

ORDINANCE NO _____

An ordinance relating to Land Use Standards of the Unified Development Code; amending SMC sections 17C.110.100, Table 17C.110-1, 17C.110.200, Table 17C.110-3, 17C.110.230, 17C.120.110, 17C.120.310, 17C.122.135, 17C.124.210, Table 17C.124-2, 17C.124.310, 17C.130.310, 17C.200.020, 17C.200.040, 17C.200.050, 17C.230.140.

The City of Spokane does ordain:

Section 1. That SMC section 17C.110.100, table 17C.110-1 is amended to read as follows:

TABLE 17C.110-1 RESIDENTIAL ZONE PRIMARY USES (Click here to view PDF)					
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
Industrial Service	N	N	N	N	N
Manufacturing and Production	N	N	N	N	N
Railroad Yards	N	N	N	N	N
Warehouse and Freight Movement	N	N	N	N	N
Waste-related	N	N	N	N	N
Wholesale Sales	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	C[4]/CU	P	P
Daycare [5]	L	L	L	((P))	((P))
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
Notes:					
* 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 SMC 17C.320.080.					

Section 2. That SMC section 17C.110.200, table 17C.110-3 is amended to read as follows:

TABLE 17C.110-3
DEVELOPMENT STANDARDS [1]

DENSITY STANDARDS						
	RA	RSF	RSF-C	RTF	RMF	RHD
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 LOTS TO BE DEVELOPED WITH:						
Multi-Dwelling Structures or Development						
	RA	RSF	RSF-C	RTF	RMF	RHD
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.
Attached Houses						
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
Detached Houses						
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.
Duplexes						
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.

PRIMARY STRUCTURE						
Maximum Building Coverage						
	RA	RSF	RSF-C	RTF	RMF	RHD
Lots 5,000 sq. ft. or larger	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.	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 [4]	35 ft.	35 ft.	35 ft.	35 ft.	35 ft. [5]	35 ft. [5]
Maximum Wall Height	25 ft.	25 ft.	25 ft.	25 ft.	30 ft. [5]	--
Floor Area Ratio (FAR)						
FAR	0.5	0.5	0.5 [3]	0.5 [3]	--	--
Setbacks						
Front Setback [6, 7]	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 [6]	5 ft.					
Rear Setback [8, 9]	25 ft.	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
Required Outdoor Area						
Required Outdoor Area for attached and detached houses. Minimum dimension (See SMC 17C.110.223)	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.
ACCESSORY STRUCTURES						
	RA	RSF	RSF-C	RTF	RMF	RHD
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 [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 [11]	5 ft.					
Side Lot Line Setback – Lot width less than 40 ft. [11]	3 ft.					
Street Side Lot Line [12]	20 ft.					
Rear [11]	5 ft.					
Rear with Alley	0 ft.					

Notes:

-- No requirement

[1] Plan district overlay zone or SMC 17C.110.300, Alternative Residential Development, may supersede these standards.

[2] Lots created through subdivision in the RA, RSF and the RSF-C zones are subject to the lot size transition requirements of SMC 17C.110.200(C)(1).

[3] FAR may be increased to 0.65 for attached housing development only.

[4] No structure located in the rear yard may exceed ((seventeen)) twenty feet in height.

[5] Base zone height may be modified according to SMC 17C.110.215, Height.

[6] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.

[7] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.

[8] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.

[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.

[10] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

[11] Setback 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, except, as specified in SMC 17C.110.225(C)(5)(b).

[12] The setback for a covered accessory structure may be reduced to five feet from the property line.

Section 3. That SMC section 17C.110.230 is amended to read as follows:

Section 17C.110.230 Fences

A. Purpose.

The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by

providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

B. Types of Fences.

The standards apply to walls, fences, trellises, arbors, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location.

1. Front Lot Line.

Fences up to forty-two inches high are allowed in required front lot line setbacks.

2. Sides and Rear Lot Line.

Fences up to six feet high are allowed in required sides or rear lot line setbacks. Except in an instance where a rear lot line joins the front lot line of another lot, the fence must be either:

a. forty-two inches high or less, or

b. right isosceles triangle having sides of seven feet measured along the right-of-way line of a side yard and the front property line.

3. Other.

The height for fences that are not in required building setbacks is the same as the height limits of the zone for detached accessory structures in Table 17C.110-3.

4. Alleys.

Fences shall not obstruct the clear width required in SMC 17H.010.130(G).

D. Reference to Other Standards.

Building permits are required by the building services department for all fences including the replacement of existing fences. A permit is not required to repair an existing fence.

E. Prohibited Fences.

1. No person may erect or maintain a fence or barrier consisting of or containing barbed, Constantine, or razor wire in the RSF, RTF, RMF, or RHD zones. In the RA zone, up to three strands of barbed wire are allowed for agricultural, farming or animal uses.

2. No person may construct or maintain a fence or barrier charged with electricity in the RSF, RTF, RMF, or RHD zones. In the RA zone, the use is permitted for the containment of livestock only.
3. A fence, wall, or other structure shall not be placed within the public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
4. Fence Setbacks.
 - a. Arterial Street.
No fence may be closer than twelve feet to the curb of an arterial street.
 - b. Local Access Street.
No fence may be closer than the back of the sidewalk on a local access street. If there is no sidewalk, the fence shall be setback seven feet behind the face of the curb of a local access street.

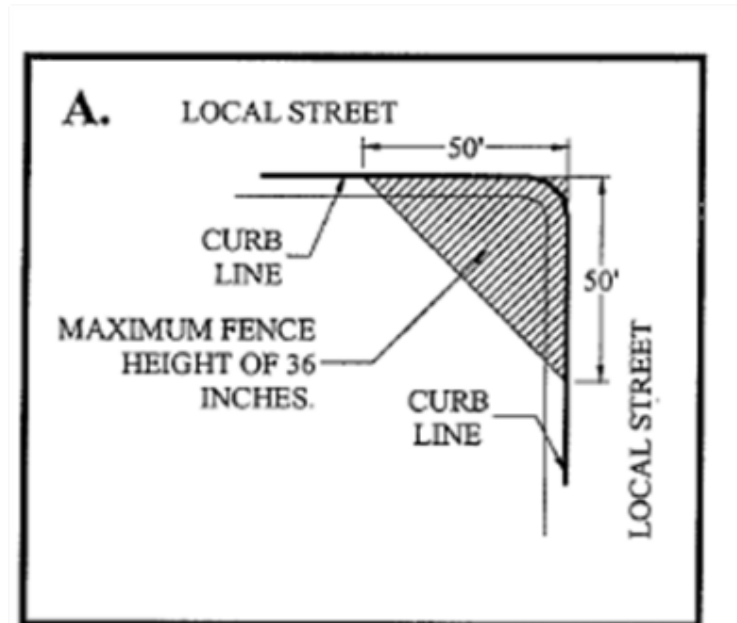
F. Enclosures for Pools, Hot Tubs, or Ponds.

1. A person maintaining a swimming pool, hot tub, pond or other impoundment of water exceeding five thousand gallons and eighteen inches or more in depth and located on private property is required to construct and maintain an approved fence by which the pool or other water feature is enclosed and inaccessible by small children.
2. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building or other structure approved by the building services department.
3. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
4. No opening, except a door or gate, may exceed four inches in any dimension.
5. Any door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be at least fifty-four inches above the ground.

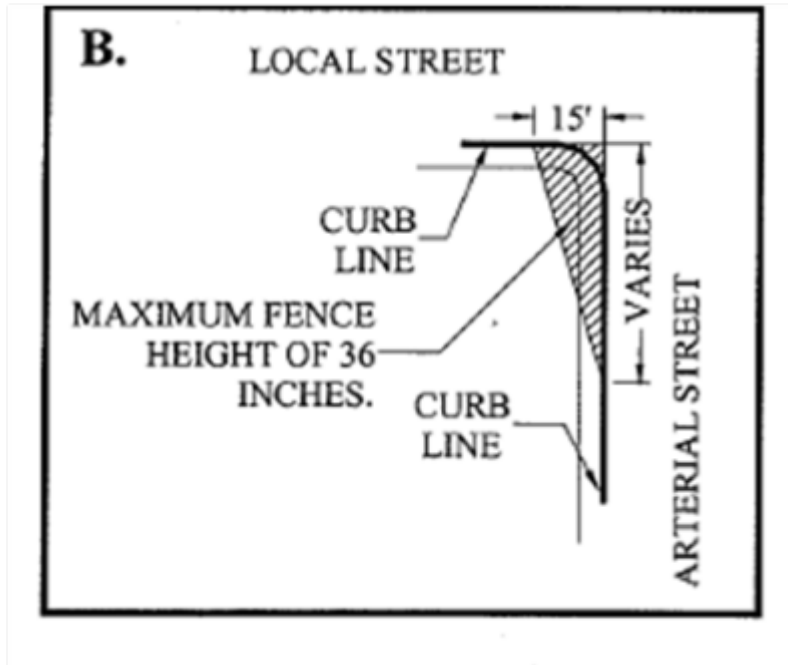
G. Visibility at Intersections.

A fence, wall, hedge, or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.

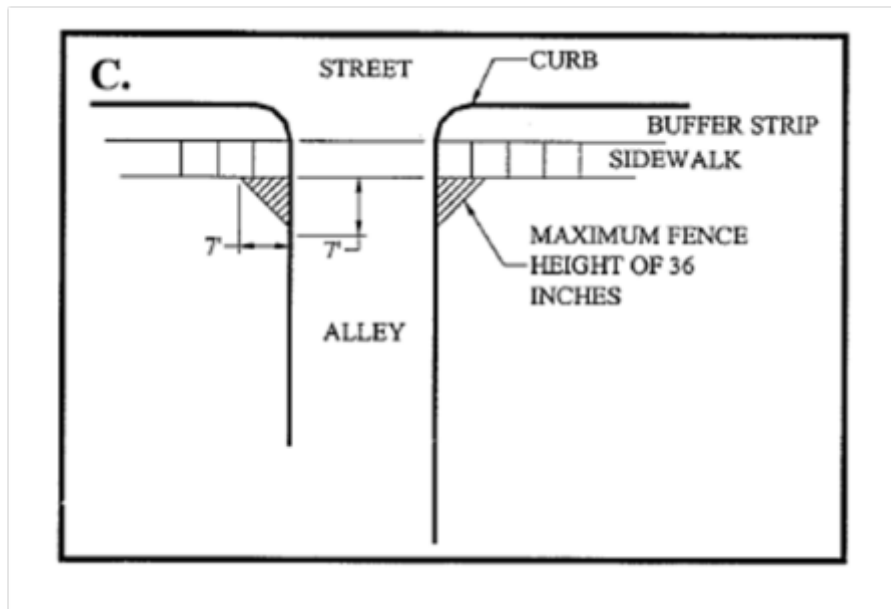
1. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, ~~((nø))~~ all fences, vegetation, and other features within the Clear View Triangle defined in SMC 17A.020.030 shall be maintained to keep a vertical clear view zone between three and eight feet from ground level ~~((exceeding a height of thirty-six inches above the curb. may be inside the:~~
 - a. ~~right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or~~

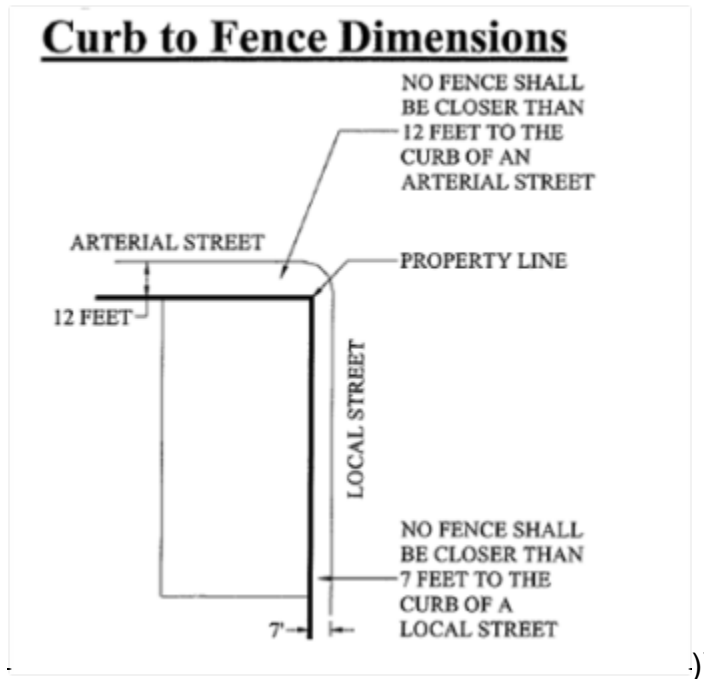


- b. ~~right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or~~



- e. ~~right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:~~
- i. ~~the inside line of the sidewalk; or~~
 - ii. ~~if there is no sidewalk, a line seven feet inside the curb line.~~





Section 4. That SMC section 17C.120.110 is amended to read as follows:

Section 17C.120.110 Limited Use Standards

The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from Table 17C.120-1.

1. Group Living.
 - This regulation applies to all parts of Table 17C.120-1 that have a [1].
 - a. General Standards.
 - All group living uses except for alternative or post-incarceration facilities are allowed by right.
 - b. Alternative or Post Incarceration Facilities.
 - Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.
 - This regulation applies to all parts of Table 17C.120-1 that have a [2].
 - Adult businesses are subject to the additional standards of chapter 17C.305 SMC.

3. Commercial Parking.
 - This regulation applies to all parts of Table 17C.120-1 that have a [3].
 - In the O and OR zones, a commercial parking use provided within a building or parking structure is a conditional use.

4. Drive-through Facility.

This regulation applies to all parts of Table 17C.120-1 that have a [4]. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of SMC 17C.120.290 and SMC 17C.325.

5. Quick Vehicle Servicing.

This regulation applies to all parts of Table 17C.120-1 that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a principal arterial street. Quick vehicle servicing uses are subject to the additional standards of SMC 17C.120.290.

6. Retail Sales and Service Uses Size Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [6]. Retail sales and services are limited in size in order to reduce their potential impacts on residential uses and to promote a relatively local market area. Retail sales and services uses are limited to the following:

- a. When retail sales and services uses are located within an office building, the retail sales and services may be larger than three thousand square feet, but may not exceed ten percent of the total floor area of the building exclusive of parking areas located within the structure.
- b. Uses not within an office building which are listed as sales-oriented under SMC 17C.190.270(C), retail sales and service, are limited to three thousand square feet of total floor area per site exclusive of parking areas located within a structure.
- c. Uses other than a hotel, motel, private club or lodge which are listed as personal service-oriented, entertainment-oriented or repair-oriented under SMC 17C.190.270(C), retail sales and service, that are larger than three thousand square feet are a conditional use. A hotel, motel, private club or lodge may be larger than three thousand square feet.

7. Required Residential Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [7]. The limitations are stated in SMC 17C.120.280.

8. Industrial Size Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [8]. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. In addition, if the planning director determines that the proposed use will not be able to comply with the off-site impact standards of chapter 17C.220 SMC, the planning director may require documentation that the development will be modified to conform with the standards.

- a. Individual uses in the NR and NMU zones are limited to five thousand square feet of floor area per site exclusive of parking area.
- b. Individual uses in the CB zone that exceed twenty thousand square feet of floor area per site exclusive of parking area are a conditional use.
- c. Individual uses in the GC zone that exceed fifty thousand square feet of floor area per site exclusive of parking area are a conditional use.

9. Mini-storage Facilities Limitation.

This regulation applies to all parts of Table 17C.120-1 that have an [9]. The limitations are stated with the special standards for these uses in chapter 17C.350 SMC, Mini-storage Facilities.

10. Outdoor Activity Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [10]. Outdoor display, storage or use of industrial equipment, such as tools, equipment, vehicles, products, materials or other objects that are part of or used for the business operation is prohibited.

11. [Deleted]

12. [Deleted]

13. Mobile Food Vending.

This standard applies to all parts of [Table 17C.120-1](#) that have a [13]. All mobile food vendors shall have a valid mobile food vending license issued pursuant to [SMC 10.51.010](#) Mobile Food Vendors.

Section 5. That SMC section 17C.120.310 is amended to read as follows:

Section 17C.120.310 Fences

A. Purpose.

The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

B. Types of Fences.

The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location, Height, and Design.

1. Street Setbacks.

No fence or other structure is allowed within twelve feet from the back of the curb, consistent with the required sidewalk width of SMC 17C.120.230.

a. Measured from Front Lot Line.

Fences up to three and one-half feet high are allowed in a required street setback that is measured from a front lot line.

b. Measured from a Side Lot Line.

Fences up to six feet high are allowed in a required setback that is measured from a side lot line.

2. Side and Rear Structure Setbacks.

Fences up to six feet high are allowed in required side or rear setbacks except when the side or rear setback abuts a pedestrian connection. When the side or rear setback abuts a pedestrian connection, fences are limited to three and one-half feet in height.

3. Not in Setbacks.

The height for fences that are not in required setbacks is the same as the regular height limits of the zone.

4. Sight-obscuring Fences and Walls.

Sight-obscuring fences, walls and other structures over three and one-half feet high, and within fifteen feet of a street lot line are subject to SMC 17C.120.570, Treating Blank Walls – Building Design.

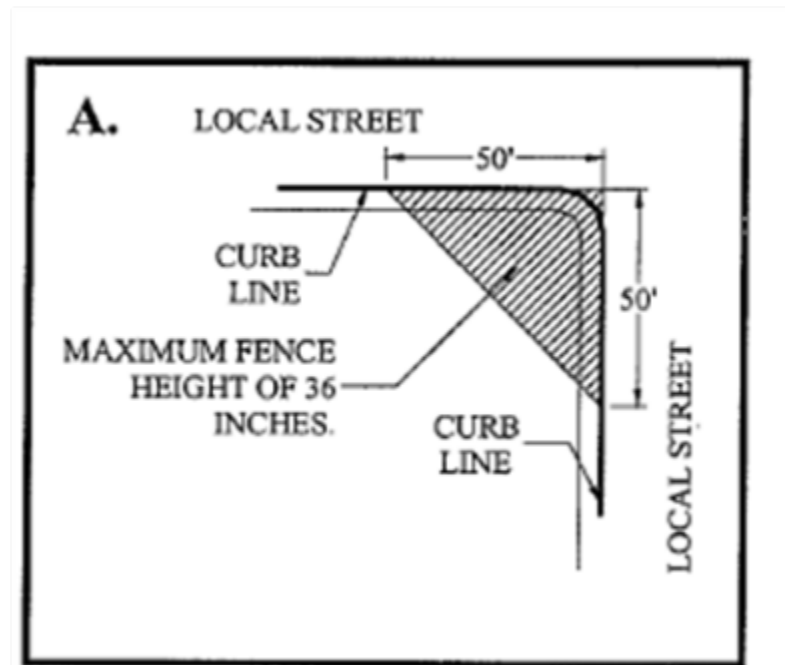
D. Prohibited Fences.

1. No person may erect or maintain a fence or barrier consisting of or containing barbed, razor, concertina, or similar wire except that in a CB or GC zone up to three strands of barbed wire may be placed atop a lawful fence exceeding six feet in height above grade.
2. No person may maintain a fence or barrier charged with electricity.

3. A fence, wall or other structure shall not be placed within a public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
4. No fence may be closer than twelve feet to the curb.

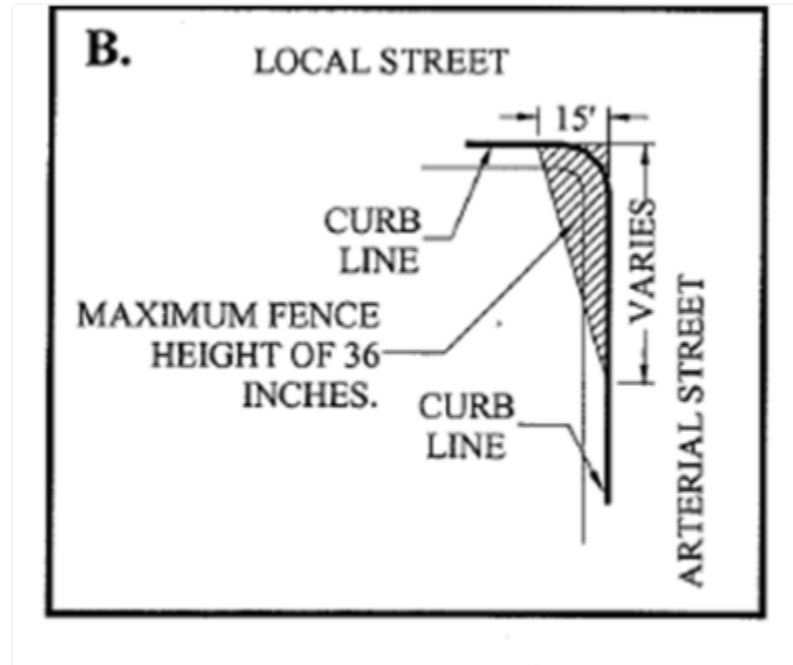
E. Visibility at Intersections.

1. A fence, wall, hedge or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.
2. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, ~~((no))~~ all fences, vegetation, and other features within the Clear View Triangle defined in SMC17A.020.030 shall be maintained to keep a vertical clear view zone between three and eight feet from ground level ~~((exceeding a height of thirty-six inches))~~ above the curb. ~~((may be inside the:~~
 - ~~a. a right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or~~

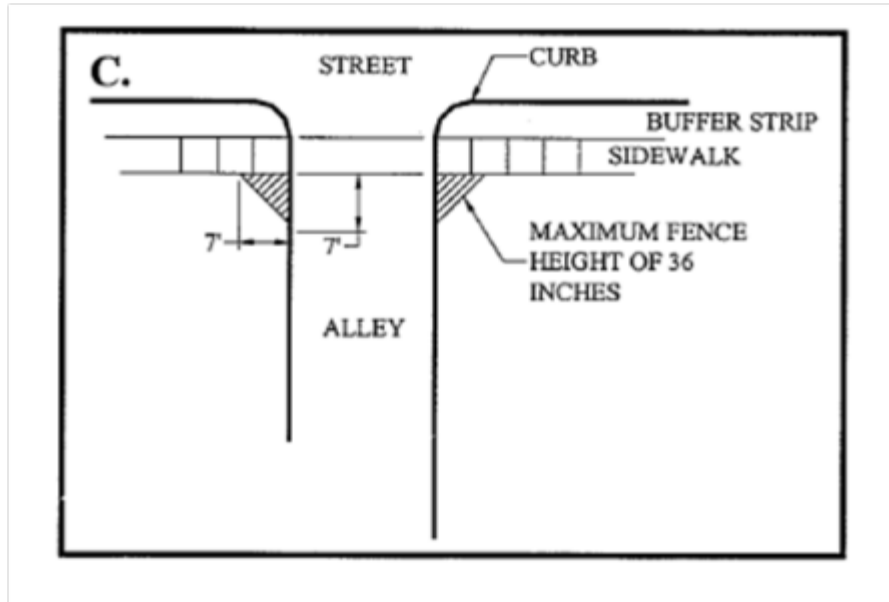


- ~~b. right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed~~

limit of thirty five miles per hour, the triangle has a side along such arterial of one hundred twenty two feet; or



- e. right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
 - i. the inside line of the sidewalk; or
 - ii. if there is no sidewalk, a line seven feet inside the curb line.



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F. Enclosures for Pools, Hot Tubs, or Ponds.

1. A person maintaining a swimming pool, hot tub, pond or other impoundment of water exceeding five thousand gallons and eighteen inches or more in depth and located on private property is required to construct and maintain an approved fence by which the pool or other water feature is enclosed and inaccessible to small children.
2. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building, or other structure approved by the building services department.
3. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
4. No opening, except a door or gate may exceed four inches in any dimension.
5. Any Door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be at least fifty-four inches above the ground.

G. Reference to Other Standards.

Building permits are required by the building services department for all fences including the replacement of existing fences. A permit is not required to repair an existing fence

Section 6. That SMC section 17C.122.135 is amended to read as follows:

Section 17C.122.135 Fences

A. Purpose.

The fence standards promote the positive benefits of fences without adversely impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

B. Type of Fences.

The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location, Height, and Design.

1. Street Setbacks.

No fence or other structure is allowed within twelve feet from the back of the curb, consistent with the required sidewalk width of SMC 17C.130.230.

a. Measured From Front Lot Line.

Fences up to three and one-half feet high are allowed in a required street setback that is measured from a front lot line.

b. Measured From a Side Lot Line.

Fences up to six feet high are allowed in required setback that is measured from a side lot line.

c. Fences shall not reduce the required setback width of SMC 17C.130.210.

2. Side or Rear Structure Setbacks.

Fences up to six feet high are allowed in required side or rear setbacks except when the side or rear setback abuts a pedestrian connection. When the side or rear setback abuts a pedestrian connection, fences are limited to three and one-half feet in height.

3. Not In Setbacks.

The height for fences that are not in required setbacks is the same as the regular height limits of the zone.

4. Sight-obscuring Fences and Walls.

Any required or nonrequired sight-obscuring fences, walls, and other structures over three and one-half feet high, and within fifteen feet of

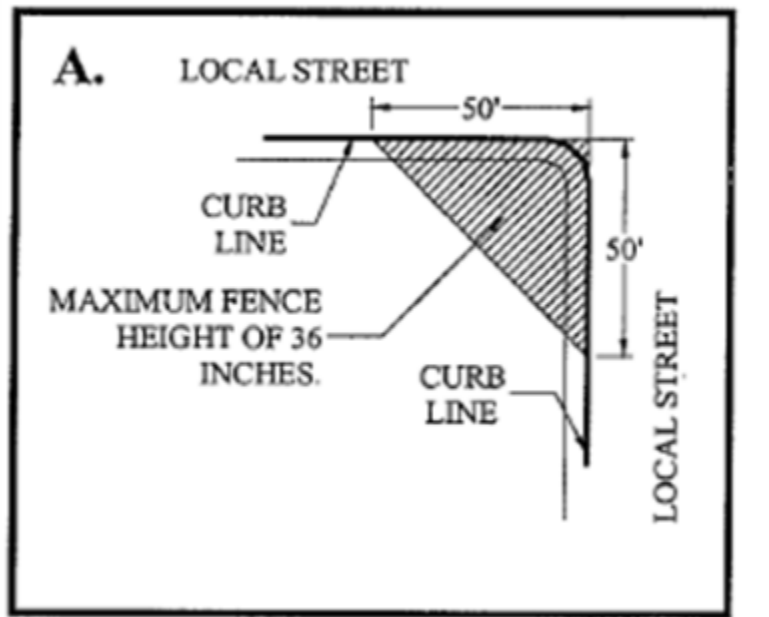
a street lot line shall either be placed on the interior side of a L2 see-through buffer landscaping area at least five feet in depth (See chapter 17C.200 SMC, Landscaping and Screening), or meet the treatment of blank walls intent outlined in SMC 17C.122.060 – Initial Design Standards and Guidelines for Center and Corridors.

D. Prohibited Fences.

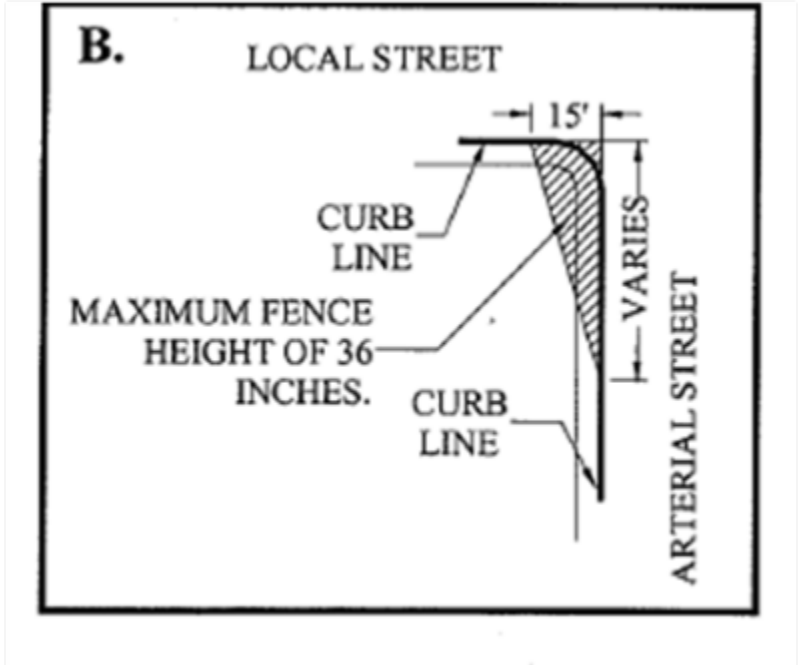
1. No person may erect or maintain a fence or barrier consisting of or containing barbed, razor, concertina, or similar wire except that up to three strands of barbed wire may be placed atop a lawful fence exceeding six feet in height above grade.
2. No person may maintain a fence or barrier charged with electricity.
3. A fence, wall, or other structure shall not be placed within a public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
4. No fence may be closer than twelve feet to the curb.

E. Visibility at Intersections.

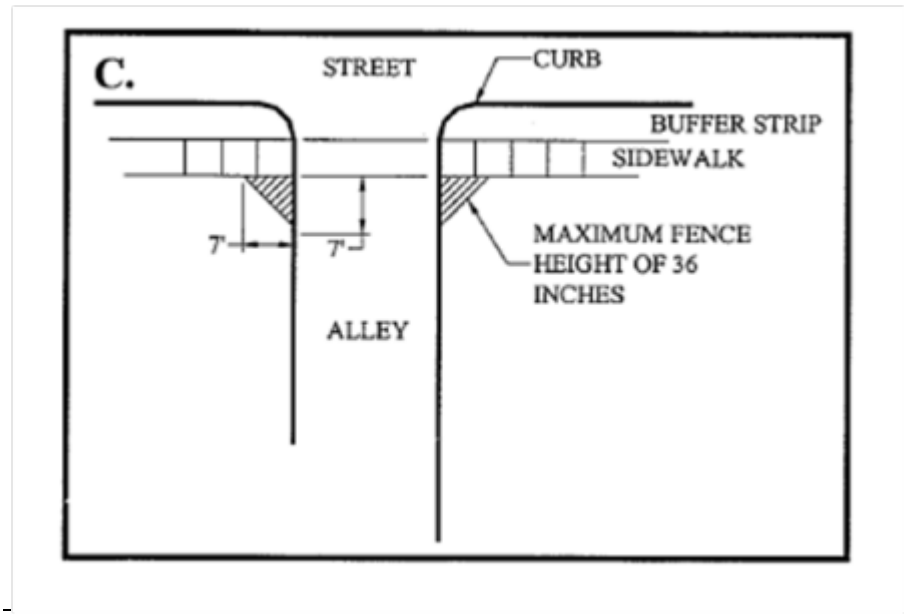
1. A fence, wall, hedge or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.
2. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, ~~((#))~~ all fences, vegetation, and other features within the Clear View Triangle defined in SMC17A.020.030 shall be maintained to keep a vertical clear view zone between three and eight feet from ground level~~((exceeding a height of thirty six inches above the curb, may be inside the:~~
 - a. ~~a. right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or~~



- b. ~~right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or~~



- c. right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
 - i. the inside line of the sidewalk; or
 - ii. if there is no sidewalk, a line seven feet inside the curb line.



F. Enclosures for Pools, Hot Tubs, or Ponds.

1. A person maintaining a swimming pool, hot tub, pond or other impoundment of water exceeding five thousand gallons and eighteen inches or more in a depth and located on private property is required to construct and maintain and approved fence by which the pool or water feature is enclosed and inaccessible by small children.
2. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building, or other structure approved by the building services department.
3. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
4. No opening, except a door or gate may exceed four inches in any dimension.
5. Any door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be fifty-four inches above the ground.
6. Outside of the door or gate must be at least fifty-four inches above the ground.

G. Reference to Other Standards.

Building permits are required by the building services department for all fences including the replacement of existing fences. A permit is not required to repair and existing fence.

Section 7. That SMC section 17C.124.210, table 17C.124-2 is amended to read as follows:

Table 17C.124-2 Development Standards [1]				
Standard	DTC (Downtown Core)	DTG (Downtown General)	DTU (Downtown University)	DTS (Downtown South)
Maximum FAR [2]	No Limit	6	6	4
Maximum height [3]	No Limit	12 Stories [3]	12 Stories [3]	12 Stories [3]
Minimum setback from street lot line [4,5]	0 ft.	0 ft.	0 ft.	0 ft.
Minimum setback from	10 ft.	10 ft.	10 ft.	10 ft.

R-zoned lots [5]				
Minimum setback from lot lines [5]	0 ft.	0 ft.	0 ft.	0 ft.
((Minimum lot size))	((2,500 sq.ft.))	((2,500 sq.ft.))	((2,500 sq.ft.))	((2,500 sq.ft.))
Minimum front lot line	((25)) <u>10</u> ft	((25)) <u>10</u> ft.	((25)) <u>10</u> ft.	((25)) <u>10</u> ft.
((Minimum lot depth))	((80 ft.))	((80 ft.))	((80 ft.))	<u>80</u> ft.
Landscaping required [6]	[6]	[6]	[6]	[6]
Parking required [7]	[7]	[7]	[7]	[7]
<p>Notes:</p> <p>[1] Plan district or overlay zone standards may supersede these standards.</p> <p>[2] The FAR limits apply to non-residential development. There is no FAR limit for residential uses under the maximum height limit.</p> <p>[3] These standards apply within downtown zones that do not have a specific height specified on the zoning map. Additional height, massing, and bonus height standards are found within SMC 17C.124.220, Height and Massing.</p> <p>[4] These standards may be superseded by the required minimum sidewalk width. See SMC 17C.124.230. No permanent encroachments into the right-of-way are allowed at ground level.</p> <p>[5] Structure setbacks are measured from the lot line.</p> <p>[6] This part of the table is for general information purposes only; see chapter 17C.200 SMC, Landscaping and Screening, for the specific standards.</p> <p>[7] This part of the table is for general information purposes only; see chapter 17C.230 SMC, Parking and Loading, for the specific standards.</p>				

Section 8. That SMC section 17C.124.310 is amended to read as follows:

Section 17C.124.310 Fences

A. Purpose.

The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists.

B. Types of Fences.

The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location, Height, and Design.

1. Fencing along streets, alleys, and pedestrian connections. No fence over three and one-half feet in height is allowed within the right-of-way or the required sidewalk width of SMC 17C.124.230.

a. Measured from the lot line or required sidewalk width, fencing up to six feet high is allowed within the first two feet behind the lot line or required sidewalk width. Greater than two feet back from the street lot line and the required sidewalk width; fencing is subject to the building heights for the zone.

b. Within two feet of a pedestrian connection through the interior of a site or block, fences are limited to three and one-half feet in height.

2. Fencing shall be behind any required parking lot or site perimeter landscaping.

3. Fencing Material and Color.

Colors shall complement the primary color of the development and shall not be so extreme in contrast or intensity that the color competes with the building for attention. Proposed fencing materials and colors that differ from these standards are subject to an administrative design review process.

a. Fence color within the public right-of-way or visible from streets shall be a dark material, preferable black or dark matte finish earth tones. Dark earth tone colored fence materials are preferred. (P)

b. Fencing shall be of a durable material. (P)

c. Fence materials within the public right-of-way or within eight feet of a street lot line may be wrought iron or similar in appearance, aluminum, metal, or other durable material that meets the objective. (P)

d. Walls visible from streets shall be masonry, stone, or brick construction. Masonry walls shall have a stucco finish or a textured manufactured finish such as "split face" or "fluted" block. (P)

- e. Chain link fencing is not allowed that is visible from and/or adjacent to a public street. Chain link fencing must be painted or vinyl coated and all part must be a uniform dark matte color such as black or other dark color.

4. Sight-obscuring Fences and Walls.

Sight-obscuring fences, walls, and other structures over three and one-half feet high and visible from a street are subject to SMC 17C.124.570, Treating Blank Walls – Building Design.

D. Prohibited Fences.

- 1. No person may erect or maintain a fence or barrier consisting of or containing barbed, razor, concertina, or similar wire. Three strands of barbed wire may be placed atop a lawful fence if the fence is not visible from an adjacent street or is placed behind a sight-obscuring fence or wall. The fence must be placed upon private property.
- 2. No person may maintain a fence or barrier charged with electricity.
- 3. A fence, wall, or other structure shall not be placed within a public right-of-way without an approved covenant as provided in SMC 17G.010.160.
- 4. No permanent fence may reduce the required sidewalk width.

E. Visibility at Intersections.

- 1. A fence, wall, hedge, or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.
- 2. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, ~~((no))~~ all fences, vegetation, and other features within the Clear View Triangle defined in SMC 17A.020.030 shall be maintained to keep a vertical clear view zone between three and eight feet from ground level ~~((exceeding a height of thirty inches))~~ above the curb ~~((may be inside the:~~
 - a. ~~right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or~~
 - b. ~~right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or~~
 - c. ~~right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:~~
 - i. ~~the inside line of the sidewalk; or~~

ii. if there is no sidewalk, a line seven feet inside the curb line.))

Section 9. That SMC section 17C.130.310 is amended to read as follows:

Section 17C.130.310 Fences

A. Purpose

The fence standards promote the positive benefits of fences without adversely impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

B. Type of Fences

The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location, Height, and Design

1. Street Setbacks.

No fence or other structure is allowed within twelve feet from the back of the curb, consistent with the required sidewalk width of SMC 17C.130.230.

a. Measured from Front Lot Line.

Fences up to three and one-half feet high are allowed in a required street setback that is measured from a front lot line.

b. Measured from a Side Lot Line.

Fences up to six feet high are allowed in required setback that is measured from a side lot line.

c. Fences shall not reduce the required setback width of SMC 17C.130.210.

2. Side or Rear Structure Setbacks.

Fences up to six feet high are allowed in required side or rear setbacks except when the side or rear setback abuts a pedestrian connection. When the side or rear setback abuts a pedestrian connection, fences are limited to three and one-half feet in height.

3. Not in Setbacks.

The height for fences that are not in required setbacks is the same as the regular height limits of the zone.

4. Sight-obscuring Fences and Walls.

Any required or non-required sight-obscuring fences, walls, and other structures over three and one-half feet high, and within fifteen

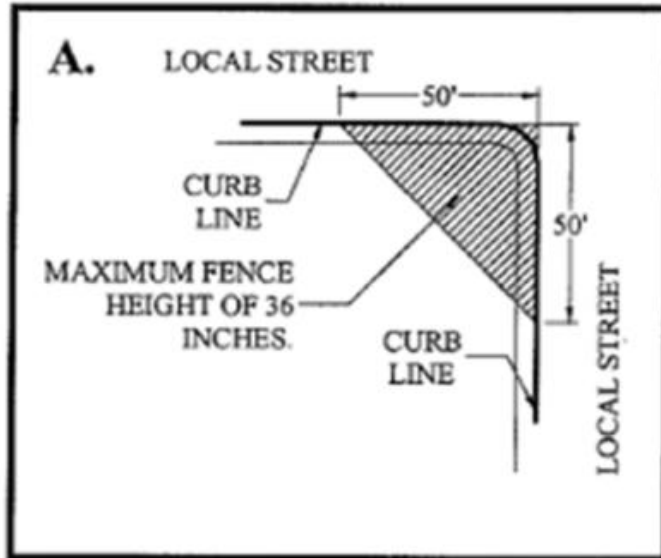
feet of a street lot line shall be placed on the interior side of a L2 see-through buffer landscaping area at least five feet in depth (See chapter 17C.200 SMC, Landscaping and Screening).

D. Prohibited Fences

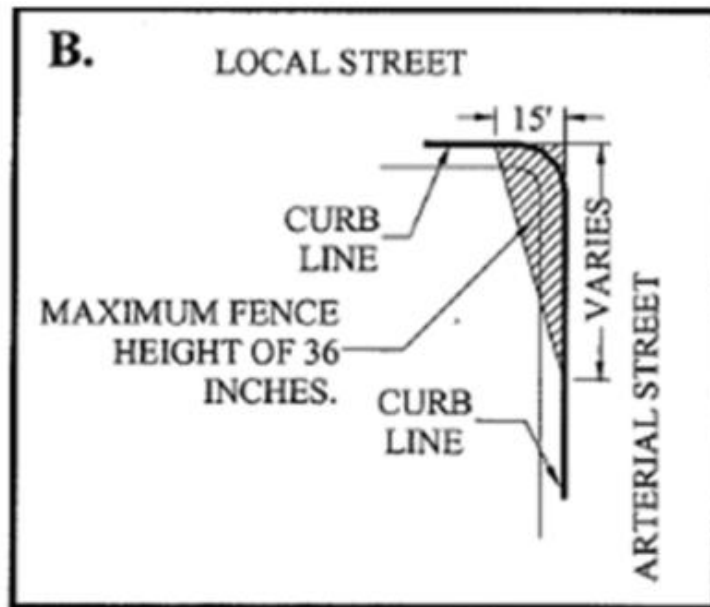
1. No person may erect or maintain a fence or barrier consisting of or containing barbed, razor, concertina, or similar wire except that up to three strands of barbed wire may be placed atop a lawful fence exceeding six feet in height above grade.
2. No person may maintain a fence or barrier charged with electricity.
3. A fence, wall or other structure shall not be placed within a public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
4. No fence may be closer than twelve feet to the curb.

E. Visibility at Intersections

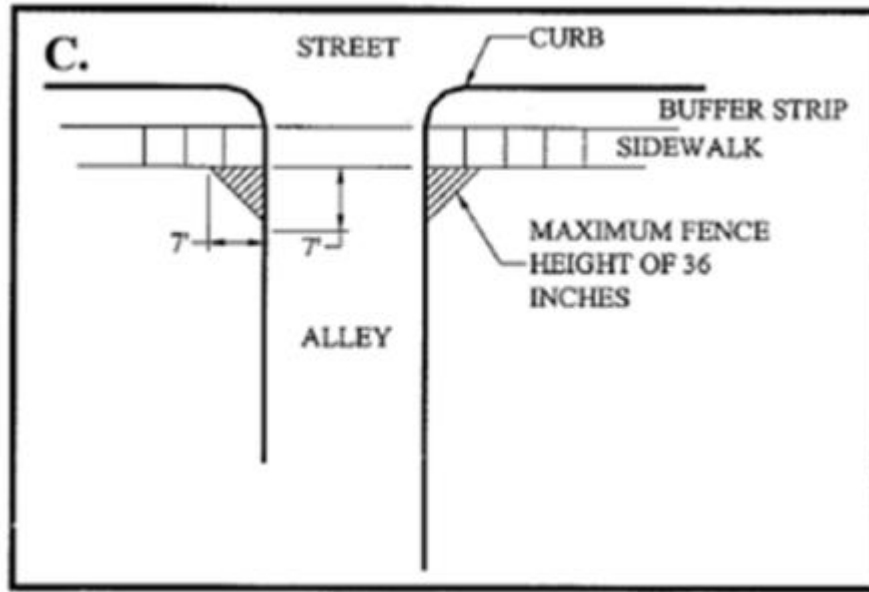
1. A fence, wall, hedge or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.
2. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, ~~((\(\emptyset\)))~~ all fences, vegetation, and other features within the Clear View Triangle defined in SMC 17A.020.030 shall be maintained to keep a vertical clear view zone between three and eight feet from ground level ~~((exceeding a height of thirty-six inches))~~ above the curb ~~((may be inside the:~~
 - a. ~~right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or~~



- b. right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or



- c. right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
- i. the inside line of the sidewalk; or
 - ii. if there is no sidewalk, a line seven feet inside the curb line.



))

F. Enclosures for Pools, Hot Tubs, or Ponds

1. person maintaining a swimming pool, hot tub, pond, or other impoundment of water exceeding five thousand gallons and eighteen inches or more in depth and located on private property is required to construct and maintain an approved fence by which the pool or other water feature is enclosed and inaccessible by small children.
2. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building or other structure approved by the building services department.
3. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
4. No opening, except a door or gate may exceed four inches in any dimension.
5. Any door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be at least fifty-four inches above the ground.

G. Reference to Other Standards

Building permits are required by the building services department for all fences including the replacement of existing fences. A permit is not required to repair an existing fence.

Section 10. That SMC section 17C.200.020 is amended to read as follows:

Section 17C.200.020 Plan Submittal Requirements

Landscape plans are not required for a house(~~(s)~~), an attached houses (~~(and)~~) or a duplex(~~(es)~~) on a lot. For all other types of development on sites, including planned unit developments, of more than seven thousand square feet of lot area, landscape plans shall:

- A. be prepared and stamped by a licensed landscape architect, registered in the state of Washington;
- B. be submitted at the time of application for a development permit; and
- C. include the following elements:
 1. The footprint of all structures.
 2. The final site grading.
 3. All parking areas and driveways.
 4. All sidewalks, pedestrian walkways and other pedestrian areas.
 5. The location, height and materials for all fences and walls.
 6. The common and scientific names of all plant materials used, along with their size at time of planting.
 7. The location of all existing and proposed plant materials on the site.
 8. A proposed irrigation plan; and
 9. Location of all overhead utility and communication lines, location of all driveways and street signs.

Section 11. That SMC section 17C.200.040 is amended to read as follows:

Section 17C.200.040 Site Planting Standards

Sites shall be planted in accordance with the following standards:

- A. Street Frontages.
 1. The type of plantings as specified below shall be provided inside the property lines:
 - a. along all commercial, light industrial, and planned industrial zoned properties except where buildings are built with no setback from the property line: a six-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050. Remaining setback areas shall be planted in L3.

- b. along all downtown, CC1, CC2, CC4, and FBC zoned properties except where buildings are built with no setback from the property line, or along a Type 1 Street of the FBC: a five-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050, Street Tree Requirements. Remaining setback areas shall be planted in L3. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, or raised masonry planters (overall height including any plantings shall not exceed three feet) may be used to screen parking lots from adjacent streets and walkways.
 - c. in the heavy industrial zone, along a parking lot, outdoor sales, or
 - d. outdoor display area that is across from a residential zone: a six-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050. Remaining setback areas shall be planted in L3.
 - e. in industrial zones, all uses in the commercial categories (see chapter 17C.190 SMC, Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zone.
 - f. along all RA, RSF, RTF, RMF, and RHD zones, except for single-family residences and duplexes: six feet of L3 open area landscaping, including street trees as prescribed in SMC 17C.200.050. For residential development along principal and minor arterials, a six-foot high fence with shrubs and trees may be used for screening along street frontages. The fence and landscaping shall comply with the standards of SMC 17C.120.310 for the clear view triangle and must be placed no closer than twelve feet from the curb line. A minimum of fifty percent of the fence line shall include shrubs and trees. The landscaping is required to be placed on the exterior (street side) of the fence.
2. ~~((Except for attached and detached single-family residences and duplexes,))~~~~((p))~~ Plantings may not exceed thirty-six inches in height or hang lower than ninety-six inches within the clear view triangle at street intersections on corner lots and at driveway entries to public streets. The clear view triangle is defined in SMC 17A.020.030~~((SMC 17C.120.310))~~. The director of engineering services may further limit the height of plantings, landscaping structures, and other site development features within the clear view triangle or may expand the size of the clear view triangle as conditions warrant.

B. Other Property Perimeters.

A planting strip of five feet in width shall be provided along all other property lines except where buildings are built with no setback from the property line or where a parking lot adjoins another parking lot. In CC zoned subject properties, the planting strip shall be eight feet in width to enhance the screening between CC and Residential zoned properties. The type of planting in this strip varies depending upon the zone designation of the properties sharing the property line (with or without an intervening alley) as indicated in the matrix below. Where properties with dissimilar zones share a common boundary, the property with the more intense zone shall determine the required type of planting and the planting width. The owners of adjacent properties may agree to consolidate their perimeter plantings along shared boundaries. Therefore, instead of each property providing a five-foot wide planting strip, they together could provide one five-foot wide planting strip, so long as the required planting type, as indicated in the matrix, is provided. Types of landscaping to be provided in planting strips alongside and rear property lines:



Section 11. That SMC section 17C.200.050 is amended to read as follows:

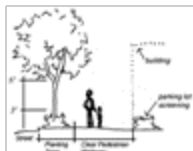
Section 17C.200.050 Street Tree Requirements

A. Purpose.

To provide consistent street frontage character within the street right-of-way. The street tree standards also maintain and add to Spokane's tree canopy and enhance the overall appearance of commercial and neighborhood development. Trees are an integral aspect of the Spokane landscape and add to the livability of Spokane. They provide aesthetic and economic value to property owners and the community at large.

B. Street Tree Implementation.

1. Street trees are required along all city streets in downtown, commercial, center and corridor, industrial zones, residential zones, and in FBC zones.
2. Street trees shall be planted between the curb and the walking path of the sidewalk.



3. Street trees and other landscaping shall be maintained and irrigated by the adjacent property owner.
4. If a street has a uniform planting of street trees or a distinctive species within the right-of-way, then new street trees should be of a similar form, character and planting pattern.
5. For a full list of approved trees in the city of Spokane, see the urban forestry program's approved street tree list. Species selection should be guided by individual site conditions including hydrology, soil, solar orientation, and physical constraints.

C. Planting Zones.

1. Provide continuous planting strips or individual planting areas per Table 17C.200.050-1, Tree Planting Dimensional Standards.

TABLE 17C.200.050-1 Tree Planting Dimensional Standards [1]		
ZONE	CONTINUOUS PLANTING STRIP (minimum width as measured from back of curb)	INDIVIDUAL PLANTING AREA (width as measured from back of curb)
Downtown	Individual Planting Areas (tree vaults) required [1]	4 ft. minimum 6 ft. maximum [2]
CC	5 ft.	4 ft. minimum 6 ft. maximum [2]
FBC	Individual Planting Areas (tree vaults) required [1]	5 ft [2]
Commercial	5 ft.	4 ft. minimum 6 ft. maximum [2]
Industrial	6 ft.	Continuous Planting Strip required [3]
RA, RSF, RTF	6 ft.	Continuous Planting Strip required [3]
RMF, RHD	6 ft.	Continuous Planting Strip required [3]
School/Church Loading Zone	Not Applicable	4 ft. minimum 6 ft. maximum [2, 4]

Notes:

[1] Individual Planting Areas (tree vaults) are the standard for the Downtown and FBC Zones. Proposals for Continuous Planting Strips may be evaluated on a case by case basis.

[2] Un-compacted soils are necessary for street trees. Individual planting areas (or tree vaults) must be of a size to accommodate a minimum of 100 cubic feet of un-compacted soils per tree at a maximum depth of three feet. Refer to the Engineering Design Standards for examples of potential options in individual planting areas.

[3] Continuous Planting Strips are the standard for Industrial and Residential Zones. However, individual planting areas meeting the CC standard may be proposed and evaluated on a case by case basis in Industrial, RMF and RHD Zones.

[4] In all zones, within a school/church loading zone, street tree location may vary from the standard as long as street trees are located within the right-of-way.

[5] In all zones, when a continuous planting strip will double as a stormwater swale, the minimum width shall be 6.5 feet.

2. Continuous Planting Strips.

- a. Continuous planting strips may be planted with living ground cover or low plantings that are maintained at a height less than three feet from ground level.
- b. When auto traffic is immediately adjacent to the curb, new street trees must be planted at least three feet from the edge of the automobile travel way.



3. Individual Planting Areas.

- a. When an individual planting area is not symmetrical, the longer dimension shall run along the curb.
- b. Tree grates or plantings are acceptable. However, when there is on-street parking, a tree grate or a paved walk eighteen inches wide behind the curb are encouraged to help avoid conflicts with car doors and foot traffic. The minimum clear pedestrian walking path as required for the zone shall be maintained.

Tree Grates



Street Trees with plantings up to 3 ft.



- c. Where tree grates are used, they shall be ADA accessible and have a similar size and material as tree grates found in adjacent developments. Where tree grates are used, tree guards are encouraged for tree protection.

Tree Grate with Tree Guard



- d. Un-compacted soils are necessary for street trees. A minimum of one hundred cubic feet per tree at a maximum depth of three feet is required. See Engineering Design Standards for examples of potential options in individual planting areas and for retrofitting sidewalks.



D. Size Requirements for New Street Trees.

1. Street trees shall meet the most recent ANSI standards for a two-inch caliper tree at the time of planting
2. Larger shade trees with spreading canopies or branches are desirable where possible. Species of street trees within the public rights-of-way shall be approved by the City urban forester and reviewed by the director of engineering services.
3. If overhead power lines are present, street trees shall be limited to a mature height of twenty-five feet to avoid conflict with utility lines and maintenance crews.

E. Spacing Requirements for Street Tree Spacing.

The objective is to create a continuous tree canopy over the sidewalk.

1. Continuous planting strips.
Average spacing shall be twenty five feet for small and columnar trees and thirty feet for canopy trees. The planning director may allow increased spacing for exceptionally large trees or upon the recommendation of the urban forester.
2. Individual planting areas.
Average spacing for all tree sizes and types shall be twenty-five feet. Trees planted adjacent to parallel parking stalls with meters may be spaced twenty feet apart.
3. Street tree plantings shall consider the location of existing utilities, lighting, driveways, business entrances and existing and proposed signs. See the Engineering Design Standards for required dimensions.

F. Clear View Zone.

Landscaped areas between the curb and sidewalk, as well as landscaped

areas within the clear view triangle as defined in SMC 17A.020.030 (~~SMC 17C.120.310~~) shall be maintained or plant material chosen to maintain a vertical clear view zone between three and eight feet from ground level (above the curb).



Section 12. That SMC section 17C.230.140 is amended to read as follows:

Section 17C.230.140 Development Standards

A. Parking Area Layout

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

a. Parking spaces and aisles in RA, RSF, RSF-C, RTF, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must meet the minimum dimensions contained in Table 17C.230-3.

Parking spaces and aisles in Downtown(,) CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230-4. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

ADOPTED BY THE CITY COUNCIL ON _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date