

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 259**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING
THE CITY OF LIBERTY LAKE DEVELOPMENT CODE AND THE RIVER
DISTRICT DEVELOPMENT REGULATIONS REGARDING SITE DESIGN REVIEW**

WHEREAS, the City of Liberty Lake (“City”) promulgated development regulations that have included development regulations regarding Site Design Review, which have been amended periodically, and were most recently amended by Ordinance No. 241 in July of 2017 (“Site Design Review”); and

WHEREAS, in 2008, the City adopted the River District Specific Area Plan, which included development regulations for the River District, including regulations regarding Site Design Review; and

WHEREAS, the regulations contained in the City’s Municipal Code, Development Regulations and the River District Development Regulations, collectively referred to as the City’s “site design review requirements” are inconsistent with adopted Comprehensive Plan Goals and Policies, other sections of municipal code, as well as current practice, and lack objective approval criteria; and

WHEREAS, the proposed amendments are intended to clarify the applicability, submission requirements, and approval criteria for the separate but related processes of Preliminary Design Review, Site Plan Review, and Building Permit Review, and make the regulations more consistent with Comprehensive Plan Goals and Policies, other code requirements, and current practices; and

WHEREAS, the proposed changes will provide better transparency, and greater clarity of expectation for citizens, businesses, and the development community; and

WHEREAS, a complete public participation program was followed for the proposed amendments to the City’s Site Design Review regulations; and

WHEREAS, a complete public engagement process was followed for the proposed amendments to the City’s Site Design Review regulations; and

WHEREAS, all public notification requirements were met and accomplished in a timely manner; and

WHEREAS, consistent with the Washington State Environmental Protection Act (SEPA), a Determination of Non-Significance (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 Washington State Growth Management Act (GMA) requires proposed

development regulations, including proposed amendments, be forwarded to the Washington State Department of Commerce ("DOC") for review and comment prior to final City Council adoption; and

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

WHEREAS, the City has met the GMA notice to state agency requirements in RCW 36.70A.106 for the proposed amendments to the City's Site Design Review regulations contained in City Development Code, and the River District Specific Area Plan Development Regulations; and

WHEREAS, the City Council has reviewed the Planning Commission's Findings, Conclusions, and Recommendations regarding amendments to the City's Site Design Review regulations;

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

Section 1. Amendments to the City of Liberty Lake's Design Review Regulations Contained in the City's Development Code, and the River District Specific Area Plan Development Regulations.

The approved amendments to the City's Site Design Review Regulations are attached hereto as "Exhibit A" and incorporated herein.

Section 2. Severability.

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

Section 3. Administration and Enforcement.

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

Section 4. Effective Date.

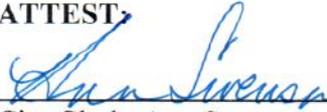
This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this 2nd day of July, 2019.



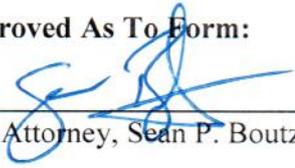
Mayor, Steve Peterson

ATTEST:



City Clerk, Ann Swenson

Approved As To Form:



City Attorney, Sean P. Boutz

Date of Publication: 7/12/19

Effective Date: 7/17/19

EXHIBIT A

Article 10-4C — ~~Site Design Review~~ Preliminary Design, Site Plan, and Building Plan Review and Approval

Sections:

10-4C-1	Purpose
10-4C-2	Applicability <u>Preliminary Design Review</u>
10-4C-3	Site <u>Plan Design Review and Approval</u> Application-Submission Requirements 10-4C-4 <u>Building Plan Submission and Review Requirements</u> Site Design Review Approval Criteria
10-4C-5	Bonding and Assurances
10-4C-6	Development in Accordance With Permit Approval

10-4C-1 Purpose

The purpose of this Chapter is to:

- A. Provide rules, regulations, and standards for efficient and effective administration of site-preliminary design review, where applicable, and site plan review and approval required for building permit issuance.
 - B. Carry out the development pattern and plan of the City and its comprehensive plan policies;
 - C. Ensure ~~the~~ that site design is consistent with code, standards, and policies established to protect public health, safety, and general welfare;
 - D. Lessen or avoid impacts to community infrastructure; and
 - E. Encourage the conservation of energy resources, efficient use of land resources, full utilization of urban services, mixed uses, transportation options, and detailed, human-scaled design.
- E.F. Provide design guidance to the applicant in accordance with City code and standards before full construction documents are completed.

