PLANNING COMMISSION MEETING AGENDA
WEDNESDAY, JUNE 24, 2026
4 P.M.
CITY HALL
HELD REMOTELY& IN-PERSON AT CITY HALL

To participate remotely, you can:

- Sign up to provide Public Comment at the meeting via calling in.
- Submit Written Public Comment Prior to 2 pm on June 24, 2026.
- Join the Zoom Meeting.

Questions? Assistance? Please contact Kathy Cummings at kcummings@libertylakewa.gov .

1. Call to Order – 4:00 pm
2. Roll Call
3. Pledge of Allegiance

4. **GENERAL BUSINESS**
   - Review of Agenda
   - Approval of Minutes from May 13, 2026

5. **WORKSHOPS:**
   - Housing Development Code Amendments

6. **ACTION ITEMS:**
   - Sign Code Subcommittee

7. **CITIZEN COMMENTS**

8. **REPORTS**
   - Secretary's Report
   - Planning Commissioner Reports

9. Adjournment

Next Meeting: July 8, 2026

PUBLIC COMMENT

If you wish to provide oral public comments or testimony during the Planning Commission meeting, please follow the directions below to Join the Zoom Meeting.

WRITTEN PUBLIC COMMENTS

If you wish to provide written public comments for the upcoming council meeting, please email your comments to kcummings@libertylakewa.gov **by 2:00 p.m**. the day of the Planning Commission meeting and include all of the following information with your comments:

1. The Meeting Date
2. Your First and Last Name
3. If you are a Liberty Lake resident
4. The Agenda Item(s) which you are speaking about

JOIN ZOOM MEETING

To view the meeting live via Zoom Meeting, join the Zoom web meeting:

Meeting Instructions:

To join the Zoom web meeting:

https://us02web.zoom.us/j/83242274140

Dial In Phone Numbers:

- +1 253 215 8782 US (Tacoma)
- +1 253 205 0468 US

Meeting ID: 868 1895 8997

PLANNING COMMISSION MEETING MINUTES
WEDNESDAY, May 13, 2026
HELD VIA ZOOM & IN PERSON AT CITY HALL

Planning Commission Members Present: Phil Folyer (Vice Chair), Joe Mann, Jim Baumker, DG Garcia, Charlie Jencks, and Gene Heuschel.

Adjunct Member(s) Present: Troy Mullenix

Staff Present: Amy Mullerleile and Kathy Cummings

Call to Order: Meeting was called to order at 4:00 p.m.

Roll Call: A quorum of members was present. A motion to excuse Commissioners Tom Sahlberg and Abby Sprague was made by Commissioner Jencks, seconded by Commissioner Mann. The motion was carried unopposed.

Commissioner Folyer lead everyone in the Pledge of Allegiance.

Review of Agenda: Commissioner Jencks motioned to approve the agenda, seconded by Commissioner Mann. The motion passed unanimously.

Approval of Minutes: Commissioner Mann motioned to approve the April 22nd meeting minutes, seconded by Commissioner Jencks. The motion passed unanimously.

Workshops:

Required Development Code Amendments: Alicia Ayers with SCJ Alliance provided an overview of the required and recommended updates to the City's Development Code. Staff and the Commission discussed the proposed updates throughout the presentation. It was agreed that reviewing the current code alongside the required and recommended changes will help guide decision-making and clarify where the City may have flexibility as the update process continues. The next step will be to review the code section by section to determine where revisions are needed.

Citizen Comments: None

Secretary's Report: An updated Planning Commission meeting schedule has been prepared and distributed to the commission. The new meeting schedule includes two meetings for the month of July. The second meeting will be to review Commerce department's comments on the comprehensive plan draft.

Commissioner's Reports: Commissioner Baumker asked about the status of the Liberty Launch Fieldhouse project. Staff provided background and update.

Adjournment: Commissioner Mann motioned to adjourn the meeting, seconded by Commissioner Jencks. The motion carried unanimously. The meeting was adjourned at 5:15 p.m.

DRAFT

10-2A-4 Zoning Districts Matrix

Comprehensive Plan Category	Implementation - Zoning District	
Single Family Residential	R-1	(Single Family Residential)
Mixed Residential	R-2	(Mixed Residential)
Multi-Family Residential	R-3	(Multi-Family Residential)
Neighborhood Center	M-1	(Neighborhood Center)
Community Center	M-2	(Community Center)
Central Business District	M-3	(Central Business District)
Community Commercial	C-1	(Community Commercial)
Freeway Commercial	C-2	(Freeway Commercial)
Light Industrial	I	(Light Industrial)
Public / Semi-Public Institutional	P	(Public / Semi-Public Institutional)
Open Space / Recreation	O	(Open Space / Recreation)
Mixed Residential	RD-R	(River District-Mixed Residential)
Community Center Mixed Use	RD-M	(River District-Community Center)
Freeway Commercial	RD-C	(River District-Freeway Commercial)

Types of Uses

- **Permitted Uses (P):** Permitted uses are designated in matrix (10-2A-4) with the letter "P". These uses may occur without special action by the Hearing Body, subject to development standards of the zone in which it is located, and other applicable portions of this Code.
- **Limited Uses (L):** Limited uses are designated in matrix (10-2A-4) with the letter "L". These uses are allowed if they comply with the development standards of the zone in which it is located, 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.
- **Conditional Uses (CU):** Conditional uses are designated in matrix (10-2A-4) with the letters "CU". Conditional uses are permitted to locate 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.
- **Not Permitted (N):** Uses designated in matrix (10-2A-4) with the letter "N" are not permitted. All uses not specifically authorized by this Code are prohibited.
- **Use Determinations:** It is recognized that all possible uses and variations of uses cannot be reasonably listed in a use matrix. The Zoning Administrator may classify uses not specifically addressed in the matrix consistent with similar uses. Classifications shall also be consistent with Comprehensive Plan policies.
- **Essential Public Facilities (EPF's):** Facilities that may have statewide or regional/countywide significance are listed in the Facilities and Uses column as EPF and shall additionally be evaluated to determine applicability with the "Spokane County Regional Siting Process for Essential Public Facilities", as amended.

