

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 07/08/2024**Committee Agenda type:** Discussion**Date Rec'd** 7/8/2024**Clerk's File #** ORD C36552**Cross Ref #****Project #****Council Meeting Date:** 07/22/2024**Bid #****Requisition #****Submitting Dept** PLANNING & ECONOMIC**Contact Name/Phone** KAYCEE X6194**Contact E-Mail** KDOWNNEY@SPOKANECITY.ORG**Agenda Item Type** First Reading Ordinance**Council Sponsor(s)** ZZAPPONE KKLITZKE JBINGLE**Agenda Item Name** 0650HIGHER INTENSITY RES. CODE UPDATE ASSOCIATED W/S LOGAN TOD**Agenda Wording**

Higher intensity residential code update to amend SMC Sections 17C.111.205 and 17C.111.420 for South Logan TOD Implementation.

Summary (Background)

The South Logan Transit-Oriented Development (TOD) Plan, adopted by resolution on January 29, 2024, provides recommendations to support more connectivity and livability for the community, businesses, and organization in South Logan. As part of South Logan TOD Implementation, several recommendations are proposed for citywide impact. The proposed higher intensity residential code update to amend SMC Sections 17C.111.205 and 17C.111.420 align with the goals and recommendations of the South Logan

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

The S. Logan TOD Plan and FEIS, adopted by resolution on January 29, 2024, was funded through the TOD Implementation grant program via the WA Department of Commerce. Implementation of the South Logan TOD Plan relied on on-going and regular staff resources

FIRST READING OF THE ABOVE

Amount **ORDINANCE HELD ON** **Budget Account**Neutral \$ 7/22/2024 #

Select \$ AND FURTHER ACTION WAS DEFERRED #

Select \$ [Signature] #

Select \$ CITY CLERK #

Select \$ #

Select \$ #

Select \$ #

PASSED BY
SPOKANE CITY COUNCIL:8/12/2024[Signature]
CITY CLERK



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

TOD Plan and the City of Spokane Comprehensive Plan. The proposed amendments include increasing the maximum heights in the Residential Multifamily (RMF) and Residential High Density (RHD) zones and modifying open space requirements to support increased feasibility of higher intensity residential development. For the full code amendments please visit: <https://my.spokanecity.org/projects/south-logan-transit-oriented-development-project/>

Approvals

| | |
|----------------------------------|---------------------|
| <u>Dept Head</u> | GARDNER, SPENCER |
| <u>Division Director</u> | GARDNER, SPENCER |
| <u>Accounting Manager</u> | ALBIN-MOORE, ANGELA |
| <u>Legal</u> | RICHMAN, JAMES |
| <u>For the Mayor</u> | JONES, GARRETT |

Additional Approvals

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Distribution List

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Committee Agenda Sheet

Urban Experience Committee

| | |
|---|--|
| Committee Date | July 8, 2024 |
| Submitting Department | Planning & Economic Development |
| Contact Name | KayCee Downey |
| Contact Email & Phone | kdowney@spokanecity.org , x6194 |
| Council Sponsor(s) | <u>CM Zappone, CM Klitzke and CM Bingle</u> |
| Select Agenda Item Type | <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5 minutes |
| Agenda Item Name | Higher Intensity Residential Code Update Associated with South Logan TOD Implementation |
| Proposed Council Action | <input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only |
| Summary (Background) *use the Fiscal Impact box below for relevant financial information | <p>The South Logan Transit-Oriented Development (TOD) Plan, adopted by resolution on January 29, 2024, provides recommendations to support more connectivity and livability for the community, businesses, and organization in South Logan. As part of South Logan TOD Implementation, several recommendations are proposed for citywide impact.</p> <p>The proposed higher intensity residential code update to amend SMC Sections 17C.111.205 and 17C.111.420 align with the goals and recommendations of the South Logan TOD Plan and the City of Spokane Comprehensive Plan.</p> <p>The proposed amendments include increasing the maximum heights in the Residential Multifamily (RMF) and Residential High Density (RHD) zones and modifying open space requirements to support increased feasibility of higher intensity residential development.</p> <p>For the full code amendments please visit: https://my.spokanecity.org/projects/south-logan-transit-oriented-development-project/</p> |
| <p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p>Narrative: The South Logan TOD Plan and FEIS, adopted by resolution on January 29, 2024, was funded through the Transit-Oriented Development Implementation (TODI) grant program via the WA Department of Commerce. Implementation of the South Logan TOD Plan relied on on-going and regular staff resources.</p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p> | |
| Operations Impacts (If N/A, please give a brief description as to why) | |
| <i>What impacts would the proposal have on historically excluded communities?</i> | |

The proposed text amendments are intended to support high quality transit, increase housing capacity and diversity, and promote affordability along the City Line bus rapid transit in the South Logan area and throughout Center and Corridor and higher intensity residential areas throughout Spokane. By focusing on development along transit lines and removing identified barriers to successful projects, the proposals are intended to support a diversity of uses and housing options near existing multimodal transportation options.

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 South Logan TOD Plan reviewed and analyzed environmental and social impacts of planned development and development alternatives as part of the process, following the guidance of the HEAL Act. An analysis of existing conditions established a baseline to inform the project with data on demographics, socioeconomics, housing and market conditions, land use and zoning, and infrastructure needs. The proposals are implementing the adopted Plan with no additional data collection.

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

The South Logan TOD Plan was developed after a 20-month community engagement process that sought input from residents, businesses, institutions, agency partners, and other subject matter experts. The proposals are implementing the recommendations of the adopted Plan. Additional community outreach and engagement occurred after draft ordinances were available to verify effectiveness of the implementation.

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 South Logan TOD Project is aligned with many City policies to better connect land use and transportation, expand and increase the housing supply including middle housing and affordable housing, and promote anti-displacement and equitable outcomes. This includes the Comprehensive Plan (Housing Chapter), Housing Action Plan, Sustainability Action Plan, and Transit-Oriented Development Framework Study, and Logan Neighborhood Identity Plan. The proposals are implementing the South Logan TOD Plan, which was adopted by resolution on January 29, 2024 after being determined to meet all relevant policies and plans.

ORDINANCE NO. C36552

AN ORDINANCE relating to maximum residential heights and multi-unit open space standards amending Spokane Municipal Code (SMC) Sections 17C.111.205 and 17C.111.420.

WHEREAS, in 2021, the Washington State Legislature appropriated \$2.5 million for cities to facilitate transit-oriented development in areas with light rail or fixed rail systems, bus rapid transit, high-frequency bus service or park and ride lots; and

WHEREAS, the City of Spokane was one of 11 communities that received the Transit-Oriented Development Implementation (TODI) grant for \$250,000 from the Washington Department of Commerce in 2021 to facilitate transit-oriented development and increase residential capacity in areas of high-capacity transit; and

WHEREAS, the City of Spokane prepared the Transit-Oriented Development (TOD) Framework Action Plan, adopted by resolution in May 2022 under RES 2022-0039, that identifies strategies best suited to Spokane for supporting TOD along new High-Performance Transit lines, including a focus on South Logan; and

WHEREAS, the City provided opportunities for meaningful public involvement and review in the South Logan TOD Plan and EIS process, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments, resulting in the Preferred Alternative analyzed in the FEIS; and

WHEREAS, the *Final South Logan TOD Plan and Final Environmental Impact Statement (FEIS)* was published on November 30, 2023 for final consideration; and

WHEREAS, on January 29, 2024 Spokane City Council adopted by resolution (RES 2024-0015) the Final South Logan TOD Plan and FEIS as a declaration of the subarea's desired future condition; and

WHEREAS, in order to facilitate the higher intensity residential development envisioned in the Plan, the adopted Final South Logan TOD Plan called for a review of higher intensity residential design standards, as well as permitted heights; and

WHEREAS, based on feedback from developers and the community, it was determined that modifications were required to the open space standards to increase feasibility of higher intensity residential development within the South Logan TOD project area while ensuring open space access for all residents; and

WHEREAS, based on feedback from developers and the community, it was determined that modifications were required to the maximum heights permitted in the

higher intensity residential zones to increase feasibility of development within the South Logan TOD project area; and

WHEREAS, for regulatory consistency throughout Spokane and to ensure the benefits of increased feasibility and access to open space, the amendments affect citywide development regulations; and

WHEREAS, on April 29, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of the City's intent to adopt updated development regulations; and

WHEREAS, the Spokane Plan Commission held public workshops on the provisions in this ordinance on March 13, April 10, April 24, May 22, and June 12 of this year; and

WHEREAS, a SEPA Determination of Nonsignificance and Checklist were issued by Planning Services on June 12, 2024; and

WHEREAS, prior to the Plan Commission public hearing, a legal notice was published in the *Spokesman-Review* on June 12 and June 19, 2024; and

WHEREAS, on June 19, 2024, the Planning Department staff finalized their Staff Report to the Spokane Plan Commission recommending approval of the provisions of this ordinance; and

WHEREAS, on June 26, 2024, the Spokane Plan Commission held a public hearing on the provisions of this ordinance and unanimously voted to recommend approval with conditions, as outlined in the Findings of Fact, Conclusions, and Recommendation signed June 28, 2024; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That SMC Section 17C.111.205 be amended to read as follows:

Section 17C.111.205 Development Standards Tables

Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

| |
|--|
| TABLE 17C.111.205-1 LOT DEVELOPMENT STANDARDS [1] |
|--|

| | RA | R1 | R2 | RMF | RHD |
|---|---------------|---------------------------|---------------------------|---------------------------|---------------------------|
| DENSITY STANDARDS | | | | | |
| 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 |
| LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS | | | | | |
| 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 with no driveway approach [4] | 40 ft. | 15 ft. | 15 ft. | 15 ft. | 15 ft. |
| Minimum lot width with driveway approach [4] | 40 ft. | 36 ft. | 36 ft. | 25 ft. | 25 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 | Same as minimum lot width | Same as minimum lot width | Same as minimum lot width |
| MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS | | | | | |
| 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 |
| LOT COVERAGE | | | | | |
| 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] | 50% | 60% | 60% | N/A | N/A |
| Maximum lot impervious coverage without engineer's stormwater drainage plan - inside ADC [5][8] | 40% | 40% | 40% | N/A | N/A |
| Notes: | | | | | |
| [1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards. | | | | | |

[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.

[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.

[4] Lots with vehicle access only from an alley are not considered to have a “driveway approach” for the purposes of this standard.

[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.

| TABLE 17C.111.205-2 | | | | | |
|--|--------|---------------|---------------|---------------------------------|---------------------------------|
| BUILDING AND SITING STANDARDS [1] | | | | | |
| | RA | R1 | R2 | RMF | RHD |
| PRIMARY BUILDINGS | | | | | |
| 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. | ((40)) <u>55</u> ft. | ((40)) <u>75</u> ft. |
| Minimum Setbacks | | | | | |
| Front | 15 ft. | 10 ft. | 10 ft. | 10 ft. | 10 ft. |
| Interior side lot line - lot width 40 ft or less [3] | 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. |
| ACCESSORY DWELLING UNITS | | | | | |
| Maximum building footprint for accessory dwelling unit - lot area 5,500 sq. ft. or less | 1,100 sq. ft. | 1,100 sq. ft. | 1,100 sq. ft. | 1,100 sq. ft. | 1,100 sq. ft. |
| Maximum building footprint for accessory dwelling unit - lots larger than 5,500 sq. ft. | 15% | 15% | 15% | 15% | 15% |
| Maximum building height | 25 ft. | 25 ft. | 25 ft. | 25 ft. | 25 ft. |
| Minimum side lot line setbacks [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. |
| OTHER ACCESSORY STRUCTURES | | | | | |
| 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 ft. | 5 ft. | 5 ft. | 5 ft. | 5 ft. |
| OPEN SPACE [7] | | | | | |

| | | | | | |
|--|----------------|----------------|----------------|---|--|
| Minimum ((outdoor area)) <u>open space</u> per unit (([7])) [8] | 250 sq. ft. | 250 sq. ft. | 250 sq. ft. | ((200-sq. ft.)) Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 150 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)) <u>open space</u> per unit as a substitute for private area - first six units | 200 sq. ft. | 200 sq. ft. | 200 sq. ft. | ((150-sq. ft.)) Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 150 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)) <u>open space</u> per unit as a substitute for private area - all units after six | 150 sq. ft. | 150 sq. ft. | 150 sq. ft. | ((100-sq. ft.)) Studio: 36 sq. ft. per unit 1- bedroom: 48 sq. ft. per unit 2+ bedrooms: | Studio: ((48)) 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 |

| | | | | | |
|--|--|--|--|------------------------|--|
| | | | | 48 sq. ft. per unit | |
| Notes: | | | | | |
| [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. | | | | | |
| ([7]) [8] Common ((outdoor area)) open space may be substituted for private ((outdoor area)) open space 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 |
| LOT COVERAGE | | | | | |
| Maximum total building coverage | N/A | 80% | 90% | 100% | 100% |
| PRIMARY BUILDINGS | | | | | |
| 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 2. That SMC Section 17C.111.420 be amended to read as follows:

Section 17C.111.420 ((Outdoor)) Open Spaces

A. Purpose.

To create pedestrian friendly, usable areas through the use of plazas, courtyards, rooftop decks, and other ((outdoors)) open spaces for the enjoyment and health of the residents.

B. ((Outdoor)) Open Spaces Implementation.

1. Minimum Required Space.

((4))a. Each multifamily development shall ((set)) provide ((a minimum of forty-eight square feet of)) the minimum ((outdoor)) open space area for each living unit in the complex, including those units occupied by the owner or building management personnel, as identified in Table 17C.111.205-2. Open spaces may be provided individually, such as by balconies, or combined into a larger common open space. ((Private outdoor spaces can count towards this outdoor common space provision.)) Developments in RMF and RHD may provide both private and common open space to meet the minimum requirement; however, each unit must provide either the full private or common open space to count towards the minimum required space. (R)

b. Residential units with a continuous pedestrian route from the building entrance to a public park within 800 ft are not required to provide more than 36 square feet of open space per unit. For purposes of this requirement, an unsignalized crossing of a minor arterial road or greater shall not be considered a continuous pedestrian route.



Trellis and special landscape defines private courtyard area

[NOTE: Delete graphic above]

2. ((Ground Level Units)) Private Open Space.

~~((The outdoor area for ground level units is a type of private outdoor space and must be directly accessible from the unit. 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. (R)))~~

Private open space area is typically developed for passive recreational use. Examples include balconies, patios, and private rooftop decks.



[NOTE: Delete graphic above]

- a. Private open space must be directly accessible from the unit. (R)
- b. Private open space must be surfaced with landscaping, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. (R)
- c. Private open space may be covered, such as a covered balcony, but may not be fully enclosed. (R)
- d. Berms, low walls, fences, hedges and/or landscaping shall be used to define private open spaces such as yards, decks, terraces, and

patios from each other and from the street right-of-way. The material or plantings between private open spaces shall be a maximum of four feet in height and visually permeable, such as open rails, ironwork, or trellis treatment to encourage interaction between neighbors. Material or plantings between units and right-of-way shall meet applicable fencing restrictions. (P)

3. ~~((Upper Level Units))~~ Common Open Space.

~~((Upper level units are a type of private outdoor space. For upper level units, the required outdoor area may be provided individually, such as by balconies, or combined into a larger area. If combined into a larger area, it must comply with the following requirements. (R)))~~

Common open space area may be developed for active or passive recreational use. Examples include play areas, plazas, rooftop patios, picnic areas, fitness centers, pools, tennis courts, and open recreational facilities.

- a. ~~The total amount of required ((outdoor area for upper level units))~~ common open space is the cumulative amount of the required area per dwelling unit for ~~((individual))~~ common areas, minus any ~~((upper level))~~ units that provide individual ~~((outdoor areas))~~ open space (if provided). However, a combined required ~~((outdoor area))~~ open space must comply with the minimum area ~~((and dimension requirements for combined outdoor areas))~~ and meet ADA Standards for Accessible Design.
- b. ~~((The combined outdoor area may be developed for active or passive recreational use. Examples include play areas, plazas, rooftop patios, picnic areas, fitness centers, pools, tennis courts, and open recreational facilities. The area))~~ Common open space must be surfaced with ~~((lawn))~~ landscaping, 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.))~~ (R).
- c. Common open space may be covered, such as a covered patio, but may not be fully enclosed unless the open space is an equipped interior fitness area or furnished meeting space not reservable by individual residents. (R)
- d. Common open spaces with active uses used to meet these guidelines shall not be located within required buffer areas, if prohibited by critical area or shoreline regulations. (R)

- e. Common open spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities include: (P)
 - i. Site furnishings (benches, tables, bike racks)
 - ii. Picnic or outdoor grilling areas
 - iii. Patios, plazas, or courtyards
 - iv. Tot lots or other children's play areas
 - v. Enclosed pet areas that make up no more than fifty percent of the required common open space
 - vi. Community gardens accessible for use by residents
 - vii. Open lawn
 - viii. Play fields
 - ix. Sports courts, such as tennis or basketball courts, and pools that make up no more than fifty percent of the required common open space
 - x. Interior equipped fitness areas that make up no more than fifty percent of the required common open space

- f. If common open spaces are located adjacent to a street right-of-way, landscaping should be used to provide a buffer between outdoor spaces and the street right-of-way. (P)

~~((4. Common outdoor spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities include: (P)~~

- ~~a. Site furnishings (benches, tables, bike racks).~~
- ~~b. Picnic areas.~~
- ~~c. Patios, plazas or courtyards.~~
- ~~d. Tot lots.~~
- ~~e. Gardens.~~
- ~~f. Open lawn.~~
- ~~g. Play fields.~~

- h. Sports courts, such as tennis or basketball courts (no more than fifty percent of required outdoor common space), equipped interior fitness areas, or pools.)



[NOTE: Delete graphic above]



Basketball court provided in common outdoor area

[NOTE: Delete graphic above]

- ~~((5. Common outdoor spaces shall be easily visible and accessible to multifamily residents. (P)~~
6. ~~Berms, low walls, fences, hedges and/or landscaping shall be used to define private ((outdoor)) open spaces such as yards, decks, terraces, and patios from each other and from the street right-of-way. (P)~~
7. ~~Walls, hedges, and fences shall be used to define and ensure a sense of privacy in outdoor private spaces. The material or plantings should be a maximum of four feet (high and visually permeable, such as open rails, ironwork, or trellis treatment to encourage interaction between neighbors.) (P))~~
- ~~((8))~~4. Lighting shall be provided within ((outdoor)) open spaces to provide visual interest, as well as an additional security function. Lighting should not cause off-site glare. (R)

~~((9. If outdoor spaces are located adjacent to a street right-of-way, landscaping should be used to provide a buffer between outdoor spaces and the street right-of-way. (C)))~~



Screening by wall and planting

[NOTE: Delete graphic above]

~~((10. Common outdoor spaces with active uses used to meet these guidelines shall not be located within required buffer areas, if prohibited by critical area or shoreline regulations. (R)))~~

~~((11))~~5. ~~((Outdoor))~~ Open spaces should not be located adjacent to dumpster enclosures, loading/service areas or other ~~((incompatible uses))~~ facility and/or utility enclosures. (C)

PASSED by the City Council on August 12, 2024


Council President

Attest:


City Clerk

Approved as to form:


Assistant City Attorney


Mayor

8/16/24
Date

SEPT 15, 2024
Effective Date

