur anywhere that a parcel of land is vacant or is not developed to the full number of units allowed in the underlying zoning designation; and

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

WHEREAS, this ordinance makes adjustments to the standards for Residential Zones that improve the opportunities for the development of residential uses that are consistent with the Comprehensive Plan; and

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

WHEREAS, the City of Spokane Comprehensive Plan Policy LU 3.11 Compact Residential Patterns states, *“Allow more compact and affordable housing in all neighborhoods, in accordance with neighborhood-based design guidelines;”* and

WHEREAS, the City of Spokane Comprehensive Plan Policy LU 3.12 Maximum and Minimum Lot Sizes states, *“Prescribe maximum, as well as minimum, lot size standards to achieve the desired residential density for all areas of the city;”* and

WHEREAS, the City of Spokane Comprehensive Plan Policy LU 5.5 Compatible Development states, *“Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types;”* and

WHEREAS, the City of Spokane Comprehensive Plan Policy H 1.4 Use of Existing Infrastructure states, *“Direct new residential development into areas where community and human public services and facilities are available and in a manner that is compatible with other Comprehensive Plan elements;”* and

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

WHEREAS, on May 8, 2006, the City Council adopted a new Residential Land Use Code as a part of title 17 to the Spokane Municipal Code; and

WHEREAS, the Infill Housing Task Force was formed of interested individuals and organizations to look at the residential land use code to determine if improvements could be made to encourage additional infill opportunities; and

WHEREAS, the task force was made up of representatives from neighborhoods, real estate and development communities, low income housing advocates, and professional planners. Each member represented his or her specific interest group in the community and had the opportunity to express his or her views; and

WHEREAS, the Planning Services Department gathered public input at open house meetings on November 15 and 16 and December 1, 2011; and

WHEREAS, the Planning Services Department encouraged public participation and provided information on the amendments on its website (<http://www.spokaneplanning.org>); and

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

WHEREAS, a State Environmental Policy Act (SEPA) Checklist was prepared and a Determination of Nonsignificance (DNS) was issued on May 29, 2012 for the proposed amendments;

WHEREAS, public notice was published in the Spokesman Review on May 30, 2012 and June 6, 2012 giving notice of the Plan Commission public hearing and of the released SEPA Checklist and DNS; and

WHEREAS, the Plan Commission held a public hearing on the recommended amendments on June 13, 2012; and

WHEREAS, the Plan Commission recommended, by a vote of 6-0, approval of the amendments on July 11, 2012; and

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

The City of Spokane does ordain:

Section 1. That SMC section 17C.110.020 is amended to read as follows:

17C.110.020

List of the Residential Zones

The full names, short names and map symbols of the single-family and higher density residential zones are listed below. When this chapter refers to the single-family residential zones, it is referring to the RA and RSF zones listed herein. When this chapter refers to the residential zones, or R zones, it is referring to the single-family residential and higher density residential zones in this chapter.

Full Name	Short Name/Map Symbol
Residential Agricultural	RA
Residential Single-family	RSF
<u>Residential Single-family Compact</u>	<u>RSF-C</u>
Residential Two-family	RTF
Residential Multifamily	RMF
Residential High Density	RHD

Section 2. That SMC section 17C.110.030 is amended to read as follows:

17C.110.030 Characteristics of Residential Zones

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

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

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

intended to be applied to parcels that are wholly or partially within one-quarter mile of a CC Core designated on the land use plan map of the comprehensive plan. The RSF-C zone may also be implemented on parcels that are adjacent to or across a street or alley from a zoning category that allows higher density uses than the RSF zone, including the RTF, RMF, RHD, Commercial, Center and Corridor and Downtown zones.

D. (~~C.~~) Residential Two-family (RTF).

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

E. (~~D.~~) Residential Multifamily (RMF).

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

F. (~~E.~~) Residential High Density (RHD).

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

Section 3. That SMC section 17C.110.100 is amended to read as follows:

7C.110.100 Residential Zone Primary Uses

A. Permitted Uses (P).

Uses permitted in the residential zones are listed in Table 17C.110-1 with a "P." These uses are allowed if they comply with the development standards and other standards of this chapter.