10-4C-2 ~~Applicability~~ Preliminary Design Review

~~A. Applicability. The Design Review Subcommittee of the Planning Commission shall conduct a preliminary design review and make design recommendations is required for the types of construction or development listed below, in accordance with the design standards and established by City Code, and the design review criteria detailed in paragraph 10-4C-2(C) of this section, except that all developments in areas of special concern such as environmental and cultural preservation shall also use additional site design review procedures for those areas. Per the discretion of P&CD, projects may not require all of the submissions noted in Section 10-4C-3 below.~~

~~Site design review shall be required for all new construction or developments and modifications of existing construction or developments, except that regular maintenance, repair, and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing, and similar maintenance and repair shall be exempt, unless the structure or site is non-conforming and the repair or replacement of materials causes a loss of non-conforming status (see Article 10-5C).~~

~~Site Design Review. Site design review is conducted by P&CD and is based on clear and objective criteria and ensures compliance with the basic development standards of the~~

~~zoning district (e.g., building setbacks, lot coverage, maximum building height, etc.), as well as the more detailed design standards and public improvement requirements in Chapters 2 and 3.~~

- ~~1. Developments within designated mixed-use areas;~~
- ~~2. Planned unit developments and large scale residential developments;~~
- ~~3. Public and semi-public institutional buildings over 5,000 sq. ft.;~~
- ~~4. Aesthetic corridors and boulevards, and adjacent development;~~
- ~~5. Commercial and industrial developments;~~
- ~~6. Developments adjacent to natural areas, critical areas, or shorelines; and~~
- ~~7. All non-residential buildings that are visible from a public street.~~

- ~~1. Commercial and industrial buildings;~~
- ~~2. Attached dwellings (single & multi-family) that:~~
- ~~3. Exceed 100' in length along the primary street frontage, or; include five or more attached units, or include 3 or more independent buildings in a project.~~
- ~~4. Manufactured home parks;~~
- ~~5. Modifications to development approvals as defined by Article 10-4F;~~
- ~~6. Any proposed development which has a valid conditional use permit. Major modifications to a development with a conditional use permit shall require review and approval in accordance with Article 10-4H – Conditional Use Permits;~~

~~Other developments, including single-family detached dwellings, manufactured homes, and two-family duplexes, when required by a condition of approval or within this Code. Preliminary Design Review is recommended to be completed during design development so that recommendations can be incorporated into the final site plans and construction documents prior to permit submittal and review.~~

B. Preliminary Design Review Submission Requirements:

~~Prior to issuance of permits or approvals, preliminary design review shall be conducted for the projects listed in Section 10-4C-2(A) above. The following information, as applicable, is generally required for preliminary design review application submittal:~~

- ~~1. General Submission Requirements. The applicant shall submit an application containing all of the general information detailed on the City's application for Preliminary Design Review with required attachments as detailed on the submittal checklist contained therein.~~
- ~~2. Preliminary Design Review Information. An application for preliminary design review shall include the following information, as deemed applicable by the City:~~
 - ~~a. Preliminary Site Plan: At a minimum, the preliminary site plan shall include the following information, as applicable:~~
 - ~~i. Name, phone number and e-mail address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.~~
 - ~~ii. The proposed development site, including boundaries, dimensions, and gross area;~~
 - ~~iii. Existing features of the site, if any, which are proposed to remain on the site.~~
 - ~~iv. Existing features of the site, if any, which are proposed to be removed or modified by the development;~~
 - ~~v. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;~~

