

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 207**

**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 2013.**

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 2013 City 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 prior to the final City Council adoption; and

WHEREAS, 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 2013 City Development Code and RDSAP Amendments; and

WHEREAS, the Planning Commission's Recommendations on the 2013 City Development Code and RDSAP Amendments have been reviewed by the Community Development Committee of the City Council; and

WHEREAS, the City Council has reviewed the Planning Commission Findings of Fact, Conclusions, and Recommendation, and other documents in the 2013 amendments file;

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

Section 1. 2013 City Development Code and RDSAP Amendments.

The approved City of Liberty Lake 2013 City 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.

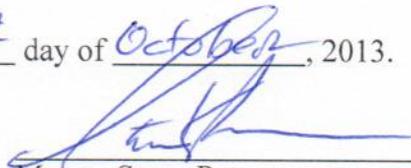
Section 3. Administration and Enforcement.

- 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.

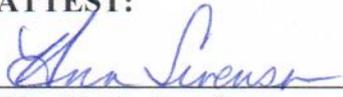
This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 1st day of October, 2013.



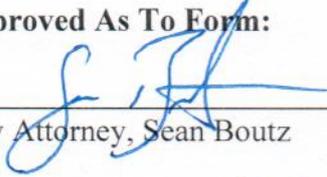
Mayor, Steve Peterson

ATTEST:



City Clerk, Ann Swenson

Approved As To Form:



City Attorney, Sean Boutz

Date of Publication: 10.10.13

Effective Date: 10.15.13

City of Liberty Lake Development Code & RDSAP

2013 Amendments List

Initiated By / File #	Chapter / Section	Proposed Amendment	Page #																																																
Citizen / 2013.0201. ZT0001	10-2A-4 Zoning Districts Matrix	<p style="text-align: center;">Zoning Districts Matrix</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Facilities and Uses</th> <th style="background-color: #ffffcc;">R-1</th> <th style="background-color: #ffffcc;">R-2</th> <th style="background-color: #ffffcc;">R-3</th> <th style="background-color: #d3d3d3;">M-1</th> <th style="background-color: #d3d3d3;">M-2</th> <th style="background-color: #d3d3d3;">M-3</th> <th style="background-color: #d3d3d3;">C-1</th> <th style="background-color: #d3d3d3;">C-2</th> <th style="background-color: #d3d3d3;">I</th> <th style="background-color: #d3d3d3;">P</th> <th style="background-color: #d3d3d3;">O</th> </tr> </thead> <tbody> <tr> <td style="background-color: #d3d3d3;">Agriculture (actively farmed)</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">L</td> <td style="background-color: #d3d3d3;">N</td> </tr> <tr> <td style="background-color: #d3d3d3;">Agricultural product / craft sales stand (Farmer's market)</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">L</td> </tr> <tr> <td style="background-color: #ffffcc;">Church / religious institution</td> <td style="background-color: #ffffcc;">P</td> <td style="background-color: #ffffcc;">P</td> <td style="background-color: #ffffcc;">P</td> <td style="background-color: #d3d3d3;">P</td> <td style="background-color: #d3d3d3;">NP</td> <td style="background-color: #d3d3d3;">N</td> <td style="background-color: #d3d3d3;">N</td> </tr> </tbody> </table>	Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O	Agriculture (actively farmed)	N	N	N	N	L	N	N	N	N	N	N	Agricultural product / craft sales stand (Farmer's market)	N	N	N	L	L	L	L	L	L	L	L	Church / religious institution	P	P	P	P	P	P	P	P	NP	N	N	DC 2-4
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City / 2013.0211. ZT0002	Article 10-6D	<p>Article 10-6D — Shoreline Management</p> <p>Reserved for Shoreline Management documents adopted by the City. Consult with the City of Liberty Lake Planning & Building Services for more information on the City's adopted Shoreline Management Program.</p>	DC 6-63																																																
City / 2013.0212. ZT0003	10-4B-3 Project Procedure Types	<p>B. Type I Projects. Type I project permits are generally administrative decisions that usually require SEPA with minimal notice requirements, and decisions are made by the Director or his or her designee, without a public hearing. The Type I procedure is used when there are clear and objective approval criteria, and applying City standards and criteria requires no use of discretion. The following projects are classified as Type I projects:</p> <ol style="list-style-type: none"> 1. Commercial, Industrial, Grading, & other building permits that require SEPA 2. Major modifications to existing Commercial, Industrial, Grading, & other building permits that require SEPA. 3. Manufactured Home Parks 4. Preliminary Binding Site Plans (BSP) or Change of Conditions to an existing BSP 5. <u>5. Shoreline Substantial Development Permits</u> 6. <u>6. Short Plats</u> 7. <u>7. Top Soil Removals</u> <p>C. Type II Projects. Type II project permit decisions are Hearing Examiner decisions that require an 'open record' public hearing before the Hearing Examiner, full public notice, and they may or may not require SEPA. The 'closed record' appeal of a Type II decision is heard by the City Council. The following projects are classified as Type II projects:</p> <ol style="list-style-type: none"> 1. Conditional Use Permits or major modifications to an existing permit 2. Shoreline Permits <u>Revocation of a Shoreline Substantial Development Permit</u> 3. Special Use Permits 4. Class B Variances 	DC 4-7 & RDSAP Ch. 4, P. 9																																																

PRIORITY SUBJECT AREA - ADMINISTRATION

<p>City / 2013.0213. ZT0004</p>	<p>Article 10-5C Non-Conforming Uses and Development</p>	<p>10-5C-1 Non-Conforming Uses Where at the time of adoption of this Code a use of land exists which would not be permitted by the regulations imposed by this Code and was lawful at the time it was established, the use may be continued as long as it remains otherwise lawful, provided: F. The nonconforming use is not replaced by a conforming use. If replaced by a conforming use, the nonconforming use may not thereafter be resumed. F. Non-conforming land use may be replaced by a conforming land use. When land use is brought into compliance with the current code, it may not thereafter revert to or resume a non-conforming land use, except where land has been developed and the land use resumes its specific previous use and does not expand on its non-conformity.</p> <p>10-5C-2 Non-Conforming Development Previously built structures (including signs) that do not conform to the current codes may remain, provided that the structure was originally constructed and remains in conformity with the then existing codes, subject to the following provisions: A. Nonconforming structures may not be altered in such a manner that would increase their nonconformity under the current code. Except for freestanding and monument signs; however nonconforming structures may be changed in a manner that satisfies the current Development Code requirements or decreases the nonconformity to those requirements. Where it is determined that implementation of the current code is impractical, the applicability of the code requirements shall be determined by the Planning & Community Development Director <u>or designee. Normal upkeep, repairs, maintenance, strengthening or restoration to a safe condition of any nonconforming structure or part thereof shall be permitted subject to the provisions of this section. Additionally, alterations required by law or the order of a public agency in order to meet health and safety regulations shall be permitted;</u> B. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to an extent more than 50 percent of its replacement cost, as determined by the building code, it shall be reconstructed only in conformity with the Development Code unless compliance with this Development Code is not practical, as determined by the Planning & Community Development Director <u>or designee;</u> and C. Should such structure be moved or signage removed for any reason and by any distance, it shall thereafter conform to the regulations of the Development Code. <u>Nonconforming signage removed for building or signage structure maintenance may be replaced after the maintenance has been completed provided no changes have been made that would</u></p>	<p>DC 5-6</p>
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		<p><u>increase the nonconformity of the signage.</u></p> <p>D. Conforming uses may continue to operate in a non-conforming structure as long as the provisions above are met.</p> <p>E. Nonconforming signs must also comply with the Development Code if one of the following trigger events occurs:</p> <ol style="list-style-type: none"> 1. A change in business use; or 2. Abandonment or neglect for greater than 120 days, as determined by the P&CD Director. <p><u>E. Nothing in this section shall prevent the full restoration by reconstruction of a structure which is either listed on the National Register of Historic Places, the Washington State Register of Historic Places, the Washington State Cultural Resource Inventory, the Washington State Historic Barn Registry, the City of Liberty Lake Cultural and Historical Heritage/Resources, or an equivalent Register of Historic Places, or is listed in a council-approved historical survey meeting the standards of the State Department of Archaeology and Historic Preservation.</u></p> <p><u>“Restoration” means reconstruction of the historic or culturally significant structure with as nearly the same visual design appearance and materials as is consistent with full compliance with the State Building Code. The reconstruction of all such historic or culturally significant structures shall comply with the life safety provisions of the State Building Code.</u></p> <p><u>10-5C-3 Non-Conforming Lots</u></p> <p><u>A. A nonconforming lot is one which met applicable zoning ordinance standards as to size, width, depth and other dimensional regulations at the date on which it was created but which, due to the passage of a zoning ordinance, the amendment thereof, or the annexation of property to the city, no longer conforms to the current provisions of the Development Code. A lot which was not legally created in accordance with the laws of the local governmental entity in which it was located at the date of the creation is an illegal lot and will not be recognized for development.</u></p> <p><u>B. Legally created lots that do not conform to the current codes are considered nonconforming lots of record and are legally buildable except as provided below:</u></p> <ol style="list-style-type: none"> <u>1. To be legally buildable, a lot must be in compliance with the rules and regulations of the health district. Where there is a conflict between the provisions of this section and those rules of the health district, the more restrictive rules shall apply.</u> <u>2. A structure on a nonconforming lot of record must meet Development Code requirements for the zone in which the property is located; with the exception of minimum density standards. Where it is determined that implementation of the current code is impractical, the applicability of the code</u> 	
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		<p><u>requirements shall be determined by the Planning & Community Development Director or designee.</u></p> <p><u>3. A lot line adjustment shall be required prior to issuance of a building permit when a nonconforming and conforming lot are abutting each other and under common ownership, and a lot line adjustment will result in both legal lots being in conformance with area, building setbacks, critical area regulations, and other applicable Development Code requirements.</u></p> <p><u>4. Where two or more abutting nonconforming lots of record are under common ownership and they are aggregated into one lot. For that single aggregated lot to be subdivided, all lots created shall conform to Development Code requirements.</u></p> <p><u>10-5C-4 Appeals</u> <u>Decisions on Non-Conforming Uses and Development can be appealable in the same manner as an Administrative Interpretation.</u></p>	
City / 2013.0214. ZT0005	10-1B-8 Alternative Methods of Compliance	<p>10-1B-8 Alternative Methods of Compliance</p> <p>The Director or designee, <u>in consultation with the City Administrator or Building Official, as applicable</u> 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 <u>or designee</u> 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.</p> <p><u>Decisions on Alternative Methods of Compliance need to be documented in the project file and can be appealable in the same manner as an Administrative Interpretation. The Director or designee shall periodically forward decisions on Alternative Methods of Compliance to the Planning Commission and/or the Design Review Subcommittee for its information.</u></p>	DC 1-5 & RDSAP Ch. 1, P. 4
PRIORITY SUBJECT AREA – ARCHITECTURAL GUIDELINES AND SPECIAL STANDARDS			
City / 2013.0215. ZT0006	<p>10-2E-10 Architectural Guidelines and Special Standards (M-1 Zone)</p> <p>10-2F-10 Architectural Guidelines and Special Standards (M-2 Zone)</p> <p>10-2G-10 Architectural Guidelines and Special Standards (M-3 Zone)</p>	<p>C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.</p> <p>1. Detailed Design.</p> <p>All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.</p> <p>a. Corner building entrances on corner lots. Alternatively, a building entrance may be</p>	DC 2-86, 2-114, & 2-143

