

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 191**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING
THE CITY DEVELOPMENT CODE AND THE RIVER DISTRICT SPECIFIC AREA
PLAN OVERLAY (RDSAP) SAP-08-0001 FOR 2010.**

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 and a Specific Area Plan Overlay for the River District portion of the City 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 Development Code and/or the RDSAP; and

WHEREAS, a complete public participation program was followed for the 2010 Development Code and 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 the proposed amendments with a fourteen (14) day public comment period; and

WHEREAS, the GMA requires proposed comprehensive plans and development regulations, including proposed amendments, be forwarded to the Washington State Department of Commerce ("DOC") for review and comment sixty (60) days prior to the final City Council adoption; and

WHEREAS, during the sixty (60) day DOC review, all applicable state and local agencies also 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 2010 Development Code and RDSAP Amendments; and

WHEREAS, the Planning Commission's Recommendations on the 2010 Development Code and RDSAP Amendments have been reviewed by the Community Development Committee of the City Council; and

WHEREAS, the Community Development Committee has made a recommendation to the City Council that minor text changes be made to ZTA-10-0001, ZTA-10-0003, and ZTA-10-0009; and

WHEREAS, the Community Development Committee has also made a recommendation to the City Council that ZTA-10-0004, ZTA-10-0005, ZTA-10-0006, ZTA-10-0007, and ZTA-10-0008, that were initiated by City Staff, be returned to the Planning Commission for additional review during the 2011 Annual Amendment Review; and

WHEREAS, the City Council has reviewed the Community Development Committee recommendation, as well as the Planning Commission Findings of Fact, Conclusions, and Recommendation, and other documents in the 2010 amendments file;

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

Section 1. 2010 Development Code and RDSAP Amendments.

The approved City of Liberty Lake 2010 Development Code and RDSAP Amendments are attached hereto as Exhibit "A."

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 & 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 3rd day of May, 2011.

Wendy VanOrman
Mayor, Wendy Van Orman

ATTEST:

Ann Swenson
City Clerk, Ann Swenson

Approved As To Form:

Sean Boutz
City Attorney, Sean Boutz

Date of Publication: 5.12.11

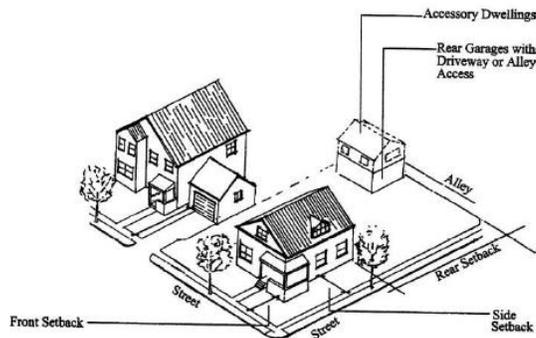
Effective Date: 5.17.11

City of Liberty Lake Development Code & RDSAP

2010 Amendments List

Initiated By / File #	Chapter / Section	Proposed Amendment	Page #
City Staff / ZTA-10-0001	10-1B-8	<ul style="list-style-type: none"> <u>Alternative Methods of Compliance</u> <u>The Director or designee may accept alternative methods of complying with the development standards of this Code, provided it could be demonstrated that the alternative method is at least equivalent to such standards in terms of implementing the general purpose of the Code. The Director shall not accept alternative methods of compliance that are inconsistent with the City Comprehensive Plan or with conditions of approval imposed through a land use action.</u> 	DC 1-4 RDSAP Ch. 1, P. 3/4
City Council Decision - APPROVAL W/ MODIFICATIONS of Amendment ZTA-10-0001 (modification highlighted in yellow)			
City Staff / ZTA-10-0002	Article 10-1C Definitions	<ul style="list-style-type: none"> B. Definitions <u>Auto-court lane - A privately maintained lane, connected to a public street, which provides vehicular access to the garages or off-street parking areas of buildings / dwelling units that have common area or pedestrian path frontage (no street frontage) in conjunction with a pedestrian pathway system to the main entrance (i.e. front entry) of each building / dwelling unit. Auto-court lanes must be designed with approved fire access turnarounds, as applicable.</u> 	RDSAP Ch. 1, P. 8 (added last year to DC)
City Council Decision - APPROVAL of Amendment ZTA-10-0002			
Greenstone / ZTA-10-0003 (also see ZTA-10-0009)	Article 10-1C Definitions	<ul style="list-style-type: none"> B. Definitions <u>Office/Technology Campus or Park: A planned industrial, technology and/or office based district of 15 or more acres located within the Industrial Zoning District of the city.</u> 	DC 1-33
City Council Decision - APPROVAL W/ MODIFICATIONS of Amendment ZTA-10-0003 (modification highlighted in yellow)			
City Staff / ZTA-10-0004	10-2B-6 Development Setbacks (R1 Zone) 10-2C-6 Development Setbacks (R2 Zone)	<ul style="list-style-type: none"> Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sunlight, and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security. 	DC R-1 2-15 DC R-2 2-34 & 2-35

