

**CITY COUNCIL MEETING / PUBLIC HEARING  
TUESDAY, AUGUST 4, 2020  
CITY HALL  
**HELD REMOTELY**  
7:00 P.M.**

The City Council will participate via ZOOM. The public can participate via the following:

- [Sign up to provide Public Comment at the meeting via calling in](#)
- [Submit Written Public Comment Prior to 4 pm on August 4, 2020](#)
- [Join the Zoom Meeting](#)

Questions or Need Assistance? Please contact City Clerk at [aswenson@libertylakewa.gov](mailto:aswenson@libertylakewa.gov)

1. **INVOCATION**
2. **PLEDGE OF ALLEGIANCE**
3. **CALL TO ORDER**
4. **ROLL CALL**
5. **AGENDA APPROVAL**
6. **CITIZEN COMMENTS**
7. **MAYOR AND CITY COUNCIL REPORTS & INQUIRIES**
8. **CITY ADMINISTRATOR REPORT**
9. **WORKSHOP**
  - HUB proposed expansion – Phil Champlin
10. **ACTION ITEMS**
  - A. **Consent Agenda**
    - i. Approve July 21, 2020 City Council Minutes
    - ii. Approve August 4, 2020 vouchers in the amount of \$138,878.50
  - B. **General Business**
    - i. Approve purchase of a sand salt box in the amount of \$46,936.06
11. **PUBLIC HEARING**

**Allowing recreational vehicle sales and service in the C-1 zone**

**12. FIRST READ ORDINANCES**

- a. Ordinance No. 268 –Amending the City of Liberty Lake Development Code to Allow “Automobile, Manufactured Home, Recreational Vehicle, Trailer, & Boat Sales & Rentals” and “Boat, Recreational Vehicle, & Trailer - Construction, Repair, Parts Sales, & Maintenance” as Limited Uses in the C-1 Zone
- b. Ordinance No. 67C – Amending the City of Liberty Lake’s business license regulations

**13. SECOND READ ORDINANCE**

Ordinance No. 267 – Providing for the vacation of a right of way vacation for a portion of Harvest Parkway

**14. INTRODUCTION OF UPCOMING AGENDA ITEMS**

**15. CITIZEN COMMENTS**

**16. EXECUTIVE SESSION – Potential litigation**

**17. ADJOURNMENT**

## **PUBLIC COMMENT**

If you wish to provide oral public comments during the Council meeting, please register through this link: <https://us02web.zoom.us/j/88139569087?pwd=SU00MGx2bE8vcWk1VURUUVVleHk1UT09>

Dial-in Phone Number

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

**Meeting ID: 881 3956 9087**

**Password: 920597**

## WRITTEN PUBLIC COMMENTS

If you wish to provide written public comments for the upcoming council meeting, please email your comments to [aswenson@libertylakewa.gov](mailto:aswenson@libertylakewa.gov) by **4:00 p.m.** the day of the council 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/88139569087?pwd=SU00MGx2bE8vcWk1VURUUVVleHk1UT09>

Dial-in Phone Number

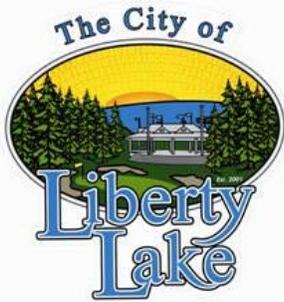
+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

**Meeting ID: 881 3956 9087**

**Password: 920597**

# **ACTION ITEMS**



**CITY COUNCIL MEETING**  
**TUESDAY, JULY 21, 2020**  
**HELD REMOTELY**  
**22710 E. COUNTRY VISTA DRIVE**  
**7:00 P.M.**

Prior to the invocation, Mayor Brickner reviewed the logistics for this evening's meeting which, per Governor Inslee's Order 20-28, dated March 24, 2020, was being held remotely. Invocation then took place.

**INVOCATION** – Given by Mayor Brickner

**PLEDGE OF ALLEGIANCE** – Led by Mayor Brickner, City Council, and City Staff

**CALL TO ORDER** – Mayor Brickner called the meeting to order at 7:00 p.m.

**ROLL CALL**

City officials who physically attended the meeting were:

Mayor Brickner, Katy Allen, City Administrator, RJ Stevenson, Finance Director, Brian Asmus, Chief of Police, Lisa Key, Director of Planning and Engineering, Ann Swenson, City Clerk, and Todd Henderson, Information Technology.

City officials who remotely attended the meeting via Zoom were:

Mayor Pro Tem Kennedy, Council Members Langford, Severs, Folyer, Dunne, and Kurtz.

The City Attorney, Operations and Maintenance Director, City Engineer, and Liberty Lake Municipal Library Director also attended the meeting via Zoom.

Mayor Pro Tem Kennedy moved to excuse Council Member Kaminskas as she had a conflict this evening, seconded by Council Member Langford. Motion carried unanimously.

**AGENDA APPROVAL:** Mayor Pro Tem Kennedy moved to amend the agenda to defer the 2<sup>nd</sup> reading of Ordinance 267 until August 4<sup>th</sup> to allow for the execution of a vacation of ROW agreement by Western States, as referenced in the Ordinance. Council Member Langford seconded the motion, which carried unanimously.

**CITIZEN COMMENTS**

Tom Sahlberg, Liberty Lake River District resident: addressed transportation issues on tonight's agenda. He thanked city staff for their work with the Washington State

Department of Transportation (WSDOT) and for opening Mission Avenue. He commented the trail on the north side of Mission Avenue is being used by dozens, if not more, every day. He said it is very much appreciated to have a safe place for people to walk from the River District to the business area in River District. He also commended Parametrix for the excellent network analysis and update they have provided and spoke in favor of supporting their recommendations. He asked about getting graphics from Parametrix that include all walkways, sidewalks, trails, and bike paths to work on a future master plan for bicycle and pedestrian safety. He offered to be involved in those discussions, noting the goal is to move everyone safer, not faster.

## **MAYOR AND CITY COUNCIL REPORTS & INQUIRIES**

Mayor Pro Tem Kennedy reported on his attendance at a Spokane Valley Chamber of Commerce's Zoom meeting, wherein the Paycheck Protection Program was discussed.

Mayor Brickner explained what is and is not allowed during Phase 2. He then recognized community member Amelia Allen. Amelia is a younger girl who said the night of the 4<sup>th</sup> of July was her most favorite ever. In her own words, she said it's not about what we do but who we are with. Amelia pointed out the many good things about COVID such as slowing down and enjoying each moment. Mayor thanked her for her great insight and encouraged everyone to embrace those things as we get caught up in the current environment. He reminded the councilmembers the DC Fly In is scheduled tomorrow from 12-2 and asked that they let staff know if they would like to attend. He asked for help at farmers market this Saturday and requested updated bios from the city council. He reported on attending former Building Inspector Rudy Torres' memorial tribute and announced the employee appreciation luncheon has been postponed.

## **CITY ADMINISTRATOR REPORT**

The city administrator reported Spokane County is looking at a Mental Health Crisis Stabilization Facility. The facility would tend to the needs of those who have mental health situations who interact with law enforcement. She then turned the floor over to the chief of police, who gave an update on the solar equipment providing backup power at the police department. He also addressed a question from Councilman Langford regarding storage backup for the city's data. After further discussion about ensuring proper backups and professional reload capabilities, Councilman Langford made a motion to review the possibility of going with local company TierPoint for professional storage of the city's data. Mayor Pro Tem Kennedy seconded the motion. After further brief discussion, Mayor called for the vote. Motion failed 2-4; Mayor Pro Tem Kennedy and Councilman Langford in favor, all others opposed.

The city administrator resumed the floor and gave an update on COVID. She then turned the floor over to the finance director, who provided an update. The city administrator again resumed the floor and gave updates on employee recruitments. She introduced Ben Schmitt, the city's new engineer and Mr. Schmitt offered some words of introduction. The city administrator gave an update on Harvard and Henry Road. She

spoke about the council's tentative retreat on August 2<sup>nd</sup>. After discussion about whether to proceed, it was determined that postponing the retreat is the best course of action at this time. It was discussed that bringing some high priority topics back for workshop discussions would be favored by the council. Councilmembers will submit their priorities to staff and those will be discussed at the August 4<sup>th</sup> city council meeting. The City Administrator concluded her report with updates about events, reservations, and programs.

## **WORKSHOP DISCUSSION**

The Director of Planning and Engineering introduced Charles Allen, Transportation Engineer and Project Lead, from Parametrix, who gave a PowerPoint presentation on the Liberty Lake network analysis update. The analysis focused on transportation at the Country Vista corridor as well as the entire city network for multi-modal and vehicular focus, respectively. He addressed the study area, data collection, growth assumptions, analysis, and recommendations

## **ACTION ITEMS**

### **Consent Agenda**

Mayor Pro Tem Kennedy moved to approve action item 10Ai, approving the July 7, 2020 city council meeting minutes. Council Member Dunne seconded the motion, which carried unanimously.

Mayor Pro Tem Kennedy moved to approve action item 10Aii, approving the July 21, 2020 vouchers in the amount of \$827,149.15. Council Member Folyer seconded the motion, which carried unanimously.

A/P check numbers were 30199 through 30255, totaling \$353,826.32. EFTs totaled \$39,021.69. Payroll check numbers were 30121 through 30127 totaling \$10,159.58. EFTs totaled \$424,141.56.

## **RESOLUTIONS**

The City Clerk read, by title only Resolution No. 20-276, approving the final plat of Hawkstone second addition located in a Portion of the South half of the Northeast Quarter of section 11, Township 25N, range 45 E.W.M., Liberty Lake, Washington, File P-06-0002B.

Mayor Pro Tem Kennedy moved to adopt Resolution No. 20-276, seconded by Council Member Folyer. Motion carried unanimously.

The City Clerk read, by title only Resolution No. 20-277, providing for the disposal of certain inventory items deemed to be surplus to the reasonably foreseeable needs of the City of Liberty Lake, Washington.

Mayor Pro Tem Kennedy moved to adopt Resolution No. 20-277, seconded by Council Member Kurtz. Motion carried unanimously.

## **INTRODUCTION OF UPCOMING AGENDA ITEMS**

The city administrator then reviewed the upcoming agenda items for the August 4<sup>th</sup> City Council meeting.

## **EXECUTIVE SESSION**

At 9:00 p.m., Mayor Brickner called adjournment for 20 minutes into Executive Session as per RCW 42.30.110 for discussion of real estate. The Executive Session adjourned at 9:12 p.m.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:12 p.m.

These minutes were approved August 4, 2020.