		<p>located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner. <u>The main entrance(s) to buildings shall be clearly delineated through architectural design and provide protection for pedestrians.</u></p> <ul style="list-style-type: none"> b. Regularly spaced and similar-shaped windows with window hoods or trim (all building stories). Buildings that are unable to provide regularly spaced and similar-shaped windows due to the internal function of the building space (e.g., mechanical equipment, manufacturing areas, <u>movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons</u> may not be required to meet this standard-; <u>however alternatives to break up blank walls shall be provided.</u> c. Large display windows on the ground-floor (non-residential uses only). Display windows shall be framed by bulkheads, piers and a storefront cornice (e.g., separates ground-floor from second story, as shown above). Buildings that are unable to provide large display windows due to the internal function of the building space (e.g., mechanical equipment, manufacturing areas, <u>movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons</u> may not be required to meet this standard-; <u>however alternatives to break up blank walls shall be provided.</u> d. Decorative cornice at top of building (flat roof); or eaves provided with pitched roof. e. All residential buildings subject to site design review shall also comply with "2" below. <p>3. Design of Large-Scale Buildings and Developments.</p> <p>All large-scale buildings and developments shall provide human-scale design by conforming to the standards in subsections a & b, below. Large-scale buildings and developments are buildings with greater than 20,000 square feet of enclosed ground-floor space (i.e., "large-scale") or multiple-building developments with a combined ground-floor space (enclosed) greater than 40,000 square feet (e.g., shopping centers, public/institutional campuses, and similar developments). Multi-tenant buildings shall be counted as the sum of all tenant spaces within the same building shell.</p> <ul style="list-style-type: none"> a. Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes, as shown above. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; 	
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		<p>terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and similar features. Note: the example shown below is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.</p> <p>b. Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a <u>main</u> building entrance; except that building elevations that are unable to provide an entrance due to the internal function of the building space (e.g., mechanical equipment, areas where the public or employees are not received, etc.) <u>or for structural reasons</u> may not be required to meet this standard; <u>however alternatives to break up blank walls shall be provided.</u> Pathways shall connect all <u>public</u> entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and <i>Section 10-2E-9, subsection C above.</i></p>	
<p>City / 2013.0216. ZT0007</p>	<p>10-2H-10 Architectural Guidelines and Special Standards (C-1 Zone)</p> <p>10-2I-10 Architectural Guidelines and Special Standards (C-2 Zone)</p> <p>10-2J-10 Architectural Guidelines and Special Standards (I Zone)</p>	<p>C. <u>Standards.</u> All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section.</p> <p>1. Detailed Design.</p> <p>All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.</p> <p>a. Incorporate architectural features such as windows, pedestrian entrances, building off-sets, projections, detailing, change in materials or similar features, to break up and articulate large building surfaces and volumes.</p> <p>b. Corner building entrances on corner lots. A building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner. <u>The main entrance(s) to buildings shall be clearly delineated through architectural design.</u></p> <p>c. Pedestrian-scale building entrances. Recessed entries, canopies, and/or similar features shall be used at the entries to buildings in order to create a pedestrian-scale.</p>	<p>DC 2-161, 2-175, & 2-192</p>

		<p>2. Design of Large-Scale Buildings and Developments.</p> <p>All large-scale buildings and developments shall provide human-scale design by conforming to the standards in subsections a & b, below. Large-scale buildings and developments are buildings with greater than 20,000 square feet of enclosed ground-floor space (i.e., “large-scale”) or multiple-building developments with a combined ground-floor space (enclosed) greater than 40,000 square feet (e.g., shopping centers, public/institutional campuses, and similar developments). Multi-tenant buildings shall be counted as the sum of all tenant spaces within the same building shell.</p> <p>a. Incorporate changes in building direction (i.e., articulation), and divide large masses into varying heights and sizes, as shown above. Such changes may include building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; and use of windows, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and similar features. Note: the example shown above is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.</p> <p>b. Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet, as measured from end-wall to end-wall, shall have a main building entrance; except that building elevations that are unable to provide an entrance due to the internal function of the building space (e.g., mechanical equipment, areas where the public or employees are not received, etc.) <u>or for structural reasons</u> may not be required to meet this standard; <u>however alternatives to break up blank walls shall be provided.</u> Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.</p>	
PRIORITY SUBJECT AREA – LANDSCAPING STANDARDS			
City / 2013.0217. ZT0008	10-3C-3 New Landscaping	<p>City Development Code -</p> <p>L. Additional Requirements.</p> <p><u>1. Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the City may require additional landscaping through the Conditional Use Permit process (Article 10-4H).</u></p> <p><u>2. Reclaimed water use in landscape areas is required when available.</u></p> <p><u>3. Landscape design should take into account the integration of required trees and shrubs with required exterior lighting, as well as monument</u></p>	DC 3-18 & RDSAP Ch. 3, P. 18

		<p><u>and freestanding signage.</u></p> <p><u>4. In accordance with City Development Code Section 10-1B-8, Alternative Methods of Compliance, the City may approve alternatives to the landscape requirements, if the consistency and other standards of Section 10-1B-8 are met.</u></p> <p>RDSAP –</p> <p>L. Additional Requirements.</p> <p>1. Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the City may require additional landscaping through the Conditional Use Permit process (Article 10-4H).</p> <p>2. Reclaimed water use in landscape areas is required when available.</p> <p><u>3. Landscape design should take into account the integration of required trees and shrubs with required exterior lighting, as well as monument and freestanding signage.</u></p> <p><u>4. In accordance with City Development Code Section 10-1B-8, Alternative Methods of Compliance, the City may approve alternatives to the landscape requirements, if the consistency and other standards of Section 10-1B-8 are met.</u></p>	
City / 2013.0218. ZT0009	10-3C-4 Street Trees	<p>D. Spacing and Location. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. <u>The use of grass in street tree planters is discouraged and if necessary, shall only be utilized in a manner approved by the City.</u> Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity.</p> <p>1. Spacing. The spacing of Street Trees will be in accordance with the three species size classes listed in G below, and no trees may be planted closer than the following:</p> <ul style="list-style-type: none"> a. Small Trees - 30 feet b. Medium Trees - 40 feet c. Large Trees - 50 feet d. Exceptions - special plantings designed or approved by a landscape professional (<i>RDSAP has Landscape Architect</i>). <p>2. Distance from Curb and Sidewalk. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in G below, and no trees may be planted closer to any curb or sidewalk than the following:</p> <ul style="list-style-type: none"> a. Small Trees - 2 feet b. Medium Trees - 3 feet c. Large Trees - 4 feet <p><u>The City may require increased distances from curbs and/or sidewalks on Arterial and Collector streets to accommodate snow.</u></p>	DC 3-20 & RDSAP Ch. 3, P. 19