B. Limited Uses (L).

Uses permitted that are subject to limitations are listed in Table 17C.110-1 with an "L." These uses are allowed if they comply with the limitations as listed in the footnotes following the table and the development standards and other standards of this chapter. In addition, a use or development listed in Part 3 of this division, Special Use Standards, is also subject to the standards of those chapters. The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from Table 17C.110-1.

C. Conditional Uses (CU).

Uses that are allowed if approved through the conditional use review process are listed in Table 17C.110-1 with a "CU." These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards and other standards of this chapter. Uses listed with a "CU" that also have a footnote number in the table are subject to the standards cited in the footnote. In addition, a use or development listed in Part 3 of this division, Special Use Standards, is also subject to the standards of those chapters. The conditional use review process and approval criteria are stated in chapter 17C.320 SMC, Conditional Uses.

D. Uses Not Permitted (N).

Uses listed in Table 17C.110-1 with an "N" are not permitted. Existing uses in categories listed as not permitted are subject to the standards of chapter 17C.210 SMC, Nonconforming Situations.

Table 17C.110-1 Residential Zone Primary Uses					
Use is: P – Permitted N – Not permitted L – Allowed, but special limitations CU – Conditional use review required	RA	RSF & RSF-C	RTF	RMF	RHD
Residential Categories					
Group Living [1]	L/CU	L/CU	L/CU	L/CU	L/CU
Residential Household Living	P	P	P	P	P
Commercial Categories					
Adult Business	N	N	N	N	N
Commercial Outdoor Recreation	N	CU	CU	CU	CU
Commercial Parking	N	N	N	N	N
Drive-through Facility	N	N	N	N	N
Major Event Entertainment	N	N	CU	CU	CU
Office	N	N	N	CU[2]	CU[2]
Quick Vehicle Servicing	N	N	N	N	N
Retail Sales and Service	N	N	N	N	N
Mini-storage Facilities	N	N	N	N	N
Vehicle Repair	N	N	N	N	N

Industrial Categories						
High Impact Uses	N	N	N	N	N	N
Industrial Service	N	N	N	N	N	N
Manufacturing and Production	N	N	N	N	N	N
Railroad Yards	N	N	N	N	N	N
Warehouse and Freight Movement	N	N	N	N	N	N
Waste-related	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	N	N
Institutional Categories						
Basic Utilities [3]	L	L	L	L	L	
Colleges	CU	CU	CU	P	P	
Community Service	L[4]/CU	L[4]/CU	L[4]/CU	P	P	
Daycare [5]	L	L	L	L	L	
Medical Center	CU	CU	CU	CU	CU	
Parks and Open Areas	P	P	P	P	P	
Religious Institutions	L[6]/CU	L[6]/CU	L[6]/CU	P	P	
Schools	L[7]/CU	L[7]/CU	L[7]/CU	P	P	
Other Categories						
Agriculture	L[8]	N	N	N	N	
Aviation and Surface Passenger Terminals	N	N	N	N	N	
Detention Facilities	N	N	N	CU	CU	
Essential Public Facilities	CU	CU	CU	CU	CU	
Mining	N	N	N	N	N	
Rail Lines and Utility Corridors	CU	CU	CU	CU	CU	
Wireless Communication Facilities [9]	L/CU	L/CU	L/CU	L/CU	L/CU	
Notes:						
<ul style="list-style-type: none"> • The use categories are described in chapter 17C.190 SMC. • Standards that correspond to the bracketed numbers [] are stated in SMC 17C.110.110. • Specific uses and development may be subject to the standards in Part 3 of this division, Special Use Standards. 						

Section 4. That SMC section 17C.110.205 is amended to read as follows:

17C.110.205 Density

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 density standards also allow the housing density to be matched with the carrying capacity of the land. The use of density minimums ensure that in areas with the highest level of public

services, that the service capacity is not wasted and that the City's housing goals are met.

B. Single-dwelling or duplex development.

When single-dwelling or duplex development is proposed for some or all of the site, the applicant must show how the proposed lots can meet minimum density and not exceed the maximum density stated in Table 17C.110-3. Site area devoted to streets is subtracted from the total site area in order to calculate minimum and maximum density.

C. All other development. When development other than single-dwelling or duplex is proposed, minimum and maximum density must be met at the time of development.

D. ~~((B-))~~ Calculating Density.

The calculation of density for a subdivision or residential development is net area, and is based on the total area of the subject property, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities. Land within a critical area (see definitions under chapter 17A.020 SMC) may be subtracted from the calculation of density. When the calculation of density results in a fraction, the density allowed is rounded down to the next whole number. For example, a calculation in which lot area, divided by minimum unit area equals 4.35 units, the number is rounded down to four units.

E. ~~((C-))~~ Maximum Density.

The maximum densities for the single-family and multi-dwelling zones are stated in Table 17C.110-3. All new housing built, or converted from other uses, must be on sites large enough to comply with the density standards. The number of units allowed on a site is based on the presumption that all site development standards will be met. Maximum density is based on the zone and size of the site. The following formula is used to determine the maximum number of units allowed on the site:

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

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

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

F. ~~((D-))~~ Minimum Density.

The minimum density requirements for the single-family and multi-dwelling zones are stated in Table 17C.110-3. All subdivision is required to comply with the

minimum density requirements of the base zone, unless modified by a PUD under SMC 17G.070.030(B)(2). A site that is nonconforming in minimum density may not move further out of conformance with the minimum density standard. Minimum density is based on the zone and size of the site, and whether there are critical areas (see definitions under chapter 17A.020 SMC). Land within a critical area may be subtracted from the calculation of density. The following formula is used to determine the minimum number of lots required on the site.

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

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

Equals minimum number of units required.

G. (~~E-~~) Unit/Area.

The maximum units per net lot area are stated in Table 17C.110-3. These provisions allow for one single-family residence per lot in the RA, (~~and~~) RSF, and RSF-C zones, one duplex per lot in the RTF and increases in the number units in the multifamily zones based on size of the lot.

H. (~~F-~~) Transfer of Density.

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

Section 5. That there is adopted a new section 17C.110.208 to chapter 17C.110 of the Spokane Municipal Code to read as follows:

17C.110.208 Lot Dimension Standards

A. Purpose.

These standards ensure that:

1. Each lot has enough room for a reasonably-sized house and garage;
2. Lots are of a size and shape that development on each lot can meet the development standards of the zoning code;
3. Lots are not so large that they seem to be able to be further divided to exceed the maximum allowed density of the site in the future;
4. Each lot has room for at least a small, private outdoor area;
5. Lots are compatible with existing lots;

6. Lots don't narrow to an unbuildable width close to the street;
7. Each lot has adequate access from the street;
8. Each lot has access for utilities and services;
9. Lots are not landlocked;
10. Lots are an appropriate size and shape so that development on each lot can be oriented toward the street as much as possible;
11. The multi-dwelling zones can be developed to full potential;
12. Housing goals for the City are met; and
13. To avoid having the garage door as the dominant feature of the front of a house on narrow lots.

B. Lot Dimensions.

Minimum lot dimensions are stated in Table 17C.110-3. Minimum lot dimensions for lots that will be developed with residential structures are stated in Table 17C.110-3.

C. Minimum Lot Width.

Each lot must meet the minimum lot width standard stated in Table 17C.110-3. Lots that do not meet these regulations may be requested through a planned unit development.

D. Lot Access.

If the lot abuts a public alley, then vehicle access shall be from the alley unless this requirement is waived by the planning services director as provided in SMC 17C.110.245(B). This requirement will be imposed as a condition of approval of the subdivision;

E. Garage Wall Limitation.

Lots in the RA, RSF, RSF-C and RTF zones must be configured so that development on the site will be able to meet the following garage limitation standards at the time of development:

1. Application.

Unless exempted by Paragraph 2, below, the regulations of this subsection apply to garages on lots accessory to houses, attached houses, manufactured homes, and duplexes in the RA, RSF, RSF-C and RTF zones.

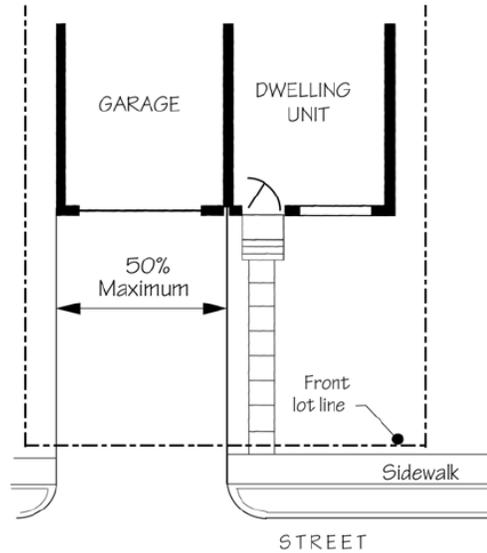
2. Exemptions.

- a. Garages that are accessory to development on lots which slope up or down from the street with an average slope of ten percent or more are exempt from the standards of this subsection.
- b. Garages in subdivisions and PUDs that received preliminary approval prior to (the effective date of this section) are exempt from the standards of this subsection.
- c. On corner lots, only one street-facing garage wall must meet the standards of this subsection.
- d. The garage wall limitation is not required on lots that are more than thirty six feet wide.

3. Standards.

- a. The length of the garage wall facing the street may be up to fifty percent of the length of the street-facing building façade. For attached houses, this standard applies to the combined length of the street-facing façades of each unit. For all other lots and structures, the standards apply to the street-facing façade of each unit.
- b. Where the street-facing façade of a unit is less than twenty two feet long, an attached garage is not allowed as part of that façade.
- c. Modifications to the standards of this subsection are allowed through a planned unit development.

Length of Street-Facing Garage Wall



- F. Minimum Front Lot Line. Each lot must have a front lot line that meets the minimum front lot line standard stated in Table 17C.110-3. Lots that do not meet the minimum front lot line standard may be requested through a planned unit development.

- G. Minimum lot depth. Each lot must meet the minimum lot depth standard stated in Table 17C.110-3. Lots that do not meet the minimum lot depth standard may be requested through planned unit development.

Section 6. That Table 17C.110-3 is amended to read as follows:

Table 17C.110-3 Development Standards [1]						
((Standard))	RA	RSF	RSF-C	RTF	RMF	RHD
Density ((and Lot Size)) Standards						
Density Maximum	– 4,350 (10 units/acre)	4,350 (10 units/acre)	4,350 (10 units/acre)	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density Minimum	– 11,000 (4 units/acre)	11,000 (4 units/acre)	11,000 (4 units/acre)	4,350 (10 units/acre)	2,900 (15 units/acre)	2,900 (15 units/acre)
Minimum Lot Dimensions						
	RA	RSF	RSF-C	RTF	RMF	RHD
Lot Area Minimum	7,200 [2]	4,350 [2]		4,350 [3]	2,500	2,500

Unit/Area	1:7,200	1:4,350		1:2,2100	1:1,450	--
Lot Depth Minimum	80 ft.	80 ft.		80 ft.	80 ft.	80 ft.
Lot Width Minimum	40 ft.	40 ft.		40 ft. [4]	25 ft.	25 ft.
Lot Frontage	40 ft.	40 ft.		40 ft. [4]	25 ft. [4]	25 ft. [4]
<u>Lots to be developed with:</u>						
<u>Multi-Dwelling Structures or Development:</u>						
Minimum Lot Area					2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width					25 ft.	25 ft.
Minimum Lot Depth					70 ft.	70 ft.
Minimum Front Lot Line					25 ft.	25 ft.
<u>Attached Houses</u>						
Minimum Lot Area [2]	7,200 sq. ft.	4,350 sq. ft.	3,000 sq. ft.	1,600 sq. ft.	1,600 sq. ft.	none
Minimum Lot Width	40 ft.	40 ft.	36 ft.	36 ft. Or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	80 ft.	50 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	30 ft.	Same as lot width	Same as lot width	Same as lot width
<u>Detached Houses</u>						
Minimum Lot Area [2]	7,200 sq. ft.	4,350 sq. ft.	3,000 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	none
Minimum Lot Width	40 ft.	40 ft.	36 ft.	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	80 ft.	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	30 ft.	30 ft.	25 ft.	25 ft.
<u>Duplexes</u>						
Minimum Lot Area				4,200 sq. ft.	2,900 sq. ft.	none
Minimum Lot Width				25 ft.	25 ft.	25 ft.
Minimum Lot Depth				40 ft.	40 ft.	25 ft.
Minimum Front Lot Line				25 ft.	25 ft.	25 ft.
	RA	RSF	<u>RSF-C</u>	RTF	RMF	RHD
Primary Structure						
Maximum Building Coverage						
Lots 5,000 sq. ft. or larger	40%	40% 2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	40% 2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	50%	60%

Lots 3,000-4,999 sq. ft.	1,500 sq. ft. + 37.5% (for portion of lot over 3,000 sq. ft.)						
Lots less than 3,000 sq. ft.	50%						
Building Height							
Maximum Roof Height [6 4]	35 ft.	35 ft.	35 ft.	35 ft.	35 ft. [7 5]	35 ft. [7 5]	
Maximum Wall Height	25 ft.	25 ft.	25 ft.	25 ft.	30 ft. [7 5]	--	
Floor Area Ratio (FAR)							
FAR	0.5	0.5	0.5 [53]	0.5 [53]	--	--	
Setbacks							
Front Setback [8 6] [9 7]	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Side Lot Line Setback – Lot width more than 40 ft.	5 ft.						
Side Lot Line Setback – Lot width 40 ft. or less	3 ft.						
Street Side Lot Line Setback [8 6]	5 ft.						
Rear Setback [40 8] [44 9]	25 ft.	25 ft.	15 ft.	15 25 ft.	10 ft.	10 ft.	
Required Outdoor Area							
Required Outdoor Area for attached and detached houses	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.	48 sq. ft. 7 ft x 7 ft.	
Minimum dimension (See 17C.110.223)							
Accessory Structures							
Maximum Roof Height	30 ft.	20 ft.	20 ft.	20 ft.	35 ft.	35 ft.	
Maximum Wall Height	30 ft.	15 ft.	15 ft.	15 ft.	35 ft.	35 ft.	
Maximum Coverage [42 10]	20%	15%	15%	15%	See Primary Structure	See Primary Structure	
Front Setback	20 ft.						
Side Lot Line Setback – Lot width 40 ft. or wider [43 11]	5 ft.						
Side Lot Line Setback – Lot	3 ft.						

width less than 40 ft. [43 11]	
Street Side Lot Line [44 12]	20 ft.
Rear [43 11]	5 ft.
Rear with Alley	0 ft.
<p>Notes:</p> <p>-- No requirement</p> <p>[1] Plan district overlay zone or SMC 17C.110.300, Alternative Residential Development, may supersede these standards.</p> <p>[2] Lots created through subdivision in the RA, <u>RSE</u> and the <u>RSF-C</u> zones are subject to the lot size transition requirements of SMC 17C.110.200(C).</p> <p>[3] Minimum lot size may be reduced to two thousand five hundred square feet for attached housing development only.</p> <p>[4] Minimum lot width and frontage may be reduced to twenty five feet for attached housing development only.</p> <p>[5 3] FAR may be increased to 0.65 for attached housing development only.</p> <p>[6 4] No structure located in the rear yard may exceed seventeen feet in height.</p> <p>[7 5] Base zone height may be modified according to SMC 17C.110.215, Height.</p> <p>[8 6] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.</p> <p>[9 7] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.</p> <p>[40 8] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.</p> <p>[44 9] Attached garages may be built to five feet from the rear property line except, as specified in SMC 17C.110.225(C)(6)(b), but cannot contain any living space.</p> <p>[42 10] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.</p> <p>[43 11] Setback for a detached accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner, except, as specified in SMC 17C.110.225(C)(5)(b).</p> <p>[44 12] The setback for a covered accessory structure may be reduced to five feet from the property line.</p>	

Section 7. That SMC section 17C.110.220 is amended to read as follows:

17C.110.220 Setbacks

A. Purpose.

The setback standards for primary and accessory structures serve several purposes. They maintain light, air, separation for fire protection, and access for fire fighting. They reflect the general building scale and placement of houses in the City's neighborhoods. They promote options for privacy for neighboring properties. They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity. They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

B. Required Setbacks.

The required setbacks for primary and accessory structures are stated in Table 17C.110-3. Other setbacks may apply to specific types of development or situations. Setbacks for parking areas are stated in chapter 17C.230 SMC, Parking and Loading.

C. Extensions into Required Building Setbacks.

1. Minor features of a structure such as eaves, awnings, chimneys, fire escapes, bay windows and uncovered balconies may extend into a required building setback up to twenty-four inches. Bays and bay windows extending into the setback also must meet the following requirements:
 - a. Each bay and bay window may be up to twelve feet long, but the total area of all bays and bay windows on a building facade cannot be more than thirty percent of the area of the facade.
 - b. Bays and bay windows must cantilever beyond the foundation of the building; and
 - c. The bay may not include any doors.
2. Accessory Structures.

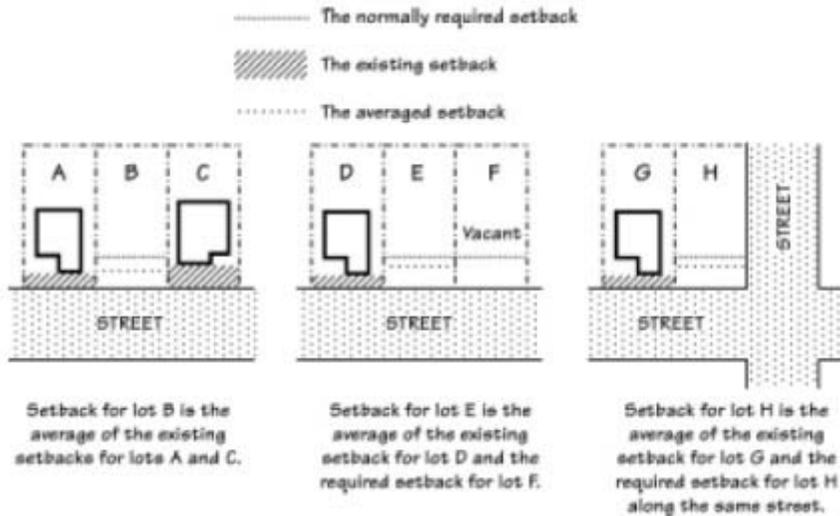
The setback standards for accessory structures are stated in Table 17C.110-3. Fences are addressed in SMC 17C.110.230. Detached accessory dwelling units are addressed in chapter 17C.300 SMC, Accessory Dwelling Units. Signs are addressed in chapter 11.17 SMC, Signs.

D. Exceptions to the Required Setbacks.

1. Setback Averaging.

The front building setback is as provided in Table 17C.110-3 (~~fifteen feet~~), unless there exists residence on both sides of the subject property; or in the case of a corner lot the lot to side in the same block. In this case, the setback is based on the average of the respective setbacks on the two adjoining lots, or one side of a corner lot. If one of the adjoining lots is vacant, the setback for the adjoining vacant lot for purposes of averaging is presumed to be as provided in Table 17C.110-3 (~~fifteen feet~~). The setback based on averaging shall not be greater than twenty feet.
2. The rear yard of a lot established as of May 27, 1929, may be reduced to provide a building depth of thirty feet.
3. Split Zoning.

Where a site is split between more than one zone and a building is proposed that will cross an internal lot line that is also a zoning line, no setbacks are required from that lot line.

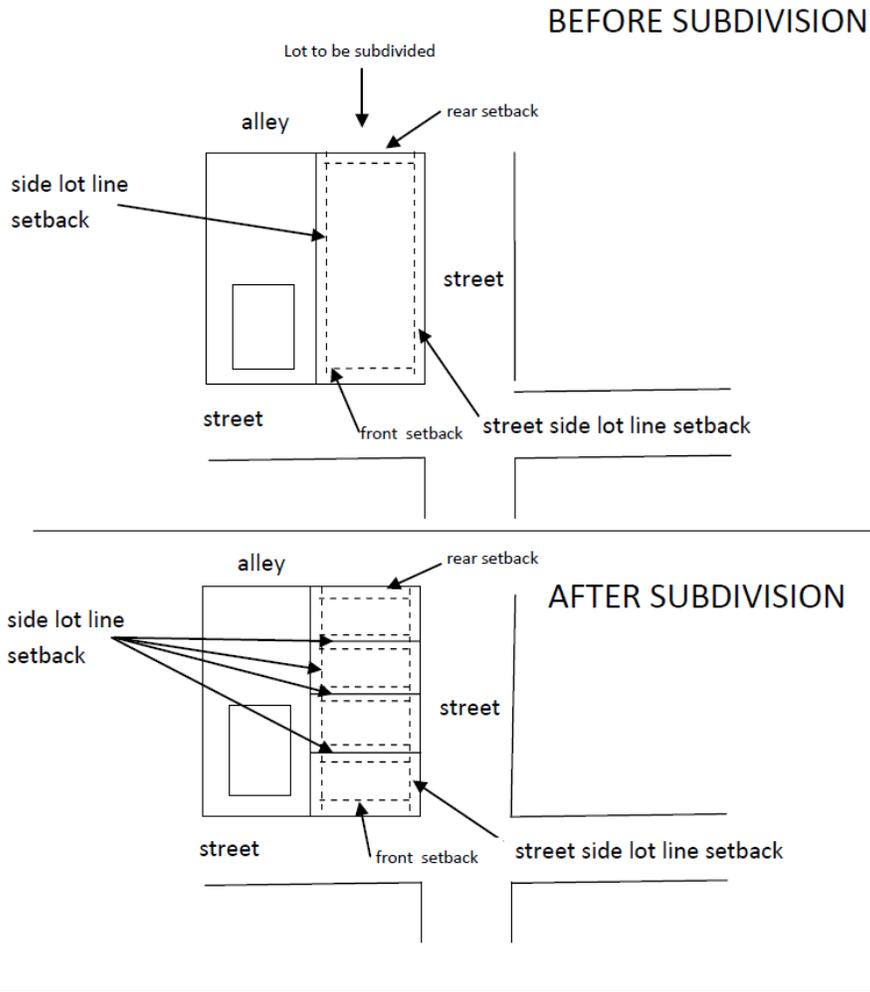


4. Setback – Corner Lot Subdivisions.

- a. The planning services director upon an application for a building permit, a subdivision, short subdivision, or a boundary line adjustment determines the building setback requirements for lots resulting from a corner lot subdivision. The determination of required building setbacks is based on:
 - i. the purposes of the various setback requirements with respect to neighboring improvements, including setback averaging.
 - ii. the platting pattern in the block, and
 - iii. the designation of front yards on the plat, if any.

- b. In general, the building setbacks for the lots that are created through a subdivision, short subdivision, or a boundary line adjustment shall remain consistent with building setbacks as required prior to the corner lot subdivision. The figures below will be used to guide the planning services director decision.

ADD NEW GRAPHIC BELOW



Section 8. That there is adopted a new section 17C.110.223 to chapter 17C.110 of the Spokane Municipal Code to read as follows:

17C.110.223 Required Outdoor Areas

- A. Purpose.
The required outdoor areas standards assure opportunities in the residential zones for outdoor relaxation or recreation. The standards work with the maximum building coverage standards to ensure that some of the land not covered by buildings is of an adequate size and shape to be usable for outdoor recreation or relaxation. The location requirements provide options for private or semiprivate areas. The requirement of a required outdoor area serves in lieu of a large rear setback requirement and is an important aspect in addressing the livability of a residential structure.
- B. Required outdoor area sizes.

The minimum sizes of required outdoor areas per dwelling unit are stated in Table 17C.110-3. The shape of the outdoor area must be such that a square of the stated dimension will fit entirely in the outdoor area.

C. Requirements.

1. The required outdoor area must be a contiguous area and may be on the ground or above ground.
2. The area must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas, or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed area.

Section 9. That SMC section 17C.110.245 is amended to read as follows:

17C.110.245 Parking and Loading

A. The standards pertaining to the minimum required and maximum allowed number of auto parking spaces, minimum required number of bicycle parking spaces, parking lot placement, parking lot setbacks and internal parking lot pedestrian connections are stated in chapter 17C.230 SMC, Parking and Loading.

B. Access to Parking.

1. Vehicular access to parking from an improved street, alley or easement is required if parking is required pursuant to chapter 17C.230 SMC, Parking and Loading.
2. Access to parking is permitted through a required front or street side lot line setback only if the planning services director determines that one of the following conditions exists:
 - a. There is no alley in common usage that currently provides access to parking on the lot or to parking on adjacent lots in the same block; or
 - b. Existing topography does not permit alley access; or
 - c. A portion of the alley abuts a nonresidential zone; or

- d. The alley is used for loading or unloading by an existing nonresidential use; or
- e. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard.

Section 10. That SMC section 17C.110.310 is amended as follows:

17C.110.310 Attached Housing, Detached Houses On Lots Less Than Forty Feet Wide, And Duplexes

- A. Purpose.
Attached housing, detached houses on narrow lots and duplexes allows for energy-conserving housing and a more efficient use of land. See definition of attached housing under chapter 17A.020 SMC.



- B. Qualifying Situations.
Sites located in the RSF through the RHD zones. All lots must be under the same ownership or a signed and recorded agreement to participate in an attached housing development must be submitted to the City by all property owners at the time of building permit application.
- C. Lot ~~((Dimensions))~~ Development Standards.
Each ~~((attached))~~ house must be on a lot that complies with the lot ~~dimension~~ development standards in the base zone as provided in Table 17C.110-3~~((, except in the RTF zone the minimum lot size may be reduced to two thousand five hundred square feet and the minimum lot width may be reduced to twenty-five feet))~~.
- D. Building Setbacks For Attached Housing.
 - 1. Interior Lots.
On interior lots, the side building setback on the side containing the common wall is reduced to zero. The side-building setbacks on the side opposite the common wall must be double the side setback standard of the base zone.

2. Corner Lots.
On corner lots, either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining street side lot line setback must comply with the requirements for a standard side or rear setback. See Figure 17C.110-A.



E. ~~((FAR.~~
~~The FAR for attached housing is as required in the base zone, except in the RTF zone it is 0.65.~~

F.)) Design Standards.
This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration.

1. A multi-family residential building ((Attached housing)) of three or more units is ((are)) subject to the design standards of SMC 17C.110.400.
2. For detached houses on lots forty feet or less wide and attached housing and duplexes in the RSF, RSF-C, RTF, RMF and RHD zones, the following design standards must be met:
 - a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)

- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- c. Generous use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged.(P)
- d. Front facade.
Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots should be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. Detached houses on lots forty feet or less wide and both units of a duplex or attached houses must meet the following standards to ensure that the units have compatible elements. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
 - i. Entrances. Each of the units must have its address and main entrance oriented toward a street frontage. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
 - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
 - iii. Buildings must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
 - iv. Reduce the potential impact of new duplex and attached housing development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)

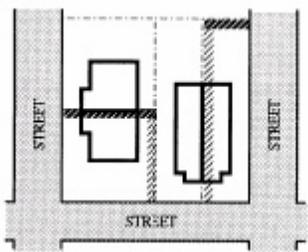
v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

g. Garages are subject to the garage limitation standards of SMC 17C.110.208(E). (R)

F. ~~(G-)~~ Number of Units.

1. RA₁ ~~(and)~~ RSF and RSF-C Zones.
A maximum of two ~~(house)~~ houses may be with a common wall. Structures made up of three or more attached houses are prohibited unless approved as a planned unit development.
2. RTF Zone.
Up to eight attached houses may have a common wall. Structures made up of nine or more attached houses are prohibited unless approved as a planned unit development.
3. RMF and RHD zones.
There is no limit to the number of attached houses that may have common walls.

**Figure 17C.110-A
Side and Rear Setbacks on Corner Lots – Attached Housing**



On corner lots, either the rear setback or the nonstreet side setback can be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.

▨ Rear lot line
▤ Nonstreet side lot line

ADOPTED BY THE CITY COUNCIL ON _____

Attest:

City Clerk

Mayor

Council President

Approved as to form:

Assistant City Attorney

Date

Effective Date

: