

## Chapter 17.20 [COMMERCIAL (C-1 AND C-2) ZONES]

### 17.20.005 Commercial (C-1 and C-2) zones.

There is established the C-1 and C-2 commercial zones, standards and regulations by which certain land uses may be permitted therein.

(Ord. No. 527, § 1, 6-14-2022)

### 17.20.010 Commercial C-1 and C-2 development standards.

~~Commercial~~ Development in the C-1 and C-2 zones shall meet the standards shown in Table 17-3.

Table 17-3

		C-1 <u>(1)</u>		C-2	
<del>Front Yard</del> <u>Building</u> Setbacks					
<del>Structure</del> <u>Front</u> <u>Setback</u>	Minimum	25 ft. min.		N/A	
	Maximum	N/A		25 ft. max.	
Parking		15 ft. min		See 17.24.020 & 030	
Rear Yard Setback		15 ft. min.		<del>20 ft. min.</del> <u>N/A</u>	
Side Yard Setback		5 ft. min.		N/A	
Flanking Street		15 ft. min.		<u>N/A</u>	
<u>Abutting Residential Zone (up to 2 Story Height)</u>		<u>15 ft. min. (2)</u>		<u>N/A</u>	
<del>Adjacent</del> <u>Abutting to Residential Zone (3 Story Height)</u>		<u>15-20 ft. min. (2)</u>		<u>N/A</u>	
<u>Abutting Residential Zone (4 Story Height)</u>		<u>25 ft. min. (2)</u>		<u>N/A</u>	
<u>Maximum Total Lot Coverage (3)</u>		<u>Mixed use (4)</u>	<u>Commercial Only</u>	<u>Mixed use (4)</u> <u>Total Lot Coverage</u>	<u>Commercial Only</u> <u>Total Lot Coverage (1)</u>
<del>Site Coverage including impervious surfaces</del>		<u>85%</u>	<del>75</del> <u>70</u> %	<del>85</del> <u>90</u> %	<del>70</del> <u>75</u> %
<u>Building Height (5)(7)</u>		<u>up to 3 stories / 35 ft. max (36)</u>		<u>up to 3 stories / 35 ft. max (26)</u>	
<u>Building Height - Trent Frontage (5)(7)</u>		<u>45-up to 4 stories / 48 ft. max (4)(5)</u>			
<del>Adjacent to Residential—no intervening street or alley</del>		<u>Residential zone standards apply</u>			
<p>(1) <u>Residential / commercial mixed use buildings (as defined in Appendix A and permitted under 17.26.010, subsection B) in C-1 shall be permitted to utilize C-2 setbacks, as long as a street or alley separates the parcel from an abutting residential zone, as well as C-2 lot coverage.</u></p> <p>(2) <u>N/A when a street or alley separates the parcels.</u></p> <p>(3) <u>All impervious surfaces including B buildings/structures limited to 50% of site area</u></p>					

(4) Residential / commercial mixed use as defined in Appendix A

(5) Building height shall be measured from average grade level to the highest point of the structure.

(26) Where at least 25% of the structure is residential, the maximum building height can include ~~3~~4 stories, but be no higher than ~~45~~48 ft.

(7) A building can exceed maximum roof height limit by 48 inches to accommodate roof-mounted solar energy panel(s).

Additional exceptions to roof height and setbacks apply to retrofits of existing buildings for residential housing in accordance with RCW 36.70A.810. Refer to MMC 17.22.010 and 17.24.060 for more information.

~~(3) Shall not exceed 3 stories~~

~~(4) Shall not exceed 4 stories~~

~~(5) When not adjacent to a residential zone~~

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.22 C-1 **GENERAL COMMERCIAL ZONE REGIONAL COMMERCIAL**

### 17.22.005 [Purpose and intent.]

Properties zoned C-1 are intended for large scale, auto oriented commercial uses located primarily along major arterials. Businesses located in this zone provide goods and services to customers throughout the region. A variety of existing residential development is located in this zone, however new residential will focus on higher density and mixed use with commercial. ~~A wide variety of residential development is allowed in this zone.~~

For uses permitted in the C-1 zone, see Table 17-1.

(Ord. No. 527, § 1, 6-14-2022)

### 17.22.010 ~~Residential uses.~~ **New housing in existing buildings (RCW 35A.21.440)**

- A. The City shall not impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building.
- B. There is no off-street parking requirement for the addition of dwelling units or living units added within an existing building.
- C. The City cannot deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area.
- D. A transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW cannot be required based on the addition of residential units within an existing building.
- E. The portion of exterior wall assemblies that includes insulation must be allowed to project up to an additional eight inches into the setbacks on all sides;

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1. For existing nonconforming buildings already projecting into setbacks, the portion of exterior wall assemblies that include insulation must be allowed to project up to an additional eight inches into the setbacks on all sides if the building is to be used for residential housing.

2. Nothing in this section prohibits a city or county from applying the requirements of the state building code or requires a city or county to allow a setback of less than 36 inches between residential dwelling units.

F. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and

G. Gross floor area must be measured from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans, as applicable.

~~Residential uses are allowed in the C-1 zone provided that when located on the same parcel as a commercial use, residence shall be located above the commercial use.~~

(Ord. No. 527, § 1, 6-14-2022)

### **17.22.020 Storage.**

Storage requirements are as follows:

- A. No premises shall be used as a storage area for anything other than storage of materials required in connection with the identified permitted uses in Table 17-1.
- B. The storage of substances, including chemicals and fertilizers which may affect the aquifer must be reviewed and approved by the Spokane Valley Fire Department.
- C. Storage areas must conform to the minimum setback regulations of the district.
- D. Where permitted, automobiles and other machinery normally displayed for sales purposes on any open lot may be displayed as specified in Appendix A of this title and shall not be considered storage.
- E. Storage areas shall be paved.

(Ord. No. 527, § 1, 6-14-2022)

### **17.22.030 Fencing and screening.**

Fencing is required as follows:

- A. Those parcels abutting residential zones shall have a six-foot high side and rear yard sight-obscuring fences constructed inside the property line.
- B. Fencing shall be required when the site is developed.
- C. Fencing shall be replaced as necessary to maintain the integrity of the screen.
- D. No fence shall be constructed within fifteen (15) feet of a street.

(Ord. No. 527, § 1, 6-14-2022)

### **17.22.040 Parking regulations.**

- A. Where calculation amounts to one or fewer parking stalls, two stalls, including one ADA stall shall be required.

- B. Where fractional spaces result, the parking spaces required shall be rounded up to the nearest whole number. The accessible parking space(s) required by the building code shall be included in the total number of required parking spaces.
- C. Off street parking in the C-1 and I-1 zones is subject to landscaping requirements found in Chapter 17.22.050(F)
- D. Parking standards applicable to C-2 zone found in Chapter 17.24.~~020030~~.
- E. Businesses using shared parking spaces are liable for the care, maintenance, snow removal and stormwater discharge. A joint parking agreement must be executed in a form acceptable to the City, stating that the parcel or portion of a parcel is devoted in whole or in part for the required parking. The agreement shall be binding on both properties and shall be recorded with the Spokane County auditor.

**Table 17-4**

Use	Required Parking Stall
Auto or Taxi Rental	1 per 750 gross square feet
Auto service and repair	1 per 500 gross square feet
Auto, machinery, trailer, RV sales	1 per 3,000 gross square feet
Bed & Breakfast	1 plus 1 per guest room
Church	1 per 150 gross square feet
Community Center	1 per 350 gross square feet
Daycare Facility	1 per 500 gross square feet
Fraternal Organization	1 per 350 gross square feet
Funeral Homes	1 per 500 gross square feet
Gambling Establishment	1 per 250 gross square feet
Group living quarters	1 per 4 residents
Hotel/Motel	3 plus 1 per guest room
Indoor amusement facility	1 per 350 gross square feet
Industrial/Manufacturing—Light	1 per 750 gross square feet
Museums, Libraries & Public buildings	1 per 750 gross square feet
Outdoor amusement facility	1 per 700 gross square feet
Personal or Professional Services	1 per 350 gross square feet
Police or Fire Station, public utility facility	1 per employee and 1 for each public official
<u>Residential uses (including within mixed use projects)</u>	<u>Refer to MMC 17.18.010 for off-street parking stall requirements by specific residential use &amp; parking requirements for new housing in existing buildings is included in MMC 17.22.010.</u>
Restaurant/Café/Bar, Lounge or Tavern	1 per 250 gross square feet
Retail Sales, indoor	1 per 350 gross square feet
Retail Sales, outdoor	1 per 3,000 gross square feet
Schools, 9 thru 12	7 per classroom
Schools, pre-school or K thru 8	1 per classroom
Schools, vocational, trade or business	1 per 350 gross square feet
Storage	1 per 2,000 gross square feet
Theaters & Auditoriums	1 per 4 fixed seats
Wholesale/Warehouse	1 per 3,500 gross square feet

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F. The provision of bicycle parking is required for uses with five (5) or more vehicle parking spaces. Bicycle parking may be provided via shared bike racks or within private garages at a ratio of one (1) bicycle stall per every five (5) vehicle stalls or 1 bicycle stall per dwelling or sleeping unit, whichever is greater.

(Ord. No. 527, § 1, 6-14-2022)

### **17.22.050 Landscaping.**

All parcels zoned C-1 require landscaping

- A. Landscaping shall be required when the site is developed.
- B. Landscaping shall be maintained in living condition at all times and shall require the installation of an automatic water system.
- C. Landscaping shall be replaced as necessary to maintain the integrity of the screen
- D. Those parcels abutting residential zones require that the perimeter of the parcel shall be developed with a Type 1 landscape screen as described below:

Type 1 landscape screen consists of a six foot sight obscuring fence (vinyl, wood, chain link with privacy slats) and a mix of predominately evergreen plantings, including living trees, shrubs and ground covers. Evergreen trees shall be a minimum height of four feet at the time of planting and be at least six feet in height at maturity. Plant materials shall be chosen and spaced so as to grow together within three years in a manner that is sufficient to totally obscure sight through the barrier. The entire planting strip shall be landscaped. Existing vegetation may be incorporated into the landscape design, provided it contributes to achieving the intent of the section.

- E. Landscape buffers are required whether or not property lines abut streets.
- F. Parking landscape islands are required at a rate of one per every ten parking spaces and shall be a minimum of one hundred forty-four (144) square foot each. Island shall be landscaped and contain at least one tree which shall be planted a minimum of six feet from the island curb edge.
- G. Street trees are required along the property line abutting Trent Avenue. Streets trees can be incorporated into landscape buffers. Street trees shall be chosen from the current list of acceptable trees kept and maintained by the Millwood Beautification and Tree Board.

(Ord. No. 527, § 1, 6-14-2022)

## **Chapter 17.24 C-2 LOW-INTENSITY COMMERCIAL / MIXED USE ZONE ~~CENTRAL BUSINESS DISTRICT~~**

### **17.24.005 [Purpose and intent.]**

The purpose of the C-2 low-intensity commercial/mixed use zone is to provide housing opportunities and retail and professional services to a limited trade area. The zone should be developed on pedestrian scale to accommodate neighborhood and local community shopping needs, to provide variety in housing and to create recreation opportunities without negatively impacting adjoining neighborhoods. C-2 zones shall be grouped along arterials and within one-fourth mile of a public transit route and should be designed to accommodate pedestrians. The zone should create an urban neighborhood and, in addition, serve several neighborhoods within walking

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distance or within a few miles allowing for short driving distances from home to the zone. The zone should serve as a buffer between residential zones and arterial roads thereby providing an appropriate land use transition.

In 1928, Millwood became the first incorporated Town in the Spokane Valley. The mill, the historic homes west of the mill and the downtown area that was to become the C-2 zone, were already in existence. The city has developed a unique character and ambience based on the community's residential and commercial structures, combined with the natural setting along the Spokane River. Millwood has an overall character and environment which is cherished by its residents and instantly recognized by visitors.

These guidelines contain a clear statement of community expectations to assist property and business owners. These guidelines are intended to establish a balance that preserves and enhances the city's livability and sense of place while supporting the economic vitality that provides the resources for community services and makes Millwood a complete community.

For uses permitted in the C-2 zone, see Table 17-1.

(Ord. No. 527, § 1, 6-14-2022)

### **17.24.010 Development and design standards.**

The following development standards apply when:

- A. Original floor area is increased by more than thirty (30) percent; or
- B. More than fifty (50) percent of the building interior is changed to support a new purpose; or
- C. More than fifty (50) percent of any façade visible from the street is changed.

Main Entrance. Structures may use the front, the side or the rear for a main entrance. Garages shall not have entrances or exists onto side or front yards.

~~Rear Access. There shall be a twenty-foot setback from the rear property line maintained for rear access.~~

Access. Access to structures by way of a paved alley is permitted

Building Design. The design of the development and structures should be on a neighborhood/pedestrian scale and take into consideration the design details of the surrounding neighborhood. Exterior construction materials should be brick, brick facade, siding, tile or other appropriate materials. Metal siding and metal pole buildings shall not be placed in the C-2 zone. At least seventy-five (75) percent of the width and fifty (50) percent of the overall ground level wall area facing a public street or walkway of any new or altered building shall be devoted to interest-creating features such as pedestrian entrances, transparent display windows, or windows affording a view into retail or lobby spaces. Blank walls are not permitted on street frontage.

1. Building Facades:

- a. Facades longer than fifty (50) feet shall be broken down into smaller units through the use of interest generating architectural details. Simply changing materials or color is not sufficient to accomplish this.
- b. Architectural detail shall be provided along facades visible from the street, as well as from neighboring residential areas.



2. **Prominent Entrance Implementation.**
  - a. Principal entryways to the store/building shall be marked by at least one interest generating architectural element.
  - b. Main entrances shall be architecturally different from secondary entrances.
  - c. Weather protection. Some form of weather protection shall be provided over the entry.



3. **Roof Expression Implementation.** Buildings with flat roofs shall have portions with pitched roofs or projecting cornices to create a prominent edge when viewed against the sky, especially to highlight major entrances.



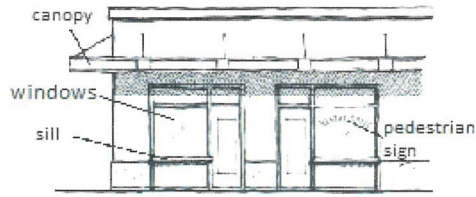
4. **Ground floor windows:** These provisions apply to nonresidential building facades between two feet and eight feet above the level of the adjacent sidewalk, walkway or ground level.
  - a. A minimum of thirty (30) percent of any ground floor nonresidential building facade fronting on a street shall be comprised of windows allowing views into the interior. Display windows may be used to meet half of this requirement.
  - b. For portions of facades that do not have windows, see guidelines for treating blank walls.



5. Treating Blank Walls. Where windows are not provided on walls facing streets or visible from right-of-way, one or more of the following elements shall be incorporated:
  - a. Masonry (but not flat concrete block)
  - b. Concrete or masonry plinth at wall base
  - c. Belt courses of a different texture and color
  - d. Projecting cornice
  - e. Decorative tile work
  - f. Medallions
  - g. Artwork such as sculptures, murals, inlays, mosaics or elements integrated with the project
  - h. Lighting fixtures
  - i. Recesses
  - j. An architectural element not listed above, as approved by the director, that meets the intent of this section.



6. Ground Level Details Implementation.
  - a. Ground level of building shall be pedestrian-friendly in scale, expression and use of materials,
  - b. The ground floor shall contain details such as large windows, projecting sills, pedestrian scale signs, awnings and/or canopies.



Elements to be incorporated at ground level

- E. Signage. Pole signs and freestanding reader boards shall not be placed in the C-2 zone. Building-mounted or monument style signs shall only be allowed to a maximum of thirty-two (32) square feet. All other requirements of Chapter 17.40 of this title shall apply.
- F. Procedure for Exception. Design standards that may be unsuitable for a given project may be waived by the planning commission if an applicant can demonstrate that there is a good reason why the standard is inappropriate. The planning commission may approve an alternative that achieves the intent of this chapter after finding that:
  - 1. For a specific project the underlying design principles will not be furthered by the application of the standard;
  - 2. Another design principle is enhanced by not applying the standard; or
  - 3. Explaining the unique site factors that make the standard unworkable, such as lot size and shape, slope, natural vegetation, drainage, or characteristics of adjacent development.

Increases in the cost of development will not be an acceptable reason to waive a standard or determine that a standard is inappropriate.

Appeal of an administrative decision shall follow the process in MMC 14.12.140. Appeals of staff decisions may be made to the planning commission.

G. Per RCW 36.70A.815, façade modulation and upper-level setbacks shall not be required on the following residential projects, unless the project is located within the Millwood Historic District:

- 1. Affordable housing;
- 2. New construction meeting passive house requirements;
- 3. The retrofit of existing buildings meeting passive house requirements;
- 4. The conversion of existing buildings to housing or mixed-use development that includes housing;
- 5. Modular construction; or
- 6. Mass timber construction.

H. Millwood Historic District.

In addition to the design standards above, parcels within the Millwood Historic District **shall** consider the Historic Millwood Resource Guide, v1-0 dated September 5, 2025 or as amended and adopted by the Millwood Historic Preservation Commission and Millwood City Council, for improvements, repairs, and modifications of Millwood's historic homes and structures.

(Ord. No. 527, § 1, 6-14-2022)

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### 17.24.020 Landscaping.

Where setbacks exist, landscaping shall be required along arterials and shall include appropriate street trees as determined by the city. Street trees shall be chosen from the current list of acceptable trees kept and maintained by the Millwood Beautification and Tree Board. Landscaping shall be required along streets other than arterials within the prescribed setback and shall consist of shrubs and approved street trees. Street trees shall be planted within fifteen (15) feet of the property line. All landscaping shall be maintained in a living condition and shall be replaced as necessary.

(Ord. No. 527, § 1, 6-14-2022)

### 17.24.030 Off-street parking.

- A. No parking shall be allowed between the sidewalk and any building façade.
- B. All onsite parking must be improved, including paving and stormwater control.
- C. Parking whether onsite or offsite, shall be required at one space per each one thousand (1,000) square feet of retail, office, and commercial space plus one space per residential unit, unless an exception applies for specific residential uses such as co-housing and affordable housing (refer to MMC 17.18.010). Parking requirements for new housing in existing buildings is included in MMC 17.24.060.
- D. Accessibility requirements shall be met. The accessible parking space(s) required by the building code shall be included in the total number of required parking spaces.
- E. In addition to parking areas, all stopping, and roadway or driving areas shall also be improved with pavement.
- F. Sharing parking lots shall be allowed in the C-2 zone. Businesses using shared spaces are liable for the care, maintenance, snow removal and stormwater discharge. A joint parking agreement must be executed in a form acceptable to the City, stating that the parcel or portion of a parcel is devoted in whole or in part for the required parking. The agreement shall be binding on both properties and shall be recorded with the Spokane County auditor.
- G. A parking analysis may be provided to reduce the total number of parking stalls required when proposed uses will be conducted at different times of the day, to provide flexibility in meeting minimum parking requirements.
- H. The provision of bicycle parking is required for uses with five (5) or more vehicle parking spaces. Bicycle parking may be provided via shared bike racks or within private garages at a ratio of one (1) bicycle stall per every five (5) vehicle stalls or 1 bicycle stall per dwelling or sleeping unit, whichever is greater.

(Ord. No. 527, § 1, 6-14-2022)

### 17.24.040 Fencing and screening.

A sight-obscuring screen must be provided and maintained where a C-2 zoned parcel directly abuts a residentially zoned property if the residential property is not located along an arterial street. The screen must be a minimum of ~~five~~ six feet tall and may either be a sight-obscuring fence ~~or~~ or solid landscaping.

(Ord. No. 527, § 1, 6-14-2022)

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## 17.24.050 Storage.

No premises in the C-2 zone shall be used as a storage area for any purpose other than storage of materials required in connection with permitted uses identified in Table 17-1. The storage of substances, including chemicals and fertilizers which may affect the aquifer must be reviewed and approved by the Spokane Valley Fire Department. Storage areas must conform to the minimum setback regulations of the zone. Storage areas shall be paved.

(Ord. No. 527, § 1, 6-14-2022)

## 17.24.060 New housing in existing buildings (RCW 35A.21.440)

- A. The City shall not impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building.
- B. There is no off-street parking requirement for the addition of dwelling units or living units added within an existing building.
- C. The City cannot deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the code city official with decision-making authority makes written findings that the nonconformity is causing a significant detriment to the surrounding area.
- D. A transportation concurrency study under RCW 36.70A.070 or an environmental study under chapter 43.21C RCW cannot be required based on the addition of residential units within an existing building.
- E. The portion of exterior wall assemblies that includes insulation must be allowed to project up to an additional eight inches into the setbacks on all sides;
  - 1. For existing nonconforming buildings already projecting into setbacks, the portion of exterior wall assemblies that include insulation must be allowed to project up to an additional eight inches into the setbacks on all sides if the building is to be used for residential housing.
  - 2. Nothing in this section prohibits a city or county from applying the requirements of the state building code or requires a city or county to allow a setback of less than 36 inches between residential dwelling units.
- F. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and
- G. Gross floor area must be measured from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans, as applicable.

## **Chapter 17.26 SUPPLEMENTARY USE REGULATIONS IN COMMERCIAL ZONES** **SUPPLEMENTAL DEVELOPMENT REGULATIONS**

### **17.26.010 ~~[Supplemental Supplementary development use regulations.]~~**

Where permitted pursuant to Table 17-1, the following conditions shall apply

- A. Establishments licensed to serve alcohol:

1. If the proposed establishment is located within five hundred (500) feet from any church, school, public park or playground, then the following conditions shall apply:
  - a. Public entrances to such establishment, outside seating areas where alcohol may be served, and any area of such establishment where alcohol may be consumed shall not be visible from any church, school, public park or playground; and
  - b. The service or consumption of alcohol at such establishment may not result in noise, vehicular traffic, litter, public consumption of alcohol, public inebriation, or other conditions that are incompatible with the peaceful uses of any such church, school, public park or playground.
  - c. Notice of the proposed establishment shall be given to the legal owner of any church, school, public park, or playground within five hundred (500) feet of the proposed establishment. Such legal owner shall provide comment regarding the proposed establishment to the director within ten days of receiving such notice. The director shall not approve or deny the proposed establishment until fourteen (14) days following date of such notice. The director may impose conditions on the proposed establishment or may deny the proposed establishment based on submitted comments.
  - d. If the establishment is licensed to allow beer, wine and spirits tasting, then tasting shall occur within an enclosed area in the licensed establishment and shall not be located closer than one hundred (100) feet from any church, school, public park, or playground.
  - e. Distance shall be calculated by extending a straight line from the nearest physical point of the structure housing the establishment licensed to serve alcohol to the property line of the protected use.
  - f. Appeal of an administrative decision shall follow the process in MMC 14.12.140

B. Residential / Commercial Mixed Use~~Residential uses:~~

- a. ~~Required minimum percentage of uses are identified within the definition in Appendix A; if they are combined in the same development and structure with any of the permitted uses;~~
- b. For buildings that front Argonne Rd., Euclid Ave., or Trent Ave., non-residential uses must front the public right-of-way; however, residential uses are permitted on upper floors and on the ground floor, provided that it represents less than fifty (50) percent of the ground floor area.
- c. Horizontal mixed use is not allowed within the Millwood Historic District, only vertical mixed use and live-work buildings are permitted.

~~Residential floor area is permitted on the ground floor, provided that it represents less than fifty (50) percent of the ground floor area, and non-residential uses front on the public right-of-way.~~

- C. Outdoor Business Activities. Outdoor business activities on the public right-of-way, may be permitted with a right-of-way permit.

~~D. Conversion of Residential Structures. An existing single family residential structure may be converted to a commercial or office use if;~~

- ~~a. The structure is brought into conformance with the building code for such use; and~~
- ~~b. The development standards required in Section 17.24.010 through 17.24.040 can be met with the exception of setbacks of existing buildings.~~

D. Animals (Animal Keeping - Small) and Agriculture (Urban).

1. Animal requirements are as follows:

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- a. Household pets as defined in the animal control ordinance are allowed provided, they are maintained in compliance with the animal control ordinance;
  - b. The keeping of up to four female fowl or four rabbits is allowed. Other livestock is prohibited.
  - c. The ~~keeping, maintaining or~~ slaughtering of any animals, livestock or poultry is prohibited.
  - d. The keeping, maintaining and raising of exotic animals as defined by the Spokane County animal control regulations, as may be amended with the addition of nonhuman primates, is not allowed.
2. An occupant or resident may utilize open space for agriculture as follows:
    - a. Garden cultivation, orchards, seed production, flower growing, etc. are allowed for personal use;
    - b. Sales will be permitted through an approved ~~business or~~ Home Business;
    - c. Community gardens are permitted;
    - d. Beekeeping or other urban agricultural uses (as defined in Appendix A) that may be considered a nuisance to surrounding properties will not be permitted on less than one-half acre. If a use is classified as a nuisance then it shall be discontinued.

E Churches / Places of Worship.

1. Churches (provided they are tax-exempt) may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code.
2. Requests by religious organizations to use property owned or controlled by the religious organization for housing, shelter, outdoor encampment or vehicle resident safe parking in accordance with RCW 35A.21.915, shall also be reviewed as part of a new or amended Conditional Use Permit.

(Ord. No. 527, § 1, 6-14-2022)

## **Chapter 17.28 REGULATIONS APPLICABLE TO ALL COMMERCIAL DISTRICTS**

### **17.28.010 Site improvements.**

- A. All parcels zoned commercial shall require site improvements. Site improvements include:
  1. Site must be developed in accordance with Spokane County standards for stormwater control and Spokane Regional Stormwater Manual, as may be amended; and
  2. Paving of all parking areas, whether required parking or not, stopping, storage and roadway (driving) areas.
- B. Site improvements shall be required when the site is developed.
- C. All stormwater control plans for treatment and control shall, when required, be submitted for review and developed in accordance with Spokane County standards and the Spokane Regional Stormwater Manual, as amended. The following shall apply to stormwater control:

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1. No private stormwater control device, swale or ponds shall be placed within fifty (50) feet of the ordinary high water mark of the Spokane River.
  2. All stormwater control devices, swales and ponds shall be located on the same parcel containing the use/development it is mitigating.
  3. All development requires a stormwater control plan, unless all of the following are true:
    - a. There will be no increase in trip generation (using the most recent edition of the Trip Generation Manual, Institute of Transportation Engineers' or specific local data collected by a registered professional engineer) when the use of the site or structure is changed from the current use. For structures currently vacant, the most recent use, as evidenced by a certificate of occupancy, would be considered as the current use;
    - b. There is no increase in structure size, impervious area or type of groundcover;
    - c. There is no change to the exterior HVAC system or roofing material which would produce contaminated stormwater runoff;
    - d. There is no storage of chemicals or fertilizers on the site or in the structure.
  4. Commercial structures, containing a commercial use, built and used for commercial purposes prior to the date stormwater control plans were required are exempted from the stormwater plan requirements for minor interior remodels provided the conditions in subsections (C)(3)(a) through (d) of this section are met.
  5. All stormwater runoff shall be maintained on site. Development exempted in this section shall require a stormwater control plan if runoff is determined to be leaving the site.
  6. Partial use of a parcel requires the entire unused portion of the parcel be paved and developed with stormwater improvements or be developed in a low growing or mowed groundcover which is automatically irrigated and kept in living condition and made physically unavailable for parking and storage.
  7. Refer to 17.38.030 for green infrastructure and low-impact development (LID) options that may be utilized in the Central Business District (CBD).

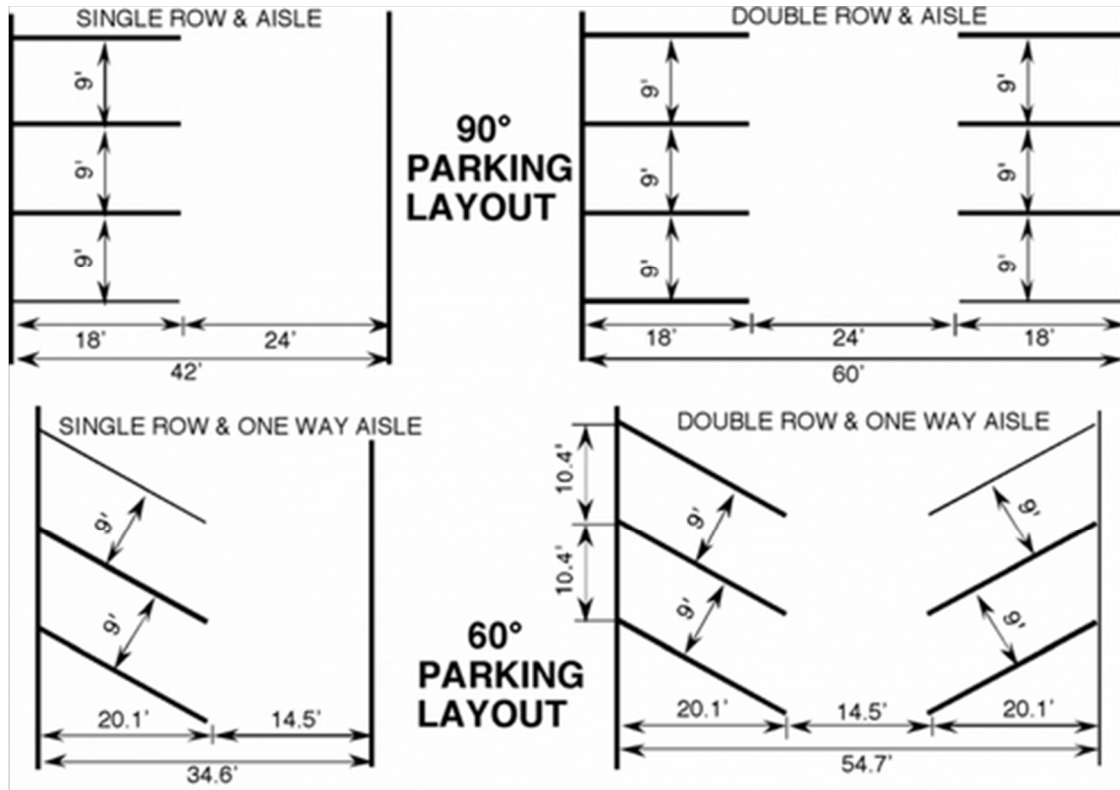
D. All paving, when required, shall be submitted for review. The following requirements apply to paving:

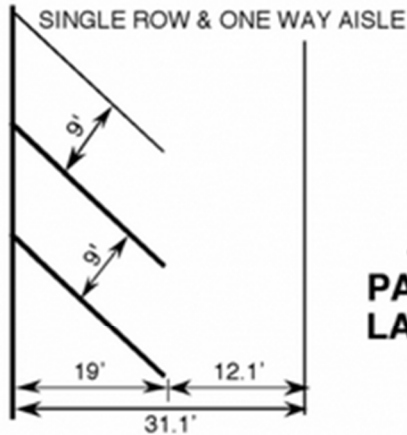
1. No pavement shall be placed within fifty (50) feet of the ordinary high water mark of the Spokane River.
2. All pavement shall be located on the same parcel containing the use/development it is mitigating.
3. All development requires paved travel areas, storage areas and parking.

E. Off-street parking design shall be in accordance with the following requirements, with the exception of ADA parking which shall meet building code requirements.

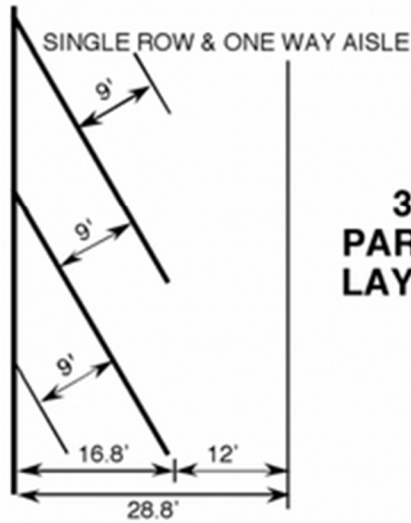
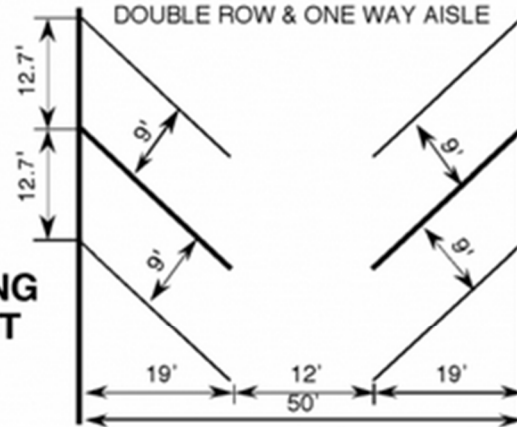
1. Parking shall be so designed that vehicles will not back out into public rights-of-way, with exceptions permitted in the C-2 zone.
2. Paint or markers shall be used to delineate parking stalls and directional arrows on paved or hard-surfaced areas.
3. The standard commercial / industrial parking stall dimension shall be at least nine (9) foot wide x eighteen (18) feet long (9'x18') per vehicle. Residential / commercial mixed use may be reduced to be at least eight (8) foot wide x eighteen (18) feet long (8'x18') per vehicle.

4. Parking stalls and aisles shall be designed as illustrated below. Parking spaces at any angle other than those shown are permitted, provided the width of stalls and aisles are proportionately adjusted based upon the angle proposed.
5. Aisle width may be reduced or eliminated when single row parking access is from an alley and the alley functions as an aisle.

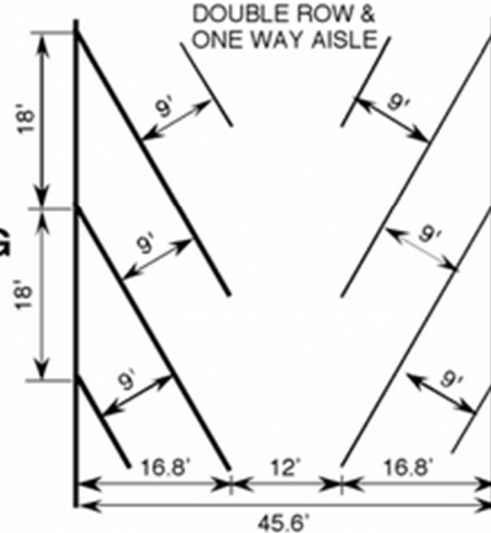




**45°  
PARKING  
LAYOUT**



**30°  
PARKING  
LAYOUT**



- F. Off-street parking shall comply with WA state law requirements regarding electric vehicle infrastructure including, but not limited to RCW 19.27, RCW 19.28, and WAC 51-50-0429 (State Building Code), and RCW 46.08.185 (Electric vehicle charging stations—Signage), as now adopted or hereafter amended. Refer to MMC Chapter 17.50 for Electric Vehicle Infrastructure.
- G. Every building or part thereof occupied for retail business, service, wholesale, manufacturing, storage, warehousing, hotel/motel, industrial, or any other similar use that receives or distributes materials or merchandise via large commercial trucks, shall provide a loading space on site in accordance with the following requirements:
1. Loading spaces must be designed so that vehicles do not need to back out into a public street.
  2. Loading spaces shall be located a minimum of 25 feet from any front property line and 50 feet from any residential zone or 25 feet from any residential zone when a six-foot sight-obscuring fence and landscaping are installed.
  3. The minimum dimensions of off-street loading spaces shall be 12 feet wide by 30 feet long.
  4. Required off-street parking spaces shall not be allowed within the loading space and truck maneuvering area.
  5. The Planning Director or designee may allow exceptions to the standards above when the applicant makes a written request demonstrating conditions that prohibit compliance with the

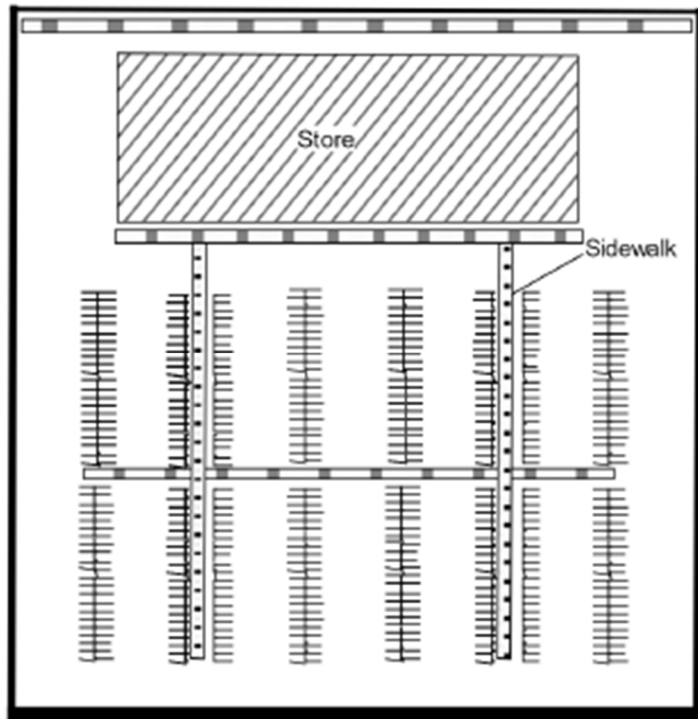
requirement(s). Exceptions include but are not limited to use of a marked commercial loading zone for multiple businesses or utilization of an alley as a temporary loading space within the Millwood Historic District.

H. Refer to Millwood Public Works requirements for approach separation and limited access from collector and arterial streets, as applicable.

I. Pedestrian access

Parking lot circulation shall be designed to minimize conflicts between vehicles and pedestrians around and within parking lots and at vehicle ingress/egress points.

1. Internal pedestrian walkways shall be installed through any parking lot of 50 or more spaces and shall be located and constructed as an integrated part of existing sidewalks and/or pedestrian trails.
2. For development with less than 50 spaces, painted crosswalks and striped areas may be utilized for safe pedestrian circulation in lieu of requirements in 2a-2c below.
3. Walkways shall be accessible and a minimum of five (5) feet wide. Internal walkways shall be separated from traffic lanes as well as vehicle overhangs, and shall be located as follows:
  - a. Walkways running parallel to the parking rows shall be provided for every 4 rows. A row is considered either a single or double line of parking stalls which are separated from other rows by internal driveways / drive aisles.
  - b. Walkways running perpendicular to the parking rows shall be no further than 20 parking spaces apart.
  - c. Walkways that cross vehicle lanes shall be marked with striping or constructed with a contrasting paving material to indicate a pedestrian crossing area.



Example of a walkway system within a parking lot

(Ord. No. 527, § 1, 6-14-2022)

**17.28.020 Outdoor lighting.**

Lighting for those parcels zoned commercial or public reserve is required as follows:

- A. Lighting shall be required when the site is developed.
- B. Lighting shall be replaced as necessary to maintain safety.
- C. Parking areas and structure entries shall be illuminated, at a minimum, from dusk to one hour past the hour of closing with a lighting system so as to provide for well-lit areas.
- D. All exterior lighting shall be constructed, shielded, and used so as not to directly illuminate or create a glare visible from adjacent properties or public right-of-way.
- E. Lighting resembling or conflicting with traffic signals or emergency vehicles or otherwise creating safety hazards for pedestrians or vehicular traffic is prohibited.

(Ord. No. 527, § 1, 6-14-2022)

**17.28.030 Conversion of Residential Structures.**

An existing single-family residential structure may be converted to a commercial or office use if;

- A. The structure is brought into conformance with the building code for such use; and
- B. For the C-2 Zone, the development standards required in Section 17.24.010 can be met with the exception of setbacks of existing buildings. All other development standards in C-1 / C-2 for landscaping, parking, lighting, etc. must be met.

**Chapter 17.30 INDUSTRIAL (I-1 AND I-2) ZONES**

**17.30.005 [Purpose and intent.]**

There is established the I-1 and I-2 industrial zones, standards and regulations by which certain land uses may be permitted therein.

(Ord. No. 527, § 1, 6-14-2022)

**17.30.010 ~~Industrial~~ I-1 and I-2 development standards.**

~~Industrial~~ development in the I-1 and I-2 zones shall meet the standards shown in Table 17-5.

**Table 17-5**

		I-1	I-2
Building Setbacks	Front	25 ft. and 15 ft. for all parking areas, signage, and storage areas.	<del>No minimum setbacks required</del> <u>25 ft. and 15 ft. for all parking areas, signage, and storage area (Empire Ave. is front)</u>
	Rear	25 ft.	<u>25 ft.</u>

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(Supp. No. 21, Update 3)

	Side	5 ft. <del>(1)</del>	5 ft.
	<u>Abutting Residential Zone (up to 2 Story Height)</u>	<u>15 ft. min. (1)</u>	<u>15 ft. min. (1)</u>
	<u>Abutting Residential Zone (3 Story Height)</u>	<u>20 ft. min. (1)</u>	<u>20 ft. min. (1)</u>
	<u>Abutting Residential Zone (4 Story Height)</u>	<u>25 ft. min. (1)</u>	<u>25 ft. min. (1)</u>
	Flanking Street	15 ft.	<u>25 ft. + 10 ft. for each story above 2 stories to reduce noise and visual impacts to adjacent Millwood Historic District (Argonne Rd. is flanking)</u>
Maximum Building Coverage & Open Space		75%  25% of the site shall be left as open space free from structures and other impervious surfaces.	<del>N/A</del> 75%  <u>25% of the site shall be left as open space free from structures and other impervious surfaces with the majority located at Argonne &amp; Empire</u>
Building Height <del>(2)</del> (3)		<del>45-48</del> ft., shall not exceed four stories in height <del>(1)</del>	<del>45-48</del> ft., shall not exceed four stories in height <del>(1)</del>
<p><u>(1) N/A when a street or alley separates the parcels.</u></p> <p><u>(2) Building height shall be measured from average grade level to the highest point of the structure.</u></p> <p><u>(3) A building can exceed maximum roof height limit by 48 inches to accommodate roof-mounted solar panel(s).</u></p> <p><del>(1) When a lot in the I-1 and I-2 zone is located within one hundred (100) feet to a residential zone, with no intervening street or alley, the permissible number of stories and the maximum height of buildings shall not exceed that allowed in the adjacent residential zone.</del></p> <p><del>(2) Building height 85' with CUP</del></p>			

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.32 I-1 LIGHT INDUSTRIAL ZONE ~~LIGHT INDUSTRIAL~~

### 17.32.005 [Purpose and intent.]

The I-1 Light Industrial ~~district-zone~~ is intended for small to medium intensity industrial uses that produce little to no noise or environmental emissions.

For uses permitted in the I-1 zone, see Table 17-1.

(Ord. No. 527, § 1, 6-14-2022)

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### **17.32.010 Storage.**

- A. No premises in the I-1 zone shall be used as a storage area for any purpose other than storage of materials required in connection with permitted uses identified in Table 17-1.
- B. The storage of substances, including chemicals and fertilizers which may affect the aquifer must be reviewed and approved by the Spokane Valley Fire Department.
- C. All storage must be indoors or within a six-foot sight-obscuring fence.
- D. Storage areas must conform to the minimum setback regulations of the zone.
- E. Storage areas shall be paved.

(Ord. No. 527, § 1, 6-14-2022)

### **17.32.020 Site improvements.**

Site Improvements shall comply with the regulations of Chapter 17.28.010.

(Ord. No. 527, § 1, 6-14-2022)

### **17.32.030 Landscaping.**

All parcels zoned I-1 require landscaping.

- A. Landscaping shall be required when the site is developed.
- B. Landscaping shall be maintained in living condition at all times and shall require the installation of an automatic watering system.
- C. Landscaping shall be replaced as necessary to maintain the integrity of the screen.
- D. Those parcels abutting residential zones require that the perimeter of the parcel, outside of any required fencing, shall be developed with the highest degree of screening required by Spokane County standards in effect at the time the complete development application is received with a minimum width of twenty (20) feet.
- E. Landscape buffers are required whether or not property lines abut streets.
- F. Parking landscape islands are required at a rate of one per every ten parking spaces and shall be a minimum of one hundred forty four (144) square feet each. Island shall be landscaped and contain at least one tree which shall be planted a minimum of six feet from island curb edge.
- G. Street trees are required along the property line abutting Trent Avenue. Street trees can be incorporated into landscape buffers. Street trees shall be chosen from the current list of acceptable trees kept and maintained by the Millwood Beautification and Tree Board.

(Ord. No. 527, § 1, 6-14-2022)

### **17.32.040 Off-street parking.**

In the I-1 zone, off-street parking regulations pursuant to 17.22.040.

(Ord. No. 527, § 1, 6-14-2022)

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### 17.32.050 Fencing and screening.

In the I-1 zone, Fencing and Screening regulations pursuant to 17.22.030.  
(Ord. No. 527, § 1, 6-14-2022)

### 17.32.060 Outdoor lighting.

In the I-1 zone, outdoor lighting regulations pursuant to 17.28.020.  
(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.34 I-2 MANUFACTURING / INDUSTRIAL ZONE - PAPER MILL ALTERNATIVE ZONE

### 17.34.010 I-2 [Paper mill alternative zone.]

In the I-2 paper mill alternative zone, no building or premises shall be used, nor shall any building or structure be hereafter erected or altered unless, otherwise provided in this title, except for one or more of the following uses.

- A. All uses in place at the time of adoption of this Code and continuously maintained shall be permitted to remain. Expansion of such use shall be in compliance with the development regulations of the I-1 zone.
- ~~B.~~ ~~Uses permitted in the UR-1, UR-2 and UR-3 residential zones, and Class I and Class II group-care homes as permitted by conditional use permit. Prior to application for redevelopment of a parcel from paper mill to residential use an application for subdivision and zone change for the required zone shall be made and if approved by the city the application for redevelopment shall proceed. The development regulations for the approved zone contained the corresponding chapter of this Code shall be applicable to such uses in the I-2 zone.~~
- ~~C.~~ Uses Permitted in the C-2 Low-Intensity Commercial/Mixed Use Zone. Prior to application for redevelopment of a parcel from paper mill to C-2 use, an application for subdivision and zone change for the required zone shall be made and if approved by the city, the application for redevelopment shall proceed. The development regulations for the approved zone contained in the corresponding chapter of this Code shall be applicable to such uses in the I-2 zone.
- ~~D.~~ Uses Permitted in the I-1 Light Industrial Zone. Prior to application for redevelopment of a parcel from paper mill to I-1 use, an application for subdivision and zone change for the required zone shall be made and if approved by the city, the application for redevelopment shall proceed. The development regulations for the approved zone contained in the corresponding chapter of this Code shall be applicable to such uses in the I-2 zone.
- ~~E.~~ Secure community transition facilities (SCTF) for three residents may be permitted in the I-2 zone by conditional use permit provided all of the UR-2 zone and general uses development standards are met. In no case shall a SCTF be sited adjacent to, immediately across the street or parking lot from, or within the line of sight of, risk potential land uses in existence at the time a site is listed for consideration. Distance shall be measured from the nearest property line of the risk potential land use to the nearest property line of the SCTF. Refer to MMC Chapter 17.48 and Section 17.48.070 for specific siting requirements. "Within line of sight" means that it is possible to reasonably visually distinguish and recognize individuals. After an open-record public hearing by the planning commission, the city council

~~may impose conditions upon the siting of SCTFs. For the purposes of granting a conditional use permit for siting a SCTF, the city council shall consider an unobstructed visual distance of six hundred (600) feet to be "within line of sight." Reasonable conditions of approval may be required, however, conditions imposed must not be more restrictive than state law allows. Through the conditional use permit process, "line of sight" may be considered to be less than six hundred (600) feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the sight to less than six hundred (600) feet.~~

~~FE.~~ Residential uses shall not be permitted on the same parcel as commercial uses, unless ~~provided for above, they are part of a Residential / Commercial Mixed Use development which complies with 17.26.010(B).~~

~~GF.~~ Residential uses shall not be permitted on the same parcel as industrial uses.

G. The Public Reserve (P-1) zoning designation could also be utilized in this area to establish a public park and fish and wildlife habitat area buffer along the river. Restoring this area to its original, natural condition over time would increase pollution and nutrient filtration, decrease erosion potential into the Spokane River, allow for habitat and bike transit connectivity while enhancing the aesthetic of Millwood, and fulfilling several of the city's policies and action items.

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.36 ~~PR~~-1 PUBLIC RESERVE ZONE

### 17.36.005 [Purpose.]

In the ~~PR~~-1 public reserve zone, no building or premises shall be used, and no building shall be hereafter erected or structurally altered, unless otherwise provided in this title.

For uses permitted in the ~~PR~~-1 zone, see Table 17-1.

(Ord. No. 527, § 1, 6-14-2022)

### 17.36.010 Public reserve development standards.

Development in the ~~PR~~-1 shall meet the standards shown in Table 17-6

Table 17-6

Building Setbacks	Front	25 ft.
	Rear	15 ft.
	Side	5 ft (1)
	Flanking Street	15 ft
Parking, Signage, Storage setback	Front	15 ft.
Maximum Building Coverage		35%
Building Height <del>(3) (4)</del>		<del>45-48</del> ft or 4 stories (2)

(1) Where a lot is adjacent to a residential zone with no intervening street or alley, a side yard of not less than fifteen (15) feet shall be required on the side adjacent to such residential zone.

(2) When a lot in the ~~PR~~-1 zone is located adjacent to residential zone, with no intervening street or alley, the permissible number of stories and the maximum height of buildings shall not exceed that allowed in the adjacent residential zone.

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(3) Building height shall be measured from average grade level to the highest point of the structure.

(4) A building can exceed maximum roof height limit by 48 inches to accommodate roof-mounted solar energy panel(s).

(Ord. No. 527, § 1, 6-14-2022)

### **17.36.020 Storage.**

Storage regulations in the ~~PR~~-1 zone pursuant to Chapter 17.32.010.

(Ord. No. 527, § 1, 6-14-2022)

### **17.36.030 Off-street parking.**

In the ~~PR~~-1 zone, off-street parking spaces for vehicles is required to be developed as follows:

- A. Governmental buildings and uses—one off-street parking space for each employee and for each public official;
- B. Hospitals—one off-street parking space for each four beds and one off-street parking space for each staff member or employee on the shift with the greatest number of employees;
- C. Institutions for education, philanthropic or eleemosynary uses, and schools, excluding elementary schools serving students below grade nine—one off-street parking space for each four seats in all places, halls, classrooms and rooms of assembly generally occupied at the same time and one off-street parking space for each staff member or employee;
- D. Elementary schools serving students below grade nine—one off-street parking space for each eight seats in all places, halls, classrooms and rooms of assembly generally occupied at the same time and one off-street parking space for each staff member or employee;
- E. Libraries, art galleries and museums—one off-street space per two hundred fifty (250) gross square feet and one off-street parking space for each staff member or employee and for each public official;
- F. Parks, playgrounds, tennis courts and like recreational uses—no specific requirements.
- G. All employees shall park on the parcel with the commercial or public use.
- H. All parking shall be improved with asphalt or concrete.
- I. If the public development meets all required parking standards on the parcel and would like additional parking off-site, a directly adjacent parcel may be developed as additional parking, provided both parcels meet all development requirements, including coverage, paving, stormwater, fencing, lighting and landscaping.

J. Refer to MMC 17.28.010(E) for parking design requirements.

(Ord. No. 527, § 1, 6-14-2022)

### **17.36.040 Landscaping.**

All parcels zoned ~~PR~~-1 require landscaping.

- A. Landscaping shall be required when the site is developed.

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(Supp. No. 21, Update 3)

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- B. Landscaping shall be maintained in living condition at all times and shall require the installation of an automatic watering system.
  - C. Landscaping shall be replaced as necessary to maintain the integrity of the screen.
  - D. Those parcels abutting residential zones require that the perimeter of the parcel, outside of any required fencing, shall be developed with the highest degree of screening required by Spokane County standards in effect at the time the complete development application is received with a minimum width of twenty (20) feet.
  - E. Landscape buffers are required whether or not property lines abut streets.
  - F. Parking landscape islands are required at a rate of one per every ten parking spaces and shall be a minimum of one hundred forty-four (144) square feet each. Island shall be landscaped and contain at least one tree which shall be planted a minimum of six feet from the island curb edge.
  - G. Street trees are required along the property line abutting Trent Avenue. Street trees can be incorporated into landscape buffers. Street trees shall be chosen from the current list of acceptable trees kept and maintained by the Millwood Beautification and Tree Board.

(Ord. No. 527, § 1, 6-14-2022)

#### **17.36.050 Fencing and screening.**

In the ~~PR~~-1 zone, Fencing and Screening regulations pursuant to 17.22.030.

(Ord. No. 527, § 1, 6-14-2022)

#### **17.36.060 Outdoor lighting.**

In the ~~PR~~-1 zone, outdoor lighting regulations pursuant to 17.28.020.

#### **17.36.070 Site improvements.**

In the P-1 zone, site improvement regulations pursuant to 17.28.010.

(Ord. No. 527, § 1, 6-14-2022)