		<p style="text-align: center;"><u>removal and vertical clearances.</u></p> <p>3. Distance from Street Corners and Fire Hydrants. No Street Tree shall be planted closer than 35 feet of the spacing requirements identified above in subsection (D)(1) to any street corner crosswalk, stop sign, point of curvature of intersection curblines, or point of tangency of intersection curblines. No Street Trees shall be planted closer than 10 feet of any fire hydrant.</p> <p>4. Utilities. No street trees other than Small Trees may be planted under or within 10 lateral feet of any overhead utility wire, or over or within 5 lateral feet of any underground water line, sewer line, transmission line, or other utility.</p> <p>E. Soil Preparation, Planting, and Care. The developer <u>or abutting property owner, as applicable,</u> shall be responsible for ensuring the planting of street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer <u>or abutting property owner, as applicable,</u> shall also be responsible for ensuring the tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting. All trees shall be maintained and cared for in accordance with City ORDINANCE NO. 124, AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, ESTABLISHING A CITY TREE ORDINANCE, <u>as amended.</u> Note: if at any time a street tree is substantially damaged by a vehicle or other means, it shall be the responsibility of the person causing the damage to replace the tree with one of similar species and size. <u>Contact the City of Liberty Lake for additional information on street tree planting, pruning, and replacement.</u></p> <p>G. Street Tree List. The following list constitutes example Street Tree species for the City of Liberty Lake, Washington. The City of Liberty Lake is a Tree City USA and the program emphasizes native species and encourages species diversity. Similar trees may be used if permission is obtained by the Planning & Community Development Department. Additional information is available in City Ordinance No. 124.</p> <p>1. Small Trees (<u>shall only be used where utility conflicts exist</u>):</p> <ul style="list-style-type: none"> a. <i>Acer circinatum</i> – Vine Maple b. <i>Acer ginnala</i> – Amur Maple c. <i>Acer griseum</i> – Paperbark Maple d. <i>Acer truncatum x platanoides</i> "Warrenred" – Pacific Sunset Maple e. <i>Amelanchier alnifolia</i> – Serviceberry f. <i>Cercis canadensis</i> – Eastern Redbud g. <i>Cornus florida</i> – Flowering Dogwood h. <i>Malus floribunda</i> – Japanese Flowering Crabapple <p><u><i>Crataegus x lavalleyi</i> - Lavalley Hawthorne</u></p> <p><u><i>Fraxinus excelsior</i> 'Aureafolia' - Golden Desert Ash</u></p>	
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		<p><u>Fraxinus pennsylvanica 'Johnson' – Leprechaun Ash</u></p> <p><u>Malus x 'Spring Snow' – Spring Snow Crabapple</u></p> <p>i. Prunus cerasifera 'Thundercloud' - Thundercloud Flowering Plum</p> <p>j. Prunus serrulata 'Kansan' – Kansan or Kwansan Flowering Cherry</p> <p>k. Pyrus calleryana – Callery Pear</p> <p>l. Pyrus calleryana 'Aristocrat' – Aristocrat Pear</p> <p>m. Robinia pseudoacacia – Black Locust</p> <p>2. Medium to Large Trees:</p> <p>a. Acer x freemanii 'Autumn Blaze' - Autumn Blaze Maple</p> <p><u>Acer griseum - Paperbark Maple</u></p> <p>b. Acer platanoides 'Crimson King' - Crimson King Norway Maple</p> <p>c. Acer platanoides 'Deborah' - Deborah Maple</p> <p>d. Acer platanoides 'Emerald Queen' - Emerald Queen Norway Maple</p> <p><u>Acer rubrum 'Autumn Flame' – Autumn Flame Maple</u></p> <p>e. Acer rubrum 'October Glory' - October Glory Red Maple</p> <p>f. Acer rubrum 'Red Sunset' - Red Sunset Red Maple</p> <p>g. Acer saccharum – Sugar maple</p> <p>h. Acer saccharum 'Commemoration' - Commemoration Sugar Maple</p> <p>i. Acer truncatum x Acer platanoides 'Norwegian Sunset' - Norwegian Sunset Maple</p> <p><u>Acer truncatum x platanoides "Warrenred" - Pacific Sunset Maple</u></p> <p>j. Betula nigra – River Birch</p> <p>k. Cercidiphyllum japonicum - Katsura Tree</p> <p>l. Fagus sylvatica – European Beech</p> <p>m. Fraxinus pennsylvanica 'Patmore' - Patmore Ash</p> <p><u>Fraxinus pennsylvanica 'Cimzam' - Cimmaron Ash</u></p> <p>n. Ginkgo biloba 'Autumn Gold' - Maidenhair Tree / Autumn Gold Ginkgo</p> <p>o. Gleditsia triacanthos var. inermis 'Shademaster' - Shademaster Thornless Honeylocust</p> <p><u>Gleditsia triacanthos 'Skycole' - Skyline Thornless Honeylocust</u></p> <p>p. Liquidambar styraciflua 'Moraine' - Moraine American Sweetgum</p> <p>q. Liriodendron tulipifera – Tulip Tree / Yellow Poplar</p>	
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		<p><u><i>Parrotia persica</i> – Persian Parrotia</u></p> <p>r. <u><i>Platanus x acerifolia</i> ‘Bloodgood’ - Bloodgood</u> London Plane Tree</p> <p>s. <u><i>Prunus sargentii</i> – Sargent Cherry</u></p> <p><u><i>Pyrus calleryana</i> ‘Autumn Blaze’ - Autumn Blaze Pear</u></p> <p><u><i>Pyrus calleryana</i> ‘Aristocrat’ - Aristocrat Pear</u></p> <p><u><i>Pyrus calleryana</i> ‘Holmford’ - New Bradford Pear</u></p> <p><u><i>Pyrus calleryana</i> ‘Redspire’ – Redspire Pear</u></p> <p>t. <u><i>Quercus palustris</i> - Pin Oak</u></p> <p>u. <u><i>Quercus rubra</i> - Red Oak</u></p> <p><u><i>Tilia americana</i> ‘Redmond’ – Redmond Linden</u></p> <p><u><i>Tilia cordata</i> ‘Greenspire’ – Greenspire Linden</u></p> <p><u><i>Tilia tomentosa</i> ‘Sterling’ – Sterling Silver Linden</u></p> <p>v. <u><i>Zelkova serrata</i> – Japanese Zelkova</u></p>	
City / 2013.0219. ZT0010	10-3C-5 Fences and Walls	<p>B. Dimensions.</p> <p>1. The maximum allowable height of residential fences and walls is 6 feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed 6 feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for fences and walls exceeding 6 feet in height, in conformance with the Building Code, as well as retaining walls exceeding 4 feet in height.</p> <p>2. The height of fences and walls within a front yard setback shall not exceed 4 feet (except decorative arbors, gates, etc.), as measured from the grade closest to the street right-of-way. Sight-obscuring fences shall not exceed 3 feet in height.</p> <p>3. Walls and fences to be built for required buffers shall comply with Section 10-3C-3 subsection G.</p> <p>4. Fences and walls shall comply with the vision clearance standards of Section 10-3B-2, subsection N.</p>	DC 3-22 & RDSAP Ch. 3, P. 22
PRIORITY SUBJECT AREA – PARKING REQUIREMENTS			
City / 2013.0220. ZT0011	City Development Code 10-2A-4 Zoning Districts Matrix / RDSAP Section 4.1 River District Zoning Matrix	<p>Use Determinations: It is recognized that all possible uses and variations of uses cannot be reasonably listed in a use matrix. The Director or Designee may classify uses not specifically addressed in the matrix consistent with similar uses. Classifications shall also be consistent with Comprehensive Plan policies.</p> <p><u>Accessory Uses (as defined by this Code and determined by the Director or Designee) are allowed in conjunction with a permitted, limited, or conditional use only.</u></p>	DC 2-4 & RDSAP Section 4.1, P. 1

<p>City / 2013.0221. ZT0012</p>	<p>10-3D-3 Vehicle Parking Standards</p>	<p>City Development Code 10-3D-3 Vehicle Parking Standards</p> <p>B. <u>Maximum Number of Parking Spaces.</u> The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided herein by more than 50%; except uses in the I (Light Industrial) Zone are exempt from the maximum parking standards. Unless otherwise specified, all commercial and industrial uses may exceed the maximum number of parking spaces in order to provide .5 spaces per employee during the largest shift. Additionally, individual surface parking lots shall never exceed 4 acres; !Larger parking areas should be in a parking structure. If surface parking lots must be larger than 4 acres to meet the minimum required parking space requirements in this Code, additional landscaping shall be provided, at the discretion of the Director or his or her designee, and the lots shall be separated into multiple 4 acre maximum lots. Spaces provided on-street or within parking structures do not apply towards the maximum number of allowable parking spaces. Parking spaces provided through “shared parking”, parking spaces for golf carts (as defined by City Ordinance 186, as amended), and electric vehicle spaces also do not apply toward the maximum number. Additionally, auto oriented sales display spaces that conform to the landscaping standards in 10-3C-3 and auto repair or outdoor vehicle storage areas that are enclosed within a building or with a solid wall or fully sight obscuring fence to a minimum height of 6 feet, do not apply toward the maximum number of parking spaces. <u>As outlined in Article 10-5B, the Director may approve variances to the minimum or maximum standards for off-street parking through a Class A Variance.</u></p>  <p>RDSAP 10-3D-3 Vehicle Parking Standards</p> <p>B. <u>Maximum Number of Parking Spaces.</u> The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided herein by more than 50% 50%; except uses in the RD-C Zone are exempt from the maximum parking standards. Unless otherwise specified, all commercial and industrial uses may exceed the maximum number of parking spaces in order to provide .5 spaces per employee during the largest shift. Additionally,</p>	<p>DC 3-26 & RDSAP Ch. 3, P. 26</p>
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		<p>individual surface parking lots shall never exceed 4 acres; If larger parking areas should be in a parking structure. If surface parking lots must be larger than 4 acres to meet the minimum required parking space requirements in this Code, additional landscaping shall be provided, at the discretion of the Director or his or her designee, and the lots shall be separated into multiple 4 acre maximum lots. Spaces provided on-street or within parking structures do not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking”, <u>parking spaces for golf carts (as defined by City Ordinance 186, as amended), and electric vehicle spaces</u> also do not apply toward the maximum number. Additionally, auto oriented sales display spaces that conform to the landscaping standards and auto repair or outdoor vehicle storage areas that are enclosed within a building or with a solid wall or fully sight obscuring fence to a minimum height of 6 feet, do not apply toward the maximum number of parking spaces. <u>As outlined in Article 10-5B, the Director may approve variances to the minimum or maximum standards for off-street parking through a Class A Variance.</u></p> 	
<p>City / 2013.0222. ZT0013</p>	<p>Add City Development Code Section 10-3D-6 / RDSAP Section 10-3D-7</p>	<p><u>Electric Vehicle Infrastructure (EVI). Electric Vehicle Infrastructure, as defined by RCW 35A.63.107 shall be allowed as an accessory use within any parking lot / area or within a garage or parking structure. Site and landscaping requirements identified in this Code shall apply, as applicable.</u></p> <p><u>A. Residential Zones. EVI in residential zones shall be limited to residential use and shall not be used for purposes of wholesale or retail sales.</u></p> <p><u>B. Other Zones. EVI for commercial and industrial uses should be designed and sized proportionately to accommodate the demand of the underlying permitted, limited, or conditional use and shall be suitable for the desired location.</u></p> <p><u>1. Design Criteria and Guidelines.</u></p> <p><u>a. Minimum Number. There is no required minimum on the number of parking stalls for electric vehicle recharge stations. Electric vehicle recharging stations may utilize required parking spaces and are exempt from maximum parking standards.</u></p> <p><u>b. Parking Space Size. Electric Vehicle charging stations should be sized the same as</u></p>	<p>DC 3-34 & Approx. RDSAP Ch. 3, P. 34</p>

		<p><u>a regular parking space as identified in this Code.</u></p> <p><u>c. Lighting. Unless the charging station is designated as day time use only, adequate lighting shall be provided for the charging station, consistent with the standards identified in this Code.</u></p> <p><u>d. EVI Signage. Signage should be posted to identify each charging station space as an electric vehicle charging station and identify any restriction such as use limits, towing provisions etc. Signage shall be consistent with the following guidance documents: "Electric Vehicle Infrastructure: A guide for Local Government in Washington State" (July 2010) or the Manual on Uniform Traffic Control Devices (MUTCD).</u></p> <p><u>e. Notification of station specifics. Notification shall be placed on the unit to identify voltage and amperage levels, time of use, fees, safety information and other pertinent information.</u></p> <p><u>2. Public Streets. Generally electrical vehicle charging stations should not be allowed within the publicly owned right of way. Placement of electric vehicle charging stations proposed to be located in the publicly owned right of way shall serve a public purpose and receive the approval of the City Engineer.</u></p>  <p><u>3. Maintenance. Maintenance of the electrical vehicle charging station, including but not limited to functionality of the station, shall be the responsibility of the property owner.</u></p>	
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PRIORITY SUBJECT AREA – SIGNAGE

<p>City / 2013.0223. ZT0014</p>	<p>Article 10-3E - Signage Standards</p>	<p>10-3E-2 Applicability and General Provisions The signage standards shall apply to all development within the City, unless specifically exempted by City code or ordinance. A permit is required for any on-premises sign that is erected, re-erected, constructed, painted, posted, applied or structurally altered, <u>as identified in this article.</u> The Planning and Community Development Department shall review sign permit applications.</p>	<p>DC 3-34</p>
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Notwithstanding any other provision of this article or of related standards referenced in this article, applications will be reviewed only with respect to sign structure or placement, or with reference to copy only to the extent of color, size, or typeface and excluding any reference to message, category, subject, topic, or viewpoint.

10-3E-7 Sign Standards for Other Zones

Any sign which pertains only to the identification of a permitted use in any ~~non-residential zone, except for residential zones, and zone and~~ is located entirely on the property ~~(with the exception of consolidated multi-business freestanding / monument signs and Campus Monument Signs) with the use of business, is permitted,~~ provided that it complies with the following conditions:

A. Wall Signs – Individual and Multiple Businesses. Wall signs for businesses are permitted on each wall of a building and for each business located entirely on the property provided the aggregate area for wall signage on any one (1) property or any one (1) building does not exceed a maximum ratio of: 1 square foot of signage per 10 square feet of building façade (sign area: building facade) up to a maximum area of 150 square feet. Except for properties within the Interstate 90 Corridor where 300 square feet shall be the maximum aggregate signage area. ~~In the case of properties with Interstate 90 exposure, the maximum size for signage on walls not facing Interstate 90 shall be 150 square feet.~~ Businesses in strip commercial type structures shall be calculated separately based on their individual ~~frontage facade.~~ ~~The Director may administratively increase the allowed wall signage when no freestanding and/or monument sign is proposed. To improve our streetscape views by minimizing the signage clutter while continuing to provide for adequate business identification, the wall signage maximum area limitations will not apply when one monument or freestanding sign is not utilized.~~ The sign permit shall be conditioned to prohibit ~~any a~~ future freestanding and/or monument signage due to the approved increased wall signage. Alternatively, an applicant may reduce the size or quantity of freestanding or monument signage and increase the size or quantity of wall signage by the same amount up to the allowed ratio identified above without a maximum area limitation.

C. Freestanding / Monument Signs – Multiple Business. Freestanding on-premises sign(s) for multiple businesses are permitted, not to exceed the number, maximum area and height limits as provided in Table 4. Freestanding signage allowed for an individual business shall not be combined with the signage allowed for multiple businesses. Multiple businesses located on one parcel and/or within one building shall be required to utilize multiple business freestanding / monument signage standards, rather than individual business freestanding / monument

signage standards. A group of businesses may consolidate their allowed freestanding / monument signs into one location to provide better overall business exposure while reducing signage clutter created by several signs as long as the maximum number and size allowed for the zone in Table 4 are not exceeded.

G. Campus Monument Signs

1. For the purpose of calculating signage, a campus is defined as a planned commercial, light industrial, or mixed use development that contains multiple parcels which encompass a minimum of one block or 10 acres of land and which the majority ~~majority~~ **some** of the parcels do not have frontage on an arterial or collector street and/or the majority ~~majority~~ **of some** businesses within the campus are located more than 300 feet from an arterial or collector street. Typically a campus would be contained within a singular land division.

2. A Campus Monument Sign may be utilized to provide off-site exposure to multiple parcels or businesses within a campus in an aesthetically pleasing manner that is a coordinated effort where at least the majority ~~majority~~ **of some** parcels or businesses participate in the Campus Monument Sign program and the sign is designed to accommodate future participation by all properties within the campus.

3. Campus Monument Signs may be located at ~~up to two (2)~~ **primary** entrances to the campus from the arterial or collector street, on private property only with the property owner's permission, Campus Monument Sign(s) shall not be located in the right-of-way. Each sign must have the same design but may include different parcels / businesses within the campus. Alternatively, the Campus Monument Sign(s), may be located on private property within the campus along the street connecting to the arterial / collector street in order to achieve the purpose of the program.

4. The amount of allowable signage area for Campus Monument Signs shall be dependent on the total acreage of the campus and set forth as follows:

- a. Less than 20 acres = 36 square feet maximum
- b. 20 to 50 acres = 72 square feet maximum
- c. 51 – 75 acres = 108 square feet maximum
- d. Greater than 75 acres = 144 square feet maximum

5. Maximum height of monument sign shall be 8.5 feet.

6. The sign must be set back a minimum of 10 feet from the right-of-way and the area within 10 feet surrounding the sign must be landscaped. The setback may be required to be increased to comply with the clear view triangle, as determined

		<p><u>by the City Engineer.</u></p> <p><u>7. Campus Monument Sign size shall not be calculated as part of the individual or multi-business signage. Campus Monument Signs are a separate category; however they cannot be closer than 150 feet from any other freestanding or monument sign.</u></p> <p><u>8. The sign must be a monument style that achieves aesthetic harmony with the overall campus design.</u></p> <p><u>9. An easement and/or agreement must be recorded which encompasses the area where the signage is installed, including the landscaping.</u></p> <p><u>10. A sign permit application must be submitted and approved prior to signage installation. All parcels / businesses within the campus shall be given the opportunity to participate in a Campus Monument Sign program and a listing of the parcels / businesses within the campus shall be submitted with the sign permit application that includes signatures for parcels / businesses that will be and will not be participating.</u></p>	
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CERTIFICATION

I, Ann Swenson, 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. 207 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on October 1, 2013 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: Council Members Kaminskas, Olander, Brickner, Beckett, and Kopelson.

NAYS: None.

ABSENT: Mayor Pro Tem Langford, and Council Member Dunne.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK