



PLANNING & BUILDING SERVICES

April 3, 2018

Paul Willocks
Holt Group
PO Box 61426
Vancouver, WA 98666

**RE: LUA2018-0035 / COC2018-0001, Legacy Ridge West Minor Modification
Notice of Administrative Decision**

Mr. Willocks:

We are in receipt of the Change of Conditions Application submitted March 27 by Parametrix, Inc. for a minor modification to the Final Plat of Legacy Ridge West. Included with the application was Frank Ide’s letter dated January 28, 2018 to Amanda Tainio which included a summary of the Liberty Lake Development Code. Ms. Tainio outlined her acceptance of Mr. Ide’s code interpretations and summarized the need for the Minor Modification in her subsequent email to Mr. Ide on February 21, 2018.

The submitted application states that the proposed grading within the common areas is 34,154 s.f. (0.78 acres), comprising 3.4% of the total common area within Legacy Ridge West. This is less than the 5% maximum grading allowed in Article 10-4F of the Development Code. Also, the proposed grading will reduce the amount of 30% slopes within the plat 23,380 s.f., thereby adjusting the net density of the plat to 4.16 units per acre.

In light of the above, this Change of Conditions is hereby **approved**, with the following conditions:

1. Grading activities shall not exceed 5% of the total approved open space / common areas approved within the Legacy Ridge West Final Plat.
2. Grading activities do not reduce net density to less than 4 units per acre
3. A grading permit application must be submitted and approved prior to beginning grading operations. The permit shall include the following:
 - a.) Plans shall be stamped by a licensed geotechnical engineer to ensure that neighboring properties, environmentally sensitive areas, etc. are not adversely affected by the grading activity.
 - b.) Plans shall include a grading plan, ESC plan with re-vegetation plan, and geo-tech report
 - c.) Plans must comply with City Clearing and Grading Standards design criteria outlined in the City of Liberty Lake Development Code

Sincerely,

Katy Allen
Community Development Director

**BEFORE THE CITY OF LIBERTY LAKE
ZONING ADMINISTRATOR**

**IN THE MATTER OF A MINOR MODIFICATION
REQUEST FOR LEGACY RIDGE WEST SUBDIVISION,
FILE NO. 2014.PL0003**

)
) **FINDINGS OF FACT,**
) **CONCLUSIONS, AND**
) **DECISION**
)

THIS MATTER, an application for a minor modification to the Legacy Ridge West Preliminary Plat Approval from Lexington Homes/DRH, LLC dba D.R. Horton, has been received on October 25, 2021, and was decided upon on November 4, 2021, pursuant to the City Development Code, Section 10-4F-4, Minor Modifications.

FINDINGS OF FACT

1. Legacy Ridge West Preliminary Plat was approved by the Liberty Lake City Council on November 11, 2014 to subdivide 198.6 acres into 281 lots for single family dwellings, and 3 lots with uses as permitted in the M-2 zone. The Legacy Ridge West Preliminary Plat, as approved, contained 89.83 Acres of common open space, 14.5 acres of private roads.
2. The subject site is located east of and adjacent to Kramer Parkway, north of Sprague Avenue, and south of Country Vista Drive, in the SW 1/4 of Section 16, Township 25 N., Range 45 EWM, in the City of Liberty Lake, WA.
3. The zoning of the majority of the property is R-1 (Single Family Residential), with a portion of the property is zoned M-2 (Community Center Mixed Use). The area contained within this minor modification request is zoned R-1 (Single Family Residential).
4. The City of Liberty Lake Comprehensive Plan Land Use Map designates the property as Single Family Residential, Community Center Mixed Use.
5. Surrounding uses are primarily zoned R-1 (Single Family Residential) to the east, and M-2 (Community Center Mixed) to the north and west. Properties to the south are in the unincorporated Spokane County.
6. The applicant has requested a Minor Modification. A Minor Modification is any modification to a land use decision or approved development plan that does not meet the criteria for a major modification in Section 10-4F-3 of the City Development Code.

In order to be classified as a Minor Modification, the proposal must meet the following criteria:

- No changes in land use;
- No increases in the number of dwelling units;
- No changes in the type and/or location of access ways, drives, or parking areas that affect off-site traffic;
- No increases in the lot coverage proposed for non-residential use by more than 5 percent where previously specified;
- No reductions of more than 5 percent of the area reserved for common open space and/or usable open space;

