

## Chapter 17.08 URBAN RESIDENTIAL (UR-1, UR-2, AND UR-3)

### 17.08.005 [Purpose.]

There is established the UR-1, UR-2 and UR-3 residential zones, standards and regulations by which certain land uses may be permitted therein.

(Ord. No. 527, § 1, 6-14-2022)

### 17.08.010 ~~Residential~~ UR-1, UR-2, and UR-3 development standards.

~~Residential~~ Development in the UR-1, UR-2, and UR-3 zones shall meet the standards shown in Table 17-2.

Table 17-2

		UR-1	UR-2	UR-3
<b>Minimum Lot Area (1)</b>		<del>10,000</del> <u>N/A</u>	<del>5,000</del> <u>N/A</u>	<del>5,000</del> <u>N/A</u>
<b>Maximum Lot Area</b>		1 acre	1 acre	1 acre
<b>Duplex Minimum Lot Size</b>		<del>10,000</del>	<del>7,200</del>	<del>7,200</del>
<b>Multi-Family Lot Size (per dwelling unit)</b>				<del>2,500</del>
<b>Front Lot Line Width</b>		<del>50 ft.</del>	<del>40 ft.</del>	<del>30 ft.</del>
<b>Lot Frontage (Width)</b>	<b>Single-Family</b>	<del>80 ft.</del>	<del>50 ft.</del>	<del>50 ft.</del>
	<b>Duplex</b>	<del>80 ft.</del>	<del>70 ft.</del>	<del>70 ft.</del>
	<b>Multi-Family</b>	<del>---</del>	<del>---</del>	<del>85 ft.</del>
<b>Minimum Lot Depth</b>		Minimum Lot Depth same as Minimum Lot Width		
<b>Building Setbacks</b>	<b>Front</b>	25 ft.	25 ft.	25 ft.
	<b>Rear</b>	25 ft.	25 ft.	25 ft.
	<b>Side</b>			
	<b>1 Story / Height up to 20 ft.</b>	5 ft.	5 ft.	5 ft.
	<b>1.5 Story / Height up to 28 ft.</b>	10 ft.	10 ft.	10 ft.
	<b>2 Story / Height up to 35 ft.</b>	15 ft.	15 ft.	15 ft.
<b>Accessory Building Setbacks (2)</b>	<b>Side</b>	5 ft.	5 ft.	5 ft.
	<b>Rear</b>	5 ft.	5 ft.	5 ft.
<b>Maximum Building Coverage (3)</b>		40%	40%	40%
<b>Maximum Total Lot Coverage (4)</b>		60%	60%	60%
<b>Building Height (5) (6) (7)</b>		<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>
<b>Building Height (2)-(4)</b>	<b>Single-Family &amp; Duplex</b>	<del>35 ft.</del>	<del>35 ft.</del>	<del>35 ft.</del>
	<b>Accessory Bldg. (3)-(5)</b>	<del>25 ft.</del>	<del>20 ft.</del>	<del>20 ft.</del>

(1) Lot area is N/A due to adopted Bulk Density Standards in Millwood Comprehensive Plan (a minimum of two middle housing units per lot are permitted) and utilization of lot width/depth, setbacks, and maximum building/lot coverage to define lot sizes. Per RCW 36.70A.535(7) the city may not treat a sleeping unit in co-living housing as more than one quarter of a dwelling unit for the purposes of calculating dwelling unit density, as long as all other development regulations are met.

(2) Accessory Buildings shall not be located closer than 25 feet to the front of the lot, consistent with front setbacks for principal units. Detached ADUs can be sited at a lot line if the lot line abuts a public alley, unless the

City of Millwood routinely plows snow on the public alley. Also refer to Accessory Building regulations within each zone with Detached ADUs being exempt from the prescribed size limitations applicable to Accessory Buildings. When multiple buildings are located on a parcel, each building must be separated by at least 5 feet.

(3) For infill development, when existing homes are preserved and middle housing is added elsewhere on the lot, the existing home is exempted from the maximum building coverage

(4) Includes all other impervious surfaces

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

(36) In compliance with RCW 36.70A.681, Accessory Buildings taller than 24 feet (at highest point of structure) shall comply with Building Setbacks based on height for side setback (10 ft. for 25 ft. to 28 ft. and 15 ft. for 29 ft. to 35 ft.). Rear setback shall match required side setback from property line for accessory buildings taller than 24 feet. Maximum wall height not to exceed 16 feet

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

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 17.18.050 for more information.

(4) No structure shall exceed 2 stories in height

(5) Accessory buildings taller than sixteen (16) feet shall be set back an additional one foot for each one foot of building height in excess of sixteen (16) feet to a maximum setback of ten feet from any property line.

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.10 UR-1 URBAN RESIDENTIAL ZONE LOW DENSITY RESIDENTIAL

### 17.10.005 [Purpose.]

The UR-1 Low Density Residential ~~district zone~~ is intended to provide for primarily single-family homes on large lots, ~~preserving the existing semi-rural nature of the area with space for urban agriculture, while allowing opportunities for infill development through small-scale housing forms that are compatible in scale and form with single-family houses.~~ Retention of open space is encouraged. Higher density residential uses ~~including (multi-family developments)~~ may be allowed with a Conditional Use permit.

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

(Ord. No. 527, § 1, 6-14-2022)

### 17.10.010 Animals (Animal Keeping - Large and Small) and Agriculture (Urban).

In the UR-1 zone animal requirements are as follows:

- A. An occupant or resident may keep or maintain for his/her own personal use animals and fowl on the premises of his/her dwelling (provided that any building housing animals or fowl, or yards, or runways shall be not less than fifteen (15) feet from any property line, and further provided that no fowl, animal or animals may be slaughtered on such premises) as follows:

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- ~~A1.~~ Household pets as defined in the animal control ordinance are permitted provided, they are maintained in compliance with the animal control ordinance;
  - ~~2B.~~ Up to twenty-five (25) female fowl for the personal use of occupants on the premises are permitted;
  - ~~3C.~~ Livestock units are defined as: one horse, mule, donkey, burro or bovine or two goats, llamas, alpacas, or sheep. No other animals including pigs or swine shall be allowed;
  - ~~4D.~~ One livestock unit shall be allowed per gross half-acre. No livestock shall be permitted on less than one-half acre;
  - ~~5E.~~ Private and commercial kennels are prohibited;
  - ~~6F.~~ 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.

B. An occupant or resident may utilize open space for agriculture as follows:

- 1. Garden cultivation, orchards, seed production, flower growing, etc. are allowed for personal use;
- 2. Sales will only be permitted through an approved Home Business;
- 3. Community gardens are permitted with up to two parking spaces and outdoor lighting that complies with 17.18.030 (Residential outdoor lighting);
- 4. 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.

(Ord. No. 527, § 1, 6-14-2022)

### **17.10.020 Design Standards.**

- A. ~~Entries in the UR-1 zone, structures Buildings~~ must have primary entrances facing the improved public street used as street frontage or the front lot line, as applicable.
- B. At least forty (40) percent of the overall main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as applicable, shall be devoted to interest creating features such as entrances, windows or decorative detail. Blank walls are not permitted for the main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as applicable. ~~Buildings separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard. Each individual condominium unit shall have a width of at least twenty five (25) feet of overall main or first floor wall area facing the improved public street used as street frontage.~~
- C. Buildings shall maintain the architectural design, style, and appearance of a single-family residence using matching or complementary materials, colors, window styles, and roof design, as applicable. Refer to Millwood Comprehensive Plan Table 5-1: Zoning Categories for scale and form examples within Millwood zones and Figure 5-3: Example Middle Housing Images for scale and form examples specific to middle housing.

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D. Pedestrian access. A hard surfaced or compacted gravel pedestrian connection at least three feet wide is required between each building and the sidewalk (or the street if there is no sidewalk). Driveways may be used to meet this requirement.

E. Cottage housing.

1. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size (individual unit lots). This may include common open space, private open space, setbacks, critical areas, and other open space. The parent lot must comply with MMC Chapter 17.08 and includes the individual unit lot open space in the percentage.

2. Common open space.

a. At least one outdoor common open space is required.

b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.

c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.

d. Parking areas and vehicular areas shall not qualify as common open space.

e. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.

3. Entries. All cottages shall feature a roofed porch at least 60 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.

4. Community building.

a. A cottage housing development shall contain no more than one community building.

b. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.

c. A community building shall have no minimum off-street parking requirement.

F. Courtyard apartments.

1. Yard or court.

a. At least one yard or court is required.

b. The yard or court shall be bordered by attached dwelling units on two or three sides.

c. The yard or court shall be a minimum dimension of 15 feet on any side.

d. Parking areas and vehicular areas do not qualify as a yard or court.

2. Entries. Ground-related courtyard apartments shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or yard or court.

(Ord. No. 527, § 1, 6-14-2022)

### **17.10.030 Multi-Family Development and Co-Living Housing Apartments and condominiums.**

A. Multi-Family Development and Co-Living Housing Apartments and condominiums may be allowed by conditional use permit issued by the city council after public hearing before the planning commission

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and in accordance with standards regulating the issuance of conditional use permits as specified in this Code provided, they are developed in accordance with the requirements of the UR-3 zone.

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

1. 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 in a building located within a zone that permits multifamily housing, 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.
2. There is no off-street parking requirement for the addition of dwelling units or living units added within an existing building.
3. 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.
4. 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.
5. Also see MMC 17.18.050 for specific setback and height exceptions.

(Ord. No. 527, § 1, 6-14-2022)

**17.10.040 Libraries, churches, art galleries, schools.**

- A. On property of not less than twelve thousand (12,000) square feet with not less than one hundred (100) feet of continuous frontage on an improved street, with a minimum lot width the same as that of the lot frontage, ~~Libraries, churches (provided they are tax-exempt), art galleries, and schools for grades preschool through 12th grade, other than trade or industrial schools, may be allowed by conditional use permit issued by the city council after public hearing before the city planning commission and~~ in accordance with standards regulating the issuance of conditional use permits as specified in this Code.
- B. On property of not less than twelve thousand (12,000) square feet with not less than one hundred (100) feet of continuous frontage on an improved street, with a minimum lot width the same as that of the lot frontage.
- C. 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)

**17.10.050 Neighborhood Commercial**

- A. Low-impact, small scale, neighborhood serving businesses that serve the daily needs of nearby residents and integrate into the residential neighborhood with street frontage and a pedestrian oriented design, may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code;

- B. Business size is limited to a footprint of up to 4,000 square feet;
- C. Hours of operation are limited to between the hours of eight a.m. and nine p.m.;
- D. There are no minimum parking requirements; however, if parking is provided, it must be located to the side or rear of the lot, and is not permitted between the building and the street in order to encourage a pedestrian orientation;
- E. Streetscapes shall have street trees and sidewalks;
- F. One unlighted sign up to six (6) square feet may be permitted with approval of a sign permit;
- G. Trash/recycling areas must be fully screened or located inside the building;
- H. All storage of materials or equipment to be used in conjunction with the business shall be enclosed within the building or within an accessory structure located to the side or rear of the lot;
- I. Residential may be permitted above the ground floor;
- J. Drive-thru facilities are not permitted; and
- K. Seasonal outdoor seating is encouraged.

**17.10.050-060 Accessory buildings. REVIEW FOR ISSUE WITH MULTIPLE ACCESSORY BUILDINGS DUE TO SIZE LIMITATIONS - 5' SEPARATION BETWEEN BUILDINGS HAS BEEN ADDED TO SETBACK**

- A. The maximum size of any accessory building in the UR-1 zone shall be:
  1. For lots with less than ten thousand (10,000) square feet in area, one thousand two hundred (1,200) square feet;
  2. For lots with ten thousand (10,000) square feet or more but less than ½ acre in area, one thousand five hundred (1,500 square feet);
  3. For lots ½ acre or more in area, one thousand eight hundred (1,800) square feet.
  4. Accessory buildings in the UR-1 larger than the maximum areas defined in this subsection may be allowed by conditional use permit ~~issued by the city council after public hearing before the city planning commission and~~ in accordance with standards regulating the issuance of conditional use permits as specified in this Code, provided that in no case shall any accessory building be larger than two thousand four hundred (2,400) square feet. ~~In granting such a permit, the city council shall make the findings set forth in 17.44.110.~~

- B. Maximum size restrictions do not apply to detached ADUs.

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.12 UR-2 URBAN RESIDENTIAL ZONE MEDIUM DENSITY RESIDENTIAL

### 17.12.005 [General.]

The UR-2 Medium Density Residential ~~district zone~~ is intended to provide for primarily single-family homes while allowing opportunities for infill development through other small-scale housing forms that are compatible in scale and form with single-family houses, ~~provides for typical suburban neighborhood development limited to~~

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~~primarily single family and duplex dwellings~~ in neighborhoods characterized by low traffic volumes, abundant trees and other landscaping features, ~~and with~~ easy access to parks and other recreational opportunities.

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

(Ord. No. 527, § 1, 6-14-2022)

### **17.12.010 Animals (Animal Keeping - Small) and Agriculture (Urban).**

A. In the UR-2 zone animal requirements are as follows:

- A1. Household pets as defined in the animal control ordinance are allowed provided, they are maintained in compliance with the animal control ordinance;
- 2B. The keeping of up to four female fowl or four rabbits is allowed. **Other livestock is prohibited**
- 3C. The **keeping, maintaining or** slaughtering of any animals, livestock or poultry is prohibited.
- 4D. 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.

B. An occupant or resident may utilize open space for agriculture as follows:

1. Garden cultivation, orchards, seed production, flower growing, etc. are allowed for personal use;
2. Sales will only be permitted through an approved Home Business;
3. Community gardens are permitted with up to two parking spaces and outdoor lighting that complies with 17.18.030 (Residential outdoor lighting);
4. **Beekkeeping 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.**

(Ord. No. 527, § 1, 6-14-2022)

### **17.12.020 Design.**

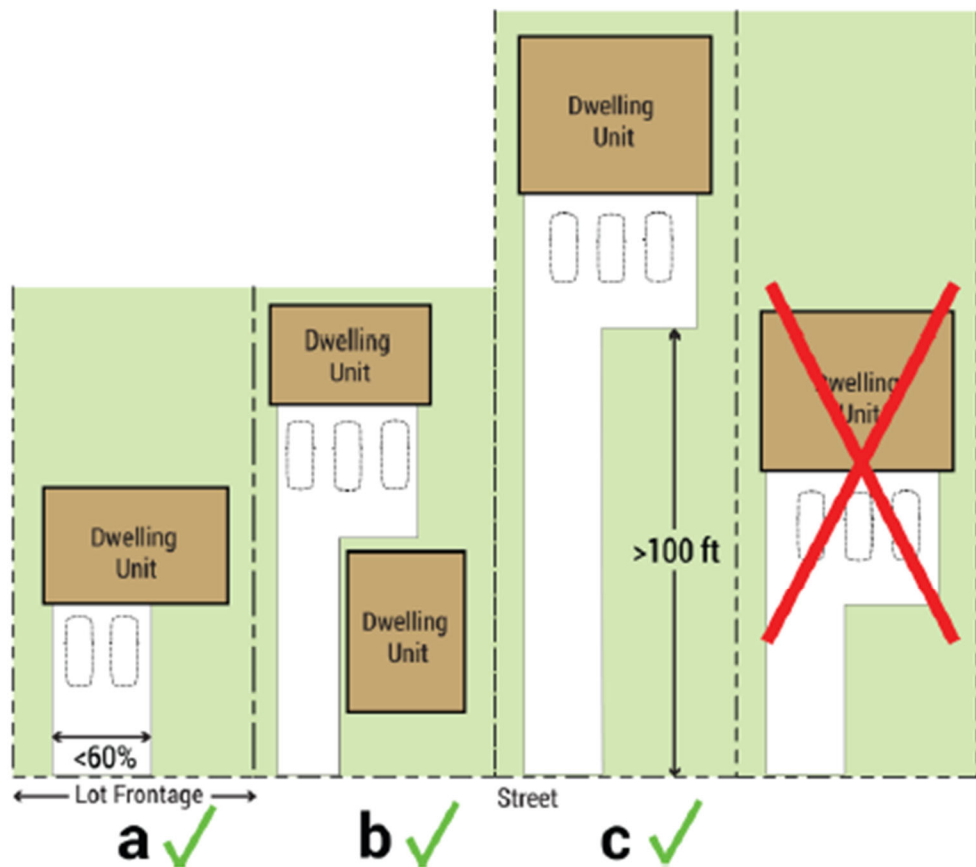
- A. Entries. In the UR-2 zone, structures Buildings must have primary entrances facing the improved public street used as street frontage or the front lot line, as applicable.
- B. At ~~least~~ forty (40) percent of the overall main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as applicable, shall be devoted to interest creating features such as entrances, windows or decorative detail. Blank walls are not permitted for the main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as applicable. Buildings separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.
- C. Buildings shall maintain the architectural design, style, and appearance of a single-family residence using matching or complementary materials, colors, window styles, and roof design, as applicable. Refer to Millwood Comprehensive Plan Table 5-1: Zoning Categories for scale and form examples within Millwood zones and Figure 5-3: Example Middle Housing Images for scale and form examples specific to middle housing.

D. Pedestrian access. A hard surfaced or compacted gravel pedestrian connection at least three feet wide is required between each building and the sidewalk (or the street if there is no sidewalk). Driveways may be used to meet this requirement.

E. Vehicle access, carports, garages, and driveways.

1. Garages, carports, driveways, and off-street parking areas shall not be located between a building and a public street, except when any of the following conditions are met:

- a. The combined width of all garages, driveways, and off-street parking areas does not exceed a total of 60 percent of the length of the street frontage property line. This standard applies to buildings and not individual units; or
- b. The garage, driveway, or off-street parking area is separated from the street property line by a dwelling; or
- c. The garage, driveway, or off-street parking is located more than 100 feet from a street.



2. All detached garages and carports shall not protrude beyond the front building façade.

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

4. For lots abutting an improved alley that meets the city's standard for width, vehicular access may be taken from the alley.

F. Cottage housing.

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1. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size (individual unit lots). This may include common open space, private open space, setbacks, critical areas, and other open space. The parent lot must comply with MMC Chapter 17.08 and includes the individual unit lot open space in the percentage.
  2. Common open space.
    - a. At least one outdoor common open space is required.
    - b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.
    - c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.
    - d. Parking areas and vehicular areas shall not qualify as common open space.
    - e. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.
  3. Entries. All cottages shall feature a roofed porch at least 60 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.
  4. Community building.
    - a. A cottage housing development shall contain no more than one community building.
    - b. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.
    - c. A community building shall have no minimum off-street parking requirement.

G. Courtyard apartments.

1. Yard or court.
  - a. At least one yard or court is required.
  - b. The yard or court shall be bordered by attached dwelling units on two or three sides.
  - c. The yard or court shall be a minimum dimension of 15 feet on any side.
  - d. Parking areas and vehicular areas do not qualify as a yard or court.
2. Entries. Ground-related courtyard apartments shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or yard or court.

H. Millwood Historic District.

In addition to the design standards above, parcels within the Millwood Historic District **should 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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### 17.12.030 Libraries, churches, art galleries, schools.

- A. Libraries, churches (provided they are tax-exempt), art galleries, and schools for grades preschool through 12th grade, other than trade or industrial schools, may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code.
- B. On property of not less than twelve thousand (12,000) square feet with not less than one hundred (100) feet of continuous frontage on an improved street, with a minimum lot width the same as that of the lot frontage.
- C. 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.

### 17.12.040 Neighborhood Commercial

- A. Low-impact, small scale, neighborhood serving businesses that serve the daily needs of nearby residents and integrate into the residential neighborhood with street frontage and a pedestrian oriented design, may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code;
- B. Business size is limited to a footprint of up to 4,000 square feet;
- C. Hours of operation are limited to between the hours of eight a.m. and nine p.m.;
- D. There are no minimum parking requirements; however, if parking is provided, it must be located to the side or rear of the lot, and is not permitted between the building and the street in order to encourage a pedestrian orientation;
- E. Streetscapes shall have street trees and sidewalks;
- F. One unlighted sign up to six (6) square feet may be permitted with approval of a sign permit;
- G. Trash/recycling areas must be fully screened or located inside the building;
- H. All storage of materials or equipment to be used in conjunction with the business shall be enclosed within the building or within an accessory structure located to the side or rear of the lot;
- I. Residential may be permitted above the ground floor;
- J. Drive-thru facilities are not permitted; and
- K. Seasonal outdoor seating is encouraged.

### **17.12.030-050 Accessory buildings. REVIEW FOR ISSUE WITH MULTIPLE ACCESSORY BUILDINGS DUE TO SIZE LIMITATIONS - 5' SEPARATION BETWEEN BUILDINGS HAS BEEN ADDED TO SETBACK**

- A. The maximum size of any accessory building in the UR-2 zone shall be one thousand two hundred (1,200) square feet.
- B. ~~Maximum size restrictions do not apply to detached ADUs. The total of all accessory buildings shall cover not more than forty (40) percent of the area of the rear yard.~~

(Ord. No. 527, § 1, 6-14-2022)

## Chapter 17.14 UR-3 URBAN RESIDENTIAL ZONE HIGH DENSITY RESIDENTIAL

### 17.14.005. [Purpose.]

The UR-3 High Density Residential district-zone is intended as a buffer between the areas of the city zoned for low density residential and the busiest commercial areas throughout the city. Areas zoned UR-3 offer the highest density residential uses on the smallest lots located on or close to major arterials and providing easy access to public services and transit.

For uses permitted in the UR-3 zone, see Table 17-1.

(Ord. No. 527, § 1, 6-14-2022)

### 17.14.010 Animals (Animal Keeping - Small) and Agriculture (Urban).

A. In the UR-3 zone, animal requirements are as follows:

A1. Household pets as defined in the animal control ordinance are allowed provided, they are maintained in compliance with the animal control ordinance;

A2. ~~The keeping of up to four female fowl or four rabbits is allowed. Other livestock is prohibited.~~

B. The ~~keeping, maintaining or~~ slaughtering of any animals, livestock or poultry is prohibited.

C. 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.

B. An occupant or resident may utilize open space for agriculture as follows:

1. Garden cultivation, orchards, seed production, flower growing, etc. are allowed for personal use;

2. Sales will only be permitted through an approved Home Business;

3. Community gardens are permitted with up to two parking spaces and outdoor lighting that complies with 17.18.030 (Residential outdoor lighting);

4. ~~Beeskeeping 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.~~

(Ord. No. 527, § 1, 6-14-2022)

### 17.14.020 Design.

A. ~~Entries. In the UR-3 zone, structures~~ Buildings must have primary entrances facing the improved public street used as street frontage or the front lot line, as applicable.

B. At least forty (40) percent of the overall main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as applicable, shall be devoted to interest creating features such as entrances, windows or decorative detail. Blank walls are not permitted for the main or first floor wall area facing the improved public street used as street frontage and/or the front lot line, as

applicable. Buildings separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

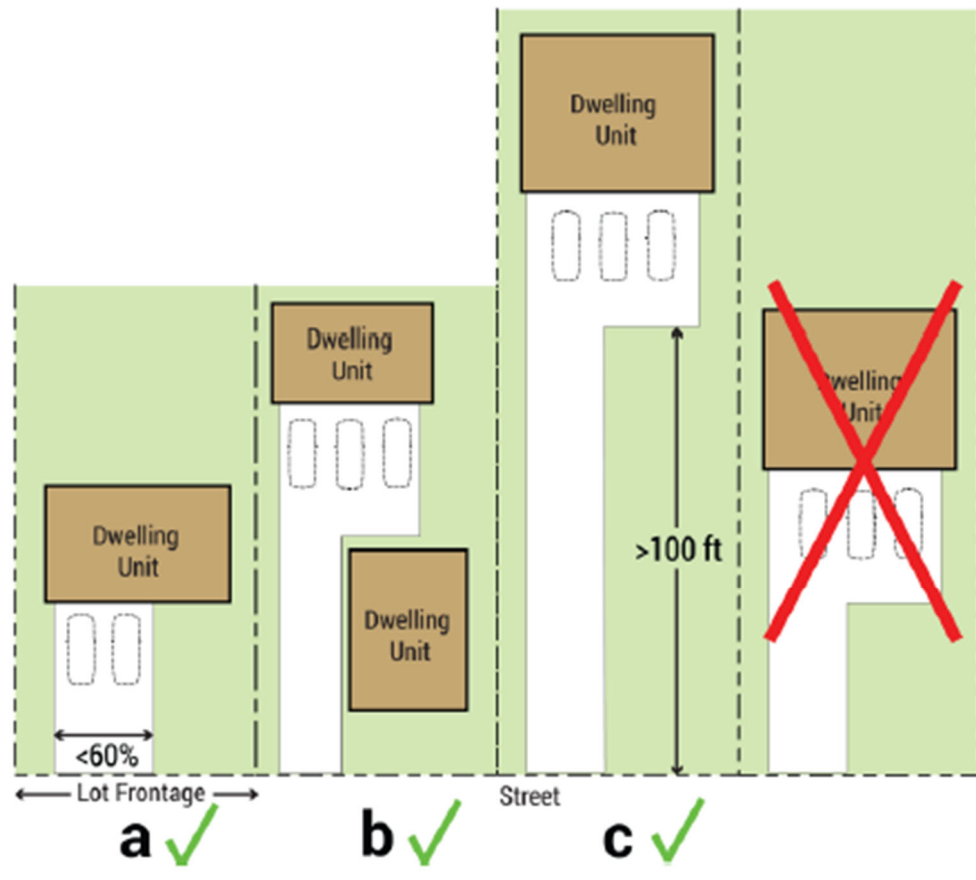
C. Buildings shall maintain the architectural design, style, and appearance of a single-family residence using matching or complementary materials, colors, window styles, and roof design, as applicable. Refer to Millwood Comprehensive Plan Table 5-1: Zoning Categories for scale and form examples within Millwood zones and Figure 5-3: Example Middle Housing Images for scale and form examples specific to middle housing.

D. Pedestrian access. A hard surfaced or compacted gravel pedestrian connection at least three feet wide is required between each building and the sidewalk (or the street if there is no sidewalk). Driveways may be used to meet this requirement.

E. Vehicle access, carports, garages, and driveways.

1. Garages, carports, driveways, and off-street parking areas shall not be located between a building and a public street, except when any of the following conditions are met:

- a. The combined width of all garages, driveways, and off-street parking areas does not exceed a total of 60 percent of the length of the street frontage property line. This standard applies to buildings and not individual units; or
- b. The garage, driveway, or off-street parking area is separated from the street property line by a dwelling; or
- c. The garage, driveway, or off-street parking is located more than 100 feet from a street.



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2. All detached garages and carports shall not protrude beyond the front building façade.
  3. Refer to Millwood Public Works requirements for driveway separation and limited access from collector streets and arterial streets.
  4. For lots abutting an improved alley that meets the city's standard for width, vehicular access may be taken from the alley.

F. Cottage housing.

1. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size (individual unit lots). This may include common open space, private open space, setbacks, critical areas, and other open space. The parent lot must comply with MMC Chapter 17.08 and includes the individual unit lot open space in the percentage.
2. Common open space.
  - a. At least one outdoor common open space is required.
  - b. Common open space shall be provided equal to a minimum of 300 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.
  - c. Orientation. Common open space shall be bordered by cottages on at least two sides. At least half of cottage units in the development shall abut a common open space and have the primary entrance facing the common open space.
  - d. Parking areas and vehicular areas shall not qualify as common open space.
  - e. Critical areas and their buffers, including steep slopes, shall not qualify as common open space.
3. Entries. All cottages shall feature a roofed porch at least 60 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.
4. Community building.
  - a. A cottage housing development shall contain no more than one community building.
  - b. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.
  - c. A community building shall have no minimum off-street parking requirement.

G. Courtyard apartments.

1. Yard or court.
  - a. At least one yard or court is required.
  - b. The yard or court shall be bordered by attached dwelling units on two or three sides.
  - c. The yard or court shall be a minimum dimension of 15 feet on any side.
  - d. Parking areas and vehicular areas do not qualify as a yard or court.
2. Entries. Ground-related courtyard apartments shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three feet by three feet, facing the street or yard or court.

H. Millwood Historic District.

In addition to the design standards above, parcels within the Millwood Historic District should consider the Historic Millwood Resource Guide, v1-0 dated September 5, 2025 or as amended and adopted by

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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)

### **17.14.030 Libraries, churches, art galleries, schools.**

- A. Libraries, churches (provided they are tax-exempt), art galleries, and schools for grades preschool through 12th grade, other than trade or industrial schools, may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code.
- B. On property of not less than twelve thousand (12,000) square feet with not less than one hundred (100) feet of continuous frontage on an improved street, with a minimum lot width the same as that of the lot frontage.
- C. 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.

### **17.14.040 Neighborhood Commercial**

- A. Low-impact, small scale, neighborhood serving businesses that serve the daily needs of nearby residents and integrate into the residential neighborhood with street frontage and a pedestrian oriented design, may be allowed by conditional use permit in accordance with standards regulating the issuance of conditional use permits as specified in this Code;
- B. Business size is limited to a footprint of up to 4,000 square feet;
- C. Hours of operation are limited to between the hours of eight a.m. and nine p.m.;
- D. There are no minimum parking requirements; however, if parking is provided, it must be located to the side or rear of the lot, and is not permitted between the building and the street in order to encourage a pedestrian orientation;
- E. Streetscapes shall have street trees and sidewalks;
- F. One unlighted sign up to six (6) square feet may be permitted with approval of a sign permit;
- G. Trash/recycling areas must be fully screened or located inside the building;
- H. All storage of materials or equipment to be used in conjunction with the business shall be enclosed within the building or within an accessory structure located to the side or rear of the lot;
- I. Residential may be permitted above the ground floor;
- J. Drive-thru facilities are not permitted; and
- K. Seasonal outdoor seating is encouraged.

### **17.14.030-050 Accessory buildings. REVIEW FOR ISSUE WITH MULTIPLE ACCESSORY BUILDINGS DUE TO SIZE LIMITATIONS - 5' SEPARATION BETWEEN BUILDINGS HAS BEEN ADDED TO SETBACK**

- A. The maximum size of any accessory building in the UR-3 zone shall be one thousand two hundred (1,200) square feet.

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- B. ~~Maximum size restrictions do not apply to detached ADUs. The total of all accessory buildings shall cover not more than forty (40) percent of the area of the rear yard.~~

**17.14.060 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 in a building located within a zone that permits multifamily housing, 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. ~~Also see MMC 17.18.050 for specific setback and height exceptions.~~

(Ord. No. 527, § 1, 6-14-2022)

**Chapter 17.16 SUPPLEMENTARY USE REGULATIONS IN RESIDENTIAL ZONES**

**17.16.010 Supplementary use regulations.**

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

- A. Accessory dwelling units (ADU's), ~~consistent with RCW 36.70A.681~~
1. ~~Owner occupancy is not required for the principal unit or an ADU, unless the ADU is used for short term rentals consistent with RCW 36.70A.680(5)(a). Per RCW 36.70A.696(9), an owner is any person who has at least 50% ownership in a property on which an ADU is located, The legal owner of the parcel must reside in the ADU, or the principal structure as evidenced by the property being the legal residence of the owner. The owner must reside in the ADU or the principal structure for more than six months each year,~~
  2. ~~ADUs shall be permitted in the following configurations and conditions:~~
    - a. ~~Two attached ADUs such as unit in a basement, attic, or garage; or~~
    - b. ~~One attached ADU and one detached ADU; or~~
    - c. ~~Two detached ADUs, which may be comprised of either one or two detached structures, ADU may be added to, included or attached to the principal structure or be a detached structure but shall only be allowed on parcels with single family residential units,~~
  3. A bed and breakfast establishment and an ADU shall not be permitted on the same parcel,

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4. ~~An existing structure, such as a detached garage shall be allowed to be converted into an ADU, A home business and an ADU shall not be permitted on the same parcel;~~
  5. ~~ADUs shall be addressed according to MMC Section 17.44.055, Millwood Addressing Standards. The ADU address shall be the primary structure address with the addition of one-half.~~
  6. ~~Up to two (2) ADUs are permitted on all lots that meet the minimum lot size in zones that allow for single-family homes; Only one ADU shall be permitted per parcel;~~
  7. ~~There is no minimum or maximum gross floor area requirements; however, building and lot coverage maximums must be maintained for the zone, Maximum size of the ADU is eight hundred (800) square feet but not greater than forty (40) percent of the square footage of the primary residential structure and the minimum size of the ADU shall not be less than three hundred (300) square feet.~~
  8. ~~ADUs must comply with MMC 17.08.010 Residential Development Standards and **standards shall not be more restrictive than those for principal units**. The parcel must meet all code requirements including site coverage with the exception of the rear yard and side yard setbacks which can be reduced to five feet;~~
  9. ~~The design standards for the applicable zone shall also apply to ADUs, as applicable, single family appearance and character of the residence shall be maintained when viewed from the surrounding neighborhood. The design of the ADU shall be incorporated into the design of the principal dwelling unit and shall be designed to maintain the architectural design, style, appearance and character of the main building as a single family residence using matching materials, colors, window style and roof design. The primary entrance of the ADU shall be located in such a manner as to be unobtrusive when viewed from the street;~~
  10. ~~ADUs may have separate ownership via Unit Lot Subdivision (ULS) and/or by condominium. The ADU, or the land on which the ADU is located, shall not be subdivided or otherwise segregated in ownership from the principal structure, or the land on which the principal structure is located.~~
  11. ~~On lots equal to or smaller than 6,000 square feet, before any zero lot line subdivisions or lot splits, one (1) off-street parking space per ADU is required and two (2) off-street parking spaces per ADU are required on lots greater than 6,000 square feet, before any zero lot line subdivisions or lot splits. Off street parking for ADUs is not required within one-half mile of a major transit stop. Maximum height of a detached ADU is fifteen (15) feet;~~
  12. ~~Impact fees on the construction of accessory dwelling units, as applicable, must be less than or equal to 50 percent of the impact fees that would be imposed on the principal unit.~~
  13. ~~ADUs are not allowed in locations where development is restricted under other laws, rules, or ordinances due to physical proximity to on-site sewage system infrastructure, critical areas or other unsuitable physical characteristics of a property per RCW 36.70A.680(4&5) and RCW 36.70A.681.~~
- B. ~~Bed and breakfast establishments / Short term rentals (i.e. VRBO, Air BnB):~~
1. ~~The legal owner of the property must reside on the property,~~
  2. ~~A hotelier's license is required, and the licensee must be the property owner and reside on the property.~~
  3. ~~A bed and breakfast establishment and accessory dwelling unit shall not be permitted on the parcel.~~
  4. ~~The maximum number of rooms for customer stay is three,~~

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5. Each room requires an off-street parking space which is improved with asphalt or concrete.
- C. Manufactured homes. All manufactured homes shall meet the requirements of a Millwood-approved manufactured home as defined in Appendix A and shall meet structure size, yard, site coverage, height limit, storage, and parking requirements of this chapter. In addition, such manufactured homes shall:
1. Be a new manufactured home as defined in Appendix A.
  2. Be placed on a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground be enclosed by an approved concrete product which can be either load bearing or decorative.
  3. Comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located, and
  4. Be thermally equivalent to the state energy code.
- D. Home Business. Home business engaged in by an individual or family within their residential dwellings:
1. The activity shall be incidental to the primary use of the residence as a dwelling and does not change the residential character of the dwelling or neighborhood, and is conducted in such a manner as not to give any outward appearance of a business in the ordinary meaning of the term;
  2. No window display or product display outside the dwelling is made;
  3. One unlighted sign attached flush against the exterior wall of the principal structure not exceeding one square foot in area may be permitted;
  4. The subject property must be the business owner's primary place of residence and the property owner must sign the home business license application;
  5. Employment in a home business shall be limited to persons residing in the dwelling unit where the home occupation is conducted, with the exception of one non-resident employee;
  6. No more than twenty-five (25) percent of the total floor area of all structures on the lot including accessory buildings, garages and basements is used for home business;
  7. All storage of materials or equipment to be used in conjunction with the home business shall be enclosed within the residence or accessory structure;
  8. Traffic generated shall be limited to the following:
    - a. The parking of not more than two customer vehicles at any one time;
    - b. Not more than eight clients, customers, deliveries, or combination thereof, coming to the site each day;
  9. There are no more than two parking spaces for customers; these parking spaces shall not be located in the front or flanking yard;
  10. Hours of operation are limited to between the hours of eight a.m. and seven p.m.
  11. No commercially licensed vehicles are parked or stored at the site;
  12. The following are prohibited to be home businesses: ~~are prohibited in all residential zones~~;
    - a. Animal hospitals
    - b. ~~Dancing studios~~, Exercise studios
    - c. Mortuaries

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- d. Private clubs
  - e. Restaurants
  - f. Stables or kennels
  - g. Automobile body shops or repair shops
  - h. Occupants involving explosives or other hazardous materials in accordance with the International Fire Code per 15.04.015(A)(4).
  - i. Taverns
  - j. Adult entertainment establishments
  - k. Adult bookstores
  - l. Massage parlors, except licensed massage therapists
  - m. Marijuana processors, marijuana producers, or marijuana retailers
13. No use is made of equipment or material which produces vibration, noise, dust, smoke, odor, electrical interference, or any other condition at levels perceptible at the property line which would be detrimental to surrounding residences.
  14. A Millwood home business license is required;
  15. Activities exempt from home business regulations in this chapter include:
    - a. Temporary sales stands with nominal sales such as children's lemonade stands;
    - b. Garage sales, not more than one in any three-month period;
    - c. Hostess parties, not more than three in any twelve (12) month period.
  16. Any home business which lawfully exists on the effective date of the ordinance codified in this chapter shall be allowed to continue operation as a nonconforming use in accordance with Section 17.16.010(D), so long as the business is not changed, modified, enlarged or otherwise changed in any way.

(Ord. No. 527, § 1, 6-14-2022; Ord. No. 541, § 1(Exh. A), 3-12-2024)

## **Chapter 17.18 REGULATIONS APPLICABLE TO ALL RESIDENTIAL ~~DISTRICTS~~ZONES**

### **17.18.010 Off-street parking, lot access, and utility easements.**

Off street parking and access for vehicles in residential zones is required as follows:

- A. Single-family ~~and two-family residences~~ - Two off-street parking spaces for each ~~family dwelling unit (refer to MMC 17.16.010A for ADU parking requirements).~~ ~~unit and one additional off-street parking space for an accessory dwelling unit;~~
- B. Middle housing - No off-street parking shall be required within one-half mile walking distance of a major transit stop per RCW 36.70A.635(6)(d); otherwise:
  1. One off-street parking space per unit shall be required on lots no greater than 6,000 square feet, before any zero lot line subdivisions or lot splits per RCW 36.70A.635(6)(e).

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2. Two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet, before any zero lot line subdivisions or lot splits per RCW 36.70A.635(6)(f).

- C. Libraries, schools, churches and art galleries - One improved off-street parking space for each six seats in all places, halls and rooms of assembly generally occupied at the same time and one improved off-street parking space for each staff member or employee. Improved parking shall be paved.
- €D. Police stations, fire stations and public utility facilities - One improved off-street parking space for each employee and for each public official. Improved parking shall be paved;
- DE. Where permitted, ~~apartments and condominiums~~ multi-family and co-living housing:-
1. One improved off-street parking space for each living-dwelling unit and one for each staff member or employee with adequate parking for guests.
    - a. Exception, for market rate multifamily housing units that are located within 0.25 miles of a transit stop that receives transit service from at least one route that provides service at least four times per hour for twelve or more hours per day, minimum residential parking requirement is 0.75 spaces per unit.
    - b. If housing is located in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit, then exception cannot be utilized.
  2. For co-living housing, a maximum of 0.25 off-street parking spaces per sleeping unit may be required and no off-street parking may be required within one-half mile walking distance of a major transit stop. Improved parking shall be paved.
- F. Senior Independent Housing and housing for disabled - 0.75 spaces per dwelling unit unless housing is located within 0.25 miles of a transit stop receiving transit service at least four times per hour for twelve or more hours a day, then no off-street parking is required.
- G. Other housing shall have parking determined by WA State Law or based on closest Millwood use classification. Per RCW 35A.21.440, there is no off-street parking requirement for the addition of dwelling units or living units added within an existing building.
- H. Per RCW 36.70A.817, the following types of residential projects are exempt from the minimum off-street parking requirements:
1. Affordable housing;
  2. New construction or the retrofit of existing buildings meeting passive house requirements;
  3. Modular construction; or
  4. Mass timber construction.
- I. All parking spaces shall be at least eight (8) foot wide x eighteen (18) feet long (8'x18') per vehicle with tandem parking permitted (per RCW 36.70A.622). Parked vehicles shall not block sidewalks or shared driveways.
- J. For residential uses:
1. Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed (garages or carports are not required per RCW 36.70A.622).
  2. Off-street parking spaces and driveways shall be a durable, dust free surface that are utilized in compliance with stormwater management standards and aquifer protection measures.

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- a. Non-porous materials include: concrete, asphalt, pavers, and other similar types of materials.
  - b. Porous materials include: grass block pavers, permeable pavers, compacted angular gravel, brick with sand joints, porous concrete and asphalt, and other similar types of materials.
  - 3. The existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in a parking area to meet parking requirements, up to a maximum of six (6) parking spaces.
  - 4. Existing parking spaces that do not conform to the requirements of this Chapter are not required to be modified or resized, except for changes needed to comply with the Americans with Disabilities Act, as now or hereafter amended,
  - 5. Existing paved parking lots shall not be required to change the size of existing parking spaces during re-surfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.
- K. Lot / Unit Access
- 1. Individual lot or unit access can be provided by access easements / driveways or private streets that connect to public streets for infill development. Access easements / driveways or private streets shall also contain utility easements as required by the city.
  - 2. Private driveway access shall be permitted with any number of units when a fire apparatus access road is within 150 feet of all structures on the lot and all portions of the exterior walls of the first story of the buildings, as measured by an approved route around the exterior of the buildings.
  - 2. When a fire apparatus road is not within 150 feet of all structures on the lot, subsection (K)(1) does not apply and one of the following conditions must be met:
    - a. The building is equipped throughout with an approved automatic sprinkler system meeting International Fire Code requirements.
    - b. No more than two units are accessed via the same private driveway.
    - c. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
  - 3. Private driveways shall not be required to be wider than 12 feet and shall not be required to have unobstructed vertical clearance more than 13 feet six inches except when it is determined to be in violation of the International Fire Code or other fire, life, and safety standards, such as sight distance requirements.
  - 4. Private driveway access, separate from access to an existing home, shall be permitted unless it is determined to be in violation of the International Fire Code or other fire, life, safety standards, such as site distance requirements.
  - 5. This subsection is not intended to limit the applicability of the adopted International Fire Code, except as otherwise presented in this subsection.
- L. The use of joint use or shared driveways shall be encouraged.
- M. 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. Single family and middle housing are exempt from bicycle parking requirements.

(Ord. No. 527, § 1, 6-14-2022)

### 17.18.020 Storage.

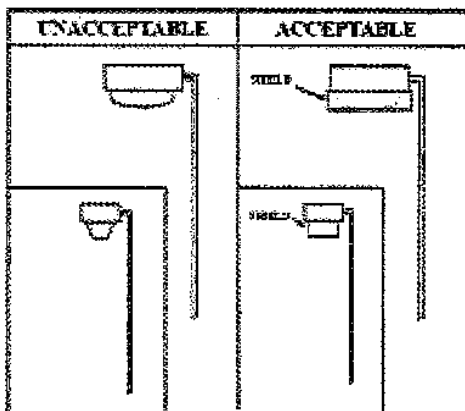
No premises in any residential zone shall be used as a storage area for any purpose other than storage of materials used in connection with the operation of a household and activities associated with the normal operation of a household except that property may be used for the storage of materials used in the construction of the individual building permitted on the parcel.

(Ord. No. 527, § 1, 6-14-2022)

### 17.18.030 Residential outdoor lighting.

Any lights, whether freestanding or attached to a building or structure which illuminate any outdoor area of a lot, shall be positioned, placed, constructed, shielded or used so as not to illuminate directly any building or structure or portion thereof on an adjacent lot containing a building or structure used as a residence.

Figure 17-1



(Ord. No. 527, § 1, 6-14-2022)

### 17.18.040 Increased density bonus for affordable housing located on property owned by a religious organization.

Per RCW 36.70A.545, the City must allow an increased density bonus for affordable housing located on property owned by a religious organization (refer to the Bulk Density Standards in Millwood Comprehensive Plan).

- A. Millwood must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:
1. The affordable housing development is set aside for or occupied exclusively by low-income households;

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2. The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and
  3. The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).
- B. The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.
  - C. If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.
  - D. This section applies to any religious organization rehabilitating an existing affordable housing development.
  - E. Upon request from a religious organization for an increased density bonus for an affordable housing development, the City may develop implementation policies.

#### **17.18.050 Retrofits of existing buildings for residential housing and accommodation for passive house requirements (RCW 36.70A.810 & 812)**

- A. For retrofits of existing buildings to be used for residential housing or new construction or the retrofit of existing buildings meeting passive house requirements:
  1. Any required setback must be measured to the outside face of the foundation, and the portion of exterior wall assemblies that include insulation must be allowed to project up to eight inches into setbacks on all sides;
  2. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and
  3. 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.
- B. 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.
- C. Nothing in this section prohibits application of the requirements of the state building code or requires allowing a setback of less than 36 inches between residential dwelling units.

#### **17.18.060 Conversion of single-family homes to middle housing**

Single family homes may be converted to any middle housing permitted in the applicable zone (i.e. duplex or triplex), consistent with current building code requirements, middle housing development requirements (i.e. parking), and adopted bulk density standards, as applicable.