Building setbacks are the distance between a building (or other feature of development) and a property line, right-of-way, auto-court lane, or street, as applicable; however no structures shall be located within easements. Building setbacks are measured from perimeter of the structure to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed and illustrated below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement, as applicable.



Liberty Lake Examples



City Council Decision - APPROVAL of Amendment ZTA-10-0004

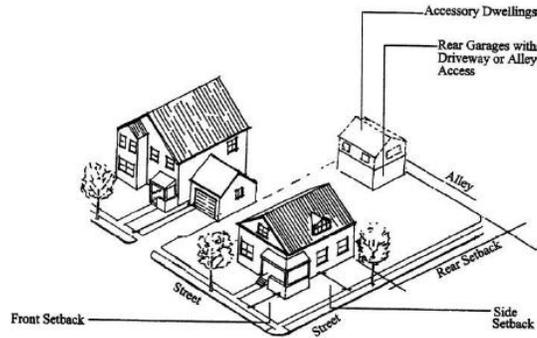
City Staff / ZTA-10-0005

10-2C-6 Development Setbacks (RD-R Zone)

- Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sunlight, and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security. Building setbacks are the distance between a building (or other feature of development) and a property line, right-of-way, auto-court lane, or street, as applicable; however no structures shall

RDSAP RD-R, P. 6

be located within easements. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed and illustrated below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement, as applicable.



Liberty Lake Examples



City Council Decision - APPROVAL of Amendment ZTA-10-0005

<p>City Staff / ZTA-10-0006</p>	<p>10-2B-6 Development Setbacks (R1 Zone)</p>	<ul style="list-style-type: none"> • A. Front Yard Setbacks <ol style="list-style-type: none"> 1. Minimum Setback <ol style="list-style-type: none"> a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement. b. Attached (townhome) Single Family: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement. c. Clustered Housing: A minimum front yard setback of 10 feet is required; however 0 feet is allowed when fronting a Home Owner Association common area. Overhanging eaves may only extend 	<p>DC 2-15 & 2-16</p>
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		<p>beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.</p> <p>2. <u>Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.</u></p> <p>3. <u>Detached Garagesgarages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet and at least 20 feet from the back of sidewalk.</u></p> <p>4. <u>Design Requirements for Garages Extending Past the Front Elevation of Houses</u></p> <p><u>On residential local access streets, a single family detached dwelling with a garage that is no wider than fifty (50%) percent of the width of the lot may extend up to eight (8) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, each garage door is limited to a one car width (9').</u></p> <ul style="list-style-type: none"> <u>a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window</u> <u>b. The building facade includes two or more offsets of sixteen inches or greater</u> <u>c. A minimum sixty square-foot covered front porch that is at least five feet deep</u> <u>d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)</u> <u>e. Windows on front elevations include a minimum of four-inch trim or shutters</u> <u>f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade</u> <u>g. Garage doors are painted the same color as the body color of the front</u> 	
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		<p><u>elevation of the home</u></p> <p><u>h. There are a minimum of two windows in each garage door</u></p> <p><u>i. Windows in gables or dormers above the garage doors</u></p> <p><u>j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows</u></p> <p><u>k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape</u></p> <p>35. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2B-9.</p>	
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City Council Decision - DENIAL of Amendment ZTA-10-0006 (remand to the Planning Commission)

