

**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 Amendments and RDSAP Development Regulation Amendments are attached hereto as "Exhibit A, Lighting Standards for Participant & Spectator Sports", and "Exhibit B, Fueling Stations as an Accessory Use in C-1, C-2, and RD-C Zones", reflecting said amendments.

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.

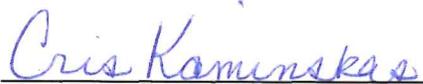
Section 3. Administration and Enforcement.

- 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 1st day of October, 2024.



Mayor Cristella Kaminskas

ATTEST:

Kelsey Hardy
City Clerk, Kelsey Hardy

Approved As To Form:

SRK
City Attorney, Sean P. Boutz

Date of Publication: 10/11/2024

Effective Date: 10/16/2024
of Exhibit B

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.
- ~~e. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.~~
- ~~ed.~~ 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.
- ~~f.e~~ 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.

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

RIVER DISTRICT DEVELOPMENT REULATION 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.
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:
 - c. searchlights for any other purpose other than temporary emergency lighting or as allowed under the City Signage Standards (Article 10-3E);
 - d. 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 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.
- 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 [RD-R](#) zone; no higher than G2 in Mixed-Use [RD-M](#); and G3 in Commercial [RD-C](#) zone.

EXHIBIT B:

**PROPOSED DEVELOPMENT CODE AMENDMENT
FUELING STATIONS AS AN ACCESSORY USE IN C-1, C-2 & RD-C ZONES**

CITY DEVELOPMENT CODE AMENDMENTS:

10-1-C Definitions

Truck stop – An establishment that is engaged primarily in the fueling, servicing, repair and/or parking of tractor trailers, trucks and similar freight vehicles, with ancillary services that may include a restaurant, shower facilities, and/or sleeping quarters.

10-2A-4 Zoning Districts Matrix

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Automobile, etc. oriented											
Automobile, manufactured home, recreational vehicle, trailer, & boat - sales	N	N	N	N	N	N	L	P	N	N	N
Automobile parts sales (retail)	N	N	N	N	L	L	P	P	P	N	N
Automobile parts sales (wholesale)	N	N	N	N	N	N	N	N	P	N	N
Automobile, recreational vehicle, trailer, truck, & taxi - rentals	N	N	N	N	N	N	L	P	N	N	N
Automobile / truck repair or maintenance (service station)	N	N	N	N	N	N	L	L	P	N	N
Automobile impound yard	N	N	N	N	N	N	N	N	N	P	N
Automobile wrecking / recycling, junk, & salvage yards	N	N	N	N	N	N	N	N	N	N	N
Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance	N	N	N	N	N	N	L	L	P	N	N
Car wash (automatic or self-service)	N	N	N	N	N	N	P	P	P	N	N
Gas station / convenience store	N	N	N	N	N	L	L	L	N	N	N
Fueling stations as an accessory use	N	N	N	N	N	N	L	L	N	N	N

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. Mobile food service establishments may be located on private property or adjacent parking in the public right-of-way as an accessory use, where a principal use has already been established on the subject property.
 - c. Mobile sales/ concessions may be located in public right-of-way when associated with a community event, with the approval of the adjacent property owner or business.
 - d. Hours of operation for the mobile concession shall be limited to the hours of operation of the principal use associated with the subject property, except when associated with a community event, in which case the hours of operation for the mobile concession shall be limited to the hours of operation of that community event.
 3. **Parking structure**
 - a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
 - b. Parking structure entrances facing a street shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector

street) when vehicle access cannot be provided from an alley.

4. Temporary construction / sales office

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

5. Tower

- 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 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.

6. Tower, private

- a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City 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.

7. Animal health services / veterinarian - domestic animals

- a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.
- b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.
- c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

8. 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 uses.

9. Automobile, recreational vehicle, trailer, truck & taxi – rentals

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

10. 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.

11. 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 uses.

12. 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.

13. Accessory Fueling Station

- a. Fueling station must be accessory to a principal use that is permitted within the zone, except that truck stops as the principal use shall be expressly prohibited.**
- b. Underground storage tanks and stormwater disposal shall not be located within the 1000-foot radius of a wellhead.**
- c. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).**
- d. Fueling stations shall not exceed 8 pump sites. A pump site is one dispenser which may be double sided.**

14. 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.

15. 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.

16. Emergency Housing & Shelters

- a. The facility must be open 24 hours per day, 7 days per week.
- b. The maximum number of residents in the facility is limited to the general capacity of the building, but in no case shall it exceed 75 residents,
- c. Beds or rooms shall be assigned to specific residents.
- d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.
- e. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
- f. The facility must be located within ¼ mile of a fixed transit route.
- g. The facility shall meet any applicable state and federal licensing requirements.

17. Transitional & Supportive Housing, 8 Beds or Less

- a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.
- b. The facility shall meet any applicable state and federal licensing requirements.

18. Transitional & Supportive Housing, More than 8 Beds

- a. The facility should be limited to 50 or fewer housing units within a single facility or complex.
- b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
- c. The facility must be located within ¼ mile of a fixed transit route.
- d. The facility shall meet any applicable state and federal licensing requirements.

19. Plastic injection molding, Plastic injection molding, Sandblasting / cutting, & Tool and die making

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

20. Welding / sheet metal shops

- a. Open air welding shall be prohibited.

21. Woodworking / cabinet manufacturing with & without retail sales showroom

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

22. Research facility / laboratory

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

22. Public utility local distribution facility

- a. The utility shall secure the necessary property or right of way to assure the

proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

- b. The utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.
- c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

23. Small Wireless Facilities

- a. Siting Hierarchy.
 - i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.
 - ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement wooden or metal utility pole within the zoning district shall be allowed.
 - iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.
- b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.
- c. Must meet design standards as detailed in City Development Code §10-3F-4.
- d. Small I Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2I-3 Limited Uses (L)

- A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the **C-2 (Freeway Commercial) District** with the letter “L” are allowed in the C-2 zone if they comply with the development standards of the C-2 (Freeway 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-2 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. Large-scale retail establishments

- a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:
 - i. New construction;
 - ii. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
 - iii. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.
 - iv. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with the chart below:
 - aa. Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or
 - bb. A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or
 - cc. The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and
 - dd. Granting of the waiver would not impose significantly more negative impacts on nearby properties.

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

- b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement, that the City will record with the Spokane County Auditor, to cover the following:
- i. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large- scale retail establishment from occupying the vacated building);
 - ii. The property owner agrees to provide a notice of closure to the Zoning Administrator as soon as a closure is anticipated or at least three (3) months prior to an anticipated store closure; and
 - iii. The property owner agrees to meet with the Zoning Administrator at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-31 (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.
- c. Pedestrian & Bicycle Circulation / Facilities
- i. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;
 - ii. Distinct pedestrian crossing markers or changes in surfacing must be used; and
 - iii. Publicly accessible focal points with features such as a patio /seating area are required.
- d. Shopping Cart Storage & Return Stations - When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house

returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts are permitted. Exterior shopping cart storage areas are not permitted and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations:

- i. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;
 - ii. Shopping cart return stations shall incorporate landscaping, architectural features, or similar design elements to draw attention to and lessen the impact of stand-alone features within parking areas;
 - iii. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and
 - iv. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.
- e. Outdoor Storage Uses & Service / Loading Areas -
- i. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;
 - ii. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;
 - iii. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and
 - iv. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.
- f. Outdoor Display / Sales Areas & Accessory Uses
- i. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;
 - ii. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Zoning Administrator or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or

along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;

- iii. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;
- iv. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;
- v. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and
- vi. Temporary sales / displays, such as Christmas trees, landscape materials, etc.
 - aa. Temporary sales / displays shall be reviewed and approved by the Zoning Administrator through the Temporary Use Permit process in accordance with Section 10-4I-1.
- g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:
 - i. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;
 - ii. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and
 - iii. Landscaping schemes that complement the multiple entrance design.

3. Mobile sales / concessions

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

4. Parking structure

- a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, 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.
- 5. **Temporary construction / sales office**
 - a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
- 6. **Tower, private**
 - a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City 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.
- 7. **Animal health services / veterinarian - domestic animals**
 - a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.
 - b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.
 - c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.
- 8. **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.
- 9. **Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance**
 - a. All boats, recreational vehicles, and/or trailers being constructed, 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.
- 10. **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

11. Accessory Fueling Station

- a. Fueling station must be accessory to a principal use that is permitted within the zone, except that truck stops as the principal use shall be expressly prohibited.**
- b. Underground storage tanks and stormwater disposal shall not be located within the 1000-foot radius of a wellhead.**
- c. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).**
- d. Fueling stations shall not exceed 8 pump sites. A pump site is one dispenser which may be double sided.**

12. 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.

13. Accessory caretaker's residence

- a. The residence is an accessory use to the primary use and is limited to the duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.
- b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.
- c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

14. Emergency Housing & Shelters

- a. The facility must be open 24 hours per day, 7 days per week.
- b. The maximum number of residents in the facility is limited to the general capacity of the building, but in no case shall it exceed 75 residents,
- c. Beds or rooms shall be assigned to specific residents.
- d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.
- e. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
- f. The facility must be located within ¼ mile of a fixed transit route.
- g. The facility shall meet any applicable state and federal licensing requirements.

15. Transitional & Supportive Housing, 8 Beds or Less

- a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.
- b. The facility shall meet any applicable state and federal licensing requirements.

16. Transitional & Supportive Housing, More than 8 Beds

- a. The facility should be limited to 50 or fewer housing units within a single facility or complex.
 - b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
 - c. The facility must be located within ¼ mile of a fixed transit route.
 - d. The facility shall meet any applicable state and federal licensing requirements.
- 17. Machine shop, plastic injection molding, sandblasting / cutting, & tool and dye making**
- a. The uses shall be completely enclosed within a building.
- 18. Welding / sheet metal shops**
- a. The welding / sheet metal shop use shall be completely enclosed within a building.
 - b. Open air welding shall be prohibited
- 19. Woodworking / cabinet manufacturing with and without retail sales showroom**
- a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.
- 20. Research facility / laboratory**
- a. The research facility / laboratory use shall be completely enclosed within a building.
- 21. Recreational vehicle storage & self-service storage facility (mini storage)**
- a. Storage facilities shall be limited in size to a maximum area of seven (7) acres.
 - b. All storage shall be screened from view using:
 - i. Buildings or walls within a minimum height of ten (10) feet, with all exterior buildings and walls meeting architectural design standards as detailed in paragraph “k” below; and
 - ii. Decorative fences with a minimum height of 6 ft., in combination with evergreen trees spaced to provide a continuous screen within 15 years of planting, shall be permitted between breaks in building walls along the perimeter of the facility, provided that the fencing does not exceed 25% of the right-of-way frontage.
 - c. All storage shall be covered by a roof.
 - d. All driving, parking, and storage shall be located on an impervious surface approved by the City.
 - e. All drains shall be equipped with an oil-water separator.
 - f. Storage facilities shall install and maintain secure access control.
 - g. Entrance gates shall be of an ornamental design that is semi-sight obscuring.
 - h. Buildings shall be set back a minimum of 20 feet from the edge of right-of-way.
 - i. A Type II visual relief landscape buffer shall be required along all right-of-way

frontage.

- j. The use of units shall be limited to storage only. No manufacturing assembly, or retail sales shall be permitted.
- k. Architectural design standards:
 - i. Outward-facing, exterior building walls shall incorporate architectural detailing through use of varied materials and features, in a manner that breaks up large surfaces and provides spacing and articulation.
 - ii. Outward-facing walls shall incorporate articulation and divide large masses through such techniques including but not limited to building offsets, projections, modulation, recessed or projected entries, windows, canopies, etc.

22. Public utility local distribution facility

- d. The utility shall secure the necessary property or right of way to assure the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
- e. The utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.
- f. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

23. Public utility transmission facility – EPF

- a. The utility company shall secure the necessary property or right-of-way to assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.
- b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.
- c. Before issuance of a building permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
- d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

24. Small Wireless Facilities

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

- iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.
- b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small wireless facilities.
- c. Must meet design standards as detailed in City Development Code §10-3F-4.
- d. Small Wireless Communication Facility Permit is required, as detailed in City Development Code §10-4I-4.

RIVER DISTRICT SAP AMENDMENTS

River District SAP Zoning District Matrix

Facilities and Uses	RD-R	RD-M	RD-C
Automobile, etc. oriented			
Automobile, manufactured home, recreational vehicle, trailer, and boat -sales	N	N	P
Automobile parts sales (retail)	N	L	P
Automobile parts sales (wholesale)	N	N	P
Automobile, recreational vehicle, trailer, truck, & taxi - rentals	N	N	P
Automobile / truck repair or maintenance (service station)	N	N	L
Automobile impound yard	N	N	N
Automobile wrecking / recycling, junk, and salvage yards	N	N	N
Boat, recreational vehicle, and trailer - construction, repair, parts sales, and maintenance	N	N	L
Car wash (automatic or self-service)	N	N	P
Gas station / convenience store	N	N	L
<u>Fueling stations as an accessory use</u>	<u>N</u>	<u>N</u>	<u>L</u>

10-2I-3 Limited Uses (L)

- A. Limited Uses. The land uses listed in the River District Zoning Matrix under the **RD-C District** with the letter “L” are allowed in the RD-C zone if they comply with the development standards of the RD-C 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 River District Zoning Matrix and land uses which are approved as similar in scale and impact to those in the River District Zoning Matrix 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 RD-C Limited Uses.
1. Agriculture (actively farmed)
 - a. Existing uses only, new agriculture (actively farmed) uses not permitted.
 - b. Small scale orchards, vineyards and community gardens are permitted.
 2. Large-scale retail establishments
 - a. The following standards and the standards identified in Section 10-2F-10,

subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:

- i. New construction;
- ii. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
- iii. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.
- iv. Exceptions - Waivers to these standards may be granted through a Class A variance process under the following circumstances and in accordance with the chart below:
 - aa. Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or
 - bb. A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or
 - cc. The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and
 - dd. Granting of the waiver would not impose significantly more negative impacts on nearby properties.

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

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

b. Pedestrian & Bicycle Circulation / Facilities

- i. Twelve (12) foot wide walks are required across the front of all buildings over 80,000 sf. Ten (10) foot wide walks are required for other building sides wherever public access is required;
 - ii. Ten (10) foot wide walks wide walks are required across the front of all buildings under 80,000 sf or wherever public access areas are located around the building.
 - iii. Distinct pedestrian crossing markers or changes in surfacing must be used;
 - iv. Incorporation of focal points, plazas, or pedestrian / bicycle nodes with seating or other pedestrian amenities as destinations or intermediate points along circulations routes is required.
 - v. Arcades or columns can be located along building facades as long as the minimum clear pedestrian passage of eight (8) feet is maintained.
 - vi. Season display or temporary sales displays may utilize the walks as long as a minimum clear pedestrian passage of eight (8) feet is maintained.
 - vii. Bicycle parking facilities should be incorporated into the design of the pedestrian walkway and provide for secure and visible storage of bicycles.
- c. Shopping Cart Storage & Return Stations - When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts are permitted. Exterior shopping cart storage areas are not permitted, and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations:
 - i. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;
 - ii. Shopping cart return stations shall be integrated in parking lot landscaping, and utilize architectural features, or similar design elements to reduce visual impact while drawing attention to the shopping cart return area.
 - iii. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and
 - iv. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.
- d. Outdoor Storage Uses & Service / Loading Areas -
 - i. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;
 - ii. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-

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

- iii. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and
- iv. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

e. Outdoor Display / Sales Areas & Accessory Uses

- i. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;
- ii. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Zoning Administrator or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;
- iii. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;
- iv. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;
- v. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and
- vi. Temporary sales / displays, such as Christmas trees, landscape materials, shall be reviewed and approved by the Zoning Administrator through the Temporary Use Permit process in accordance with Section 10-4I-1.

3. Mobile sales / concessions

- a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
- b. Only permitted during community events.

4. Temporary construction / sales office
 - a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
5. Tower, private
 - a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake 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 use on the same site.
6. 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.
7. Boat, recreational vehicle, and trailer - construction, repair, parts sales, and maintenance
 - a. All boats, recreational vehicles, and/or trailers being constructed, 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.
8. 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 8,000 square feet per lot. A pump site is one dispenser which may be double sided.

9. Accessory Fueling Station

- a. Fueling station must be accessory to a principal use that is permitted within the zone, except that truck stops as the principal use shall be expressly prohibited.**
- b. Underground storage tanks and stormwater disposal shall not be located within the 1000-foot radius of a wellhead.**
- c. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).**
- d. Fueling stations shall not exceed 8 pump sites. A pump site is one dispenser which may be double sided.**

10. Accessory caretaker's residence

- a. The residence is an accessory use to the primary use and is limited to the duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.
- b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.
- c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

11. Emergency Housing & Shelters

- a. The facility must be open 24 hours per day, 7 days per week.
- b. The maximum number of residents in the facility is limited to the general capacity of the building, but in no case shall it exceed 75 residents,
- c. Beds or rooms shall be assigned to specific residents.
- d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.
- e. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
- f. The facility must be located within ¼ mile of a fixed transit route.
- g. The facility shall meet any applicable state and federal licensing requirements.

12. Transitional & Supportive Housing, 8 Beds or Less

- a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.
- b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
- c. The facility shall meet any applicable state and federal licensing requirements.

13. Transitional & Supportive Housing, More than 8 Beds

- a. The facility should be limited to 50 or fewer housing units within a single facility or complex.
- b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.
- c. The facility must be located within ¼ mile of a fixed transit route.
- d. The facility shall meet any applicable state and federal licensing requirements.

14. Macro wireless communication antenna array

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

- a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
- b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.
- c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.
- d. The applicant shall perform and provide documentation of a visual simulation of the site plan.
- e. The applicant shall meet and provide documentation of all requirements of SEPA.
- f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.
- g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.
- h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.
- i. The owner of the antenna array shall notify the City when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

15. Public Utility Local Distribution Facility

- a. The utility shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

- b. The utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.
- c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

16. Public utility transmission facility – EPF

- a. The utility company shall secure the necessary property or right-of-way to assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.
- b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.
- c. Before issuance of a building permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
- d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

17. **Small wireless facilities**

- a. Siting Hierarchy.
 - i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.
 - ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement utility pole within the zoning district shall be allowed.
 - iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.
- b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small cell wireless facilities.
- c. Must meet design standards as detailed in City Development Code §10-3F-4.
- d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.