Chapter 19.10
AUTHORITY

Sections:
19.10.010 Adoption authority.
19.10.020 Applicability.

19.10.010 Adoption authority.

Title 19 SVMC is established pursuant to Section 11, Article XI of the Constitution of the State of Washington, RCW 35.63.080, chapter 35A.63 RCW, and chapter 36.70A RCW.
19.10.020  Applicability.
Title 19 SVMC shall govern the occupation, use erection, alteration, removal, demolition, or conversion of any and all buildings, structures, and land located within the corporate limits of the City.

Chapter 19.20
ESTABLISHMENT OF ZONING DISTRICTS

Sections:
19.20.010  Zoning districts.
19.20.015  Zoning districts purpose.
19.20.020  Zoning district map.
19.20.030  Zoning district boundary considerations.

19.20.010  Zoning districts.
The City has established the following zoning districts:

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19.20.015  Zoning districts purpose.
A. R-1 – Single-Family Residential Estate. Preserves the distinct character of existing single-family large lot development, while allowing for a limited number of large animals.
B. R-2 – Single-Family Residential Suburban. Preserves existing single-family development patterns, while allowing for development that is similar in size and scale to the surrounding neighborhood.
C. R-3 - Single-Family Residential Urban. Allows for single-family residential development at an urban density that provides flexibility and promotes reinvestment in existing single-family neighborhoods.
D. MFR – Multifamily Residential. Allows for multifamily housing located near business and commercial centers, the arterial street system, and public transit. Adjacent single-family zones are protected through transitional standards.
E. MU - Mixed Use. Allows for two or more different land uses within developments. Mixed-use developments can be either vertical or horizontally mixed, and could include employment uses such as office, retail, and/or lodging along with higher-density residential uses, and in some cases, community or cultural facilities. Adjacent residential zones are protected through transitional standards.

F. CMU - Corridor Mixed Use. Allows for light manufacturing, retail, multifamily, and offices along major transportation corridors. Adjacent residential zones are protected through transitional standards.

G. NC - Neighborhood Commercial. Allows for small-scale neighborhood retail and office uses while allowing for single-family development.

H. RC - Regional Commercial. Allows a broad range of retail, wholesale, service, and other compatible uses, with a wide range of development types. Adjacent residential zones are protected through transitional standards.

I. I – Industrial. Allows all types of industrial development such as manufacturing, processing, fabrication, assembly, disassembly, and freight-handling. Transitional standards protect adjacent non-industrial zones from industrial uses that have significant noise, odor, or aesthetic impacts.

J. IMU - Industrial Mixed Use. Allows retail, office, light manufacturing, and other light industrial uses such as contractor yards. Transitional standards protect adjacent non-industrial zones from industrial uses that have significant noise, odor, or aesthetic impacts.

K. P/OS – Parks/Open Space. Protects and provides for parks, open space, and other natural physical assets of the community.

**19.20.020 Zoning district map.**

The boundaries of the zoning districts established herein are shown on the Zoning Map of the City and adopted as part of the SVMC.

The Zoning Map shall be filed in the office of the City Clerk. The Director shall maintain and update the Zoning Map with any changes that the City Council may approve.

**19.20.030 Zoning district boundary considerations.**

In determining the boundaries of any zoning district the following rules shall apply:

A. When following the features below, zoning boundaries shall be construed as following:

1. The centerline of streets, highways, or alleys;
2. Platted lot lines;
3. City limits;
4. Railroad lines; or
5. The centerline of all creeks, streams, or drainage ways;

B. When public right-of-way is vacated by official action of the City Council, the zoning district adjoining each side of such public right-of-way shall be automatically extended to its midpoint and all area included in the vacation shall then and henceforth be subject to all regulations of the extended districts;
Where the location of streets or alleys on the ground differ from the streets or alleys as shown on the Zoning Map, the location of the streets or alleys on the ground shall control;

Zoning Map distances shall be determined by the scale of the map;

The zoning district applied to property adjacent to the right-of-way shall extend to the centerline of the right-of-way; and

When there is a question as to how or whether property is zoned that cannot be resolved by SVMC 19.20.030(A - E), the property shall be evaluated pursuant to chapter 19.180 SVMC, Newly Annexed Areas.

Chapter 19.25
NONCONFORMING USES AND STRUCTURES

Sections:
19.25.010 Applicability.
19.25.020 Continuing lawful use of property.
19.25.030 Nonconforming structures.
19.25.040 Completion of permanent structures.

19.25.010 Applicability.
A. Legal nonconforming uses and structures include:

1. Any use which does not conform with the present regulations of the zoning district in which it is located that was in existence and in continuous and lawful operation prior to the adoption of Title 19;

2. Any permanent structure in existence and lawfully constructed at the time of any amendment to Title 19 SVMC, which by such amendment is placed in a zoning district wherein it is not otherwise permitted and has since been in regular and continuous use;

3. Any permanent structure lawfully used or constructed that was in existence at the time of annexation into the City and which has since been in regular and continuous use;

4. Existing legally-established single-family residential uses located in a nonresidential zoning district.

B. Structures or uses deemed nonconforming only pursuant to the SMA (chapter 90.58 RCW) and the City SMP (chapter 21.50 SVMC, Shoreline Regulations) shall comply with the provisions of SVMC 21.50.160.

19.25.020 Continuing lawful use of property.
A. The lawful use of land at the time of passage of Title 19 SVMC, or any amendments hereto, may be continued, unless the use is discontinued or abandoned for a period of 12 consecutive months; except that any nonconforming use discontinued as a result of foreclosure or judicial proceedings, including probate, shall be permitted to continue for a period not to exceed 24 months. The right to continue the nonconforming use shall transfer to all successive interests in the property. Discontinuance of a nonconforming use shall commence on the actual act or date of discontinuance.

B. A nonconforming use that is abandoned or discontinued shall not be replaced with another nonconforming use.
C. A nonconforming use which has not been abandoned or discontinued may be replaced with a conforming use or another nonconforming use when the use meets the following criteria:
   1. The new use is not less conforming than the prior use. This determination shall be made by the Director.
   2. The proposed use does not place a greater demand on transportation and other public facilities than the original use; and,
   3. The proposed use does not adversely impact the use of neighboring property.

D. A nonconforming use in residential zones may be expanded only within the boundaries of the original lot and any adjacent lot having the same ownership as the lot at the time the use on the original lot became nonconforming, if:
   1. The expanded use does not degrade the transportation level of service greater than the original use;
   2. The expanded use does not adversely impact the use of neighboring property;
   3. Any transfer of ownership on adjacent lots was made concurrently with the transfer of ownership of the lot on which the nonconforming use is located as part of a single transaction; and
   4. The expansion does not create additional development opportunities on adjacent lots that would not otherwise exist.

E. A nonconforming use in a nonresidential zoning district may be expanded only within the boundaries of the original lot and any lot adjacent to the original lot, if:
   1. The original lot and the "expansion" lot are in the same zoning district;
   2. The expanded use does not degrade the transportation level of service greater than the original use; and
   3. The expanded use does not adversely impact the use of neighboring property.

F. Residential lots made nonconforming relative to dimensional requirements shall be deemed conforming if the use is allowed in the respective zoning district.

G. Nonconforming uses that do not provide the required number of off-street parking spaces pursuant to current standards shall not be required to meet parking standards.

H. Any nonconforming use damaged by fire, flood, neglect, or act of nature may be replaced if:
   1. Restoration of the use is initiated within 12 months; and
   2. The damage represents less than 80 percent of market value.

I. Any nonconforming use changed to a conforming use shall not be permitted to convert to a nonconforming use.

19.25.030 Nonconforming structures.

A nonconforming structure may be expanded in accordance with the following:
A. The expansion or alteration does not change the occupancy classification under adopted building Codes;

B. The expansion or alteration does not create additional nonconformity with respect to building setbacks or lot coverage; additions to nonconforming structures shall meet setbacks required within the zoning district;

C. The number of dwelling units does not increase so as to exceed the number of dwelling units permitted within current regulations;

D. Off-street loading and/or parking, stormwater facilities, and landscaping shall be provided for the alteration or expansion in accordance with chapter 22.50 SVMC; and

E. Nonconforming structures damaged by fire, flood, neglect, or act of nature may be replaced if:
   1. Restoration of the structure is initiated within 12 months; and
   2. The damage represents less than 80 percent of market value of the structure.

19.25.040 Completion of permanent structures.

Compliance with chapter 19.25 SVMC shall not require changes to the plans, construction, or designated use of a structure for which:

A. A building permit has been issued or a site plan approved by the City or County prior to incorporation of the City or the effective date of Title 19 SVMC; or

B. A substantially complete application for a building permit was accepted by the building official on or before the effective date of the Title 19 SVMC; provided, that the building permit shall comply with all applicable regulations on the date that the application was filed and the building permit is issued within 180 days of the effective date of chapter 19.25 SVMC.

Chapter 19.30
CHANGES AND AMENDMENTS

Sections:
19.30.010 Comprehensive Plan text and map amendments.
19.30.020 Area-wide rezones.
19.30.030 Site-specific Zoning Map amendments.

19.30.010 Comprehensive Plan text and map amendments.

A. Pursuant to RCW 36.70A.130(2)(a), proposed updates to the Comprehensive Plan shall only be processed once per year except for the adoption of original subarea plans, amendments to the SMP, the amendment of the capital facilities chapter concurrent with the adoption of the City budget, in the event of an emergency, or to resolve an appeal of the Comprehensive Plan filed with the Growth Management Hearings Board.

B. Comprehensive Plan text and map amendments are classified as Type IV development applications and shall be processed pursuant to SVMC 17.80.140.

19.30.020 Area-wide rezones.

A. Area-wide rezones shall be considered only in conjunction with updates to the Comprehensive Plan text and maps to ensure full consideration of the cumulative effects of all changes.
B. Area-wide rezones are classified as Type IV development applications and shall be processed pursuant to SVMC 17.80.140.

19.30.030 Site-specific Zoning Map amendments.

A. Site-specific Zoning Map amendment requests may be submitted at any time. Site-specific Zoning Map amendments are classified as Type III development applications and shall be processed pursuant to SVMC 17.80.140.

B. All site-specific Zoning Map amendment requests shall meet all of the following criteria:

1. Meet the requirements of chapter 22.20 SVMC, Concurrency;
2. Be consistent with the Comprehensive Plan land use designation;
3. Bear a substantial relation to the public health, safety, and welfare;
4. Be warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed zoning district classification, or because the proposed zoning classification is appropriate for reasonable development of the subject property;
5. Be adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same or higher zoning classification;
6. Not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
7. Have merit and value for the community as a whole.


Requests to amend Titles 17 through 24 SVMC may be submitted at any time. Text amendments are classified as Type IV development applications and shall be processed pursuant to SVMC 17.80.150.

Chapter 19.40

ALTERNATIVE RESIDENTIAL DEVELOPMENT OPTIONS

Sections:
19.40.010 Purpose.
19.40.020 Relationship to other SVMC provisions.
19.40.030 Development standards – Accessory dwelling units.
19.40.040 Development standards – Industrial accessory dwelling units.
19.40.050 Development standards – Cottages.
19.40.070 Development standards – Manufactured homes on individual lots.
19.40.080 Development standards – Manufactured home parks.
19.40.090 Reserved.
19.40.100 Development standards – Townhouses.
19.40.110 Community buildings and community space.
19.40.120 Homeowner’s or property owner association required.

19.40.010 Purpose.
The purpose of chapter 19.40 SVMC is to provide alternative residential development options to traditional single-family dwellings and multifamily dwellings. These standards provide opportunities changing composition of households and the need for smaller, more diverse, and often, more affordable housing choices. Providing for a variety of housing types also encourages innovation and diversity in housing design and site development, while ensuring compatibility with surrounding single-family residential and non-residential development.

19.40.020 Relationship to other SVMC provisions.

A. Title 19 SVMC, Zoning Regulations. The standards of chapter 19.40 SVMC modify and supplement the standards in other provisions of Title 19 SVMC. In the event of a conflict between the standards in chapter 19.40 SVMC and other requirements of Title 19 SVMC, the provisions of chapter 19.40 SVMC shall govern.

