Article 10-2G — M-3 (Central Business District Mixed-Use) District

Sections:

10-2G-1 Purpose
10-2G-2 Permitted Uses (P)
10-2G-3 Limited Uses (L)
10-2G-4 Conditional Uses (CU)
10-2G-5 Accessory Structures
10-2G-6 Development Setbacks
10-2G-7 Lot Area, Dimensions, Coverage, & Residential Density
10-2G-8 Building Height
10-2G-9 Building Orientation
10-2G-10 Architectural Guidelines and Special Standards
10-2G-11 Pedestrian and Transit Amenities
10-2G-12 Design Standards

10-2G-1 Purpose

A city goal is to strengthen the M-3 (Central Business District Mixed-Use) District as the "heart" of the community and as the logical place for people to gather and create a business center. The M-3 (Central Business District Mixed-Use) District is intended to support this goal through elements of design and appropriate mixed use development. This article provides standards for the orderly improvement and expansion of the M-3 (Central Business District Mixed-Use) District based on the following principles:

A. Efficient use of land and urban services.

B. A mixture of land uses within the M-3 Zone to encourage walking as an alternative to driving, and provide more employment and housing options.

C. A connection to neighborhoods and other employment areas.

D. Provide visitor accommodations and tourism amenities.

E. Transit-oriented development reduces reliance on the automobile and parking needs.

F. The M-3 (Central Business District Mixed-Use) District provides both formal and informal community gathering places.

G. Providing retail and commercial services to the surrounding neighborhoods and community.

10-2G-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letter "P" are permitted in the M-3 zone, without special action by the Hearing Body, subject to development standards of the M-3 (Central Business District Mixed-Use) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2G-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letter "L" are allowed in the M-3 zone if they comply with the development standards of the M-3 (Central Business District Mixed-Use) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-3 Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

3. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

4. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings above the ground floor, or located behind or to the side of a building.
b. Parking structure entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

5. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

6. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

8. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

b. The tower must be accessory to a residence on the same site.

9. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.

b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

10. Automobile parts sales (retail)

a. The automobile parts sales store shall be contained within an enclosed building which does not exceed 8000 square feet or 100 feet of street frontage, whichever is less.

b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the automobile parts sales building.

11. Banks / financial institutions (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner. (Walk-up only teller machines and kiosks may be oriented to a corner, but shall be separate from the drive-thru area).

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary bank building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary bank building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

12. Commercial laundromat & dry cleaning facility (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway

queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary commercial laundromat and dry cleaning facility building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary commercial laundromat and dry cleaning facility building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

13. Pharmacy (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary pharmacy building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary pharmacy building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

14. Restaurant / cafe / deli / ice cream parlor (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary restaurant / cafe / deli / ice cream parlor building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary restaurant / cafe / deli / ice cream parlor building.

e. Interior and exterior seating shall be provided.

f. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

15. Post Office

When the post office contains a drive-up, drive-in, or drive-through facility, it shall be subject to the following standards:

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary post office building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary post office building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

16. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit or mixed use building.
b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit or mixed use building with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit or mixed use building. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less. Within mixed use buildings, one or more dwelling units shall not comprise more than fifty percent (50%) of the total gross floor area of any building.
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling. Within mixed use buildings, one or more dwelling units shall be allowed only in a building or structure with commercial / retail or business / office use on the entire ground floor.
f. An ADU shall not be permitted if the principal unit or mixed use building is less than 1,200 square feet.
g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence or mixed use building. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.
h. The principal unit or ADU shall be owner-occupied, not applicable for mixed use buildings.
i. Common open space dedicated for the use of the residents of the dwelling units shall be provided at two hundred (200) square feet per unit for the first twelve (12) units with an additional one hundred (100) square feet per unit for greater than twelve (12) units up to a maximum of five thousand (5,000) square feet. Minimum for any dimension of dedicated, common open space shall be ten (10) feet.

17. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.
c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.
f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6

foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.

j. The principal unit or ADU shall be owner-occupied.

k. Home occupations will be allowed within the detached accessory dwelling unit.

18. Dwelling, multi-family

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. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.

a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

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.

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.

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.

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;

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);

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.