- No reductions to specified setback requirements to a degree that the minimum setback standards of the zoning district cannot be met; or
 - Not have any changes similar to those listed above, which are likely to have an adverse impact on adjoining properties.
7. The Zoning Administrator reviews applications for approval of a minor modification request using the Exempt Projects procedure as outlined in Article 10-4B of the City Development Code. The Zoning Administrator may approve, approve with conditions, or deny an application for a minor modification based on the following criteria:
- The proposed development is in compliance with all applicable requirements of the Development Code and/or in the case of projects with conditions of approval attached, the proposed development is in compliance with the conditions of approval; and
 - The modification is not a major modification as defined in Section 10-4F-3 of the City Development Code.
- The Zoning Administrator's decision will be issued in writing and will include a summary of the Director's finding as to each criteria.
8. This minor modification proposal was submitted as part of the application packet for Legacy Ridge West 2nd Addition Final Plat, Case No. LUA2021-0022, Plat No. 2014.PL0003B.
9. The requested modifications is for the following:
- A reduction of 11, 854 sq. ft. (0.272 acres) of common open space.
 - The requested reduction in open space represents a total of 0.3% of the total open space approved as part of the original preliminary plat approval.
 - The open space area being dedicated as part of Legacy Ridge West 2nd Addition is 9.23 acres. The proposed reduction in open space represents 2.9% of the area of open space being dedicated as part of this plat.
10. Public notice is not required for a minor modification because it is an exempt project under Article 10-4B of the City Development Code and it is exempt from environmental review under the State Environmental Policy Act pursuant to the City of Liberty Lake Development Code, Article 10-6A, Environmental Ordinance.

CONCLUSIONS OF LAW

1. This modification request submitted as part of the application packet for Legacy Ridge West 2nd Addition Final Plat, Case No. LUA2021-0022, Plat No. 2014.PL0003B, as described in Paragraph 9 meets the definition of a minor modification request.
2. This modification request is generally consistent with the conditions of approval for the Legacy Ridge West Preliminary Plat (File No. 2014.PL0003).
3. This modification request is generally consistent with the City of Liberty Lake Development Code.

DECISION

Based upon the above noted Findings of Fact and Conclusions of Law, the Minor Modification Application as part of the application packet for Legacy Ridge West 2nd Addition Final Plat, Case No. LUA2021-0022, Plat No. 2014.PL0003B is hereby **APPROVED**.

This decision is final unless appealed in writing consistent with adopted appeal procedures.

Dated this 4th day of November, 2021.



Lisa D. Key, Director
Director of Planning & Engineering

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal this decision through an 'open record' appeal to the City Hearing Examiner. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to the City of Liberty Lake by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Zoning Administrator.

If you have any questions, please call Lisa Key at (509) 755-6708.

- No reductions to specified setback requirements to a degree that the minimum setback standards of the zoning district cannot be met; or
 - No changes similar to those listed above, which are likely to have an adverse impact on adjoining properties.
7. The Zoning Administrator reviews applications for approval of a minor modification request using the Exempt Projects procedure as outlined in Article 10-4B of the City Development Code. The Zoning Administrator may approve, approve with conditions, or deny an application for a minor modification based on the following criteria:
- The proposed development is in compliance with all applicable requirements of the Development Code and/or in the case of projects with conditions of approval attached, the proposed development is in compliance with the conditions of approval; and
 - The modification is not a major modification as defined in Section 10-4F-3 of the City Development Code.
- The Zoning Administrator's decision will be issued in writing and will include a summary of the Director's finding as to each criterion.
8. This minor modification proposal, Case No. LUA2024-0029, was submitted in advance of filing for a project permit for infrastructure improvements and final plat applications for Legacy Ridge West 3rd and 4th Addition Final Plats.
9. The requested modifications seek to allow for a change in the internal layout of lots within the development, from the lot layout originally approved in the preliminary plat, which established entitlement for a total of 281 single family homes lots. The requested modifications are as follows:
- Lots platted in the first three phases of Legacy Ridge West were final platted with 75 fewer lots than were indicated in those areas on the preliminary plat.
 - The modifications propose to add 4 additional lots in Phase D, and 64 additional lots in Phase F, to bring the total lot count for the development to 274 lots (7 lots less than number originally approved in the preliminary plat).
 - The change effectively shifts the location of lots within the plat, without changing external points of access.
10. Public notice is not required for a minor modification because it is an exempt project under Article 10-4B of the City Development Code and it is exempt from environmental review under the State Environmental Policy Act pursuant to the City of Liberty Lake Development Code, Article 10-6A, Environmental Ordinance.

CONCLUSIONS OF LAW

1. This modification request, Case No. LUA2024-0029, was submitted in advance of filing for a project permit for infrastructure improvements and final plat applications for Legacy Ridge West 3rd and 4th Addition Final Plats, and as described in Paragraph 9, does not meet the definition of a major modification, as detailed in City Development Code §10-4F-3, and is therefore deemed to be a minor modification.
2. This modification request is generally consistent with the conditions of approval for the Legacy Ridge West Preliminary Plat (File No. 2014.PL0003).
3. This modification request is generally consistent with the City of Liberty Lake Comprehensive Plan and Development Code.

DECISION

In the matter of Case No. LUA2024-0029, the third Minor Modification Application for Legacy Ridge West, Plat No. 2014.PL0003, is hereby **APPROVED**, based upon the findings of fact and conclusions of law.

This decision is final unless appealed in writing consistent with adopted appeal procedures.

Dated this 21st day of August, 2024.



Lisa D. Key, Director
Director of Planning & Engineering

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal this decision through an 'open record' appeal to the City Hearing Examiner. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to the City of Liberty Lake by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Zoning Administrator.

If you have any questions, please call Lisa Key at (509) 755-6708.

- No reductions of more than 5 percent of the area reserved for common open space;
 - No reductions to specified setback requirements to a degree that the minimum setback standards of the zoning district cannot be met; or
 - No changes similar to those listed above, which are likely to have an adverse impact on adjoining properties.
7. The Zoning Administrator reviews applications for approval of a minor modification request using the Exempt Projects procedure as outlined in Article 10-4B of the City Development Code. The Zoning Administrator may approve, approve with conditions, or deny an application for a minor modification based on the following criteria:
- The proposed development is in compliance with all applicable requirements of the Development Code and/or in the case of projects with conditions of approval attached, the proposed development is in compliance with the conditions of approval; and
 - The modification is not a major modification as defined in Section 10-4F-3 of the City Development Code.

The Zoning Administrator's decision will be issued in writing and will include a summary of the Director's finding as to each criterion.

8. This minor modification proposal, Case No. LUA2025-0017, was submitted after the filing of a final plat application for Legacy Ridge West 3rd Addition (also known as Phase D), and for Legacy Ridge West 4th Addition (also known as Phase F), and prior to the issuance of a permit for mass grading for Legacy Ridge West 4th Addition (also known as Phase F) or application for infrastructure improvements and final plat applications for Legacy Ridge 4th Addition.
9. In addition to the Minor Modification application, the applicant has submitted a Reasonable Use Request (Case No. LUA2025-0008) pursuant to City Development Code §10-6B-1(B), for the excavation of areas with slopes exceeding 30%. That request is currently under review by the City. Approval of that reasonable use exception is a *condition precedent* to the approval of the requested minor modification, since it is necessary to make a finding that the proposed development is compliant with all applicable requirements of the Development Code.
10. The requested modifications seek to allow for a change in the internal layout of lots within the development, from the lot layout originally approved in the preliminary plat, which established entitlement for a total of 281 single family homes lots. The requested modifications are as follows:
- Lots platted in the first three phases of Legacy Ridge West were final platted with 75 fewer lots than were indicated in those areas on the preliminary plat, and a prior minor modification approved 4 additional lots to be platted in Legacy Ridge West 3rd Addition (also known as Phase D).
 - The modifications propose 64 additional lots in Phase F, to bring the total lot count for the development to 274 lots (7 lots less than number originally approved in the preliminary plat).
 - The change effectively shifts the location of lots within the plat and revises the internal road layout, without changing external points of access.
 - Revisions result in 90.5 acres of open space, as compared to the original preliminary plat acreage of 89.3 acres (an increase of 1.3% of common open space).
11. Public notice is not required for a minor modification because it is an exempt project under Article 10-4B of the City Development Code and it is exempt from environmental review under the State Environmental Policy Act pursuant to the City of Liberty Lake Development

Code, Article 10-6A, Environmental Ordinance.

CONCLUSIONS OF LAW

1. This modification request, Case No LUA2025-0017, was submitted in advance of filing for a project permit for infrastructure improvements and final plat applications for Legacy Ridge West 4th Addition Final Plats, and as described in Paragraph 9, does not meet the definition of a major modification, as detailed in City Development Code §10-4F-3, and is therefore deemed to be a minor modification.
2. This modification request is generally consistent with the conditions of approval for the Legacy Ridge West Preliminary Plat (File No. 2014.PL0003).
3. This modification request is generally consistent with the City of Liberty Lake Comprehensive Plan and Development Code, provided that a Reasonable Use Exception for the excavation of slopes is granted.

DECISION

In the matter of Case No. LUA2025-0017, the fourth Minor Modification Application for Legacy Ridge West, Plat No. 2014.PL0003, is hereby **APPROVED**, with the following condition:

1. Approval is conditioned upon a final approval in Case No. LUA2025-0008, the requested reasonable use exception for the excavation of slopes in excess of 30%.

This decision is final unless appealed in writing consistent with adopted appeal procedures.

Dated this 27th day of June, 2025.



Lisa D. Key, Director
Director of Planning & Engineering

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal this decision through an 'open record' appeal to the City Hearing Examiner. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to the City of Liberty Lake by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Zoning Administrator.

If you have any questions, please call Lisa Key at (509) 755-6708.