City Staff / ZTA-10-0007	10-2C-6 Development Setbacks (R2 Zone)	<ul style="list-style-type: none"> • A. Front Yard Setbacks <ol style="list-style-type: none"> 1. A minimum setback of 16 feet is required, except that an unenclosed porch may be within 10 feet, as long as it does not encroach into a public utility easement. 2. <u>Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet.</u> Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet. 3. <u>Detached Garagesgarages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet and at least 20 feet from the back of sidewalk.</u> 4. <u>Design Requirements for Garages Extending Past the Front Elevation of Houses</u> <u>On residential local access streets, a single family detached dwelling with a garage that is no wider than fifty (50%) percent of the width of the lot may extend up to eight (8) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, each garage door is limited to a one car width (9').</u> 	DC 2-35
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		<p>a. <u>The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window</u></p> <p>b. <u>The building facade includes two or more offsets of sixteen inches or greater</u></p> <p>c. <u>A minimum sixty square-foot covered front porch that is at least five feet deep</u></p> <p>d. <u>Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)</u></p> <p>e. <u>Windows on front elevations include a minimum of four-inch trim or shutters</u></p> <p>f. <u>Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade</u></p> <p>g. <u>Garage doors are painted the same color as the body color of the front elevation of the home</u></p> <p>h. <u>There are a minimum of two windows in each garage door</u></p> <p>i. <u>Windows in gables or dormers above the garage doors</u></p> <p>j. <u>A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows</u></p> <p>k. <u>A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape</u></p> <p>35. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2C-9.</p>	
City Council Decision - DENIAL of Amendment ZTA-10-0007 (remand to the Planning Commission)			
City Staff / ZTA-10-0008	10-2C-6 Development Setbacks (RD-R Zone)	<ul style="list-style-type: none"> • A. Front Yard Setbacks <ol style="list-style-type: none"> 1. A minimum setback of 5 feet is required from the back of sidewalk on rear loaded lots. 2. <u>Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet.</u> Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is 	RDSAP RD-R, P. 6 & 7

		<p>set back by at least 18 feet from the back of sidewalk.</p> <p><u>3. Detached Garages-garages</u> and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet <u>and at least 18 feet from the back of sidewalk</u>.</p> <p><u>4. Design Requirements for Garages Extending Past the Front Elevation of Houses</u></p> <p><u>On residential local access streets, a single family detached dwelling with a garage that is no wider than fifty (50%) percent of the width of the lot may extend up to eight (8) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, each garage door is limited to a one car width (9').</u></p> <ul style="list-style-type: none"> <u>a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window</u> <u>b. The building facade includes two or more offsets of sixteen inches or greater</u> <u>c. A minimum sixty square-foot covered front porch that is at least five feet deep</u> <u>d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)</u> <u>e. Windows on front elevations include a minimum of four-inch trim or shutters</u> <u>f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade</u> <u>g. Garage doors are painted the same color as the body color of the front elevation of the home</u> <u>h. There are a minimum of two windows in each garage door</u> <u>i. Windows in gables or dormers above the garage doors</u> <u>j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows</u> <u>k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape</u> <p><u>35. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building</u></p>	
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		orientation standards in Section 10-2C-9. 46. Attached Single Family Clustered Housing unit setbacks shall be only for the single building elevation that is nearest to the right-of-way, auto-court lane, or street, as applicable; however no structures shall be located within easements. A minimum building front yard setback of 5 feet is required for an attached single family clustered housing unit building with rear loaded lots.	
City Council Decision - DENIAL of Amendment ZTA-10-0008 (remand to the Planning Commission)			
Greenstone / ZTA-10-0009 (also see ZTA-10-0003)	10-2J-3 Limited Uses (I Zone)	<ul style="list-style-type: none"> • C. Requirements for Specific I Limited Uses. <ul style="list-style-type: none"> 10. Child day-care center <ul style="list-style-type: none"> a. <u>Shall be permitted within an office/technology campus or park exceeding 15 acres. Child day-care centers that are not within an identified office/technology campus or park are only permitted when owned and/or operated by an existing or permitted business and located abutting or within the existing business to supply child care for their employees' children.</u> Shall only be permitted when owned and/or operated by an existing or permitted business and located abutting or within the existing business to supply child care for their employees' children. b. Any outdoor play area shall be completely enclosed to a minimum height of 6 feet with a solid wall or fence. c. The facility shall meet Washington State childcare licensing requirements and applicable building codes. 	DC 2-179
City Council Decision - APPROVAL W/ MODIFICATIONS of Amendment ZTA-10-0009 (modification highlighted in yellow)			
City Staff / ZTA-10-0010	10-3G-3 Public Use Areas	<ul style="list-style-type: none"> • A. Dedication Requirements. <ul style="list-style-type: none"> <u>1. Private Parks or Greenway Dedications. Land set aside for private parks or greenways shall be dedicated to a Home Owner Association or related private entity responsible for the ownership and maintenance of said property. Private park and greenway dedications shall include provisions for public easement access.</u> <u>2. Public Park and Greenway Dedications. Land set aside for public parks or greenways shall be dedicated to and accepted by the city. The City shall agree to a general park development plan at the time of title transfer. Land dedicated for public park use shall</u> 	DC 3-55 (corrected last year in RDSAP)