- vi. The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
 - vii. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
 - viii. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls, ADA stalls and wheel stops, as applicable);
 - ix. Parking stall counts and calculations per Article 10-3D-3.
 - x. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails per Article 10-3B-3;
 - xi. Loading and service areas for waste disposal, loading, and delivery;
 - xii. Detail of refuse enclosure, including gate.
 - xiii. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements, as applicable;
 - xiv. Location, type, and height of outdoor lighting;
 - xv. Location of mail boxes, if known;
 - xvi. Location of bicycle parking with number of spaces indicated;
 - xvii. Location of bus stops and other public or private transportation facilities;
 - xviii. Locations, sizes, and types of proposed signs; and,
 - xix. North arrow and scale.
- b. Architectural drawings. Architectural drawings shall include the following information:
- i. Name, phone number, and e-mail address of architect, project designer, contact person, as applicable;
 - ii. Building elevations with design detail including windows, window awnings, entries, projections, pedestrian entrance canopies, change in materials or similar features, building height and width dimensions;
 - iii. Building materials, color, and type;
 - iv. Total building footprint square footage and percentage of parcel or lot covered by buildings and other structures; and,
 - v. Scale and dimensions.
- c. Preliminary Landscape Plan. The preliminary landscape plan shall include the following information:
- i. Name, phone number, and e-mail address of project designer, contact person, engineer, landscape architect, and/or planner, as applicable;
 - ii. The location and height of existing and proposed fences and other buffering or screening materials;
 - iii. Dimensional width of all perimeter landscape buffers per Article 10-3C-3(F);
 - iv. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - v. The location, size, and species of the existing-to-remain and proposed plant materials (at time of planting);
 - vi. Existing and proposed building, pavement outlines and landscape protective curbing;
 - vii. Calculation stating the percentage of landscape area per Article 10-

3C-3(D):

viii. North arrow and scale; and

ix. Other information as deemed appropriate by City. An arborist's report may be required for sites with significant vegetation that is protected under Article 10-3C of this Code. Per the discretion of the City, some projects may combine site and landscape plans.

d. Letter or narrative report documenting compliance with the applicable design standards, and the approval criteria contained in Section 10-4C-2(C) below.

Per the discretion of City, some projects may not require all of the submissions detailed above at the time of Preliminary Design Review.

C. Preliminary Design Review Criteria:

Upon preliminary design review, the Design Review Subcommittee of the Planning Commission shall make written design recommendations based upon the following criteria:

1. The proposed land use is permitted by the underlying zoning district, and conforms with any special standards as may be associated with such a use in the underlying zone, as detailed in Chapter 2 of this title.
2. The proposed development is generally consistent with adopted Comprehensive plan goals and policies, and complies with applicable design provisions of the underlying zoning district, which are intended to protect the City's scenic views, provide community cohesion, and enhance the community image of Liberty Lake.
3. The proposed development is in conformance with specific design standards detailed in Chapters 2 and 3 of this title, including:
 - a. building and yard setbacks;
 - b. lot area and dimensions;
 - c. residential density;
 - d. lot coverage;
 - e. building height;
 - f. building orientation;
 - g. architectural design standards; and
 - h. other development standards, as detailed in Chapters 3 of this title, have been met.
4. Exceptions to paragraph 3, above, shall be permitted when approved as a Variance in accordance with the procedures and standards detailed in Article 10- 5B.
5. The preliminary site plan and building design brings into conformance any existing development that does not comply with the applicable zoning district standards, when so required in accordance with the provisions of Article 10-5C, Non- Conforming Uses and Development.
6. The design review shall lapse, and a new application shall be required if an application for the building permit has not been submitted within 6 months of issuance of the preliminary design review recommendation, unless an extension has been approved, as provided for in Section 10-4C-6(C).

10-4C-3 ~~Site Design Review Application Submission Requirements~~ Site Plan Review and Approval

- A. Applicability. Site plan review and approval in accordance with the provisions of this section shall be required for all new construction or developments and modifications of existing construction or developments listed below, except that regular maintenance, repair, and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing, and similar maintenance and repair shall be exempt, unless the structure or site is non-conforming and the repair or replacement of materials causes a loss of non-conforming status (see Article 10-5C).
1. Governmental, public and semi-public institutional buildings;
 2. Commercial and industrial buildings;
 3. Attached dwellings (single & multi-family) that:
 - a. Exceed 100' in length along the primary street frontage, or;
 - b. encompass three or more attached units;
 4. More than 2 detached dwellings or two-family residential units located on a single lot or parcel;
 5. Manufactured home parks;
 6. Modifications to development approvals as defined by Article 10-4F;
 7. Any proposed development which has a valid conditional use permit. Major modifications to a development with a conditional use permit shall require review and approval in accordance with Article 10-4H - Conditional Use Permits;
 8. Other developments, including single-family detached dwellings, manufactured homes, and two-family duplexes, when required by a condition of approval or within this Code.

