

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 309**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING
CITY OF LIBERTY LAKE DEVELOPMENT CODE AND RIVER DISTRICT
DEVELOPMENT REGULATIONS REGARDING LIMITED USE STANDARDS FOR
EMERGENCY HOUSING AND SHELTERS**

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 Development Regulations to implement the Comprehensive Plan; and

WHEREAS, the Washington State Legislature enacted an amendment to RCW 35A.21 which required that, effective September 30, 2021, cities shall not prohibit indoor emergency shelters and indoor emergency housing shall not be prohibited in any zone where hotels are allowed; and

WHEREAS, Liberty Lake City Council Adopted Ordinance No. 280 on September 21, 2021, which allowed indoor emergency shelters and housing in all areas where hotels are allowed, with certain spacing and occupancy limits; and

WHEREAS, legislative changes to RCW 35A.21.314 specifically limit a jurisdiction's ability to limit occupancy in housing except as based upon applicable building code regulations establishing occupancy per square foot to address life-safety requirements; and

WHEREAS, legislative changes to RCW 35A.21.430, state that any occupancy, spacing, and intensity of use requirements may not prevent the siting of a sufficient number of indoor emergency shelters or housing necessary to accommodate each code city's projected need for housing and shelter; and

WHEREAS, City staff has drafted revisions to the limited use standards for emergency housing and shelters to eliminate separation requirements and occupancy limits other than those established by building code to comply with the provisions of RCW 35A.21; 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 the proposed amendment 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 for review and comment prior to final City Council adoption; and

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

WHEREAS, the City of Liberty Lake has met the GMA notice to state agency requirements in RCW 36.70A.106 for the proposed amendments to the Liberty Lake Development Regulations regarding Emergency Shelters and Housing; and

WHEREAS, the City of Liberty Lake Planning Commission held a public workshop on the proposed amendments on November 13, 2024, and a public hearing on the amendments December 11, 2024, and recommended approval of the proposed amendments attached hereto as "Exhibit A"; and

WHEREAS, the Liberty Lake City Council has reviewed the Planning Commission Findings of Fact, Conclusions, and Recommendations in the Matter of Proposed Amendments to the City of Liberty Lake Development Code and The River District Development Regulations Regarding Emergency Shelters, Transitional & Supportive Housing, and other documents in the file that were available for review.

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

Section 1. Amendments to the City of Liberty Development Code and The River District Development Regulations Emergency Housing and Shelter Limited Use Standards.

The approved amendments to the City of Liberty Lake Development Code and The River District Development Regulations regarding Emergency Housing and Shelters Limited Use Standards are attached hereto as "Exhibit A", and incorporated herein.

Section 2. Severability.

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

Section 3. Administration and Enforcement.

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

Section 4. Effective Date.

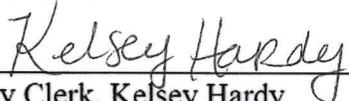
This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 18th day of February, 2025.



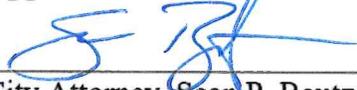
Mayor Cristella Kaminskas

ATTEST:



City Clerk, Kelsey Hardy

Approved As To Form:



City Attorney, Sean P. Boutz

Date of Publication: 3/14/2025

Effective Date: 3/19/2025

Emergency Housing Proposed Amendments

City Development Code

§10-2E-3(C) Limited Use Standards in M-1 (Neighborhood Center Mixed Use) District:

§10-2E-3(C)(18) 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 1/4 mile of a fixed transit route.~~
- e. The facility shall meet any applicable state and federal licensing requirements.

§10-2E-3(C) Limited Use Standards in M-2 (Community Center Mixed Use) District:

§10-2F-3(C)(24) 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 1/4 mile of a fixed transit route.~~

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

§10-2G-3(C) Limited Use Standards in M-3 (Central Business District Mixed Use):

§10-2G-3(C)(23) Emergency Housing & Shelters

- a. The facility must be open 24 hours per day, 7 days per week.
- b. The maximum number of residents in the facility is limited to the general capacity of the building, ~~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 1/4 mile of a fixed transit route.~~
- e. The facility shall meet any applicable state and federal licensing requirements.

§10-2H-3(C) Limited Use Standards in C-1 (Community Commercial) District:

§10-2H-3(C)(15) 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 1/4 mile of a fixed transit route.~~

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

§10-2I-3(C) Limited Use Standards in C-2 (Freeway Commercial) District:

§10-2I-3(C)(13) 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 1/4 mile of a fixed transit route.~~
- e. The facility shall meet any applicable state and federal licensing requirements.

River District Development Regulations

§10-2E-3(C) Limited Use Standards in RD-M (Neighborhood Center Mixed Use) District:

§10-2E-3(C)(13) 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 1/4 mile of a fixed transit route.~~

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

§10-21-3(C) Limited Use Standards in RD-C (Freeway Commercial) District:

§10-21-3(C)(10) 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 1/4 mile of a fixed transit route.~~
- e. The facility shall meet any applicable state and federal licensing requirements.