

Planning & Building Services

STAFF REPORT

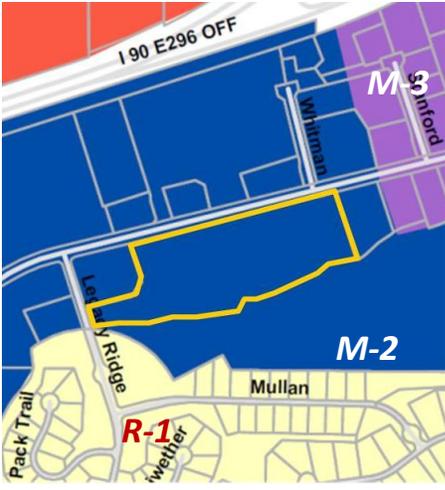
File # CP-2016.0159

PROJECT COORDINATOR: Amanda Tainio, Planning & Building Services Manager

PROJECT: Legacy Villas Apartments

PROJECT DESCRIPTION: Multi-phase apartment complex with 258 units, clubhouse, and associated infrastructure on approximately 16.2 acres.

PROJECT DATA:

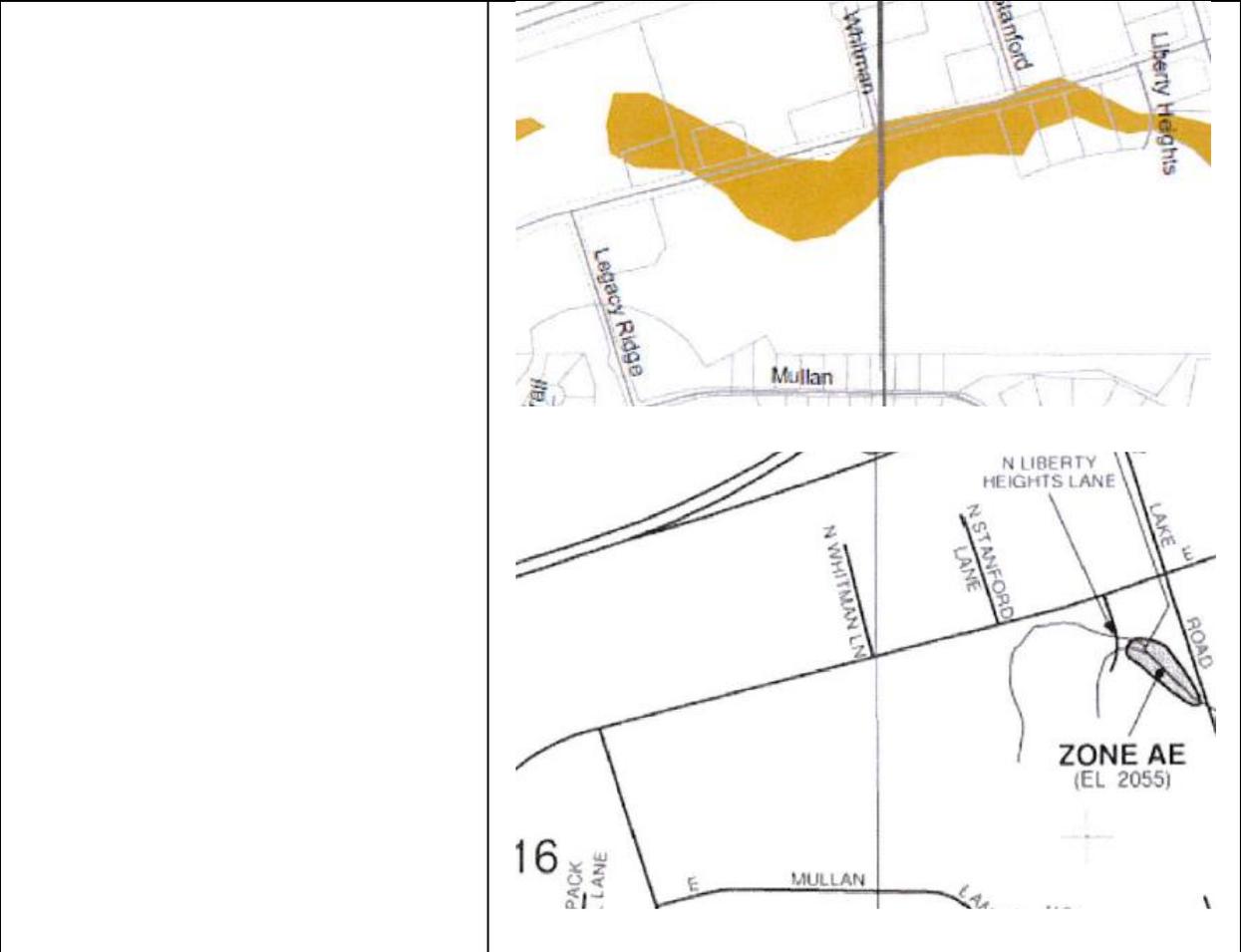
Project Location	21900 E. Country Vista Dr., Liberty Lake, WA 99019 (S. of Country Vista Dr., E. of Legacy Ridge Dr.)
Parcel Number(s)	Parcels 55161.9203 & 55156.9202
Property Owner	Legacy Villas, LLC
Contact	Lee Schwartzenburg – Wyatt Architects and Associates
Comprehensive Plan Designation	Community Center Mixed Use
Existing Zoning	M-2 (Community Center Mixed Use)
Existing Land Use	Vacant land with existing drainage facilities.
Surrounding Zoning & Land Uses	
	
North	The land north of the subject site is zoned M-2 (Community Center Mixed Use). The land contains an existing retail complex and a vacant lot.
South	The land south of the subject site is predominantly zoned M-2 (Community Center Mixed Use) and the southwest corner

	is zoned R-1 (Single Family Residential). The M-2 land is vacant and the R-1 land contains the landscaped entryway to the existing Legacy Ridge residential development.
East	The land east of the subject site is zoned M-2 (Community Center Mixed Use). The land contains an existing retail complex.
West	The land west of the subject site is zoned M-2 (Community Center Mixed Use). The land contains an existing office building across Legacy Ridge Dr. and a BSP 50-96 common area / wetland preservation tract northwest of the subject site.
Recent Land Use Proposals and Project Approvals within the Vicinity of the Project	The subject site is part of the Liberty Lake Corporate Park BSP 50-96. Legacy Ridge PUD is located further to the south and the recently approved Legacy Ridge West Preliminary Plat is located further to the southwest of the subject site.
Land Division Status	The subject site consists of two Tax Parcels of Record. Parcels 55161.9203 & 55156.9202.
Water Purveyor	LLSWD
Sewer Purveyor	LLSWD
Fire District #	Spokane County Fire District #1
School District	Central Valley School District (CVSD)
Nearest Arterial / Collector & Distance	Access to the subject site is provided via the abutting Country Vista Drive (Minor Arterial) with a proposed secondary access via the abutting Legacy Ridge Dr. (public portion). The secondary access is an existing access easement for a private ROW that extends into undeveloped land to the south of the project. A condition of the purchase and sale agreement was that the multi-family project provide private road access to their south property line in order to ensure future access to the undeveloped hillside within the Liberty Lake Corporate Park (refer to Frank Ide email 8/4/16). The City of Liberty Lake has included the Country Vista Dr. and Legacy Ridge Dr. Intersection Improvements (CFP Project #43) and Country Vista Improvements – Broadway Ave. to Liberty Lake Rd. (CFP Project #45) within our adopted 2016 - 2021 City Capital Facilities Plan. The funding sources for improvements are the Harvard Rd. Mitigation Plan (CFP Project #43) and City (CFP Project #45).
Nearest Parks & Distance	The subject site is within 1/2 mile of Trailhead Golf Course, the Outlet Channel Trail corridor, and Town Square Park. The project will contain a sidewalk system which will connect to the existing Country Vista Dr. and Legacy Ridge Dr. sidewalks. There is also an existing gravel pathway located south of the project site that connects into the project. The project also has adequate on-site open space areas.
Neighborhood Association / Management	The project is proposed to have a professional property management company oversee project maintenance and rental. No covenants, restrictions, or conditions will need to

	be recorded.
Other Information	<p>A complete site analysis narrative was provided for both phases of the project. There is an existing 40' wide access and drainage easement along the south boundary of the project site.</p> <p>The proposed carports and clubhouse pool will be reviewed as separate permit applications at a future date. Retaining wall(s) permit(s) and blasting permit(s), if needed, will also be reviewed as separate permit applications at a future date.</p>

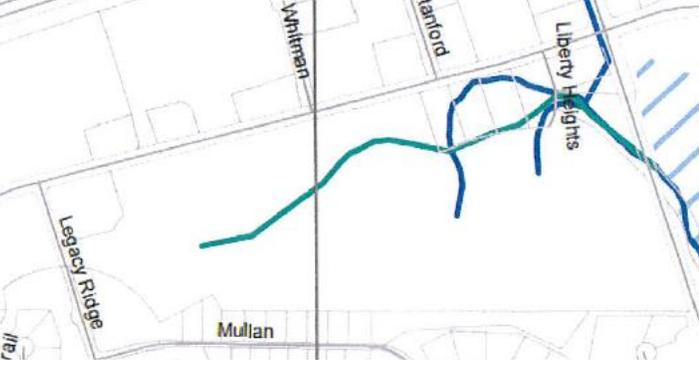
GMA / CRITICAL AREAS:

Aquifer Recharge Area	<p>The subject site is located within the Aquifer Sensitive Area (ASA). Based on the City's 2006 Aquifer Susceptibility Map, the entire City is located in a Critical Aquifer Recharge Area; however based on the 2009 Spokane Valley-Rathdrum Prairie Aquifer Atlas, the subject site in particular, is not located over the aquifer.</p> 
Fish & Wildlife Habitat Conservation Areas	<p>The subject site is not located within a designated species habitat area based on the City's 2006 Priority Habitats Map. The WA Dept. of Fish and Wildlife Spokane Habitat Biologist was contacted (voicemail) and an updated habitat map, if applicable, requested on August 1, 2016 and again on August 16, 2016 based on SEPA comments received from the public. No updated map, if applicable, has been provided and no written comments have been received.</p> 
Floodplain	<p>According to the City's 2006 Flood Hazards Map, a portion of the subject site is located within a designated floodplain; however the updated July 2010 FEMA FIRM does not identify any floodplain area on the subject site.</p>



Geologically Hazardous Areas

The subject site is identified as having erodible soils based on the City's 2006 Geologic Hazards & Constraints Map.

	 <p>The applicant retained a licensed Geotechnical Engineer and a required Geotechnical Evaluation was completed to assess the subsurface soil conditions. "The site is relatively level in the east half and slopes up in the west half and to the south towards the Legacy Ridge development. The site generally slopes down to the north, with approximately 50 feet of relief. The site is with mature pine trees on the hillside and is open and grass-covered in the flatter areas in the east half. Numerous bedrock outcrops are present in the higher elevations of the site." Best Management Practices and the Erosion and Sedimentation Control Plan need to be utilized. It is the Geotechnical Engineer's opinion that "conventional spread footings" can be utilized for the buildings.</p>
<p>Natural Resource Lands & Historic Sites</p>	<p>The subject site does not contain any natural resource lands or historic sites based on the City's 2006 Natural Resource Lands & Historic Sites Map.</p>
<p>Watershed</p>	<p>The subject site is not located within a watershed based on the City's 2006 Liberty Lake Watershed Map.</p>
<p>Wetlands</p>	<p>According to the City's 2006 Wetlands Map, a portion of the subject site was shown containing a wetland stream; however there is no evidence on-site of a wetland stream and the US Fish and Wildlife Service Wetlands Inventory does not show the subject site with any wetlands.</p> 

	 <p>User Remarks: No wetlands shown within subject site</p>
<p>Other Information</p>	<p>A complete site analysis narrative was provided for both phases of the project and a Geotechnical Evaluation was also completed.</p>

PROJECT PERMIT TIMELINE & NOTICES:

	Date	Notice
<p>Pre-Application Conference</p>	<p>4/4/16</p>	<p>Notice emailed to agencies on 3/22/16</p>
<p>Application Submitted</p>	<p>6/21/16 (Counter Complete)</p>	
<p>Determination of Completeness</p>	<p>Issued: 7/1/16 Complete</p>	
<p>Notice of Application & SEPA Review (Optional DNS Process)</p>	<p>Issued: 7/13/16 Comment Deadline: 4pm, 7/27/16</p>	<p>Notice published in the 7/14/16 edition of the Spokesman Review Valley Voice (the official City newspaper)</p> <p>Notice posted on City website on 7/13/16</p> <p>Notice mailed to property owners adjacent to or within a 150' radius of the subject site on 7/13/16</p> <p>Notice emailed to affected agencies and the public notice group on 7/13/16</p> <p>Notice also emailed to interested parties with recent multi-family comments on record on 7/13/16</p> <p>Affidavit of sign posting received on 7/13/16, sign postings verified & pictures provided</p>
<p>Technical Review Meeting</p>	<p>8/9/16</p>	<p>Notice emailed to agencies on 8/1/16</p>

SEPA: The Optional DNS process was used for the Legacy Villas Apartment project and the SEPA Checklist was circulated and available to the public during the Notice of Application comment period from July 13, 2016 - 4pm, July 27, 2016. A Mitigated Determination of Nonsignificance (MDNS) was anticipated to be issued with probable MDNS conditions of participation in the Harvard Road Mitigation Plan and other conditions as recommended by reviewing agencies. The SEPA Threshold Determination will be issued concurrent with the Notice of Decision which will be circulated and available to the public.

REVIEWING AGENCIES: Agency comment letters are attached to staff report.

Agencies Notified	Notification	Response Received	Comment Summary
City of Liberty Lake Community Development	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	Throughout review process	<ul style="list-style-type: none"> • Typical Building Permit review • See Staff Summary, SEPA MDNS, & Conditions of Approval
Liberty Lake Police Dept.	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16
Avista	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	4/1/16 (Pre-App) 7/18/16	<ul style="list-style-type: none"> • The project can be served by gas and electricity • No comments or concerns
Central Valley School District (CVSD)	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16

CenturyLink	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16
Coeur d'Alene Tribe	Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16
Comcast	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16
Liberty Lake Sewer & Water District	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16. A follow-up call was placed to the District Manager and he expressed no concerns about the project, it can be served upon obtaining a sewer/water permit
Spokane Clean Air	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16
Spokane County Fire District #1	Pre-Application Conference Notice of Application	4/4/16 (Pre-App) 7/14/16 8/9/16	<ul style="list-style-type: none"> • Fire code requirement review • No comments on the SEPA Checklist • Need additional hydrants in phase 2 • Condition for fire access lane

	Technical Review Meeting Notice Notice of Decision & MDNS		marking or copy of a lease addendum for no parking enforcement
Spokane Regional Health District	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	3/29/16 (Pre-App)	<ul style="list-style-type: none"> • Water Recreation Program Comments – pool review • Liquid Waste/Water Program Comments – public water & sewer requirements • Solid Waste Program Comments – solid waste disposal & handling requirements • General comments
Spokane Transit Authority	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	5/25/16 (Pre-App)	<ul style="list-style-type: none"> • Pedestrian / transit amenity review, no comments provided
Spokane Tribe of Indians	Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	7/19/16	<ul style="list-style-type: none"> • Onsite visit recommended when schedule permits • If any artifacts or human remains are found upon excavation activity, Spokane Tribe must be notified and work ceased in the immediate area
WA State Dept. of Ecology	Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS	7/26/16	<ul style="list-style-type: none"> • Water Quality Program requirements
WA State Dept. of Fish & Wildlife	Technical Review Meeting Notice Notice of Decision & MDNS		No updated map, if applicable, has been provided and no comments have been received as of 8/17/16
WA State Dept. of Labor & Industries	Pre-Application Conference		Courtesy Notice Only - no written comments expected or received
WA State Dept. of Natural Resources (SEPA Center)	Notice of Application Notice of		No written comments received as of 8/17/16

	Decision & MDNS		
WA State Dept. of Transportation - Spokane	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Decision & MDNS		No written comments received as of 8/17/16

PUBLIC COMMENTS: The written public comment letters received as of 7/28/16 are attached to staff report.

Name & Address	Response Received	Comment Summary
Jeremy Nichols jnichols@greenstonehomes.com	6/27/16	<ul style="list-style-type: none"> Requested copy of map
Ryan Hoseid ryanhoseid@gmail.com	7/13/16	<ul style="list-style-type: none"> Opposed to project, no more apartment complexes Concerned about traffic Concerned about school overcrowding
Kris and Alli Stanton alli_binder@yahoo.com	7/17/16	<ul style="list-style-type: none"> Opposed to project, no more apartment complexes Concerned about school overcrowding Concerned about crime Concerned about decreased home values
Jim Grisafi jimgrisafi@gmail.com	7/16/16 7/19/16	<ul style="list-style-type: none"> Information requested and provided Concerned about traffic Concerned about school overcrowding Concerned about crime
Becky Smallfoot bsmallfoot@gmail.com	7/19/16	<ul style="list-style-type: none"> Information requested and provided Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop)
Lynda Warren 215 S. Legacy Ridge Dr. lyndawarren1010@gmail.com	7/19/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, CVSD bus stop) Concerned about school overcrowding
Beth Gordon bethmgordon2011@gmail.com	7/17/16	<ul style="list-style-type: none"> Opposed to project Concerned about City infrastructure & traffic Concerned about school overcrowding
Jim Condron 501 N. Kennewick Ln. jdcondron@gmail.com	7/20/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection)

Cindy Kysliger cinkiss@yahoo.com	7/20/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding Concerned about decreased home values
Brian Cuda brian@libertylakeweb.com	7/20/16	<ul style="list-style-type: none"> No more apartment complexes Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding
Patci Ryan 107 S. Parkview Ct. patden6@comcast.net	7/20/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding Concerned about decreased home values
Carl and Jenean jmfusare@yahoo.com	7/20/16	<ul style="list-style-type: none"> Information requested and provided Concerned about traffic
Robin Ray 139 S. Legacy Ridge Dr. rdray2@comcast.net	7/20/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop)
David C. Perry 75 S. Parkview Ct. dcpstuff@gmail.com	7/21/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about decreased home values Concerned about crime
Bonnie Perry 75 S. Parkview Ct. bperry82@comcast.net	7/25/16	<ul style="list-style-type: none"> Opposed to more apartment complexes around Legacy Ridge Concerned about traffic & safety (Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about decreased home values Concerned about crime
Cathy and Chuck Pritchard 168 S. Legacy Ridge Dr. vignali123@comcast.net	7/22/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding Concerned about drainage
Greg and Tracie Husted gandthusted@comcast.net	7/22/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about decreased home values
Christopher Yaw cyaw@casnetworks.com	7/23/16	<ul style="list-style-type: none"> Information requested and provided Opposed to project and believes SEPA Checklist misrepresents the actual environment

		<ul style="list-style-type: none"> Concerned about migratory habits of wildlife
<p>Jeremy Niemi 198 S. Legacy Ridge Dr. jrsn1001@gmail.com</p>	7/25/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding Concerned about decreased home values Concerned about crime Concerned about migratory habits of wildlife
<p>Mike Sill, P.E. mikesil@McKinstry.com</p>	7/20/16	<ul style="list-style-type: none"> Information requested and provided Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about wildlife habitat Concerned about grading and stormwater
<p>Jeff Renfrow genairic@comcast.net</p>	7/25/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop)
<p>Janice Renfrow jrenfrow2@gmail.com</p>	7/27/16, re-sent 7/29/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Country Vista / Legacy Ridge Dr. intersection) Wants to see commercial development on Country Vista
<p>Andrea and Ron Hart 251 S. Legend Tree Dr. andihart_198@msn.com</p>	7/25/16	<ul style="list-style-type: none"> Opposed to project Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection)
<p>David Morgan 351 S. Legend Tree Dr. ssdmorgan@gmail.com</p>	7/26/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about density Requesting 6' fence along back of complex
<p>Laura R. Morgan 223 N. Legacy Ridge Dr. lcrmorgan@gmail.com</p>	7/27/16	<ul style="list-style-type: none"> Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about density Requesting 6' fence along back of complex
<p>Carl Frith Carl.Frith@itron.com</p>	7/27/16	<ul style="list-style-type: none"> Concerned about City infrastructure, traffic, & growth
<p>Angie Jones 21801 E. Mullan Ln. angiejones2010@gmail.com</p>	7/27/16	<ul style="list-style-type: none"> Oppose the project Concerned about traffic & safety (Legacy Ridge Dr. entrance, Country Vista / Legacy Ridge Dr. intersection, CVSD bus stop) Concerned about school overcrowding Concerned about wildlife Concerned about noise

		<ul style="list-style-type: none"> • Concerned about crime
Legacy Ridge HOA Black Realty Management Jody Johnson jodyjohnson@naiblack.com	7/27/16	<ul style="list-style-type: none"> • Information requested • Opposed to the project, want a DS issued • Concerned about lack of traffic study • Density not adequately assessed • Impact on existing services not adequately assessed
Additional comments received after 4pm, July 27, 2016 are saved to a folder in the project file.		

STAFF ANALYSIS:

Comprehensive Plan (Adopted Update 2015 – 2037)

Staff is of the opinion that this project will be consistent with and generally conforms to the City's Comprehensive Plan, and it will implement, goals and policies of the Comprehensive Plan, particularly the following:

- **Land Use Policy 2:** Provide for a compatible mix of housing and commercial uses in all commercial districts, neighborhood centers, community centers, and the Central Business District.
- **Land Use Policy 5:** Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.
- **Land Use Policy 7:** Maintain land use types and densities along light rail corridors that support and are compatible with light rail transportation.
- **Urban Design Policy 1:** Maintain design standards and a design review process to ensure that neighborhood and community centers are developed with minimal impact on surrounding land uses, are consistent with community character, and assure pedestrian and vehicular access.
- **Urban Design Policy 6:** Encourage new developments, including multifamily projects, to be arranged in a pattern of connecting streets and blocks to allow people to get around easily by foot, bicycle, bus or car. Cul-de-sacs or other closed street systems may be appropriate under certain circumstances including, but not limited to, topography and other physical limitations which make connecting systems impractical.
- **Urban Design Policy 7:** Maintain standards that prescribe maximum building heights and other building design features to give a residential scale and identity to multifamily developments.
- **Urban Design Policy 11:** Native landscape materials and site-sensitive architectural designs shall be incorporated into all public and private building projects to enhance the cohesion between the natural and built environments.
- **Urban Design Policy 12:** Encourage locating parking lots to the rear or side of buildings to enhance streetscapes and promote pedestrian access.
- **Urban Design Policy 13:** Require landscaping in parking areas to avoid large uninterrupted areas of asphalt.
- **Urban Design Policy 14:** In an effort to preserve the value of the community's night sky, outdoor lighting should be downward facing and shall be limited in height, number, and intensity of fixtures needed to provide sufficient security and identification on residential, commercial, and other development.
- **Urban Design Policy 19:** Maintain design standards and land use plans for neighborhood centers, community centers, and the Central Business District that are based on the following principles:

- a. Centers should be compact, nonlinear development to encourage transit, bicycle, and pedestrian travel. Multistory construction, structured parking, and other techniques to use land efficiently should be encouraged.
- b. Aesthetic quality and compatibility among land uses within and adjacent to centers should be enhanced through landscaping, building orientation and setbacks, traffic control, and other measures to reduce potential conflicts. Distinctive or historical local character and natural features should be reflected in development design to provide variety within centers.
- e. Routes for pedestrian, auto, bicycle, transit, and truck travel within centers should have convenient access to each major destination. Buildings should be close to sidewalks to promote walking and browsing, with parking areas located on the side or rear of buildings or adjacent to the street causing the appearance of on-street angle or parallel parking.
- **Urban Design Policy 22:** Maintain the following routes as boulevards with monument signage at the entry points to the City, landscaped center medians, and pathways:
 - a. Country Vista Drive
- **Transportation Policy 3:** Transportation improvements needed to serve new development shall be in place at the time new development impacts occur. If this is not feasible, then a financial commitment, consistent with the capital facilities plan, shall be made to complete the improvement within six years.
- **Transportation Policy 15:** Optimize the capacity of existing roads to minimize the need for new or expanded roads through the use of improved signage, signalization, road maintenance, and other means.
- **Transportation Policy 24:** Adequate access to and circulation within all developments shall be maintained for emergency service and public transportation vehicles.
- **Transportation Policy 29:** The following shall serve as the City of Liberty Lake's level of service standard: The City's level of service shall be based on the operational analysis at arterial intersections conforming to the "Spokane County Standards for Road and Sewer Construction" as amended or as refined by the City.
- **Transportation Policy 32:** Maintain a system of impact mitigation fees and user-based fees to finance transportation improvements required because of new development.
- **Housing Goal 1:** Preserve the character of existing neighborhoods and support high quality new development.
- **Housing Goal 2:** Encourage the availability of affordable housing to all economic segments, promote a variety of densities and housing types, and encourage the preservation of existing housing stock.
- **Housing Policy 2:** Periodically assess the effects of policies and regulations on the affordability of housing, fair housing choice, and examine the need to reduce regulatory barriers.
- **Housing Policy 3:** When developing housing regulations, consider the balance between housing affordability and environmental quality, design quality, public resources, and maintenance of neighborhood character.
- **Economic Development Policy 5:** Provide consistent, fair, and timely regulations that are flexible, responsive, and effective.
- **Natural Environment Goal 4:** Preserve the unique beauty of the community through the conservation of the native trees.
- **Natural Environment Policy 7:** Require new development to avoid, minimize, and mitigate potential adverse environmental impacts.

- **Natural Environment Policy 22:** Maintain tree conservation regulations that discourage removal of mature trees, require appropriate tree replanting when removal is necessary to accommodate development, and provide incentive to conserve trees in accordance with the City's designation as a "Tree City USA".
- **Natural Environment Policy 24:** Within geologically hazardous areas, site alteration, grading, and filling shall be the minimum necessary to accomplish approved designs/plans.
- **Natural Environment Policy 25:** All development proposals should submit an erosion control plan prior to receiving approval.
- **Utilities Goal 1:** Maintain the energy, communication, solid waste disposal facilities and services, sewer capacity, and water supply needed to support current and future development.
- **Utilities Policy 3:** Prior to approval of any proposed development inside the city boundaries, project sponsors must:
 - a. Demonstrate the adequacy of the planned sewer and water conveyance system capacity in accordance with established level of service standards; and
 - b. Consult with service providers to confirm the availability of services including electric and natural gas.
- **Capital Facilities Goal 1:** Continue to provide desired levels of public services in a cost effective and sustainable manner.
- **Capital Facilities Policy 1:** New growth and development activities shall pay their fair share of the cost of facilities needed to serve them.
- **Capital Facilities Policy 2:** Periodically assess and document the capital improvements that are needed to eliminate existing deficiencies and to maintain the Level of Service standards for public facilities and services.
 - a. This may include adopting updates of the capital facilities plan and/or the capital improvement plan on an annual basis in conjunction with the annual adoption of the City's budget.
- **Capital Facilities Policy 5:** Development shall be approved only after it is determined that public facilities and services will have the capacity to serve the development without decreasing levels of service below adopted standards.
- **Capital Facilities Policy 7:** Support the Central Valley School District in maintaining a Capital Facilities Plan that is consistent with the Growth Management Act and the City's Comprehensive Plan.
- **Capital Facilities Policy 23:** Continue to provide library services efficiently and cost effectively to Liberty Lake residents.
- **Capital Facilities Policy 24:** Provide police protection efficiently and cost effectively to residents of the City of Liberty Lake.
- **Capital Facilities Policy 25:** Provide fire and emergency medical services efficiently and cost effectively to residents of the City of Liberty Lake.
- **Capital Facilities Policy 26:** Provide solid waste disposal service to reduce public nuisance, health hazard, and pollution to the City of Liberty Lake's environment.
- **Parks, Recreation, Open Space, & Trails Goal 1:** Ensure the City's parks, recreational, open space, and trails system accommodates a wide range of interests and abilities to meet the needs of the public in a sustainable manner.
- **Parks, Recreation, Open Space, & Trails Policy 1.3:** Allocate parks, recreation, and open space facilities throughout the City in a manner that provides an equitable geographic distribution

based on population density while ensuring all proposed residential uses are located within ½ mile of a park or greenway area, consistent with City Code.

Level of Services Standards

Domestic Water	One equivalent residential unit (ERU) is 240 gallons per day. Require that adequate water storage capacity, distribution, and transmission facilities are in place to accommodate new development at the accepted level of service.
Sanitary Sewer	Public sewer required within the City limits.
Transportation	LOS for operational analysis shall be as contained in the City of Liberty Lake Standards for Road Construction. Coordinate corridor travel time for regionally significant projects as established by the SRTC within Horizon 2040.
Stormwater	New development shall not increase runoff rate off-site. Prevent flooding of property during a 25-year storm. Prevent damage to buildings from a 100-year storm. Storm water discharge to any surface or ground waters will be prohibited if it will degrade water quality below standards.
Law Enforcement	1 officer per 1000/population.
Parks & Open Space	30 acres per 1000/population.
Libraries	The City will maintain a library to serve the community in accordance with an approved strategic plan.
Solid Waste/ Recycle	Solid waste processing will meet Federal and State regulations.
Street Cleaning	Implement plan as identified in Transportation Element.
Public Transit	As adopted by Spokane Transit Authority Board of Directors.
Fire and Emergency Services	Urban areas served by Fire District with at least a Class 4 Insurance Rating. Fire Flow and hydrant placement per Uniform Fire Code. Urban areas must be within 5 road miles of station with "Type I" pumper. Urban areas shall be served by a basic life support (BLS) agency.
Public Schools	To be determined by individual school district CFP.

Development Code (10/6/15 Version)

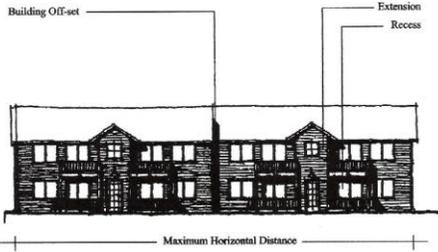
The subject property is located within the M-2 (Community Center Mixed Use) zone which is defined as follows:

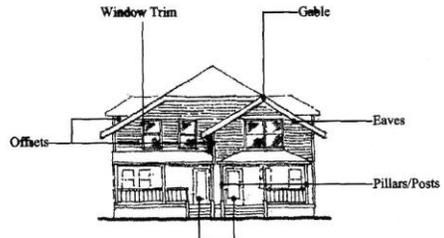
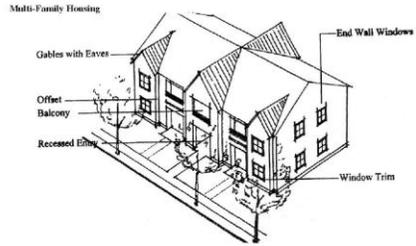
M-2 (Community Center) - The M-2 zone is a higher-intensity mixed-use zone. Community centers contain a mix of commercial, civic, light manufacturing or industrial, office, and recreational uses. Residential is permitted with a minimum net density of 6 units per acre when associated with other permitted uses. Low-intensity, auto-dependent uses are discouraged and a focus on pedestrian orientation with an emphasis on aesthetics and design is encouraged.

Project & City Development Code Comparison

	Legacy Villas Apartments Project	City Development Code (10/6/15 Version) Summary
<p>Article 10-2F M-2 (Community Center Mixed-Use) District & Zoning Matrix</p>	<p>Dwelling, Multi-Family</p> <ul style="list-style-type: none"> Stand alone multi-family dwellings without mixed use <p>Common open space 22%+</p> <p>Complies with Limited Use standards and will comply with maintenance provisions through use of a professional property management company</p>	<p>Limited Use</p> <p>22. Dwelling, multi-family</p> <p>Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.</p> <p>a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.</p> <p>b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.</p> <p>c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.</p> <p>d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.</p> <p>e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;</p> <p>f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);</p> <p>g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.</p>
<p>10-2F-5 Accessory Structures</p>	<p>The garages comply with the accessory structure standards</p>	<p>10-2F-5 Accessory Structures</p> <p>Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in mixed use zones include detached garages, sheds, workshops, green houses, and similar structures. (For standards applicable to Accessory Dwellings, please refer to Section 10-2F-3). Accessory structures shall comply with all of the following standards and Sections 10-2F-6 for setbacks and 10-2F-7 for maximum lot coverage:</p> <p>A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.</p> <p>B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.</p> <p>C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure.</p> <p>D. Buffering. A minimum 6 foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.</p>
<p>10-2F-6 Development Setbacks</p>	<p>Front Yard = 13'+ from back of border easement (29'+ from Country Vista Dr.)</p> <p>Rear Yard = 40'+</p> <p>Side Yard = 20'+</p> <p>Complies with standards</p>	<p>In the M-2 (Community Center Mixed-Use) District, the setback standards are flexible to encourage public spaces between sidewalks and building entrances (e.g., extra-wide sidewalks, plazas, squares, outdoor dining areas, and pocket parks). The standards encourage placement of buildings close to the street to create a vibrant pedestrian environment, to slow traffic down, to provide a storefront character to the street, and to encourage walking. The standards also encourage the formation of solid blocks of buildings to create a walkable environment.</p> <p>Building setbacks are measured from perimeter of the structure to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.</p>

		<p>A. <u>Front Yard Setbacks</u></p> <ol style="list-style-type: none"> There is no minimum front yard setback required. The maximum allowable front yard setback is 25 feet. This standard is met when a minimum of 25 percent of the front building elevation is placed no more than 25 feet back from the front property line, or the back of the border easement, as applicable. However, no structures shall be constructed within any easements. On parcels with more than one building, this standard applies to the building located the closest to the front property line. For developments where more than one building or development pad is proposed, the building located furthest from the right-of-way shall have no maximum front yard setback and parking may be located between the buildings furthest from the right-of-way. <p>The maximum setback may be increased if the increased setback is used for the following pedestrian or aesthetic amenities associated with the building use (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area, courtyard, etc. or additional front yard landscaping).</p> <p>B. <u>Rear Yard Setbacks</u></p> <ol style="list-style-type: none"> The minimum rear yard setback shall be 5 feet for street-access lots, and 8 feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking (except for accessory structures). Accessory structures: <ol style="list-style-type: none"> Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply. <p>C. <u>Side Yard Setbacks</u></p> <p>There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.</p> <p>D. <u>Setback Exceptions</u></p> <p>Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than 5 feet, subject to compliance with applicable standards of the Building Code and Fire Code. Walls and fences may be placed on property lines, subject to the standards in Section 10- 3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. P&CD has the discretion to allow an increase in the maximum setback for public safety facility access.</p> <p>E. <u>Special Yards - Distance Between Buildings on the Same Lot</u></p> <p>To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.</p>										
<p>10-2F-7 Lot Area, Dimensions, Coverage, & Residential Density</p>	<p>Multi-phase apartment complex with 258 units, clubhouse, and associated infrastructure on approximately 16.2 acres with 1200'+ front property line. The Phase 1 lot coverage is 20% and Phase 2 is 30%. Phase 1 has 126 units and a gross density of 13.5 du/acre. Phase 2 has 132 units and a gross density of 19.1 du/acre. The net density for the entire project is 20.91 du/acre (258 units / 16.17 acres - private r/w .33 acres and common open space 3.5 acres = 12.34 acres)</p> <p>Complies with standards</p>	<table border="1" data-bbox="813 1289 1430 1488"> <thead> <tr> <th><i>M-2 Land Use</i></th> <th><i>Lot Area</i></th> <th><i>Lot Width / Depth</i></th> <th><i>Lot Coverage</i></th> <th><i>Residential Density</i></th> </tr> </thead> <tbody> <tr> <td>Multi-Family Housing</td> <td>Minimum area: 7000 square feet. Maximum area: None</td> <td>Minimum Width: 40 feet at front property line Maximum Depth: None</td> <td>Maximum: 70 percent</td> <td>Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None</td> </tr> </tbody> </table>	<i>M-2 Land Use</i>	<i>Lot Area</i>	<i>Lot Width / Depth</i>	<i>Lot Coverage</i>	<i>Residential Density</i>	Multi-Family Housing	Minimum area: 7000 square feet. Maximum area: None	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
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<p>10-2F-8 Building Height</p>	<p>40' Maximum Complies with standards</p>	<p>50' Maximum</p>										

<p>10-2F-9 Building Orientation</p>	<p>Complies with standards</p>	<p>C. <u>Building orientation standards.</u> All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:</p> <ol style="list-style-type: none"> 1. Compliance with the setback standards in Section 10-2F-6. 2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. At least one entrance shall be provided not more than 50 feet from the closest sidewalk, street, or pedestrian path, as depicted in the graphic in Section 10-2F-6 above. 3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
<p>10-2F-10 Architectural Guidelines and Special Standards</p>	<p>Complies with standards</p> <p>Alternative method of compliance utilized for 160' length (open stairwell, utilized on River District multi-family projects)</p>	<ol style="list-style-type: none"> 1. Detailed Design. All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style. <ol style="list-style-type: none"> a. Corner building entrances on corner lots. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner. The main entrance(s) to buildings shall be clearly delineated through architectural design and provide protection for pedestrians. b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories). Buildings that are unable to provide regularly spaced and similar-shaped windows due to the internal function of the building space (e.g., mechanical equipment, manufacturing areas, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. c. Large display windows on the ground-floor (non-residential uses only). Display windows shall be framed by bulkheads, piers and a storefront cornice (e.g., separates ground-floor from second story, as shown above). Buildings that are unable to provide large display windows due to the internal function of the building space (e.g., mechanical equipment, manufacturing areas, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. d. Decorative cornice at top of building (flat roof); or eaves provided with pitched roof. e. All residential buildings subject to site design review shall also comply with "2" below 2. Residential Buildings. <div style="text-align: center;">  </div> <ol style="list-style-type: none"> a. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features: <ol style="list-style-type: none"> i. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet; ii. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or iii. Offsets or breaks in roof elevation of 2 feet or greater in height. b. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.



Recessed Entries/ Covered Front Porches

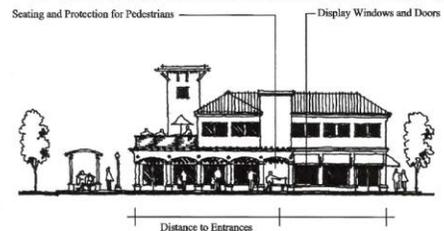
c. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

- i. Dormers
- ii. Gables
- iii. Recessed entries
- iv. Covered porch entries
- v. Cupolas or towers
- vi. Pillars or posts
- vii. Eaves (min. 6-inch projection)
- viii. Off-sets in building face or roof (minimum 16 inches)
- ix. Window trim (minimum 4-inches wide)
- x. Bay windows
- xi. Balconies
- xii. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
- xiii. Decorative cornices and roof lines (e.g., for flat roofs)
- xiv. An alternative feature providing visual relief, similar to the above options.

3. Design of Large-Scale Buildings and Developments.

All large-scale buildings and developments shall provide human-scale design by conforming to the standards in subsections a & b, below. Large-scale buildings and developments are buildings with greater than 20,000 square feet of enclosed ground-floor space (i.e., "large-scale") or multiple-building developments with a combined ground-floor space (enclosed) greater than 40,000 square feet (e.g., shopping centers, public/institutional campuses, and similar developments). Multi-tenant buildings shall be counted as the sum of all tenant spaces within the same building shell.

- a. Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes, as shown above. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and similar features. Note: the example shown below is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.
- b. Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a main building entrance; except that building elevations that are unable to provide an entrance due to the internal function of the building space (e.g., mechanical equipment, areas where the public or employees are not received, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and Section 10-2F-9, subsection C above.



D. **Materials & Colors.** All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/additions to existing projects in the M-2 Zone, and the color standards shall also apply to tenant

		<p>improvements:</p> <ol style="list-style-type: none"> 1. Acceptable Roofing Materials <ol style="list-style-type: none"> a. Composition b. Composite Flat Roof c. Concrete tile d. Slate e. Cedar Shake f. Metal - tile or shake only g. Copper Shake h. Painted Corrugated Metal i. Other materials determined acceptable by the Planning & Community Development Director 2. Prohibited Roofing Materials <ol style="list-style-type: none"> a. Corrugated Metal 3. Acceptable Siding Materials <ol style="list-style-type: none"> a. Brick b. Stucco or Dryvit c. Cultured or Natural Stone d. Concrete Block - split faced, smooth (non-residential structures only) e. Concrete Tilt-Up (non-residential structures only) f. Wood g. Vinyl - tile or shake only h. Metal - tile or shake only i. Other materials determined acceptable by the Planning & Community Development Director 4. Prohibited Siding Materials <ol style="list-style-type: none"> a. Corrugated Metal b. T-111 (may be used when combined with detailing noted below) c. Vinyl Lap (may be used when combined with detailing noted below) 5. Detailing <ol style="list-style-type: none"> a. Brick b. Stone c. Wood or Timber d. Board and Batten e. Other materials determined acceptable by the Planning & Community Development Director 6. Colors <ol style="list-style-type: none"> a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited; b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.
<p>10-2F-11 Pedestrian and Transit Amenities</p>	<p>Building canopies on apartment buildings and clubhouse includes a plaza and sitting space with bench</p> <p>Complies with standards</p>	<p>C. <u>Guidelines and Standards.</u> Every development shall provide one or more of the "pedestrian amenities" listed below, and illustrated above. Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other types of amenities and designs may be used. Pedestrian amenities may be provided within a public right-of-way when approved by the City.</p> <ol style="list-style-type: none"> 1. An extra-wide sidewalk along the frontage of the property that connects to the building entrance (minimum width of 12 feet) with on-street parking, street trees, pedestrian-scale lighting, and other similar enhancements. (If this option is chosen by the majority of the surrounding developments, the City may require this option to be chosen) 2. A plaza, courtyard, square or sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width); 3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space). 4. Public art which incorporates seating (e.g., fountain, sculpture, etc.). 5. Transit amenity, such as bus shelter or pullout, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA).
<p>10-3B-2(C) Approach Permit Required</p>	<p>Approach permit applications are approved deferred submittals. Approach permit applications will need to be submitted and reviewed prior to approach construction.</p> <p>Per the City Engineer, the western approach (on Country Vista) does have adequate sight distance and provides drivers with enough time to make a decision when leaving the approach. Some trees may need to be removed to provide a more clear view of the road from the approach (this is to be determined in the field at time of approach construction).</p>	<p>Access to a public street requires an Approach Permit with review and approval by the City Engineer</p>

<p>10-3B-2(D) Traffic Study Requirements</p>	<p>The project will participate in the Harvard Rd. Mitigation Plan at time of building permit issuance</p> <p>Complies with standards</p>	<p>The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional engineer licensed in the State of Washington to determine access, circulation and other transportation requirements or participation in an established <u>traffic mitigation plan shall be required.</u></p>
<p>10-3B-2(E) Conditions of Approval</p>	<p>Conditions of approval and SEPA Mitigation will be utilized as needed, per the City Engineer</p>	<p>The City may, in the case of new development along arterial or collector streets, require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an approach permit. Access to and from off-street parking areas shall not permit backing onto a public street, except in Residential Zones.</p>
<p>10-3B-2(F) Access Options</p>	<p>Access to the subject site is provided via the abutting Country Vista Drive (Minor Arterial) with a proposed secondary access via the abutting Legacy Ridge Dr. (public portion) with internal driveways (Option 2, with secondary access for double frontage provision)</p> <p>Complies with standards</p>	<p>F. <u>Access Options.</u> When vehicle access is required for development (i.e., for off-street parking, delivery, service, drive-through facilities, etc.), access shall be provided by one of the following methods (a minimum of 10 feet per lane is required). These methods are "options" to the developer/subdivider, unless one method is specifically required by Chapter 2 (i.e., under "Limited or Conditional Uses").</p> <ol style="list-style-type: none"> 1. Option 1. Access is from a private street or driveway connected to an adjoining property that has direct access to a public street (i.e., "shared driveway"). A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the private street/drive. 2. Option 2. Access is from a public street adjacent to the development parcel. If practical, the owner/developer may be required to close or consolidate an existing access point as a condition of approving a new access. Street accesses shall comply with the access spacing standards in Section 10-3B-2, subsection Section G, below. 3. Subdivisions Fronting Onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots. 4. Double-Frontage Lots. When a lot has frontage onto two or more streets, access shall be provided first from the street with the lowest classification. For example, access shall be provided from a local street before a collector or arterial street. Except for corner lots, the creation of new double-frontage lots shall be prohibited in Residential Zones, unless topographic or physical constraints require the formation of such lots. When double-frontage lots are permitted in Residential Zones, a landscape buffer with trees and/or shrubs and ground cover not less than 20 feet wide shall be provided between the back yard fence/wall and the sidewalk or street; maintenance shall be assured by the owner (i.e., through homeowner's association, etc.). <p>Important cross-references to other code sections: Chapters 2 and 3 may require buildings placed at or near the front property line and driveways and parking areas oriented to the side or rear yard. The City may require the dedication of public right-of-way and construction of a street (e.g., frontage road, alley or other street) when the development impact is proportionate to the need for such a street, and the street is identified by the Comprehensive Plan or an adopted Transportation Plan. (Please refer to Article 10-3G)</p>
<p>10-3B-2(G) Access Spacing</p>	<p>Access spacing has been reviewed and approved by the City Engineer per Code requirements</p>	<p>G. <u>Access Spacing.</u> Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards and procedures:</p> <ol style="list-style-type: none"> 1. Local Access Streets. A minimum of 50 feet separation between driveways and a minimum of 150 feet between intersections (as measured from the edge of the driveway / intersection) shall be required on local access streets (i.e., streets not designated as collectors or arterials), except as provided in subsection 3, below or

		<p>unless a shared driveway, as outlined in Section 10-3B-2, subsection "I" below, is utilized. Single family, two-family, and three-family uses may not be required to comply with the 50 foot minimum separation, however compliance with Section 10-3B-2, subsection "K" below shall be required.</p> <p>a. Exception. If existing parcel configuration prevents required access spacing or shared approaches, the access spacing may be reduced, as determined by the P&CD Director.</p> <p>2. Arterial and Collector Streets. Access spacing on collector and arterial streets, and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the City's Transportation Improvement Plan and applicable transportation standards. A minimum of 300 feet separation between driveways shall be required on arterial streets and a minimum of 150 feet separation between driveways shall be required on collector streets. A minimum of 300 feet separation between intersections on arterial and collector streets shall be required.</p> <p>a. The City may require additional separation between driveways or intersections on arterials and collectors designated as Aesthetic Corridors / Boulevards on the City Comprehensive Plan Land Use Map to allow for landscaped medians, consistent with street design and traffic safety standards.</p> <p>b. Exception. If existing parcel configuration prevents required access spacing or shared approaches, the access spacing may be reduced, as determined by the Director / Designee. The City also has the discretion to allow a decrease in the access spacing for public safety.</p> <p>3. Special Provisions for All Streets. Direct street access may be restricted for some land uses, in conformance with the provisions of Chapter 2 - Zoning Districts. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections 1 and 2, may be required by the City, County, or WSDOT for the purpose of protecting the function, safety, and operation of the street for all users (see Section 10-3B-2, subsection 'I', below). Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.</p>
10-3B-2(H) Number of Access Points	Access has been reviewed and approved by the City Engineer per Code requirements	<p>H. <u>Number of Access Points.</u> For all housing types, except multi-family, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted for housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards in Section 10-3B-2, subsection 'G', above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety, and operation of the street(s) and sidewalk(s) for all users. Shared access may be required, in conformance with Section 10-3B-2, subsection 'I', below, in order to maintain the required access spacing, and minimize the number of access points.</p>
10-3B-2(I) Shared Driveways	Access has been reviewed and approved by the City Engineer per Code requirements	<p>I. <u>Shared Driveways.</u> Except for single family residential, the City shall require shared driveways as a condition of land division or site design review, as applicable and feasible, for traffic safety and access management purposes in accordance with the following standards:</p> <p>1. Shared driveways and frontage streets may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).</p> <p>2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval (Article 10-4D) or as a condition of site development approval (Article 10-4C).</p> <p>3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.</p>
10-3B-2(J) Street Connectivity and Formation of Blocks Required Article 10-1C Definitions (Webster's New Collegiate Dictionary)	<p>The proposed project aligns with existing streets and driveway approaches</p> <p>Complies with applicable standards</p>	<p>Block - A parcel of land or group of lots bounded by intersecting streets.</p> <p><i>Perimeter - 1a: the boundary of a closed plane figure, 1b: the length of a perimeter, 2: a line or strip bounding or protecting an area, 3: outer limits, often used in plural</i></p> <p>Street connectivity - The number of street connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through neighborhoods.</p> <p>J. <u>Street Connectivity and Formation of Blocks Required.</u> In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions and large site developments shall produce complete blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:</p> <p>1. Block Length and Perimeter. The maximum block length and perimeter shall not exceed: 600 feet length and 1,600 feet perimeter in Residential and Mixed Use Zones.</p> <p>2. Street Standards. Public and private streets shall also conform to Article 10-3G, Section 10-3B-3 - Pedestrian Access and Circulation, and applicable Americans With Disabilities Act (ADA) design standards.</p> <p>3. Exception. Exceptions to the above standards may be granted when blocks are divided by one or more pathway(s), in conformance with the provisions of Section 10-</p>

		3B-3. Pathways shall be located to minimize out-of-direction travel by pedestrians and may be designed to accommodate bicycles. The block length and perimeter standards may not apply when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent construction in conformance with the standards if a single use requires a parcel larger than the block formation allows, an exception may be granted.
10-3B-2(K) Driveway Openings	The driveway off Legacy Ridge Dr. is 28' wide and the two driveways off Country Vista Dr. are 24' wide. Driveway openings have been reviewed and approved by the City Engineer per Code requirements	K. <u>Driveway Openings.</u> Driveway openings or curb cuts shall be the minimum width necessary to provide the required number of vehicle travel lanes and shall comply with the City of Liberty Lake Street Standards. The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize stormwater runoff, and avoid conflicts between vehicles and pedestrians. Approach width may be increased if it is necessary to provide for shared driveways or public safety, as determined by the Director or designee: 1. Single family, two-family, and three-family uses shall have a minimum driveway width of 10 feet, and a maximum width of 30 feet 2. Multiple family uses with between 4 and 7 dwelling units shall have a minimum driveway width of 20 feet, and a maximum width of 30 feet. 3. Multiple family uses with more than 8 dwelling units, and off-street parking areas with 16 or more parking spaces, shall have a minimum driveway width of 24 feet, and a maximum width of 30 feet. These dimensions may be increased if the Director determines that more than two lanes are required based on the number of trips generated or the need for turning lanes. 4. Driveway widths for all other uses shall not exceed 35 feet, except that driveways providing direct access to parking spaces shall conform to the parking area standards in Article 10-3D, or unless approved by Planning & Community Development. 5. Driveway Aprons. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown above. Driveway aprons shall conform to ADA standards for sidewalks and pathways.
10-3B-2(L) Fire Access and Parking Area Turn-Arounds	Complies with standards	A fire equipment access drive shall be provided in accordance with the Building and Fire Codes. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles so that all vehicles may enter the street in a forward manner.
10-3B-2(M) Vertical Clearances	The project will need to be maintained to comply with standards as trees grow	Driveways, private streets, aisles, turn-around areas, and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.
10-3B-2(N) Vision Clearance	Reviewed by City Engineer for compliance with clear view triangles and will be field verified again during construction	No signs or structures, or vegetation in excess of three feet in height shall be placed in vision clearance areas or "clear view triangle", as described and shown below. The minimum vision clearance area may be increased by the Director upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). Vision clearance standards shall be based on the American Association of State Highway and Transportation Officials (AASHTO) standards. ...project designers shall be responsible for designing the proposed project to AASHTO Standards. If the project designer does not have access to this AASHTO guide, the City Engineer will assist them with determining requirements for the clear view triangle.
10-3B-2(O) Construction	Paved driveways with appropriate stormwater management will be utilized Complies with standards	O. <u>Construction.</u> The following development and maintenance standards shall apply to all driveways and private streets: 1. Surface Options. Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material may be used to reduce stormwater runoff and protect water quality. Paving surfaces shall be subject to review and approval by the City Engineer. In no case shall gravelled surfaces be used. 2. Stormwater Management. When a paved surface is used, all driveways, parking areas, aisles, and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Stormwater facilities shall be constructed in conformance with City standards. 3. Driveway Aprons. When driveway approaches or "aprons" are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing. (See also, Section 10-3B-2, subsection 'K' above)

<p>10-3B-3 Pedestrian Access and Circulation</p>	<p>The project will contain an interconnected concrete sidewalk and crosswalk system which will connect to the Country Vista Dr. and Legacy Ridge Dr. sidewalks</p> <p>Complies with standards</p>	<p>A. <u>Pedestrian Access and Circulation</u>. To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian and/or multi-use pathway system. (Pathways only provide for pedestrian circulation. Multi-use pathways accommodate pedestrians and bicycles.) The system of pathways shall be designed based on the standards in subsections 1-4, below:</p> <ol style="list-style-type: none"> 1. Continuous Pathways. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks, and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 10-3B-2 - Vehicular Access and Circulation, and Article 10-3G. 2. Safe, Direct, and Convenient Pathways. Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions: <ol style="list-style-type: none"> a. Reasonably direct. A route that does not deviate unnecessarily or a route that does not involve a significant amount of out-of-direction travel for likely users. b. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations. c. For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance. d. For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than one dwelling. 3. Connections Within Development. For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities, and common areas (as applicable), and adjacent developments to the site, as applicable. 4. Street Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 10-3B-2, subsection 'J'. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria: <ol style="list-style-type: none"> a. Multi-use or shared pathways (i.e., for pedestrians and bicyclists) are no less than 10 feet wide and located within a 20-foot-wide right-of-way or easement that allows access for emergency vehicles; b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted; c. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep; d. The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties; e. The City Engineer may determine that a pathway is impractical due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, critical areas, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code prohibit the pathway connection. <p>B. <u>Design and Construction</u>. Pathways shall conform to all of the standards in 1-5 below:</p> <ol style="list-style-type: none"> 1. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps. This standard may not apply to re-construction of existing roadways. 2. Housing/Pathway Separation. Pedestrian pathways shall be separated a minimum of 5 feet from all residential living areas on the ground-floor, except at building entrances. Separation is measured as measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Article 10-3C. No pathway/building separation is required for commercial, industrial, public, or institutional uses. 3. Crosswalks. Where pathways cross a parking area, driveway, or street ("crosswalk"), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Crosswalks within parking areas may be removed at the discretion of the City Engineer. 4. Sidewalk & Pathway Surface. Sidewalks shall be concrete and at least 6' wide, unless otherwise specified by this Code. Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 10 feet wide. (See also the applicable City Transportation Standards related to pathways). Additionally, sidewalk and pathway design shall conform to the requirements of Section 10-3G-2 - Transportation Improvements, the City Street Standards, the Liberty Lake Trail System Plan and Parks, Recreation, Open Space, and Trails Plan, as applicable. 5. Accessible routes. Pathways shall comply with the Americans With Disabilities Act, which requires accessible routes of travel.
<p>10-3C-2 Landscape Conservation</p>	<p>There are clusters of native trees throughout the site</p> <p>Significant trees and shrubs were identified and will be protected if practical per the Code</p> <p>The applicant has designed the project to work with the</p>	<p>A. Applicability. All development sites containing Significant Vegetation, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development and protect vegetation associated with streams, wetlands and other protected natural resource and critical areas. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks, and allows for water conservation due to larger plants having established root</p>

	<p>topography and natural areas as much as possible and to preserve existing vegetation when practical and critical area vegetation shall be protected in conformance with the provisions of Chapter 6</p> <p>Complies with standards</p>	<p>systems.</p> <p>B. Significant Vegetation</p> <ol style="list-style-type: none"> 1. Significant Trees and Shrubs - All trees within the public right of way with a trunk diameter of 12 inches or greater, as measured 4 feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected, if practical and as applicable. Additionally, individual trees and shrubs with a trunk diameter of 12 inches or greater should be protected, if practical. Other trees may be deemed significant, when nominated by the property owner or City staff and designated by the City Council as "Heritage Trees" (i.e., by virtue of site, rarity, historical significance, etc.) 2. Natural Resource / Critical Areas - Trees and shrubs on sites that have been designated as "Critical Areas" or natural resource areas, in accordance with Chapter 6 (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected. 3. Exception - Protection shall not be required for plants listed as non-native, Class A weeds by the Spokane County Noxious Weed Control Board or for non-native invasive plants. <p>C. Mapping and Protection Required. All significant trees within the right of way and all Heritage Trees shall be mapped individually and identified by species and size (diameter at 4 feet above grade, or "DBH"). A "protection" area shall be defined around the edge of all branches (drip-line) of each tree (drip lines may overlap between trees). The City also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements. Other significant vegetation should be identified as existing vegetation on required landscape plans with their size and species, if the trees will be preserved as a portion of the required landscaping.</p> <p>D. Protection Standards. All of the following protection standards shall apply to significant vegetation identified in B above, other vegetation should comply whenever practical:</p> <ol style="list-style-type: none"> 1. Protection of Significant Vegetation - Significant vegetation shall be retained whenever practical, as determined by P&CD. Preservation may become impractical when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable zoning district and relocation of the vegetation or replacement with equivalent vegetation with the closest DBH for trees or commercially available nursery size available in the Spokane/ Coeur d' Alene metro region shall be required within the development or if not possible, then relocated or replaced within another area in the City. 2. Protection of Natural Resource / Critical Areas - Natural Resource / Critical Areas shall be protected in conformance with the provisions of Chapter 6. 3. Conservation Easements and Dedications - When necessary to implement the Comprehensive Plan, the City may require dedication of land or recordation of a conservation easement to protect specific areas, including groves of significant trees or Heritage Trees. <p>E. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the City for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 6 and Subsection D above.</p> <p>F. Exemptions. The protection standards in "D" above shall not</p>
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		<p>apply in the following situations:</p> <ol style="list-style-type: none"> 1. Dead, Diseased, and/or Hazardous Vegetation - Vegetation that is dead or diseased, or poses a hazard to personal safety, property, or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection 2, below. 2. Emergencies - Significant vegetation may be removed in the event of an emergency when the vegetation poses an immediate threat to life or safety, as determined by the Director of Planning & Community Development. The Director shall prepare a notice or letter of decision within 15 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall.
<p>10-3C-3 New Landscaping</p>	<p>Approved Alternative Method of Compliance utilized for eastern interior parking area and parking area east of Building W (center divider islands removed)</p> <p>Complies with standards</p>	<p>A. Applicability. All land uses shall comply with the requirements of this section, except temporary uses, single-family residential, and other uses not subject to Site Design Review as outlined in Article 10-4C, which must only comply with the requirements for the preservation of significant vegetation and landscape conservation identified in Section 10-3C-2 above.</p> <p>B. Landscaping Plan Required.</p> <p>C. Bonding and Assurances</p> <p>D. Landscape Area Requirements</p> <ul style="list-style-type: none"> • Multi-Family Residential (and other applicable residential projects in all zones) - 20% <p>E. Interior Parking Area Landscaping</p> <p>F. Perimeter Landscaping</p> <p>G. Screening of Mechanical Equipment, Outdoor Storage, and Loading Areas</p> <p>H. Refuse Enclosures.</p> <p>I. Landscape Materials</p> <p>J. Protective Curbing</p> <p>K. Maintenance and Irrigation</p> <p>L. Additional Requirements</p> <p>M. Shopping Cart Storage & Return Stations</p>
<p>10-3C-4 Street Trees</p>	<p>Street trees are existing</p>	<p>Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Requirements for street tree planting strips are provided in Section 10-3G-2 - Transportation Improvements. Planting of unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:</p> <ol style="list-style-type: none"> A. Landscaping Plan Required B. Growth Characteristics C. Caliper Size D. Spacing and Location E. Soil Preparation, Planting, and Care F. Assurances G. Street Tree List

10-3C-5 Fences and Walls

Fencing was not proposed for the project; however retaining walls may be needed and would be reviewed as a separate permit application

A. General Requirements. All fences and walls shall comply with the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Article 10-4H - Conditional Use Permits or Article 10-4C - Site Design Review. Walls built for required landscape buffers or as enclosures shall comply with Section 10-3C-3 subsections G and H.

B. Dimensions

C. Materials

D. Maintenance

10-3D-3 Vehicle Parking & 10-3D-4 Bicycle Parking Standards

Phase 1

PARKING CALCULATIONS:

REQUIRED PER 10-3D-3:

PARKING REQUIREMENTS:
 1 BED (<500 sf) = 1 SPACE (0 x 1 = 0 SPACE)
 1 BED (<500 sf) = 1.5 SPACES (27 x 1.75 = 47 SPACES)
 2 BED = 1.75 SPACES (72 x 2 = 144 SPACES)
 3 BED = 2 SPACES (27 x 2 = 54 SPACES)
 REQUIRED PARKING: 233.5 SPACES

BICYCLE PARKING: 1 SPACE PER UNIT (130)
 - GARAGE SPACES (97)
 TOTAL REQUIRED: 330 SPACES

PROVIDED:

STANDARD PARKING SPACES: 144
 COMPACT PARKING SPACES: 0
 ADA PARKING SPACES: 8 (4 VAN ACCESSIBLE)
 IN-FRONT BUILDING SPACES: 54
 TOTAL SPACES: 206
 ATTACHED GARAGES: 72
 DETACHED GARAGES: 25
 TOTAL PARKING: 303

BICYCLE PARKING: 5 RACKS / 9 SPACES
 TOTAL BIKE PARKING: 45 SPACES

Phase 2

PARKING CALCULATIONS:

REQUIRED PER 10-3D-3:

PARKING REQUIREMENTS:
 1 BED (<500 sf) = 1 SPACE (0 x 1 = 0 SPACE)
 1 BED (<500 sf) = 1.5 SPACES (48 x 1.75 = 84 SPACES)
 2 BED = 1.75 SPACES (60 x 2 = 120 SPACES)
 3 BED = 2 SPACES (24 x 2 = 48 SPACES)
 REQUIRED PARKING: 253 SPACES

BICYCLE PARKING: 1 SPACE PER UNIT (132)
 - GARAGE SPACES (70)
 TOTAL REQUIRED: 323 SPACES

PROVIDED:

STANDARD PARKING SPACES: 131
 COMPACT PARKING SPACES: 0
 ADA PARKING SPACES: 5 (1 VAN ACCESSIBLE)
 IN-FRONT BUILDING SPACES: 36
 TOTAL SPACES: 173
 ATTACHED GARAGES: 42
 DETACHED GARAGES: 28
 TOTAL PARKING: 242

BICYCLE PARKING: 6 RACKS / 9 SPACES
 TOTAL BIKE PARKING: 54 SPACES

Phase 1 and 2 combines complies with standards

A. Vehicle Parking Minimum Standards. The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pathway, or landscape area. The City encourages locating parking lots to the rear or side of buildings to enhance streetscapes and promote pedestrian access. Required parking spaces shall be calculated for primary and accessory uses.

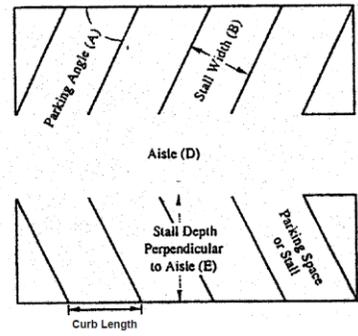
Residential Uses	Required Parking Spaces
Multi-family and single family attached housing	
Studio or 1-bedroom units less than 500 sq. ft.	1 space per dwelling unit
1-bedroom units 500 sq. ft. or larger	1.5 spaces per dwelling unit
2-bedroom units	1.75 spaces per dwelling unit
3-bedroom or greater units	2 spaces per dwelling unit
Rooming and boarding houses, dormitories	Two spaces for every three beds
Specialty housing	1 space per bed, plus 1 space per employee on the largest shift

B. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided herein by more than 50%; except uses in the I (Light Industrial) Zone are exempt from the maximum parking standards. Unless otherwise specified, all commercial and industrial uses may exceed the maximum number of parking spaces in order to provide .5 spaces per employee during the largest shift. Larger parking areas should be in a parking structure. If surface parking lots must be larger than 4 acres to meet the minimum required parking space requirements in this Code, additional landscaping shall be provided, at the discretion of the Director or his or her designee. Spaces provided on-street or within parking structures do not apply towards the maximum number of allowable spaces. Parking spaces provided through "shared parking", parking spaces for golf carts (as defined by City Ordinance 186, as amended), and electric vehicle spaces also do not apply toward the maximum number. Additionally, auto oriented sales display spaces that conform to the landscaping standards in 10-3C-3 and auto repair or outdoor vehicle storage areas that are enclosed within a building or with a solid wall or fully sight obscuring fence to a minimum height of 6 feet, do not apply toward the maximum number of parking spaces. As outlined in Article 10-5B, the Director may approve variances to the minimum or maximum standards for off-street parking through a Class A Variance.

C. Unspecified Uses.

D. Credit for On-Street Parking

E. Parking Stall Standard Dimensions and Compact Car Parking. All parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping, and provide dimensions in accordance with the following table. Up to 15% of the required parking may be designed and labeled as compact. Compact stalls are 1' narrower and 2' shorter than standard stalls (i.e. a 9' x 18' standard stall would be a 8' x 16' compact stall). Compact stalls shall include landscape islands as required by Article 10-3C of this Code, except they can be 9' x 16'. Disabled person parking shall be provided in conformance with section "F".



		<table border="1"> <thead> <tr> <th>Angle (A)</th> <th>Width (B)</th> <th>Curb Length (C)</th> <th>1 Way Aisle Width (D)</th> <th>2 Way Aisle Width (D)</th> <th>Stall Depth (E)</th> </tr> </thead> <tbody> <tr> <td>Parallel</td> <td>9 ft.</td> <td>24</td> <td>12 ft.</td> <td>24 ft.</td> <td>9 ft.</td> </tr> <tr> <td>30 Degree</td> <td>9 ft.</td> <td>18</td> <td>12 ft.</td> <td>24 ft.</td> <td>17 ft.</td> </tr> <tr> <td>45 Degree</td> <td>9 ft.</td> <td>12' 6"</td> <td>14 ft.</td> <td>24 ft.</td> <td>19 ft.</td> </tr> <tr> <td>60 Degree</td> <td>9 ft.</td> <td>10' 6"</td> <td>18 ft.</td> <td>24 ft.</td> <td>20 ft.</td> </tr> <tr> <td>90 Degree</td> <td>9 ft.</td> <td>9 ft.</td> <td>24 ft.</td> <td>24 ft.</td> <td>18 ft.</td> </tr> </tbody> </table> <p><u>Important cross-references:</u> Also see, Chapter 2 - Zoning Districts; Article 10-3B - Access and Circulation; Article 10-3C - Landscaping; and Article 10-3H - Stormwater Management.</p> <p>F. <u>Disabled Person Parking Spaces.</u> Parking for disabled persons shall be provided in conformance with the Americans With Disabilities Act (ADA):</p> <p>F. Parking Location and Shared Parking</p> <p>10-3D-4 Bicycle Parking Standards</p> <p>Uses shall provide bicycle parking, in conformance with the identified guidelines.</p> <p>Multi-Family Residences. Provide one bicycle parking space for every unit (structures with 4 or more units).</p>	Angle (A)	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)	Parallel	9 ft.	24	12 ft.	24 ft.	9 ft.	30 Degree	9 ft.	18	12 ft.	24 ft.	17 ft.	45 Degree	9 ft.	12' 6"	14 ft.	24 ft.	19 ft.	60 Degree	9 ft.	10' 6"	18 ft.	24 ft.	20 ft.	90 Degree	9 ft.	9 ft.	24 ft.	24 ft.	18 ft.
Angle (A)	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)																																	
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60 Degree	9 ft.	10' 6"	18 ft.	24 ft.	20 ft.																																	
90 Degree	9 ft.	9 ft.	24 ft.	24 ft.	18 ft.																																	
10-3D-5 Loading Space Standards	N/A for residential use	<p>It is the intent of this section to require all future commercial, business, institutional, or industrial development to provide off-street loading facilities in order to guarantee full utilization of existing rights of way to accommodate present and future traffic demands. Off-street loading facilities are intended to provide adequate space to accommodate outside deliveries from large vehicles which cannot be functionally served by normal parking stalls. Off-street loading facilities must be located in such a manner that service vehicles do not block or intrude into public rights of way or block driveways or parking area circulation.</p> <p>A. Location and Design</p> <p>B. Required Off-Street Loading Spaces</p>																																				
10-3D-6 Electric Vehicle Infrastructure (EVI)	N/A for residential use unless property owners chooses to install for tenants	<p>Electric Vehicle Infrastructure, as defined by RCW 35A.63.107 shall be allowed as an accessory use within any parking lot / area or within a garage or parking structure. Site and landscaping requirements identified in this Code shall apply, as applicable.</p> <p>A. Residential Zones. EVI in residential zones shall be limited to residential use and shall not be used for purposes of wholesale or retail sales.</p> <p>B. Other Zones. EVI for commercial and industrial uses should be designed and sized proportionately to accommodate the demand of the underlying permitted, limited, or conditional use and shall be suitable for the desired location.</p> <ol style="list-style-type: none"> 1. Design Criteria and Guidelines 2. Public Streets 3. Maintenance 																																				
Article 10-3E Signage Standards	Project will be reviewed for conformance with standards at time of sign permit application	City Development Code Article 10-3E Signage Standards - includes residential and commercial signage standards																																				
10-3F-1 Solid Waste Storage	<p>Refuse enclosures have been provided</p> <p>Complies with standards</p>	Solid waste shall not be stored on public or private property for more than two (2) weeks. Except for single, two-family, and townhome housing residential waste & recycle containers, all other solid waste storage areas containing trash dumpsters, compactors, etc. and recycle bins are to be screened from adjacent properties and public rights-of-way in accordance with Section 10-3C-3, subsection H.																																				

<p>10-3F-2 Lighting</p>	<p>Residential lighting is exempt; however exterior lighting plans and cut sheets were supplied and light fixtures are International Dark-Sky Association (IDA) compliant</p>	<p>A. Purpose. The purpose of this Section is to protect the health, safety, and welfare of the public by recognizing the need for buildings and sites to be illuminated for safety, security, and visibility for pedestrians and motorists balanced against the often detrimental affects associated with the use of outdoor lighting. This Section provides standards for various forms of lighting that will:</p> <ol style="list-style-type: none"> 1. Minimize light pollution; 2. Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to sky glow; 3. Reduce light pollution and light trespass from light sources onto adjacent properties; 4. Enhance customer and employee safety; 5. Contribute to improving visibility by requiring illuminated areas to have uniform light; and curtail the degradation of the nighttime visual environment. <p>B. Applicability. The standards in this Section shall apply to any light source visible beyond the property from which it is emanating. The Planning & Community Development Department may review any building or site to determine compliance with the requirements under this Section. Whenever a person is required to obtain a building permit, land use or land division approval, or site plan approval from the City, the applicant shall submit sufficient information to enable the Director or his/her designee to determine whether the proposed lighting will comply with this Section. Lighting shall also comply with the Non-Residential Energy Code (NREC), as applicable.</p> <p>C. Lighting Plan Submittal Requirements</p> <p>D. General Standards</p> <p>E. Lighting Intensity and Uniformity Standards</p> <p>F. Prohibited Outdoor Lighting</p> <p>G. Exemptions. The following are exempt from the lighting requirements of this Section, provided that they have no glare or other detrimental effects on adjoining streets or property owners:</p> <ol style="list-style-type: none"> 1. Private swimming pools; 2. Holiday decorations; 3. Window displays; 4. Temporary Searchlights (as permitted in the City Development Code Section 10-3E-5); 5. Pedestrian walkway lighting; 6. Residential lighting; and 7. Street lights shall be designed and installed per Section 10-3G-2, subsection T of this Code. <p>H. Lamp or Fixture Substitution</p> <p>I. Administration</p>
<p>10-3G-2 Transportation Improvements - Development Standards</p>	<p>Access to the subject site is provided via the abutting Country Vista Drive (Minor Arterial) with a proposed secondary access via the abutting Legacy Ridge Dr. (public portion). The secondary access is an existing access easement for a private ROW that extends</p>	<p>A. Development Standards. No development shall occur unless the development has frontage or approved access to a public street, in conformance with the provisions of Article 10-3B - Access and Circulation, and the following standards are met:</p> <ol style="list-style-type: none"> 1. Streets within or adjacent to a development shall be improved in accordance with the Transportation Improvement Plan, the provisions of this article, and the City of Liberty Lake Street and Stormwater Standards.

	<p>into undeveloped land to the south of the project. A condition of the purchase and sale agreement was that the multi-family project provide private road access to their south property line in order to ensure future access to the undeveloped hillside within the Liberty Lake Corporate Park (refer to Frank Ide email 8/4/16)</p> <p>The City of Liberty Lake has included the Country Vista Dr. and Legacy Ridge Dr. Intersection Improvements (CFP Project #43) and Country Vista Improvements – Broadway Ave. to Liberty Lake Rd. (CFP Project #45) within our adopted 2016 - 2021 City Capital Facilities Plan. The funding sources for improvements are the Harvard Rd. Mitigation Plan (CFP Project #43) and City (CFP Project #45)</p> <p>An existing property owner's association for the Liberty Lake Corporate Park is in place to maintain any private streets</p> <p>Mail boxes are to be reviewed by USPS</p> <p>The project has been reviewed by the City Engineer</p> <p>Complies with standards</p>	<p>2. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this article and the City of Liberty Lake Street and Stormwater Standards. Public streets shall be dedicated to the applicable city, county or state jurisdiction;</p> <p>3. New streets and drives connected to a collector or arterial street shall be paved; and</p> <p>4. The City may accept a future improvement guarantee [e.g., owner agrees not to object against the formation of a local improvement district in the future in lieu of street improvements if one or more of the following conditions exist:</p> <ul style="list-style-type: none"> a. A partial improvement may create a potential safety hazard to motorists or pedestrians; b. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation; c. The improvement would be in conflict with an adopted capital facility plan; or d. The improvement is associated with an approved land division on property zoned residential and the proposed land division does not create any new streets. <p>5. Privately owned and maintained streets may be allowed, but are not encouraged. However, private streets must meet all the design and construction standards required for public streets. A homeowner's or property owner's association must be established to provide for street repair and maintenance.</p> <p>B. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final plat, binding site plan, or short plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation Improvement Plan, and the deeded right-of-way conforms to the standards of this Code and the City of Liberty Lake Street and Stormwater Standards. All deeds of dedication shall be in a form prescribed by the Director and shall name "the public," as grantee.</p> <p>C. Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access and circulation in conformance with Article 10-3B - Access and Circulation. Access easements shall be created and maintained in accordance with the Fire Code.</p> <p>D. Street Location, Width, and Grade. Except as noted below, the location, width, and grade of all streets shall conform to the Transportation Improvement Plan, as applicable, the City of Liberty Lake Street and Stormwater Standards; and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience, and safety, and in appropriate relation to the proposed use of the land to be served by such streets:</p> <ul style="list-style-type: none"> 1. Street grades shall be approved by the City Engineer in accordance with the City of Liberty Lake Street and Stormwater Standards; and 2. Where the location of a street is not shown in an existing street plan (See subsection 'G'), the location of streets in a development shall either: <ul style="list-style-type: none"> a. Provide for the continuation and connection of
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		<p>existing streets in the surrounding areas, conforming to the street standards of this article and the City of Liberty Lake Street and Stormwater Standards, or</p> <p>b. Conform to a street plan adopted by the City Council, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.</p> <p>E. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths listed in the City of Liberty Lake Street and Stormwater Standards. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:</p> <ol style="list-style-type: none"> 1. Street classification in the Transportation Improvement Plan; 2. Anticipated traffic generation; 3. On-street parking needs; 4. Sidewalk and bikeway requirements based on anticipated level of use; 5. Requirements for placement of utilities; 6. Street lighting; 7. Minimize or prevent drainage, slope, and critical area impacts, as identified by the Comprehensive Plan; 8. Street tree location, as provided for in Section 10-3C-4; 9. Protection of significant vegetation, as provided for in Section 10-3C-2; 10. Safety and comfort for motorists, bicyclists, and pedestrians; 11. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided; 12. Access needs for emergency vehicles; and 13. Transition between different street widths (i.e., existing streets and new streets), as applicable. <p>F. Traffic Signals and Traffic Calming Features.</p> <ol style="list-style-type: none"> 1. Traffic-calming features, such as traffic circles, curb extensions, narrow residential streets, and special paving may be used to slow traffic in neighborhoods and areas with high pedestrian traffic. 2. Traffic signals shall be required with development when traffic signal warrants are met. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval. <p>G. Future Street Plan and Extension of Streets.</p> <ol style="list-style-type: none"> 1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other parcels within 400 feet surrounding and adjacent to the proposed land division. The street plan is not binding; rather it is intended to show potential future street
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		<p>extensions with future development.</p> <p>2. Streets shall be extended to the boundary lines of the parcel or tract to be developed, when the Director determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-c, below:</p> <p>a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.</p> <p>b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.</p> <p>c. Temporary turnarounds (e.g., hammerhead or bulb-shaped configuration) shall be constructed for stub streets over 150 feet in length and must be paved according to the adjoining street standard.</p> <p>H. Street Alignment and Connections.</p> <p>1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.</p> <p>2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area, or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.</p> <p>3. All local and collector streets which abut a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.</p> <p>4. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas, parks, and transit facilities.</p> <p>5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to the standards in Section 10-3B-2, subsection 'J'.</p> <p>I. Sidewalks, Planter Strips, Bicycle Lanes. Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Section 10-3G-2, Section 10-3B-3, Section 10-3C-4, applicable provisions of the Transportation Improvement Plan, the Comprehensive Plan, adopted street plans, and the City of Liberty Lake Street and Stormwater Standards. Separated sidewalks with planters shall be required along both sides of streets in all new developments, unless existing sidewalks prohibit the use of separated sidewalks or physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD and additional sidewalks or pathways will be</p>
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	<p>required within the development or the City. The use of urban streetscapes is encouraged in mixed use zones and designs shall be reviewed for compliance with the intent of the street tree and sidewalk standards. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner.</p> <p>J. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practical, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area, or similar neighborhood amenity. See the City of Liberty Lake Street Standards for details.</p> <p>K. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of this article.</p> <p>L. Cul-de-sacs. A cul-de-sac should be no more than 200 feet long and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation.</p> <p>M. Grades and Curves. Grades shall not exceed standards in the City of Liberty Lake Street and Stormwater Standards.</p> <p>N. Curbs, Curb Cuts, Ramps, and Driveway approaches. Concrete curbs, curb cuts, wheelchair, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Article 10-3B - Access and Circulation and the City of Liberty Lake Street and Stormwater Standards.</p> <p>O. Streets Adjacent to Railroad Right-of-Way. Wherever the proposed development contains or is adjacent to a railroad right-of-way, a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land shall be created. New railroad crossings and modifications to existing crossings are subject to review and approval by the Washington State Department of Transportation.</p> <p>P. Development Adjoining Arterial Streets. Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access and through traffic, and shall minimize traffic conflicts. The design shall include one or more of the following:</p> <ol style="list-style-type: none"> 1. A parallel access street along the arterial with a landscape buffer separating the two streets; 2. Deep lots abutting the arterial or major collector to provide adequate buffering with frontage along another street. Double-frontage lots shall conform to the buffering standards in Section 10-3B-2, subsection F(4); 3. Screen planting at the rear or side property line to be contained in a non-access reservation (e.g., public easement or tract) along the arterial; or 4. Other treatment suitable to meet the objectives of this subsection; 5. If a lot has access to two streets with different classifications, primary access shall be from the lower classification street, in conformance with Section 10-3B-2. <p>Q. Alleys, Public or Private. Alleys shall conform to the standards in this Code and the City of Liberty Lake Street Standards. Alleys shall be provided off Local Access or Collector Streets only, not Arterials, and shall connect to a Local Access or Collector street at both ends.</p> <p>R. Private Streets. Private streets shall not be used to avoid connections with public streets. Gated communities (i.e., where a gate limits access to a development from a public street) are</p>
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		<p>prohibited, unless the streets conform to the public street standards in the City of Liberty Lake Street Standards.</p> <p>S. Street Names & Addresses. No street name shall be used which will duplicate or be confused with the names of existing streets in Spokane County, except extensions of existing streets may be permitted. Street names, signs, and numbers shall conform to the established pattern in the City. Addresses shall be assigned by the City and provided off streets only. If a building does not have street frontage (e.g. common area or pedestrian path frontage), then the address shall be provided based on the street connection point for vehicular access and appropriate signage shall be provided for public safety. Exceptions may be granted by the Director for specific situations, including auto-court lanes.</p> <p>T. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.</p> <p>U. Street Signs. The city, county, or state with jurisdiction shall install all signs for traffic control and street names, unless it is delegated to the developer. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required. Street sign posts shall be 3# U-Channel, 2 Piece Breakaway. Alternative proposals may be considered by the Director.</p> <p>V. Mail Boxes. Plans for mail boxes to be used shall be approved by the United States Postal Service.</p> <p>W. Street Light Standards. Street lights shall be installed for all new development by the developer / applicant to encourage a pedestrian friendly environment and enhance community safety and business exposure. Final lighting fixture selection and location shall be made by the City based on developer / applicant proposals. The developer / applicant should coordinate with Avista Utilities for style / fixture selection. All street light electrical installations including wiring, conduit, and power connections shall be located underground. A plan shall be provided showing the proposed fixture types and locations along with light fixture specification sheets and each fixture shall be equipped with a photocell. Current AASHTO Roadway Lighting Design Guidelines, or equivalent guidelines shall be utilized. The City Engineer shall make the final determination of the lighting category applied to a site.</p> <p>X. Street Cross-Sections. The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway and within one year of the conditional acceptance of the roadway, unless otherwise approved by the City Engineer. Street construction shall comply with the City of Liberty Lake Street and Stormwater Standards. Street improvements shall be in place prior to the issuance of a Certificate of Occupancy on any structure.</p>
<p>10-3G-3 Public Use Areas</p>	<p>The subject site is within 1/2 mile of Trailhead Golf Course, the Outlet Channel Trail corridor, and Town Square Park.</p> <p>The project will contain a sidewalk system which will connect to the existing Country Vista Dr. and Legacy Ridge Dr. sidewalks. There is also an existing gravel pathway located south of the</p>	<p>A. Dedication Requirements.</p> <ol style="list-style-type: none"> 1. Private Parks or Greenway Dedications. Land set aside for private parks or greenways shall be dedicated to a Home Owner Association or related private entity responsible for the ownership and maintenance of said property. Private park and greenway dedications shall include provisions for public easement access. 2. Public Park and Greenway Dedications. Land set aside for public parks or greenways shall be dedicated to and accepted by the city. The City shall agree to a general park development plan at the time of title transfer. Land dedicated

	<p>project site that connects into the project. The project also has adequate on-site open space areas.</p> <p>Complies with standards</p>	<p>for public park use shall include covenant language that would require that the property be used and developed for use as a public park. The City may not transfer or use land dedicated for park and open space use for any other purpose.</p> <p>3. Location of Dedications. Where a proposed park, playground or other public use shown in a plan adopted by the City is located in whole or in part in an area proposed for land division, the City may require the dedication or reservation of this area on the final plat, short plat, or BSP. As development occurs, the developer and the city shall work concurrently to identify the size, location, and configuration of proposed parks and greenways consistent with the city's adopted Parks, Recreation, Open Space, and Trails Plan. All proposed residential uses shall be located within ½ mile of a park or greenway area. Access easements for public trail corridors may be required and trails would be designed in accordance with 10-3B-3, to allow for connections to the existing trail system or future trail and wildlife corridors.</p> <p>4. Timing of Dedications. Dedications shall occur in phases as part of the final platting of the property. Dedication of land to the City shall be coordinated between the City and the Developer dependent upon availability of access and utilities and the City timeline for development of park improvements.</p> <p>5. Private Open Space Areas. Private open space areas will be part of the development of private projects and will occur when those properties are developed. The open space areas that will be part of residential, office, mixed use, and commercial developments will be owned and maintained by the project developer and owner. The private open space areas will be primarily for the use and benefit of the occupants or tenants of the project and will generally not be open for general public use.</p> <p>B. Reservations and Acquisition by Public Agencies. Land reserved for acquisition by a Public Agency shall be secured with an agreement for purchase upon reservation. Land reserved for a park, playground, or other public use shall be acquired by the appropriate public agency within the defined period, mutually agreed upon time schedule, and price.</p> <p>C. System Development Charge / Mitigation Fee / Impact Fee Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge, mitigation fee, or impact fee for parks, as applicable.</p>
<p>10-3G-4 Sanitary Sewer and Water Service Improvements</p>	<p>Public sewer and water will be provided by LLSWD</p>	<p>Public sewer and water shall be required for new development.</p>
<p>10-3G-5 Storm Drainage Improvements</p>	<p>The project was designed to comply with the Spokane Regional Stormwater Management Manual and has been reviewed by the City Engineer</p> <p>A geo-technical evaluation was also conducted</p> <p>Complies with standards</p>	<p>The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Article 10-3H - Stormwater Management.</p>
<p>10-3G-6 Utilities</p>	<p>Comments have been requested from the serving utility companies and no issues have been expressed (see agency review summary</p>	<p>Underground utilities are required and easements must be provided.</p>

	<p>above), adequate easements are in place</p> <p>Per the City Engineer, all utilities could be significantly impacted by the rock present on Phase 2. Phase 1 is fairly rock free, but as the project moves west we will need to make sure that the rock is accounted for in the utility design. This may need to be addressed in the field.</p>	
10-3G-7 Easements	<p>The parcels were created through BSP 50-96, 17th Amendment with easements identified</p> <p>Comments have been requested from the serving utility companies and no issues have been expressed (see agency review summary above), adequate easements are in place</p>	<p>Easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be dedicated on a final plat, or provided for in recorded easements. See also, Article 10-4C - Site Design Review, and Article 10-4D - Land Divisions. The developer or applicant shall make arrangements with the City, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be 10 feet when adjoining a public right-of-way, and 20 feet when private property is located on both sides of the easement, unless otherwise specified by the utility company, applicable district, or the City Engineer.</p>
10-3G-8 Construction Plan Approval and Assurances	<p>The project has been reviewed by the City Engineer</p>	<p>No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City or applicable district for construction and other services in connection with the improvement. The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements.</p>
10-3G-9 Installation	<p>The project will comply with the standards</p>	<p>A. Conformance Required B. Adopted Installation Standards C. Commencement D. Resumption E. City Inspection F. Engineer's Certification and As-Built Plans</p>
Article 10-3H Stormwater Management	<p>The project was designed to comply with the Spokane Regional Stormwater Management Manual and has been reviewed by the City Engineer</p> <p>Complies with standards</p>	<p>All development within the City shall comply with the Spokane Regional Stormwater Manual (April 2008), as amended by the City of Liberty Lake. The Manual serves as a single technical stormwater manual for the Spokane region. It provides uniform stormwater management standards and is a central repository for Best Management Practices (BMPs).</p>

<p>10-4A-2 Concurrency</p>	<p>The City has adopted the Harvard Road Mitigation Plan and the Legacy Villas Apartments project will participate in the mitigation plan at time of building permit issuance</p> <p>The project will be served by public sewer and water</p> <p>The City has reviewed the adopted level of service standards contained in the CFP and no service providers expressed any issues with the project</p> <p>The project complies with direct and indirect concurrency standards</p>	<p>A. <u>Concurrency Facilities and Services.</u></p> <p>1. Applicability. The following facilities and services must be evaluated for Concurrency:</p> <ul style="list-style-type: none"> a. Public Water b. Public Sewer c. Transportation d. Stormwater e. Law Enforcement f. Parks and Open Space g. Libraries h. Solid Waste Disposal i. Street Cleaning j. Public Transit k. Fire and Emergency Services l. Public Schools <p>2. Direct Concurrency. Transportation, Public Water, and Public Sewer shall be considered Direct Concurrency Services. Concurrency requirements for public water and public sewer service are detailed in Section 10-4A-2, subsection F below. A financial guarantee for required improvements can be used to "final a project", but transportation facilities serving a development must be constructed prior to occupancy. Applicable permit/project applications shall require Transportation Concurrency Review, described below. A Concurrency Certificate shall be issued to development proposals that pass the Transportation Concurrency Review.</p> <p>3. Indirect Concurrency. Stormwater, Law Enforcement, Parks and Open Space, Libraries, Solid Waste Disposal, Street Cleaning, Public Transit, Fire and Emergency Services, and Public Schools shall be considered Indirect Concurrency Services. The City of Liberty Lake shall demonstrate the adequacy of Indirect Concurrency services through the Capital Facilities Plan (CFP). The CFP will be updated annually, at which time all Indirect Concurrency Services will be evaluated for adequacy. The evaluation will include an analysis of population, Level of Service, and land use trends in order to anticipate demand for services and determine needed improvements. If any Indirect Concurrency Services are found to be inadequate, the City will adjust plans to lessen the demand for services, include a project in the CFP to address the deficiency, or adjust the Level of Service.</p> <p>B. <u>Transportation Concurrency and Review.</u></p> <p>1. The following project permits/project applications shall be subject to Transportation Concurrency Review.</p> <ul style="list-style-type: none"> a. Plats and Binding Site Plans b. Short Plats c. Zone Changes with site plans d. Planned Unit Developments e. Commercial/Industrial building permits f. Residential building permits over 4 units g. Conditional Use Permits h. Manufactured Home Parks i. Extension of time (see exemption No. 2.b.) j. Change of conditions <p>A Certificate of Concurrency, issued by the City, shall be required prior to approval of the above applications, if applicable.</p> <p>2. The following shall be exempt from Concurrency Review:</p> <ul style="list-style-type: none"> a. Project permits that were issued, or project applications that were determined to be complete (see RCW 36.70B) prior to the effective date of these Concurrency Regulations. b. Any project permit that will have insignificant transportation impact, and that will not change the traffic volumes and flow patterns in the peak travel periods, as determined by the Planning & Community Development Director. c. The following project actions: <ul style="list-style-type: none"> i. Boundary line adjustments; ii. Final Plats/ Final PUD's/ Final Short Plats/ Final Binding Site Plans; iii. Temporary Use Permits; iv. Variances. d. Proposed project permits/project applications that do not create additional impacts on transportation facilities. Such projects may include but are not limited to: <ul style="list-style-type: none"> i. Any addition or accessory structure to a residence with no change or increase in the number of dwelling units, up to 4 units; ii. Interior renovations with no change in use or increase in number of dwelling units, up to 4 units; iii. Any addition, remodel, or interior completion of a structure for use(s) with the same or less intensity as the existing use or a previously approved use. <p>C. <u>Transportation Concurrency Review Procedures.</u></p> <p>1. Applicability. All project permits, except for those exempt, shall apply for Transportation Concurrency Review at the time applications for project permits are submitted. Inquiries about availability of capacity on transportation facilities or applicable mitigation fees may be made prior to project permit applications, but responses to such inquiries are advisory only and available capacity can only be reserved through a Concurrency Certificate as set forth in these regulations. These procedures may not apply if a transportation mitigation plan is adopted that specifies procedures for transportation mitigation.</p> <p>2. Procedures.</p> <ul style="list-style-type: none"> a. Applications for Transportation Concurrency Review shall be submitted on forms provided by the City. b. Transportation Concurrency Review shall be performed for the specific property, uses, densities, and intensities based on the information provided by the Applicant/Property Owner. The Applicant/Property Owner shall specify densities and intensities that are consistent with the uses allowed. c. The City shall issue a Concurrency Determination, if a mitigation fee is not being utilized.
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		<p>d. The City shall notify the Applicant/Property Owner of the results of the Concurrency Determination or of the applicable required mitigation fees within 30 days of receipt of Application for Transportation Concurrency Review. If additional information is needed to determine Concurrency, such additional information may be requested by the City. Such request shall not make the original project application deemed incomplete.</p> <p>e. The project permit may be conditioned as necessary to ensure that an improvement relied upon to demonstrate Concurrency will be completed.</p> <p>f. If the proposed project fails the Concurrency Test and the project permit cannot be conditioned to accomplish concurrency, the project permit(s) shall be denied.</p> <p>g. If the proposed project passes the Concurrency Test, the City shall issue a Concurrency Certificate to the Applicant/Property Owner. The Certificate shall be used to maintain an accounting of traffic impacts on City Streets and the capacity that has been reserved or the mitigation fee that is required to be paid.</p> <p>h. If the project permit has been withdrawn, expires, or is otherwise cancelled, the Concurrency Certificate shall automatically be voided.</p> <p>3. Relation to Other Requirements. Compliance with or exemption from the requirements of these regulations shall not exempt a project from compliance with all other City, County, State, and Federal regulations.</p> <p>4. Concurrency Certificate.</p> <p>a. A Concurrency Certificate shall only be issued upon payment of any concurrency or mitigation fee due.</p> <p>b. A Concurrency Certificate shall apply only to the specific land uses, densities, intensities, and project described in the application and project permit.</p> <p>c. A Concurrency Certificate is not transferable to other property, but may be transferred to new owners of the same property.</p> <p>d. A Concurrency Certificate shall remain valid so long as the accompanying project permit has not expired or been revoked.</p> <p>e. A Concurrency Certificate is valid for any modification of the permits for which the Certificate was issued so long as such modification does not require the Applicant to obtain a new project permit.</p> <p>f. Any capacity that is not used because the full extent of the development is not built shall be returned to the pool of available capacity.</p> <p>5. Concurrency Certificate and Mitigation Fees. Fees for issuing Concurrency Certificates shall be based on an adopted fee schedule. Mitigation fees shall be based on the adopted mitigation plan.</p> <p>D. <u>Phased Development</u>. When a project is proposed in phases or construction is expected to extend over some period of time, the Applicant/Property Owner may offer a schedule of occupancy that will be used by the City to determine the schedule of transportation improvements that must be completed, or financially guaranteed, prior to finaling of each phase. However, the required transportation improvements shall be determined by analyzing the traffic impacts estimated to be generated by the fully completed project.</p> <p>E. <u>Transportation Concurrency Test Procedures</u>.</p> <p>1. Highway Capacity Manual methods selected by the City Engineer shall be used to analyze project impacts to intersections.</p> <p>2. Level of Service information in the Capital Facilities Plan, which is updated annually, shall be used as a starting reference to analyze project impacts.</p> <p>3. Level of Service information shall be updated as necessary to account for traffic levels resulting from the following:</p> <p>a. traffic from newly constructed projects,</p> <p>b. projects for which traffic impacts have been tentatively reserved;</p> <p>c. projects for which a Concurrency Certificate has been awarded; and</p> <p>d. non-project, general background traffic increases.</p> <p>Level of Service information shall also be updated as necessary as a result of any discontinued Concurrency Certificates, funded road projects, or new Level of Service analysis.</p> <p>4. Each City intersection affected by the proposed projects shall be reviewed and analyzed for Concurrency. The Applicant/Property Owner may be required to provide a traffic analysis if existing information does not provide adequate information for the Concurrency assessment.</p> <p>5. Project proposals shall pass the Concurrency Test if</p> <p>a. the transportation impacts from the proposed project does not decrease the Level of Service of affected intersections below the adopted standards; or</p> <p>b. the Applicant/Property Owner agrees to modify the project or provide transportation improvements and/or binding financial commitments that will result in the Level of Service of each deficient intersection meeting or exceeding the adopted standards.</p> <p>F. <u>Water and Sewer Concurrency</u>. New development shall not be approved unless the proposal can demonstrate the availability of public water and sewer services consistent with adopted Levels of Service, and consistent with the definition for Concurrency in the City Comprehensive Plan. New development must:</p> <p>1. Be connected to a public sewer at the time of occupancy.</p> <p>2. Developer-financed extensions of public sewer may be allowed provided capacity and infrastructure needs are adequately addressed. For purposes of this section, new development shall include plats, short plats, binding site plans, manufactured home park site development plans, planned unit development, and zoning reclassifications. Conditional use permits shall also be considered new development if the proposed use would result in an increased amount of wastewater generated on the site. New development not requiring sewer and/or water service (e.g. cellular towers) is exempt from this section.</p> <p>G. <u>Applicability to Vested Projects</u>. These regulations shall not apply to land use applications vested in accordance with state and local law.</p>
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<p>Article 10-6A Environmental Ordinance</p>	<p>A SEPA Checklist has been completed and reviewed with the Optional DNS notification and routing process utilized</p> <p>After review of the information on file as well as the comments received, the SEPA Responsible Official has determined that an MDNS Threshold Determination is warranted</p>	<p>10-6A-1 Authority</p> <p>10-6A-2 General Requirements</p> <p>10-6A-3 Categorical Exemptions and Threshold Determinations</p> <p>10-6A-4 Environmental Impact Statement (EIS)</p> <p>10-6A-5 Commenting</p> <p>10-6A-6 Using Existing Environmental Documents</p> <p>10-6A-7 SEPA and Agency Decisions</p> <p>10-6A-8 SEPA and Agency Definitions</p> <p>10-6A-9 SEPA Categorical Exemptions</p> <p>10-6A-10 Agency Compliance</p> <p>10-6A-11 SEPA Exemption Levels Matrix & Summary of SEPA Process</p> <p>10-6A-12 Forms</p>
<p>Article 10-6B Critical Areas</p>	<p>Refer to GMA / Critical Areas Information above for site conditions</p> <p>All critical area identifications have been updated and the subject site is not located within any:</p> <ul style="list-style-type: none"> • Critical aquifer recharge area • Designated species habitat area • Floodplains • Natural resource lands or historic sites • Wetlands <p>The majority of the subject site is identified as having erodible soils based on the City's 2006 Geologic Hazards & Constraints Map. The applicant retained a licensed Geotechnical Engineer and a required Geotechnical Evaluation was completed to assess the subsurface soil conditions. "The site is relatively level in the east half and slopes up in the west half and to the south towards the Legacy Ridge development. The site generally slopes down to the north, with approximately 50 feet of relief. The site is with mature pine trees on the hillside and is open and grass-covered in the flatter areas in the east half. Numerous bedrock outcrops</p>	<p>10-6B-1 General Provisions</p> <p>A. <u>Purpose.</u> The purpose of this article is to implement the overall critical areas goals, and the specific goals and policies for wetlands, fish and wildlife habitat, geo-hazard areas, and critical aquifer recharge areas contained in the City of Liberty Lake Comprehensive Plan, Chapter 9 Natural Environment. The specific goals for wetlands, fish and wildlife habitat, geo-hazard areas, and critical aquifer recharge areas are listed below. Furthermore, it is expressly the purpose of this article to protect the health, safety, and welfare of the general public.</p> <p>3. Geologically Hazardous Areas.</p> <ol style="list-style-type: none"> a. Development should be discouraged in geologically hazardous areas unless it can be demonstrated that a hazard area can be developed consistent with public health and safety. Development permits may be conditioned to mitigate certain hazards. b. Geologically hazardous areas may be used as open space for recreation, rangeland, forest, wildlife habitat, and other uses as appropriate. <p>5. General purpose of this article.</p> <ol style="list-style-type: none"> a. To protect the public health, safety, and welfare by preserving, protecting, restoring and managing through the regulation of development and other activities within wetland, fish and wildlife habitat conservation areas, geologically hazardous areas and critical aquifer recharge areas; b. To recognize wetlands, fish and wildlife habitat conservation areas and geologically hazardous areas and critical aquifer recharge areas as important natural resources which provide significant environmental functions and values including: vital importance to critical fish and wildlife habitat, surface and ground water quality, aquifer recharge, flood control, shoreline anchorage and erosion control, scientific research and education, open space, aesthetic values, historic and cultural preservation, passive recreation and contribute to quality of life currently enjoyed by citizens of Liberty Lake; c. To maintain consistency with state and federal protective measures; d. To avoid duplication and over-regulation by limiting regulatory applicability to those developments and activities with significant impacts; e. To identify and protect wetlands, fish and wildlife habitat conservation areas, geologically hazardous areas and critical aquifer recharge areas without violating any citizen's constitutional rights; f. To alert appraisers, assessors, owners and potential buyer or lessees of property to the development limitation within wetlands, fish and wildlife habitat conservation areas, and geologically hazardous areas; g. To prevent degradation of critical aquifer recharge areas. <p>B. <u>Intent.</u></p> <ol style="list-style-type: none"> 1. The intent of these regulations is to avoid, or in appropriate circumstances, to minimize, rectify, reduce or compensate for impacts arising from land development and other activities affecting wetlands, fish and wildlife habitat conservation areas, geologically hazardous areas, and critical aquifer recharge areas; and to maintain and enhance the biological and physical functions and values of these areas. 2. Development shall not impact wetlands, however, if impacts do occur, mitigation may be implemented to achieve no net loss of wetlands in terms of acreage, function, and value. 3. It is recognized that land development will not always be compatible with preservation of fish and wildlife and their habitats. Some wildlife will be eliminated as development occurs. It is the intent of these regulations to preserve wildlife when possible through thoughtful planning and consideration of wildlife needs.

	<p>are present in the higher elevations of the site.” Best Management Practices and the Erosion and Sedimentation Control Plan need to be utilized. It is the Geotechnical Engineer’s opinion that “conventional spread footings” can be utilized for the buildings.</p> <p>The proposed development of the site is Permitted and Limited Uses for Geo-Hazard Areas and Limited Uses comply with standards</p> <p>Setbacks were not drawn on BSP 50-96 to indicate suitable areas for construction, each site is evaluated at time of permit application</p> <p>Per the City Engineer, the slopes against the hill are quite steep. The excavation will be making cuts up to 12 feet deep in some hillsides. We will need to see where these slopes catch. The daylight points for the grading will need to be shown. This may need to be addressed in the field</p>	<p>C. <u>Applicability.</u> This article shall apply to all areas within the City of Liberty Lake and the obligation to comply with any requirements within the scope and provisions of this article is with the owner of the property or land. No action shall be undertaken by any person which impacts critical aquifer recharge areas or results in any alteration of a wetland, fish and wildlife habitat or geologically hazardous area as defined in this Code except in conformance with this article. Uses and activities listed in subsection "D" below are allowed in wetlands, fish and wildlife habitat areas, geologically hazardous areas and their buffer areas only if:</p> <ol style="list-style-type: none"> 1. The use or activity is in compliance with the requirements of this article and 2. The use or activity is in compliance with all other applicable provisions of the City Code. Uses and activities listed in listed in subsection "D" below shall conform with requirements in this article for protecting critical aquifer recharge areas. <p>D. <u>Uses and Activities Within Wetlands, Fish and Wildlife Habitats, and Geo-Hazard Areas.</u> (some uses may not be permitted by the underlying zone, see Chapter 2 of this Code)</p> <table border="1" data-bbox="812 451 1421 640"> <thead> <tr> <th>USES AND ACTIVITIES</th> <th>Wetlands & Buffers</th> <th>Habitats</th> <th>Geo-Hazard Areas</th> </tr> </thead> <tbody> <tr> <td>Building Construction, Institutional, Commercial, Industrial, Recreational</td> <td>N</td> <td>L</td> <td>L</td> </tr> <tr> <td>Excavation, Filling, Grading (less than 30 cubic yards)</td> <td>N</td> <td>L</td> <td>L</td> </tr> <tr> <td>Excavation, Filling, Grading (greater than 30 cubic yards)</td> <td>N</td> <td>L</td> <td>L</td> </tr> <tr> <td>Open Space, Natural Area</td> <td>P</td> <td>P</td> <td>P</td> </tr> <tr> <td>Vegetation Removal, nonforest practice</td> <td>L</td> <td>L</td> <td>P</td> </tr> </tbody> </table> <p>L = Limited Uses. These uses are permitted if they are allowed by the underlying zone and they comply with the standards of this article, as well as the underlying zone (see Chapter 2)</p> <p>E. Coordination with Other Permit Processes.</p> <p>F. Process - Regulation of Wetlands, Fish and Wildlife Habitats, Geo-hazard Areas, and Critical Aquifer Recharge Areas.</p> <p>G. <u>Wetland, Fish and Wildlife Habitats, Geo-hazard Maps, and Critical Aquifer Recharge Areas.</u></p> <ol style="list-style-type: none"> 1. The City Planning & Community Development Department maintains maps of wetlands, fish and wildlife habitats, geo-hazard areas, and critical aquifer recharge areas, as applicable, to provide information to the public and to aid in the administration of this article. The maps are not regulatory in nature. 2. The maps will be used to identify the possible existence of wetlands, fish and wildlife habitats, geo-hazard areas, and critical aquifer recharge areas. The maps in conjunction with site visits and other information will be used as a basis for requiring field investigations such as wetland reports, fish and wildlife management plans, geo-technical studies, and hydrogeologic reports. In the event of a conflict between the information shown on the maps and information shown as a result of field investigations, the latter shall prevail. 3. Additions, corrections, and periodic updates to the maps shall be made when new or additional information is available. Omission of a site from the map will not exempt the site from complying with the provisions of this article. When an interpretation is needed as to the existence of a wetland, fish and wildlife habitat, geo-hazard area, and critical aquifer recharge areas, the Director shall make such determination according to the criteria and characteristics contained in this article and consultation with an agency or agencies of expertise as deemed appropriate by the Director. <p>H. <u>Appeal of an Administrative Decision.</u> The provisions of this section shall apply to any appeal involving an administrative decision on the requirements of this article. Any person aggrieved by an administrative decision of this article may file an appeal by:</p> <ol style="list-style-type: none"> 1. Following the appeal procedures of the associated application; or 2. If there is no associated application or appeal process, follow the process in Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director <p>10-6B-2 Emergency Permits & Reasonable Use Exceptions</p> <p>10-6B-3 Wetlands</p> <p>10-6B-4 Fish & Wildlife Habitat Conservation Areas</p> <p>10-6B-5 Geologically Hazardous Areas</p> <p>A. Classification Characteristics</p> <p>B. Building Site Development Water Erosion Hazard</p> <p>C. Slope Length (LS Values)</p> <p>D. Identification and Mapping</p>	USES AND ACTIVITIES	Wetlands & Buffers	Habitats	Geo-Hazard Areas	Building Construction, Institutional, Commercial, Industrial, Recreational	N	L	L	Excavation, Filling, Grading (less than 30 cubic yards)	N	L	L	Excavation, Filling, Grading (greater than 30 cubic yards)	N	L	L	Open Space, Natural Area	P	P	P	Vegetation Removal, nonforest practice	L	L	P
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Open Space, Natural Area	P	P	P																							
Vegetation Removal, nonforest practice	L	L	P																							

		<p>E. <u>Regulations.</u> The following regulations shall be used when activities and uses as described in Section 10-6B-1, subsection "D", are located within geo-hazard areas:</p> <ol style="list-style-type: none"> 1. City of Liberty Lake Municipal Code Title 9 - Building Regulations. 2. City of Liberty Lake Municipal Code Title 10 - Development Code. 3. Applicable Flood Hazard Regulations. 4. If the regulations noted above do not provide adequate mitigation of impacts as determined by the Director, then a geo-hazard mitigation plan prepared by a qualified landslide or erosion specialist shall be required. <p>F. <u>Geo-hazard Mitigation Plan and Geo-hazard Evaluation.</u></p> <ol style="list-style-type: none"> 1. Geo-hazard Mitigation Plans. When the Director determines that the impact of a use or activity located in a geo-hazard area cannot be mitigated through standards identified in Section 10-6B-5, subsection "E" above, a geo-hazard mitigation plan shall be prepared to identify construction standards for the proposal. Geo-hazard mitigation plans shall conform to City guidelines for stormwater management or any subsequent regulation adopted by the City of Liberty Lake providing erosion and landslide protection. A geo-hazard mitigation plan, prepared by a qualified landslide or erosion specialist, shall be prepared for building permits, road construction, utilities, and storm drainage facility installations within a geo-hazard area. 2. Geo-hazard Evaluation, Preliminary Report. A geo-hazard evaluation or feasibility report shall be prepared by a qualified landslide or erosion specialist and submitted with applications for preliminary plats, short plats, PUDs, binding site plans; zone reclassifications, conditional use permits, variances, manufactured home park site plans, or top soil removal permits located in geologic hazard areas. The geo-hazard evaluation shall document the extent and nature of geo-hazard on the subject property and shall provide mitigating measures and an assessment of geo-hazards associated with the proposal. A more detailed geo-hazard mitigation plan may be required at the time of building permit application or actual construction approvals. 3. Subdivision Dedication Notice. Final subdivisions, short plats, and binding site plans located within geo-hazard areas shall contain language in the plat dedication to indicate lots or portions of lots that are affected by geo-hazards. In addition, building setback lines may be drawn on lots, parcels, and tracts so as to indicate suitable areas for construction of structures or improvements. <p>10-6B-6 Critical Aquifer Recharge Areas 10-6B-7 Additional Resources 10-6B-8 Incentives</p>
Article 10-6C Wellhead Protection	The City has not been informed that the subject site is located within any wellhead protection areas	At the time of adoption of this Development Code, wellhead protection responsibility has been held by the Liberty Lake Sewer & Water District; however the City has expressed concerns about the protection of our public water system. The Liberty Lake Sewer & Water District adopted the Spokane Aquifer Joint Board Wellhead Protection Program in 1997 with an individual water purveyor contingency / emergency plan for the Liberty Lake area contained in Appendix Q-8 of the document. Chapter 7 of the document states that individual purveyor contingency plans should be updated and approved by water purveyor's elected officials every five years. The contingency plan is currently outdated and the City may take the necessary steps in the future to update this plan or modify it to address the community's future needs, in order to reflect the current Liberty Lake community.
Article 10-6D Shoreline Management	The subject site is not located within or abutting any shorelines	Refer to City Ordinance 43, an Ordinance of the City of Liberty Lake, WA, adopting the Spokane County Shoreline Program and related regulations as the interim shoreline management program of the City.

<p>Article 10-6E Environmental Conservation</p>	<p>The subject site was planned for development. The applicant has not expressed interest in transfer of development rights and the subject site would likely not qualify for TDR or Conservation Futures</p>	<p>10-6E-1 Transfer of Development Rights</p> <p>A. <u>Purpose.</u> The purpose of this section is to implement the comprehensive plan and encourage the protection of open spaces through Transfer of Development Rights. Transfer of Development Rights (TDR) allows individuals to purchase and sell residential development rights from lands that provide a public benefit. Such lands include forest, open space, regional trails, and habitat for threatened or endangered species. Landowners receive financial compensation without developing or selling their land and the public receives permanent preservation of the land. Transferred development rights can be used to build additional houses on other parcels in more appropriate areas within the City. The program reduces the development potential in the "sending area" and transfers that development opportunity to a "receiving area". The sending area property owner is paid to keep the land undeveloped, while the receiving area property buys the credit, allowing additional development beyond what zoning allows in the receiving area. The Transfer of Development Rights (TDR) Program should be implemented on a regional basis with participation from Spokane County.</p> <p>B. <u>Determination of Number of Development Rights.</u> The zoning of a parcel and its size are used to calculate the number of development rights that are attached to a parcel. The acreage that can be used to determine the number of development rights is the area of the parcel minus the amount in submerged lands and any land being retained for development on site, based on the zoning requirements. The number of development rights that a particular parcel qualifies for will depend on the specifics of the situation and would be determined on a case by case basis during the qualification process.</p> <p>C. <u>Transfer Authorized.</u> Allowed development rights may be transferred from one portion of a property to another portion of the same property, or from one property to another property. A transfer of development rights shall not be approved unless it meets one or more of the criteria in 1-4 below, and it conforms to subsections D-E:</p> <ol style="list-style-type: none"> 1. Protection of critical areas either by dedication to the public or a land trust, or by a non-revocable conservation easement; or 2. Dedication of land to the public for park or recreational purposes; or 3. The density transfer is used to develop a mix of single family and multi-family housing on the same property or development site. <p>D. <u>Prohibited Transfers.</u> Development rights shall not be transferred from: land proposed for street right-of-way, stormwater detention facilities, private streets, and similar areas which do not provide open space or recreational values to the public.</p> <p>E. <u>Transfer Rules.</u> All density transfers shall conform to all of the following rules:</p> <ol style="list-style-type: none"> 1. Allowed housing units shall be transferred only to buildable lands ("receiving areas"). The number of allowed housing units shall be reduced on properties from which density is transferred ("sending areas") based on the number of housing units transferred. The new number of housing units allowed on the sending area shall be recorded on a deed for the property that runs with the land. The deed shall state that the number of allowed housing units is subject to review and approval by the City, in accordance with current zoning and development codes; 2. The number of units which can be transferred is limited to the number of units which would have been allowed on 50 percent of the unbuildable area if not for these regulations; and 3. The total number of housing units per property or development site shall not exceed 100 percent of the maximum number of units per net acre permitted under the applicable comprehensive plan designation. 4. All density transfer development proposals shall comply with the development standards of the applicable zoning district. <p>10-6E-2 Conservation Futures Program</p>
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Staff Summary:

10-4C-4: Site Design Review Approval Criteria

P&CD shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

- A. The proposed land use is permitted by the underlying zoning district (Chapter 2);
 - *Yes, stand alone multi-family dwellings without mixed use is a Limited Use in the M-2 Zone with additional development requirements. The mixed use requirement for the M-2 zone within the Liberty Lake Corporate Park has been met through horizontal mixed use (existing commercial) on multiple parcels within the Liberty Lake Corporate Park area (M-2 Zone).*

- B. The application complies with the all of the applicable provisions of the underlying Zoning District (Chapter 2), including: building and yard setbacks, lot area and dimensions, residential density, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses and design or other development standards are met (Chapters 3);
 - *Yes, see staff analysis above.*

C. Exceptions to B, above, may be granted only when approved as a Variance (Article 10-5B).

- *A variance is not needed for the proposed project.*

D. All applicable building and fire code standards are met;

- *The project has been reviewed for conformance with the building and fire codes.*

E. The applicant shall be required to upgrade any existing development that does not comply with the applicable zoning district standards, in conformance with Article 10-5C - Non-Conforming Uses and Development;

- *N/A*

F. Conditions required as part of a Land Division (Article 10-4E), Conditional Use Permit (Article 10-4F), Specific Area Plan Overlay (Article 10-2M), or other approval shall be met.

- *BSP 50-96 was approved by Spokane County prior to City incorporation with an extension of time request reviewed by the City of Liberty Lake. Conditions of approval for BSP 50-96 have previously been met.*

G. The application is complete, as determined in accordance with Title 9, Building Regulations, Article 10-4B, and Section 10-4C-3, and other applicable Titles within the City Municipal Code.

- *Yes, the application is complete.*

H. The approval shall lapse, and a new application shall be required, if a permit has not been issued within six (6) months of site design review approval, or if development of the site is in violation of the approved plan or other applicable codes, in accordance with Section 10-4C-6, subsection B of this Code.

- *Permits will be issued in phases for this project with the first permits anticipated to be issued immediately following the Notice of Decision and MDNS issuance.*

REFER TO NOTICE OF DECISION AND MDNS ISSUED 8/18/16 FOR PROJECT CONDITIONS AND MITIGATION MEASURES

ATTACHMENTS:

- A. Maps & Exhibits
 - Legacy Villas Site Analysis Narrative Phase 1
 - Legacy Villas Site Analysis Narrative Phase 2
 - Legacy Villas Geotechnical Evaluation Report
 - Legacy Villas Approved Civil Plans - Phase 1 & Phase 2
- B. Determination of Completeness
- C. SEPA Checklist
- D. NOA Notice Packet Certification
- E. Notice of Application (NOA)
- F. Affidavits of Posting & Mailing (NOA)
- G. Technical Review Meeting Notice
- H. Comments Received (listed under public and agency comments above)
- I. Frank Ide Email