

CITY OF MILLWOOD

ORDINANCE NO. 561

October 13, 2026

AN ORDINANCE OF THE CITY OF MILLWOOD, WASHINGTON, AMENDING MILLWOOD MUNICIPAL CODE (MMC) CHAPTER 18.08 CRITICAL AREAS, CHAPTER 15.04-15.16-15.20 CONSTRUCTION, TITLE 16 SUBDIVISIONS, TITLE 14 LAND USE, AND TITLE 17 ZONING (CH. 17.04 USE-ZONES, CH. 17.06 TABLE OF PERMITTED USES, CH. 17.08-17.18 RESIDENTIAL, CH. 17.20-17.36 COMMERCIAL, INDUSTRIAL, PUBLIC, CH. 17.38 GENERAL PROVISIONS, CH. 17.42 WIRELESS TELECOMMUNICATION FACILITIES, CH. 17.44 ADMINISTRATION AND ENFORCEMENT, CH. 17.48 ESSENTIAL PUBLIC FACILITIES, TITLE 17 APPENDIX A DEFINITIONS) FOR THE 2026 PERIODIC UPDATE, AND PROVIDING FOR OTHER MATTERS RELATED THERETO

WHEREAS, the City of Millwood (the “City”), Spokane County, Washington, is a non-charter code city, by virtue of the Constitution and the laws of the State of Washington; and

WHEREAS, pursuant to chapter 35A.11 RCW, the City Council (the “Council”) may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the city; and

WHEREAS, the Growth Management Act (“GMA”) was established in the State of Washington in 1990 to provide a framework for land use planning and development regulation; and

WHEREAS, Spokane County and the cities within it were mandated to plan under the GMA in 1993; and

WHEREAS, as a City within Spokane County, the City crafted a Comprehensive Plan and development regulations which reflect and implement the community's vision for land use; and

WHEREAS, the GMA, and specifically RCW 36.70A.130, requires the City to enact a Comprehensive Plan, and to review and revise, if necessary, the Comprehensive Plan and development regulations periodically (currently every 10 years) to ensure that it complies with the requirements of GMA; and

WHEREAS, updates to the City development regulations must be consistent with the City’s adopted Comprehensive Plan, the Countywide Planning Policies for Spokane County, and must implement the Comprehensive Plan to accommodate the urban growth projected to occur within the next 20 years as well as the City’s housing allocation; and

WHEREAS, on July 21, 2026, the Board of County Commissioners of Spokane County officially adopted the Steering Committee of Elected Officials (SCEO) recommendation related to the Housing for All Planning Tool (HAPT), Housing Unit Growth Share Input for Housing Allocations, via Resolution 26-0375, which was the allocation that the City utilized for the 2026 Periodic Update to the City Comprehensive Plan and development regulations; and

WHEREAS, the Washington State Department of Commerce provided a “Periodic Update Checklist for Cities” to guide cities through the periodic update requirements along with guidance for updating development regulations, to comply with recent changes to the GMA; and

WHEREAS, the City completed the “Periodic Update Checklists for Cities” to determine which portions of the city development regulations would need to be reviewed and updated, in addition to updates necessary for consistency, as well as reviewing updated WA State laws and guidance provided by the Washington State Department of Commerce for Tier 3 cities; and

WHEREAS, Millwood’s 2026 Periodic Update process for development regulations updates, has followed the City Periodic Update Public Participation Plan and the Periodic Update Work Plan that were adopted by the Council on August 13, 2024, with administrative adjustments and modifications completed for the Periodic Update Work Plan in order to maintain substantial progress on the Periodic Update; and

WHEREAS, public participation opportunities were provided, consistent with these plans, including meeting SEPA and 60-Day review requirements, as outlined in the Staff Report to the

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Planning Commission File No.: 2026 Periodic Update (Development Regulations) with a Non-Project DNS Threshold Determination issued on June 26, 2026 and the Washington State Dept. of Commerce & State Agency 60 Day Review / Notice of Intent to Adopt (Draft Development Regulations, Submittal ID #2026-S-12987) from June 26, 2026 - August 25, 2026; and

WHEREAS, consistent with guidance from the Washington State Department of Commerce, the Council reviewed the City's proposed regulatory and financial incentives for housing on June 9, 2026 and provided direction to utilize the proposed regulatory incentives contained in the draft development regulations updates and predominantly existing financial incentives, with a City webpage subsequently developed on July 23, 2026 to advertise financial incentives that are applicable to properties in the City; and

WHEREAS, the draft City development regulations updates are consistent with the currently adopted Countywide Planning Policies for Spokane County (as amended and adopted April 22, 2025 via Spokane County Resolution No. 25-0207) and Millwood's adopted Comprehensive Plan (Ordinance 558), as well as being internally consistent, and consistent with GMA requirements including updated Accessory Dwelling Unit standards, Tier 3 city guidance, local project review requirements, and critical areas update requirements to meet the 2026 periodic update requirements for fully planning jurisdictions, as applicable to the City; and

WHEREAS, a staff report to the Planning Commission for the development regulations portion of the 2026 Periodic Update was issued on August 6, 2026, posted on the City's Periodic Update webpage on August 17, 2026, and emailed to the periodic update notice group; and

WHEREAS, the comments received throughout the periodic update review process were considered by the Planning Commission; and

WHEREAS, the Planning Commission held a properly noticed Public Hearing on August 26, 2026, for the development regulations portion of the 2026 Periodic Update where they voted 4-0 to recommend approval of the updated development regulations utilizing Option 2 with modifications (to modify Millwood Municipal Code ("MMC") Chapter 18.08, Critical Areas - Sections 18.08.020 & 18.08.075, based on Washington State Department of Health Office of Drinking Water / Wellhead Protection Review 8/25/26), to the Council; and

WHEREAS, the review and update process for the City's 2026 Periodic Update of City development regulations has complied with MMC requirements, as applicable, state law and Washington State Department of Commerce Guidance, the City Periodic Update Public Participation Plan, and the City Periodic Update Work Plan, as outlined in the staff report to the Planning Commission for the development regulations portion of the 2026 Periodic Update; and

WHEREAS, the City's 2026 Periodic Update of City development regulations meets all applicable criteria for amendment under MMC Section 14.12.150(B) ; and

WHEREAS, the 2026 Periodic Update of the City development regulations (Planning Commission Recommendation 8/26/26) has met internal consistency review and is consistent with the adopted Millwood Comprehensive Plan, the Countywide Planning Policies for Spokane County, and implements the Comprehensive Plan to accommodate the urban growth projected to occur within the next 20 years as well as the City's housing allocation; and

WHEREAS, pursuant to MMC 14.12.150 and MMC 16.02.070, properly noticed public hearings were held on September 8, 2026, and October 13, 2026, where the Council reviewed the Planning Commission's recommendation on the 2026 Periodic Update of the City development regulations; and

WHEREAS, all procedural requirements have been completed prior to December 31, 2026, and a copy of this Ordinance will be submitted with a Notice of Final Adoption to the Washington State Department of Commerce Growth Management Services within ten (10) days of final adoption; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILLWOOD DO ORDAIN AS FOLLOWS:

Section 1. Modification of Millwood Municipal Code Chapter 18.08 Critical Areas, Chapter 15.04-15.16-15.20 Construction, Title 16 Subdivisions, Title 14 Land Use, and Title 17 Zoning (Ch. 17.04 Use-Zones, Ch. 17.06 Table of Permitted Uses, Ch. 17.08-17.18 Residential, Ch. 17.20-17.36 Commercial, Industrial, Public, Ch. 17.38 General Provisions, Ch. 17.42 Wireless Telecommunication Facilities, Ch. 17.44 Administration And Enforcement, Ch. 17.48 Essential Public Facilities, and Title 17 Appendix A Definitions).

Ordinance 561 shall be available in its entirety in the office of the City Clerk.

Section 2. Adoption of the Updated Development Regulations. The Council adopts the updated Development Regulations, attached hereto as EXHIBIT “A” and incorporated herein by this reference (deleted language ~~stricken~~, added language underlined).

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Conflict Provisions / Repeal of Conflicting Ordinances. If any provisions of this ordinance are inconsistent with those of the state or federal government, the more restrictive provisions shall govern unless the state or federal regulation is intended to preempt the local regulation. The more restrictive provision is the one that imposes greater restrictions or more stringent controls. Regardless of any other provision of this ordinance, no land may be developed or used, and no structure may be erected or maintained in violation of any city, state, or federal regulation. If the provisions of this ordinance are inconsistent with one another, or if they conflict with provisions in other adopted ordinances or regulations of the City, the provisions within this ordinance will govern. All previous ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its adoption and five (5) days after its publication or a publication of a summary of this ordinance in the official newspaper of the City.

PASSED BY THE COUNCIL OF THE CITY OF MILLWOOD THIS _____ DAY
OF _____, 2026.

Shawna Beese, Mayor

Attest:

Bridget Gill, City Clerk

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STATE OF WASHINGTON)
):
County of Spokane)

Bridget Gill, being first duly sworn on oath deposes and says: I am the City Clerk of the City of Millwood, Washington, and the foregoing ordinance entitled “AN ORDINANCE OF THE CITY OF MILLWOOD, WASHINGTON, AMENDING MILLWOOD MUNICIPAL CODE (MMC) CHAPTER 18.08 CRITICAL AREAS, CHAPTER 15.04-15.16-15.20 CONSTRUCTION, TITLE 16 SUBDIVISIONS, TITLE 14 LAND USE, AND TITLE 17 ZONING (CH. 17.04 USE-ZONES, CH. 17.06 TABLE OF PERMITTED USES, CH. 17.08-17.18 RESIDENTIAL, CH. 17.20-17.36 COMMERCIAL, INDUSTRIAL, PUBLIC, CH. 17.38 GENERAL PROVISIONS, CH. 17.42 WIRELESS TELECOMMUNICATION FACILITIES, CH. 17.44 ADMINISTRATION AND ENFORCEMENT, CH. 17.48 ESSENTIAL PUBLIC FACILITIES, TITLE 17 APPENDIX A DEFINITIONS) FOR THE 2026 PERIODIC UPDATE, AND PROVIDING FOR OTHER MATTERS RELATED THERETO” is the true and correct original copy of the City of Millwood’s Ordinance numbered #558 and that the same was posted and published according to law.

Bridget Gill, City Clerk

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 2026.

Notary Public in and for the State of Washington.
Residing at Spokane.
My Commission expires _____.

ORDINANCE 561 - EXHIBIT A

TO BE ATTACHED UPON FINAL CITY COUNCIL ADOPTION