19. Dwelling, single family attached townhomes

Single family attached townhomes 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, subject to the standards in a-h.

a. As necessary, the City shall require dedication of right-of-way or easements

and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

b. 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.

c. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

d. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

e. When a subdivision (e.g., five or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable.

f. “Common areas” (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

20. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.

b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

21. Zero lot line (single family courtyard homes)

“Zero-lot line” houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

a. Zero lot line homes are required to have 6 feet between structures;

b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;

c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and

d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

22. Light manufacturing & assembly

a. The light manufacturing & assembly use shall be completely enclosed within a building.
b. Light manufacturing & assembly facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.

23. Light manufacturing & assembly w/ retail sales showroom

a. The light manufacturing & assembly use shall be completely enclosed within a building.
b. Retail sales showroom shall comprise at least 5% of the gross floor area of the light manufacturing and assembly portion of the building, in return, a 5% reduction in the required parking shall be granted.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.

24. Plastic injection molding

a. The plastic injection molding use shall be completely enclosed within a building.
b. Plastic injection molding facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the plastic injection molding building.

25. Tool and die making

a. The tool and die making use shall be completely enclosed within a building.
b. Tool and die making facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tool and die making building.

26. Woodworking / cabinet manufacturing w/ retail sales showroom

a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.
b. Retail sales showroom shall comprise at least 5% of the gross floor area of the manufacturing portion of the building, in return, a 5% reduction in the required parking shall be granted.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the woodworking / cabinet manufacturing building.

10-2G-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letters “CU” are permitted to locate in the M-3 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with

other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-3 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the bed and breakfast inn.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Sports Bar

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Sports Bar.
b. Design and compatibility with neighborhood character shall be considered in the approval process.
c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Tavern / pub / liquor store

a. The building shall not exceed 5000 square feet.
b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.
c. Design and compatibility with neighborhood character shall be considered in the approval process.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

5. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from

multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2G-5 Accessory Structures

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 10-2G-3). Accessory structures shall comply with all of the following standards and Sections 10-2G-6 for setbacks and 10-2G-7 for maximum lot coverage:

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.

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.

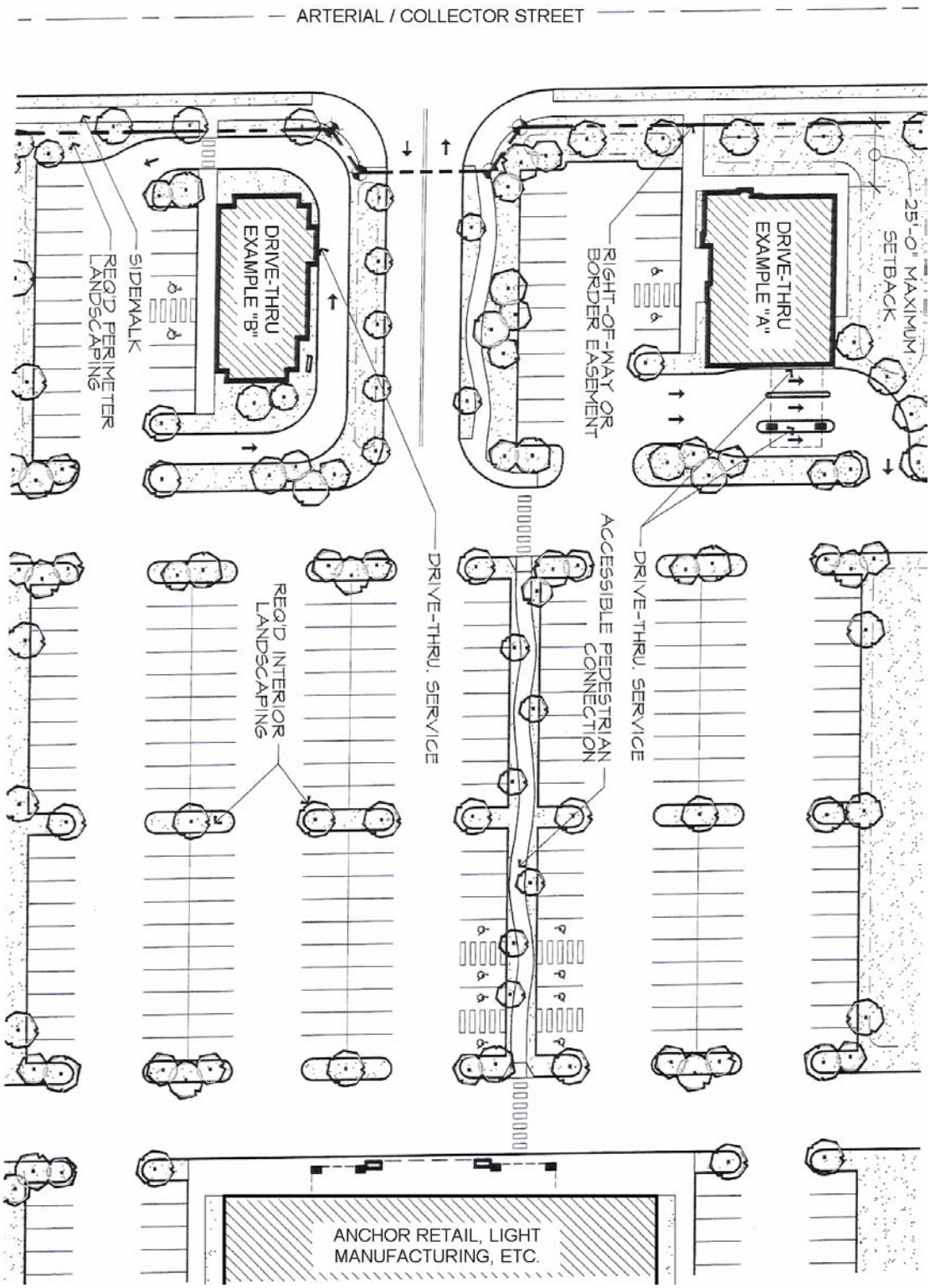
C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure.

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.

10-2G-6 Development Setbacks

In the M-3 (Central Business District 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.

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.



A. <u>Front Yard Setbacks</u>

1. There is no minimum front yard setback required.
2. 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.

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).

B. Rear Yard Setbacks

1. 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).
2. Accessory structures:
   a. 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.
   b. 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.
3. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply.

C. Side Yard Setbacks

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.

D. Setback Exceptions

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 Uniform Building Code and Uniform 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.

E. Special Yards - Distance Between Buildings on the Same Lot

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.

10-2G-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat, or final binding site plan.

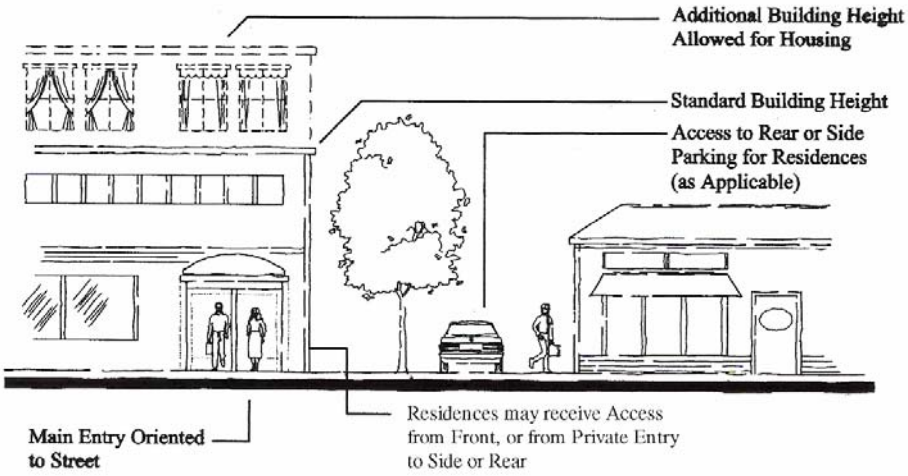
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level. Individual apartments above or within businesses (vertical or horizontal mixed use), are also exempt from the lot area, lot width, and residential density requirements in the chart below.

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

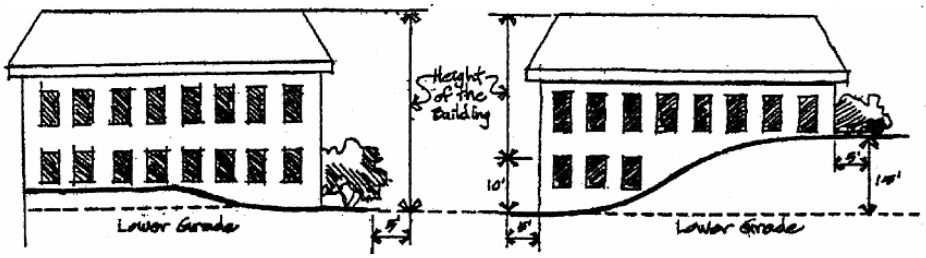
M-3 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Attached (townhome) Single Family Housing	Minimum area: None Maximum area: None	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Multi-Family Housing	Minimum area: None 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
Other Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 70 percent	None

10-2G-8 Building Height



All buildings in the M-3 (Central Business District Mixed-Use) District shall comply with the following building height standards. The standards are intended to allow for development of appropriately-scaled buildings with a pedestrian friendly character:

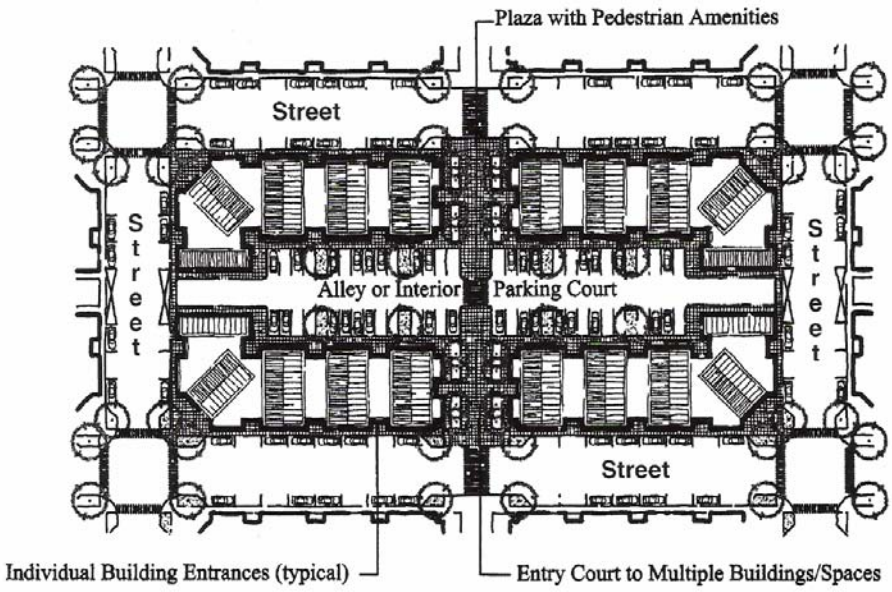
A. Building Height Standard. Buildings within the M-3 Zone shall be no more than 50 feet tall. The maximum height may be increased by 10 feet when residential housing is provided above the ground floor ("vertical mixed use"), as shown above. The building height increase for housing shall apply only to that portion of the building that contains housing. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2G-9 Building Orientation



Block Layout Example

A. Purpose. This section is intended to promote the walkable, pedestrian friendly character of the M-3 (Central Business District Mixed-Use) District by orienting (placing or locating) buildings close to streets. Placing buildings close to the street also slows traffic down and provides more "eyes on the street", increasing the safety of public spaces. The standards, as listed and illustrated below, compliment the front yard setback standards in Section 10-2G-6 above.

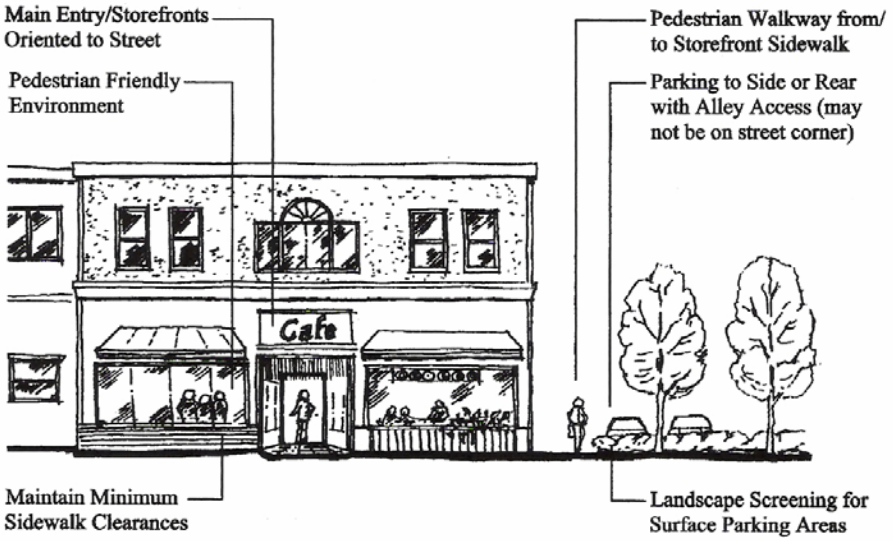
B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. 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:

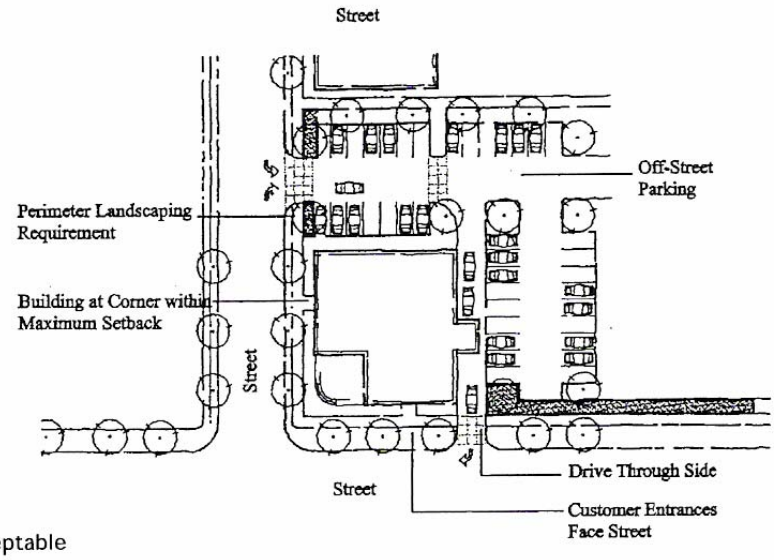
1. Compliance with the setback standards in Section 10-2G-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of 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 10-2E-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.

4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.



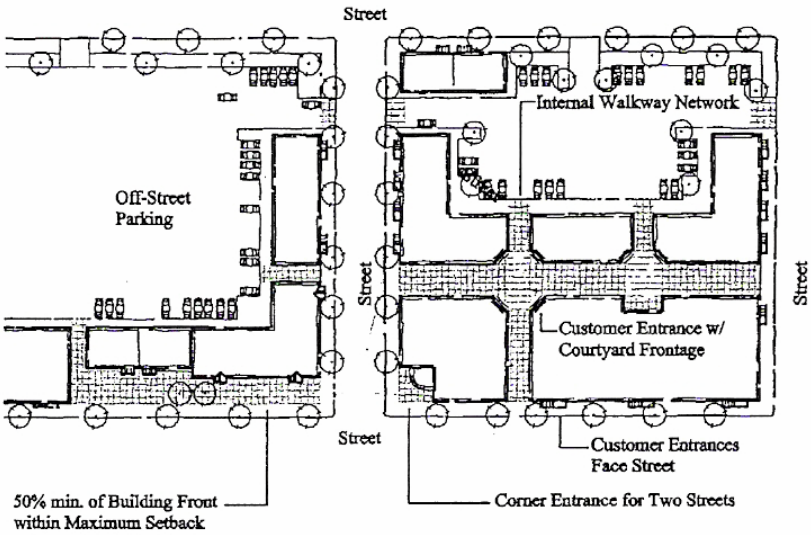
Mixed Use Building Orientation Example



Acceptable

Site layout for drive through uses should place parking and driveways away from pedestrian areas.

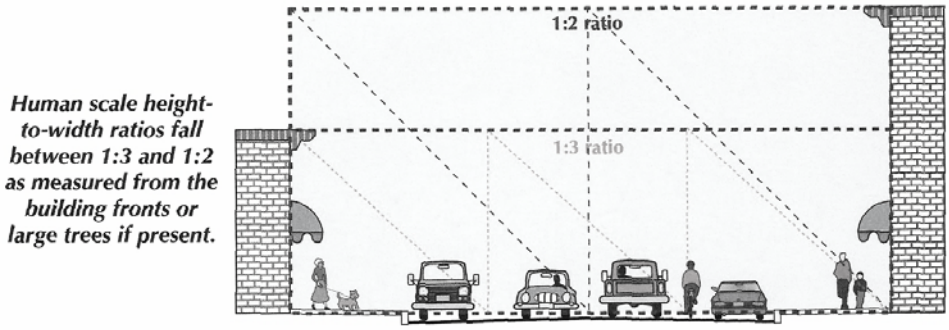
Orientation Examples for Businesses with a Drive-Thru

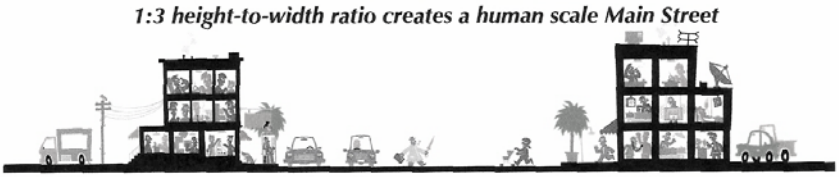


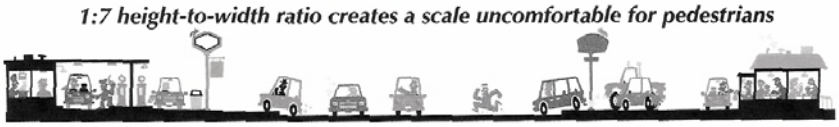
Mixed Use Site Layout Example

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2G-10 Architectural Guidelines and Special Standards





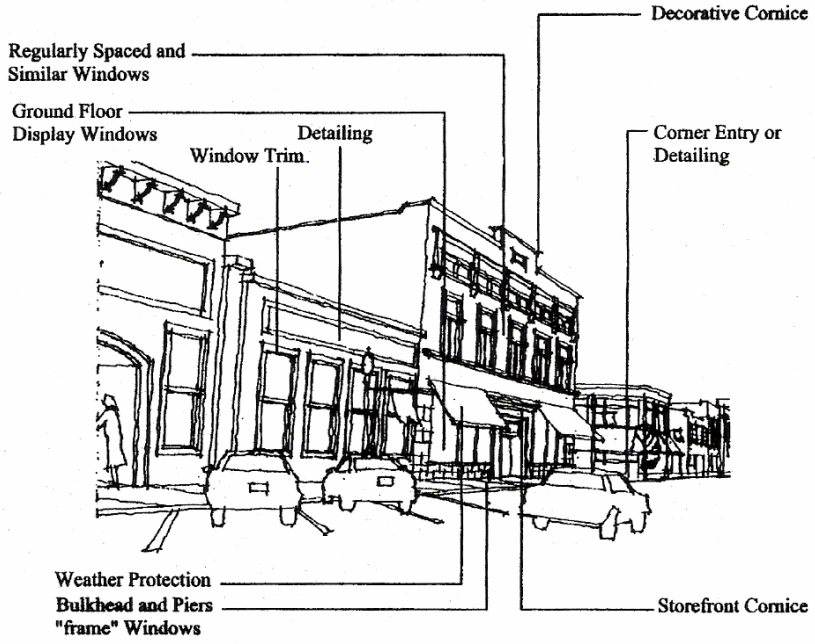


A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.

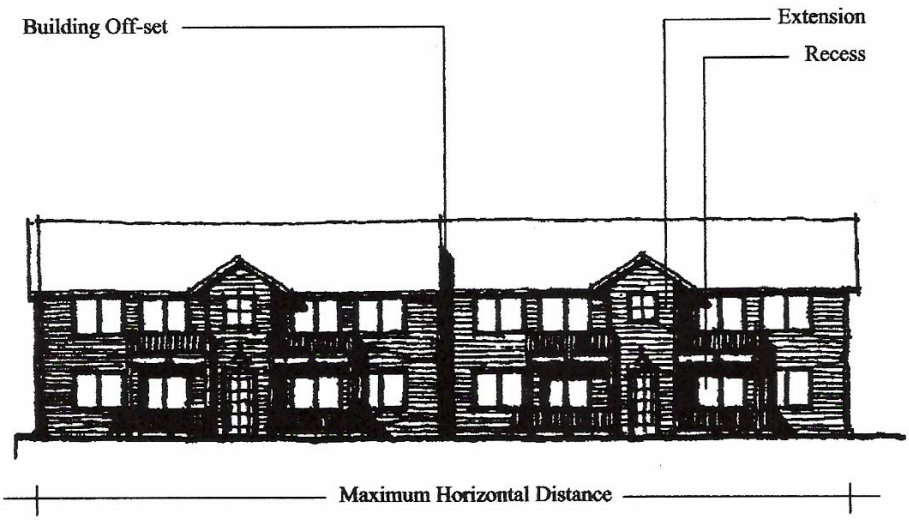
C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided are intended to show examples of how to comply.

Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.



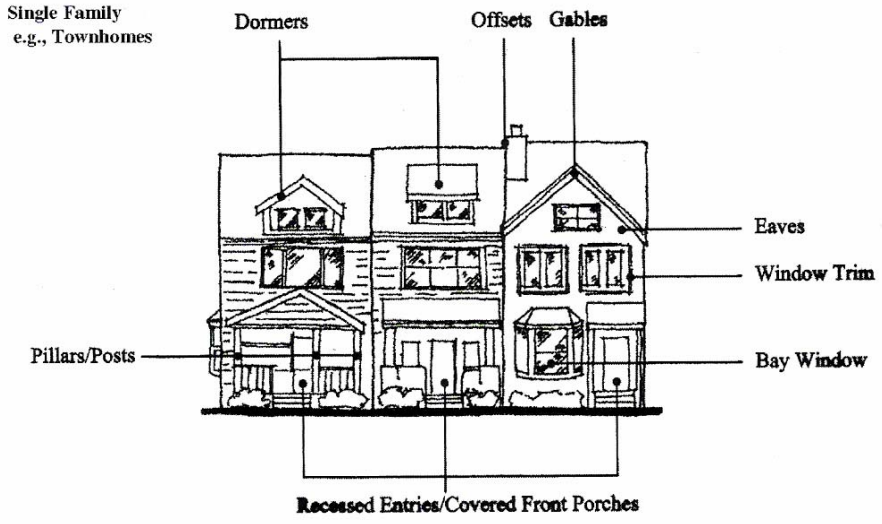
1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.
   a. 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.
   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, etc.) may not be required to meet this standard.
   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, etc.) may not be required to meet this standard.
   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

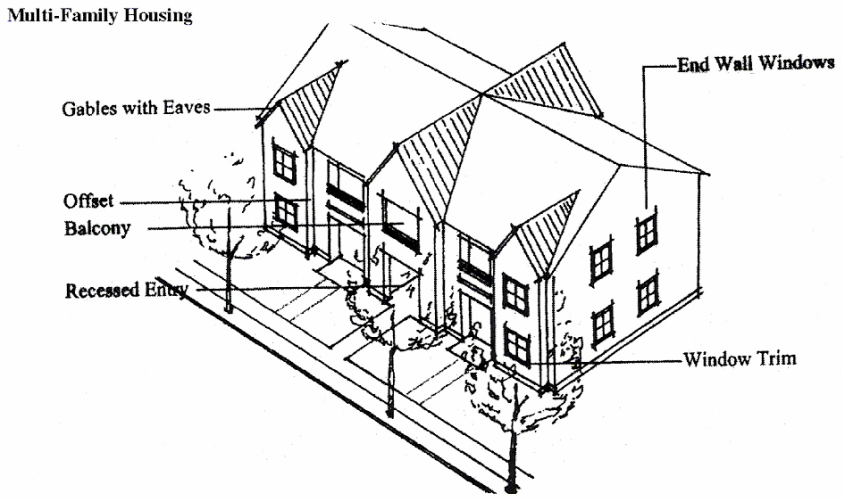
2. Residential Buildings.

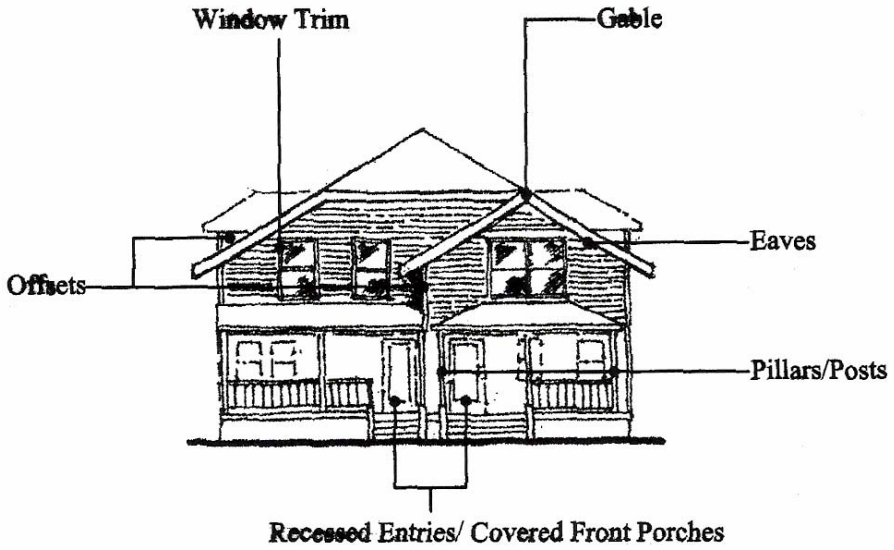


a. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted 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:
   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.







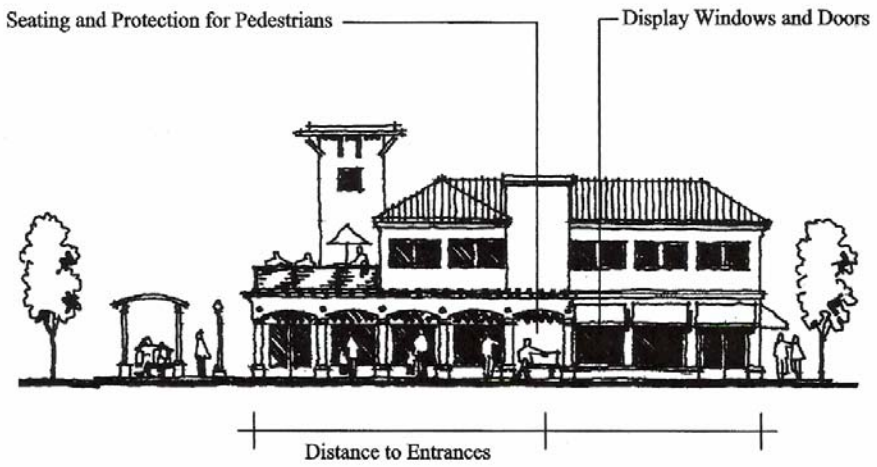
c. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front 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 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.) may not be required to meet this standard. Pathways shall connect all entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and Section 10-2G-9, subsection C above.



D. Materials. 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 apply to new construction projects or remodels/ additions to existing projects in the M-3 Zone:

1. Acceptable Roofing Materials
   a. Composition
   b. Composite Flat Roof
   c. Concrete tile
   d. Slate
   e. Cedar Shake
   f. Metal - tile or shake only
   g. Copper Shake

h. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   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

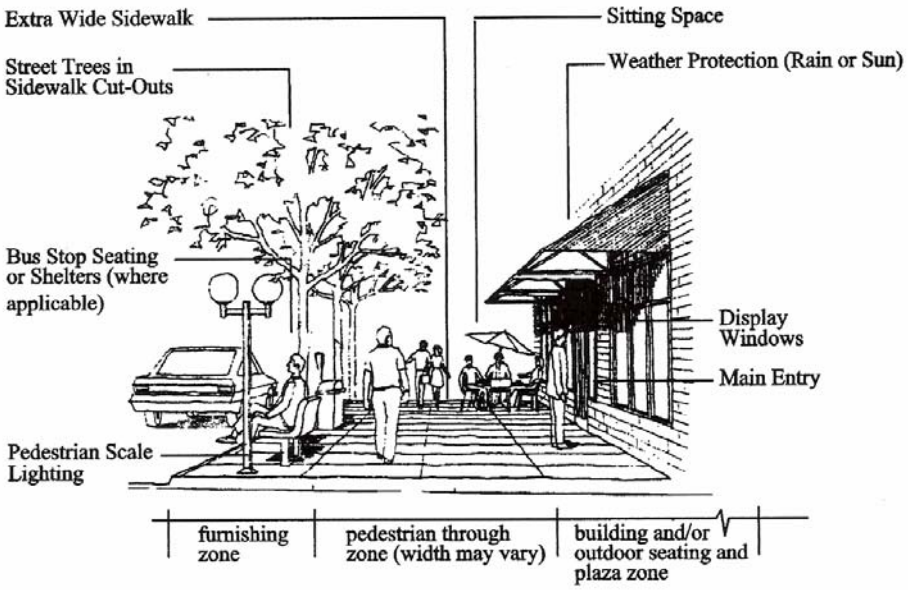
4. Prohibited Siding Materials
   a. Corrugated Metal
   b. T-111 (may be used when combined with detailing noted below)
   c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Other materials determined acceptable by the Planning & Community Development Director

10-2G-11 Pedestrian and Transit Amenities

A. Purpose. This section is intended to complement the building orientation standards in Section 10-2G-9 above, and the street standards in Articles 10-3B and 10-3G, by providing comfortable and inviting pedestrian spaces within the M-3 (Central Business District Mixed-Use) District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment, and contribute to a walkable district.

B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.



C. Guidelines and Standards. Every development shall provide two 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.

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).

10-2G-12 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the M-3 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards

6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards