

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 305**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING
THE CITY OF LIBERTY LAKE DEVELOPMENT CODE, AND THE RIVER
DISTRICT SPECIFIC AREA PLAN DEVELOPMENT REGULATIONS**

WHEREAS, the Growth Management Act ("GMA") was established in the State of Washington in 1990 to provide a framework for land use planning and development regulation; and

WHEREAS, Spokane County and the cities within it were mandated to plan under the GMA in 1993; and

WHEREAS, the City of Liberty Lake has adopted its own comprehensive land use plan pursuant to RCW 36.70A; and

WHEREAS, the City has adopted a Development Code to implement the Comprehensive Plan; and

WHEREAS, the 14 planning goals outlined in RCW 36.70A.020 and 480, guide the development and adoption of comprehensive plans and development regulations; and

WHEREAS, planning is an ongoing process, and improved data or changing circumstances require amendment to the Comprehensive Plan and Development Code; and

WHEREAS, a complete public participation program was followed for the proposed 2024 City Comprehensive Plan and Development Code Amendments, including amendments to the development regulations contained in the River District Specific Area Plan 08-001 ("RDSAP Amendments"); and

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

WHEREAS, a SEPA DNS Threshold Determination and Adoption of Existing Environmental Document was issued on each of the proposed amendments with a fourteen (14) day public comment period; and

WHEREAS, the GMA requires proposed development regulations, including proposed amendments, be forwarded to the Washington State Department of Commerce ("DOC") for review and comment prior to the 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 of Liberty Lake has met the GMA notice to state agency requirements in RCW 36.70A.106 for the 2024 City Development Code Amendments and RD-SAP-08-001 Development Code Amendments; and

WHEREAS, the City Council has reviewed the Planning Commission's Recommendations on each of the 2024 City of Liberty Lake Comprehensive Plan Amendments, Development Code Amendments and RDSAP Amendments; and

WHEREAS, the City Council has reviewed the Planning Commission's Findings of Fact, Conclusions, and Recommendations, and other documents in the 2024 amendments file that were available for review;

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

Section 1. City Comprehensive Plan Amendments, Development Code Amendments and River District Specific Area Plan 08-001 Development Code Amendments.

The approved City Development Code Amendment and RDSAP Development Regulation Amendment is attached hereto as "Exhibit A, Lighting Standards for Participant & Spectator Sports", reflecting said amendment.

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 17th day of September, 2024.



Mayor Cristella Kaminskas

ATTEST:

Kelsey Hardy
City Clerk, Kelsey Hardy

Approved As To Form:

SPB
City Attorney, Sean P. Boutz

Date of Publication: 9/27/2024

Effective Date: 10/2/2024

Exhibit A

FRONTERA PROPOSED DEVELOPMENT CODE AMENDMENT LIGHTING STANDARDS FOR PARTICIPANT & SPECTATOR SPORTS

CITY DEVELOPMENT CODE AMENDMENTS:

10-2E-3 Limited Uses (L)

C. Requirements for Specific M-1 Limited Uses.

8. Participant and spectator sports facilities

- a. Gun and archery ranges, racetracks, or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.
- b. All lighting shall be directed downward.
- ~~c. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.~~
- d. A 20-foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.
- e. The maximum building footprint area shall be 30,000 square feet or less.
- f. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the building.

10-2F-3 Limited Uses (L)

C. Requirements for Specific M-2 Limited Uses.

11. Participant and spectator sports facilities

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

b. All lighting shall be directed downward.

~~c. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.~~

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

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

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

10-3F-2 Lighting

A. Purpose. The purpose of this Section is to provide regulations that preserve and enhance the view of the dark sky; promote health, safety, security, and productivity; and help protect natural resources. The provisions of this Section are intended to control skyglow, glare and light trespass. It is the intent of this Section to provide standards for appropriate lighting practices and systems that will enable people to see essential detail in order that they may undertake their activities at night, facilitate safety and security of persons and property, and curtail the degradation of the nighttime visual environment.

B. Applicability.

1. All outdoor lighting fixtures installed on private and public property shall comply with this Section. This Section does not apply to interior lighting; provided, that if it is determined by the Zoning Administrator that any interior lighting emitting light outside of the building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of this Section. Lighting shall also comply with the Non- Residential Energy Code (NREC), as applicable.
2. In the event of a conflict between the requirements of this Section and any other requirement of the City of Liberty Lake Municipal Code the more specific requirement shall apply.
3. Exterior lighting plans, photometric calculations and photometry plan as noted and fixture specification sheets (cut sheets) must be supplied to the City to review for compliance with this Section.

C. Exemptions. The following are exempt from the provisions of this Section provided that they have no glare or other detrimental effects on adjoining streets or property owners:

1. Traffic control signals and devices;
2. Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;
3. Moving vehicle lights;
4. Navigation lights (i.e., radio/television towers, docks, piers, buoys) or any other lights where state or federal statute or other provision of the City of Liberty Lake

Municipal Code requires lighting that cannot comply with this Section. In such situations, lighting shall be shielded to the maximum extent possible, and lumens shall be minimized to the maximum extent possible, while still complying with state or federal statute;

5. Outdoor lighting approved by the Zoning Administrator for temporary or periodic events (e.g., fairs, nighttime construction);
6. Internally illuminated signs and searchlights permitted under the City Signage Standards (Article 10-3E);
7. Private swimming pools;
8. Seasonal holiday decorations;
9. Window displays;
10. Pedestrian walkway lighting;
11. Residential lighting (excluding luminaires for the sidewalks and roadways);
12. Streetlights shall be designed and installed per Section 10-3G-2, subsection W of this Code;
13. Low light output (under 750 delivered lumens) decorative luminaires; and
14. Accent lighting on the municipal, state, or national flags that is properly shielded to limit direct glare.

D. General Standards. The following general standards shall apply to all nonexempt outdoor lighting fixtures and accent lighting:

1. All outdoor lighting fixtures and accent lighting shall be designed, installed, located and maintained such that there is no light trespass onto adjacent properties under separate ownership [unless the adjacent property owner grants an easement to extend the area of light trespass onto the adjacent property, provided that such easement is perpetual in duration and recorded with the Spokane County Auditor;](#)
2. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward (except as noted). The light must be aimed to ensure that the illumination is only pointing downward onto the ground surface, with no escaping direct light permitted to contribute to light pollution by shining upward into the sky;
3. Outdoor lighting fixtures and accent lighting shall not directly illuminate public waterways such as the Spokane River, unless it is a navigational light subject to state or federal regulations;
4. Accent/architectural lighting shall be directed onto the illuminated object or area and not toward the sky or onto adjacent properties under separate ownership. Colored lighting is allowed for accent as long as it meets this standard. All accent lighting must be included in trespass calculations noted. Uplight accent lighting is allowed as long as it does not exceed 750 delivered lumens;
5. Spotlighting on landscaping and foliage may be directed upward and shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section.
6. Accent lighting on statues/monuments shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section; and
7. Accent lighting on flags (except as noted above) shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section.

E. Prohibited.

1. The following fixtures (luminaires) are prohibited:
 - a. searchlights for any other purpose other than temporary emergency lighting or as allowed under the City Signage Standards (Article 10-3E);
 - b. laser lights or any similar high-intensity light for outdoor use or entertainment;
 2. The city reserves the right to further restrict outdoor lighting including, but not limited to, pole height and level of illumination, when it is deemed to be in the best public interest consistent with the purpose of this Section.
- F. Temporary Outdoor Lighting. Any temporary outdoor lighting that conforms to the requirements of this code shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the zoning administrator for a limited duration, provided that the applicant can demonstrate that such temporary lighting is in the public interest, and any potential annoyance or safety concerns that may result from the non-conforming temporary outdoor lighting can be mitigated through conditions of approval.
- G. Recreational Facilities. Any light source permitted by this code may be used for lighting of outdoor recreational facilities (public or private) ~~including~~ including but not limited to football fields, soccer fields, baseball fields, tennis courts, or show areas, provided all of the following conditions are met:
1. All fixtures used for event lighting shall be fully shielded or provided with sharp cut-off capability, so as to minimize up-light, spill-light and glare.
 2. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstance shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m., and circumstances prevented its conclusion before 11:00 p.m. Participant and spectator sports facilities in the M1, M2, C1, C2, and I zones shall be permitted to use lighting exempted under this Section until 12:30 AM Monday through Friday and until 1:30 AM Saturday and Sunday, provided, however, that such time restrictions on illumination set forth in this Section shall not apply to any lighting on the property other than for the outdoor recreational facility.
 3. Participant and spectator sports facilities in the M1, M2, C1, C2, and I zones may use light fixtures that have a rating of G5 or less under the BUG rating system, provided that the lighting shall be located no closer than one hundred fifty (150) yards from the boundary of the nearest Residential zone, and shall be limited in height to thirty (30) feet from the ground.
- H. Lamp or Fixture Substitution. Should any light fixture regulated under this Section, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Zoning Administrator for his/her approval, together with adequate information to assure compliance with this code, which must be received prior to substitution.
- I. Administration. Outdoor lighting plans shall be reviewed by the Department. Approval of the plan shall be based on conformance with this Section. The Zoning Administrator has the discretion to require the re-direction of existing light fixtures when it is

determined that the fixture is creating off-site glare not permitted by the approved lighting plan.

J. Plan Review. Lighting plans shall address the following criteria:

1. Backlight and light trespass to adjacent properties. Applicant must provide a site plan with photometric calculations at the property line. The maintained foot-candle levels can be no more 0.1 at the property line and 0.0 10' beyond the property line, unless permitted under Section 10-3F-2(D)(1).
2. Uplight and skyglow. Using the Backlight, Uplight, and Glare (BUG) rating system, applicants must provide the luminaire specification sheets for all exterior fixtures showing no higher than a U0 for up-light. Exception: Luminaires with higher than U0 can be used if they are installed on the underside of an opaque surface that blocks all up-light (i.e. Soffits and canopies).
3. Glare and luminaire brightness. Using the BUG system rating system, applicants must provide luminaire specification sheets for all exterior fixtures showing no higher than a G1 in residential zones R1, R2, and R3; no higher than G2 in Mixed-Use zones M1, M2, and M3 as well as Public zones P; and G3 in Commercial and Industrial Zones C1, C2, and I. Open zones, O, shall not have luminaires with higher than G0 rating.

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RIVER DISTRICT DEVELOPMENT REGULATION AMENDMENTS:

10-3F-2 Lighting

- A. Purpose. The purpose of this Section is to provide regulations that preserve and enhance the view of the dark sky; promote health, safety, security, and productivity; and help protect natural resources. The provisions of this Section are intended to control skyglow, glare and light trespass. It is the intent of this Section to provide standards for appropriate lighting practices and systems that will enable people to see essential detail in order that they may undertake their activities at night, facilitate safety and security of persons and property, and curtail the degradation of the nighttime visual environment.
- B. Applicability.
1. All outdoor lighting fixtures installed on private and public property shall comply with this Section. This Section does not apply to interior lighting; provided, that if it is determined by the Zoning Administrator that any interior lighting emitting light outside of the building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of this Section. Lighting shall also comply with the Non- Residential Energy Code (NREC), as applicable.
 2. In the event of a conflict between the requirements of this Section and any other requirement of the City of Liberty Lake Municipal Code the more specific requirement shall apply.
 3. Exterior lighting plans, photometric calculations and photometry plan as noted and fixture specification sheets (cut sheets) must be supplied to the City to review for compliance with this Section.
- C. Exemptions. The following are exempt from the provisions of this Section provided that they have no glare or other detrimental effects on adjoining streets or property owners:
1. Traffic control signals and devices;
 2. Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;
 3. Moving vehicle lights;
 4. Navigation lights (i.e., radio/television towers, docks, piers, buoys) or any other lights where state or federal statute or other provision of the City of Liberty Lake Municipal Code requires lighting that cannot comply with this Section. In such situations, lighting shall be shielded to the maximum extent possible, and lumens shall be minimized to the maximum extent possible, while still complying with state or federal statute;
 5. Outdoor lighting approved by the Zoning Administrator for temporary or periodic events (e.g., fairs, nighttime construction);
 6. Internally illuminated signs and searchlights permitted under the City Signage Standards (Article 10-3E);
 7. Private swimming pools;
 8. Seasonal holiday decorations;
 9. Window displays;
 10. Pedestrian walkway lighting;
 11. Residential lighting (excluding luminaires for the sidewalks and roadways);

12. Streetlights shall be designed and installed per Section 10-3G-2, subsection W of this Code;
13. Low light output (under 750 delivered lumens) decorative luminaires; and
14. Accent lighting on the municipal, state, or national flags that is properly shielded to limit direct glare.

D. General Standards. The following general standards shall apply to all nonexempt outdoor lighting fixtures and accent lighting:

1. All outdoor lighting fixtures and accent lighting shall be designed, installed, located and maintained such that there is no light trespass onto adjacent properties under separate ownership unless the adjacent property owner grants an easement to extend the area of light trespass onto the adjacent property, provided that such easement is perpetual in duration and recorded with the Spokane County Auditor;
2. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward (except as noted). The light must be aimed to ensure that the illumination is only pointing downward onto the ground surface, with no escaping direct light permitted to contribute to light pollution by shining upward into the sky;
3. Outdoor lighting fixtures and accent lighting shall not directly illuminate public waterways such as the Spokane River, unless it is a navigational light subject to state or federal regulations;
4. Accent/architectural lighting shall be directed onto the illuminated object or area and not toward the sky or onto adjacent properties under separate ownership. Colored lighting is allowed for accent as long as it meets this standard. All accent lighting must be included in trespass calculations noted. Uplight accent lighting is allowed as long as it does not exceed 750 delivered lumens;
5. Spotighting on landscaping and foliage may be directed upward and shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section.
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2. The city reserves the right to further restrict outdoor lighting including, but not limited to, pole height and level of illumination, when it is deemed to be in the best public interest consistent with the purpose of this Section.

- F. Temporary Outdoor Lighting. Any temporary outdoor lighting that conforms to the requirements of this code shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the zoning administrator for a limited duration, provided that the applicant can demonstrate that such temporary lighting is in the public interest, and any potential annoyance or safety concerns that may result from the non-conforming temporary outdoor lighting can be mitigated through conditions of approval.
- G. Recreational Facilities. Any light source permitted by this code may be used for lighting of outdoor recreational facilities (public or private) ~~-including, including~~ but not limited to football fields, soccer fields, baseball fields, tennis courts, or show areas, provided all of the following conditions are met:
1. All fixtures used for event lighting shall be fully shielded or provided with sharp cut-off capability, so as to minimize up-light, spill-light and glare.
 2. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstance shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m., and circumstances prevented its conclusion before 11:00 p.m. Participant and spectator sports facilities in the RD-C zone shall be permitted to use lighting exempted under this Section until 12:30 AM Monday through Friday and until 1:30 AM Saturday and Sunday, provided, however, that such time restrictions on illumination set forth in this Section shall not apply to any lighting on the property other than for the outdoor recreational facility.
 3. Participant and spectator sports facilities in the RD-C, zone may use light fixtures that have a rating of G5 or less under the BUG rating system, provided that the lighting shall be located no closer than one hundred fifty (150) yards from the boundary of the nearest Residential zone, and shall be limited in height to thirty (30) feet from the ground.
- H. Lamp or Fixture Substitution. Should any light fixture regulated under this Section, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Zoning Administrator for his/her approval, together with adequate information to assure compliance with this code, which must be received prior to substitution.
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 2. Uplight and skyglow. Using the Backlight, Uplight, and Glare (BUG) rating system, applicants must provide the luminaire specification sheets for all exterior fixtures showing no higher than a U0 for up-light. Exception: Luminaires

with higher than U0 can be used if they are installed on the underside of an opaque surface that blocks all up-light (i.e. Soffits and canopies).

3. Glare and luminaire brightness. Using the BUG system rating system, applicants must provide luminaire specification sheets for all exterior fixtures showing no higher than a G1 in residential [RD-R](#) zone; no higher than G2 in Mixed-Use [RD-M](#); and G3 in Commercial [RD-C](#) zone.

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