		<p><u>include covenant language that would require that the property be used and developed for use as a public park. The City may not transfer or use land dedicated for park and open space use for any other purpose.</u></p> <p><u>3. Location of Dedications. Where a proposed park, playground or other public use shown in a plan adopted by the City is located in whole or in part in an area proposed for land division, the City may require the dedication or reservation of this area on the final plat, short plat, or BSP. As development occurs, the developer and the city shall work concurrently to identify the size, location, and configuration of proposed parks and greenways consistent with the city's adopted Parks, Recreation, Open Space, and Trails Plan. All proposed residential uses shall be located within ½ mile of a park or greenway area. Access easements for public trail corridors may be required and trails would be designed in accordance with 10-3B-3, to allow for connections to the existing trail system or future trail and wildlife corridors.</u></p> <p><u>4. Timing of Dedications. Dedications shall occur in phases as part of the final platting of the property. Dedication of land to the City shall be coordinated between the City and the Developer dependent upon availability of access and utilities and the City timeline for development of park improvements.</u></p> <p><u>5. Private Open Space Areas. Private open space areas will be part of the development of private projects and will occur when those properties are developed. The open space areas that will be part of residential, office, mixed use, and commercial developments will be owned and maintained by the project developer and owner. The private open space areas will be primarily for the use and benefit of the occupants or tenants of the project and will generally not be open for general public use.</u></p> <p><u>B. Reservations and Acquisition by Public Agencies. Land reserved for acquisition by a Public Agency shall be secured with an agreement for purchase upon reservation. Land reserved for a park, playground, or other public use shall be acquired by the appropriate public agency within the defined period, mutually agreed upon time schedule, and price.</u></p> <p>C. System Development Charge / Mitigation Fee / Impact Fee Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge, mitigation fee, or impact fee for parks, as applicable.</p> <p>1. Where a proposed park, playground or other</p>	
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		<p>public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision.</p> <p>2. If determined by the City Council to be in the public interest in accordance with adopted comprehensive plan policies, and where an adopted plan of the City does not indicate proposed public use areas, the City may require the dedication or reservation of areas within the subdivision of a character, extent, and location suitable for the development of parks and other public uses.</p> <p>a. Pocket parks need to be constructed to ensure everyone in the City is located within 1/2 mile of a park area.</p> <p>b. Pocket parks should also have public access easements to guarantee continued public park access in close proximity to development, as well as maintenance agreements.</p> <p>c. Access easements for public trail corridors may be required and trails would be designed in accordance with 10-3B-3, to allow for connections to the existing trail system or future trail and wildlife corridors.</p> <p>3. All required dedications of public use areas shall conform to Section 10-3G-1, subsection D (Conditions of Approval).</p> <p>B. Acquisition by Public Agency. If the developer is required to reserve land area for a park, playground, or other public use, and the land is not dedicated to the City, the land shall be acquired by the appropriate public agency within 36 months following final plat approval, at a price agreed upon prior to final plat approval, or the reservation shall be released to the property owner.</p>	
City Council Decision - APPROVAL of Amendment ZTA-10-0010			
City Staff / ZTA-10-0011	10-3G-6 Utilities	<ul style="list-style-type: none"> • C. Exception to Under-Grounding Requirement. The standard applies only to proposed subdivisions. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, critical areas, or existing development conditions, <u>as determined by the Director/designee.</u> 	DC 3-56 RDSAP Ch. 3, P. 46
City Council Decision - APPROVAL of Amendment ZTA-10-0011			
City Staff / ZTA-10-0012	10-4B-4 Project Permit Review Process & Timeline (D)	<ul style="list-style-type: none"> • Notice of Application Notice Requirements - On-Site Signage Type I, Type II, and Type III Project Permits: A sign will need to be posted which is a minimum of two (2) feet in width by three (3) feet in height and six square feet in area. The sign shall be erected 	DC 4-13 RDSAP Ch. 4, P. 15

		<p>by the applicant on the site fronting and adjacent to the most heavily traveled public street, and positioned as close to the right-of-way as possible, so it is easily readable by the traveling vehicular public from the right-of-way at least fourteen (14) calendar days prior to the close of the comment period. Depending on site size <u>and location</u>, more than one sign may be required <u>and/or the City may require the sign size to be increased for visibility from I-90</u>. Signage shall consist only of information approved and provided by <u>P&CDthe City</u> and the signage shall be prepared and installed by the applicant. Signage shall be constructed of material of sufficient weight and reasonable strength to withstand normal weather conditions and the applicant shall complete and submit to <u>P&CDthe City</u> an affidavit of posting. The sign shall be lettered and spaced as follows:</p>	
City Council Decision - APPROVAL of Amendment ZTA-10-0012			
<p>City Staff / ZTA-10-0013</p>	<p>10-4B-4 Project Permit Review Process & Timeline (F)</p>	<ul style="list-style-type: none"> • Notice of Hearing Notice Requirements - On-Site Signage Type II and Type III Project Permits: A sign will need to be posted which is a minimum of four-two (42) feet in width by four-three (43) feet in height and sixteen-six square feet in area. The sign shall be erected by the applicant on the site fronting and adjacent to the most heavily traveled public street, and positioned as close to the right-of-way as possible, so it is easily readable by the traveling vehicular public from the right-of-way. The sign shall be posted at least fourteen (14) calendar days prior to the hearing. Depending on site size <u>and location</u>, more than one sign may be required <u>and/or the City may require the sign size to be increased for visibility from I-90</u>. Signage shall consist only of information approved and provided by <u>P&CDthe City</u> and the signage shall be prepared and installed by the applicant. Signage shall be constructed of material of sufficient weight and reasonable strength to withstand normal weather conditions and the applicant shall complete and submit to <u>P&CDthe City</u> an affidavit of posting. The sign shall be lettered and spaced as follows: <ul style="list-style-type: none"> a. A minimum one (1)-inch border on the top, sides, and bottom of the sign; b. The first line(s), in four-two (42)-inch tall letters, shall read: "NOTICE OF PUBLIC HEARING"; c. All the following lines, in two-one (21)-inch tall letters, shall read (as applicable): "PROJECT FILE #" "PROJECT NAME PROPOSAL" <u>"APPLICANT"</u> 	<p>DC 4-16 & 4-17</p> <p>RDSAP Ch. 4, P. 18 & 19</p>