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Agriculture (actively farmed)	N	N	N	N	NL	N	N	N	N	N	N
Agricultural product / craft sales stand (Farmer's market)	N	N	N	L	L	L	L	L	L	L	L
Church / religious institution	P	P	P	P	P	P	P	P	P	N	N
Funeral home / mortuary	N	N	N	N	N	N	P	N	N	N	N
Home occupation	L	L	L	L	L	L	N	N	N	N	N
Hospital - EPF	N	N	N	N	P	N	P	P	P	N	N
Large-scale retail establishments	N	N	N	N	L	L	N	L	N	N	N
Marijuana Producer	N	N	N	N	N	N	N	N	N	N	N
Mobile sales / concessions	L	L	L	L	L	L	L	L	L	L	L
Parking structure	N	N	L	L	L	L	L	L	L	N	N
Planned unit development (PUD)	P	P	P	P	P	P	P	P	P	N	N
Temporary construction / sales office	L	L	L	L	L	L	L	L	L	L	L
Tower	N	N	N	N	N	N	L	N	L	N	N
Tower, private	L	L	L	L	L	L	L	L	L	N	N
Animal Related											
Animal health services / veterinarian - domestic animals	N	N	N	L	L	L	L	L	N	N	N
Animal shelter / kennel	N	N	N	N	N	N	N	N	L	L	N
Animal, wildlife rehabilitation facility	N	N	N	N	N	N	N	N	N	N	N
Dangerous animal / livestock keeping	N	N	N	N	N	N	N	N	N	N	N
Automobile, etc. oriented											
Automobile, manufactured home, recreational vehicle, trailer, & boat - sales	N	N	N	N	N	N	L	P	N	N	N
Automobile parts sales (retail)	N	N	N	N	L	L	P	P	P	N	N
Automobile parts sales (wholesale)	N	N	N	N	N	N	N	N	P	N	N
Automobile, recreational vehicle, trailer, truck, & taxi - rentals	N	N	N	N	N	N	L	P	N	N	N
Automobile / truck repair or maintenance (service station)	N	N	N	N	N	N	L	L	P	N	N
Automobile impound yard	N	N	N	N	N	N	N	N	N	P	N
Automobile wrecking / recycling, junk, & salvage yards	N	N	N	N	N	N	N	N	N	N	N
Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance	N	N	N	N	N	N	L	L	P	N	N
Car wash (automatic or self-service)	N	N	N	N	N	N	P	P	P	N	N
Gas station / convenience store	N	N	N	N	N	L	L	L	N	N	N
Fueling stations as an accessory use	N	N	N	N	N	N	L	L	N	N	N
Child day-care											
Family child day-care home (5 or fewer children)	P	P	P	P	P	P	N	N	N	N	N

Commented [LT1]: Under the limited conditions for this zone, it states that no future uses of this type are permitted.

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Family child day-care home (6 to 12 children)	P	P	P	P	P	P	N	N	N	N	N
Child day-care center	CU	P	P	P	P	P	P	P	L	P	N
Child day-care center (in a church or a school)	L	P	P	P	P	P	P	P	L	L	N
Community recreation & facilities											
Athletic club / exercise facility / gym	N	N	N	P	P	P	P	P	P	N	L
Community center / hall / club	L	P	P	P	P	P	P	P	N	P	L
Golf course	N	N	N	N	N	N	N	N	N	N	P
Parks & recreation	P	P	P	P	P	P	P	P	P	P	P
Participant & spectator sports facilities	N	N	N	L	L	N	P	P	P	N	L
Recreational vehicle park / campground	N	N	N	N	N	N	N	N	N	N	N
Dining, personal services, entertainment, lodging and retail (excluding automobile oriented)											
Adult entertainment establishment	N	N	N	N	N	N	CU	N	N	N	N
Adult retail use establishment	N	N	N	N	N	N	CU	N	N	N	N
Banks / financial institutions (without drive-thru)	N	N	N	P	P	P	P	P	P	N	N
Banks / financial institutions (with drive-thru)	N	N	N	L	L	L	P	P	P	N	N
Bed and breakfast inn	CU	CU	CU	CU	CU	CU	N	N	N	N	N
Building supply / hardware – sales (inside sales & storage)	N	N	N	P	P	P	P	P	N	N	N
Building supply / hardware – sales (outside sales & storage)	N	N	N	N	N	N	N	P	P	N	N
Commercial laundromat & dry-cleaning facility (without drive-thru)	N	N	N	P	P	P	P	P	N	N	N
Commercial laundromat & dry-cleaning facility (with drive-thru)	N	N	N	L	L	L	P	P	N	N	N
Cultural center, library, museum	N	P	P	P	P	P	N	N	N	P	N
Espresso stand	N	N	N	N	N	N	L	N	N	N	N
General retail	N	N	N	P	P	P	P	P	L	N	L
Grocery store	N	N	N	P	P	P	P	P	N	N	N
Hotel, motel, inn	N	N	N	P	P	P	P	P	N	N	N
Landscape supply, greenhouse, or commercial nursery	N	N	N	N	P	N	P	P	P	N	N
Marijuana Retailer	N	N	N	N	N	N	N	N	N	N	N
Personal care services such as barber shops, hair and nail salons, tanning salons, etc.	N	N	N	P	P	P	P	P	L	N	N
Pharmacy (without drive-thru)	N	N	N	P	P	P	P	P	N	N	N
Pharmacy (with drive-thru)	N	N	N	L	L	L	P	P	N	N	N
Printing, reprographics, bookbinding, & graphic services	N	N	N	P	P	P	P	P	P	N	N
Restaurant, café, deli, or ice cream parlor (without drive-thru)	N	N	N	P	P	P	P	P	L	N	L

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Restaurant, café, deli, or ice cream parlor (with drive-thru)	N	N	N	LP	L	P	P	P	N	N	N
Sports Bar	N	N	N	N	L	L	P	P	N	N	N
Tavern / pub / liquor store	N	N	N	N	L	L	P	P	N	N	L
Theater – motion picture	N	N	N	N	P	N	N	N	N	N	N
Theater – performing arts	N	N	N	P	P	P	P	P	L	N	L
Winery / Microbrew	N	N	N	N	P	P	P	P	P	N	N
Government/ civic offices and facilities											
Detention facility - EPF	N	N	N	N	N	N	N	N	N	CU	N
Maintenance / public works facility	N	N	N	N	L	L	L	L	L	P	L
Municipal Offices / Facilities	N	N	P	P	P	P	P	P	P	P	N
Post office	N	N	N	L	L	L	N	N	N	P	N
Prison / correctional facility - EPF	N	N	N	N	N	N	N	N	NCU	CUN	N
Public transit facilities - EPF	P	P	P	P	P	P	P	P	P	P	N
Schools – public / private											
Nursery / pre-school	P	P	P	P	P	P	N	N	N	P	N
Elementary school	P	P	P	P	P	N	N	N	N	P	N
Middle school / Junior High	N	P	P	P	P	N	N	N	N	P	N
High school	N	N	P	N	P	N	N	N	N	P	N
College or university - EPF	N	N	P	N	P	N	N	N	N	P	N
Specialized / vocational / trade school	N	N	P	N	P	P	N	N	P	P	N
Housing											
Accessory caretaker's residence	N	N	N	N	N	N	N	L	L	N	L
Accessory dwelling unit (ADU), attached or detached	L	L	L	L	L	L	N	N	N	N	N
Adult family home	P	P	P	P	P	P	P	P	N	N	N
Co-living housing	N	L	L	L	L	L	N	N	N	N	N
Dwelling, multi-family (three units and more)	N	L	L	L	L	L	N	N	N	N	N
Dwelling, single family (including manufactured homes)	P	P	P	N	N	N	N	N	N	N	N
Dwelling, single family attached townhome	L	L	L	L	L	L	N	N	N	N	N
Dwelling, two-family duplex	PN	PL	PL	N	N	N	N	N	N	N	N
Emergency housing & shelters	N	N	N	L	L	L	L	L	N	N	N
~~Manufactured homes (on individual lots)~~	~~L~~	~~L~~	~~L~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~	~~N~~
Manufactured home park	N	L	L	N	N	N	N	N	N	N	N
Transitional & Supportive Housing, 8 beds or less	L	L	L	L	L	L	L	L	N	N	N
Transitional & Supportive Housing, more than 8 beds	N	N	L	L	L	L	L	L	N	N	N
Zero lot line (single family courtyard home)	N	L	L	L	L	N	N	N	N	N	N
Manufacturing, equipment, and industrial production											

Commented [LT2]: Listed as a "Limited" use in Chapter 2F, M-1 Zone.

Commented [LT3]: Not listed as a "Conditional Use" in Chapter 2J, Light Industrial District.

Commented [LT4]: Listed as a "Conditional Use" in Chapter 2K, Public District.

Commented [LT5]: ADUs can still be "L" but the restrictions are reduced greatly.

Commented [LT6]: Per the City's definition.

Commented [LT7]: Duplexes cannot be regulated differently than single-family residences.

Commented [LT8]: Manufactured homes must be regulated the same as site-built housing.

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Concrete product manufacturing / ready mix concrete (excluding extraction / mining)	N	N	N	N	N	N	N	N	N	N	N
Artisan / Craftsman Live Work	N	N	N	N	N	N	N	N	N	N	N
Construction / industrial equipment sales or rental	N	N	N	N	N	N	N	P	P	N	N
High impact uses	N	N	N	N	N	N	N	N	N	N	N
Light manufacturing & assembly	N	N	N	N	L	NL	P	P	P	N	N
Light manufacturing & assembly w/ retail sales showroom	N	N	N	N	L	NL	P	P	P	N	N
Lumber mill, sawmill, shingle mill, plywood mill	N	N	N	N	N	N	N	N	N	N	N
Machine shop	N	N	N	N	N	N	N	L	P	N	N
Marijuana Processor	N	N	N	N	N	N	N	N	N	N	N
Plastic injection molding	N	N	N	N	N	N	L	L	P	N	N
Sandblasting / cutting	N	N	N	N	N	N	L	L	P	N	N
Tool and die making	N	N	N	N	N	N	L	L	P	N	N
Welding / sheet metal shop	N	N	N	N	N	N	L	L	P	N	N
Woodworking / cabinet manufacturing	N	N	N	N	N	N	L	L	P	N	N
Woodworking / cabinet manufacturing w/ retail sales showroom	N	N	N	N	L	N	L	L	P	N	N
General office and professional facilities											
Communications service systems	N	N	N	N	P	N	P	P	P	N	N
Office	N	CU	P	P	P	P	P	P	P	N	N
Medical equipment supply	N	N	N	N	P	N	P	P	P	N	N
Research facility / laboratory	N	N	N	N	P	N	L	L	P	N	N
Telemarketing centers / catalog & mail order houses	N	N	N	N	P	N	P	P	P	N	N
Social Services											
Secure Community Transition Facility (SCTF, 3 or fewer residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Solid waste management & recycling											
Commercial composting storage / processing facility - EPF	N	N	N	N	N	N	N	N	N	CU	N
Incinerator - EPF	N	N	N	N	N	N	N	N	N	CU	N
Landfill - EPF	N	N	N	N	N	N	N	N	N	CU	N
Recycling collection center	N	N	N	N	N	N	N	N	N	CU	N
Solid waste transfer site - EPF	N	N	N	N	N	N	N	N	N	CU	N
Tire salvage yard	N	N	N	N	N	N	N	N	N	N	N
Storage, freight, and wholesale facilities											
Outdoor vehicle storage	N	N	N	N	N	N	N	N	N	N	N
Recreational vehicle storage & self-service storage facility (mini storage)	N	N	N	N	N	N	N	L	N	N	N
Warehouse & freight movement	N	N	N	N	N	N	P	P	P	N	N

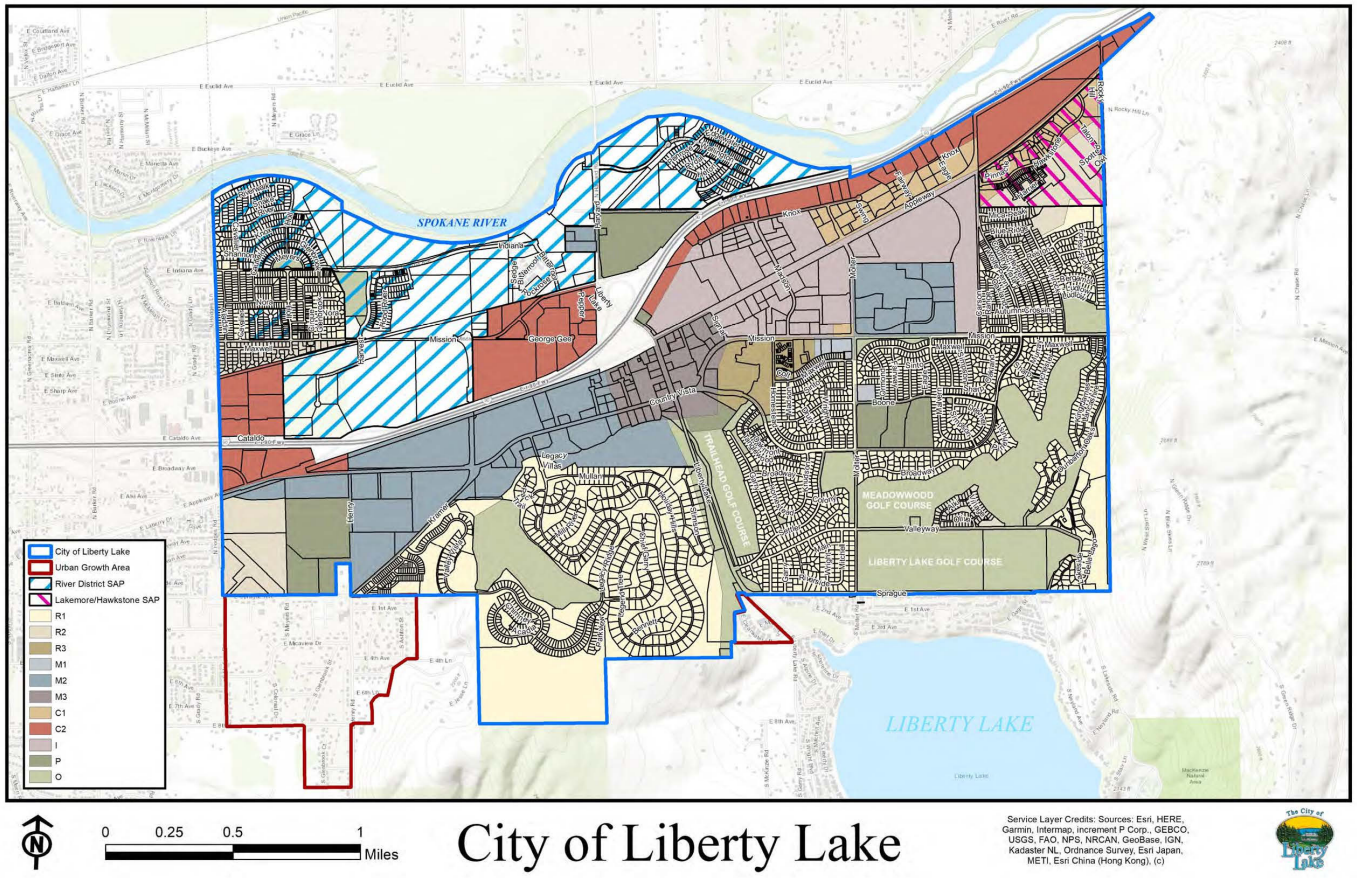
Commented [LT9]: Not listed as a "Limited" use in Chapter 2G, Central Business District (M-3).

Commented [LT10]: Not listed as a "Limited" use in Chapter 2G, Central Business District (M-3).

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Wholesaling / distribution facility	N	N	N	N	L	N	P	P	P	N	N
Utilities and facilities											
Macro cell wireless communication antenna array	N	CU	CU	CU	CU	CU	CU	CU	CU	CU	N
Macro cell wireless communication support tower	N	N	N	N	N	N	N	N	CU	CU	N
Power plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Public utility local distribution facility	L	L	L	L	L	L	L	L	L	L	LN
Public utility transmission facility - EPF	N	N	N	N	N	N	CU	L	L	L	N
Sewage treatment plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Small wireless facility	L	L	L	L	L	L	L	L	L	L	L

Commented [LT11]: Listed as a "Limited" use in Chapter 2L, Open Space District.

10-2A-5 Zoning Districts Map Exhibit



The map above is for informational purposes only.
For official zoning, contact the City of Liberty Lake Planning, Engineering & Building Services

Article 10-2B — R-1 (Single Family Residential) District

Sections:

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

10-2B-1 Purpose

The R-1 (Single Family Residential) District is intended to promote the livability, stability, and improvement of the City's single-family neighborhoods. This article provides standards for the orderly expansion and improvement of single-family neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non-owner-occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2B-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letter "P" are permitted in the R-1 zone, without special action by the Hearing Body, subject to development standards of the R-1 (Single Family Residential) 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.

10-2B-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letter "L" are allowed in the R-1 zone if they comply with the development standards of the R-1 (Single Family Residential) 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 R-1 Limited Uses.

1. **Home Occupation**
   a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.
2. **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 community events.
3. **Temporary construction / sales office**
   a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
4. **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 can remove the easement.
   b. The tower must be accessory to a residence on the same site.
5. **Child day-care center (in a church or a school)**
   a. Any outdoor play area shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.
   b. The facility shall meet Washington State childcare licensing requirements.
6. **Community center / hall / club**
   a. Only permitted as part of an approved Planned Unit Development (PUD) Plat.

7. **Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU) ~~, attached~~**

a. ADUs may not exceed 1,000 square feet in gross floor area.

b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.

c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.

d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

f. An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.

~~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 is within or attached to the principal unit 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. 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.~~

~~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.~~

~~f. An ADU shall not be permitted if the principal unit 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. 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.~~

~~**8. 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.~~

Commented [LT1]: The ADU code becomes much simpler:

1.(a) Only size requirement the city can impose is a maximum of 1,000 SF.
2.(b) Up to 2 allowed per lot (if minimum lot standard is made), regardless of attached/detached, IF the zone allows single-family (M-1, M-2, and M-3 do **not**).
3.(c) The ADU cannot be regulated based on the height of the principal unit (e.g., if the principal unit is 15 feet tall, the city can't impose a 15 foot height limit on a proposed ADU).
4.(d) ADUs may have a zero-lot setback on public alleys, unless the city routinely plows the snow.
5.(e) ADUs may be converted from existing structures.
6.(f) ADUs can be sold for separate ownership.

Other notes:
1.Updated parking requirements based on distance to transit in Chapter 3. Which are:
- 0 spaces if 0.5 mile walking distance to a major transit stop (the Park and Ride)
- 1 space per ADU if the lot is less than 6,000 SF
- 2 spaces per ADU if the lot is 6,000 SF or greater
2.A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units.
3.The city cannot regulate owner-occupancy.
4.Attached vs detached are not regulated differently.

RCW 36.70a.681:
https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.681

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.

9. Dwelling, single family attached townhomes

a. Within the R-1 Residential District, the maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall), whichever is less.

b. 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.

c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

d. 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.

e. 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

f. Developer shall record an access and maintenance easement/agreement to

10. Manufactured homes on individual lots

a. The manufactured home shall be multi-sectional floor plan and have an enclosed floor area of not less than 1,000 sq. ft.

b. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

c. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar to the exterior siding and roof material used on nearby residences.

d. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single family dwelling. Evidence demonstrating that the manufactured home meets "Super Good Cents" or equivalent energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers' certification shall not be required.

e. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 8 inches above grade.

~~11.~~8. Transitional & Supportive Housing, 8 beds or less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

Commented [LT2]: Reasoning for removing this section:
1. Duplexes must be allowed by-right.
2. Duplexes cannot be regulated more strictly than single-family homes (so the spacing, driveway, etc. goes away).
1. The R-1 zone does **not** allow multi-family, which the city defines as three (3) or more units.
1. A two unit townhome is effectively a duplex.
2. Therefore, this section becomes irrelevant.

HB 1110. Cities shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences.

Because Liberty Lake is only required to allow duplexes and two ADUs, this requirement only applies to those two housing types. Townhomes, triplexes, fourplexes, cottage housing, etc., can still be regulated different.

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Commented [LT3]: Manufactured homes must be regulated the same as traditional single-family homes. RCW 35.21.684, 35.63.160, 35A.21.312, and 36.01.225.
https://app.leg.wa.gov/rcw/default.aspx?cite=35.21.684

c. The facility shall meet any applicable state and federal licensing requirements.

~~12.~~9. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

~~13.~~10. Small Wireless Facilities

a. Siting Hierarchy.

i. Collocation on existing or replacement non-wooden light poles, buildings, or structures adjacent to the zoning district boundary is the preferred siting location.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on existing or replacement utility poles, buildings or other structures within a neighborhood park, or other existing light poles, or buildings within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. A Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2B-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letters “CU” are permitted to locate in the R-1 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.

Article 10-2C — R-2 (Mixed Residential) District

Sections:

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

10-2C-1 Purpose

The R-2 (Mixed Residential) District is intended to promote the livability, stability, and improvement of the City's mixed residential neighborhoods. This article provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non-owner- occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2C-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letter "P" are permitted in the R-2 zone, without special action by the Hearing Body, subject to development standards of the R-2 (Mixed Residential) 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.

10-2C-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letter "L" are allowed in the R-2 zone if they comply with the development standards of the R-2 (Mixed Residential) 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 R-2 Limited Uses.

1. **Home Occupation**
   a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.
2. **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 community events.
3. **Temporary construction / sales office**
   a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
4. **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 can remove the easement.
   b. The tower must be accessory to a residence on the same site.
5. **Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU)~~, attached~~**
   a. ADUs may not exceed 1,000 square feet in gross floor area.
   b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.
   c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.
   d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely

Commented [LT1]: See notes for Chapter 2B, R-1 Zone.

plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

f. An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.

~~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 is within or attached to the principal unit 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. 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.~~

~~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.~~

~~f. An ADU shall not be permitted if the principal unit 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. 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.~~

~~**6. 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.~~

7. Co-living housing

a. Co-living housing shall be subject to a provision of .25 parking spaces per sleeping unit, unless located within one-half mile walking distance from a major transit stop, in which case no parking shall be required. For this purpose, "major transit stop" shall be defined as a transit stop providing fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays or a transit stop on a bus rapid transit route.

b. Co-living housing shall be subject to the architectural design review requirements applicable to multi-family developments within this zone.

c. Co-living housing consisting of 8 sleeping units or less shall be treated as one dwelling unit for purposes of density calculations; if co-living housing consists of more than 8 sleeping units, each sleeping unit shall be considered equal to one-quarter of a dwelling unit for purposes of density calculations.

8. Dwelling, multi-family (three or more units), excluding single family attached townhomes ~~(see #10) below for three-family triplex)~~

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.

a. The maximum width or length of a multiple family building shall not exceed 160 feet (from end-wall to end-wall);

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

c. 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.

d. 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;

e. 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);

f. 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.

9. Dwelling, single family attached townhomes (does not apply to duplexes)~~, Dwelling, two-family duplex, & Dwelling, multi-family (three-family triplex)~~

a. The maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall),

Commented [LT2]: Because single-family attached townhomes are a distinct housing types, different from a triplex or duplex, section 8 and 9 would benefit from some clarification.

Commented [LT3]: See notes for Chapter 2B, R-1 Zone. Duplexes cannot be regulated differently than single-family.

whichever is less.

b. 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.

c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

d. 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.

e. 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.

f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowner's association or other legal entity. A homeowner's 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.

~~10. Manufactured homes on individual lots~~

Commented [LT4]: See notes for Chapter 2B, R-1 Zone.

~~a. The manufactured home shall be multi-sectional floor plan and have an enclosed floor area of not less than 1,000 sq. ft.~~

~~b. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).~~

~~c. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood- appearance siding is considered "superior" to metal siding and roofing).~~

~~d. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling. Evidence demonstrating that the manufactured home meets "Super Good Cents" or equivalent energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers' certification shall not be required.~~

~~e. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 8 inches above grade.~~

~~11.~~10. **Manufactured home park**

Commented [LT5]: Manufactured Home Parks are still allowed, even though manufactured homes cannot be regulated differently than single-family homes.

Think of this as a special Planned Unit Development (PUD) or something like that, where it's essentially a subdivision but with manufactured homes.

a. Manufactured home parks are permitted on parcels of one (1) acre or larger.

b. The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide.

c. The minimum setback between park structures and abutting properties is 5 feet. The

minimum setback between park structures and public street right-of- way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.

d. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6-foot-wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

e. The manufactured homes shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

f. The manufactured homes shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood- appearance siding is considered "superior" to metal siding and roofing)

g. Associated uses permitted within manufactured home parks - Single family residences, manufactured home park manager's office, home occupations, and accessory structures which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Section 10-4I-2 - Home Occupations.

~~12.~~11. Transitional & supportive housing, 8 beds or less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

~~13.~~12. Zero-lot line (single family courtyard home)

"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 Zoning Administrator 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.

~~14.~~13. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

~~15.~~14. Small Wireless Facilities

a. Siting Hierarchy.

i. Collocation on existing or replacement non-wooden light poles, buildings, or structures adjacent to the zoning district boundary is the preferred siting location.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on existing or replacement utility poles, buildings or other structures within a neighborhood park, or other existing light poles, or buildings within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

10-2C-~~4~~ Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letters "CU" are permitted to locate in the R-2 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 R-2 Conditional Uses.

Article 10-2D — R-3 (Multi-Family Residential) District

Sections:

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

10-2D-1 Purpose

The R-3 (Multi-Family Residential) District is intended to promote the livability, stability, and improvement of the City's multi-family neighborhoods. This article provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non-owner- occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2D-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letter "P" are permitted in the R-3 zone, without special action by the Hearing Body, subject to development standards of the R-3 (Multi-Family Residential) 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.

10-2D-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letter "L" are allowed in the R-3 zone if they comply with the development standards of the R-3 (Multi-Family Residential) 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 R-3 Limited Uses.

1. **Home Occupation**
   a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.
2. **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 community events.
3. **Parking structure**
   a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
   b. Parking structure entrances facing a street 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.
4. **Temporary construction / sales office**
   a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
5. **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 can remove the easement.
   b. The tower must be accessory to a residence on the same site.

6. **Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU)~~, attached~~**

a. ADUs may not exceed 1,000 square feet in gross floor area.

b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.

c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.

d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

f. An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.

~~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 is within or attached to the principal unit 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. 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.~~

~~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.~~

~~f. An ADU shall not be permitted if the principal unit 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. 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.~~

~~**7. 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.~~

Commented [LT1]: See notes for Chapter 2B, R-1 Zone.

~~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.~~

8. Co-living housing

a. Co-living housing shall be subject to a provision of .25 parking spaces per sleeping unit, unless located within one-half mile walking distance from a major transit stop, in which case no parking shall be required. For this purpose, "major transit stop" shall be defined as a transit stop providing fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays or a transit stop on a bus rapid transit route.

b. Co-living housing shall be subject to the architectural design review requirements applicable to multi-family developments within this zone.

c. Co-living housing consisting of 8 sleeping units or less shall be treated as one dwelling unit for purposes of density calculations; if co-living housing consists of more than 8 sleeping units, each sleeping unit shall be considered equal to one-quarter of a dwelling unit for purposes of density calculations.

9. Dwelling, multi-family **(three or more units), exlucding single family attached townhomes** ~~**(see #13 below for three-family triplex)**~~

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.

a. The maximum width or length of a multiple family building shall not exceed 160 feet (from end-wall to end-wall);

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

c. 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.

d. 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;

e. 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);

f. Private open space upper-floor units. A minimum of 75 percent of all upper- floor housing

Commented [LT2]: Because single-family attached townhomes are a distinct housing types, different from a triplex or duplex, section 8 and 9 would benefit from some clarification.

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.

10. **Dwelling, single- family attached townhomes** (does not apply to duplexes), ~~Dwelling, two-family duplex, & Dwelling, multi-family (three-family triplex)~~

    a. The maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall), whichever is less.

    b. 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.

    c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

    d. 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.

    e. 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.

    f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowner's association or other legal entity. A homeowner's 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.

11. **Manufactured home park**

    a. Manufactured home parks are permitted on parcels of one (1) acre or larger.

    b. The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide.

    c. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of- way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.

    d. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6-foot-wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

    e. The manufactured homes shall have a pitched roof with a slope not less than 3 feet in

Commented [LT3]: See notes for Chapter 2B, R-1 Zone. Duplexes cannot be regulated differently than single-family.

height for each 12 feet in width (14 degrees).

f. The manufactured homes shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood- appearance siding is considered "superior" to metal siding and roofing)

g. Associated uses permitted within manufactured home parks - Single family residences, manufactured home park manager's office, home occupations, and accessory structures which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Section 10-4I-2 - Home Occupations.

12. Transitional & Supportive Housing, 8 beds or less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

13. Transitional & Supportive Housing, more than 8 beds

a. The facility shall be limited to 40 or fewer residents, not including caregivers and staff.

b. The facility should be limited to 20 or fewer housing units within a single facility or complex.

c. The facility must maintain an outwardly residential appearance and conform to the residential character of the area.

d. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

e. The facility must be located within ¼ mile of a fixed transit route.

f. The facility shall meet any applicable state and federal licensing requirements.

14. Zero-lot line (single family courtyard home)

"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 Zoning Administrator 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.

15. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

16. Small Wireless Facilities

a. Siting Hierarchy.

i. Collocation on existing or replacement non-wooden light poles, buildings, or structures adjacent to the zoning district boundary is the preferred siting location.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on existing or replacement utility poles, buildings or other structures within a neighborhood park, or other existing light poles, or buildings within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. A Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2D-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letters “CU” are permitted to locate in the R-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.

Article 10-2E — M-1 (Neighborhood Center Mixed-Use) District

Sections:

10-2E-1 **Purpose**

10-2E-2 **Permitted Uses (P)**

10-2E-3 **Limited Uses (L)**

10-2E-4 **Conditional Uses (CU)**

10-2E-5 **Accessory Structures**

10-2E-6 **Development Setbacks**

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

10-2E-8 **Building Height**

10-2E-9 **Building Orientation**

10-2E-10 **Architectural Guidelines and Special Standards**

10-2E-11 **Pedestrian and Transit Amenities**

10-2E-12 **Design Standards**

10-2E-1 Purpose

The M-1 (Neighborhood Center Mixed-Use) District is intended to promote the livability, stability, and improvement of the City's neighborhood mixed use areas. This article provides standards for the orderly improvement and expansion of the of the M-1 (Neighborhood Center 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-1 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. The M-1 (Neighborhood Center Mixed-Use) District provides both formal and informal community gathering places.

E. Providing an appropriate level of retail and commercial services to the neighborhood.

10-2E-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-1 (Neighborhood Center Mixed-Use) District with the letter "P" are permitted in the M-1 zone, without special action by the Hearing Body, subject to development standards of the M-1 (Neighborhood Center 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.

10-2E-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-1 (Neighborhood Center Mixed-Use) District with the letter "L" are allowed in the M-1 zone if they comply with the development standards of the M-1 (Neighborhood Center 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-1 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. Mobile food service establishments may be located on private property or adjacent parking in the public right-of-way as an accessory use, where a principal use has already been established on the subject property.
    c. Mobile sales/ concessions may be located in public right-of-way when associated with a community event with the approval of the adjacent property owner or business.
    d. Hours of operation for the mobile concession shall be limited to the hours of operation of the principal use associated with the subject property, except when associated with a community event, in which case the hours of operation for the mobile concession shall be limited to the hours of operation of that community

event.

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. **Temporary construction / sales office**
    a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
6. **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 can remove the easement.
    b. The tower must be accessory to a residence on the same site.
7. **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.
8. **Participant and spectator sports facilities**
    a. Gun and archery ranges, racetracks, or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.
    b. All lighting shall be directed downward.
    c. A 20-foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.
    d. The maximum building footprint area shall be 30,000 square feet or less.
    e. Sidewalks or pathways shall be provided to connect pedestrians from the frontage

street to the building.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU)~~, attached~~

a. ADUs may not exceed 1,000 square feet in gross floor area.

b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.

c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.

d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

Commented [LT1]: See notes for Chapter 2B, R-1 Zone.

Commented [LT2]: TECHNICALLY, because single-family detached residents are **not** allowed in the M-1, M-2, and M-3 zones, you do not have to allow up to two (2) ADUs per lot.

RCW 36.70A.684(c): The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area t**hat allow for single-family homes** in the following configurations. https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.681

~~a.~~ An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.~~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.~~

~~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.~~

~~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. 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.~~

~~15. 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.~~

~~16.~~15. Dwelling, multi-family (three or more units)

Commented [LT3]: See notes from Chapter 2C, R-2 Zone.

Multi-family dwellings may only be permitted as a 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 following standards:

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 homeowner's 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.

~~17.~~16. Dwelling, single family attached townhomes

Single family attached townhomes should be part of a mixed-use development (residential with commercial or other use). Townhomes shall be 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

Commented [LT4]: Two unit middle housing is regulated differently than ADUs under new state law. Duplexes must only be regulated the same as single-family homes in zones that are **"predominately"** residential.

Since the Mixed-Use zones are not predominately residential, the city does not have to allow duplexes by-right.

Duplexes are however, not allowed in the Mixed-Use zones, per the Zoning Matrix.

RCW 36.70A.635
https://app.leg.wa.gov/RCW/default.aspx?cite=36.70A.635

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 town-home 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 homeowner's association or other legal entity. A homeowner's 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.

~~18.~~17. Emergency Housing & Shelters

a. The facility must be open 24 hours per day, 7 days per week.

b. The maximum number of residents in the facility is limited to the general capacity of the building.

c. Beds or rooms shall be assigned to specific residents.

d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.

e. The facility shall meet any applicable state and federal licensing requirements.

~~19.~~18. Transitional & Supportive Housing, 8 Beds or Less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

~~20.~~19. Transitional & Supportive Housing, More than 8 Beds

a. The facility should be limited to 50 or fewer housing units within a single facility or complex.

b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

c. The facility must be located within ¼ mile of a fixed transit route.

d. The facility shall meet any applicable state and federal licensing requirements.

~~21.~~20. Zero-lot line (single family courtyard home)

"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 Zoning Administrator 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.~~21. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

~~23.~~22. Small Wireless Facilities

a. Siting Hierarchy.
    i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.
    ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement wooden or metal utility pole within the zoning district shall be allowed.
    iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

Article 10-2F — M-2 (Community Center Mixed-Use) District

Sections:

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

10-2F-1 Purpose

The M-2 (Community Center Mixed-Use) District is intended to promote the livability, stability, and improvement of the City's community center mixed-use areas. This article provides standards for the orderly improvement and expansion of the M-2 (Community Center 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-2 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-2 (Community Center Mixed-Use) District provides both formal and informal community gathering places.

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

10-2F-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letter "P" are permitted in the M-2 zone, without special action by the Hearing Body, subject to development standards of the M-2 (Community Center 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.

10-2F-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letter "L" are allowed in the M-2 zone if they comply with the development standards of the M-2 (Community Center 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-2 Limited Uses.

1. **Agriculture (actively farmed)**
    a. Existing uses only, new agriculture (actively farmed) uses not permitted.
2. **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.
3. **Home Occupation**
    a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.
4. **Large-scale retail establishments**
    a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:

i. New construction;

ii. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or

iii. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.

iv. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with the chart below:

aa. Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or

bb. A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or

cc. The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and

dd. Granting of the waiver would not impose significantly more negative impacts on nearby properties.

Requirements	New Construction	Addition	Interior Remodel	Exterior Remodel
Compliance with the City Development and Building Codes	Required	Required	Required	Required
Application Requirements	Required	Required	Required	Required
Site Design & Features	Required	x	Exempt	x
Outdoor Display / Sales Area & Accessory Uses	Required	x	N/A	x
Building Design	Required	Required	N/A	x
Materials & Colors	Required	Required	N/A	Required
Adaptability for Reuse / Compartmentalization / Redevelopment	Optional	Optional	N/A	Optional
Signage	Optional	Optional	Optional	Optional

x = Portions of the standards may be waived in accordance with Exceptions

b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement that the City will record with the Spokane County Auditor, to cover the following:

i. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large-scale retail establishment from occupying the vacated building);

ii. The property owner agrees to provide a notice of closure to the Zoning Administrator as soon as a closure is anticipated or at least three (3) months prior to an anticipated store closure; and

iii. The property owner agrees to meet with the Zoning Administrator at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-3I (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.

c. Pedestrian & Bicycle Circulation / Facilities

i. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;

ii. Distinct pedestrian crossing markers or changes in surfacing must be used; and

iii. Publicly accessible focal points with features such as a patio /seating area are required.

d. Shopping Cart Storage & Return Stations - 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.

i. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;

ii. 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;

iii. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and

iv. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

e. Outdoor Storage Uses & Service / Loading Areas –

i. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;

ii. Areas for truck parking, trash collection or compaction, loading, or other

such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;

iii. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and

iv. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

f. Outdoor Display / Sales Areas & Accessory Uses

i. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;

ii. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Zoning Administrator or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;

iii. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;

iv. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;

v. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and

vi. Temporary sales / displays, such as Christmas trees, landscape materials, etc. shall be reviewed and approved by the Zoning Administrator through the Temporary Use Permit process in accordance with Section 10-4I-1.

g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:

i. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;

ii. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and

iii. Landscaping schemes that complement the multiple entrance design.

5. Mobile sales / concessions

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

b. Mobile food service establishments may be located on private property or adjacent parking in the public right-of-way as an accessory use, where a principal use has already been established on the subject property.

c. Mobile sales/ concessions may be located in public right-of-way when associated with a community event with the approval of the adjacent property owner or business.

d. Hours of operation for the mobile concession shall be limited to the hours of operation of the principal use associated with the subject property, except when associated with a community event, in which case the hours of operation for the mobile concession shall be limited to the hours of operation of that community event.

6. 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.

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 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 10,000 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. Participant & spectator sports facilities

a. Gun and archery ranges, racetracks, or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.

b. All lighting shall be directed downward.

c. A 20-foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.

d. The maximum building footprint area shall be 30,000 square feet or less.

e. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the building.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. Tavern / pub / liquor store

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.

b. Design and compatibility with neighborhood character shall be considered in the approval process.

18. Maintenance / public works facility

a. All equipment shall be completely enclosed within a building or shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.

19. 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.

20. Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU)~~, attached~~

a. ADUs may not exceed 1,000 square feet in gross floor area.

b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.

c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.

d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

~~a.~~ An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.~~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.~~

~~d. The ADU shall not have more than 2 bedrooms.~~

Commented [LT5]: See notes from Chapter 2E, M-1 Zone.

Commented [LT6]: See notes from Chapter 2E, M-1 Zone.

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.

f. An ADU shall not be permitted if the principal unit 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. 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.

~~21. 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.~~

~~22.~~21. **Dwelling, multi-family** ~~(three or more units)~~

Multi-family dwellings may only be permitted as a 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, in accordance with the following standards: a. Projects shall provide an equivalent square footage of non- residential uses within the permit application packet.

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 homeowner’s 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.

Commented [LT7]: See notes from Chapter 2E, M-1 Zone.

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.

~~23.~~22. Dwelling, single family attached townhomes

Commented [LT8]: See notes from Chapter 2E, M-1 Zone.

Single family attached townhomes should be part of a mixed-use development (residential with commercial or other use). Townhomes shall be 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 town-home 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 homeowner's association or other legal entity. A homeowner's 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.

~~24.~~23. Emergency Housing & Shelters

a. The facility must be open 24 hours per day, 7 days per week.

b. The maximum number of residents in the facility is limited to the general capacity of the building.

c. Beds or rooms shall be assigned to specific residents.

d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.

e. The facility shall meet any applicable state and federal licensing requirements.

~~25.~~24. Transitional & Supportive Housing, 8 Beds or Less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

~~26.~~25. Transitional & Supportive Housing, More than 8 Beds

a. The facility should be limited to 50 or fewer housing units within a single facility or complex.

b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

c. The facility must be located within ¼ mile of a fixed transit route.

d. The facility shall meet any applicable state and federal licensing requirements.

~~27.~~26. 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 Zoning Administrator 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.

~~28.~~27. Light manufacturing and assembly

a. The light manufacturing & assembly use shall be completely enclosed within a building.

b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the architectural guidelines and special standards in Section 10-2F-10 below and will normally include terracing of upper floors and modulation of front facades.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.

~~29.~~28. Light manufacturing and 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.

~~30.~~29. 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.

~~31.~~30. Wholesaling / distribution facility

a. The Wholesaling / distribution facility use shall be completely enclosed within a building.

b. Wholesaling / distribution facilities shall be spaced a distance of 150 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd., Mission Ave., or Harvard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Wholesaling / distribution facility building.

~~32.~~31. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

~~33.~~32. Small Wireless Facilities

a. Siting Hierarchy.

i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement wooden or metal utility pole within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2F-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letters “CU” are permitted to locate in the M-2 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-2 Conditional Uses.

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. **Large-scale retail establishments**
    a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:
        i. New construction;

ii. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or

iii. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.

iv. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with the chart below:

aa. Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or.

bb. A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or

cc. The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and

dd. Granting of the waiver would not impose significantly more negative impacts on nearby properties.

Requirements	New Construction	Addition	Interior Remodel	Exterior Remodel
Compliance with the City Development and Building Codes	Required	Required	Required	Required
Application Requirements	Required	Required	Required	Required
Site Design & Features	Required	x	Exempt	x
Outdoor Display / Sales Area & Accessory Uses	Required	x	N/A	x
Building Design	Required	Required	N/A	x
Materials & Colors	Required	Required	N/A	Required
Adaptability for Reuse / Compartmentalization / Redevelopment	Optional	Optional	N/A	Optional
Signage	Optional	Optional	Optional	Optional

b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement that the City will record with the Spokane County Auditor, to cover the following:

i. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large- scale retail establishment from occupying the vacated building);

ii. The property owner agrees to provide a notice of closure to the Zoning Administrator as soon as a closure is anticipated or at least three (3)

months prior to an anticipated store closure; and

iii. The property owner agrees to meet with the Zoning Administrator at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-3I (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.

c. Pedestrian & Bicycle Circulation / Facilities

   i. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;

   ii. Distinct pedestrian crossing markers or changes in surfacing must be used; and

   iii. Publicly accessible focal points with features such as a patio /seating area are required.

d. Shopping Cart Storage & Return Stations - 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:

   i. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;

   ii. 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;

   iii. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and

   iv. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

e. Outdoor Storage Uses & Service / Loading Areas:

   i. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;

   ii. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;

iii. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and

iv. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

f. Outdoor Display / Sales Areas & Accessory Uses

i. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;

ii. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Zoning Administrator or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;

iii. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;

iv. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;

v. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and

vi. Temporary sales / displays, such as Christmas trees, landscape materials, etc. Temporary sales / displays shall be reviewed and approved by the Zoning Administrator through the Temporary Use Permit process in accordance with Section 10-4I-1.

g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:

i. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;

ii. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and

iii. Landscaping schemes that complement the multiple entrance design.

4. **Mobile sales / concessions**
    a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
    b. Mobile food service establishments may be located on private property or adjacent parking in the public right-of-way as an accessory use, where a principal use has already been established on the subject property.
    c. Mobile sales/ concessions may be located in public right-of-way when associated with a community event, with the approval of the adjacent property owner or business.
    d. Hours of operation for the mobile concession shall be limited to the hours of operation of the principal use associated with the subject property, except when associated with a community event, in which case the hours of operation for the mobile concession shall be limited to the hours of operation of that community event.
5. **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.
6. **Temporary construction / sales office**
    a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
7. **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 can remove the easement.
    b. The tower must be accessory to a residence on the same site.
8. **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.

9. **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.
10. **Gas station / convenience store**
    a. A Gas station / convenience store is allowed in the M-3 zone if it is being re-located from another location within the M-3 zone and it meets the following criteria:
        i. Underground storage tanks and stormwater disposal shall not be located within the 1000-foot radius of a wellhead.
        ii. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).
        iii. Convenience stores/gas stations shall not exceed 8 pump sites, and the building footprint area shall not exceed 5,000 square feet per lot. A pump site is one dispenser which may be double sided.
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. 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.

16. Tavern / pub / liquor store

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.

b. Design and compatibility with neighborhood character shall be considered in the approval process.

17. Maintenance / public works facility

a. All equipment shall be completely enclosed within a building or shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.

18. 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.

19. Accessory ~~dwelling~~ Dwelling ~~unit~~Unit (ADU), ~~attached~~

a. ADUs may not exceed 1,000 square feet in gross floor area.

b. Up to two ADUs are permitted on lots meeting the minimum lot size requirement.

c. ADUs may be twenty-five (25) feet in height, regardless of primary unit building height.

d. ADUs may have a zero-lot line setback on public alleys, except where the city routinely plows snow.

e. Existing structures may be converted to ADUs regardless of nonconformities related to setbacks or lot coverage.

~~a.~~ An ADU originally constructed as an ADU may be separately sold or conveyed as a condominium unit.~~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~~

Commented [LT9]: See notes from Chapter 2E, M-1 Zone.

Commented [LT10]: See notes from Chapter 2E, M-1 Zone.

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. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling.

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. 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.~~

~~**20. 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.~~

~~21.~~ 20. **Dwelling, multi-family** ~~(three or more units)~~

Commented [LT11]: See notes from Chapter 2E, M-1 Zone.

Multi-family dwellings may only be permitted as a part of a mixed-use development (residential with commercial or other use), in accordance with the following standards:

a. All buildings fronting streets shall contain areas for commercial and/or office uses on the ground floor and may contain covered parking. All residential uses shall be above the ground floor.

   i. The building and site layout shall be designed to maximize the amount of commercial/office uses on the ground floor, as determined by the City.

   ii. This vertical mixed-use requirement may not apply when the City determines that topography precludes access to the street.

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

c. 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.

d. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowner's 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.

e. 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.

f. 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;

g. 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);

h. 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.

~~22.~~21. Dwelling, single family attached townhomes

Commented [LT12]: See notes from Chapter 2E, M-1 Zone.

Single family attached townhomes should be part of a mixed-use development (residential with commercial or other use). Townhomes shall be subject to the following standards:

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 town-home 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 homeowner's association or other legal entity. A homeowner's 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.

~~23.~~22. Emergency Housing & Shelters

a. The facility must be open 24 hours per day, 7 days per week.

b. The maximum number of residents in the facility is limited to the general capacity of the building.

c. Beds or rooms shall be assigned to specific residents.

d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.

e. The facility shall meet any applicable state and federal licensing requirements.

~~24.~~23. Transitional & Supportive Housing, 8 Beds or Less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

~~25.~~24. Transitional & Supportive Housing, More than 8 Beds

a. The facility should be limited to 50 or fewer housing units within a single facility or complex.

b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

c. The facility must be located within ¼ mile of a fixed transit route.

d. The facility shall meet any applicable state and federal licensing requirements.

~~26.~~25. Public utility local distribution facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

~~27.~~26. Small Wireless Facilities

a. Siting Hierarchy.

i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement wooden or metal utility pole within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

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.