Prior to issuance of permits or approvals, site plan review shall be conducted by City staff. Decisions are based on clear and objective criteria in order to ensure compliance with the basic development standards of the zoning district (e.g., building setbacks, lot coverage, maximum building height, etc.), as well as the more detailed design standards and public improvement requirements in Chapters 2 and 3 of this title. It is further informed by the recommendations provided by the Design Review Subcommittee of the Planning Commission in their preliminary design review, where applicable, and as based upon the design review criteria detailed in Article 10-4C-2, paragraph C.

- B. Site Plan Review Application Submission Requirements. The applicant shall submit an application form containing all of the general information detailed on the City's application for Site Plan Review with required attachments as detailed on the submittal checklist contained therein. The following information must be included in the submittal for the Site Plan Review application to be considered complete

~~Prior to issuance of permits or approvals, site design review shall be conducted for the projects listed in Section 10-4C-2 above. The following information, as applicable, is required for site design review application submittal:~~

~~General Submission Requirements. The applicant shall submit an application containing all of the general information required by Article 10-4B above, if applicable.~~

1. ~~Site Design-Plan Review Information.~~ An application for site ~~design-plan~~ review shall include the following information, as deemed applicable by ~~P&CD~~the City:
 - a. Site analysis map (existing conditions). ~~At a minimum t~~The existing site

analysis map shall ~~contain~~ include the following information, as applicable:

- i. Name and address of project designer, contact person, engineer, surveyor, and/or planner, as applicable
 - ii. Professional engineer's stamp, signed and dated.
 - ~~i.iii.~~ iii. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;
 - ~~ii.iv.~~ ii.iv. ~~Existing topographic contours shown at 2 foot intervals, except that contours for slopes in excess of 6% may be Identification of slopes greater than 10 percent and provide topographic contour lines shown at a five (5) foot minimum interval if over 6 percent; all slopes greater than 10 percent shall be identified.~~
 - ~~iii.v.~~ iii.v. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjacent to the site;
 - ~~iv.vi.~~ iv.vi. Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
 - ~~v.vii.~~ v.vii. ~~Known Resource~~ Known Resource areas, including marsh and wetland areas, streams, wildlife habitat as may be mapped or otherwise identified by the City or any natural resource regulatory agencies as requiring protection;
 - ~~vi.viii.~~ vi.viii. Site features, including existing structures, pavement, rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;
 - ~~vii.ix.~~ vii.ix. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
 - x. The general location, size, and species of any existing trees and other vegetation that are intended to be protected and incorporated into the new landscape plantings;
 - ~~viii.xi.~~ viii.xi. ~~The general location, size, and species of all existing trees and shrubs meeting the threshold of "significant vegetation as detailed in Section 10-3C-2B of this title; and, having a caliper (diameter) of 12 inches or greater at four feet above grade, noting those which of those trees and shrubs which are intended proposed to be protected and incorporated into the new landscape plantings;~~
 - xii. Location of any existing fire hydrants, connections or valves;
 - xiii. North arrow and scale;
 - ~~ix.xiv.~~ ix.xiv. ~~and~~ Names and addresses of all persons listed as owners on the most recently recorded deed; ~~and,~~
 - ~~x.~~ Name and address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.
 - ~~xi.xv.~~ xi.xv. Other information, as determined by ~~P&CD~~ the City. The City may require studies or exhibits prepared by qualified professionals to address specific site features.
- b. Proposed site plan. The proposed site plan shall ~~contain~~ include the following information, as applicable:
- i. Name, phone number and e-mail address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.
 - ii. Professional Engineer (or Registered Architect) stamp, signed and dated;

- ~~iii.~~ iii. The proposed development site, including boundaries, dimensions, and gross area;
- ~~i-iv.~~ iv. Approximated traffic counts to adjacent roadways during peak hours;
- ~~ii-v.~~ v. Features identified on the existing site analysis map which are proposed to remain on the site;
- ~~iii-vi.~~ vi. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
- ~~iv-vii.~~ vii. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
- ~~v-viii.~~ viii. The location and dimensions of all existing and proposed structures, utilities, pavement, and other improvements on the site. Plans should quantify the total area of impervious site improvements (in square feet and as a percentage of the entire site). Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
- ~~vi-ix.~~ ix. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
- ~~x.~~ x. The location and dimensions of all proposed loading, parking and vehicle circulation areas (show width of drive aisles, turning radii, parking stall dimensions, striping for parking stalls, ADA parking stalls, markings and signage, and wheel stops, as applicable);
- ~~vii-xi.~~ xi. Parking stall counts and calculations per Article 10-3D-3;
- ~~xii.~~ xii. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails per Article 10-3B-3;
- ~~xiii.~~ xiii. ~~i-~~ Loading and service areas for waste disposal, loading, and delivery;
- ~~viii-xiv.~~ xiv. Detail of refuse enclosure including gate;
- ~~ix-xv.~~ xv. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements, as applicable;
- ~~x-xvi.~~ xvi. Location, type, and height of outdoor lighting;
- ~~xi-xvii.~~ xvii. Location of mail boxes, if known;
- ~~xii-xviii.~~ xviii. Location of bicycle parking with number of spaces indicated;
- ~~xiii.~~ xiii. ~~Name and address of project designer, if applicable.~~
- ~~xiv-xix.~~ xix. Location of bus stops and other public or private transportation facilities;
- ~~xx.~~ xx. Locations, sizes, and types of proposed signs;
- ~~xxi.~~ xxi. Location of all proposed fire hydrants, the Fire Department connection and Post Indicator Valve;
- ~~xv-xxii.~~ xxii. North arrow and scale; and;
- ~~xxiii.~~ xxiii. Other information, determined by P&CDthe City. The City may require studies or exhibits prepared by qualified professionals to address specific site features (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this Code.

- c. Landscape plan. A ~~proposed~~ landscape plan ~~is required and shall show~~ provide the following information, as applicable:
- ~~i.~~ Name, phone number and e-mail address of project designer, contact person, landscape architect, surveyor, and/or planner, as applicable;
 - ~~ii.~~ Professional Landscape Architects Stamp, signed and dated;
 - ~~iii.~~ The location and height of existing and proposed fences and other buffering or screening materials;
 - ~~iv.~~ Dimensional width of all perimeter landscape buffers per Article 10-3C-3(F);
 - ~~v.~~ The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - ~~vi.~~ The location, size, and species of the existing ~~to remain trees and shrubs to remain,~~ and proposed new plant materials (at time of planting);
 - ~~vii.~~ Existing and proposed building, ~~and~~ pavement outlines ~~and landscape protective curbing;~~
 - ~~a.~~ Specifications for soil at time of planting and anticipated planting schedule.
 - ~~viii.~~ Irrigation system (if plantings are not drought-tolerant, may be automatic or other approved method of irrigation);
 - ~~ix.~~ Calculation stating the percentage of landscape area per Article 10-3C-3(D);
 - ~~x.~~ North arrow and scale; and,
 - ~~xi.~~ Other information as deemed appropriate by P&CD City. An arborist's report may be required for sites with significant vegetation that is protected under Article 10-3C of this Code. Per the discretion of P&CD the City, some projects may combine site and landscape plans.
- d. Architectural drawings. ~~Architectural~~ The proposed architectural drawings shall be submitted showing:
- ~~i.~~ Name and address of architect, project designer, contact person, engineer, surveyor, and/or planner, as applicable;
 - ~~ii.~~ Registered Architects Stamp, signed and dated;
 - ~~iii.~~ Building elevations with design detail including windows, window awnings, entries, projections, pedestrian entrance canopies, change in materials or similar features, building height and width dimensions;
 - ~~iv.~~ Building materials, color, and type;
 - ~~v.~~ Total building footprint square footage and percentage of parcel or lot covered by buildings and other structures;
 - ~~vi.~~ Scale and dimensions; and,
 - ~~vii.~~ Revisions, as recommended in preliminary design review for the project; and,
- ~~e.~~ Preliminary gGrading plan. A ~~preliminary-proposed~~ grading plan shall be required prepared by a registered engineer shall be required for developments which would result in the grading (cut or fill) of 500 cubic yards or greater. Proposed grading plan shall include a Professional Engineers stamp, signed and dated and the name, phone and email address of the project designer, contact, and engineer, as applicable. The ~~preliminary~~ grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. ~~Surface water detention and treatment plans may also be required, in accordance with Article 10-~~

~~3H.~~

- ~~f. Stormwater management, erosion and sediment control plans. Plans detailing surface water detention and treatment, stormwater conveyance and disposal, and erosion and sediment control for projects which could potentially cause significant runoff, erosion, or water quantity/quality impacts, shall be prepared, stamped and signed by a Professional Engineer in accordance with the requirements of Article 10-3H of this title, the City of Liberty Lake Engineering Design Standards, and the Spokane Regional Stormwater Manual, and shall include the name, phone number, e-mail for the Engineer of Record;~~
- ~~g. Public facility and utility plans. Civil plans shall be prepared, signed and stamped by a licensed civil engineer, shall contain the contact information of the engineer of record, and shall detail existing and proposed site utilities and all public facility improvements as may be required in accordance with the standards detailed in Article 10-3G of this title, and the City of Liberty Lake Engineering Design Standards.~~
- ~~e.h. Sign drawings, if applicable, shall be required-provided in conformance with the City's Sign Code Article 10- 3E.~~
- ~~f.i. Site Lighting-lighting plan and fixture specification sheets in conformance with Section 10-3F-2.~~
- ~~g.i. Copies of all existing and proposed restrictions or covenants.~~
- ~~h.k. Letter or narrative report documenting compliance with the applicable design standards, revisions made based upon preliminary design review, and the approval criteria contained in Section 10-4C-3(C) below.~~

D. Site Plan Approval Criteria:

~~P&CDSite plan approval shall be required prior to building permit issuance. shall make written findings with respect to all of the following criteria whenSite plans shall only be approved if they conform with all of the following criteria: approving, approving with conditions, or denying an application:~~

- ~~1. The proposed land use is permitted by the underlying zoning district, and conforms with any special standards as may be associated with that use in the underlying zone, as detailed in Chapter 2 of this title.~~
- ~~A. The proposed land use is permitted by the underlying zoning district (Chapter 2);~~
- ~~2. The proposed development is generally consistent with adopted Comprehensive plan goals and policies, and complies with applicable design provisions of the underlying zoning district, which are intended to protect the City's scenic views, provide community cohesion, and enhance the community image of Liberty Lake.~~
- ~~3. The proposed development is in conformance with specific design standards detailed in Chapters 2 and 3 of this title, including:
 - ~~a. building and yard setbacks;~~
 - ~~b. lot area and dimensions;~~
 - ~~c. residential density;~~
 - ~~d. lot coverage;~~
 - ~~e. building height;~~
 - ~~f. building orientation;~~
 - ~~g. architectural design standards; and~~
 - ~~h. other development standards, as detailed in Chapters 3 of this title, have been met.~~~~

4. Exceptions to paragraph 3, above, shall be permitted when approved as a Variance in accordance with the procedures and standards detailed in Article 10-5B.

5. The proposed site plan and building design bring into conformance any existing development that does not comply with the applicable zoning district standards, when so required in accordance with the provisions of Article 10-5C - Non-Conforming Uses and Development.

~~B. The application complies with the all of the applicable provisions of the underlying Zoning District (Chapter 2), including: building and yard setbacks, lot area and dimensions, residential density, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses and design or other development standards are met (Chapters 3);~~

~~C. Exceptions to B, above, may be granted only when approved as a Variance (Article 10-5B).~~

4.6. All applicable building and fire code standards are met;

7. The development is in conformance with applicable ADA requirements.

8. Civil plans are in substantial conformance with City of Liberty Lake Engineering Design Standards, or a design deviation has been granted.

9. Stormwater and erosion control measures proposed are consistent with Best Management Practices.

2.10. The applicant shall ~~be required to~~ upgrade any existing development that does not comply with the applicable zoning district standards, ~~in conformance when~~ so required in accordance with the provisions of Article 10-5C - Non-Conforming Uses and Development;

3.11. Conditions required as part of a Land Division (Article 10-4E4D), Conditional Use Permit (Article 10-4F4H), Specific Area Plan Overlay (Article 10-2M), or other approval shall be met, ~~unless a modification to conditions of approval has been sought and approved, in accordance with the provisions of Article 10-4F.~~

4.12. The application is complete, as determined in accordance with Title 9, Building Regulations, Article 10-4B, and Section 10-4C-3(B) above, and other applicable Titles within the City Municipal Code.

13. The approval shall lapse, and a new application shall be required, ~~if a permit has not been issued within six (6) months of site design review approval, or if an application for permits is not received~~ has not been issued within 6 months of site plan approval, unless an extension has been approved as provided for in Section 10-4C-6(C), development of the site is in violation of the approved plan or other applicable codes, in accordance with Section 10-4C-6, subsection B of this Code.

14. Traffic generated by the development can be managed by existing infrastructure or mitigated through impact fees or improvements required at the time of development.

5.15. Utility providers have verified the availability of services necessary to support the proposed development.

10-4C-4 **Site Design Review Approval Criteria Building Plan Submission & Review Requirements**

A. Submittal Requirements.

1. Commercial, Industrial, Multi-family, Public and Semi Public Institutional Building Plan Submittal Requirements. Building permit packets shall include electronic copies of the following:

- a. Applications for Building, Grading, Site Improvements, Mechanical, Plumbing, Signage and Right-of-Way Permits, as applicable;
- b. Specification Books with architect's and/or engineer's stamps, as applicable;
- c. Drainage report with engineer's stamp;
- d. Hazardous material lists;
- e. NREC worksheets;
- f. Site Analysis Narrative:
 - i. Proposed land use permitted by underlying zoning district;
 - ii. Compliance with Development Code provisions; and,
 - iii. IBC an IFC compliance.
- g. Full Plan Set (stamped, signed and dated):
 - i. Code compliance narrative;
 - ii. Site parking plan;
 - iii. Utility plan;
 - iv. Grading / drainage plan;
 - v. Erosion & sedimentation control plan;
 - vi. Landscape plan;
 - vii. Architectural plans;
 - viii. Structural plans;
 - ix. Mechanical plans;
 - i-x. Plumbing plans;
 - xi. Electrical plans;
 - xii. Exterior lighting plan;
 - xiii. Building fire suppression plans; and,
 - xiv. Equipment fire suppression plans, as applicable.
- h. Special Inspection Form, as applicable;
- i. Agreement to Pay Fees Form; and,
- j. SEPA Checklist and Fee, as applicable.

2. Residential Building Plan Submittal Requirements: Building permit packets for residential permits shall include electronic copies of the following:

- a. Applications for Building, Mechanical, and Plumbing Permits, as applicable;
- b. Residential energy code compliance worksheets;
- c. Prescriptive footing calculator worksheets, or engineered/stamped foundation plans;
- d. Confirmation of radon mitigation system installation;
- e. Truss drawings;

f. Floor joist layout and accompanying beam calculations, as applicable;

g. Full Plan Set:

i. Site Plan, to include:

1. Building footprints;

2. Location of driveway;

3. Setback requirements dimensioned;

4. Existing and proposed final site contours, in 2 foot intervals;
and,

5. Location, height and general design of any proposed
retaining walls.

ii. Construction drawings, with code compliance references, as
applicable.

3. Remodel Projects: Building permit packets shall include pdf's of the following:

a. Applications for Building, Mechanical and Plumbing Permits, as applicable;
and,

b. Full Plan Set (may require Professional stamp as determined by the
Building Official).

B. Building Permit Review. Building plans will be reviewed and processed in accordance with
the provisions of adopted building codes, as referenced in City Code Title 9-1, Building Codes.

C. Water and sewer permits applications shall be submitted directly to the applicable water
and sewer purveyor. Water and sewer permits must be issued by the purveyor prior to building
permit issuance.

10-4C-5 Bonding and Assurances

A. Performance Bonds. On all projects where project related improvements are required, the City shall require a bond in an amount not greater than 150% of the private cost as a condition of development approval in order to guarantee the improvements. The Applicant will be required to provide an independent estimate of improvement costs. Issuance of a temporary certificate of occupancy for fee simple residential units will not require a bond or assurance. Payment of a re-inspection and conversion fees will be required.

B. Warranty Bond. Additional bonding or assurance shall be required for all improvements within the public right-of-way, including landscaping, as well as swales which serve the right-of-way for a period of 2 years after improvements are completed in an amount equal to 20% of the construction cost or \$10,000, whichever is greater. The ~~P&CD Director~~City may reduce the bond amount for projects valued at less than \$20,000. The warranty bond must be posted prior to the release of any performance bonds, in conformance with the City Development Code and City ~~Street Engineering~~ Standards.

C. Release of Performance Bonds. The bond or assurance shall be released when the ~~P&CD Director~~City finds the completed project conforms to the site development approval, including all conditions of approval.

D. Release of Warranty Bonds. The bond or assurance shall be released after the 2 year period when the ~~P&CD Director~~City finds that any noted deficiencies have been repaired or replaced, in conformance with the City Development Code and City ~~Engineering Street~~ Standards.

E. Completion of Landscape Installation. Landscaping shall be installed prior to issuance of occupancy permits, unless security is provided equal to 150% of the private cost of the cost of the landscaping. Applicant will be required to provide an independent estimate of improvement costs, as determined by the P&CD Director, or a licensed landscape architect is filed with the City assuring such installation within six months after occupancy. If the installation of the landscaping is not completed within the a six-month period, the security may be used by the City to complete the installation.

10-4C-6 Development in Accordance With Permit Approval

Development shall not commence until the applicant has received all of the appropriate land use and development approvals, and building permits. Construction of public improvements shall not commence until the City has approved all required site improvement plans (e.g., utilities, streets, land dedication, etc.). The City may require the applicant to enter into a development agreement (e.g., for phased developments and developments with required off-site improvements), and may require bonding or other assurances for improvements, in accordance with Section 10-4C-5. Site design review approvals shall be subject to all of the following standards and limitations:

A. Modifications to Approved Plans and Developments. Minor modifications of an approved plan or existing development, as defined in Article 10-4F, shall be processed as an exempt project procedure. Major modifications, as defined in Article 10-4F, shall be processed as a Type III procedure. For information on procedure types, please refer to Article 10-4B above. For Modifications approval criteria, please refer to Article 10-4F.

~~B. —~~ Approval Period. ~~Preliminary design review and Site site plan design review~~ approvals shall be effective for a period of six (6) months from the date of approval. If application for a building permit for the project is not completed has not been submitted within that 6 months of the preliminary design approval, or a building permit has not been issued within 6 months of

~~site plan approval period, the those approvals shall lapse, and a new application submission shall be required, unless an extension has been granted in accordance with the provisions of paragraph C, below, if a permit has not been issued within six (6) months of site design review approval, or if development of the site is in violation of the approved plan or other applicable codes.~~

C. Extension. The ~~P&CD Director~~ City shall, upon written request by the applicant, grant an extension of the approval period not to exceed one year; provided that:

1. No changes are made on the original approved site design review plan;
2. ~~The applicant can show intent of initiating construction on the site within the one year extension period;~~
3. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and
4. The applicant demonstrates that failure to submit a building permit application within 6 months of preliminary design approval, or obtain a building permits permit and substantially begin construction within six (6) months of site ~~design review~~ plan approval was beyond the applicant's control.

D. Phased Development. Phasing of development may be approved with the site design review application, subject to the following standards and procedures:

1. A phasing plan shall be submitted with the site design review application.
2. ~~P&CD The City~~ shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than ten (10) years without reapplying for site design review.
3. Approval of a phased site design review proposal requires satisfaction of all of the following criteria:
 - a. The public facilities required to serve each phase are constructed in conjunction with or prior to each phase;
 - b. The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal; and
 - c. An application for phasing may be approved after site design review approval as a modification to the approved plan, in accordance with the procedures for minor modifications (Article 10-4F).