		<p>"GENERAL LOCATION, SECTION, TOWNSHIP, & RANGE"</p> <p>"DESCRIPTION / NUMBER OF ACRES / NUMBER OF LOTS"</p> <p>"EXISTING / PROPOSED ZONING"</p> <p>"PROPOSAL / PROPOSED USE"</p> <p>"SEPA DETERMINATION"</p> <p>"APPLICANT"</p> <p>"REVIEW AUTHORITY"</p> <p>"HEARING DATE & TIME, HEARING LOCATION"</p> <p>d. Project specific information will be supplied to the applicant by P&CD prior to sign preparation. A copy of the proposed plat map, PUD plat map, etc., the SEPA threshold determination, and the actual Notice of Hearing shall be attached to the bottom face of the sign (as applicable). Required text shall be at least 1/2 inch tall letters. See example below.</p> <div data-bbox="781 743 1271 1467" style="border: 1px solid black; padding: 10px; margin: 10px auto; width: fit-content;"> <p style="text-align: center;">NOTICE OF PUBLIC HEARING</p> <p>PROJECT FILE #: PROPOSAL: APPLICANT: DESCRIPTION:</p> <p>NUMBER OF ACRES: NUMBER OF LOTS: EXISTING ZONING: PROPOSED ZONING: SEPA DETERMINATION: REVIEW AUTHORITY: CITY OF LIBERTY LAKE PLANNING & BUILDING SERVICES HEARING DATE: HEARING TIME: LOCATION:</p> <p style="font-size: small; text-align: center;"> <small>ATTACH COPY OF PLAN (PUD, ETC.) MAP TO BOTTOM OF SIGN, IF APPLICABLE</small> <small>ATTACH COPY OF NOTICE OF PUBLIC HEARING TO BOTTOM OF SIGN</small> <small>ATTACH COPY OF SEPA DETERMINATION TO BOTTOM OF SIGN, IF APPLICABLE</small> </p> <p style="text-align: center;">www.libertylakewa.gov/development/public_notices.asp</p> </div>	
City Council Decision - APPROVAL of Amendment ZTA-10-0013			
City Staff / ZTA-10-0014	10-4B-4 Project Permit Review Process & Timeline (F)	<ul style="list-style-type: none"> Administrative Appeal Type II and Type III Project Permits: Any aggrieved person may submit a written appeal of the Examiner's decision to the Council within fourteen (14) calendar days from the date the final decision of the Examiner is rendered as outlined in subsection H below. <u>A motion for reconsideration may be filed with an appeal request. The motion for reconsideration shall be reviewed and decided upon by the Hearing</u> 	RDSAP Ch. 4, P. 20 (corrected last year in DC)

		<p><u>Examiner prior to scheduling the City Council appeal hearing.</u></p> <p>Type III Project Permits: The Hearing Examiner's decision is a recommendation to the City Council and the City Council conducts an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision. 'Closed record' appeals of Hearing Examiner decisions are held at the same time as the 'closed record' project decision hearing. <u>A motion for reconsideration by the Hearing Examiner may be submitted to the City within fourteen (14) calendar days from the date of the Hearing Examiner's recommendation decision. The motion for reconsideration shall be reviewed and decided upon by the Hearing Examiner prior to scheduling the City Council decision hearing.</u></p>	
City Council Decision - APPROVAL of Amendment ZTA-10-0014			
City Staff / ZTA-10-0015	10-4B-4 Project Permit Review Process & Timeline (H)	<ul style="list-style-type: none"> Administrative Appeal 2. Type II & Type III Project Permits: A 'closed record' appeal to the City Council is available. For Type III project permits, if the Examiner has recommended approval of the proposal, such recommendation will be considered by the City Council at the same time as the consideration of the appeal. <ul style="list-style-type: none"> <u>a. A motion for reconsideration may be filed with an appeal request. The motion for reconsideration shall be reviewed and decided upon by the Hearing Examiner prior to scheduling the City Council appeal hearing.</u> <u>b. Any aggrieved person may submit a written appeal of the Examiner's decision to the Council within fourteen (14) calendar days from the date the final decision of the Examiner is rendered. The appeal would be a 'closed record' appeal and must be upon the record, established and made at the hearing before the Hearing Examiner, provided that new evidence which was not available at the time of the hearing may be included in such appeal. The term "new evidence" means only evidence discovered after the hearing and shall not include evidence which was available or which could reasonably have been available and was simply not presented at the hearing for whatever reason. Such written appeal shall allege specific errors of fact, specific procedural errors, omissions from the record, errors in the interpretation of the Comprehensive Plan, or new evidence which was not available at the time of the hearing. Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a hearing will be held by the City Council at their next available, regularly scheduled meeting, except for Type III Project</u> 	RDSAP Ch. 4, P. 22 & 23 (corrected last year in DC)

		<p>Permits where the Hearing Examiner's decision is a recommendation to the City Council. For Type III project permits, a 'closed record' appeal of the Hearing Examiner's decision shall be held at the same regularly scheduled City Council meeting as the 'closed record' project decision hearing.</p> <p><u>3. Type III Project Permits: The Hearing Examiner's decision is a recommendation to the City Council and the City Council conducts an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision.</u></p> <p><u>a. A motion for reconsideration by the Hearing Examiner may be submitted to the City within fourteen (14) calendar days from the date of the Hearing Examiner's recommendation decision. The motion for reconsideration shall be reviewed and decided upon by the Hearing Examiner prior to scheduling the City Council decision hearing.</u></p> <p><u>b. An appeal of the final decision of the City Council can be made to Spokane County Superior Court as outlined in Judicial Appeal below.</u></p>	
City Council Decision - APPROVAL of Amendment ZTA-10-0015			
City Staff / ZTA-10-0016	10-4B-5 Type IV Projects	<ul style="list-style-type: none"> Planning is an ongoing process, and improved data or changing circumstances will require amendment to the comprehensive plan or development regulations. Amendments to the comprehensive plan or development regulations can be requested by the City Council, Planning Commission, City Staff, or by any affected citizen on a yearly basis. Yearly review of proposed amendments shall begin in July April and should conclude in December. Applications for amendments shall be submitted by July April 1st of each year in order for the amendment to be reviewed that year. Applications for amendments submitted after July April 1st shall be reviewed the following year. Identified deficiencies shall be docketed for possible future plan or development regulation amendments during the project review process. 	DC 4-22 RDSAP Ch. 4, P. 25
City Council Decision - APPROVAL of Amendment ZTA-10-0016			
City Staff / ZTA-10-0017	10-4D-3 Approvals Process	<ul style="list-style-type: none"> A. Review of Preliminary Plat or Short Plat. Review of a preliminary plat shall be processed by means of a Type III procedure, as governed by Article 10-4B. Review of a preliminary short plat shall be processed by means of a Type I procedure, as governed by Article 10-4B. All preliminary plats and short plats shall be reviewed using approval criteria contained in Section 10-4D-5. An application for a preliminary plat shall be 	DC 4-35 & 4-36 RDSAP Ch. 4, P. 39 & 41

		<p>processed simultaneously with applications for rezones, variances, planned unit developments, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing. <u>Contiguous parcels that have one or more common owners, one or more persons who have an interest in the entity that owns or has an ownership interest in contiguous parcels, or a developer who intends to develop contiguous properties within a five year period, must comply with the plat / subdivision requirements of this Code if the total number of resultant lots will exceed four in number. The short plat / short subdivision process shall not be used as a mechanism to avoid the requirements of the plat / subdivision requirements where there are adjacent parcels under common ownership, as described herein, that, but for the property boundaries, would be required to comply with the plat / subdivision requirements. Multiple short plat applications shall not be utilized as a substitute for comprehensive subdividing in accordance with the requirements of this Code.</u></p> <ul style="list-style-type: none"> • C. Preliminary Plat and Short Plat Approval Period. Preliminary plat and short plat approval shall be effective for a period of 5 years from the date of approval, <u>or for the amount of time specified in RCW 58.17.170, on the date of approval, whichever is greater.</u> The preliminary plat or short plat shall lapse if a final plat or short plat has not been submitted within the 5-year period, <u>or for the amount of time specified in RCW 58.17.140, on the date of approval, whichever is greater.</u> 	
City Council Decision - APPROVAL of Amendment ZTA-10-0017			
City Staff / File # N/A	Table of Contents	<ul style="list-style-type: none"> • Update Table of Contents as needed 	TOC

CERTIFICATION

I, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 191 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at the regular meeting placed thereof on May 3, 2011 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous, 5-0.

AYES, and in favor thereof: Mayor Pro Tem Crump; Council Members: Kaminskas, Schuler, Romney, and Langford.

NAYS: None.

ABSENT: Council Members: Owens and Beckett

ASTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK