CHAPTER 2

ZONING DISTRICTS

CONTENTS **Page #**

Article 10-2A	**Zoning District Administration**	**2-2**
Article 10-2B	**R-1 (Single Family Residential) District**	**2-10**
Article 10-2C	**R-2 (Mixed Residential) District**	**2-26**
Article 10-2D	**R-3 (Multi-Family Residential) District**	**2-49**
Article 10-2E	**M-1 (Neighborhood Center Mixed-Use) District**	**2-71**
Article 10-2F	**M-2 (Community Center Mixed-Use) District**	**2-93**
Article 10-2G	**M-3 (Central Business District Mixed-Use) District**	**2-125**
Article 10-2H	**C-1 (Community Commercial) District**	**2-155**
Article 10-2I	**C-2 (Freeway Commercial) District**	**2-167**
Article 10-2J	**I (Light Industrial) District**	**2-184**
Article 10-2K	**P (Public / Semi-Public Institutional) District**	**2-199**
Article 10-2L	**O (Open Space / Recreation) District**	**2-210**
Article 10-2M	**Specific Area Plan Overlays**	**2-219**

Article 10-2A — Zoning District Administration

Sections:

10-2A-1 **Classification of Zoning Districts**
10-2A-2 **Zoning Districts Map**
10-2A-3 **Determination of Zoning District Boundaries**
10-2A-4 **Zoning Districts Matrix**
10-2A-5 **Zoning Districts Map Exhibit**

10-2A-1 Classification of Zoning Districts

All areas within the City limits of the City of Liberty Lake are divided into zoning districts. The use of each lot, parcel, and tract of land is limited to the uses permitted by the applicable zoning district (see matrix in Section 10-2A-4). The applicable zoning district shall be determined based on the Zoning District Map, and the provisions of this Article.

10-2A-2 Zoning Districts Map

A. Consistency with zoning district map. The boundaries of each of the zoning districts contained within this article shall coincide with the zoning district boundaries identified on the City's official zoning map, retained by the Planning & Community Development Department. Said map by this reference is made a part of this Development Code. A certified print of the adopted zoning district map, and any map amendments, shall be maintained by the City.

B. Applicability of zoning requirements. Each lot, tract, and parcel of land or portion thereof within the zoning district boundaries as designated and marked on the zoning map, is classified, zoned, and limited to the uses as hereinafter specified and defined for the applicable district classification.

C. Split Zoning. In the event that a parcel contains more than one zoning district, the City may, at the request of the property owner, make an administrative code interpretation that the zoning designation associated with the largest portion of the parcel, shall apply to the entire parcel.

~~C~~D. Zoning district map amendments. All amendments to the City zoning district (zoning map) shall be made in accordance with the provisions of Article 10-4J.

1. Copies of all map amendments shall be dated with the effective date of the ordinance adopting the map amendment, and shall be maintained without change, together with the adopting documents, on file at the City; and
2. The City shall make available for public inspection an up-to-date copy of the revised zoning district map, so that it accurately portrays changes of zone boundaries or classification, as applicable.

10-2A-3 Determination of Zoning District Boundaries

Where due to the scale, lack of scale, lack of detail or illegibility of the City zoning district map,

or due to any other reason, there is uncertainty, contradiction or conflict as to the intended location of district boundary lines, the boundary lines shall be determined by the P&CD Director in accordance with the following:

A. Boundaries indicated as approximately following the center lines of streets, highways, railroad tracks or alleys shall be construed to follow such center lines;

B. Boundaries indicated as approximately following the boundaries of a parcel, lot, or tract shall be construed as following such boundaries;

C. Boundaries indicated as approximately following a City boundary, or the Urban Growth Area Boundary, shall be construed as following said boundary;

D. Boundaries indicated as approximately following river, stream and/or drainage channels or basins shall be construed as following river, stream and/or drainage channels or basins, as applicable; and

E. Whenever any public right-of-way is lawfully vacated, the lands formerly within the vacated right-of-way shall automatically be subject to the same zoning district designation that is applicable to lands abutting the vacated area. In cases where the right-of-way formerly served as a zoning district boundary, the lands formerly within the vacated right-of-way shall be allocated proportionately between the subject zoning districts.

10-2A-4 Zoning Districts Matrix

Comprehensive Plan Category	Implementation - Zoning District	
Single Family Residential	**R-1**	(Single Family Residential)
Mixed Residential	**R-2**	(Mixed Residential)
Multi-Family Residential	**R-3**	(Multi-Family Residential)
Neighborhood Center	**M-1**	(Neighborhood Center)
Community Center	**M-2**	(Community Center)
Central Business District	**M-3**	(Central Business District)
Community Commercial	**C-1**	(Community Commercial)
Freeway Commercial	**C-2**	(Freeway Commercial)
Light Industrial	**I**	(Light Industrial)
Public / Semi-Public Institutional	**P**	(Public / Semi-Public Institutional)
Open Space / Recreation	**O**	(Open Space / Recreation)

Types of Uses

- **Permitted Uses (P):** Permitted uses are designated in matrix with the letter “P”. These uses may occur without special action by the Hearing Body, subject to development standards of the zone in which it is located, and other applicable portions of this Code.
- **Limited Uses (L):** Limited uses are designated in matrix with the letter “L”. These uses are allowed if they comply with the development standards of the zone in which it is

located, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc.