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Shane Brickner, Mayor  
City of Liberty Lake

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*Notes and Transcription by Ann Swenson, City Clerk. This Council meeting was also audio taped. Anyone desiring to listen to the recording may contact the City Clerk*

City of Liberty Lake

Consent Agenda for August 4, 2020  
City Council Meeting

Report from the Mayor for pending claims and payment of previously-approved obligations through August 4, 2020

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
	<b>See attached check register.</b>	
Total vouchers through August 4, 2020		\$ 138,878.50
	<b>TOTAL</b>	<b><u><u>\$138,878.50</u></u></b>

RECOMMENDATION: Approve and Authorize for Payment

ATTACHMENTS: All original invoices are on file with the City Treasurer.

SIGNATURES:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

# CHECK REGISTER

CITY OF LIBERTY LAKE

Time: 13:29:35 Date: 07/29/2020

MCAG #: 2757

08/01/2020 To: 08/31/2020

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
2835	08/04/2020	Claims	3	EFT	ACUSHNET COMPANY	483.27	PRO SHOP ITEMS
2836	08/04/2020	Claims	3	EFT	CINTAS CORPORATION NO 3	95.30	MAT SVCS 7/13,20/2020
2837	08/04/2020	Claims	3	EFT	FEDEX	36.67	PKG TO TREVOR HARE KALISPELL MT
2838	08/04/2020	Claims	3	EFT	HOME DEPOT CREDIT SERVICES	2,377.19	MATERIALS
2839	08/04/2020	Claims	3	EFT	HORIZON	372.27	MATERIALS
2840	08/04/2020	Claims	3	EFT	O'REILLY AUTO PARTS	214.70	MATERIALS
2841	08/04/2020	Claims	3	EFT	OFFICE DEPOT	80.02	MATERIALS
2842	08/04/2020	Claims	3	EFT	PEPSI COLA	574.24	WATER,GATORADE; PRO SHOP ITEMS
2843	08/04/2020	Claims	3	EFT	SITEONE LANDSCAPE SUPPLY LLC	1,125.36	MATERIALS
2844	08/04/2020	Claims	3	EFT	STERICYCLE INC	10.36	ON-CALL
2845	08/04/2020	Claims	3	EFT	VERIZON WIRELESS	2,481.17	CELL PHONES 6/23-7/22/2020
2846	08/04/2020	Claims	3	EFT	WILBUR-ELLIS COMPANY LLC	768.07	FERTILIZER
2847	08/04/2020	Claims	3	30256	AMAZON	7,659.16	MATERIALS
2848	08/04/2020	Claims	3	30257	AMERICAN ON-SITE SERVICES	1,590.10	4TH OF JULY FENCE
2849	08/04/2020	Claims	3	30258	AW REHN & ASSOCIATES	344.86	SERVICES
2850	08/04/2020	Claims	3	30259	BATTERIES PLUS BULBS	100.48	SHOP SUPPLIES
2851	08/04/2020	Claims	3	30260	CASCADE SECURITY CORPORATION	357.50	FIREWORKS SECURITY
2852	08/04/2020	Claims	3	30261	CITY OF POST FALLS	500.00	ALPR SERVER SETUP
2853	08/04/2020	Claims	3	30262	CITY SERVICE VALCON	391.87	MOBIFLUID
2854	08/04/2020	Claims	3	30263	CIVICPLUS	882.00	SERVICES
2855	08/04/2020	Claims	3	30264	COLLIERS INTERNATIONAL VALUATION &	3,500.00	APPRAISAL CH LAND
2856	08/04/2020	Claims	3	30265	DEPT OF TRANSPORTATION	1,105.78	HENRY RD DESIGN & PS&E
2857	08/04/2020	Claims	3	30266	DESIGN SPACE MODULAR BUILDINGS PNW LP	745.90	PWY 8X40 GROUND LEVEL OFFICE 4/18-6/17/2020
2858	08/04/2020	Claims	3	30267	EAST FARM FEED	154.44	MATERIALS
2859	08/04/2020	Claims	3	30268	EVERGREEN STATE	261.36	TOW SVCS
2860	08/04/2020	Claims	3	30269	EXECUTECH UTAH LLC	2,605.98	SERVICES
2861	08/04/2020	Claims	3	30270	FREE PRESS PUBLISHING INC	81.60	LEGAL ADS
2862	08/04/2020	Claims	3	30271	GOLF CARS ETC	409.54	GOLF CARTS PARTS
2863	08/04/2020	Claims	3	30272	HRA VEBA TRUST	2,500.00	SCHMITT,SOWELL CONTRIBUTIONS
2864	08/04/2020	Claims	3	30273	STEVEN W NILES JR	142.11	CENTENIAL TRAIL RR LOCK REPAIR
2865	08/04/2020	Claims	3	30274	NORTH 40 OUTFITTERS	518.23	MATERIALS
2866	08/04/2020	Claims	3	30275	PARAMETRIX	4,701.49	RIDGELINE HIGH SCHOOL SIGNAL TIB8-3-988(005)-1
2867	08/04/2020	Claims	3	30276	PARAMETRIX	5,593.58	LL RD PRESERVATION TIB3-E-988(003)-1
2868	08/04/2020	Claims	3	30277	PARAMETRIX	30,742.50	SVCS THROUGH 7/4/2020
2869	08/04/2020	Claims	3	30278	PLANET TURF	964.80	MATERIALS,SERVICES
2870	08/04/2020	Claims	3	30279	POE ASPHALT PAVING INC	466.29	HOT ASPHALT
2871	08/04/2020	Claims	3	30280	QUALITY SERVICES INC	926.00	IEP PASSES 122826-122828;121298-121300; 46676-46680;45248-45250;3848 5-38487
2872	08/04/2020	Claims	3	30281	R&R PRODUCTS INC	1,641.60	MATERIALS
2873	08/04/2020	Claims	3	30282	SENSKE LAWN & TREE CARE INC	136.13	TRAILHEAD VENOMOUS INSECT CONTROL
2874	08/04/2020	Claims	3	30283	SIR SPEEDY PRINTING	65.69	COVID-19 MATERIALS
2875	08/04/2020	Claims	3	30284	SIR SPEEDY PRINTING		wrong vendor # on two invoices
2876	08/04/2020	Claims	3	30285	SPOKANE COUNTY DIST CT	8,695.90	COURT FEES JUNE 2020

# CHECK REGISTER

CITY OF LIBERTY LAKE

Time: 13:29:35 Date: 07/29/2020

MCAG #: 2757

08/01/2020 To: 08/31/2020

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
2877	08/04/2020	Claims	3	30286	SPOKANE COUNTY PUBLIC DEFENDER	19,202.88	CASES JAN-JUNE 2020
2878	08/04/2020	Claims	3	30287	SPOKANE COUNTY TREASURER	21,710.16	SERVICES
2879	08/04/2020	Claims	3	30288	SPOKANE HOUSE OF HOSE INC	138.60	MATERIALS
2880	08/04/2020	Claims	3	30289	STAPLES GOLF RESOURCE GROUP LLC	3,322.50	TASK 5 THE FINAL DESIGN PLAN TRAILHEAD
2881	08/04/2020	Claims	3	30290	STAUFFER & ASSOCIATES PLLC	140.00	COVID-19 REFUND RESERVATION ORCHARD DEPOT 08072020
2882	08/04/2020	Claims	3	30291	SUN MOUNTAIN SPORTS	2,200.00	FINN SCOOTERS (4)
2883	08/04/2020	Claims	3	30292	T-MOBILE	468.26	CELL PHONES 6/13-7/12/2020
2884	08/04/2020	Claims	3	30293	THE HOME DEPOT PRO	587.40	COVID-19 MATERIALS
2885	08/04/2020	Claims	3	30294	TIRE-RAMA	1,718.68	SERVICES
2886	08/04/2020	Claims	3	30295	UNITED RENTALS INC	847.95	ROLLER RENTAL
2887	08/04/2020	Claims	3	30296	WESTERN EQUIPMENT	977.80	MATERIALS
2888	08/04/2020	Claims	3	30297	WHITLEY FUEL LLC	898.12	FUEL
2889	08/04/2020	Claims	3	30298	NORTHWEST BUSINESS STAMP	33.95	SERVICES
2890	08/04/2020	Claims	3	30299	SIR SPEEDY PRINTING	228.69	MATERIALS

001 General Fund	72,882.74	
110 Street Fund	13,363.09	
311 REET 2 Special Capital Projects Fund	9,137.50	
312 Street Capital Fund	5,593.58	
319 Henry Rd Project From Mission To Appleway	1,105.78	
320 Harvard Road Mitigation Fund	23,912.12	
331 Municipal Facilities Fund Master Plan	3,322.50	
410 Stormwater Utility Fund	414.07	
420 Golf Operations Fund	8,802.26	
502 Medical Reimbursement (Bridge) Fund	344.86	
	138,878.50	Claims: 138,878.50

\* Transaction Has Mixed Revenue And Expense Accounts

"I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim a just, due and unpaid obligation against the City of Liberty Lake, and that I am authorized to authenticate and certify to said claim."

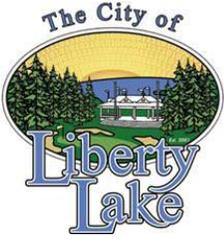
\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

"I, the undersigned, do hereby certify under penalty of perjury that the claim is a just, due and unpaid obligations against the City of Liberty Lake, and that I am authorized to certify to said claim."

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date



AGENDA ITEM NO.: 10Bi

**BUSINESS OF THE CITY COUNCIL, LIBERTY LAKE, WASHINGTON**

**SUBJECT:**

Sand/Salt Spreader Purchase

**FOR THE AGENDA OF:** 08/04/2020

**DEPT. OF ORIGIN:** O&M Department

**EXHIBIT:**

Quote for Sand/Salt Spreader-Henke  
Quote for installation -Freightliner  
Brochure on Sand/Salt Spreader

**DEPT. HEAD APPROVAL:** Katy Allen

<b>EXPENDITURE REQUIRED:</b>	\$46,936.06
<b>BUDGETED:</b>	Yes

**SUMMARY STATEMENT**

The O&M department is seeking approval to purchase a Henke sand/salt spreader. With the spreader the snow fighters will be able to provide safer roads for the traveling public, reduce cost, and be more proactive with each snow event. While the City uses a liquid agent to help reduce and prevent ice it does come with its limitation. The spreader will fill those gaps and allow us to be more proactive and better equipped to handle the changing conditions that mother nature throws are way. The spreader will also allow us to reduce our cost and usage of liquid with an average savings of \$1,300 per application. The spreader will be purchased off state contract #01117, from Henke and installed by Freightliner Northwest.

**RECOMMENDED ACTION**

Authorize Mayor to approve purchase



Quote# 200720LL

07/20/2020

Price Quotation For

# Northend Truck Equipment

20812 Broadway Ave.  
Snohomish, WA 98296

Ph: 360-653-6066 Fax: 360-653-0100

1-800-653-6066

Visit Our Web Site - [www.northendtruck.com](http://www.northendtruck.com)



**Prepared For:**  
Stephen Williams  
City of Liberty Lake  
Road Forman  
509-755-6723  
[Swilliams@libertylakewa.gov](mailto:Swilliams@libertylakewa.gov)

**State of Washington Contract Information:**  
Effective Date: 05-01-2018  
Contract number: 01117  
Contract Title: Dump Bodies, Snow Plows Various Types, Controls & Services

Excel#	Item#	Category and Options	Qty.	Unit Total	Total
<b>Dump Body Cat. A (Sanders)</b>					
206	2	Henke Spreaders With Prewet and Removable Cartridge, 10' With Dual 100 Gallon Pre-Wet - Meets or Exceeds Specifications Section I, 1-8, Section II, 1-11, Section III, 1-19, Section IV, 1-18	1	\$27,568.80	\$27,568.80
213	9	Deduct for customer installed hopper	1	-\$3,540.00	-\$3,540.00
220	16	Tailgate latch bar bolted to the long sill at the rear for securing to the body with the truck tailgate latch system. Material to be stainless.	1	\$324.45	\$324.45
234	30	Heavy Duty Legstands with 5x5 Tubing A36	1	\$2,462.25	\$2,462.25
243	39	Single 9" Auger for 10' Spreader	1	\$2,185.05	\$2,185.05
<b>Plow Category 6</b>					
227	23	Deduct for light bar and airfoil	1	\$1,001.00	\$1,001.00
-	-	Extra Set of Heavy Duty Leg Stands for Customer To Use With Their Stand Alone Brine Tank	1	\$2,462.00	\$2,462.00
<b>Total With Quantity Items Selected</b>					<b>\$32,463.55</b>
Applicable Sales Tax Percentage at Delivery Location				<b>8.90%</b>	<b>\$2,889.26</b>
<b>Total Price with Tax Included</b>					<b>\$35,352.81</b>

**Notes:**

- Sander Shipped Direct To Freightliner NW In Spokane, WA (Verify Address Before Order)

Accepted: *Zack Andrews*

7/20/2020 Accepted: \_\_\_\_\_ Date: \_\_\_\_\_

Zack Andrews  
**NORTHEND TRUCK EQUIPMENT**

Stephen Williams  
City of Liberty Lake  
PO#: \_\_\_\_\_

Sincerely,  
**NORTHEND TRUCK EQUIPMENT**  
Zack Andrews  
Sales

## Freightliner Northwest - Spokane

**10310 Westbow Blvd  
Spokane, WA 99224**

Phone: (509)744-0390

Email: suzie.burns@freightlinernw.com Tax ID: 91-1344257

Date:	7/22/2020	Year:	2018
Name:	Liberty Lake	Make:	Freightliner
Address:		Model:	M2
City/State/Zip:	,	Style:	Conventional
Phone:	--	VIN:	
Cell Phone:		WMI:	FIN:
Purchase Order:		Plate/State:	
RO:		Unit #:	
Customer Number:	024060001532	Odometer:	
Estimated By:	Suzie Burns	Color:	
Claim Contact:		Date Of Loss:	
Contact Title:		Authorized By:	
Contact Phone:		Claim Number:	
Contact Email:		Reference #:	024060001532

Operation	Description	Part #	Type	Labor	Paint	-----Parts-----	Misc
<b>----- Install Sander -----</b>							
1	^ Replace	Sander	customer provide	New	24.00		\$0.00
2	^ Replace	Hydraulic kit		New	12.00	1 @ \$2,720.00	\$2,720.00
3	^ Replace	Electrical		New	4.00	1 @ \$200.00	\$200.00
4	^ Replace	Misc hose, clamps, oil		New		1 @ \$700.00	\$700.00
5	^ Replace	Freight for HYD kit		New		1 @ \$120.00	\$120.00
<b>----- Calculated Values -----</b>							
6		Shop Supplies		Mtrls			\$380.00

An '\*' indicates user change of database part and '^' indicates manually entered or custom database rows.

**Estimate Notes:**

Signed \_\_\_\_\_ Date \_\_\_\_\_

## Freightliner Northwest - Spokane

**10310 Westbow Blvd  
Spokane, WA 99224**

Phone: (509)744-0390

Email: [suzie.burns@freightlinernw.com](mailto:suzie.burns@freightlinernw.com) Tax ID: 91-1344257

Reference #:	024060001532	Year:	2018
Date:	7/22/2020	Make:	Freightliner
Name:	Liberty Lake	Model:	M2
Insurance Co:		VIN:	
Estimated By:	Suzie Burns	Unit #:	

Summary	Amount	Rate	Disc	Total
Body Labor	40.00	\$112.00	0.00%	\$4,480.00
Paint Labor	0.00	\$112.00	0.00%	
Mechanical	0.00	\$112.00	0.00%	\$0.00
Frame	0.00	\$112.00	0.00%	\$0.00
Misc. Labor	0.00	\$112.00	0.00%	\$0.00
Parts	\$3,740.00		0.00%	\$3,740.00
Misc.				\$380.00
Sub-total				\$8,600.00
Sales Tax				748.20

State (Labor, Parts, Materials)  
\$8,600.00 @ 8.7000%: \$748.20

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Total	\$9,348.20
Betterment	\$0.00
Deductible	\$0.00
Grand Total	\$9,348.20

Signed \_\_\_\_\_ Date \_\_\_\_\_

**Freightliner Northwest - Spokane**

**10310 Westbow Blvd  
Spokane, WA 99224**

Phone: (509)744-0390

Email: [suzie.burns@freightlinernw.com](mailto:suzie.burns@freightlinernw.com) Tax ID: 91-1344257

Reference #:	024060001532	Year:	2018
Date:	7/22/2020	Make:	Freightliner
Name:	Liberty Lake	Model:	M2
Insurance Co:		VIN:	
Estimated By:	Suzie Burns	Unit #:	

**TERMS & CONDITIONS**

The above is an estimate based on inspection and does not cover additional parts or labor which may be required after the work has been started. Occasionally worn or damaged parts are discovered which may not have been evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**HENKE HXC  
CARTRIDGE SPREADER**

**INNOVATION  
CHANGES THE GAME**



**THE ONLY V-BOX SPREADER WITH A REMOVABLE  
CONVEYOR CARTRIDGE SYSTEM, *the easiest to maintain  
and most cost-effective solution available***



**EASY TO MAINTAIN • CHANGEABLE CONVEYOR SYSTEMS**

**HENKE**<sup>®</sup>  
AN ALAMO GROUP COMPANY

## HENKE HXC CARTRIDGE SPREADER

# THE SMARTEST CHOICE FOR EASY MAINTENANCE AND COST SAVINGS

### HENKE CHANGES THE GAME WITH OUR EXCLUSIVE REMOVABLE/REPLACEABLE CONVEYOR CARTRIDGE

The replaceable cartridge in our innovative HXC Spreader is the easiest conveyor system on the market to service or repair.

### BEST ROI FOR V-BOX SPREADERS ON THE MARKET

The modular design of the removable cartridge reduces cost of ownership by providing longer service life of the main structure and hopper. Just replace a worn out cartridge conveyor vs. replacing the WHOLE unit.

### FLEXIBILITY TO USE DIFFERENT CONVEYOR SYSTEMS IN 1 UNIT

Choose between a pintle chain, single 9" auger or dual augers. This gives you the control and versatility you need for use of specific materials and spreading applications.



### WE GIVE YOU OPTIONS

- Spinners are available in poly or steel versions
- Adjustable Spinner Chutes are available with dumpover and tilt-up options
- Safety options- light bars, reflective tape
- Stationery or swing-up ladder
- Hopper vertical extension available for increased capacity
- Top grates, rib mounted rollers, bumper guard, front and side spill shields



#### SPECIFICATIONS

304 stainless steel construction
Available in 9' - 15' lengths
Fully replaceable conveyor system
Remote chain tensioning
Spinner deflectors are adjustable without tools
Unique telescoping discharge chute for even high-flow rates
Built-in hydraulic lockout systems on all auger spreaders
Spinner drive "shed" prevents clogging & fouling in the chute
Integrated safety features allow tool-free access for routine maintenance

HENKE'S VERSATILE, MODULAR SYSTEM IS DESIGNED  
TO GIVE YOU THE BEST SOLUTION FOR YOUR APPLICATION

LEARN MORE, WATCH THE HXC VIDEOS ON OUR YOUTUBE CHANNEL

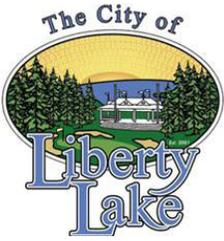


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888.682.9010  
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**PUBLIC HEARING  
INFORMATION**



**AGENDA ITEM NO.:** 11

**BUSINESS OF THE CITY COUNCIL, LIBERTY LAKE, WASHINGTON**

**SUBJECT:** Public Hearing-Amending Development Code to Allow RV Sales, Rental & Service in C-1 Zone

**FOR THE AGENDA OF:** August 4, 2020

**DEPT. OF ORIGIN:** Planning, Engineering & Building Services

**EXHIBIT:**  
Planning Commission Recommendation  
Recommended Code Amendment (Exhibit A)

**DEPT. HEAD APPROVAL:** 

<b>EXPENDITURE REQUIRED:</b>	<b>No</b>
<b>BUDGETED:</b>	<b>No</b>

**SUMMARY STATEMENT**

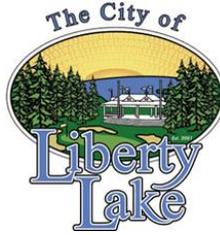
The proposed amendments is to allow “Automobile, manufactured home, recreational vehicle, trailer, & boat sales & rentals” and “Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance” as limited uses in the C-1 Zone. These proposed uses are allowed in the adjacent C-2 Zone. There are currently several instances of legal, non-conforming uses of this nature already located in the C-1 zone.

In order to protect nearby residential uses, such uses are proposed to be limited uses in the C-1, permitted only on sites that are at least 300 feet away from any residential zones or use.

The City of Liberty Lake Planning Commission workshopped the proposed amendment in March. A virtual public hearing was held on July 8, 2020. The Planning Commission unanimously recommended approval.

**RECOMMENDED ACTION**

1. Hold public hearing to seek public testimony on the proposed amendments.



**PLANNING COMMISSION FINDINGS, CONCLUSIONS & RECOMMENDATIONS**

**IN THE MATTER OF AN AMENDMENT TO CITY OF LIBERTY LAKE DEVELOPMENT CODE §10-2, PROVIDING FOR “AUTOMOBILE, MANUFACTURED HOME, RECREATIONAL VEHICLE, TRAILER, & BOAT SALES & RENTALS” AND “BOAT, RECREATIONAL VEHICLE, & TRAILER - CONSTRUCTION, REPAIR, PARTS SALES, & MAINTENANCE” AS LIMITED USES IN THE C-1 ZONE**

**HEARING DATE:** July 8, 2020 @ 4:00 p.m.

**PROPOSAL COORDINATOR:** Lisa D. Key, Director of Planning, Engineering & Building Services

<b>PROPOSAL SUMMARY:</b>	
<b>Location</b>	Citywide
<b>Applicant(s)</b>	City of Liberty Lake
<b>Proposal Information</b>	To allow for automobile, manufactured home, recreational vehicle, trailer, & boat sales and service as limited uses in the C-1 Zone
<b>Code Chapter / Section</b>	<b>§10-2A-4, Zoning Matrix</b> <b>§10-2H-3, Limited Uses in the C-1 Zone</b>
<b>Proposal Summary</b>	List “Automobile, manufactured home, recreational vehicle, trailer, & boat sales & rentals” and “Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance” as limited uses in the C-1 Zone.  In order to protect nearby residential uses, such uses are proposed to be limited uses in the C-1, permitted only on sites that are at least 300 feet away from any residential zones or use.
<b>Proposed Amendment Text</b>	See Exhibit A.

## STATE OF WASHINGTON REGULATORY FRAMEWORK, AUTHORITY & REQUIREMENTS:

### **RCW 36.70A: Growth Management Act (GMA):**

*Liberty Lake is mandated to plan under GMA. The City's Comprehensive Plan and Development Regulations were developed in accordance with the requirements of GMA. Development Regulations are required to implement the City's Comprehensive Plan, and any amendments to City Development Code must be consistent with the City's adopted Comprehensive Plan. The City must provide reasonable public notice of proposed amendments and opportunities for public participation.*

### **WAC 365-196: Growth Management -- Procedural Criteria for Adopting Comprehensive Plans and Development Regulations**

*Development code amendments must comply with procedures established in WAC 365-196, including rules regarding internal consistency, interjurisdictional coordination, public participation requirements, and notification to the Department of Commerce of "intent to adopt" proposed code amendments at least 60 days prior to final adoption.*

### **WAC 197-11: State Environmental Policy Act (SEPA) Rules:**

*Development Regulations are subject to SEPA review as a non-project action, in accordance with procedures established in WAC 197-11.*

## CITY OF LIBERTY LAKE REGULATORY FRAMEWORK & PROCEDURAL REQUIREMENTS:

### **City Code §10-4B-5: Type IV Projects:**

*Development Code Amendments are classified as Type IV Projects in the City of Liberty Lake Development Code and are considered legislative decisions. The procedural requirements and decision criteria are detailed in City Development Code §10-4B-5.*

## **SEPA REVIEW:**

SEPA Checklists were completed for the proposed amendment to development Code. The City of Liberty Lake Planning, Engineering & Building Services has determined that the proposal, as a non-project review, will have no significant adverse environmental impacts and issued a Determination of Non-Significance (DNS) and Adoption of Existing Environmental Documents on **June 10, 2020**. The City adopted the Spokane County Final Supplemental Environmental Impact Statement for the Spokane County Comprehensive Plan that was prepared on November 22, 2000 and was previously adopted for the original City of Liberty Lake Comprehensive Plan and Development Code, as well as the Final Environmental Impact Statement for the City of Liberty Lake Urban Growth Area Boundary Alternatives that was prepared on December 13, 2006. The Notice of Availability, SEPA Checklist and Threshold Determination, and Amendment Document were routed to agencies on or before **June 10, 2020**, and a Notice of Availability was posted at the Liberty Lake Municipal Library and at City Hall, as well as being published in the **June 19, 2020** edition of the Valley News Herald. On or before **June 11, 2020**, the Notice of Availability, Notice of Hearing, SEPA Checklist and Threshold Determination, and Amendment Lists were also posted on the City website, and the notice and

a link to the City website was emailed to the public notice group. Comments on the SEPA Checklist and Threshold Determination were due by **June 24, 2020**.

**PROCEDURAL INFORMATION:**

Planning Commission Workshop on Proposed Amendment:	March 11, 2020
SEPA Notice/ Public Hearing Notice:	June 10, 2020
SEPA Comment/Appeal Period Ends:	June 24, 2020
Planning Commission Hearing:	July 8, 2020

**AGENCY REVIEW:**

SEPA Distribution List & Adjacent Jurisdictions: Liberty Lake Police Department; Avista; Century Link; Central Valley School District; City of Spokane Valley; CDA Tribe; Comcast; Spokane Clean Air; Spokane Valley Fire District; Spokane Transit Authority; Spokane Regional Health District; Spokane Tribe; WS Department of Ecology; WS Department of Fish & Wildlife; WS Department of Natural Resources; WS Department of Transportation; Spokane Regional Transportation Council; Liberty Lake Water & Sewer District; Consolidated Irrigation District; Spokane County Utilities; Spokane County Planning; WS Department of Commerce.

**RELEVANT COMPREHENSIVE PLAN GOALS & POLICIES:**

**Governance Goal 1:** Actively involve residents, businesses, and property owners in the governance of the City.

**Economic Development Goal 1:** Maintain a healthy and sustainable local economy.

**Governance Policy 1:** The City shall use the website, email, social media, newsletters, local newspapers, special announcements and other techniques to keep the community well-informed.

**Governance Policy 4:** Regulations developed by the City of Liberty Lake will not result in or constitute a taking of private property and shall be evaluated as provided for in RCW 36.70A.370.

**Land Use Policy 2:** Provide for a compatible mix of housing and commercial uses in all commercial districts, neighborhood centers, community centers, and the Central Business District.

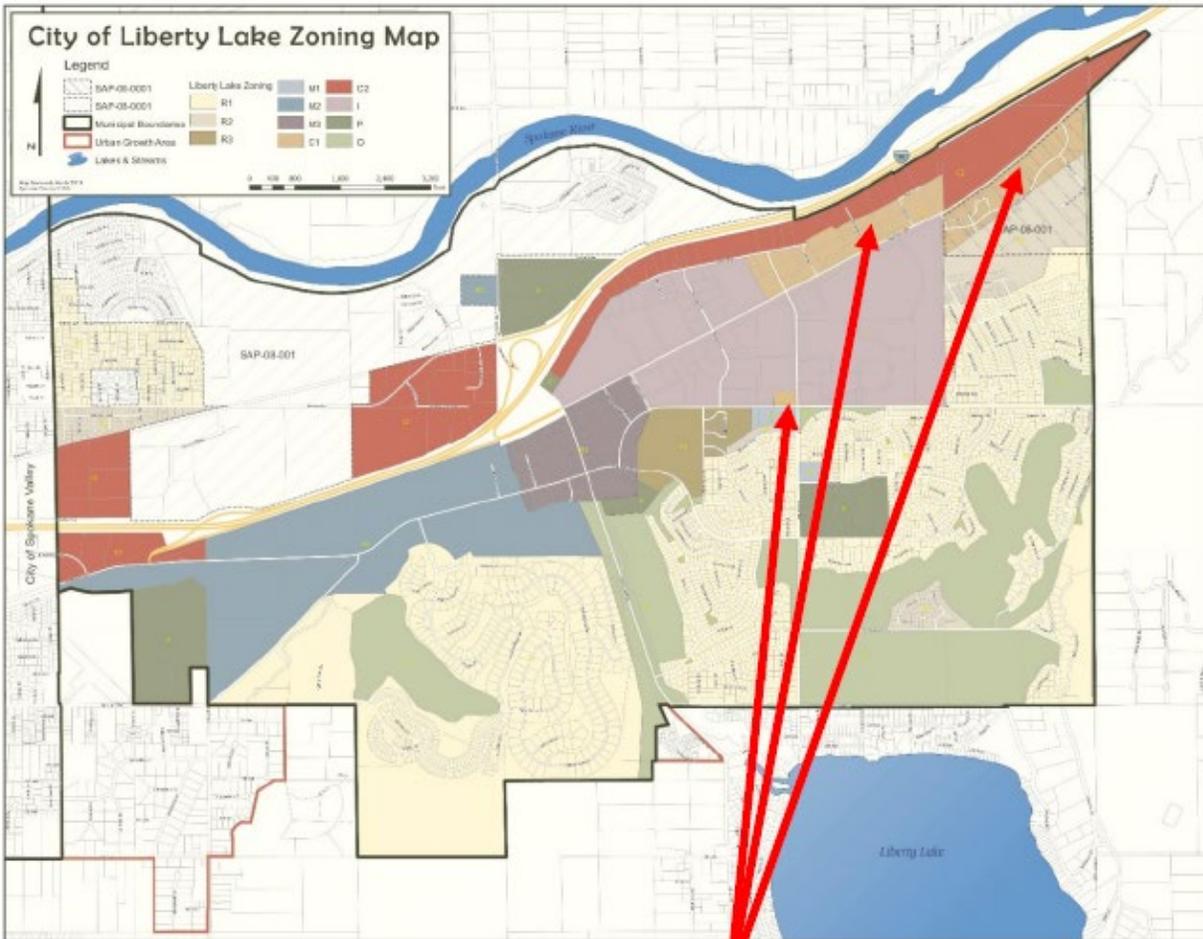
**Economic Development Policy 4:** Continue to support the start-up, retention, expansion, and recruitment of businesses.

**Economic Development Policy 5:** Provide consistent, fair, and timely regulations that are flexible, responsive, and effective.

**Economic Development Policy 6:** Periodically review and update economic development techniques to provide a business climate conducive to new and start-up businesses.

**Economic Development Policy 14:** Maintain an inventory of usable industrial and commercial land that is sufficient to meet projected demand and encourage marketability of the City.

**STAFF ANALYSIS:**



**C-1 Zone**

- Currently, there are 3 areas of the City that are zoned C-1:
  - A small area on the NW corner of Mission & Molter, which is fully developed (it contains half of The Portal building; the other half of the building is zoned Light Industrial);
  - The portion of Stonehill the fronts on Appleway, and is part of Specific Area Plan (topography and access make this use an unlikely candidate in this location; and,
  - An area located on the north side of Appleway which contains several such uses that are currently legal, non-conforming uses (this area is surrounded by Light Industrial and Freeway Commercial, where this use is permitted).

- There are minimal differences in permitted uses between C-1 and C-2 zone.
- There are several instances of legal, non-conforming uses of this nature already located in the C-1 zone.
- The only residential use permitted in the C-1 zone is an accessory caretaker's residence.
- In order to protect residential uses in proximate residential zones, RV Sales and Service are proposed to be a limited use in the C-1, permitted only on sites that are at least 300 feet away from any residential zones or use.

#### **FINDINGS:**

1. The required SEPA review has been completed on the proposed amendment.
2. All public and agency notice requirements were met and accomplished in a timely manner.
3. The public was provided the opportunity for participation.
4. The public had the opportunity to submit written comments and testify at a public hearing before the Planning Commission.

#### **CRITERIA FOR APPROVAL:**

The criteria for approval of a code amendment are established in City Code §10-4B-5(A), which states:

##### ***A. Criteria for Amendment:***

*The City may amend development regulations when it finds that **any** of the following applies:*

1. *Such amendment is consistent with the Comprehensive Plan and is not detrimental to the public welfare;*
2. *Change in economic, technological, or land use conditions has occurred to warrant modification;*
3. *It is found that an amendment is necessary to correct an error;*
4. *It is found that an amendment is necessary to clarify meaning or intent;*
5. *It is found that an amendment is necessary to provide for a use(s) that was not previously addressed; or*
6. *Those amendments as deemed necessary by the City Council as being in the public interest.*

#### **CONCLUSIONS:**

1. The proposed amendment **IS** consistent with the Comprehensive Plan and **IS NOT** detrimental to the public welfare.
2. The proposed amendment **IS** warranted by a change in economic, technological and/or land use

conditions.

3. The proposed amendment **IS NOT** necessary to correct an error.
4. The proposed amendment **IS NOT** necessary to clarify meaning or intent.
5. The proposed amendment **IS NOT** necessary to provide for a proposed use that was not previously addressed.
6. The proposed amendment **IS** deemed necessary as being in the public interest.

**RECOMMENDATION:**

In the matter of an amendment to city of Liberty Lake Development Code §10-2, providing for “automobile, manufactured home, recreational vehicle, trailer, & boat sales & rentals” and “boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance” as limited uses in the C-1 zone, the City of Liberty Lake Planning Commission does hereby recommend to City Council that the amendment be **APPROVED**.

**EXHIBIT A**  
**PROPOSED DEVELOPMENT CODE AMENDMENTS**

**Proposed Amendments to City Development Code §10-2A-4, Zoning Matrix:**

<b>Comprehensive Plan Category</b>	<b>Implementation - Zoning District</b>
Single Family Residential	<b>R-1</b> (Single Family Residential)
Mixed Residential	<b>R-2</b> (Mixed Residential)
Multi-Family Residential	<b>R-3</b> (Multi-Family Residential)
Neighborhood Center	<b>M-1</b> (Neighborhood Center)
Community Center	<b>M-2</b> (Community Center)
Central Business District	<b>M-3</b> (Central Business District)
Community Commercial	<b>C-1</b> (Community Commercial)
Freeway Commercial	<b>C-2</b> (Freeway Commercial)
Light Industrial	<b>I</b> (Light Industrial)
Public / Semi-Public Institutional	<b>P</b> (Public / Semi-Public Institutional)
Open Space / Recreation	<b>O</b> (Open Space / Recreation)
Aesthetic Corridors / Boulevards	Aesthetic Corridors / Boulevards Overlay

**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 Director 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	L	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
Public assembly	L	L	L	L	L	L	L	L	L	L	L
Seasonal & special events	L	L	L	L	L	L	L	L	L	L	L
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
<b>Animal related</b>											
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
<b>Automobile, etc. oriented</b>											
Automobile, manufactured home, recreational vehicle, trailer, & boat -sales	N	N	N	N	N	N	NL	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	NL	P	N	N	N

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
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	NL	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
<b>Child day-care</b>											
Family child day-care home (5 or fewer children)	P	P	P	P	P	P	N	N	N	N	N
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
<b>Community recreation and facilities</b>											
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
<b>Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented)</b>											
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

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
	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	N	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
<b>Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented), <i>continued</i></b>											
Printing, reprographics, bookbinding, & graphic services	N	N	N	P	P	P	P	P	P	N	N
Restaurant, cafe, deli, or ice cream parlor (without drive-thru)	N	N	N	P	P	P	P	P	L	N	L
Restaurant, cafe, deli, or ice cream parlor (with drive-thru)	N	N	N	P	P	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
<b>Government / civic offices and facilities</b>											
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	CU	N	N
Public transit facilities - EPF	P	P	P	P	P	P	P	P	P	P	N
<b>Schools - public / private</b>											
Nursery / pre-school	P	P	P	P	P	P	N	N	N	P	N

<b>Facilities and Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>M-1</b>	<b>M-2</b>	<b>M-3</b>	<b>C-1</b>	<b>C-2</b>	<b>I</b>	<b>P</b>	<b>O</b>
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
<b>Housing</b>											
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
Dwelling, multi-family	N	L	L	L	L	L	N	N	N	N	N
Dwelling, multi-family (greater than 30 units per net acre)	N	N	CU	N	L	N	N	N	N	N	N
Dwelling, single family	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	N	L	L	N	N	N	N	N	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
<b>Housing, continued</b>											
Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)	N	L	L	L	L	L	L	N	N	N	N
Zero lot line (single family courtyard home)	N	L	L	L	L	N	N	N	N	N	N
<b>Manufacturing, equipment, and industrial production</b>											
Concrete product manufacturing / ready mix concrete (excluding extraction / mining)	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	L	P	P	P	N	N
Light manufacturing & assembly w/ retail sales showroom	N	N	N	N	L	L	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



Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Tire salvage yard	N	N	N	N	N	N	N	N	N	N	N
<b>Storage, freight, and wholesale facilities</b>											
Outdoor vehicle storage	N	N	N	N	N	N	N	N	N	N	N
Self service storage facility (mini storage)	N	N	N	N	N	N	N	N	N	N	N
Warehouse & freight movement	N	N	N	N	N	N	P	P	P	N	N
Wholesaling / distribution facility	N	N	N	N	L	N	P	P	P	N	N
<b>Utilities and facilities</b>											
Power plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Public utility local distribution facility	CU	CU	CU	N							
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
Wireless communication antenna array	N	CU	CU	CU	N						
Wireless communication support tower	N	N	N	N	N	N	N	N	CU	CU	N

**Proposed Amendments to City Development Code §10-2H-3, Limited Uses in the C-1 Zone:**

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

- A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-1 (Community Commercial) District with the letter “L” are allowed in the C-1 zone if they comply with the development standards of the C-1 (Community Commercial) 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 C-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. Mobile sales / concessions**

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

**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. Public assembly**

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

**5. Seasonal and special events**

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

**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**

- a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking gate; however, no barbed wire or razor wire shall be permitted.
- b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.
- c. The tower shall not exceed 15 feet above the maximum height of the underlying zone.
- d. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
- e. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied.

**8. Tower, private**

- a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
- b. The tower shall not exceed the maximum height of the underlying zone.
- c. 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, manufactured home, recreational vehicle, trailer, & boat – sales**

- a. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**40-11. Automobile, recreational vehicle, trailer, truck, & taxi – rentals**

- a. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**44-12. Automobile / truck repair or maintenance (service station)**

- a. All vehicles being repaired or maintained 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.

**13. Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance**

- a. All vehicles being repaired or maintained 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.
- b. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**42-14. Gas station / convenience store**

- a. Underground storage tanks and stormwater disposal shall not be located within the 1000 foot radius of a wellhead.
- b. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).
- c. 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.

**43-15. Espresso stand**

- a. The facility shall be located on a separate platted lot with a tax parcel number or shall be part of a leasable commercial strip or structure.
- b. The building shall contain an ADA accessible bathroom, as specified in the building code.

**44-16. 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.

**45-17. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)**

- a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.
- b. A minimum of one parking space shall be provided for each employee

and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

**~~16.18.~~ Plastic injection molding, Sandblasting / cutting, & Tool and die making**

- a. The uses shall be completely enclosed within a building.

**~~17.19.~~ Welding / sheet metal shops**

- a. Open air welding shall be prohibited

**~~18.20.~~ Woodworking / cabinet manufacturing with & without retail sales showroom**

- a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.

**~~19.21.~~ Research facility / laboratory**

- a. The research facility / laboratory use shall be completely enclosed within a building.

**FIRST READ  
ORDINANCE(S)**



AGENDA ITEM NO.: 12a

**BUSINESS OF THE CITY COUNCIL, LIBERTY LAKE, WASHINGTON**

**SUBJECT:** 1<sup>st</sup> Read Ordinance Amending Development Code to Allow RV Sales, Rental & Service in C-1 Zone **FOR THE AGENDA OF:** August 4, 2020

**DEPT. OF ORIGIN:** Planning, Engineering & Building Services

**EXHIBIT:** Ordinance  
Recommended Code Amendment (Exhibit A)

**DEPT. HEAD APPROVAL:** 

<b>EXPENDITURE REQUIRED:</b>	<b>No</b>
<b>BUDGETED:</b>	<b>No</b>

**SUMMARY STATEMENT**

The proposed amendments is to allow “Automobile, manufactured home, recreational vehicle, trailer, & boat sales & rentals” and “Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance” as limited uses in the C-1 Zone. These proposed uses are allowed in the adjacent C-2 Zone. There are currently several instances of legal, non-conforming uses of this nature already located in the C-1 zone.

In order to protect nearby residential uses, such uses are proposed to be limited uses in the C-1, permitted only on sites that are at least 300 feet away from any residential zones or use.

The City of Liberty Lake Planning Commission workshopped the proposed amendment in March. A virtual public hearing was held on July 8, 2020. The Planning Commission unanimously recommended approval.

**RECOMMENDED ACTION**

1. 1<sup>st</sup> reading of the proposed ordinance amending development regulations to allow RV Sales, Rental & Service in the C-1 Zone.

**CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON  
ORDINANCE NO. 268**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING  
THE CITY OF LIBERTY LAKE DEVELOPMENT CODE TO ALLOW  
“AUTOMOBILE, MANUFACTURED HOME, RECREATIONAL VEHICLE,  
TRAILER, & BOAT SALES & RENTALS” AND “BOAT, RECREATIONAL  
VEHICLE, & TRAILER - CONSTRUCTION, REPAIR, PARTS SALES, &  
MAINTENANCE” AS LIMITED USES IN THE C-1 ZONE**

WHEREAS, the City of Liberty Lake (“City”) promulgated development regulations that have included development regulations regarding uses allowed in the C-1 (Community Commercial) Zone, which have been amended periodically, and were most recently amended by Ordinance No. 241 in July of 2017 (“Development Regulations”); and

WHEREAS, the Development Regulations currently lists “Automobile, Manufactured Home, Recreational Vehicle, Trailer & Boat - Sales”, “Automobile, Recreational Vehicle, Trailer, Truck & Taxi - Rentals”, and “Boat, Recreational Vehicle & Trailer – Construction, Repair, Parts Sales, & Maintenance” as “Not Permitted” uses in the C-1 Zone; and

WHEREAS, there are currently several instances of legal, non-conforming uses falling into those categories already located within the C-1 zone; and

WHEREAS, the Development Regulations currently do list “Automobile, Manufactured Home, Recreational Vehicle, Trailer & Boat - Sales”, “Automobile, Recreational Vehicle, Trailer, Truck & Taxi - Rentals”, and “Boat, Recreational Vehicle & Trailer – Construction, Repair, Parts Sales, & Maintenance” as “Permitted” uses in the C-2 (Freeway Commercial) Zone directly adjacent to the C-1 Zone; and

WHEREAS, the Planning Commission found the proposed amendment to be consistent with Comprehensive Plan and warranted by a change in economic, technical and land use conditions; and

WHEREAS, a complete public engagement process was followed for the proposed amendments to the City’s Site Design Review regulations; and

WHEREAS, all public notification requirements were met and accomplished in a timely manner; and

WHEREAS, consistent with the Washington State Environmental Protection Act (SEPA), a Determination of Non-Significance (DNS) Threshold Determination and Adoption of Existing Environmental Document was issued on the proposed amendments with a fourteen (14) day public comment period; and

WHEREAS, the Washington State Growth Management Act (GMA) requires proposed

development regulations, including proposed amendments, be forwarded to the Washington State Department of Commerce ("DOC") for review and comment prior to final City Council adoption; and

WHEREAS, all applicable state and local agencies received a copy of the proposed amendments, and were given the opportunity to comment; and

WHEREAS, the City has met the GMA notice to state agency requirements in RCW 36.70A.106 for the proposed amendments to the City's Site Design Review regulations contained in City Development Code, and the River District Specific Area Plan Development Regulations; and

WHEREAS, the City Council has reviewed the Planning Commission's Findings, Conclusions, and Recommendations regarding amendments to the City's Site Design Review regulations;

NOW THEREFORE, the City Council of the City of Liberty Lake does ordain as follows:

**Section 1.**     Amendments to the City of Liberty Lake's Development Regulations.

The approved amendments to the City's Development Regulations allowing for "Automobile, Manufactured Home, Recreational Vehicle, Trailer & Boat - Sales", "Automobile, Recreational Vehicle, Trailer, Truck & Taxi - Rentals", and "Boat, Recreational Vehicle & Trailer – Construction, Repair, Parts Sales, & Maintenance" as limited uses in the C-1 Zone are attached hereto as "Exhibit A" and incorporated herein.

**Section 2.**     Severability.

If any section, sentence, clause or phrase of this Ordinance and the attachments hereto shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3.**     Administration and Enforcement.

- A. Administration. Planning, Engineering, & Building Services shall be responsible for the administration of this Ordinance.
- B. Enforcement. Projects that are subject to the provisions of this Ordinance and do not comply with the standards of this Ordinance shall be subject to the enforcement provisions of the Liberty Lake Municipal Code and City Development Code.

**Section 4.**     Effective Date.

This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor, Shane Brickner

**ATTEST:**

\_\_\_\_\_  
City Clerk, Ann Swenson

**Approved As To Form:**

\_\_\_\_\_  
City Attorney, Sean P. Boutz

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**EXHIBIT A**  
**PROPOSED DEVELOPMENT CODE AMENDMENTS**

**Proposed Amendments to City Development Code §10-2A-4, Zoning Matrix:**

<b>Comprehensive Plan Category</b>	<b>Implementation - Zoning District</b>
Single Family Residential	<b>R-1</b> (Single Family Residential)
Mixed Residential	<b>R-2</b> (Mixed Residential)
Multi-Family Residential	<b>R-3</b> (Multi-Family Residential)
Neighborhood Center	<b>M-1</b> (Neighborhood Center)
Community Center	<b>M-2</b> (Community Center)
Central Business District	<b>M-3</b> (Central Business District)
Community Commercial	<b>C-1</b> (Community Commercial)
Freeway Commercial	<b>C-2</b> (Freeway Commercial)
Light Industrial	<b>I</b> (Light Industrial)
Public / Semi-Public Institutional	<b>P</b> (Public / Semi-Public Institutional)
Open Space / Recreation	<b>O</b> (Open Space / Recreation)
Aesthetic Corridors / Boulevards	Aesthetic Corridors / Boulevards Overlay

**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 Director 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	L	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
Public assembly	L	L	L	L	L	L	L	L	L	L	L
Seasonal & special events	L	L	L	L	L	L	L	L	L	L	L
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
<b>Animal related</b>											
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
<b>Automobile, etc. oriented</b>											
Automobile, manufactured home, recreational vehicle, trailer, & boat -sales	N	N	N	N	N	N	NL	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	NL	P	N	N	N

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
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	NL	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
<b>Child day-care</b>											
Family child day-care home (5 or fewer children)	P	P	P	P	P	P	N	N	N	N	N
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
<b>Community recreation and facilities</b>											
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
<b>Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented)</b>											
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

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
	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	N	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
<b>Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented), <i>continued</i></b>											
Printing, reprographics, bookbinding, & graphic services	N	N	N	P	P	P	P	P	P	N	N
Restaurant, cafe, deli, or ice cream parlor (without drive-thru)	N	N	N	P	P	P	P	P	L	N	L
Restaurant, cafe, deli, or ice cream parlor (with drive-thru)	N	N	N	P	P	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
<b>Government / civic offices and facilities</b>											
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	CU	N	N
Public transit facilities - EPF	P	P	P	P	P	P	P	P	P	P	N
<b>Schools - public / private</b>											
Nursery / pre-school	P	P	P	P	P	P	N	N	N	P	N

<b>Facilities and Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>M-1</b>	<b>M-2</b>	<b>M-3</b>	<b>C-1</b>	<b>C-2</b>	<b>I</b>	<b>P</b>	<b>O</b>
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
<b>Housing</b>											
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
Dwelling, multi-family	N	L	L	L	L	L	N	N	N	N	N
Dwelling, multi-family (greater than 30 units per net acre)	N	N	CU	N	L	N	N	N	N	N	N
Dwelling, single family	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	N	L	L	N	N	N	N	N	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
<b>Housing, continued</b>											
Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)	N	L	L	L	L	L	L	N	N	N	N
Zero lot line (single family courtyard home)	N	L	L	L	L	N	N	N	N	N	N
<b>Manufacturing, equipment, and industrial production</b>											
Concrete product manufacturing / ready mix concrete (excluding extraction / mining)	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	L	P	P	P	N	N
Light manufacturing & assembly w/ retail sales showroom	N	N	N	N	L	L	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



Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Tire salvage yard	N	N	N	N	N	N	N	N	N	N	N
<b>Storage, freight, and wholesale facilities</b>											
Outdoor vehicle storage	N	N	N	N	N	N	N	N	N	N	N
Self service storage facility (mini storage)	N	N	N	N	N	N	N	N	N	N	N
Warehouse & freight movement	N	N	N	N	N	N	P	P	P	N	N
Wholesaling / distribution facility	N	N	N	N	L	N	P	P	P	N	N
<b>Utilities and facilities</b>											
Power plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Public utility local distribution facility	CU	CU	CU	N							
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
Wireless communication antenna array	N	CU	CU	CU	N						
Wireless communication support tower	N	N	N	N	N	N	N	N	CU	CU	N

**Proposed Amendments to City Development Code §10-2H-3, Limited Uses in the C-1 Zone:**

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

- A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-1 (Community Commercial) District with the letter “L” are allowed in the C-1 zone if they comply with the development standards of the C-1 (Community Commercial) 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 C-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. Mobile sales / concessions**

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

**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. Public assembly**

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

**5. Seasonal and special events**

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

**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**

- a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking gate; however, no barbed wire or razor wire shall be permitted.
- b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.
- c. The tower shall not exceed 15 feet above the maximum height of the underlying zone.
- d. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
- e. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied.

**8. Tower, private**

- a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
- b. The tower shall not exceed the maximum height of the underlying zone.
- c. 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, manufactured home, recreational vehicle, trailer, & boat – sales**

- a. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**40-11. Automobile, recreational vehicle, trailer, truck, & taxi – rentals**

- a. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**44-12. Automobile / truck repair or maintenance (service station)**

- a. All vehicles being repaired or maintained 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.

**13. Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance**

- a. All vehicles being repaired or maintained 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.
- b. Only permitted on sites that are at least 300 feet away from any residential zones or use.

**42-14. Gas station / convenience store**

- a. Underground storage tanks and stormwater disposal shall not be located within the 1000 foot radius of a wellhead.
- b. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).
- c. 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.

**43-15. Espresso stand**

- a. The facility shall be located on a separate platted lot with a tax parcel number or shall be part of a leasable commercial strip or structure.
- b. The building shall contain an ADA accessible bathroom, as specified in the building code.

**44-16. 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.

**45-17. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)**

- a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.
- b. A minimum of one parking space shall be provided for each employee

and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

**~~16.18.~~ Plastic injection molding, Sandblasting / cutting, & Tool and die making**

- a. The uses shall be completely enclosed within a building.

**~~17.19.~~ Welding / sheet metal shops**

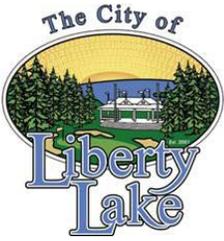
- a. Open air welding shall be prohibited

**~~18.20.~~ Woodworking / cabinet manufacturing with & without retail sales showroom**

- a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.

**~~19.21.~~ Research facility / laboratory**

- a. The research facility / laboratory use shall be completely enclosed within a building.



**AGENDA ITEM NO.:** 12b

**BUSINESS OF THE CITY COUNCIL, LIBERTY LAKE, WASHINGTON**

**SUBJECT:**

Business License Ordinance Amendment

**FOR THE AGENDA OF:** August 4, 2020

**DEPT. OF ORIGIN:** Administrative Services

**EXHIBIT:**

Ordinance No. 67-C

**DEPT. HEAD APPROVAL:** RJ Stevenson

<b>EXPENDITURE REQUIRED:</b>	No
<b>BUDGETED:</b>	N/A

**SUMMARY STATEMENT**

The City's current business license Ordinance requires non-resident businesses that make equal to or less than \$2,000 to submit a business license registration to the City Clerk or designee. The fee for such business license registrations shall be \$0. The City would like to include businesses located within the city in this threshold exemption.

**RECOMMENDED ACTION**

First read Ordinance. No action is recommended.

**ORDINANCE NO. 67-C  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING  
ORDINANCE NO. 67-B, PASSED OCTOBER 2, 2018, AMENDING BUSINESS  
LICENSING REGULATIONS FOR THE CITY OF LIBERTY LAKE**

WHEREAS, state law authorizes cities to adopt regulations for licensing of businesses operating within their corporate boundaries; and

WHEREAS, on September 18, 2001, the Mayor and City Council established a registration system which assisted the City in identifying the precise composition of the commercial community to enhance the marketing, development and exchange of information between the City and its businesses by adopting Ordinance No. 67, regulating business licensing requirements for the City; and

WHEREAS, on July 1, 2008, the City Council passed Ordinance No. 67-A amending the City's business license regulations, revising the application procedure from in-house processing of business license applications to partnering with the Washington State Department of Licensing's Master License Service (MLS) to administer the application process; and

WHEREAS, on October 2, 2018, the City Council passed Ordinance No. 67-B amending the City's business license regulations to amend Title 4 of the City of Liberty Lake Municipal Code to conform with guidance from the Washington State Department of Revenue and to comply with the legal requirements in chapter 35.90 RCW; and

WHEREAS, the City desires to update the modification to the threshold exemption in Title 4-1-3A7 to include all business applicants, regardless of location, to be exempt from gross proceeds of sales, or gross income of the business in the City that is equal to or less than \$2,000.

NOW, THEREFORE, the City Council of the City of Liberty Lake, Washington, do ordain as follows:

**Section 1.** The following section of Title 4 of the City of Liberty Lake Municipal Code is amended as follows:

**4-1-3 Exemptions:**

A. The following entities and activities shall be exempt from the provisions of this chapter:

1. All governmental entities including public and private elementary, secondary and high schools;
2. Deliverers of newspapers and periodicals;
3. Deliverers to and persons soliciting orders from retail establishments for the delivery and sale of goods, wares and merchandise to retailers for resale unless located within the city;

4. Any person or organization conducting a nonprofit enterprise when the enterprise is operated without private profit, for a public, charitable, educational, literary, fraternal or religious purpose;

5. Minors engaged in babysitting;

6. The casual sale of items of personal property where the person conducting such sale is not regularly engaged in the business of selling items of personal property (for example, garage sales, service agency bake sales)

7. Threshold exemption. For purposes of the license by this chapter, any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the City is equal to or less than \$2,000 ~~and who does not maintain a place of business within the City~~, shall submit a business license registration to the City Clerk or designee. The fee for such business license registrations shall be \$0. This threshold exemption does not apply to regulatory license requirements or activities that require a specialized permit.

**Section 2** Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3.** Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor, Shane Brickner

ATTEST:

\_\_\_\_\_  
City Clerk, Ann Swenson

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, Sean P. Boutz

**SECOND READ  
ORDINANCE**



AGENDA ITEM NO.: 13

**BUSINESS OF THE CITY COUNCIL, LIBERTY LAKE, WASHINGTON**

**SUBJECT:** 2nd Read Ordinance Harvest Parkway ROW Vacation **FOR THE AGENDA OF:** August 4, 2020

**DEPT. OF ORIGIN:** Planning, Engineering & Building

**EXHIBIT:** Ordinance 267  
Harvest Parkway Vacation Agreement

**DEPT. HEAD APPROVAL:**

<b>EXPENDITURE REQUIRED:</b>	<b>No</b>
<b>BUDGETED:</b>	<b>No</b>

**SUMMARY STATEMENT**

Western States Equipment Company has acquired the 3 parcels fronting on the southern leg of Harvest Parkway to develop as a Western States CAT Sales & Services dealership. As a condition of development, Western States Equipment Company is required to extend E Cataldo Avenue to their eastern property boundary for improvement and dedication to the City of Liberty Lake. The E Cataldo Avenue entrance will be used as their primary access, specifically for equipment deliveries and public access, while Harvest Parkway will serve as the employee entrance. The applicants have agreed to the terms of the agreement referenced in the ordinance, and attached hereto.

In accordance with RCW §35.79, City Council established the hearing date of July 7, 2020 for this vacation of right-of-way request by Resolution No. 20-274. The public hearing was properly noticed in accordance with RCW §35.79 and City Development Code §10-4B, and City Council provided an opportunity for public comments at that hearing.

**RECOMMENDED ACTION**

1. Second reading of the ordinance vacating the portion of Harvest Parkway depicted in Exhibit A of that ordinance.
2. Take public testimony.
3. Vote to approve, amend, or deny Ordinance 267.

**ORDINANCE NO. 267  
CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, PROVIDING  
FOR THE VACATION OF A RIGHT-OF-WAY VACATION FOR A PORTION OF  
HARVEST PARKWAY; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

WHEREAS, on May 12, 2020, an application for vacation was filed requesting the vacation of a portion of the southern leg of Harvest Parkway right-of-way, as depicted in Exhibit A of this Ordinance, and totaling approximately 26,455 square feet; and,

WHEREAS, the applicant for vacation is Western States Equipment Company, the owner of 100% of the property adjacent to this section of right-of-way; and,

WHEREAS, Harvest Parkway terminates in a cul-de-sac adjacent to property owned by Western States Equipment Company; and

WHEREAS, on June 2, 2020, the City Council set a public hearing date for July 7, 2020 by Resolution No. 20-274; and,

WHEREAS, the public hearing scheduled for July 7, 2020 was duly noticed in accordance with the provision of Liberty Lake Municipal Code §10-4B and RCW §35.79; and,

WHEREAS, on July 7, 2020, City Council held a public hearing; and,

WHEREAS, pursuant to RCW §35.79, upon vacation of the right-of-way, the City of Liberty Lake shall transfer the vacated property to the abutting property owners, and the zoning designation of the properties shall attach to the vacated property, and all direct and indirect costs of title transfer to the vacated street shall be paid for by the recipient of the transferred property;

WHEREAS, the City Council desires to vacate the above street pursuant to RCW §35.79, provided that certain conditions detailed in an agreement with the City and the applicant are fully satisfied prior to the transfer of the title by the City;

WHEREAS, said conditions shall include the reimbursement of the Tax Increment Financing (TIF) and Local Improvement Financing Tool (LIFT) revenues funding the street improvements on the vacated property to Spokane County, and the dedication of easements for public utilities and emergency access;

NOW THEREFORE, the City Council of the City of Liberty Lake Washington, does hereby ordain as follows:

**Section 1. Findings of Fact.** The City Council makes the following findings of fact:

1. The area proposed to be vacated is improved with pavement and utilities serving the adjacent property owned by Western States Equipment Company. The area

proposed to be vacated has existing public water and sewer services that will be located in a utility easement to be dedicated at the time of closing.

2. The subject ROW was improved as part of the Telido Station Binding Site Plan and dedicated to the City of Liberty Lake in 2014. The developer was reimbursed by Spokane County for the cost of the roadway improvements through Tax Increment Financing (TIF), pursuant to Spokane Resolution No. 2005-1169, and the Local Improvement Financing Tool (LIFT), pursuant to Spokane County Resolution No. 07-0223, based on the improvements being dedicated to the public.
3. The land served by the portion of Harvest Parkway that has been petitioned to be vacated is wholly owned by Western States Equipment Company, the petitioner.
4. No objections or public comment have been received.
5. The petitioner, Western States Equipment Company, has agreed to reimburse Spokane County \$98,854.42 through written agreement, the proportionate share of the value of the roadway improvements located on the land proposed to be vacated.

**Section 2.** Property to be Vacated. Based upon the above findings and in accordance with this Ordinance, the City Council does hereby vacate the street or alley which is incorporated herein by reference, and legally described in Exhibit A of this Ordinance.

**Section 3.** Closing. Following satisfaction of the conditions detailed in the Right-of Way Vacation Agreement between the City of Liberty Lake and Western States Equipment Company, the City Clerk shall record a certified copy of this Ordinance in the office of the County Auditor, and the City Administrator is authorized to execute and finalize all necessary documents in order to complete the transfer of the property identified herein.

**Section 4.** Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance

**Section 5.** Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this \_\_\_\_\_ day of August, 2020.

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MAYOR SHANE BRICKNER

**ATTEST:**

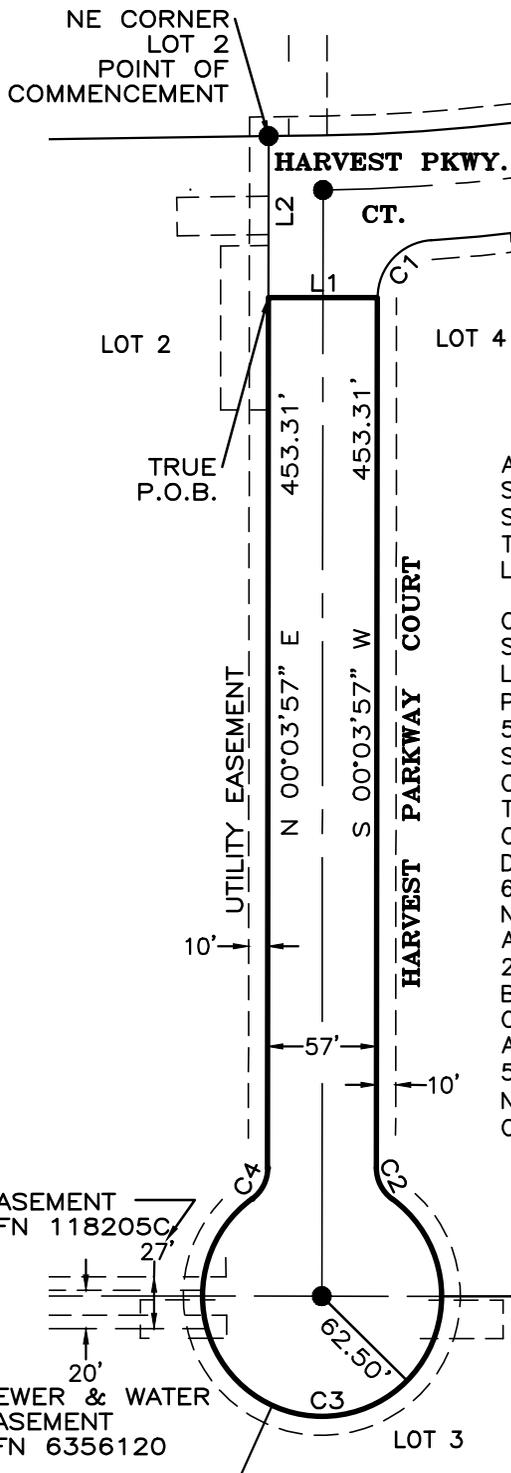
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ANN SWENSON, City Clerk

**APPROVED AS TO FORM:**

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SEAN P. BOUTZ, City Attorney



**EXHIBIT "A"**  
**RIGHT OF WAY VACATION**  
**A PORTION OF**  
**HARVEST PARKWAY COURT**  
**SPL2017-0001**



LEGAL DESCRIPTION FOR RIGHT OF WAY VACATION

A PORTION OF HARVEST PARKWAY COURT AS PER FINAL SHORT PLAT OF TELIDO STATION SHORT PLAT SPL2017-001, LOCATED IN THE NW 1/4 OF SECTION 17, TOWNSHIP 25 NORTH, RANGE 45 EAST, W.M., LIBERTY LAKE, SPOKANE COUNTY, WA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 OF SAID SHORT PLAT; THENCE ALONG THE EAST LINE OF SAID LOT 2, SOUTH 00°03'57" WEST, 84.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°56'03" EAST, 57.00 FEET; THENCE SOUTH 00°03'57" WEST, 453.31 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°59'36" AN ARC DISTANCE OF 18.85 FEET TO THE BEGINNING OF A 62.50 FOOT RADIUS REVERSE CURVE CONCAVE TO THE NORTH; THENCE SOUTHERLY WESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 287°59'12" AN ARC DISTANCE OF 314.14 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS REVERSE CURVE CONCAVE TO THE NORTHWEST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°59'36" AN ARC DISTANCE OF 18.85 FEET; THENCE NORTH 00°03'57" EAST, 453.31 FEET TO THE TRUE POINT OF BEGINNING.



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	30.00'	45.05'	86°02'03"
C2	20.00'	18.85'	53°59'36"
C3	62.50'	314.14'	287°59'12"
C4	20.00'	18.85'	53°59'36"

LINE	BEARING	DISTANCE
L1	S 89°56'03" E	57.00'
L2	S 00°03'57" W	84.16'

<b>RFK LAND SURVEYING INC.</b>  1420 WEST GARLAND AVENUE SPOKANE, WA 99205 TEL: (509) 324-7861 FAX: (509) 327-7249 E-MAIL: rudy@rfklandsurveying.com	<b>DRAWN</b>	<b>APPROVED</b>	<b>PROJECT</b>
	RFK	RFK	20-104
	<b>DATE</b>	<b>DATE</b>	<b>FIELD BOOK</b>
	05/13/20	05/13/20	N/A
PAGE 1			

## RIGHT OF WAY VACATION AGREEMENT

This Right of Way Vacation Agreement (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, between the City of Liberty Lake, a municipal corporation of the State of Washington, hereinafter referred to as “City”, and Western States Equipment Company, a general business corporation in the State of Idaho, which is licensed to transact business in the State of Washington, and hereinafter referred to as “WSE”. City and WSE are hereinafter to be referred to individually as the “Party” and collectively as the “Parties.”

### RECITALS

WHEREAS, on May 12, 2020, WSE filed with the City an application for vacation of a portion of the southern leg of Harvest Parkway right-of-way totaling approximately 26,455 square feet, which is more particularly described in the attached **Exhibit A** and incorporated herein (“Property”); and

WHEREAS, WSE is the owner of 100% of the property adjacent to this section of right-of-way and Harvest Parkway terminates in a cul-de-sac adjacent to property owned by WSE; and

WHEREAS, pursuant to RCW §35.79, upon vacation of a right-of-way, the City shall transfer the vacated property to the abutting property owners, and the zoning designation of the properties shall attach to the vacated property, and all direct and indirect costs of title transfer to the vacated street shall be paid for by the recipient of the transferred property; and

WHEREAS, the City is agreeable to vacating the above Property pursuant to RCW §35.79, provided that WSE satisfies certain conditions prior to the transfer of title by the City, including but not limited, reimbursement of the Tax Increment Financing (TIF) and Local Improvement Financing Tool (LIFT) revenues funding the street improvements on the vacated property to Spokane County, and the dedication of easements for public utilities and emergency access;

NOW THEREFORE, pursuant to the above Recitals that are incorporated herein as if fully set forth below and in consideration of the terms, conditions, covenants and performances contained in or attached hereto and by this reference made a part of this Agreement:

It Is Mutually Agreed As Follows:

**Section 1.** Property to be Vacated. The Property set forth and identified in **Exhibit A**.

**Section 2.** Conditions of Vacation.

- A. Dedication of easements for public water and sewer to the applicable utility purveyors (Spokane County Utilities for sewer and Consolidated Irrigation System #19 for water) for the public water and sewer infrastructure installed in Harvest Parkway;
- B. Dedication of an easement for emergency turnaround use and access;
- C. WSE agrees to reimburse Spokane County prior to or at closing Ninety Eight Thousand Eight Hundred Fifty-Four and 42/100 Dollars (\$98,854.42) for TIF and LIFT payments

made to the developer as part of improvements made under the Telido Station Binding Site Plan, which was dedicated to the City in 2014, for the proportionate share of the value of the improvements located on the Property. The amount set forth above is described in more particular detail in the attached **Exhibit B**, which is incorporated herein;

- D. WSE is responsible for providing all legal descriptions, including any costs or expenses therewith, associated with the Property vacation and dedication of all easements;
- E. WSE is responsible for all closing costs, real estate excise fees or taxes, if any, and recording costs associated with the vacation of the Property and dedication of easements; and
- F. Approval of this Agreement and passage of a City ordinance approving the Property vacation by the City Council of the City of Liberty Lake.

**Section 3. Future TIF and LIFT Reimbursement for Improvements to Cataldo Avenue.** WSE is responsible for the extension of E. Cataldo Avenue along its southern property boundary as a condition of development of the adjacent property. WSE intends to request reimbursement under TIF and/or LIFT for the cost of development of E. Cataldo Avenue right-of-way improvements at the time of dedication of said improvements to the City, provided WSE complies with all required public works procurement laws. The City agrees to support WSE's request for TIF or LIFT reimbursement should all necessary conditions required for reimbursement be satisfied.

**Section 4. Closing.** The Parties shall close the conveyance of the Property contemplated herein within thirty (30) days of approval of this Agreement and passage of the appropriate City Council ordinance, provided all of the conditions set forth in Section 2 are satisfied prior to or at closing. WSE agrees to execute any and all documents necessary to close the transaction contemplated by this Agreement.

**Section 5. Severability.** If any section, sentence, clause or phrase of this Agreement shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Agreement.

**Section 6. Governing Law/Venue/Jurisdiction.** This Agreement shall be governed by the laws of the State of Washington with venue for any disputes in the Superior Courts in Spokane County, Washington.

**Section 7. Attorney Fees and Costs.** In the event a lawsuit, including any appeal, is brought with respect to this Agreement, the prevailing party shall be awarded its costs and attorney's fees in the amount to be determined by the Court as reasonable.

**Section 7. Entire Agreement.** This Agreement (including any exhibits attached to it) is the final expression of, and contains the entire agreement between the Parties with respect to the subject matter of the Agreement and supersedes all prior understandings with respect to it. This Agreement may not be modified, changed, supplemented, or terminated, nor

may any obligations under it be waived, except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted here. The Parties do not intend to confer any benefit on any person, firm, or corporation other than the Parties hereto.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date set forth above.

**CITY OF LIBERTY LAKE**

**WESTERN STATES EQUIPMENT COMPANY**

By: \_\_\_\_\_  
Name: SHANE BRICKNER  
Title: Mayor

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT B**

**Spokane County Increment Area 2005-01  
Reimbursement Request #3  
Spokane County River District Revenue Development Area at Liberty Lake  
Reimbursement Request #3**

**Reimbursement Summary**

The following improvements and expenses are being submitted for reimbursement. Details of each improvement, together with appropriate documentation are included in subsequent sections. Design and Construction Management costs are included in the costs for the Harvest Parkway improvements.

DESCRIPTION	TIF 30%	LIFT 70%	TOTAL
Harvest Parkway – Sewer Improvements	\$40,524.40	\$94,556.94	\$135,081.34
Harvest Parkway – Water Improvements	\$60,589.41	\$141,375.28	\$201,964.69
<b>Harvest Parkway – Street Improvements</b>	<b>\$157,161.25</b>	<b>\$366,709.58</b>	<b>\$523,870.83</b>
Legal Services	\$1,248.63	\$2,913.47	\$4,162.10
Total	\$259,523.69	\$605,555.27	\$865,078.96

**Total Area of Street Improvements = 140,198 sq. ft.  
Area of Street Being Vacated = 26,455 sq. ft.  
Vacated Area = 18.87%**

**TIF Reimbursement = 18.87% of TIF Funding for Street Improvements = \$29,656.32  
LIFT Reimbursement = 18.87% of LIFT Funding for Street Improvements = \$69,198.10**

**Total TIF/LIFT Reimbursement = \$98,854.42**

# **Introduction of Upcoming Agenda Items**



**DRAFT CITY COUNCIL  
ADVANCED AGENDAS**

For Planning Discussion Purposes Only

**As of July 29, 2020**

Please note: This is a work in progress; items are tentative

**TENTATIVE ITEMS:**

<b>Date</b>	<b>Item</b>	<b>Point of Contact</b>
	<b>PENDING</b>	
8/18	<b>6:00 PM WORKSHOP:</b> Council discussion with Avista facilitators	Katy Allen
	Approve easement for Ridgeline High School traffic signal	Lisa Key
	RESOLUTION: Approving final plat for River Crossing East 1 <sup>st</sup> Addition	Lisa Key
	FIRST READ ORDINANCE – Repealing Ordinance 10	RJ Stevenson
	SECOND READ ORDINANCE – Development Code Amendment allowing recreational vehicle sales and service in the C-1 zone	Lisa Key
	SECOND READ ORDINANCE – 67C, amending the City's business license regulations	RJ Stevenson
9/1	<b>6:00 PM WORKSHOP:</b> Council discussion – subject TBD	Katy Allen
	PROCLAMATION: Declaring September 2020 as Childhood Cancer Awareness Month	Mayor Brickner
	SECOND READ ORDINANCE – Repealing Ordinance 10	RJ Stevenson
11/3	PRESENTATION: Peter King, CEO, AWC – recognizing Mayor Brickner & Mayor Pro Tem Kennedy for their achievement in getting their Advanced Certificate of Municipal Leadership	Katy Allen
TBD	City Council Retreat	City Council
	Virtual Open House – Network Analysis	Lisa Key
	RESOLUTION – Adopting the Network Analysis & Corridor Study	Lisa Key
	FIRST READ ORDINANCE – Eminent Domain RE: Henry Road	Lisa Key
	Workshop – discussion on I-90 project design review	Katy Allen
	Workshop – revisit threshold for utility tax rebate qualification	RJ Stevenson
	Workshop – discussion on clarifying Parks & Arts funding	RJ Stevenson / Jen Camp
	Continued discussion on Lime Scooters	Councilman Dunne
	Approve service contract for phones and internet	RJ Stevenson
	Approve agreement for IT services	RJ Stevenson
	Mission Avenue sidewalk gap design	Lisa Key
	Rescission of City's Emergency Declaration - COVID	Katy Allen