

Residential Code Initiatives: Range of Alternatives

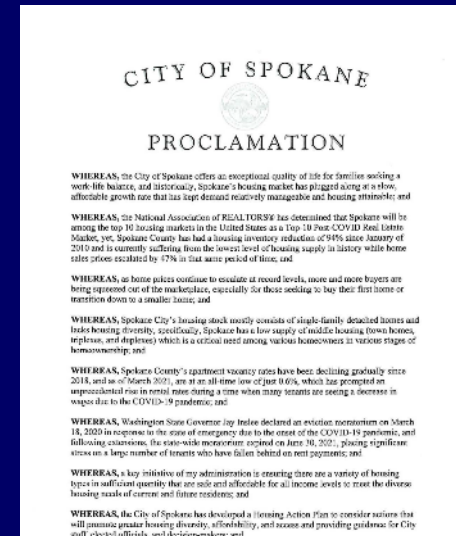
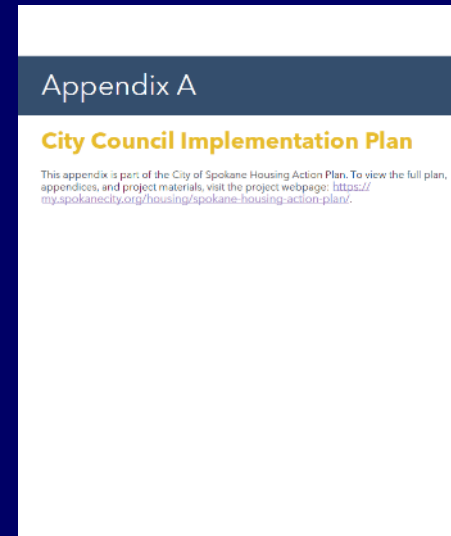
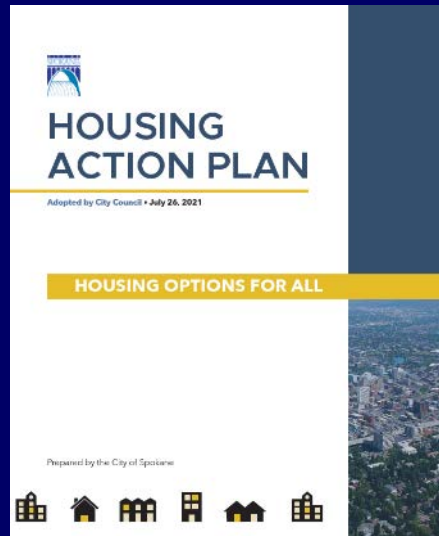
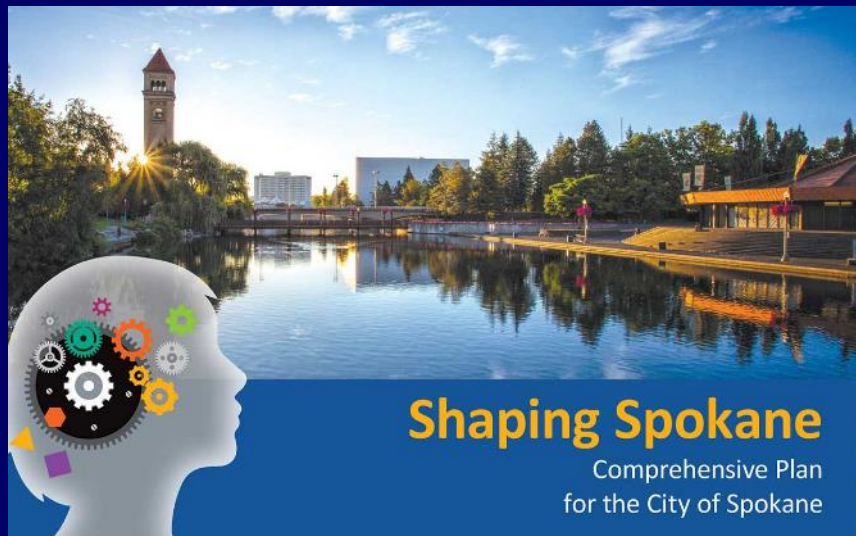
Plan Commission



Nate Gwinn & Amanda Beck | Assistant Planner IIs
Community & Economic Development — Planning Services
January 12, 2022



Guiding Documents



- **Comprehensive Plan**

- Adopted 2001
- Annual Amendment Cycle
- Periodic Updates
 - Last Updated in 2017
 - Next Major Update Due 2026

- **Housing Action Plan and Related Documents**

- Adopted July 2021 (Resolution No. 2021-0062)
- Appendix A: **City Council Implementation Plan**
- **Proclamation of Housing Emergency**

Housing Options – Continuum of Different Types





Past Residential Code Amendments

- 2006 Residential Code to Implement Comprehensive Plan
 - Cottage Housing, Attached Housing
 - Detached Accessory Dwelling Units
- 2012 Infill Housing Task Force
 - RSF-Compact Zone | Garage Wall Limitations
 - Pocket Residential Development (Except RA & RSF Zones)
- 2014 Unit Lot Subdivisions - Pre-Existing Development
- 2018 – 2019 Infill Development Code Revisions
 - Cottage Housing
 - Pocket Residential and Compact Lots Added to RSF Zone
 - Attached Homes, Parking Transitions
 - Height Exceptions, Wall Height in Higher-Density Zones (RMF & RHD)

○ For More Information:

my.spokanecity.org/projects > Infill Housing Strategies



2017 Open House

Proposed Amendments

New Residential Development



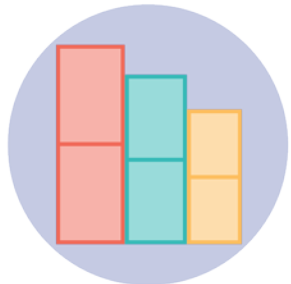
Accessory Dwelling Units



Duplexes

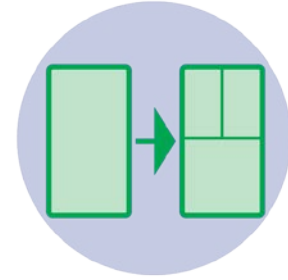


Attached Homes



Lot Size Transitions

Permit Processes



Short Plats



Short Term Rentals



Environmental
Review (SEPA)



Public Engagement

- Plan Commission
 - January 26 PC Workshop to continue discussion about Accessory Dwelling Units, Lot Size Transition, Duplexes, and Attached Homes
- Pop-up Events
 - Winter Market in Riverfront Park on December 15 and December 22
- Virtual open houses
- Project webpage with videos & blogs
 - my.spokanecity.org/projects/shaping-spokane-housing



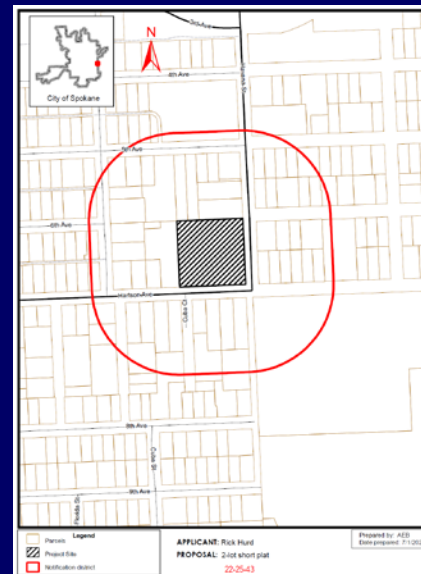
Permit Processes



Preliminary Short Subdivision Notification

Chapter 17G.080 SMC

- City is exploring how to reduce time and/or cost of notification process
- Reduce cost of notification methods
 - Two lot short plat no notice
 - 3-9 lots mailed notice only
 - Short plats with SEPA, notice remains
- Processing time is reduced when notification is removed for some projects



Notification Map



Posted Sign



Housing Action Plan Strategy A3 (p. 30)



City Council Implementation Plan Strategy I.6



Proclamation Addressing Housing Emergency 2.c

Short Subdivision Applications - Components



Land



Land Survey



Application & Fees



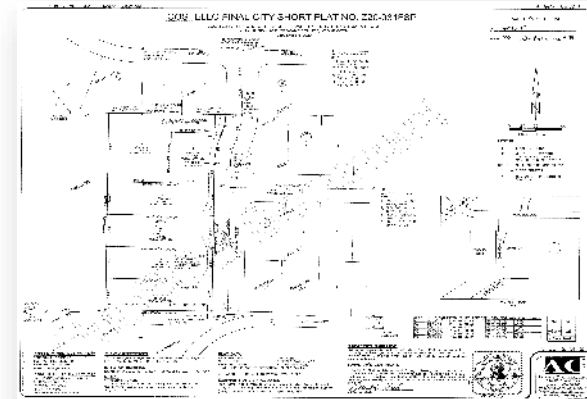
Public Process
& Decision



Appropriate Provisions
for Utilities & Streets



Final Review
& Acceptance



Final Plat



Washington State Law

- All types of subdivisions are approved by decision of local government
 - Considered project permits
 - Subject to certain requirements for review, notices of application to the public, and appeals
-
- Approval requires written findings
 - Project will serve public use and interest
 - Consider appropriate provisions for facilities and all other relevant facts

Local Project Review
[chapter 36.70B RCW](#)

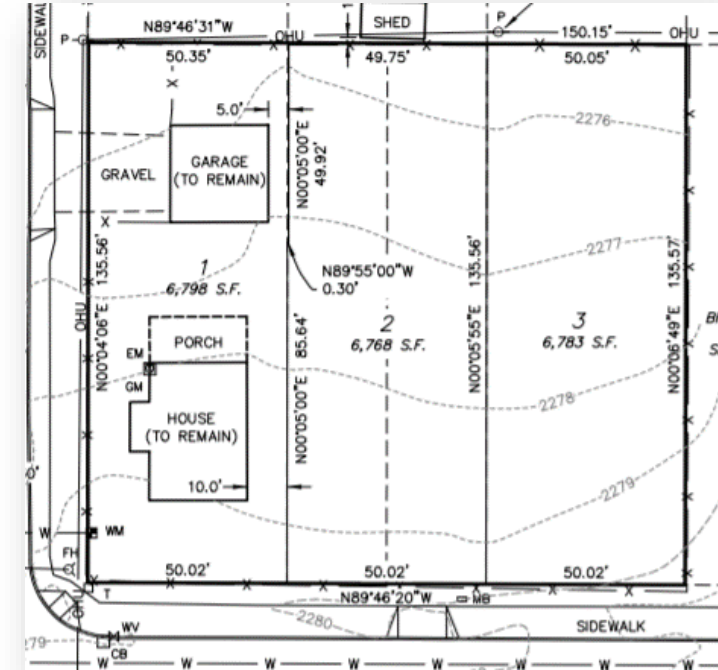


Plats–Subdivisions–Dedications
[chapter 58.17 RCW](#)

Subdivisions and Plats

“**Plat**” is a survey map of a subdivision of land

- Shows newly created lots for separate sale or lease
 - Shows dedications for facilities (e.g. streets and utilities)
 - Full definition SMC 17A.020.160
- **10 Lots or More** = Regular Subdivision or Long Plat
 - Approval decision by Hearing Examiner
 - **9 Lots or Less** = Short Subdivision or Short Plat
 - Administrative decision by Planning Director



State law enables this simpler
“short plat” process



Preliminary Short Plat Process

Chapter 17G.080 SMC

1. **Notification District Map**
Establish area to receive written notice, and verify ownership
2. **Traffic Study**
Trip Generation and Distribution Letter (**NOT typically required**)
3. **Application Submission**
Initiates concurrency and agency review
4. **Determination of Complete Application**
5. **Notice of Application**
Public notice and comment
6. **State Environmental Policy Act**
SEPA threshold determination, although typically a short plat decision is exempt
7. **Decision**
Followed by appeal or reconsideration process



Final Short Plat – Process Steps

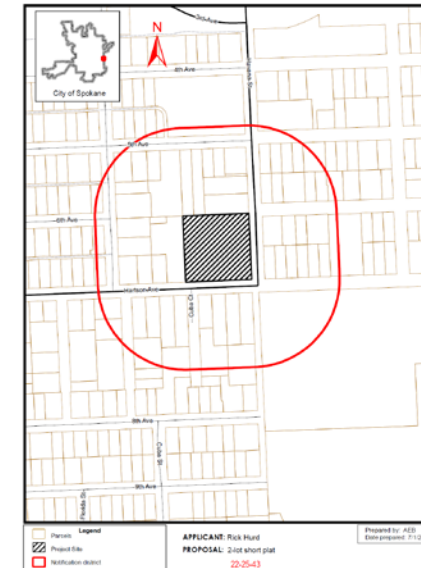
Chapter 17G.080 SMC

- 1. Application Submission**
Paper copies, title report
- 2. Routing of Application**
Department and agency review, may result in required revisions
- 3. Resubmittal**
Cover letter addressing any revisions, title report, corrected plat
- 4. Final Submission for Signatures**
Plat with owner's signature, routing for final signatures by City officials
- 5. County Signatures**
Treasurer and Assessor
- 6. Recording**
County Auditor
- 7. Return Prints**
Mylar and paper copies of the signed and recorded final plat required before applying for City building permits



Short Subdivision Notification

- Preliminary Short Plat
 - After Determination of Complete Application, City provides applicant with Notice of Application
 - The applicant:
 - **Posts the notice** at the project site
 - **Mails the notice to individuals** in the Notification District Map
 - Per RCW [36.70B.110](#)
- Final Short Plat
 - Applicant takes approved final short plat to the County Auditor for recording
 - Note no mailed or posted notice for final short plat



Notification Map

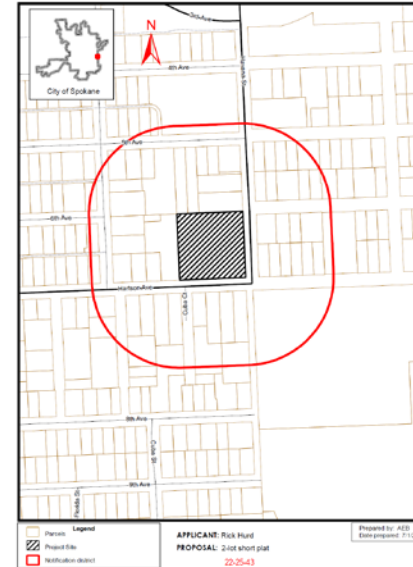


Posted Sign



Preliminary Short Subdivision Notification

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Notification Map



Posted Sign



Housing Action Plan Strategy A3 (p. 30)



City Council Implementation Plan Strategy I.6



Proclamation Addressing Housing Emergency 2.c



Preliminary Short Subdivision Notification

TABLE 17G.060-3

TYPE OF PUBLIC NOTICE REQUIRED / PROJECT PERMIT REVIEW PROCESS

(Click here to view PDF)

Project Permit Type	Notice of Community Meeting	Notice of Application	Notice of Public Hearing	Review Official	City Council Review	Expiration of Permit [1]
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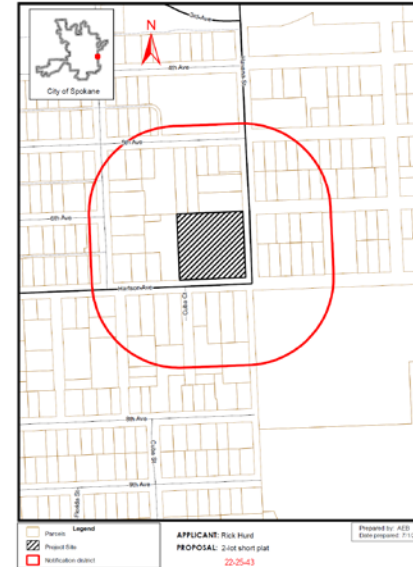
Planning Services – Type II Application						
Short Plat with SEPA	No	Posted / Individual	No	Planning Director	No	5 years
Short Plat, 2 Lots only	No	No	No	Planning Director	No	5 years
Short Plat, 3 Lots or More	No	Individual	No	Planning Director	No	5 years

Processing time is reduced when notification is removed for some projects



Preliminary Short Subdivision Notification

- City is exploring how to reduce time and/or cost of notification process
- Reduce cost of notification methods
 - Two lot short plat no notice
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- Processing time is reduced when notification is removed for some projects
- **Questions/concerns**
- **Ready for hearing?**



Notification Map



Posted Sign



Housing Action Plan Strategy A3 (p. 30)



City Council Implementation Plan Strategy I.6



Proclamation Addressing Housing Emergency 2.c



Short Term Rentals

Chapter 17C.316 SMC

- Code amendment goal:
 - Permit STRs in all zoning districts where residential uses are permitted (e.g. commercial zones)
 - With the goal of...
 - Legalize short-term rentals in Commercial and Downtown zones
 - Provide legal permitting to inspect and enforce life and safety requirements
 - Will help create a level playing field for Phase 2
- Future amendment to address STR affects on housing supply



City Council Implementation Plan Strategy II.7



Housing Action Plan Strategy B5 (p. 43)

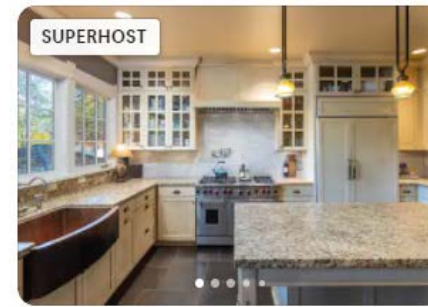


City Council Implementation Plan Strategy II.6



Short Term Rentals

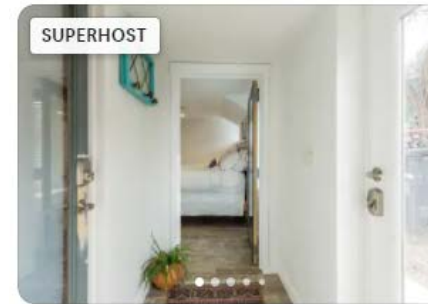
- Residential unit(s) property owner rents for periods of less than 30 nights.
 - Type A – No commercial meetings, administrative permit
 - Type B – Allow commercial meetings, conditional use permit required
- Permitted within residential zones
- Owner or operator must apply for Spokane Business License, and pay \$100 annual renewal fee



Entire residential home in Spokane
South Hill home on the historic registers

12 guests · 6 bedrooms · 6 beds · 4.5 baths
Wifi · Kitchen · Free parking · Washer

★ 4.98 (48 reviews)



Entire rental unit in Spokane
Location! Heated Floors Eco Studio on South Hill

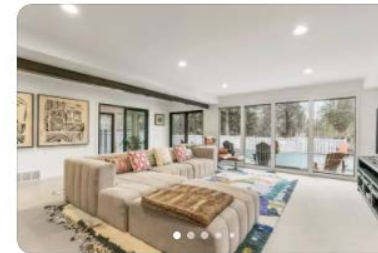
2 guests · 1 bedroom · 1 bed · 1 bath
Wifi · Kitchen · Free parking

★ 4.94 (599 reviews)



Permit Short Term Rentals in Other Zones

- Permit Short Term Rentals in all zoning districts where residential uses are permitted
 - Enforces permitting to inspect and enforce life and safety requirements
- **Questions/concerns**
- **Ready for hearing?**



Entire residential home in Rockwood
Cozy and Modern Home near Downtown Spokane ...

5 guests · 3 bedrooms · 3 beds · 3.5 baths
Wifi · Kitchen · Free parking · Washer

★ 5.0 (5 reviews)

~~\$210~~ **\$166 / night**
\$899 total



Entire residential home in Rockwood
Rockwood Lodge

4 guests · 2 bedrooms · 2 beds · 2 baths
Wifi · Kitchen · Free parking · Washer

★ 5.0 (9 reviews)

\$175 / night
\$907 total



SEPA Categorical Exemptions and Notification

SMC 17E.050.070

- Adopting flexible thresholds permitted by WAC 197-11-800(1)(d) aligns with recommendation in RCW 36.70A.600
 - Cities are encouraged to increase residential building capacity, including by adopting the maximum allowable exemption levels in WAC 197-11-800(1)
- Simplified and streamlined development review process shortens review times
- Notification for projects subject to SEPA remain in place



Housing Action Plan Strategy A3 (p. 30)



Proclamation Addressing Housing Emergency 2.d



RCW 36.70A.600 Increasing residential building capacity



State Environmental Policy Act (SEPA)

- Washington's foundational environmental law
- Enacted in 1971 as [chapter 43.21C RCW](#)
- Procedural requirements of SEPA are in [chapter 197-11 WAC](#)
- City must consider environmental matters when making decisions on actions proposed by private parties or government entities
- City's SEPA regulations are codified in chapter 17E.050 SMC
- Some actions are exempt from SEPA review



Actions Subject to SEPA Review

- The City is required to:
 - Identify and evaluate environmental effects
 - Invite public and agency comments
 - Issue the threshold determination, documented as
 - Determination of Nonsignificance (DNS)
 - Mitigated Determination of Nonsignificance (MDNS)
 - Determination of Significance (DS)
- Public comment period can accompany DNS, MDNS, or DS





SEPA Categorical Exemptions

- Some types of proposals are **categorically exempt** under [197-11-800 WAC](#)
- To be exempt a project must be equal to or smaller than the exempt level
- The City is allowed to adopt its own flexible thresholds for minor new construction (and other projects and actions)

A screenshot of the Washington State Department of Ecology's State Environmental Policy Act (SEPA) Register. The header includes the Washington State Department of Ecology logo and the title "State Environmental Policy Act (SEPA) Register". Below the header is a navigation bar with "Ecology" and "Register Search" links. A search bar is present with a dropdown menu set to "All Text Fields" and a search button. The main content area shows a list of results, with the first three entries visible. Each entry includes a proposal number, name, description, and type. The first entry is for a cannabis cultivation facility in Pend Oreille County. The second is for a residential development in Spokane County. The third is for a preliminary plat in Spokane City. The fourth entry is partially visible for a subdivision in Asotin County. A "Filter Results" sidebar on the left allows filtering by Document Type, Sub-Type, County, Region, and Proposal. It also includes filters for Issued Date and Comments. A "Showing 1 - 10 of 164,236 results" message is displayed above the list. A "Sort" dropdown is set to "SEPA Number (9-1)".



Proposed Changes

Construction Type	SMC 17E Exemption Level	197-11-800 WAC Max. Allowed by State	Option 1 Adopt WAC	Option 2 Only Single, Multi-family	Option 3? Don't Adopt Fill
Single-family residential	20 units	30 units	30 units	30 units	30 units
Multifamily residential	20 units	60 units	60 units	60 units	60 units
Agricultural structure	20,000 SF	40,000 SF	40,000 SF	20,000 SF	40,000 SF
Office, school, commercial, recreational, service, or storage buildings and related parking	12,000 SF and 40 parking spaces	30,000 SF and 90 parking spaces	30,000 SF and 90 parking spaces	12,000 SF and 40 parking spaces	30,000 SF and 90 parking spaces
Fill or excavation	500 cubic yards	1,000 cubic yards	1,000 cubic yards	500 cubic yards	500 cubic yards



Adopting SEPA Categorical Exemptions

- Adopting maximum categorical exemptions permitted by WAC...
 - Decreases the number of items staff must review
 - Decreases permit review times
 - Provides predictability for development community
 - Cost savings for development community
- What changes?
 - Projects less than or equal to the exemption level would not be required to do a SEPA review
 - Decreases the number of applications with notices sent

TABLE 17G.060-3 TYPE OF PUBLIC NOTICE REQUIRED / PROJECT PERMIT REVIEW PROCESS						
Planning Services – Type II Application						
Binding Site Plan	No	Posted / Individual	No	Planning Director	No	5 years
Certificate of Compliance	No	Posted / Individual	No	Planning Director	No	None
Conditional Use Permit	No [3]	Posted / Individual	No	Planning Director	No	3 years
Plans-in-lieu	No	Posted / Individual	No	Planning Director	No	3 years
Shoreline SDP	No	Posted / Individual	No	Planning Director	No	Must Comply with WAC 173-27-90
Short Plat	No	Posted / Individual	No	Planning Director	No	5 years
Grading Permit with SEPA	No	Posted / Legal	No	Building Official	No	180 days
Demolition Permit with SEPA	No	Posted / Legal [5]	No	Building Official	No	180 days



SEPA Categorical Exemptions

Construction Type	SMC 17E Exemption Level	197-11-800 WAC Max. Allowed by State	Option 1 Adopt WAC	Option 2 Only Single, Multi-family	Option 3? Don't Adopt Fill
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Fill or excavation	500 cubic yards	1,000 cubic yards	1,000 cubic yards	500 cubic yards	500 cubic yards

Next Steps



Project Work Continues

- Project webpage is live:
<https://my.spokanecity.org/projects/shaping-spokane-housing/>
- Will continue outreach with residents and interested parties
 - Hosted pop-ups at Winter Market on 12/15 and 12/22
 - Upcoming Virtual Open Houses on 1/25 and 1/27
- January 26th Meeting
 - Continued discussion on Accessory Dwelling Units, Lot Size Transition, Duplexes, and Attached Homes
- Will continue outreach to agencies and tribes (including necessary notices)

