

**BEFORE THE CITY OF LIBERTY LAKE
PLANNING COMMISSION**

**RECOMMENDATIONS ON THE 2011 CITY
DEVELOPMENT CODE & RIVER DISTRICT SPECIFIC
AREA PLAN OVERLAY (RDSAP) AMENDMENTS TO THE
CITY OF LIBERTY LAKE CITY COUNCIL**

)
) **FINDINGS OF FACT,**
) **CONCLUSIONS,**
) **AND DECISION**
)

A. STAFF SUMMARY

1. The Growth Management Act was established in the State of Washington in 1990 to provide a framework for land use planning and development regulation.
2. Spokane County and the cities within it were mandated to plan under the GMA in 1993.
3. As a City within Spokane County, Liberty Lake crafted a Comprehensive Plan and Development Regulations which reflect and implement the community's vision for land use.
4. The 14 planning goals outlined in RCW 36.70A.020 and 480, guide the development and adoption of comprehensive plans and development regulations.
5. The comprehensive plan is the starting point for any planning process and the centerpiece of local planning. Development regulations implement the Comprehensive Plan and include a variety of land use regulations, such as zoning, subdivisions, critical areas, landscaping, planned unit development, signs, etc. and the City Development Code must be consistent with the adopted City Comprehensive Plan, as well as being internally consistent. State agencies are required to comply with comprehensive plans and development regulations of jurisdictions planning under the GMA.
6. A major theme throughout the City Comprehensive Plan is the City of Liberty Lake's focus on aesthetics, multimodal transportation connectivity, and community character.
 - a. The Urban Design and Community Character Element of the City Comprehensive Plan is intended to establish general principles and mechanisms that help define and guide patterns of development in the City of Liberty Lake. The goals, policies, and programs identified in the element also help to assure that new development is consistent with the existing built and natural environments. The design of the community and its physical development should to the greatest degree possible reflect the essential values of current residents. For the City of Liberty Lake, these values include the preservation of valuable natural resources, such as Liberty Lake and the Spokane River, the beautiful environment with surrounding hillsides, and the preservation of the City's character.
 - b. The majority of the area within the City began as a master planned satellite community. Several of the commercial and industrial developments were established with covenants that defined maximum signage heights, building colors, landscaping, materials, etc. Most of the residential neighborhoods were also set up with covenants that outlined what was acceptable for each neighborhood. The urban design and community character element along with supporting development regulations and design standards advance the City's identity and improve upon the previous efforts to establish a community character.
 - c. The Urban Design and Community Character Element of the City Comprehensive Plan is directly related to the Land Use, Transportation, and Parks, Recreation, and Open Space Elements. Attitudes toward land use, traffic systems, community safety, and environmental resources shape the physical development of the community and help define its character. With major local, state, and interstate roadways passing through the

City, and the associated dependence on automobile travel, sustaining the City of Liberty Lake's identity and quality of life depends on maintaining continuity, uniqueness, and a "sense of place." Building and site designs that reflect the natural features and character of the City provide continuity of design throughout the area. Performed successfully, this will result in a positive interaction with the Economic Development element of the City Comprehensive Plan.

- d. Clearly recognized by the City of Liberty Lake is the need for, and the appropriateness of, community design standards and development criteria within the community. Design that is sensitive both aesthetically and environmentally is essential to preserving and enhancing the diverse economic and neighborhood-based character of the City of Liberty Lake. The scale and scope of land use patterns, management of transportation, flood control facilities, and community open space and conservation areas must respond and complement the human and natural environment to reflect the City's long-term community character envisioned in the City Comprehensive Plan.
- e. A variety of architectural styles, materials, and colors can be supported to reflect the resident-friendly flavor of the City. The integration of the natural environment, including rocks, gravel, and native plant materials into the urban fabric will also extend the surrounding landscape into the built environment. Existing and future development that focuses on quality design, ease of access, pedestrian friendliness, quality materials, and craftsmanship will help assure the construction of a built environment of which the City can be proud.
- f. In pursuing the goal of making the City of Liberty Lake a livable and vibrant community, the City has utilized *The Ahwahnee Principles*, as a guide. These principles address the need for communities and regions to have a vision and strategy for economic development and an enriched sense of community. Visioning, planning, and implementation efforts should continually involve all sectors, including the voluntary civic sector and those traditionally uninvolved in the public planning process by obtaining community input and conducting public workshops and meetings. The principles that the City of Liberty Lake has outlined are as follows:
 - (1.) All planning will be done to form a complete and integrated community containing housing, shops, work places, schools, parks, and civic facilities, essential to the daily life of the our residents.
 - (2.) The City shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
 - (3.) The City shall have a Central Business District that combines commercial, civic, cultural, residential, and recreational uses.
 - (4.) The Central Business District, Community Centers, and Neighborhood Centers will be designed so that housing, jobs, daily needs, and other activities are within easy walking or biking distance of each other.
 - (5.) As many activities as possible should be located within easy walking distance of transit stops.
 - (6.) The community will contain an ample supply of specialized open space in the form of squares, greens, and parks whose frequent use is encouraged through placement and design.
 - (7.) Public spaces shall be designed to encourage the attention and presence of people.
 - (8.) The City and clusters of neighborhoods should have a well-defined edge, such as greenbelts or wildlife corridors, permanently protected from development.
 - (9.) Streets, pedestrian paths, and trails shall contribute to a system of fully-connected, interesting routes to all destinations. Their design should encourage pedestrian and

bicycle use by being small and spatially defined by buildings, trees, and lighting; and by discouraging high speed traffic.

(10.) Wherever possible, the natural terrain, drainage, and vegetation of the community should be preserved with superior examples contained within parks or greenbelts.

(11.) The community design should help conserve resources and minimize waste.

(12.) The City should encourage the efficient use of water.

(13.) The street orientation, the placement of buildings, and the use landscaping shall contribute to the aesthetics and energy efficiency of the City.

7. Prior to the Planning Commission Public Hearing, City Staff and Rocky Hill, LLC / Meadowwood Partners, LLC discussed proposed amendments ZTA-11-0002 (R1 Development Setbacks), ZTA-11-0003 (R2 Development Setbacks), ZTA-11-0004 (RD-R Development Setbacks), and ZTA-11-0012 (I Zone Parking Lots) and provided mutually acceptable recommendations on revised language to the Planning Commission at the September 14, 2011 Public Hearing.
8. All proposed amendments / revised amendments to the City Development Code / RDSAP, as listed on the 2011 City Development Code / RDSAP Proposed Amendments - Planning Commission Recommendation, are consistent with the City Comprehensive Plan.
9. All proposed amendments / revised amendments to the City Development Code / RDSAP, as listed on the 2011 City Development Code / RDSAP Proposed Amendments - Planning Commission Recommendation, are internally consistent with other portions of the City Development Code or the RDSAP, as applicable.
10. The 2011 City Development Code & RDSAP Amendments process was a "bottom up" effort, involving early and continuous public participation and the public had the opportunity to comment throughout the process.
11. GMA requires proposed comprehensive plans and development regulations, including proposed amendments, be forwarded to the WA State Department of Commerce Growth Management Services for review and comment 60 days prior to the final City Council adoption, unless expedited review is requested and approved under RCW 36.70A.106.

B. GENERAL INFORMATION

The proposed 2011 City Development Code & RDSAP Amendments consists of the following:

- 9 City Initiated - Development Code / RDSAP Text Amendments
- 3 Citizens Initiated - Development Code / RDSAP Text Amendments

C. REGULATORY AUTHORITY

1. WAC 365-196 - Growth Management -- Procedural Criteria for Adopting Comprehensive Plans and Development Regulations
2. RCW 36.70A - Growth Management -- Planning By Selected Counties and Cities
3. WAC 197-11 - SEPA Rules

D. PROCEDURAL INFORMATION

1. May 11th - 4pm, Regular Meeting at City Hall
Anticipated 2011 Amendments Overview
 - Agenda posted at City Hall, the Liberty Lake Municipal Library, & on the City website.
 - Agenda and a link to the City website emailed to public notice group
2. May 31st, June 15th, & June 29th
Signage Subcommittee Meetings

3. July 13th - 4pm, Regular Meeting at City Hall
Introduction & Discussion on 2011 City Development Code / RDSAP Proposed Amendments List
 - Agenda posted at City Hall, the Liberty Lake Municipal Library, & on the City website.
 - Agenda and a link to the City website emailed to public notice group & amendment applicants

4. August 10th - 4pm, Regular Meeting at City Hall
Public Workshop on the 2011 City Development Code / RDSAP Proposed Amendments
 - Notice of Public Workshop published in the Liberty Lake Splash on July 28, 2011
 - Notice of Public Workshop and a link to the City website emailed to public notice group, & amendment applicants on July 27, 2011
 - Notice of Public Workshop posted at City Hall, the Liberty Lake Municipal Library, & on the City website on July 27, 2011
 - Agenda posted at City Hall, the Liberty Lake Municipal Library, & on the City website
 - Agenda and a link to the City website emailed to public notice group & amendment applicants

5. Non-Project SEPA Checklists and Threshold Determinations Review –
August 10, 2011 - August 24, 2011
 - Notice of Availability published in the Liberty Lake Splash on August 11, 2011
 - Notice of Availability posted at City Hall, the Liberty Lake Municipal Library, & on the City website. SEPA Checklists, Threshold Determinations, and the Amendment Lists also posted on City website on August 10, 2011
 - Notice of Availability and a link to the City website emailed to public notice group, & amendment applicants on August 10, 2011
 - Notice of Availability, SEPA Checklists, Threshold Determinations, Amendment Lists, and a link to the City website emailed to reviewing agencies on August 10, 2011

6. August 24h - 4pm, Special Meeting at City Hall
Planning Commission Review and Discussion on 2011 City Development Code / RDSAP Proposed Amendments List
 - Special Meeting Notice and Agenda posted at City Hall, the Liberty Lake Municipal Library, & on the City website on August 18, 2011
 - Special Meeting Notice, Agenda, and a link to the City website emailed to public notice group & amendment applicants on August 18, 2011

7. September 14th - 4pm, Regular Meeting at City Hall
Public Hearing on the 2011 City Development Code / RDSAP Proposed Amendments
 - Notice of Public Hearing published in the Liberty Lake Splash on September 1, 2011
 - Notice of Public Hearing posted at City Hall, the Liberty Lake Municipal Library, & on the City website on August 26, 2011
 - Notice of Public Hearing and a link to the City website emailed to public notice group & amendment applicants on August 26, 2011
 - Staff Report posted on the City website on September 7, 2011
 - Agenda posted at City Hall, the Liberty Lake Municipal Library, & on the City website
 - Agenda and a link to the City website emailed to public notice group & amendment applicants

The July 1, 2011 draft amendment list was finalized on July 13, 2011 and was utilized for the public hearing with the addition of the proposed revisions to ZTA-11-0002 (R1 Development Setbacks), ZTA-11-0003 (R2 Development Setbacks), ZTA-11-0004 (RD-R Development Setbacks), and ZTA-11-0012 (I Zone Parking Lots).

E. PROPOSED 2011 CITY DEVELOPMENT CODE & RIVER DISTRICT SPECIFIC AREA PLAN OVERLAY (RDSAP) AMENDMENTS

A City Staff Report was presented at the public hearing on September 14, 2011 and the opportunity for public comment was available during the public hearing. Copies of all materials were available for review on the City website throughout the review process and were also available for review at the hearing.

F. FINDINGS OF FACT

1. The public had the opportunity to testify at the public hearing or submit written comments.
 - a. A written comment was received from Todd Stam, Owner of Aspen Homes & Development RCE-3561 in favor of the proposed changes to the garage orientation in amendments ZTA-11-0002, 0003 and 0004.
 - b. A written comment was previously received from Jubilation Enterprises, LLC Judi Williams in support of changing the city code for private employee parking lots in the light industrial area.
 - c. Other comments were given during Planning Commission meetings and at the public workshop on the proposed amendments.
2. All public notice requirements have been met or exceeded.

G. CONCLUSIONS

Based on the above findings of fact, the City of Liberty Lake Planning Commission concludes:

1. The public was provided with the opportunity for early and continuous participation.
2. That all public notification requirements were met and accomplished in a timely manner.
3. That the public was given adequate opportunity to testify for or against the proposed 2011 City Development Code / RDSAP Amendments.
4. That comments received throughout the review process were taken into consideration.

H. DECISION

1. The City of Liberty Lake Planning Commission Recommends Approval of City Development Code / RDSAP Amendments:

- ZTA-11-0001 (Signage Definitions)
- ZTA-11-0005 (R1 & R2 Lot Dimensions - Width / Depth)
- ZTA-11-0006 (R2 Clustered Housing Use)
- ZTA-11-0007 (Shopping Cart Storage & Return Stations)
- ZTA-11-0008 (Signage - Window, Temporary, Political, & People)
- ZTA-11-0009 (Utility Provider Review)
- ZTA-11-0010 (Planned Unit Developments)
- ZTA-11-0011 (Home Occupation Permits)

2. The City of Liberty Lake Planning Commission Recommends Approval of the Revised City Development Code / RDSAP Amendments:

ZTA-11-0002 (R1 Development Setbacks)

ZTA-11-0003 (R2 Development Setbacks)

ZTA-11-0004 (RD-R Development Setbacks)


ZTA-11-0012 (I Zone Parking Lots)

as listed on the 2011 City Development Code / RDSAP Proposed Amendments - Planning Commission Recommendation

TO THE LIBERTY LAKE CITY COUNCIL.

Dated the 28th day of September 2011.

Attest:



Daniel Dunne, Commission Chair



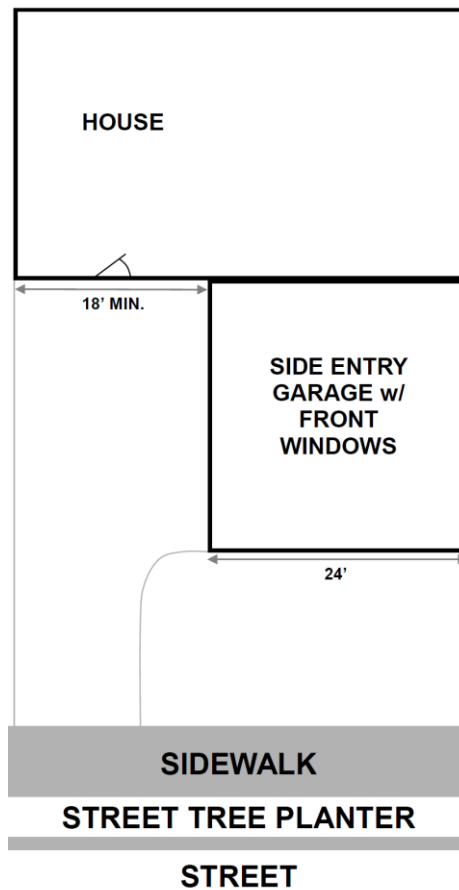
Ann Swenson, City Clerk

City of Liberty Lake Development Code & RDSAP

Proposed 2011 Amendments List

Initiated By / File #	Chapter / Section	Proposed Amendment	Page #
City Council / ZTA-11-0001 (also see ZTA-11-0008)	Article 10-1C Definitions	<ul style="list-style-type: none"> • B. Definitions (<i>Signage</i>) <ul style="list-style-type: none"> <u>Commercial Off Premise Sign - A sign which carries advertisements for a business not located on the premises or parcel where the sign is located, including signs indicating the business transacted, services rendered, goods sold or produced, name of the business and/or name of the person, firm, or corporation.</u> <u>Off-Premise Sign - A sign not located on the premises or parcel of the use or activity to which the sign pertains.</u> <u>Premises - A lot of record not separated by right-of-way and owned or managed by the same individual or entity.</u> <u>Public Officer - Federal, state, county, and municipal employees.</u> <u>Window Sign - A sign applied to a window or mounted or suspended directly behind a window.</u> 	DC 1-15 to 1-48
City Staff / ZTA-11-0002 (ZTA-10-0006)	10-2B-6 Development Setbacks (R1 Zone)	<ul style="list-style-type: none"> • A. Front Yard Setbacks <ul style="list-style-type: none"> 1. Minimum Setback <ul style="list-style-type: none"> a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement. b. Attached (townhome) Single Family: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement. c. Clustered Housing: A minimum front yard setback of 10 feet is required; however 0 feet is allowed when fronting a Home Owner Association common area. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements. 	DC 2-15 & 2-16

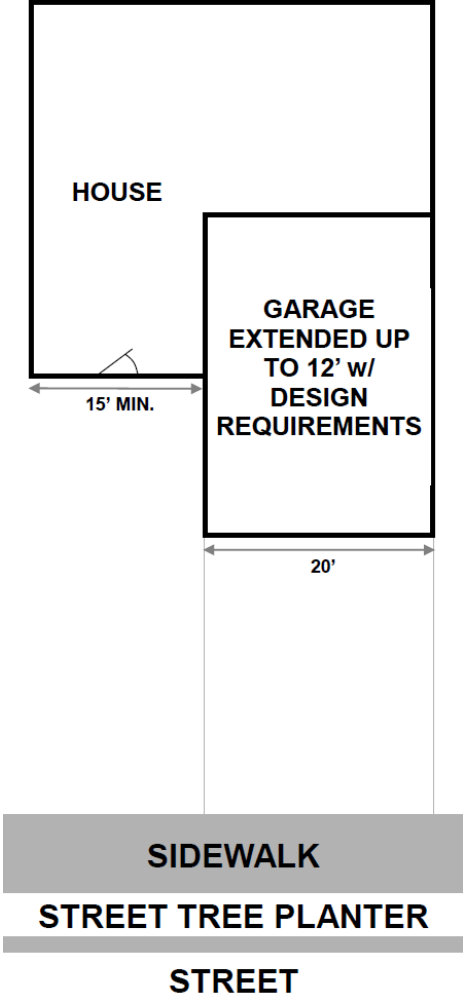
2. Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. A side entry garage may be utilized that extends out from the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined in subsection (3)(a - l) below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the depth of the garage / side elevation is 24', then the width of the house elevation must be at least 18' for a total structure width of 42' minimum). See example below. ~~Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet.~~ Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.



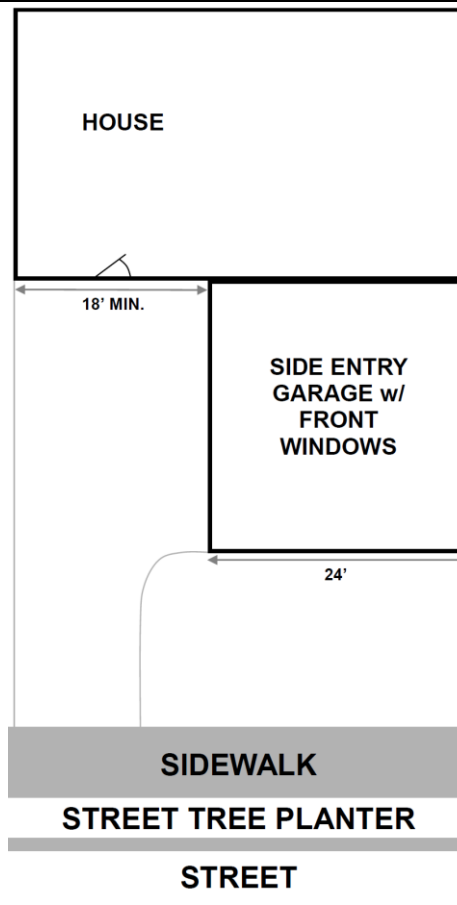
3. Design Requirements for Garages Extending Past the Front Elevation of Houses

A front loaded garage may extend up to twelve (12) feet in front of the furthest forward living space or covered porch on the street-

		<p><u>facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the width of the garage is 20', then the width of the house elevation must be at least 15' for a total structure width of 35' minimum). See example below.</u></p> <ul style="list-style-type: none"> <u>a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window</u> <u>b. The building facade includes two or more offsets of sixteen inches or greater</u> <u>c. A minimum sixty square-foot covered front porch that is at least five feet deep</u> <u>d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)</u> <u>e. Windows on front elevations include a minimum of four-inch trim or shutters</u> <u>f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade</u> <u>g. Garage doors are painted the same color as the body color of the front elevation of the home</u> <u>h. There are a minimum of two windows in each garage door</u> <u>i. Windows in gables or dormers above the garage doors</u> <u>j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows</u> <u>k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape</u> <u>l. Each garage door is a one car width (9')</u> 	
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		 <p>HOUSE</p> <p>15' MIN.</p> <p>GARAGE EXTENDED UP TO 12' W/ DESIGN REQUIREMENTS</p> <p>20'</p> <p>SIDEWALK</p> <p>STREET TREE PLANTER</p> <p>STREET</p> <p>4. Detached Garages-garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet <u>and at least 20 feet from the back of sidewalk.</u></p> <p>35. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2B-9.</p>	
<p>City Staff / ZTA-11-0003 (ZTA-10-0007) (also see ZTA-11-0006)</p> <p><i>Clustered Housing - Manufactured home re-development opportunities</i></p>	<p>10-2C-6 Development Setbacks (R2 Zone)</p>	<ul style="list-style-type: none"> A. Front Yard Setbacks <ul style="list-style-type: none"> 1. A minimum setback of 16 feet is required, except that an unenclosed porch may be within 10 feet, as long as it does not encroach into a public utility easement. 1. Minimum Setback <ul style="list-style-type: none"> a. <u>Detached & Attached Single Family Housing; Manufactured Homes on Lots and Other Uses: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement.</u> b. <u>Clustered Housing: A minimum front yard setback of 10 feet is required;</u> 	<p>DC 2-34 to 2-36</p>

		<p><u>however 0 feet is allowed when fronting a Home Owner Association common area. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.</u></p> <p><u>2. Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. A side entry garage may be utilized that extends out from the furthest forward living space or covered porch on the street-facing elevation, if six (6) of the residential design elements outlined in subsection (3)(a - l) below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the depth of the garage / side elevation is 24', then the width of the house elevation must be at least 18' for a total structure width of 42' minimum). See example below. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.</u></p>	
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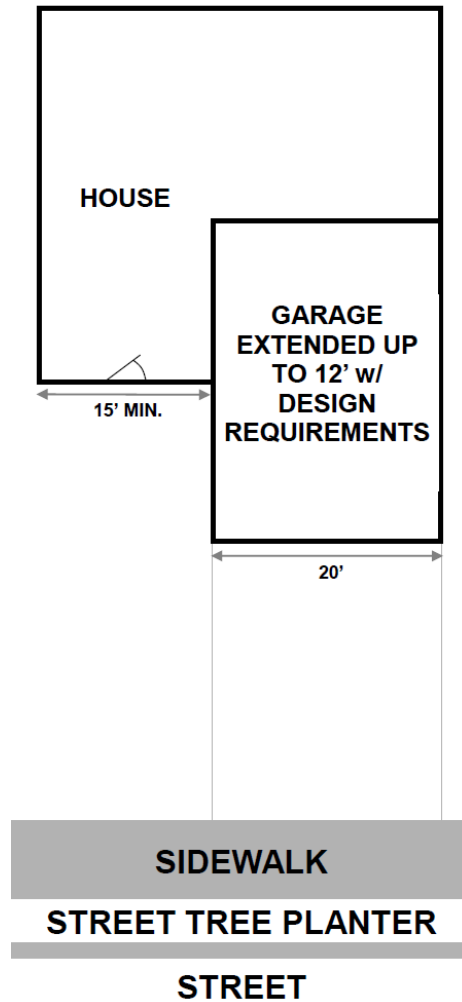


3. Design Requirements for Garages Extending Past the Front Elevation of Houses

A front loaded garage may extend up to twelve (12) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the width of the garage is 20', then the width of the house elevation must be at least 15' for a total structure width of 35' minimum). See example below.

- a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window
- b. The building facade includes two or more offsets of sixteen inches or greater
- c. A minimum sixty square-foot covered front porch that is at least five feet deep
- d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)
- e. Windows on front elevations include a minimum of four-inch trim or shutters

- f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade
- g. Garage doors are painted the same color as the body color of the front elevation of the home
- h. There are a minimum of two windows in each garage door
- i. Windows in gables or dormers above the garage doors
- j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows
- k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape
- l. Each garage door is a one car width (9')



4. Detached ~~Garages~~ garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation

by a minimum of 4 feet and at least 20 feet from the back of sidewalk.

~~35~~. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2C-9.

B. Rear Yard Setbacks

1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

b. Attached (townhome) Single Family: The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

c. Clustered Housing: A minimum rear yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

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.

C. Side Yard Setbacks

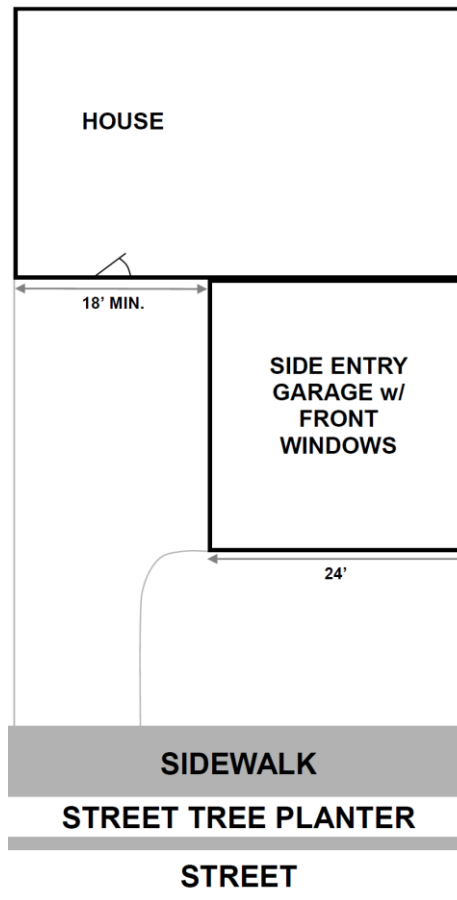
1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

b. Attached (townhome) Single Family: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

		<p><u>c. Clustered Housing: A minimum side yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.</u></p> <p>2. When zero-lot line development is permitted, the minimum side yard setbacks shall be 6 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 10-2C-3)</p> <p>D. Setback Exceptions</p> <p>The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet. Porches, decks, and similar structures not exceeding 24 inches in height may encroach into setbacks by no more than 5 feet, subject to the front yard setback provisions in "A". 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. Interior sideyard setbacks would be 0 feet for dwelling units that are attached by a common wall.</p> <p>E. Special Yards - Distance Between Buildings on the Same Lot</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 quarter (1/4) <u>(1/4)</u> the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 42-6 <u>6</u> 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>City Staff / ZTA-11-0004 <i>(ZTA-10-0008)</i></p>	<p>10-2C-6 Development Setbacks (RD-R Zone)</p>	<ul style="list-style-type: none"> • A. Front Yard Setbacks <ul style="list-style-type: none"> 1. A minimum setback of 5 feet is required from the back of sidewalk on rear loaded lots. 2. <u>Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. A side entry garage may be utilized that extends out from the furthest forward living space or covered porch on the street-facing elevation, if six (6) of the residential design elements outlined in subsection (3)(a -</u> 	<p>RDSAP RD-R, P. 6 & 7</p>

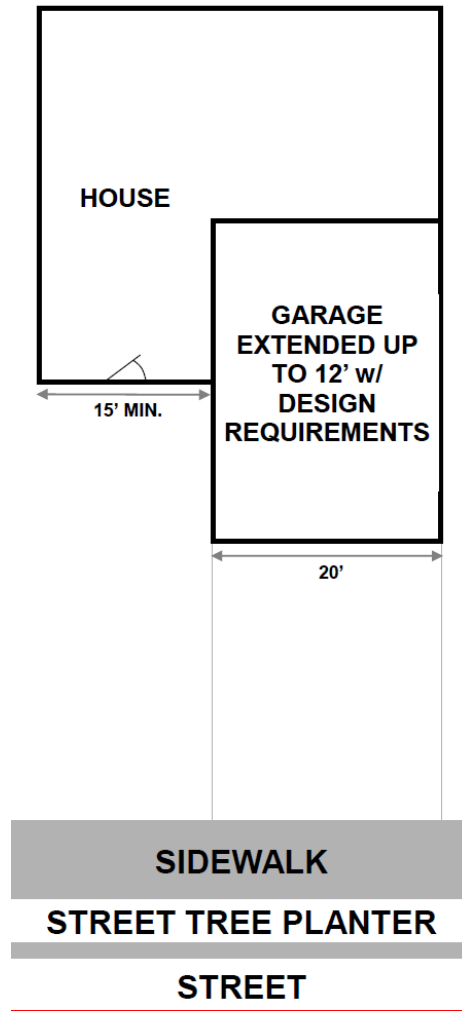
l) below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the depth of the garage / side elevation is 24', then the width of the house elevation must be at least 18' for a total structure width of 42' minimum). See example below. ~~Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet.~~ Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 18 feet from the back of sidewalk.



3. Design Requirements for Garages Extending Past the Front Elevation of Houses

A front loaded garage may extend up to twelve (12) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the width of the garage is 20', then the width of the house elevation must be at least 15' for a total structure width of 35' minimum). See

		<p><u>example below.</u></p> <ul style="list-style-type: none"> <u>a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window</u> <u>b. The building facade includes two or more offsets of sixteen inches or greater</u> <u>c. A minimum sixty square-foot covered front porch that is at least five feet deep</u> <u>d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)</u> <u>e. Windows on front elevations include a minimum of four-inch trim or shutters</u> <u>f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade</u> <u>g. Garage doors are painted the same color as the body color of the front elevation of the home</u> <u>h. There are a minimum of two windows in each garage door</u> <u>i. Windows in gables or dormers above the garage doors</u> <u>j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows</u> <u>k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape</u> <u>l. Each garage door is a one car width (9')</u> 	
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4. Detached Garages-garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet and at least 18 feet from the back of sidewalk.

35. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2C-9.

46. Attached Single Family Clustered Housing unit setbacks shall be only for the single building elevation that is nearest to the right-of-way, auto-court lane, or street, as applicable; however no structures shall be located within easements. A minimum building front yard setback of 5 feet is required for an attached single family clustered housing unit building with rear loaded lots.

Rocky Hill, LLC / ZTA-11-0005

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

DC 2-18

<i>R-1 Land Use</i>	<i>Lot Area</i>	<i>Lot Width / Depth</i>	<i>Lot Coverage</i>	<i>Residential Density</i>
Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 5000 square feet	Minimum Width: 50 feet at front property line None Maximum Depth: Three (3) times the lot width, except as required to protect critical areas, etc. None	Maximum: 40 percent	Minimum Net Density: 4 dwelling units per acre Maximum Net Density: 6 dwelling units per acre
Attached (townhome) Single Family Housing; Clustered Housing	Minimum area: 2000 square feet Maximum area: 7500 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 60 percent *	Minimum Net Density: 4 dwelling units per acre Maximum Net Density: 8 dwelling units per acre
Other Uses	Minimum area: None Maximum area: 4 acres (excluding parks and recreation uses)	Minimum Width: 60 feet at front property line Maximum Depth: None	Maximum: 70 percent	None


* Attached Clustered Housing shall be based on the individual project boundary

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

DC 2-37

<i>R-2 Land Use</i>	<i>Lot Area</i>	<i>Lot Width / Depth</i>	<i>Lot Coverage</i>	<i>Residential Density</i>
Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 5000 square feet Maximum area: 10,000 square feet	Minimum Width: 50 feet at front property line None Maximum Depth: None	Maximum: 50 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Two-Family Housing (duplex)	Minimum area: 7000 square feet Maximum area: 12,000 square feet	Minimum Width: 50 feet at front property line None Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Attached (townhome) Single Family Housing	Minimum area: 2000 square feet Maximum area: 6,000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent*	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Manufactured Home Parks	See Section 10-2C-3 for Manufactured Home Park standards.			Minimum Net Density: 6 dwelling units per acre

			Maximum Net Density: 12 dwelling units per acre			
City Staff / ZTA-11-0006 (also see ZTA-11-0003)	10-2C-7 Lot Area, Dimensions, Coverage, & Residential Density			DC 2-37		
	R-2 Land Use	Lot Area	Lot Width / Depth		Lot Coverage	Residential Density
	Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 5000 square feet Maximum area: 10,000 square feet	Minimum Width: 50 feet at front property line Maximum Depth: None		Maximum: 50 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
	Two-Family Housing (duplex)	Minimum area: 7000 square feet Maximum area: 12,000 square feet	Minimum Width: 50 feet at front property line Maximum Depth: None		Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
	Attached (townhome) Single Family Housing; <u>Clustered Housing</u>	Minimum area: 2000 square feet Maximum area: 6,000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None		Maximum: 70 percent*	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Manufactured Home Parks	See Section 10-2C-3 for Manufactured Home Park standards.			Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre		
	<u>* Attached Clustered Housing shall be based on the individual project boundary</u>					
Planning Commission / ZTA-11-0007	10-3C-3	<ul style="list-style-type: none"> <u>M. Shopping Cart Storage & Return Stations.</u> <u>When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts are permitted. Exterior shopping cart storage areas are not permitted and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations:</u> 		DC 3-18 RDSAP Ch. 3, P. 18		

		<p><u>1. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;</u></p> <p><u>2. Shopping cart return stations shall incorporate landscaping, architectural features, or similar design elements to draw attention to and lessen the impact of stand-alone features within parking areas (see integrated curb example below);</u></p> <p><u>3. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at anytime; and</u></p> <p><u>4. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.</u></p> 	
<p>City Council / ZTA-11-0008 (also see ZTA-11-0001)</p>	<p>Article 10-3E Signage Standards</p> <ul style="list-style-type: none"> • Window • Temporary • Political • People 	<ul style="list-style-type: none"> • 10-3E-1 Purpose <u>As identified in the City Comprehensive Plan, an attractive urban landscape is an asset to the community. Aesthetically pleasing areas instill a sense of pride in the community and serve as a magnet for attracting new business. Signage regulation is one method to achieve an attractive urban landscape.</u> The purpose and intent of this article is to <u>maintain or</u> enhance the visual environment of residential, commercial and industrial areas <u>the City of Liberty Lake, to protect the public health, safety and welfare; and to increase the effectiveness of visual communication in the City</u> while promoting commerce, traffic safety, and community identity <u>and by providing opportunities for Liberty Lake businesses, residents and property owners to appropriately display signage.</u> <p><u>The regulations for signs have the following specific objectives:</u></p> <ul style="list-style-type: none"> • <u>To have signs that attract and invite rather than demand the public's attention along the City's streetscapes.</u> • <u>To have streets that appear orderly and safe, because clutter is minimized.</u> • <u>To have signs that enhance the visual environment of the City, because they are in harmony with building architecture and landscape design.</u> 	<p>DC 3-33 to 3-40</p>

		<ul style="list-style-type: none"> • <u>To allow business identification that is not unduly hindered by regulatory standards.</u> • <u>To ensure typical communication and civic discussion is fostered in the City's residential neighborhoods.</u> • <u>To allow signs that utilize high quality construction materials, fine architectural detailing, harmonious proportionality, and that serve a multi-modal environment.</u> <ul style="list-style-type: none"> • 10-3E-3 Prohibited Signs <ul style="list-style-type: none"> A. <u>Signs Prohibited in the City.</u> The following signs are prohibited in all zones unless otherwise specifically permitted. <ul style="list-style-type: none"> <u>19. Commercial off-premise signs.</u> • 10-3E-4 Sign Permit Requirements <ul style="list-style-type: none"> A. <u>Exempt Signs.</u> The following shall not require a sign permit provided that these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this Code or any other law or ordinance, including the Building Code. <ol style="list-style-type: none"> 1. Signs that are attached to buildings provided such signs are not more than four (4) sq. ft. in area and project not more than 2 inches from any building surface. 2. The changing of the advertising copy or message on a lawfully erected sign, readerboard, or similar sign specifically designed for replaceable copy. 3. Painting, repainting, or normal maintenance, unless a structural or electrical change is made. 4. Incidental signs. 5. Any sign located within a building not visible from the street or sidewalk. 6. Temporary pennants or signs for annual City events (e.g. Farmer's Market, Pavillion Park Summer Festival, Pot Day in the Park, Liberty Lake Kite Festival, Clean Green Day). <u>6. Traffic or pedestrian control signs or signals, or signs indicating scenic, historic, or public points of interest (i.e. government services, parks, recreation, schools, transportation facilities), which are erected by or on the order of a public officer in the performance of his/her public duty;</u> <u>7. Signs required by law;</u> <u>8. Official public notices, official court notices or official law enforcement notices.</u> B. <u>Temporary Signs.</u> The following shall not require a complete sign permit application, however application for a temporary sign permit shall be required. <ol style="list-style-type: none"> 1. Temporary banners and temporary signs as permitted herein. 2. Real estate signs as permitted herein. 	
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		<p>3. Temporary political signs <u>as permitted herein</u>.</p> <ul style="list-style-type: none"> • 10-3E-5 Signs Permitted in All Zones in Connection with Specific Uses <ul style="list-style-type: none"> A. The following signs may be permitted in any zone, subject to the limitations as provided herein. <ul style="list-style-type: none"> <u>9. Permanent City Gateway Signs - Decorative City signs of a permanent character at the entrances to the City of Liberty Lake, shall be permitted, subject to the following conditions:</u> <ul style="list-style-type: none"> <u>a. The signs shall be designed to achieve aesthetic harmony with a consistent design theme approved by the City Council.</u> <u>b. The signs shall consist of decorative masonry walls, concrete, rock or wood with illuminated, indirectly lighted or non-illuminated name plates or letters.</u> <u>c. The signs shall be utilized to define the City boundaries and/or announce re-occurring annual City events and be located on City property or within a City easement.</u> <u>10. Political Campaign Signs</u> <ul style="list-style-type: none"> <u>a. Signs promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election may be displayed on private property with the consent of the property owner.</u> <u>b. Signs shall not be located on public property, within public easements, or within street right-of-way.</u> <u>c. All political campaign signage shall be removed within 14 days following the general election. If a run-off election for a candidate or initiative is required, the signs may remain until 14 days following the run-off election.</u> <u>11. Community Event Signs</u> <ul style="list-style-type: none"> <u>a. Community event signs shall be limited to announcing or promoting a non-profit or public sponsored community fair, festival or event, such as the Liberty Lake Spring Clean-Up, Liberty Lake Farmer's Market, Liberty Lake Community Yard Sale, Pavillion Park Summer Festival, Pet Day in the Park, Liberty Lake Days, and Winter Festival.</u> <u>b. Community event signs may be displayed no more than 8 calendar days prior to the start of the fair, festival, or event and must be removed within 2 days of the conclusion of the fair, festival, or event.</u> <u>c. Community event signs may be located</u> 	
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on or over street right-of-way areas in such a manner as to not interfere with irrigation or utility lines, as determined by the City. Any sign(s) not in compliance with the standards shall be impounded by the City at the expense of the event sponsor.

d. Community event signs shall not be placed in such a manner as to interfere with vehicular or pedestrian traffic.

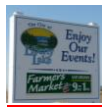
e. The signs shall be non-illuminated.

f. Such signs may be in an A-board form if they are otherwise in compliance with this Code and the standards within this subsection.

g. Such sign(s) shall be limited in size to five (5) square feet and limited in height to three (3) feet above grade, within the right-of-way.

h. A temporary sign permit application must be submitted and approved for all temporary signage, prior to signage installation / use.

B. Examples of Permitted Signage.

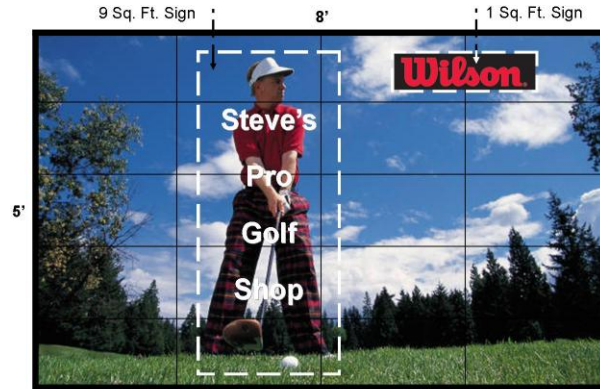


Permanent City Gateway Signs - Decorative City signs of a permanent character at the entrances to the City of Liberty Lake designed to achieve aesthetic harmony with a consistent design theme approved by the City Council. Signs shall consist of decorative masonry walls, concrete, rock or wood with illuminated, indirectly lighted or non-illuminated name plates or letters. Signs shall be utilized to define the City boundaries or announce re-occurring annual City events and be located on City property or within a City easement.

- 10-3E-7 Sign Standards in Mixed Use, Commercial, and Industrial Zones

E. Window Signs. Signs applied to a window or mounted or suspended directly behind a window of a business are permitted on any window of a building based on a 20% bonus to the allowed wall signage in 10-3E-7(A) above or a maximum of 10 sq. ft., whichever is less. Window signage can be placed on one or more windows as long as the aggregate area of window signage does not exceed the allowed bonus or maximum, whichever is less. Window sign size shall be calculated in the same manner as wall signage (see Section 10-3E-8, subsection C1 below). Only those portions of the window(s) which contain signage shall be calculated. Graphics or symbols that do not meet the definition of a sign or colored

film used for shading do not reduce the amount of allowed window signage; however, the colors must comply with the Architectural Guidelines and Special Standards of the zone. Window signage can be changed throughout the year as long as the overall allowed area is maintained.



If a business is allowed 50 sq. feet of wall signage, then they would be allowed 10 sq. feet of window signage which can be placed on one or more windows up to the aggregate total of 10 sq. feet of window signage. See single window example above.

F. Business A-Boards

Businesses are permitted to utilize one (1) A-Board / A-Frame sign on their property if the following conditions are met:

1. Only one (1) A-Board / A-Frame sign will be permitted per business.


2. The A-Board / A-Frame sign shall not exceed three (3) feet in height and six (6) sq. ft. in area. The sign may be double-sided.

3. The A-Board / A-Frame sign shall not be lighted or contain any moving image or text.

4. Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.

5. The A-Board / A-Frame sign must be located on the business parcel, no further than twelve feet from the entrance to the business, unless otherwise permitted by the Director or designee for unique situations. The sign shall not be placed in a location which is within the clear view triangle or any location which will impede vehicular traffic. Further, the sign shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped. At least three (3) foot clearance width on sidewalks must be maintained. The City may require re-location of the A-Board / A-Frame sign if it is determined that an interference is occurring.

6. The A-Board / A-Frame sign shall not be

		<p><u>located in any right-of-way.</u></p> <p><u>7. The A-Board / A-Frame sign shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard, or plastic; signs and copy shall be of professional quality. Owners of A-Board / A-Frame signs shall be required to keep their signs in a legible, intact, and well-maintained manner. Damaged signs shall be repaired or removed immediately.</u></p> <p><u>8. A sign permit application must be approved by the City prior to utilizing the A-Board / A-Frame sign.</u></p> 	
Rocky Hill, LLC / ZTA-11-0009	10-4D-7 Submissions and Approval Criteria: Final Plat and Short Plat & 10-4D-13 Binding Site Plans	<ul style="list-style-type: none"> 10-4D-7 (B) Approval Criteria, <ul style="list-style-type: none"> 9. The applicant has supplied <u>public utility providers with the final plat/short plat and the availability of public water and public sewer has been demonstrated to be consistent with adopted levels of service</u> letters of easement acceptance from the public utility companies and other documents required by affected agencies or service providers (i.e. water plans, utility plans, etc.), or approval letters; 	DC 4-47 RDSAP Ch. 4, P. 55
	10-4D-13 Binding Site Plans	<ul style="list-style-type: none"> 10-4D-13 (O) Utilities The dedication language in the final binding site plan shall include a statement indicating that utility easements for utility purveyors shall be made prior to the creation of each lot through a record of survey. If the binding site plan is finalized in one phase, easements for electric, water, sewer, gas, and similar utilities shall be illustrated on the final binding site plan. <u>The applicant shall supply public utility providers with BSP documents and the availability of public water and public sewer has been demonstrated to be consistent with the adopted levels of service.</u> The utility purveyors shall indicate to the City in writing or verbally that the easements are adequate for their service needs. 	DC 4-54 RDSAP Ch. 4, P. 63
City Staff / ZTA-11-0010	Article 10-4E Planned Unit Developments	<ul style="list-style-type: none"> 10-4E-1 Purpose A. <u>Purpose.</u> The purpose of this article is to implement the goals and policies of the City of Liberty Lake Comprehensive Plan by promoting creativity in site layout and design, allowing flexibility in the application of the standards for residential and mixed use development in order to protect and enhance environmental features, encouraging the development of affordable housing, and providing other public benefits. This article provides performance criteria to encourage flexibility in the choice of the types of living units 	DC 4-59 to 4-63 RDSAP Ch. 4, P. 68 to 72

		<p>available to the public through the planned unit development (PUD) process. More specifically, it is the purpose of this article to:</p> <ol style="list-style-type: none"> 1. Encourage innovative planning that results in more mixed use development, improved protection of open spaces, and greater housing and transportation options; 2. Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified living environments; 3. Facilitate the efficient use of land; 4. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities; 5. Preserve to the greatest extent possible the existing landscape features and amenities, that may not otherwise be protected through conventional development; 6. Encourage energy conservation and improved air and water quality. <ul style="list-style-type: none"> • 10-4E-2 Applicability The planned unit development (PUD) designation is an overlay zone which may be applied over any of the City's residential or mixed use zoning districts, <u>as identified in the adopted zoning matrix</u>. Existing subdivisions and lots of record on which no development has yet occurred or where adequate vacant land exists within an existing development to meet the standards and criteria of this article are eligible for PUD approval as changes of condition to the original plat, short plat, or BSP and would be processed in the same manner as a new land division application. An applicant may elect to develop a project as a PUD in compliance with the requirements of this article. • 10-4E-3 Review and Approvals Process <ul style="list-style-type: none"> A. <u>Review Steps</u>. There are three required steps to potential PUD approval: <ol style="list-style-type: none"> 1. Submittal of required PUD exhibits or information, concurrent with requirements for plats, short plats, or BSP's (see Article 10-4D above). 2. Adherence to the project permit processing steps in Article 10-4B; and 3. The approval of preliminary subdivision plat(s), short subdivision plats, or binding site plans accompanied by PUD overlay. B. <u>Approval Process</u>. <ol style="list-style-type: none"> 1. The Subdivision Plat, Short Subdivision Plat, or Binding Site Plan, as applicable, and the Planned Unit Development (PUD) overlay shall be reviewed together using the Type III procedure in Article 10-4B, the submission requirements in Section 10-4E-7, and the approval criteria in Section 10-4E-8. 	
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		<p>2. The project shall either be approved, approved with modifications/<u>conditions</u>, or denied.</p> <ul style="list-style-type: none"> • 10-4E-4 Allowed Uses <ul style="list-style-type: none"> A. <u>In the Residential Zoning Districts.</u> In the residential zones, the following uses are allowed when they are included in an approved PUD: <ol style="list-style-type: none"> 1. All uses allowed in the underlying zoning district (Chapter 2); 2. Recreational vehicle storage area for use by PUD residents with appropriate landscape screening. <u>3. The City may approve any use that the Comprehensive Plan specifically states is appropriate in the area that includes the subject property and limited or conditional use requirements may be modified if the modification is to meet the purpose of a PUD.</u> B. <u>In Other Zoning Districts.</u> In the other zoning districts where PUD's are permitted, <u>the following uses are allowed when they are included in an approved PUD:</u> <ol style="list-style-type: none"> <u>1. All uses allowed in the underlying zoning district (Chapter 2);</u> <u>2. The City may approve any use that the Comprehensive Plan specifically states is appropriate in the area that includes the subject property and limited or conditional use requirements may be modified if the modification is to meet the purpose of a PUD.</u> • 10-4E-5 Applicability of Zoning District Standards (Chapter 2) Code Provision Modifications <ul style="list-style-type: none"> A. Zoning District Standards. <u>The City may utilize a PUD Overlay to modify any of the provisions of the code if it can be demonstrated that it furthers the goals and policies of the Comprehensive Plan and meets the purpose of a PUD except the following:</u> <ol style="list-style-type: none"> <u>1. The City may not modify any of the provisions of this Article; and</u> <u>2. The City may not modify any provision of this code that specifically states that its requirements are not subject to modifications under a PUD; and</u> <u>3. The City may not modify any of the procedural provisions of this code; and</u> <u>4. The City may not modify any provision pertaining to the installation and maintenance of storm water retention/detention facilities; and</u> <u>5. The City may not modify any provision pertaining to the installation of public improvements; and</u> <u>6. The City may not modify any provision regulating signs; and</u> <u>7. The City may not modify any provision</u> 	
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		<p><u>that would be detrimental to the public health, safety, or welfare.</u></p> <p><u>PUD's shall conform to the provisions of the underlying zoning district, as follows:</u></p> <ol style="list-style-type: none"> <u>1. Density, lot coverage, and building size. The density, lot coverage, and building size standards of the zone shall apply. The lot coverage standards may be increased by up to 5 percent, within PUD's;</u> <u>2. The lot area and dimensional standards of the zone shall apply;</u> <u>3. The maximum building height standard shall apply; and</u> <u>4. Setbacks:</u> <ol style="list-style-type: none"> <u>a. Front yard and rear yard setbacks for structures on the perimeter of the project shall be the same as that required by the underlying zoning district, unless modified through the PUD review;</u> <u>b. The side yard setback provisions may not apply except that all detached structures shall meet Building Code requirements for fire walls, etc.; and</u> <u>c. Front yard and rear yard setback requirements of the underlying zoning district shall not apply to structures on the interior of the project except that:</u> <ul style="list-style-type: none"> <u>• A minimum front yard setback of 20 feet is required for any garage structure which opens facing a public or private street.</u> <p><u>B. Other Provisions of the Zoning DistrictCity Municipal Code. All other provisions of the zoning districtCity Municipal Code shall apply, except as modified by this article.</u></p> <p><u>C. More than one overlay-zone. When more than one overlay zone-applies to the development (i.e. Specific Area Plan Overlay Zone and a PUD), and standards conflict between the overlay zones, the more restrictive standards shall apply (i.e., those which afford the greatest protection to identified resources and amenities, compatibility between land uses, etc.), as determined by the Director/designee.</u></p> <ul style="list-style-type: none"> <u>• 10-4E-6 Applicability of Design Standards (Chapter 3)Density Bonus</u> <u>Density Bonus. The housing density standards shall be determined based on the densities in Chapter 2. When allowed by the Comprehensive Plan, the City may authorize a density bonus above the density allowed by Chapter 2, as an incentive to increase or enhance open space, protect critical areas, provide unique architectural character, and or accomplish other purposes of the zone. The density bonus shall not result in the allowable density exceeding 10 percent of the allowable density in Chapter 2.The design</u> 	
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		<p>standards of Chapter 3 shall apply to all PUD's. Variances shall conform to the standards and procedures of Article 10-5B. Variances.</p> <ul style="list-style-type: none"> • 10-4E-7 Preliminary PUD Submission Requirements <ul style="list-style-type: none"> A. <u>General submission requirements.</u> The applicant shall submit an application containing all of the general information required for a Type III procedure, as governed by Article 10-4B and for a plat, short plat, or BSP, as governed by Article 10-4D, <u>as applicable.</u> In addition, the applicant shall submit the following on forms approved and provided by P&CD: <ol style="list-style-type: none"> 1. A statement of planning objectives to be achieved by the planned unit development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant. 2. A development schedule indicating the approximate dates when construction of the PUD and its various phases are expected to be initiated and completed. 3. A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD. 4. Narrative report or letter documenting compliance with the applicable approval criteria contained in Section 10-4E-8. 5. Special studies prepared by qualified professionals may be required by the P&CD Director to determine potential traffic, geologic, noise, environmental, natural resource and other impacts, and required mitigation. B. <u>Additional information.</u> In addition to the general information described in Subsection "A" above, and the requirements of Articles 10-4B and 10-4D, the application shall include the following, <u>as applicable:</u> <ol style="list-style-type: none"> 1. Conceptual site plan - may be combined with other required maps or plans outlined in Article 10-4D provided that the general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the PUD concept are included; 2. Grading concept (for hillside or sloping properties, or where extensive grading is anticipated); and 3. Sign concept (e.g., locations, general size, style, and materials of signs). • 10-4E-8 Preliminary PUD Approval Criteria <p>The City shall make findings that all of the following criteria are satisfied when approving or</p> 	
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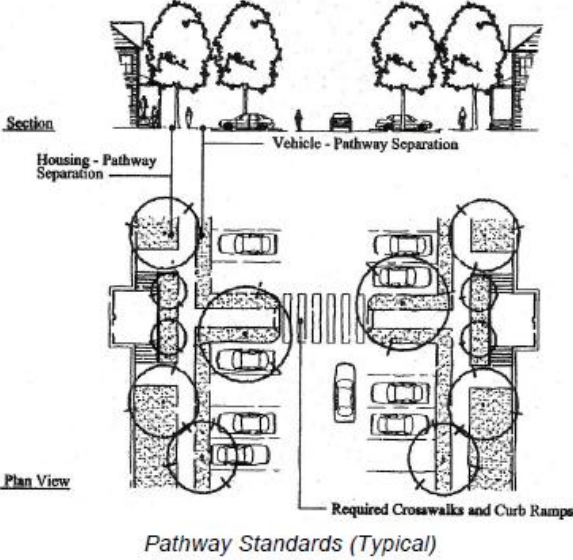
		<p>approving with conditions, the PUD overlay. The City shall make findings that all of the criteria are not satisfied when denying an application:</p> <p>A. <u>Comprehensive Plan</u>. All relevant provisions of the Comprehensive Plan shall be met;</p> <p>B. <u>Compliance with this Article</u>. All PUD proposals shall comply with the provisions of this Article (10-4E)</p> <p>C. <u>Land Division Article</u>. All of the requirements for land divisions, as applicable, shall be met (Article 10-4D);</p> <p>D. Chapter 2 Zoning and Chapter 3 Design and Maintenance Standards Code Provision Modification Principles. All of the land use and design standards contained in Chapters 2 and 3 shall be met, except as modified<u>The code provision modifications permitted under Section 10-4E-5 and the density bonus permitted under Section 10-4E-6 for the following provisions for density bonuses shall be based on the following principles:</u></p> <p>1. Density Bonus. The housing density standards shall be determined based on the densities in Chapter 2. When allowed by the Comprehensive Plan, the City may authorize a density bonus above the density allowed by Chapter 2, as an incentive to increase or enhance open space, protect critical areas, provide unique architectural character, and or accomplish other purposes of the zone. The density bonus shall not result in the allowable density exceeding 10 percent of the allowable density in Chapter 2.</p> <p><u>21. The criteria in subsections (a-d) below shall be used in granting density bonuses modifications to the code provisions through a PUD. The percentage of density bonus granted shall be proportional to the land area used to meet the criteria requested modification(s) in subsections (a-d).</u></p> <p><u>The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:</u></p> <p><u>a. The applicant is providing public facilities that could not be required by the City for development of the subject property without a PUD.</u></p> <p><u>b. The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance or rehabilitate through development of the subject property without a PUD.</u></p> <p><u>c. The design of the PUD incorporates active or passive solar energy systems.</u></p> <p><u>d. The design of the proposed PUD is</u></p>	
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		<p><u>superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:</u></p> <ol style="list-style-type: none"> <u>1. Increased provision of public/common open space, streetscape, pedestrian, or recreational facilities, or preservation of viewscapes.</u> <u>2. Superior circulation patterns or location or screening of parking facilities.</u> <u>3. Superior landscaping, buffering, or screening in or around the proposed PUD.</u> <u>4. Superior architectural design, placement, relationship, or orientation of structure.</u> <u>5. Minimum use of impervious surfacing materials.</u> <u>6. Other ways that further the goals and policies of the Comprehensive Plan and meets the purpose of a PUD, as determined by the Director/designee.</u> <p><u>e. The PUD incorporates workforce or specialty housing. Any PUD which proposes workforce or specialty housing shall be reviewed for its proximity to existing or planned services (i.e., shopping centers, medical centers, churches, parks, entertainment, senior centers, public transit, etc.). Housing prices and/or rents shall be controlled at these levels through Covenants, Conditions, and Restrictions (CCR) or similar instrument for a minimum of 10 years.</u></p> <p><u>2. Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.</u></p> <ol style="list-style-type: none"> a. A maximum of 10% of the density allowed by the zone may be approved for the provision of public open space, or protection of natural features in common open space; b. A maximum of 10% of the density allowed by the zone may be approved for streetscape (e.g., parkways or landscaped boulevard) development; plazas; pathways or other pedestrian amenities; or recreation area development; c. A maximum of 10% of the density allowed by the zone may be approved for the protection or enhancement of community views and vistas (e.g., by providing a public view point, parkway, 	
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		<p>plaza, or open space);</p> <p>d. A maximum of 10% of the density allowed by the zone may be approved for development of affordable housing, if the housing is integrated within PUD and is a housing type typical to the development. Affordable housing is defined as housing affordable to households earning 80 percent or less of the median household income in Spokane County, or less. Such households, on average, do not spend more than 30 percent of their income on housing. Housing prices and/or rents shall be controlled at these levels through Covenants, Conditions, and Restrictions (CCR) for a minimum of 10 years.</p> <p>E. <u>Requirements for Common Open Space.</u> Where common open space is designated, the following standards apply:</p> <ol style="list-style-type: none"> 1. The open space area shall be shown on the final plan and recorded with the final plat or separate instrument; and 2. The open space shall be conveyed in accordance with one of the following methods: <ol style="list-style-type: none"> a. By dedication to the City as publicly-owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the P&CD Director with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a Level One Environmental Assessment), and budgetary and maintenance abilities; b. By leasing or conveying title (including beneficial ownership) to a corporation, home association, or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City. <ul style="list-style-type: none"> • 10-4E-9 Administrative Procedures <ol style="list-style-type: none"> A. Time limit on filing of final plats, short plats, and BSP's. The time limits outlined in Article 10-4D above for filing of final plats, short plats, and BSP's shall be followed. B. Extension. Granting of extensions for PUD proposals shall be as outlined in Section 10-4D-3 Modifications and Extensions, for extensions on final plats, short plats, and <u>Section 10-4D-13 for BSP's.</u> • 10-4E-10 Final PUD Approval Criteria The City shall process final PUD's concurrent with the final plat, short plat, or BSP for the project and the process shall be as outlined in Article 10-4D above, specifically Section 10-4D-7, Submissions 	
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		and Approval Criteria: Final Plat, BSP , and Short Plat <u>and Section 10-4D-13 for BSP's</u> . Final PUD's shall meet all conditions of approval and other requirements of the preliminary PUD.	
City Staff / ZTA-11-0011	10-4I-2 Home Occupation Permits	<ul style="list-style-type: none"> • <u>(J) Exemptions.</u> <u>The following activities are exempt from the home occupation permit requirements, but shall otherwise comply with the substantive requirements of this section; provided, however, a home occupation permit may be required if a complaint is received about the activity or if activities related to the occupation otherwise qualify for a home occupation:</u> <ol style="list-style-type: none"> <u>1. Authors, composers and writers.</u> <u>2. After hours paperwork and similar activities performed by residents on evenings and weekends, who have a primary office elsewhere.</u> <u>3. Tutoring, teaching, music lessons, or fine arts instruction for one student or pupil or conducted not more than one time per week.</u> <u>4. Services or activities that are not performed at the residence, such as newspaper delivery, babysitting, lawn care and gardening, parties for the sale of items such as Tupperware, Mary Kay, etc., and similar services.</u> <u>5. Activities similar to 1 - 4 above, as determined by the Director/designee.</u> 	DC 4-74 RDSAP Ch. 4, P. 85
Meadowwood Partners, LLC / ZTA-11-0012	10-3B-3 Pedestrian Access and Circulation <i>Changes to Section 10-3B-3 are no longer proposed</i>	<ul style="list-style-type: none"> • (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: <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. 	DC 3-9

		<p>b. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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:</p> <p>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;</p> <p>b. If the streets within the subdivision or neighborhood are lighted, the pathways shall also be lighted;</p> <p>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;</p> <p>d. The City may require landscaping within the pathway easement/right-of-way for screening and the privacy of adjoining properties;</p> <p>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</p>	
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		<p>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>  <p style="text-align: center;"><i>Pathway Standards (Typical)</i></p>	
	<p>10-3C-2 Landscape Conservation</p> <p><i>Changes to Section 10-3C-2 are no longer proposed</i></p>	<ul style="list-style-type: none"> (A) <u>Applicability</u>. 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 systems. 	<p>DC 3-12</p>
	<p>10-3C-3 New Landscaping</p>	<ul style="list-style-type: none"> (E) <u>Interior Parking Area Landscaping</u>. Interior parking area landscaping shall contribute to the total site area requirements in D above. <ul style="list-style-type: none"> 1. The interior of all parking areas shall contain landscape islands and peninsulas located in such a manner as to: <ul style="list-style-type: none"> a. Divide and break up large expanses of paving. b. Guide traffic flow and direction. c. Promote pedestrian and vehicular safety. d. Preserve existing trees and vegetation. <p>Interior landscaping shall consist of an evenly distributed mix of shade trees with shrubs.</p> 	<p>DC 3-15</p>

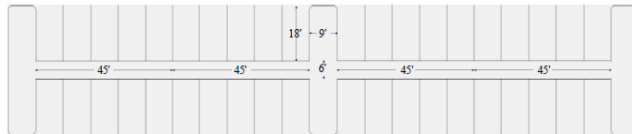
Evenly distributed means that the trees are distributed around the parking lot perimeter and between parking spaces to provide a partial canopy.

2. Landscape islands shall be installed to break up the parking area into rows of not more than 20 contiguous parking spaces or 10 spaces in one row.

a. Each end of each row of parking spaces shall require a landscape island unless the end of such row of parking spaces is adjacent to a perimeter landscape.

b. The minimum width for a landscape island that is parallel to a parking space shall be equivalent to the area of one parking space (e.g. 90 degree stalls are required to be a minimum of 9' x 18', therefore the landscape island shall be at least 9' x 18'). Each landscape island or peninsula shall contain a minimum of one (1) shade tree and a combination of five (5) deciduous and evergreen shrubs or groundcover.

3. Each row of parking spaces shall be separated from one another by a six (6) foot landscape island that extends the entire length of the row of parking spaces. Such landscape island shall contain two (2) shade trees and ten (10) shrubs distributed per 45 linear feet. Additionally, six (6) foot wide pedestrian walkways, running parallel or perpendicular to the landscape islands shall be provided for convenient pedestrian access to the building entry(s) and throughout the parking lot.



Interior Parking Area Layout Example (without pedestrian walkways)

Within the I (Light Industrial) Zone, the parking row landscape island / walkway requirements will not be required within internal parking lots in order to prevent interference with truck maneuverability or other factors; provided the requirements of 10-3C-3(E)(4) below are met.

4. In accordance with City Development Code Section 10-1B-8, Alternative Methods of Compliance, the City may approve alternatives to the interior parking area landscape requirements for individual properties within the I (Light Industrial) Zone, if the consistency and other standards of Section 10-1B-8 are met and:

a. the landscaping within the parking area (excluding commercial loading and truck maneuvering areas) is at least equal to

		<p><u>the minimum area requirements of 10-3C-3(D) above</u></p> <p><u>b. no landscape islands or peninsulas are less than 100 square feet in area</u></p> <p><u>c. no parking stall is located more than 50 feet from a shade tree, unless the site contains a large-scale building or development (buildings with greater than 20,000 square feet of enclosed ground floor space or multiple buildings with a combined enclosed ground floor space greater than 40,000 square feet - see Section 10-2J-10(C)(2)), than no parking stall shall be located more than 100 feet from a shade tree</u></p> <p><u>d. shade trees are located at the end of parking rows, or between parking stalls, or between stalls and the property line.</u></p>	
10-3C-3 New Landscaping		<ul style="list-style-type: none"> • (F) <u>Perimeter Landscaping</u>. Perimeter landscaping shall contribute to the total site area requirements in D above. The landscape screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways. <ol style="list-style-type: none"> 1. Perimeters Adjacent to Public Rights-of-way. <ol style="list-style-type: none"> a. Parking areas and drives or other vehicular areas that extend to within 50 feet of a public right-of-way shall provide a landscape screen between the parking area, drive, or other vehicular area and the right-of-way. b. The landscape screen shall be a minimum of ten (10') feet in width and shall contain a minimum of one (1) shade tree and ten (10) shrubs distributed per 25 linear feet of street frontage or 1 evergreen tree and 5 shrubs distributed per 25 linear feet of street frontage. 2. Perimeters Not Adjacent to Public Rights-of-way. <p>In addition to F-1 above, the remaining perimeter of any parking areas, drives, or other vehicular areas shall be surrounded by a continuous five (5') foot landscape border minimum. Such landscape border shall be required between any paved area and any property line, yard, or required yard. The landscape border may be interrupted for ingress and egress to structures and adjoining lots. When a shared driveway will be located at the property line, the perimeter landscaping can be located at the sides of the driveway or as a landscaped median, as applicable. The landscaped border shall consist of at least one (1) shade tree or one (1) ornamental tree and ten shrubs</p> 	DC 3-16

		<p>distributed per 25 linear feet of perimeter or 1 evergreen tree and 5 shrubs distributed per 25 linear feet of perimeter, unless existing landscaping on abutting properties prohibits planting to the required quantities, as determined by the Director or designee. If approved by the City, landscape berms may be utilized in place of the shrub requirements. <u>In accordance with City Development Code Section 10-1B-8, Alternative Methods of Compliance, the City may approve alternatives to the landscaping requirements for perimeters not adjacent to public rights-of-way for individual properties within the I (Light Industrial) Zone, if the consistency and other standards of Section 10-1B-8 are met.</u></p>	
	10-3D-3 Vehicle Parking Standards	<ul style="list-style-type: none"> • F. Parking Location and Shared Parking. <ul style="list-style-type: none"> 4. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. <u>The required parking in the Light Industrial (I) Zone classification can be reduced by 30% where parking facilities for 2 or more uses, structures or parcels of land are shared by a recorded instrument establishing joint use and access.</u> 	DC 3-29
City Staff / File # N/A	Table of Contents	<ul style="list-style-type: none"> • Update Table of Contents as needed 	TOC

Information is subject to change without notice