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City Clerk/Treasurer
Initials AS

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 139**

An Ordinance of the City of Liberty Lake, Washington Adopting a City Development Code and Repealing City Ordinances 44, 45, 46, 48, 48-A, 49, 51, 79, and 117, and Amending Ordinance 27.

WHEREAS, the city of Liberty Lake was incorporated on August 31, 2001; and,

WHEREAS, subsequent to its incorporation, the City of Liberty Lake adopted an interim zoning code; and,

WHEREAS, the City of Liberty Lake is in the process of adopting new development regulations under the Growth Management Act of the State of Washington, RCW 36.70A; and,

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

WHEREAS, the City's new Development Code will implement the comprehensive plan; and,

WHEREAS, an extensive public participation program was followed which included the following:

City Planning Commission Meetings from July 23, 2003 through July 2004 on the 2nd and 4th Wednesday of the month at 4pm for regular meetings and additional special meetings;

Three City Planning Commission Public Workshops on May 12, 2004 at 7pm, May 26, 2004 at 7pm, and June 30, 2004 at 7pm;

Two City Planning Commission Public Hearings on June 9, 2004 at 7pm and July 7, 2004 at 7pm;

A City Council Workshop on November 1, 2005 at 6pm, followed by a public hearing during the regularly scheduled City Council meeting on November 1, 2005 at 7pm, and a second public hearing on November 15, 2005 during the regularly scheduled City Council meeting; 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 Documents was issued May 11, 2004 with a comment deadline of May 26, 2004; and,

WHEREAS, GMA requires proposed comprehensive plans and regulations be forwarded to the Department of Community, Trade and Economic Development for review and comment

60 days prior to the final City Council adoption of the plan and final comments were received from CTED on September 28, 2004 and dated September 27, 2004; and,

WHEREAS, during the 60 day CTED review, all applicable state and local agencies received a copy of the draft Development Code and were given the option to comment;

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

1. That the following interim standards are hereby repealed:
 - Ordinance 44 - An Ordinance Adopting the State Environmental Policy Act (Interim)
 - Ordinance 45 - An Ordinance Adopting by Ref. Chapter 11.20 Entitled "Critical Areas" as the Critical Areas Regulations
 - Ordinance 46 - An Ordinance Adopting by Ref. Title 12 Entitles "Subdivisions" as the Interim
 - Ordinance 48 - An Ordinance Adopting by Ref. Chapters 14.100 – 14.800 w/Appendices entitled the Spokane County Zoning Code as the Interim Zoning Code of the City
 - Ordinance 48a - An Ordinance Amending Chapter 14.629 and 14.631 of the Interim City Zoning Code
 - Ordinance 49 - An Ordinance Adopting by Ref. the Spokane County Zoning Maps as the Interim Zoning Maps of the City
 - Ordinance 51 - An Ordinance Adopting by Ref. the Spokane County "Application Review Procedures for Project Permits" as the Interim App. Review Procedures
 - Ordinance 79 - An Ordinance Repealing Chapter 14.804 of Spokane County Zoning Code Adopted Through City An Ordinance 48 and An Ordinance Adopting Signage Standards and Definitions
 - Ordinance 117 - An Ordinance Establishing Interim Commercial Industrial Building Design Standards

2. That Ordinance 27 - An Ordinance Establishing the Office of Hearing Examiner is hereby amended as follows:

Section 9. Decision-Legal Effect. The Examiner will receive and examine available information, conduct public hearings and prepare a record thereof, and enter findings, decision or recommendations as provided in this section.

- A. The decision of the Examiner on the following matters will be final, unless such decision is appealed to the City Council in writing by an aggrieved party:
 1. Applications for Class B variances from the zoning ordinance.
 2. Conditional use permits.
 3. Special use permits.

4. Shoreline Permits.

B. The decision of the Examiner on the following matters will be a recommendation to the City Council who will hold an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision:

1. Rezone of property.
2. Planned unit development.
3. Preliminary plats.
4. Appeals of administrative determination of ordinance violations, interpretations or other matters.
5. Appeals from administrative determinations of interpretations of land use regulations or permits.

3. That the City of Liberty Lake Development Code, implementing the adopted City Comprehensive Plan, and containing the following chapters is hereby adopted:

Ch. 1 - Introduction

Article 10-1A How to Use the Development Code

Article 10-1B General Administration

Article 10-1C Definitions

Article 10-1D Enforcement

Ch. 2 - Zoning Districts

Article 10-2A Zoning District Administration

Article 10-2B R-1 (Single Family Residential) District

Article 10-2C R-2 (Mixed Residential) District

Article 10-2D R-3 (Multi-Family Residential) District

Article 10-2E M-1 (Neighborhood Center Mixed-Use) District

Article 10-2F M-2 (Community Center Mixed-Use) District

Article 10-2G M-3 (Central Business District Mixed-Use) District

Article 10-2H C-1 (Community Commercial) District

Article 10-2I C-2 (Freeway Commercial) District

Article 10-2J I (Light Industrial) District

Article 10-2K P (Public / Semi-Public Institutional) District

Article 10-2L O (Open Space / Recreation) District

Article 10-2M Specific Area Plan Overlays

Ch. 3 - Design and Maintenance Standards

Article 10-3A Design Standards Administration

Article 10-3B Access and Circulation

Article 10-3C Landscaping, Street Trees, Fences, and Walls

Article 10-3D Vehicle and Bicycle Parking

Article 10-3E Signage Standards

Article 10-3F Other Design Standards

Article 10-3G Public Facilities Standards

Article 10-3H Stormwater Management

Article 10-3I Property Maintenance Standards

Ch. 4 - Applications and Review Procedures

Article 10-4A Administration of Land Use and Development Review

Article 10-4B Types of Applications and Review Procedures

Article 10-4C Site Design Review

Article 10-4D Land Divisions and Boundary Line Adjustments

Article 10-4E Planned Unit Developments

Article 10-4F Modifications to Approved Plans and Conditions of Approval

Article 10-4G Administrative Interpretations

Article 10-4H Conditional Use Permits

Article 10-4I Miscellaneous Permits

Article 10-4J Zoning District Map & Text Amendments

Ch. 5 - Exceptions to Code Standards

Article 10-5A Introduction

Article 10-5B Variances

Article 10-5C Non-Conforming Uses and Development

Ch. 6 - Environment

Article 10-6A Environmental Ordinance

Article 10-6B Critical Areas

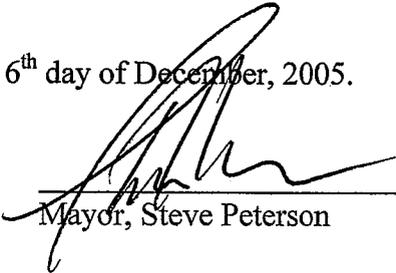
Article 10-6C Wellhead Protection

Article 10-6D Shoreline Management

Article 10-6E Environmental Conservation

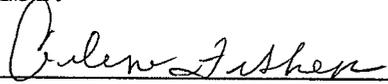
4. That the City of Liberty Lake Zoning Map, implementing the adopted Comprehensive Plan Land Use Map, is also hereby adopted.
5. Severability. If any section, sentence, clause or phrase of this ordinance and the attachments hereto shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.
6. Effective Date. This Ordinance shall be in full force and affect 5 days after publication of the Ordinance Summary.

PASSED by the City Council this 6th day of December, 2005.



Mayor, Steve Peterson

ATTEST:



City Clerk, Arlene Fisher

APPROVED AS TO FORM:

Stanley M. Schwartz for
City Attorney, Stanley M. Schwartz

Date of Publication: 12/15/05

Effective Date: 12/20/05