B. Chapter 17.80 SVMC, Permit Processing Procedures. Alternative residential development is allowed in the zoning districts shown in the permitted use matrix in SVMC 19.60.050.

19.40.030 Development standards – Accessory dwelling units.

A. Site.

1. An ADU may be developed in conjunction with either an existing or new primary dwelling unit;

2. One ADU, attached or detached, is allowed per lot; and

3. One off-street parking for the ADU is required in addition to the off-street parking required for the primary dwelling unit.

B. Building.

1. The ADU shall be designed to meet the appearance of a single-family residence and shall be the same or visually match the primary dwelling unit in the type, size, and placement of the following:
   a. Exterior finish materials;
   b. Roof pitch;
   c. Trim; and
   d. Windows, in proportion (relationship of width to height) and orientation (horizontal or vertical);

2. The entrance to an attached ADU shall be located on the side or in the rear of the structure or in such a manner as to be unobtrusive in appearance when viewed from the front of the street. Only one entrance may be located on the facade of the primary dwelling unit in order to maintain the appearance of a single-family residence;

3. The ADU shall not exceed 50 percent of the habitable square footage of the primary dwelling unit, nor be less than 300 square feet;

4. The footprint of the ADU shall not exceed 10 percent of the lot area or 1,000 square feet, whichever is greater; and

5. The ADU unit shall not have more than two bedrooms.
C. Additional Development Standards for ADUs.
   1. ADUs shall be located behind the front building setback line and placed on a permanent foundation;
   2. ADUs shall preserve all side yard and rear yard setbacks for a dwelling unit pursuant to Table 19.70-1;
   3. ADUs shall not be allowed on lots containing a duplex, multifamily dwelling, or accessory apartment contained within the principal structure; and
   4. Existing detached accessory structures may be converted into detached ADUs; provided, that all development standards and criteria are met, including side yard and rear yard setbacks.

D. Other.
   1. The owner, as established by the titleholder, shall occupy either the primary dwelling unit or the ADU as their permanent residence for six months or more of the calendar year and at no time receive rent for the owner-occupied unit. The application for the ADU shall include a letter from the owner affirming that one legal titleholder lives in either unit, meeting the requirement of owner occupancy.
   2. Prior to issuance of occupancy, a deed restriction shall be recorded with the Spokane County auditor to indicate the presence of an ADU, the requirement of owner occupancy, and other standards for maintaining the unit as described in the SVMC.
   3. Home businesses are prohibited in the ADU.
   4. Approval of an ADU may be revoked if the ADU is no longer in compliance with the development standards and criteria outlined in the SVMC.
   5. The owner may cancel an ADU’s registration by filing a letter with Spokane County auditor. The ADU may also be cancelled as a result of an enforcement action.
   6. Cargo shipping containers and similar enclosures are not a permitted accessory structure in any residential zoning district.

19.40.040 Development standards – Industrial accessory dwelling units.

A. Site.
   1. An industrial ADU may be developed in conjunction with either an existing or new building;
   2. The maximum number of allowed industrial ADUs is 10 per site; and
   3. One off-street parking for each ADU is required in addition to the off-street parking required for the primary use.

B. Building.
   1. The ADU, excluding any garage area, is prohibited on the first floor of the building; and
   2. The ADU unit shall not have more than two bedrooms.
C. Permit Type. Industrial accessory dwelling units shall require approval of a conditional use permit pursuant to chapter 19.150 SVMC.

19.40.050 Development standards – Cottage development.

A. Site.

1. The design of a cottage development shall take into account the relationship of the site to the surrounding areas. The perimeter of the site shall be designed to minimize adverse impact of the cottage development on adjacent properties and, conversely, to minimize adverse impact of adjacent land use and development characteristics on the cottage development;

2. The maximum density shall be two times the maximum number of dwelling units allowed in the underlying zone;

3. Where feasible, each cottage that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space;

4. Buildings shall meet the following minimum setback standards:
   a. 20-foot front yard setback;
   b. 10-foot rear yard setback; and
   c. 5-foot side yard setback;

5. Common open space is required and shall meet the following criteria:
   a. 400 square feet of common open space per cottage;
   b. Setbacks and private open space shall not be counted towards the common open space;
   c. One common open space shall be located centrally to the project with pathways connecting the common open space to the cottages and any shared garage building and community building;
   d. Cottages shall surround the common open space on a minimum of two sides of the open space; and
   e. Community buildings may be counted toward the common open space requirement;

6. One and one-half off-street parking spaces for each cottage is required.

B. Building.

1. Cottages shall not exceed 900 square feet, excluding any loft or partial second story and porches. A cottage may include an attached garage, not to exceed an additional 300 square feet.

2. The building height for a cottage shall not exceed 25 feet.
3. The building height for any attached garage or shared garage building shall not exceed 20 feet.

4. Buildings shall be varied in height, size, proportionality, orientation, rooflines, doors, windows, and building materials.

5. Porches shall be required.

C. Other.

1. Accessory dwelling units are prohibited.

2. All other SVMC provisions that are applicable to a single-family dwelling unit shall be met.

D. Permit Type. Cottage development shall require approval of a conditional use permit pursuant to chapter 19.150 SVMC.

E. Title 20 SVMC, Subdivision Regulations. The design requirements of SVMC 20.20.090 are waived.


Duplexes shall meet the minimum lot size per dwelling unit, setback standards, maximum lot coverage, and building height standards shown in Table 19.70-1.

19.40.070 Development standards – Manufactured homes on individual lots.

A. Pursuant to the requirements of RCW 35.21.684, the City does not discriminate against consumers’ choices in the placement or use of a home that is not equally applicable to all homes. This section applies only to manufactured housing units placed on individual lots.

B. Homes built to 42 U.S.C. 70 Sections 5401 through 5403 standards (as they may be amended) are regulated for the purposes of siting in the same manner as site-built homes, factory-built homes, or homes built to any other state construction or local design standard; provided, however, that the manufactured home shall:

1. Be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved product which can be either load-bearing or decorative;

2. Comply with all local design standards, including the requirement for a pitched roof with a slope of not less than 3:12, applicable to all other homes within the neighborhood in which the manufactured home is to be located;

3. Be thermally equivalent to the state energy code; and

4. Otherwise meet all other requirements for a designated manufactured home as defined in RCW 35.63.160.

C. This section does not override any legally recorded covenants or deed restrictions of record.

D. An existing single-wide manufactured home may be replaced with a new single-wide manufactured home when replacement is initiated within 12 months of the date of damage which represents less than 80 percent of market value, or removal of existing habitable manufactured home.
E. Manufactured homes with dimensional features that match or closely match the predominant manufactured home type within a manufactured home subdivision may be placed in the manufactured home subdivision without regard to the age of the manufactured home.

19.40.080 Development standards – Manufactured home parks.

A. Manufactured home parks shall require approval of a binding site plan and site plan review pursuant to Title 20 SVMC, Subdivision Regulations, and chapter 19.130 SVMC, Site Plan Review.

B. Manufactured home park density shall be consistent with the zoning classification they are located in not to exceed 12 units per acre. A minimum of five manufactured home spaces shall be required per park.

C. Manufactured home parks shall provide at least 10 percent of the gross area of the park for common open space for the use of its residents.

D. Each manufactured home space shall have direct frontage on a public or private street.

E. The minimum setbacks shall be pursuant to Table 19.40-1.

<table>
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<th>Table 19.40-1 Manufactured Home Park Minimum Setbacks (in Feet)†</th>
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<td>Manufactured homes</td>
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<td>Patio covers, decks, landings, awnings</td>
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<td>Carports</td>
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</table>

†Greater setback shall control.

19.40.090 Reserved.

19.40.100 Development standards – Townhouses.

A. In zero lot line developments approved as part of a planned residential development, zero setbacks along one side are allowed, provided a two-foot maintenance easement is recorded as part of the subdivision plan.

B. Townhouses located on individual lots, shall meet minimum rear, front, and side yard requirements (where applicable), minimum area requirements, maximum lot coverage, and building height requirements shown in Table 19.70-1. Townhouses are subject to the following requirements:

1. No more than six dwelling units shall be attached in one continuous row or group;
2. Townhouse unit shall not be constructed above another townhouse unit;

3. There shall be a side yard on each side of a contiguous row or group of dwellings of not less than six feet;

4. Townhouses included in a condominium development may limit the lot to the building footprint; provided, that the yard area shared in common with all units is equivalent in area to the yard required by the underlying zone.

19.40.110 Community buildings.

Community buildings are encouraged in cottage developments. Community buildings shall meet the following criteria:

A. Community buildings shall be clearly incidental in use and shall not exceed 1,000 square feet.

B. Community buildings shall be no more than 20 feet in height.

C. Community buildings shall be commonly owned and maintained by the property owners.

19.40.120 Homeowner’s or property owner association required.

In a cottage development or manufactured home park, a property owners’ or homeowners’ association shall be established for the purpose of ownership, maintenance, and management of open spaces, common areas, and buildings, and private streets as required by the provisions of the SVMC.

Chapter 19.50
PLANNED RESIDENTIAL DEVELOPMENTS

Sections:
19.50.010 Purpose.
19.50.020 Where permitted.
19.50.030 Permitted uses.
19.50.040 Relationship to other SVMC provisions.
19.50.050 Development standards.
19.50.060 Open space standards.
19.50.070 Administration.
19.50.080 Homeowners’ or property owners’ association required.

19.50.010 Purpose.

It is the purpose of chapter 19.50 SVMC is to:

A. Encourage imaginative design and the creation of permanent open space by permitting greater flexibility in zoning requirements than is generally permitted by other sections of the SVMC;

B. Preserve or create environmental amenities superior to those generally found in conventional developments;

C. Create or preserve usable open space for the enjoyment of the residents;

D. Preserve, to the greatest extent possible, the natural characteristics of the land including, but not limited to, topography, natural vegetation, waterways, and views;

E. Encourage development of a variety of housing types; and
Provide for maximum efficiency in the layout of streets, utility networks, and other public improvements and infrastructure.

**19.50.020 Where permitted.**

Planned residential developments (PRDs) are permitted in all residential zoning districts in the City.

**19.50.030 Permitted uses.**

The following uses are permitted in a PRD; provided, that they meet the standards and criteria established in chapter 19.50 SVMC:

A. Those uses permitted as a matter of right in the underlying zoning district;

B. Residential developments of all types as defined by chapter 19.50 SVMC; and

C. As a secondary use, uses permitted in the Neighborhood Commercial zoning district may be permitted in a PRD of 10 acres or larger.

**19.50.040 Relationship to other SVMC provisions.**

A. Title 19 SVMC, Zoning Requirements. The provisions of chapter 19.50 SVMC pertaining to land use of the underlying zoning district shall govern the use of land in a PRD. The specific setback, lot size, height limits, and other dimensional requirements are waived and the regulations for PRDs shall be those indicated in SVMC 19.50.050.

B. Title 20 SVMC, Subdivision Requirements. A PRD shall be exempt from the specific design requirements of Title 20 SVMC except that when any parcel of land in a PRD is intended for individual ownership, sale, or public dedication, the subdivision and procedural requirements of Title 20 SVMC and applicable state laws pertaining to subdivision, conveyance of land, and the preparation of maps shall be followed.

C. Chapter 17.80 SVMC, Permit Processing Procedures. A PRD is a Type III permit type and shall require a public hearing before the Hearing Examiner consistent with the provisions of chapter 17.80 SVMC.

**19.50.050 Development standards.**

The following standards shall govern the administration of chapter 19.50 SVMC:

A. Relationship of PRD Site to Adjacent Areas. The design of a PRD shall take into account the relationship of the site to the surrounding areas. The perimeter of the PRD shall be designed to minimize adverse impact of the PRD on adjacent properties and, conversely, to minimize adverse impact of adjacent land use and development characteristics on the PRD.

B. Site Acreage Minimum. The minimum site shall be five acres.

C. Minimum Lot Size. The minimum lot size provisions of other sections of the SVMC do not apply in a PRD.

D. Density. The Hearing Examiner may authorize a dwelling unit density up to 20 percent greater than that permitted by the underlying zone, rounded to the nearest whole number.

E. Maximum Coverage. Lot coverage shall not exceed the percentage permitted by the underlying zone.

F. Landscaping Required. All common open space shall be landscaped in accordance with the landscaping plan submitted by the applicant and approved by the Hearing Examiner.
landscape features which are to be preserved, such as existing trees, drainage ways, rock outcrops, etc. may be accepted as part of the landscaping plan.

G. Setback and Side Yard Requirements.

1. Setbacks from the exterior boundary line of the PRD area shall be comparable to or compatible with those of the existing development of adjacent properties, or, if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning.

2. Setbacks or Side Yards Between Buildings. The standard setbacks and yard requirements between buildings may be waived in a PRD. Buildings may have common walls.

H. Off-street parking shall be provided in accordance with chapter 22.50 SVMC, Off-street Parking and Loading Standards.

I. Secondary Use Limitations.

1. Commercial uses shall comply with chapter 19.30 SVMC, Site Plan Review. Site plans shall be included in the application for the PRD;

2. The gross floor area of the commercial use shall not exceed the product of 50 square feet multiplied by the number of dwelling units within the development; and

3. Construction of at least 35 percent of the residences in the PRD shall be completed before issuing any building permits for the construction of commercial uses, except this shall not prohibit a sales office.

19.50.060 Open space standards.

Each PRD shall dedicate at least 30 percent of the gross land area for common open space for the use of its residents. Common open space areas shall meet the following criteria:

A. Location. The open space shall be entirely within the PRD and within reasonable walking distance of all dwelling units in the PRD. Where practical, the common open space shall be located adjacent to other established or planned park and recreational areas in adjacent developments, schools, or City parks; provided, that such dedication would increase the overall benefit to the residents of the PRD and conform to other criteria in SVMC 19.50.060.

B. Access. All dwelling units within the PRD shall have legal access to the proposed common open space at the time of final PRD approval. Private or access streets, trees, or other landscaping may separate the common open space area; however, access may not be blocked by major obstacles such as arterial, collector streets, or significant natural features such as rivers, streams, or topographic features. Active recreational open space areas shall have reasonable access from street frontages.

C. Types of Open Space.

1. Land dedicated for open space shall be usable for either greenbelts that serve as a buffer between land uses, using existing vegetation, or an aesthetic amenity such as boulevard trees, active recreational activities, or for protecting critical areas.

2. Except as provided in SVMC 19.50.060(C)(4), a minimum of 30 percent of the required common open space area shall be suitable for active recreation. The topography, soils,
hydrology, and other physical characteristics of the active recreation area shall provide a dry, obstacle-free space in a configuration which is suitable for active recreation.

3. The percentage of active recreational areas may be increased to as high as 50 percent if it is determined that anticipated recreational needs require a larger percentage. In increasing this percentage, the following standard shall be used: the ratio of one acre to 125 residential units.

4. The percentage of active recreational area may be decreased to as low as 15 percent if it is determined that:
   a. Inclusion of buffers or critical areas better meet the open space needs of the residents of the PRD; or
   b. A higher percentage would lead to the detrimental grading or other disturbance of the natural setting.

D. Open space area shall not include:

1. Accessory buildings and areas reserved for the exclusive use and benefit of an individual tenant or owner;
2. Public rights-of-way, private streets, residential driveways, parking areas, loading or storage areas, or setback areas;
3. Floodplain (100-year), flood-prone areas, drainage easements, natural drainage areas, or creeks.

E. Implementation. The open space area shall be dedicated in common to the property owners within the plat or to a property owners’ or homeowners’ association. Maintenance and operation of the open space shall be the responsibility of the property owners’ or homeowners’ association.

1. The City may choose to accept dedication, maintenance, and operation responsibilities when the common open space area is in the public interest and complies with at least one of the following:
   a. Is greater than 10 acres;
   b. Is adjacent to an established or future City park or school grounds;
   c. Is an access to a body of water greater than three acres in size; or
   d. Is a critical area.

2. The dedication shall be identified on the PRD plan.

F. Improvements. The following improvements to the open space area may be required prior to final approval of the PRD:

1. Removal of construction debris and hazards; and
2. Rough grading and establishment of grass cover over those portions of the site suitable for playfields.

G. Equivalent Facilities. When proposed open space areas do not meet the criteria for dedication in chapter 19.50 SVMC, such land may be improved by grading, filling, landscaping, or with
installation of recreation equipment so as to be equivalent in result to the intent of chapter 19.50 SVMC. The Director shall determine if the proposal is equivalent based on the following guidelines:

1. The proposed land and improvements shall create recreational opportunities generally equivalent to or greater than the land required for the residents within the PRD; and

2. The proposed land and improvements shall not significantly disturb or alter a critical area, unless otherwise allowed by the City.

H. Stormwater Facilities. Stormwater facilities may be allowed by the City as open space subject to the following criteria:

1. The stormwater facility shall drain fully within 72 hours after a storm event unless the facility is designed as an aesthetic amenity;

2. The side slope of the stormwater facility shall not exceed 3:1 unless slopes are existing, natural, and vegetated;

3. If the stormwater facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be left in natural or near-natural condition;

4. The stormwater facilities shall be landscaped in a manner which is both aesthetic and able to withstand the inundation expected;

5. The stormwater facility shall not be fenced or otherwise rendered unsuitable or unavailable for recreation use during dry weather; and

6. In the case of joint use of open space for stormwater and recreation, the homeowners or homeowners’ association shall be responsible for maintenance of the stormwater facilities.

I. Rights and Duties. The owners of open space shall have the following rights on the common open area, subject to restrictive covenants or other restrictions:

1. The right to locate recreational facilities, such as tennis courts, swimming pools, picnic tables, and fireplaces (accessory to picnic tables) for the exclusive use of residents of the PRD and their guests;

2. The right to locate pedestrian, bicycle, and bridle paths;

3. The right to protect and maintain the common space area or to correct a hazardous condition posing a threat to life or limb;

4. The right to regulate access to the open space land and the duty to maintain it.

19.50.070 Administration.

A. Building permits and other required permits for the development of property under the provisions of chapter 19.50 SVMC, shall be issued only when, in the opinion of the Director, the work to be performed meets the requirements of the final plan and program elements of the PRD.

B. Minor and Major Adjustments.

1. Minor adjustments may be made and approved by the Director when a building permit is issued. Minor adjustments are those which may affect the precise dimensions or siting of
buildings, but which do not affect the basic character or arrangement of buildings approved in neither the final plan, the density of the development, or the open space requirements. Such dimensional adjustments shall not vary more than 10 percent from the original.

2. Major adjustments are those which, in the opinion of the Director, substantially change the basic design, density, open space or other requirements of the PRD. When, in the opinion of the Director, a change constitutes a major adjustment, a building, or other permit shall not be issued without prior review and approval by the Hearing Examiner of such adjustment.

C. Parties Bound. Once the preliminary development plan is approved, all persons and parties, their successors, heirs, or assigns, who own, have, or will have by virtue of purchase, inheritance, or assignment, any interest in the real property within the proposed PRD, shall be bound by the conditions attending the approval of the development and the provisions of chapter 19.50 SVMC.

19.50.080 Homeowners’ or property owners’ association required.

In a PRD, a property owners’ or homeowners’ association shall be established for the purpose of ownership, maintenance, and management of open spaces, common areas, and private streets as required by the provisions of the SVMC.

Chapter 19.60
PERMITTED USES

Sections:
19.60.010 General.
19.60.020 Use categories.
19.60.030 Uses not listed.
19.60.040 Explanation of table abbreviations.
19.60.050 Permitted uses matrix.

19.60.010 General.

A. Uses allowed in each zoning district are shown in SVMC 19.60.050, Permitted uses matrix.

B. Uses within shoreline jurisdiction are also subject to additional use restrictions pursuant to chapter 21.50 SVMC, Shoreline Regulations.

19.60.020 Use categories.

Uses are assigned to the category that describes most closely the nature of the use. Uses have been classified into general use categories and subcategories. Definitions and examples are provided in SVMC Appendix A, Definitions.

19.60.030 Uses not listed.

A. If a use is not listed, the Director shall have the authority to allow uses that are similar to a use category or use listed in SVMC 19.60.050 Table 19.60-1, subject to the same review procedures as the similar use.

B. Accessory uses. The Director shall have the authority to allow accessory uses when they are subordinate to, or incidental to, the primary use on the same lot and permitted within the zoning district.
C. Temporary uses. Temporary uses are permitted for a limited period of time or pending the occurrence of an event pursuant to chapter 19.160 SVMC, Temporary Use Permits.

19.60.040 Explanation of table abbreviations.

The following describe the abbreviations used in SVMC 19.60.050, Permitted uses matrix:

A. Permitted uses are designated with a “P.” Permitted uses are allowable uses within a zoning district.

B. Conditional uses are designated with a “C.” Conditional uses are authorized pursuant to chapter 19.150 SVMC, Conditional Use Permits.

C. Regional siting uses are designated with an “R.” Regional siting uses are of statewide or regional/countywide significance. They are authorized pursuant to chapter 19.90 SVMC, EPFs.

D. Uses subject to supplemental use regulations are designated with an “S.” The Supplemental regulations are set forth in chapter 19.65 SVMC and shall apply to the corresponding supplemental uses listed in SVMC 19.60.050 Permitted use matrix.

E. Prohibited uses are designated with a blank cell.

19.60.050 Permitted uses matrix.

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<th>Mixed-Use</th>
<th>Commercial</th>
<th>Industrial</th>
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<td>Processing, heavy</td>
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<td>Recreational vehicle park/campground</td>
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<td>Marijuana club or lounge</td>
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<td>Warehouse, Wholesale, and Freight Movement</td>
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Chapter 19.65
SUPPLEMENTAL USE REGULATIONS

Sections:
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19.65.020 Agriculture and animal.
19.65.030 Communication facilities.
19.65.040 Eating and drinking establishment.
19.65.050 Entertainment.
19.65.060 Industrial, heavy.
19.65.070 Industrial, light.
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19.65.090 Marijuana Uses.
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19.65.120 Public/quasi-public.
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19.65.140 Retail sales and service.
19.65.150 Transportation.
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19.65.170 Warehouse, wholesale, and freight movement.
19.65.180 Uncategorized uses.

19.65.010 Purpose.

The supplemental use regulations address standards for certain uses which require additional controls in order to protect public health, safety, and welfare. The regulations in chapter 19.65 SVMC supplement the building and site development standards found in chapter 19.70 SVMC, Density and dimensions.

19.65.020 Agriculture and animal.

A. Animal raising and/or keeping. Where permitted, the keeping of poultry and livestock, excluding swine and chickens, is subject to the following conditions:

1. Minimum Lot Requirements.
   a. In residential zones, the lot shall equal or exceed one gross acre in area, except as set forth in SVMC 16.65.020(A)(7) and SVMC 19.65.020(A)(9).
   b. In mixed-use zones with legally-established residential uses, the lot shall equal or exceed one gross acre in area.

2. The keeping of swine is prohibited.
3. Any permanent or temporary structure housing poultry or livestock including, but not limited to, any stable, paddock, yard, runway, pen, coop, hutch, or enclosure, or any manure pile, shall not be located within 75 feet from any dwelling.

4. Permanent or temporary structure housing poultry or livestock including, but not limited to, any stable, paddock, yard, runway, pen, coop, hutch, or enclosure, or any manure pile, shall not be located within the front yard setback or be closer than 10 feet from any side property line.

5. The keeping of animals and livestock is limited as follows:
   a. Not more than three horses, mules, donkeys, bovines, llamas, or alpacas shall be permitted per gross acre; or
   b. Not more than six sheep or goats shall be permitted per gross acre; or
   c. Any equivalent combination of SVMC 19.65.020(A)(5)(a) or (b).

6. Small Animals/Fowl. A maximum of one small animal or fowl (excluding chickens), including duck, turkey, goose, or similar domesticated fowl, or rabbit, mink, chinchilla, or similar animal, may be raised or kept per 3,000 square feet of gross lot area. In addition, a pen, shed, coop, hutch, or similar containment structure shall be constructed prior to the acquisition of any small animal/fowl and shall be kept a minimum of 20 feet from the front property line and five feet from side and rear property lines.

7. In residential areas, the keeping of chickens is subject to the following conditions:
   a. A maximum of one chicken may be raised or kept per 2,000 gross square feet of lot area, with a maximum of 25 birds allowed;
   b. The keeping of roosters is prohibited;
   c. Pens, coops, hutch, or similar containment structures shall be kept a minimum of 20 feet from the front property line and five feet from side and rear property lines;
   d. Pens, coops, hutch, or similar containment structures shall be kept a minimum of 25 feet from dwellings on neighboring properties; and
   e. All chickens shall be contained within the subject property.

8. Stables, paddocks, yards, runways, pens, coops, hutches, enclosures, structures, pastures, and grazing areas shall be kept in a clean and sanitary condition.

9. In residential areas, hobby beekeeping is subject to the following conditions:
   a. The number of beehives shall be limited to one beehive per 4,356 gross square feet of lot area;
   b. Beehives shall be set back a minimum of five feet from a side or rear property line and 20 feet from the front property line;
   c. A flyaway barrier shall be provided that is at least six feet high and consists of a solid wall, solid fencing material, dense vegetation, or combination thereof, that is parallel to the side or rear property line(s) and extends beyond the beehive(s) in
each direction that bees are forced to fly at an elevation of at least six feet above ground level over the property lines in the vicinity of the beehives;

d. Beekeepers shall maintain an adequate supply of water for bees located close to the hives; and

e. The beekeeper shall be certified by the Washington State Beekeeper’s Association.

B. Animal shelter. In the CMU zone, animal shelters shall comply with the following conditions:

1. Not have outside runs;

2. Provide human supervision in any outdoor areas;

3. Be located along an arterial; and

4. Demonstrate compliance with noise standards for a commercial noise source as identified by WAC 173-60-040.

C. Community garden. Produce may be sold pursuant to RCW 36.71.090 as adopted or amended.

D. Kennels, doggie day care facilities, and kennels associated with veterinarian clinics. Where permitted in commercial and mixed-use zones, these uses shall comply with the following conditions:

1. Not have outside runs or areas;

2. Provide adequate soundproofing for structures housing animals pursuant to chapter 173-60 WAC;

3. Provide one parking space for every 10 animal confinement areas; and

4. Demonstrate compliance with noise standards for a commercial noise source as identified by WAC 173-60-040.

19.65.030 Communication facilities.

A. Telecommunication wireless antenna array. Telecommunication wireless antenna arrays shall comply with the provisions of chapter 22.120 SVMC, Wireless communication facilities.

B. Telecommunication wireless support tower. Telecommunication wireless support towers shall comply with the provisions of chapter 22.120 SVMC, Wireless communication facilities.

C. Telecommunication wireless support towers located in a residential or multifamily zoning district requires a conditional use permit pursuant to chapter 19.150 SVMC.

D. Tower, ham operator.

1. A building permit for the private tower is required;

2. The applicant shall submit a site plan showing the height and location of the private tower;

3. The applicant shall furnish a copy of the tower manufacturer’s construction and erection specifications;
4. The private tower shall be erected in accordance with the manufacturer’s specifications;

5. The applicant shall demonstrate the impact area (that area in all directions equal to the tower’s height above grade) is completely on his/her property. Up to one-half of the tower’s impact area in distance may be administratively approved if located on adjacent property pursuant to the administrative exception process contained in chapter 19.140 SVMC; or, if the applicant has secured the appropriate easements for all property within the tower’s impact area if not entirely within his/her ownership. Such easements shall be recorded with the Spokane County auditor with a statement that only the City may remove the recordation;

6. A residence shall be on the same site as the private tower, except for a private repeater facility or remote base operations; and

7. The height limitation of the zone shall not be exceeded without approval of a variance or administrative exception as either may respectively pertains.

D. Tower (does not include wireless communications support tower) provided:

1. A conditional use permit pursuant to chapter 19.150 SVMC is approved;

2. The tower base shall be enclosed by a fence not less than six feet in height with a locking gate;

3. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet above the ground;

4. The tower collapse or blade impact area shall lie completely within the applicant’s property or within an adjacent property for which the applicant has secured and recorded an easement(s) for all property in the tower’s impact area; and

5. Before issuance of a conditional use permit, the applicant shall have demonstrated all the applicable requirements of the FCC, FAA and any required avigation easements can be satisfied.

19.65.040 Eating and drinking establishment.

A. Espresso establishment. In the P/OS zone, espresso establishments shall be permitted as an accessory use.

B. Mobile food vendors.

1. Mobile food vendors shall obtain permission of the property owner to operate on the premises;

2. Mobile food vendors shall obtain the appropriate health certificates and permits; and

3. Mobile food vendors shall operate on designated paved areas and not interfere with parking or internal circulation.

19.65.050 Entertainment.

A. Adult entertainment and retail. Adult entertainment and retail uses shall comply with the provisions of chapter 19.80 SVMC, Adult Uses.
B. Exercise facility. Exercise rooms and facilities not open to the public and accessory to uses permitted outright are allowed in the MFR, MU, CMU, NC, RC, IMU, and I zones.

19.65.060 Industrial, heavy.


B. Mining. Existing mining operations may continue to operate and expand within the boundaries of an approved mining operation that, as of the date of SVMC 19.65.060(B), was in continuous and lawful operation, or which had received a Washington State Department of Natural Resource County or Municipality Approval for Surface Mining Form. New mining operations are prohibited.

19.65.070 Industrial, light.

A. Recycling facility.

1. In the CMU and RC zones, all recyclable materials and equipment shall be contained indoors;

2. All activities shall meet the noise requirements of SVMC 7.05.040(L);

3. In the CMU and RC zones, dangerous or hazardous materials as defined in Appendix A shall not be recycled or processed on site;

4. In the CMU and RC zones, screening in SVMC 22.70.070(E) shall be required when adjacent to an existing residential use or residential zoning district; and

5. In the CMU and RC zones, the site shall have frontage on an existing arterial or state highway and access will be limited to such frontage.

19.65.080 Lodging.

A. Recreational vehicle park/campground.

1. The maximum net units per acre shall be 15;

2. Recreational vehicle stalls shall average 1,500 square feet;

3. Accessory uses including management headquarters, recreational facilities, restrooms, dumping stations, showers, laundry facilities, and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted as accessory uses;

4. A minimum of 15 percent of the gross site area shall be set aside and developed as common use areas for open or enclosed recreation facilities. Recreational vehicle stalls, private streets, storage, utility sites, and off-street parking areas shall not be counted as meeting this requirement; and

5. The recreational vehicle park shall meet all Spokane Regional Health District and City regulations regarding sewage and water.

19.65.090 Marijuana Uses.

All marijuana uses shall comply with the provisions of chapter 19.85 SVMC, Marijuana Uses.
19.65.100 Medical.

A. Medical/dental clinic.
   1. Primary access shall be from an arterial in the MFR zone; and
   2. Floor area shall not exceed 20 percent of the lot square footage in the MFR zone.

19.65.110 Office.

A. Animal clinic/veterinary.
   1. Animal clinics and veterinary clinics shall serve only small animals in the NC zone.
   2. No burning of refuse or dead animals is allowed.
   3. The applicant shall demonstrate compliance with noise standards for a commercial noise source as identified by WAC 173-60-040.
   4. All run areas shall be enclosed and supervised.

19.65.120 Public/quasi-public.

A. Public utility local distribution facility.
   1. The utility company shall secure the necessary property or right-of-way to assure for the property construction, continued maintenance, and general safety to the property adjoining the public utility transmission facility; and
   2. The facilities shall be compatible with the surrounding uses either by distance, landscaping, buffering, screening, or design, as determined by the Director.

B. Public utility transmission facility.
   1. The utility company shall secure the necessary property or right-of-way to assure for the property construction, continued maintenance, and general safety to the property adjoining the public utility transmission facility;
   2. All support structures for electric transmission lines shall have their means of access located a minimum of 10 feet above ground;
   3. The facilities shall be compatible with the surrounding uses either by distance, landscaping, buffering, screening, or design, as determined by the Director; and
   4. The height of any structure above ground shall not exceed 125 feet.

C. Tower, wind turbine support.
   1. Requires the approval of a conditional use permit pursuant to chapter 19.150 SVMC;
   2. The tower base shall be enclosed by a fence that is at least six feet in height and has a locking gate;
   3. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet above the ground;
4. The tower collapse or blade impact area shall lie completely within the applicant’s property or within an adjacent property for which the applicant has secured and recorded an easement(s) for all property in the tower’s impact area; and

5. Before issuance of a conditional use permit, the applicant shall demonstrate compliance with all the applicable requirements of the FCC, FAA, and any required avigation easements can be satisfied.

19.65.130 Residential.

A. Accessory structures. The combined building footprint of all accessory permanent structures in residential zoning districts shall be:

1. Up to 1,000 square feet for parcels up to 10,000 square feet in size; or

2. Up to 10 percent of the lot size for parcels greater than 10,000 square feet in size.

B. Dwelling, accessory units. Accessory dwelling units shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

C. Dwelling, caretaker’s residence. A caretaker’s residence is limited to custodial, maintenance, management, or security of a commercial property and is only allowed accessory to another permitted use on site.

D. Dwelling, cottages. Cottages shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

E. Dwelling, duplex. Duplex dwelling units shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

F. Dwelling, industrial accessory dwelling units. Industrial accessory dwelling units shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

G. Dwelling, townhouse. Townhouse dwelling units shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

H. Manufactured homes on individual lots. Manufactured homes on individual lots shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

I. Manufactured home park. Manufactured home shall comply with the provisions of chapter 19.40 SVMC, Alternative Residential Development Options.

J. Recreational vehicles.

1. Recreational vehicles shall not be used as permanent or temporary dwelling units in any residential zone, except as permitted pursuant to chapter 19.40 SVMC;

2. A recreational vehicle shall not be parked within a required front yard setback for more than 15 consecutive days and not more than 30 days cumulative in any 12 consecutive months; and

3. Guests may park and/or occupy a recreational vehicle while visiting the occupants of a dwelling unit located on the same lot for not more than 30 days in one consecutive 12-month period.
19.65.140 Retail sales and service.

A. Appliance sales/service. Retail appliance sales may be accessory in the I zone, only if manufactured and/or assembled on premises.

B. Bakery, retail. Retail bakeries in the I zone are limited in floor area to 10 percent of the gross leasable floor area (GLFA) of the building, not to exceed 1,000 square feet.

C. Building supply and home improvement store. Floor area limited to 50,000 square feet or less in the NC zone.

D. Department/variety store. Department/variety stores are limited in floor area to 50,000 square feet or less in the NC zone.

E. Equipment rental shop. In the P/OS zone, equipment rental shops shall be permitted as an accessory use.

F. Food sales, specialty/butcher shop/meat market/specialty foods. Specialty/butcher shop/meat market/specialty foods stores shall be limited to no more than 25,000 square feet of net retail space in the NC zone.

G. Gift shop. Gift shops in the P/OS zone may be permitted as an accessory use only.

H. Grocery store. Grocery stores shall be limited to no more than 25,000 square feet of net retail space in the NC zone.

I. Hardware store. Floor area limited to 50,000 square feet or less in the NC zone.

J. Market, outdoor. Outdoor markets shall be the only outright permitted retail sales and service use in the P/OS zone.

K. Secondhand store/consignment sales. Secondhand store/consignment sales shall have frontage on an arterial with a minimum floor area of 15,000 square feet. Such uses shall be limited to a single tenant.

19.65.150 Transportation.

A. Battery charging station. Battery charging stations are allowed only as accessory to a permitted use in the R-1, R-2, R-3, and P/OS zones.

19.65.160 Vehicle services.

A. Car wash. Car washes are limited to a single bay in the NC zone.

B. Fueling station. Fueling stations are only permitted as an accessory use in the NC zone.

19.65.170 Warehouse, wholesale, and freight movement.

A. Storage, general indoor.
   1. General indoors storage is only permitted as an accessory use in the NC zone.
   2. In the NC zone, all storage shall be within an enclosed building, except that retail products which are for sale or rental may be displayed outdoors during business hours.
only, so long as the display does not occur within any required border easement, drainage swale or easement, clearview triangle, or public right-of-way.

B. Storage, general outdoor.

1. Outdoor storage areas shall be paved.

2. In the RC zone, outdoor storage shall be screened by a sight-obscuring fence pursuant to SVMC 22.70.070(C)(1); except that no screening is required for the following:
   a. Retail products which are for sale or rental and displayed outdoors during business hours only, so long as the display does not occur within any required border easement, drainage swale or easement, clearview triangle, or public right-of-way.
   b. Vehicles, machinery, and other similar items normally displayed for sale, lease, or rent may be displayed if these items are in working condition and not placed within border easements or public right-of-way.

3. In the MU and CMU zones, outdoor storage shall be screened by a sight-obscuring fence pursuant to SVMC 22.70.070(C)(1); except that no screening is required for the following:
   Retail products which are for sale or rental and displayed outdoors during business hours only, so long as the display does not occur within any required border easement, drainage swale or easement, clearview triangle, or public right-of-way.

C. Tank storage, critical material above ground. Tank storage shall comply with the provisions of SVMC 21.40.060 through SVMC 21.40.063.

D. Tank storage, critical material below ground. Tank storage shall comply with the provisions of SVMC 21.40.060 through SVMC 21.40.063.

E. Tank storage, LPG above ground. Tank storage shall comply with the provisions of SVMC 21.40.060 through SVMC 21.40.063.

19.65.180 Uncategorized uses.

A. Home Businesses. The following supplemental regulations apply to all home businesses.

1. Applicability. Any person, group, or entity conducting a “for profit” enterprise from a location whose primary use is a residence shall obtain a home business permit. A home business may only be established in a residence that has been legally permitted. Businesses may be exempt from the home business permit fee, as established by the master fee schedule, if all of the following criteria are met:
   a. There are no proposed exterior alterations to the residence or any accessory structure(s) which change the residential character of the property;
   b. Goods and commodities associated with the business are not delivered to the premises;
   c. There are no business customers visiting the premises;
   d. There are no signs or window displays on the property related to the business; and
e. Any employee(s) engaged in the business shall live in the residence.

2. Home businesses are permitted as accessory uses, except as indicated by SVMC 19.65.180(A)(3) incidental to the property’s primary use as a residence, subject to the following requirements:

a. Business owner shall be primary resident;

b. Property shall retain a residential appearance and character;

c. All storage shall be enclosed within the residence or accessory structure;

d. There shall be a limit of two employees not residing on the premises engaged in the home business;

e. One unlighted sign placed flush against the exterior wall of the primary structure not exceeding four square feet in area is permitted;

f. There shall be no window display nor shall sample commodities with the exception of flowers and produce grown on the premises be displayed outside the building(s);

g. The hours of operation are limited to 7:00 a.m. to 10:00 p.m.;

h. The home business use shall not create electronic interference including, but not limited to, interference with radio, satellite reception, telephone, or television reception, nor generate measurable levels at the property line of noise, dust, smoke, odor, or glare. The business activity shall not generate solid waste in volume or type which is not normally associated with residential use unless specifically permitted;

i. Loading docks and mechanical loading devices are not permitted;

j. Traffic or parking of vehicles shall not be generated in greater volumes than normally expected in a residential neighborhood. Parking shall be accommodated within the required off-street parking on private property; and

k. Uses which are detrimental to the existing residential appearance and character are not allowed as home businesses.

3. Specific uses which are not permitted as home businesses include, but are not limited to, the following:

a. Adult retail use establishment;

b. Adult bookstore or adult entertainment establishment;

c. Auto repair;

d. Auto body repair;

e. Cabinet making;

f. Kennel or stables;
g. Large appliance/electronics or equipment repair or service;

h. Manufacturing and/or related storage;

i. Restaurants/drinking establishments;

j. Small engine repair;

k. Truck hauling and/or tow storage yard;

l. Vehicle sales;

m. Welding or metal plating shops; and

n. Wholesale or retail sales.

B. In-ground swimming pool. The vertical wall of all in-ground swimming pools shall be located behind the front yard setback and at least five feet from all other property lines. All pools shall be secured in accordance with the requirements of the Title 24 SVMC. Temporary fencing is required during excavation.

**Chapter 19.70**

**DENSITY AND DIMENSIONS**

Sections:
- 19.70.010 Purpose.
- 19.70.020 Residential standards.
- 19.70.030 Mixed-use and nonresidential standards.
- 19.70.040 Setback designation and measurement.
- 19.70.050 Additional standards.

19.70.010 Purpose.

The purpose of chapter 19.70 SVMC is to establish density, dimensional, and design standards to define the buildable area, provide flexibility in project design, and maintain compatibility between adjacent uses.

19.70.020 Residential standards.

Residential development shall meet the standards shown in Table 19.70-1. Standards for alternate residential development are set forth in chapter 19.40 SVMC, Alternative Residential Development Options and standards for planned residential developments are set forth in chapter 19.50 SVMC, Planned Residential Developments.

<table>
<thead>
<tr>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MFR(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front and Flanking Street Yard Setback</td>
<td>35’</td>
<td>15’</td>
<td>15’</td>
</tr>
<tr>
<td>Garage Setback(2)</td>
<td>35’</td>
<td>20’</td>
<td>20’</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>20’</td>
<td>20’</td>
<td>10’</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Open Space</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(1) MFR: Minimum Front Footprint.
<table>
<thead>
<tr>
<th>Lot Size (4)</th>
<th>R-1</th>
<th>R-2</th>
<th>R-3</th>
<th>MFR(1) area(3)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>40,000 sq. ft.</td>
<td>10,000 sq. ft.</td>
<td>5,000 sq. ft.</td>
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</table>

<table>
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<tr>
<th>Lot Coverage</th>
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<th>50.0%</th>
<th>50.0%</th>
<th>60.0%</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Density</th>
<th>1 du/ac</th>
<th>4 du/ac</th>
<th>6 du/ac</th>
<th>22 du/ac</th>
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</table>

<table>
<thead>
<tr>
<th>Building Height(5)</th>
<th>35'</th>
<th>35'</th>
<th>35'</th>
<th>50'</th>
</tr>
</thead>
</table>

(1) Where MFR abuts R-1, R-2, or R-3 zones, development shall comply with the provisions of chapter 19.75 SVMC, Transitional Regulations.

(2) Attached garages, where the garage door does not face the street, may have the same setback as the primary structure.

(3) Open space requirement does not apply to single-family development in the MFR zone. In the CMU and MU zones, multifamily development shall provide open space pursuant to SVMC 19.70.050(G).

(4) Single-family residential development in the MFR zone shall have a minimum lot size of 2,000 square feet per dwelling unit. Only one single-family dwelling shall be allowed per lot.

(5) The vertical distance from the average finished grade to the average height of the highest roof surface.

19.70.030 Mixed-use and nonresidential standards.

A. Development in the RC, CMU, MU, IMU, and I zones shall meet the requirements set forth in Title 24 SVMC and chapter 19.75 SVMC, Transitional Regulations.

B. Nonresidential development in the NC zone adjacent to residential uses shall comply with the following dimensional standards:

1. Maximum building height of 35 feet;
2. Minimum front yard setback of 15 feet;
3. Minimum side yard setback of 10 feet; and
4. Minimum rear yard setback of 10 feet.

19.70.040 Setback designation and measurement.

A. Except as provided in SVMC 19.70.040(B), each lot shall contain only one front setback and only one rear setback. Any other setback shall be considered a side setback.

B. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

C. The Director is authorized to designate front, rear, and side setbacks. In situations where the Director cannot establish a front and rear setback due to the orientation of the lot, the Director shall establish these setbacks based upon orientation of the lot as compared to surrounding lots and to any existing development pattern. All other setbacks shall be defined in relation to the established front and rear setback.
D. The setback shall be measured from the property line unless there is a border easement. In which case, the setback shall be measured from the border easement.

E. Setbacks, when adjacent to a private street or driveway easement, shall be measured from the inner edges of the street or driveway and are established pursuant to Table 19.70-1 except the flanking street which is five feet.

19.70.050 Additional standards.

A. Structure intrusions into setbacks are prohibited except:

1. The ordinary projections of window sills, belt courses, cornices, and other architectural features projecting not more than 12 inches and roof eaves projecting not more than 24 inches.

2. Minor features of a structure, such as chimneys, fire escapes, bay windows no more than 12 feet long and which cantilever beyond the foundation of the structure, uncovered stairways, wheelchair ramps, and uncovered decks or balconies, may extend into a required setback up to 20 percent of the depth of the setback. However, these features may not be within three feet of a lot line when a setback is required.

3. Attached mechanical equipment such as heat pumps, air conditioners, emergency generators, and water pumps are allowed to project not more than 24 inches into the side or rear setback only.

4. Fences that meet the requirements set forth in SVMC 22.70.020.

5. Walkways and driveways, including parking in the driveway, are allowed in the front yard setback of R-1, R-2, and R-3 zones only.

6. Canopies, marquees, awnings, and similar features in mixed-use or nonresidential zones may fully extend into a front yard setback subject to the requirements of Title 24 SVMC.

B. Supporting member of any garage, carport, portable carport, or other automobile storage structure shall not be located within the required front yard.

C. Accessory structures shall not be erected within five feet of any rear or side property line, or be located within the front yard or any public or private easement.

D. Where applicable, structures shall not be erected to a height in excess of that permitted by SVMC 19.110.030, Airport hazard overlay.

E. In R-1, R-2, and R-3 zones, cooling towers, roof gables, chimneys, and vent stacks may extend for an additional height, not to exceed 40 feet, above the average finished grade of the building. Water stand pipes and tanks, church steeples, domes and spires, and school buildings and institutional buildings may be erected to exceed maximum height requirements; provided, that one additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the required height.

F. Open space required pursuant to Table 19.70-1 shall be accessible to all residential units and shall be suitable for active and passive recreational purposes, subject to the following:

1. The required open space area shall not include required yards, parking areas, required landscaped areas, stormwater facilities, or required spacing between structures;
2. The amount of open space may be reduced by up to 25 percent where at least two of the following amenities are provided:
   a. Play or sports courts;
   b. Playgrounds with equipment;
   c. Trails or pedestrian walkways not required for access to residential units or parking areas;
   d. Swimming pools;
   e. Gazebos; or
   f. Clubhouses;

3. The required open space shall not be reduced by more than 50 percent.

G. In mixed-use zoning districts, projects with residential components shall provide 210 square feet of open space per dwelling unit conforming to the requirements of SVMC 19.70.050(F) and eligible for reduction for improvements on the same basis; provided, that:

   1. The requirement does not apply to the development of less than 10 new dwelling units;
   2. Additional open space is not required for residential development located within 1,300 feet of a public park; and
   3. A fee in lieu of land dedication may be assessed for the development of public parks and open spaces to meet the needs of the residents of the mixed-use zoning districts. Council will determine this assessment and review it on an annual basis.

H. Residential development in nonresidential zones shall comply with the density and dimensional standards of the MFR zone in Table 19.70-1, except single-family development in the NC zone, which shall comply with the density and dimensional standards of the adjacent single-family residential zone. Where the NC zone abuts multiple single-family residential zones, the zone with the higher density shall apply. Where there are no single-family residential adjacencies to the NC zone, the density and dimensional standards of the R-2 zone shall apply.

I. New development exceeding three stories in height shall be served by paved service lanes that are at least 16 feet in width.

J. The following design standards apply to all outdoor lighting in residential zones:

   1. All new development shall provide lighting within parking lots, along pedestrian walkways, and accessible routes of travel.
   2. Lighting fixtures shall be limited to heights of no more than 24 feet for parking lots and no more than 16 feet for pedestrian walkways.
   3. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, and shall not emit light above 90 degrees.
   4. Street lighting installed by the City or other public utilities is exempt from SVMC 19.70.050(J).
K. Principal or accessory structures shall not be located within the clearview triangle pursuant to chapter 22.70 SVMC.

Chapter 19.75
TRANSITIONAL REGULATIONS

Sections:
19.75.010 Purpose.
19.75.020 Applicability.
19.75.030 Transitional regulations.
19.75.040 Ground level transitional use limitations.

19.75.010 Purpose.
The purpose of chapter 19.75 SVMC is to establish transitional development regulations along zoning district boundaries, specifically where properties of more intensive zoning abut less intensively-zoned properties.

19.75.020 Applicability.
A. General.

1. The ground level setback requirements shall apply to any portion of a property located in the:
   a. MFR, RC, CMU, or MU zone that abuts a property located in the R-1, R-2, or R-3; or
   b. I or IMU zone that abuts any property not zoned I or IMU.

2. The upper level setback requirements shall apply to any portion of a property located in the MFR, RC, CMU, MU, I, or IMU zones.

3. Nonresidential development in the NC zone adjacent to residential zones shall comply with the provisions of SVMC 19.70.030(B).

B. Exemptions. Wireless communications facilities are not subject to chapter 19.75 SVMC.

C. The application of transitional regulations may be modified by the Director consistent with chapter 19.75 SVMC.

19.75.030 Transitional regulations.
A. General. The transition shall be provided in the form of a ground level setback of 10 feet, or the applicable setback pursuant to chapter 19.70 SVMC, Density and Dimensions, whichever is greater, and an upper level setback as provided in SVMC 19.75.030(A)(2) and illustrated in Figure 19.75-1.

1. All transitional ground level setback areas shall be landscaped pursuant to the provisions of SVMC 22.70.070.

2. Upper level setback calculation.
a. Starting at a height of 15 feet at the boundary of an R-1, R-2, or R-3 zone, the building height may be increased at a ratio of one foot of height for every one foot of horizontal distance from the nearest R-1, R-2, or R-3 zone boundary. Figure 19.75-1 provides a graphic illustration of this requirement.

b. Where the protected zone boundary is the centerline of a right-of-way, the horizontal distance calculation in SVMC 19.75.030(A)(2)(a) shall be measured from the property line of the zone providing protection. Figure 19.75-1 provides a graphic illustration of this requirement.

Figure 19.75-1

B. The following regulations shall apply to the ground level transitional setback areas:

1. Outdoor sales, outdoor seating, or outdoor displays or signage are prohibited within 30 feet of any R-1, R-2, or R-3 zone.

2. Parking, drive aisles, and/or queuing areas in the RC, CMU, MU, IMU, and I zones are prohibited within 20 feet of any R-1, R-2, or R-3 zone. All parking and drive aisles shall be landscaped and screened pursuant to SVMC 22.70.050 and SVMC 22.70.070.

3. Loading areas in the RC, CMU, MU, IMU, and I zones are prohibited within 30 feet of any R-1, R-2, or R-3 zone.

4. Any mechanical equipment, building vents, and exhausts within the transitional setback areas shall be visually screened pursuant to SVMC 22.70.070. All building vents and mechanical equipment exhausts shall be directed away from adjacent R-1, R-2, or R-3 zone.

5. All outdoor lighting in the transitional setback areas shall be shielded and not produce off-site glare pursuant to SVMC 22.60.030 and shall be limited to 16 feet in height above grade.

19.75.040 Ground level transitional use limitations.

A. In the MFR zone ground level transitional setback areas, only the following uses are permitted:
Chapter 19.80
ADULT USES

Sections:
19.80.010 Purpose.
19.80.020 License required.
19.80.030 Adult use development standards.

19.80.010 Purpose.
In the development and adoption of chapter 19.80 SVMC, the City recognized that there are adult entertainment uses which, due to their very nature, have serious objectionable operational characteristics, particularly when located in close proximity to residential neighborhoods and schools, thereby having a
deleterious impact upon the quality of life in the surrounding areas. It has been acknowledged by courts and communities across the nation that state and local governmental entities have a special concern in regulating the operation of such businesses under their jurisdiction to ensure the adverse secondary effects of the establishments are minimized.

Chapter 19.80 SVMC is intended to protect the general public health, safety, and welfare through the regulation of the operations and licensing of the adult entertainment devices, premises, and personnel of adult entertainment establishments. The provisions of chapter 19.80 SVMC have neither the purpose nor effect of imposing a limitation or restriction on the content of any constitutionally-protected, sexually-oriented, or explicit communicative materials, or communicative performances. The regulations set forth herein are intended to prevent and control health, safety, and welfare issues, the decline in neighborhood conditions in and around adult entertainment establishments, and to prevent dangerous and unlawful conduct associated with these facilities. Chapter 19.80 SVMC may not be construed as permitting or promoting obscene conduct or materials.

19.80.020 License required.
Licensing requirements for adult uses are contained in chapter 5.10 SVMC, Adult Entertainment Establishments.

19.80.030 Adult use development standards.
A. There shall be five existing acres of contiguous (includes across streets) zoning classified Regional Commercial.

B. The use shall be located or maintained at least 1,000 feet from the nearest property line of the use listed in SVMC 19.80.030(B)(1-6). Distance shall be measured from the nearest property line of the adult retail use establishment or adult entertainment establishment(s) to the nearest property line of the following pre-existing uses:
   1. Public library;
   2. Public playground or park;
   3. Public or private school and its grounds of kindergarten to twelfth grade;
   4. Nursery school, mini-day care center, or day care center;
   5. Church, convent, monastery, synagogue, or other place of religious worship;
   6. Another adult use subject to the provisions of SVMC 19.80.030.

C. An adult retail use establishment or adult entertainment establishment(s) shall not be located within 1,000 feet of an urban growth area boundary or within 1,000 feet of any of the following zones:
   1. R-1, Single-Family Residential Estate;
   2. R-2, Single-Family Residential Suburban;
   3. R-3, Single-Family Residential;
   4. MFR, Multifamily Residential;
   5. MU, Mixed Use;
   6. CMU, Corridor Mixed Use; or
Chapter 19.85
MARIJUANA USES

Sections:
19.85.010 Marijuana production standards.
19.85.020 Marijuana processing standards.
19.85.030 Marijuana retail sales standards.
19.85.040 Other licensed or registered marijuana uses prohibited.
19.85.050 Marijuana production and processing in residential zones.

19.85.010 Marijuana production standards.

A. Marijuana production shall be located or maintained at least 1,000 feet from the nearest property line, measured from the nearest property line of the marijuana production facility to the nearest property line of any one or more of the following uses:

1. Vacant or undeveloped parcels owned by public school districts as established in Title 28A RCW;

2. Vacant or undeveloped parcels owned by public library districts as established in chapter 27.12 RCW;

3. Vacant or undeveloped parcels leased or owned by the City; provided the following shall be excluded from consideration under SVMC 19.85.010:
   a. Any stormwater facility or right-of-way parcels owned or leased by the City and designated or identified as a stormwater facility or right-of-way in any document, plan, or program adopted by the Council; and
   b. The Appleway Trail; or

4. a. Any facility or building designated or identified in any document, plan, or program adopted by the Council as "Spokane Valley City Hall" or other similar term that identifies such facilities or buildings as the City's primary administrative and legislative location; or
   b. CenterPlace.

B. Marijuana production in the RC zone shall only be permitted indoors.

19.85.020 Marijuana processing standards.

A. Marijuana processing shall be located or maintained at least 1,000 feet from the nearest property line, measured from the nearest property line of the marijuana processing facility to the nearest property line of any one or more of the following uses:

1. Vacant or undeveloped parcels owned by public school districts as established in Title 28A RCW;

2. Vacant or undeveloped parcels owned by public library districts as established in chapter 27.12 RCW;
3. Vacant or undeveloped parcels leased or owned by the City; provided the following shall be excluded from consideration under SVMC 19.85.020:
   a. Any stormwater facility or right-of-way parcels owned or leased by the City and designated or identified as a stormwater facility or right-of-way in any document, plan, or program adopted by the City; and
   b. The Appleway Trail; or
4. a. Any facility or building designated or identified in any document, plan, or program adopted by the City as "Spokane Valley City Hall" or other similar term that identifies such facilities or buildings as the City’s primary administrative and legislative location; or
   b. CenterPlace.

B. Marijuana processing in the RC zone shall be limited to packaging and labeling of usable marijuana.

19.85.030 Marijuana retail sales standards.

A. New marijuana sales shall not be permitted within any zoning districts.

B. Marijuana sales uses in existence and in continuous and lawful operation prior to July 27, 2016, shall not be deemed nonconforming and shall be permitted as a legal use subject to the following: marijuana sales shall be located or maintained at least 1,000 feet from the nearest property line, measured from the nearest property line of the marijuana sales facility to the nearest property line of any one or more of the following uses:

1. Centennial Trail;
2. Appleway Trail;
3. Vacant or undeveloped parcels owned by public school districts as established in Title 28A RCW;
4. Vacant or undeveloped parcels owned by public library districts as established in chapter 27.12 RCW;
5. Vacant or undeveloped parcels leased or owned by the City; provided any stormwater facility or right-of-way parcels owned or leased by the City and designated or identified as a stormwater facility or right-of-way in any document, plan, or program adopted by the Council shall be excluded from consideration under SVMC 19.85.030; or
6. a. Any facility or building designated or identified in any document, plan, or program adopted by the Council as "Spokane Valley City Hall" or other similar term that identifies such facilities or buildings as the City’s primary administrative and legislative location; or
   b. CenterPlace.

19.85.040 Other licensed or registered marijuana uses prohibited.

Marijuana production, marijuana processing, and existing marijuana sales shall be permitted pursuant to SVMC 19.85.010, SVMC 19.85.020, and SVMC 19.85.030. All other commercial and non-commercial licensed or registered marijuana uses are prohibited within all zoning districts of the City. This prohibition
includes, but is not limited to, marijuana clubs or lounges and marijuana cooperatives. This prohibition does not apply to home growing or processing of marijuana by qualified patients or designated providers in residential zoning districts as set forth in SVMC 19.85.050 and in compliance with state law.

19.85.050 Marijuana production and processing in residential zones.

Washington state law authorizes qualified patients and designated providers to produce marijuana and to process marijuana in dwellings, residences, domiciles, and similar housing units under limited circumstances and with limited processing methods. Subject to applicable federal, state, and local laws, any owner, lessor, or leasing agent may request or require disclosure of a renter or lessee’s desire to produce or process marijuana within a rented or leased dwelling unit. In addition to compliance with any applicable state or federal laws and regulations, lawful production or processing of marijuana by any person in a dwelling, residence, domicile, or other similar housing unit shall be subject to all locally-applicable land use, development, zoning, and building regulation requirements including, but not limited to, all applicable requirements set forth in Titles 17 through 24 SVMC as the same are now adopted or hereafter amended, and the following regulations:

A. Any home production or processing of marijuana by any person pursuant to state law shall not be permitted outside of the dwelling or accessory structure;

B. Any home production or processing of marijuana by any person or allowed by state law in a dwelling or accessory structure shall be enclosed, blocked, or sight-screened from the public right-of-way and from adjacent properties so that no portion may be readily seen by normal unaided vision or readily smelled from such locations. Accessory structures shall be permanent structures enclosed by a roof and walls on all sides and connected to a permanent foundation. For purposes of SVMC 19.85.050, accessory structures shall not include cargo containers, recreational vehicles, or other similar types of structures. Accessory structures shall be completely opaque in addition to necessary site-screening;

C. Home processing of marijuana shall not involve any combustible method and shall comply with all federal, state, and local laws and rules, including all standards adopted by the Washington State Liquor and Cannabis Board; and

D. Production or processing of marijuana by any person pursuant to state law in a dwelling or accessory structure shall only be allowed in the R-1, R-2, and R-3 zones.

Chapter 19.90
ESSENTIAL PUBLIC FACILITIES (EPFs)

Sections:
19.90.010 Facilities of regional/statewide significance.
19.90.020 Local siting procedures.

19.90.010 Facilities of regional/statewide significance.

The City is signatory to an interlocal agreement relating to the siting of EPFs of statewide and regional significance in accordance with RCW 36.70A.200.

A. EPFs having statewide significance are major facilities that provide a needed public service affecting, or potentially affecting, residents and/or property located in two or more Washington state counties and may be included on the Washington State Office of Financial Management list of EPFs. These facilities include, but are not limited to, regional transportation facilities, such as commercial and military airports; freeways, highways, and beltways; state correctional facilities; secure community transitional facilities; state social services; state parks; and state higher educational facilities.
B. EPFs having regional/countywide significance are local or interlocal facilities providing a needed public service affecting, or potentially affecting, residents and/or property located in two or more Spokane County jurisdictions. They include, but are not limited to, general aviation airports; county correctional facilities; regional transportation system; public transit maintenance and operational facilities; regional solid waste disposal/recycling/composting/handling facilities; community colleges; regional wastewater treatment facilities; arenas, stadiums, and other entertainment facilities; and regional social and health services such as in-patient hospitals, mental health facilities, and substance abuse treatment centers.

Chapter 19.60 SVMC, Permitted Uses, identifies those facilities subject to the regional/statewide siting process.

C. Application for EPF siting shall be made through the Spokane County department of planning and building in accordance with the adopted procedures of Spokane County.

D. Following ranking of sites by the board of county commissioners, the applicant shall work directly with the City to meet the regulatory requirements for the construction and operation of the facility under the plans and regulations that were in effect at the time of initial application under the regional siting process.

E. All EPFs located within the City require approval of a conditional use permit pursuant to chapter 19.150 SVMC, Conditional Use Permits.

F. Spokane Valley shall require EPFs approved through the regional process to meet all local requirements except those expressly obviated as a result of the process. The City shall consider all information submitted as part of the regional siting process.

19.90.020 Local siting procedures.

EPFs having local significance are facilities providing a needed public service affecting, or potentially affecting, only residents and/or property within the jurisdiction in which they are located. The City includes such facilities in the Comprehensive Plan as "community facilities," including, but not limited to, fire stations, police stations, child care facilities, public libraries, community parks, recreation facilities, community centers, local social services, and elementary, middle, and high schools.

Chapter 19.100
HISTORIC PRESERVATION

(Reserved)

Chapter 19.110
SPECIAL OVERLAY ZONES

Sections:
19.110.010 Repealed.
19.110.020 Repealed.
19.110.030 Airport hazard overlay.
19.110.040 Pipeline hazard overlay.

19.110.010 Repealed.

Repealed by Ord. 16-___.

19.110.020 Repealed.

Repealed by Ord. 11-010.
19.110.030 Airport hazard overlay.

A. Purpose and Intent. The purpose and intent of the Airport Hazard Overlay (AO) zone is to reduce the potential for airport hazards, because:

1. Airport hazards endanger the lives and property of users of landing fields and persons in the vicinity of Felts Field;

2. Airspace obstructions and incompatible land uses impair the utility of an airport and diminish the value of the public investment therein; and

3. Preventing the creation or establishment of incompatible land uses and airport hazards protects the public health, safety, and general welfare, and promotes the most appropriate use of land.

B. Applicability. The AO zone applies to areas surrounding Felts Field, as established herein. Chapter 19.110 SVMC shall apply to all lands, buildings, structures, natural features, and uses located within the AO zoning district as depicted on the maps, except that the provisions of chapter 19.110 SVMC shall not apply to any use that is defined as an aviation use. All uses and activities are at all times subject to the underlying zoning district. Where the requirements and restrictions imposed by the AO zone conflict with the requirements of the underlying zoning district, the more restrictive requirement shall apply.

C. Air Hazard Height Restrictions. Except as otherwise provided herein, no building or structure shall be erected, altered, or maintained so as to project or otherwise penetrate the Federal Aviation Regulations Part 77 airspace surfaces shown on the Airport Hazard Map attached to the ordinance codified in SVMC 19.110.030 and made a part hereof for all purposes. Such applicable height limitations are hereby established for each of the zones as follows:
1. Primary Surface. A surface longitudinally centered on a runway. The primary surface extends 200 feet beyond each end of the runway and is 1,000 feet wide. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

2. Precision Instrument Runway Approach Zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.

3. Transitional Zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 1,952 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

4. Horizontal Zone. Established at 150 feet above the airport elevation or at a height of 2,102 feet above mean sea level.

5. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
D. Height Exceptions. Structures shall not be constructed, altered, or maintained in the regulated airspace area except as follows:

1. Any structure or object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height;

2. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the FAA with a fixed location and height; and

3. Structures necessary and incidental to airport operations.

E. Airport Land Use Restrictions. The six airport land use compatibility zones established by the WSDOT Division of Aviation guidelines are based on federal aviation accident data from the National Transportation Safety Board (NTSB) and are shown on the airport land use compatibility zone map attached to the ordinance codified in SVMC 19.110.030 and made a part hereof for all purposes.

1. Prohibited Uses in All Airport Land Use Compatibility Zones.
   a. Any use that creates or causes interference with the operations of radio or electronic facilities at the airport or with radio or electronic communications between airport and aircraft;
   b. Any use or lighting that impairs a pilot’s ability to distinguish between airport lights and other lights, or that creates glare affecting pilot vision, or otherwise impairs visibility in the vicinity of the airport. All lighting shall be “cut-down” and fully shielded;
   c. Any use that endangers the landing, taking off, or maneuvering of aircraft;
   d. Any use which attracts birds in any manner affecting airport operations such as garbage, recycling, and stormwater facilities;
   e. Special function land uses for which the significant common element is the relative inability of the people occupying the space to move out of harm’s way such as K – 12 schools, hospitals, nursing homes, and other similar uses;
   f. High intensity land uses which are characterized by a potential to attract dense concentrations of persons to an indoor or outdoor area, even for a limited period of time. Such uses include:
      i. Amusement parks and fairgrounds;
      ii. Box retail;
      iii. Convention/exhibit halls, major auditoriums, and theaters;
      iv. Stadiums and arenas;
      v. Temporary events attracting dense concentrations of people – fairs, circuses, carnivals, revival meetings, sports tournaments, conventions, but not including events for which exposure to aviation safety hazard is a well-known expectation (air shows, airport open houses, pilot meetings, etc.).
2. Land uses in airport land use compatibility zones are further regulated as follows:

**Table 19-110-1 – Airport Land Use Compatibility Prohibited Uses**

<table>
<thead>
<tr>
<th>Prohibited Uses</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6a</th>
<th>6b</th>
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<tbody>
<tr>
<td>Single-Family Residential</td>
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<tr>
<td>Maximum Density **</td>
<td>n/a</td>
<td>n/a</td>
<td>1 du/5 acres</td>
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<td>n/a</td>
<td>1 du/2.5 acres or underlying zone(1a)(2)</td>
<td>1 du/2.5 acres or underlying zone(1a-c)(2)</td>
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<tr>
<td>Manufactured Housing Parks</td>
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<td>Multi-family Residential</td>
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<td>Schools</td>
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<td>Parks and Playgrounds</td>
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<td>Nursing Homes</td>
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<td>Day Care</td>
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<td>Hazardous Materials Storage</td>
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<td>Flammable Materials Storage</td>
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<td>Incinerators</td>
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<td>Overhead Utilities</td>
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<td>High Intensity Uses</td>
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</tbody>
</table>

1. Must comply with a minimum of one of the following criteria:
   a. The site had water or sewer stubs installed for future development prior to the adoption of the City initial airport hazard overlay regulations on February 28, 2006, by Ordinance No. 06-002;
   b. Consistent with adjacent (not across public rights-of-way) property sizes for proposed development; or
   c. More than one residence is located on a property, excluding any residence used at one time for a dependent relative, may develop property consistent with underlying zoning to make conforming.

2. All final short subdivisions and final subdivisions located within Zone 6 of the AO shall contain the following dedication language on the face of the plat: “These lots are located in an Airport Hazard Overlay that may be subject to increased noise levels.”
3. Avigation easements/title notice/covenant shall be required as a condition of the issuance of any permit for construction, reconstruction, or expansion of any structure located within any airport land use compatibility zone.

Airport Land Use Compatibility Zones

4. Substantial noise impacts (over 65 Ldn) at Felts Field are confined to airport property. In the event of changed conditions authenticated by the Spokane Airport Board, the following uses will be prohibited within areas where noise levels exceed 65 Ldn:

   a. School.
   b. Church.
   c. Hospital.
   d. Manufactured home park.
   e. Child day care center.
   f. Nursing home.
   g. Parks and playgrounds.

5. Nothing in chapter 19.110 SVMC shall diminish the responsibility of project proponents to submit a notice of construction or alteration to the FAA if required in accordance with Federal Aviation Regulations Part 77, "Objects Affecting Navigable Airspace."
F. Nonconforming Uses.

1. Regulations Not Retroactive. The regulations prescribed herein shall not be construed to require the change of use, nor the removal or alteration of any structure or tree not conforming to the regulations as of the effective date of the ordinance codified in chapter 19.110 SVMC; provided, however, that the owner of any existing nonconforming structure or tree is required to permit the installation, operation, and maintenance of such markers and lights as shall be deemed necessary by the Director of airport operations.

2. Nonconforming Uses Abandoned or Destroyed. Whenever the Director determines that a legal nonconforming tree or structure has been abandoned, destroyed, or damaged by more than 80 percent, no permit shall be issued or granted that would allow such use, structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

G. Permits and Variances.

1. No building permit shall be issued for any prohibited use, or for any structure or obstruction which exceeds the air hazard height restrictions adopted herein.

2. An application for a permit for the construction of a building, structure, use, subdivision, short subdivision, binding site plan, or other development located within the AO zone shall submit a site plan which includes the elevation of the site above mean sea level, and the height of any proposed structure.

3. Additional Notice. Any building permit or land use action including plats, short plats, subdivisions, and binding site plans within the AO zone shall contain the following notice:

   Notice is herein provided that this property is located within the Airport Hazard Overlay Zone of the City of Spokane Valley, Washington, and is subject to restriction on height and use pursuant to SVMC 19.110.030 Airport Hazard Overlay Zone as it may be amended from time to time.

4. Variances. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of property, not in accordance with the regulations prescribed herein may apply to the Department for a variance; provided, however, that the application shall be accompanied by a determination from the FAA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. A copy of the application shall be furnished to the Director of airport operations for review and comment. Final determination on the variance shall be made by the Hearing Examiner following notice and hearing.

19.110.040 Pipeline hazard overlay.

The following regulations shall only apply to the pipeline facilities identified on the Zoning Map:

A. The regulation of development, including construction, excavation or fill, or installation of roads and utilities is intended to ensure the health, safety, and welfare of citizens and the protection of private property.

B. Pipeline hazard areas shall extend 500 feet from the centerline of any existing or future pipeline, whether or not such pipeline is located within a recorded easement or is included in a “blanket” or “open” easement.
C. The construction, excavation, fill, or installation of underground utilities or drainage facilities within the area of pipeline hazard shall require consultation with the pipeline operator prior to the issuance of any permit. If applicable, the pipeline operator shall identify the location and depth of cover required to protect the pipeline.

D. No permanent or temporary accessory structures, retaining walls, patios, swimming pools, or on-site waste disposal systems shall be permitted within 25 feet of any pipeline.

E. No permanent or temporary structures designed for human habitation or occupancy shall be located within 50 feet of any pipeline.

F. Utility poles, guy wires, or anchors shall not be placed within 10 feet of the pipeline.

G. For new construction, the City may require the lowering or relocation of the pipeline as a condition of the issuance of any permit.

Chapter 19.120
Repealed

Chapter 19.130
SITE PLAN REVIEW

Sections:
19.130.010 Purpose.
19.130.020 Permit type.
19.130.030 Applicability.
19.130.040 Decision criteria.
19.130.050 Conditions.

19.130.010 Purpose.
The purpose of chapter 19.130 SVMC is to ensure efficient and safe land development, compatible use of land, compliance with Title 22 SVMC, Design and Development Standards, and adequate water supply, drainage, and other utilities.

19.130.020 Permit type.
Site plan review is classified as a Type I development application and shall be processed in accordance with SVMC 17.80.070.

19.130.030 Applicability.
A building permit or land disturbing permit shall not be issued for the following unless a site plan review is approved or approved with conditions by the Department:

A. Any land disturbing activity unless exempted pursuant to SVMC 24.50.020;

B. Any commercial development;

C. Any industrial development;

D. Any multifamily development that includes three or more units;

E. Any alternative residential development pursuant to SVMC 19.40.030; and

F. Any development in single-family residential zones.
19.130.040 Decision criteria.
Prior to approving any building or permit for land disturbing activities, the proposal shall:

A. Conforms with all applicable provisions of the SVMC and all other applicable law; and
B. Conforms to the conditions required by the Department, Hearing Examiner, or Council.

19.130.050 Conditions.
The site plan shall be drawn to an acceptable scale and include all necessary information as required by the Department including, but not limited to landscape and lighting plans as required pursuant to chapter 22.070 SVMC and chapter 22.60 SVMC.

Chapter 19.140
ADMINISTRATIVE EXCEPTIONS

Sections:
19.140.010 Purpose.
19.140.020 Permit type.
19.140.030 Allowed exceptions.
19.140.040 Decision criteria.

19.140.010 Purpose.
The purpose of chapter 19.140 SVMC is to allow for minor deviations from Code requirements.

19.140.020 Permit type.
An administrative exception is classified as a Type I permit and shall be processed pursuant to SVMC 17.80.070.

19.140.030 Allowed exceptions.
An administrative exception may be approved for the following when consistent with the criteria in SVMC 19.140.040:

A. Yard setback where the deviation is for 10 percent or less of the required yard.
B. Building height where the deviation is for 10 percent or less of the maximum building height. Additional building height may be granted to the equivalent height of adjacent buildings in areas where the maximum building height is generally exceeded.
C. Minimum lot area where the deviation is for 10 percent or less of the required lot area.
D. Maximum building coverage where the deviation is for 10 percent or less of the maximum building coverage.
E. Up to one-half of a private tower’s impact area off of the applicant’s property.
F. Flanking street yard setbacks; provided that:

1. At the time the lot was legally created, it was zoned under a zoning classification of the pre-January 1, 1991, Spokane County zoning ordinance, and subsequently on January 1, 1991, a new zoning classification from the zoning code of Spokane County, Washington, was assigned to the lot; and
2. Any flanking yard setback deviation granted under this section shall not exceed the required flanking street setback standards of the pre-January 1, 1991, zoning classification of the subject property.

G. Any improved property rendered nonconforming through voluntary dedication of right-of-way, the exercise of eminent domain proceedings or purchase of right-of-way by the City, county, state, or federal agency.

H. Provisions in SVMC 20.20.090 that conflict with the intent of Title 19 SVMC as determined by the Director.

19.140.040 Decision criteria. The Director shall approve, approve with conditions, or deny administrative exceptions based on the following criteria:

A. The administrative exception does not interfere with or negatively impact the operations of existing land uses and all legally permitted uses within the zoning district it occupies;

B. The exception may not increase density beyond what is currently allowed within the zoning district;

C. The exception shall not be contrary to conditions imposed by any other associated land use action, for example, a Hearing Examiner decision, or conditions associated with the applicable short plat approval;

D. The exception shall not conflict with other local, state, or federal laws; and

E. The exception does not adversely impact the public health, safety, and welfare within the City.

Chapter 19.150
CONDITIONAL USE PERMITS

Sections:
19.150.010 Purpose.
19.150.020 Permit type.
19.150.030 Decision criteria.
19.150.040 Conditions.

19.150.010 Purpose.
The purpose of chapter 19.150 SVMC is to establish criteria for determining the conditions under which a use(s) is permitted within a zoning district. Certain uses are classified as conditional uses because of their size, infrequent occurrence, special requirements, possible safety hazards or detrimental effects on surrounding properties, and other similar reasons. A Conditional Use Permit (CUP) is subject to specific review during which additional conditions may be imposed to assure compatibility of the use with other uses in the vicinity. A request for a CUP may be denied where it cannot be clearly demonstrated that the requested use will be compatible with other permitted uses in the vicinity of the proposed conditional use.

19.150.020 Permit type.
CUPs are classified as Type III permit applications and shall be processed pursuant to SVMC 17.80.070.

19.150.030 Decision criteria.
A. A CUP may only be granted if the applicant demonstrates that:
1. The conditional use is consistent with the Comprehensive Plan and with the character and appearance of the existing or proposed development in the vicinity of the subject property;

2. The location, size, and height of buildings, structures, walls and fences, and visual screening for the conditional use shall not hinder or discourage the permitted development or use of neighboring properties;

3. Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this title;

4. The conditional use does not conflict with the health and safety of the community;

5. The proposed location does not result in the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;

6. The pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood; and

7. There are adequate public facilities or services to support the use and the use will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities.

19.150.040 Conditions.

A. In approving a CUP, the Hearing Examiner may stipulate conditions including, but not limited to, the following:

1. Control of use;

2. Greater front, side, or rear yard setbacks than the minimum standards of the zoning district within which the subject property is located;

3. Special landscaping, screening, fencing, signing, off-street parking, public transit, and/or high occupancy vehicle facilities or any other general development standards;

4. Right-of-way or easement dedications and/or streets and drainage improvements necessary as a result of the proposed use;

5. Limited vehicular ingress and egress;

6. Control of noise, vibration, odor, glare, and other environmental considerations;

7. Restricted hours of operation;

8. Duration or time limitations for certain activities; and/or

9. Any other reasonable restrictions, conditions, or safeguards that will uphold the intent of the SVMC and the Comprehensive Plan and mitigate any adverse impact upon the adjacent properties by reason of use, extension, construction, or alteration allowed.

B. A CUP may be suspended or revoked if, after a public hearing with notice as provided in SVMC 17.80.070, the Hearing Examiner finds that a grantee or their successors in interest fail to comply with the conditions or restrictions included in the CUP.
Chapter 19.160
TEMPORARY USE PERMITS

Sections:
19.160.010 Purpose.
19.160.020 Permit type.
19.160.030 Applicability.
19.160.040 Decision criteria.
19.160.050 Conditions.

19.160.010 Purpose.
The purpose of chapter 19.160 SVMC is to regulate certain temporary uses of property which are not otherwise regulated by other City ordinances or regulations.

19.160.020 Permit type.
Temporary use permits (TUPs) are classified as a Type I permit and shall be processed pursuant to the provisions of SVMC 17.80.070.

19.160.030 Applicability.
The Department may issue a TUP for the types of temporary uses as listed in SVMC 19.160.040.

A. Interim Uses. The Department may issue a TUP to allow an owner, developer, contractor, tenant, lessee, or other occupant to conduct an otherwise permitted use on their property at the same time they are improving the property to the required City standards pursuant to the following conditions:

1. The TUP may be issued for a period up to six months and may be extended for an additional three months if the applicant has acted in good faith towards compliance of the original permit.

2. The Department may issue the permit only if the proposed use is consistent with the following findings of fact:

a. The request is reasonable and there is no other practical alternative;

b. Adverse impacts associated with the temporary use are appropriately mitigated and such temporary use will not cause a hazard to the occupants or to neighboring properties;

c. A hardship is involved that cannot otherwise be reasonably resolved; and

d. A performance surety in the amount of any required improvements shall be posted guaranteeing the completion of the project.

B. Seasonal Uses and Short-term Recreational and Economic Development Uses. The Department may issue a TUP to allow sales of seasonal goods in any nonresidential zone for a period not to exceed six months in any 12-month period. The use may not meet the standards normally associated with a permanent use if the Department finds that the temporary use is consistent with the following:

1. The use shall be consistent with the permitted uses in the zone;
2. The use shall be an appropriate use of the property pending the permanent long-term use;

3. The use shall not result in significant traffic, parking, drainage, fire protection, or other adverse impacts that cannot be appropriately mitigated;

4. The use shall provide a sanitary facility if the Department determines it is necessary to do so; and

5. Failure to comply with the conditions of the permit shall result in suspension or revocation of the TUP.

C. Temporary Uses Associated with Construction Permits. The Department may issue a TUP for activities associated with construction projects including, but not limited to, equipment storage yards, job shacks, materials storage yards, or living quarters which are not otherwise permitted outright by City ordinances or regulations. The Department may issue a TUP if it finds the proposal is consistent with the following:

1. The use shall not pose a hazard or be a detriment to the surrounding area;

2. The use shall not result in significant traffic, parking, drainage, fire protection, or other adverse impacts;

3. The temporary use shall be reviewed every six months to determine if the temporary use is still valid, if not the Department shall terminate the TUP; and

4. The temporary use shall be vacated upon completion of the associated construction project or pursuant to SVMC19.160.030(C)(3).

19.160.050 Conditions.
The Department may include any conditions deemed necessary in order to reasonably mitigate any adverse impacts anticipated from a requested TUP.

Chapter 19.170
VARIANCES

Sections:
19.170.010 Purpose.
19.170.020 Permit type.
19.170.030 Decision criteria.
19.170.040 Limitation on authority.
19.170.050 Time limitation.
19.170.060 Time extension.

19.170.010 Purpose.
A purpose of chapter 19.170 SVMC is to provide a mechanism by which the City may grant relief from the provisions of the SVMC where practical difficulty renders compliance with the provisions of the SVMC an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property, and where the purpose of the SVMC and of the Comprehensive Plan can be fulfilled upon granting of the variance.

19.170.020 Permit type.
Variances are classified as a Type III permit and shall be processed pursuant to the provisions of SVMC 17.80.070.
19.170.030 Decision criteria.
The Hearing Examiner may approve, or approve with modifications, an application for a variance from the provisions of the SVMC if:

A. The variance for the subject property does not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and the zone in which the property is located;

B. The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use zone in which the subject property is located;

C. The granting of the variance is not materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located;

D. The special circumstances of the subject property make the strict enforcement of the provisions of the SVMC an unnecessary hardship to the property owner;

E. The special circumstances of the subject property are not the result of the actions of the applicant or a predecessor in interest;

F. The variance is the minimum necessary to fulfill the purpose of a variance and the need of the applicant;

G. The variance is consistent with the purpose and intent of the zoning Code; and

H. The variance is in accord with the Comprehensive Plan.

19.170.040 Limitation on authority.
The Hearing Examiner may not grant a variance to:

A. The regulations establishing the allowable uses in each zoning district;

B. Any procedural or administrative provisions of the SVMC; or

C. Any provision of the zoning Code which, by the terms of that Code, is not subject to a variance.

19.170.050 Time limitation.
A variance automatically expires and is void if the applicant fails to obtain a building permit or other necessary development permit and substantially completes improvements allowed by the variance within 18 months of the effective date of the variance.

19.170.060 Time extension.
Upon application of the property owner, the Hearing Examiner may extend a variance, not to exceed one year, if:

A. Unforeseen circumstances or conditions necessitate the extension of the variance;

B. Termination of the variance would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and

C. The extension of the variance will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.
Chapter 19.180
Newly Annexed Areas

Sections:
19.180.010  Newly annexed areas.

**19.180.010 Newly annexed areas.**

Upon annexation of property, in the absence of a pre-established zoning designation therefor, the Council shall, within the annexation ordinance, establish an interim classification for the property on the City's Zoning Map. The interim zone shall be consistent with the annexation area's Comprehensive Plan designation.

If an interim zoning district is established, it shall be in place no longer than 12 months unless otherwise provided by ordinance. The process for establishing an interim zoning district shall meet the requirements of RCW 36.70.795. For all property classified in the interim zone, the Department shall commence all steps necessary to establish an official zoning classification pursuant to the procedure described in SVMC 17.80.140.