- **Conditional Uses (CU):** Conditional uses are designated in matrix with the letters “CU”. Conditional uses are permitted to locate only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner.
- **Not Permitted (N):** Uses designated in matrix with the letter “N” are not permitted. All uses not specifically authorized by this Code are prohibited.
- **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. 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.
- **Essential Public Facilities (EPF's):** Facilities that may have statewide or regional/countywide significance are listed in the Facilities and Uses column as EPF and shall additionally be evaluated to determine applicability with the “Spokane County Regional Siting Process for Essential Public Facilities”, as amended.

Zoning Districts Matrix

Comprehensive Plan Category	Implementation - Zoning District	
Single Family Residential	R-1	(Single Family Residential)
Mixed Residential	R-2	(Mixed Residential)
Multi-Family Residential	R-3	(Multi-Family Residential)
Neighborhood Center	M-1	(Neighborhood Center)
Community Center	M-2	(Community Center)
Central Business District	M-3	(Central Business District)
Community Commercial	C-1	(Community Commercial)
Freeway Commercial	C-2	(Freeway Commercial)
Light Industrial	I	(Light Industrial)
Public / Semi-Public Institutional	P	(Public / Semi-Public Institutional)
Open Space / Recreation	O	(Open Space / Recreation)
Aesthetic Corridors / Boulevards	Aesthetic Corridors / Boulevards Overlay	

Types of Uses

- **Permitted Uses (P):** Permitted uses are designated in matrix (10-2A-4) with the letter "P". These uses may occur without special action by the Hearing Body, subject to development standards of the zone in which it is located, and other applicable portions of this Code.
- **Limited Uses (L):** Limited uses are designated in matrix (10-2A-4) with the letter "L". These uses are allowed if they comply with the development standards of the zone in which it is located, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc.
- **Conditional Uses (CU):** Conditional uses are designated in matrix (10-2A-4) with the letters "CU". Conditional uses are permitted to locate only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner.
- **Not Permitted (N):** Uses designated in matrix (10-2A-4) with the letter "N" are not permitted. All uses not specifically authorized by this Code are prohibited.
- **Use Determinations:** It is recognized that all possible uses and variations of uses cannot be reasonably listed in a use matrix. The Director may classify uses not specifically addressed in the matrix consistent with similar uses. Classifications shall also be consistent with Comprehensive Plan policies.
- **Essential Public Facilities (EPF's):** Facilities that may have statewide or regional/countywide significance are listed in the Facilities and Uses column as EPF and shall additionally be evaluated to determine applicability with the "Spokane County Regional Siting Process for Essential Public Facilities", as amended.

Zoning Districts Matrix

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	P	N	N
Funeral home / mortuary	N	N	N	N	N	N	P	N	N	N	N
Home occupation	L	L	L	L	L	L	N	N	N	N	N
Hospital - EPF	N	N	N	N	N	N	P	P	P	N	N
Large-scale retail establishments	N	N	N	N	L	L	N	L	N	N	N
Marijuana Producer	N	N	N	N	L	N	N	N	N	N	N
Mobile sales / concessions	L	L	L	L	L	L	L	L	L	L	L
Parking structure	N	N	L	L	L	L	L	L	L	N	N
Planned unit development (PUD)	P	P	P	P	P	P	P	P	P	N	N
Public assembly	L	L	L	L	L	L	L	L	L	L	L
Seasonal & special events	L	L	L	L	L	L	L	L	L	L	L
Temporary construction / sales office	L	L	L	L	L	L	L	L	L	L	L
Tower	N	N	N	N	N	N	L	N	L	N	N
Tower, private	L	L	L	L	L	L	L	L	L	N	N
Animal related											
Animal health services / veterinarian - domestic animals	N	N	N	L	L	L	L	L	N	N	N
Animal shelter / kennel	N	N	N	N	N	N	N	N	L	L	N
Animal, wildlife rehabilitation facility	N	N	N	N	N	N	N	N	N	N	N
Dangerous animal / livestock keeping	N	N	N	N	N	N	N	N	N	N	N
Automobile, etc. oriented											
Automobile, manufactured home, recreational vehicle, trailer, & boat -sales	N	N	N	N	N	N	N	P	N	N	N
Automobile parts sales (retail)	N	N	N	N	L	L	P	P	P	N	N
Automobile parts sales (wholesale)	N	N	N	N	N	N	N	N	P	N	N
Automobile, recreational vehicle, trailer, truck, & taxi - rentals	N	N	N	N	N	N	N	P	N	N	N
Automobile / truck repair or maintenance (service station)	N	N	N	N	N	N	L	L	P	N	N
Automobile impound yard	N	N	N	N	N	N	N	N	N	P	N
Automobile wrecking / recycling, junk, & salvage yards	N	N	N	N	N	N	N	N	N	N	N
Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance	N	N	N	N	N	N	N	L	P	N	N
Car wash (automatic or self-service)	N	N	N	N	N	N	P	P	P	N	N
Gas station / convenience store	N	N	N	N	N	L	L	L	N	N	N

[GD1]

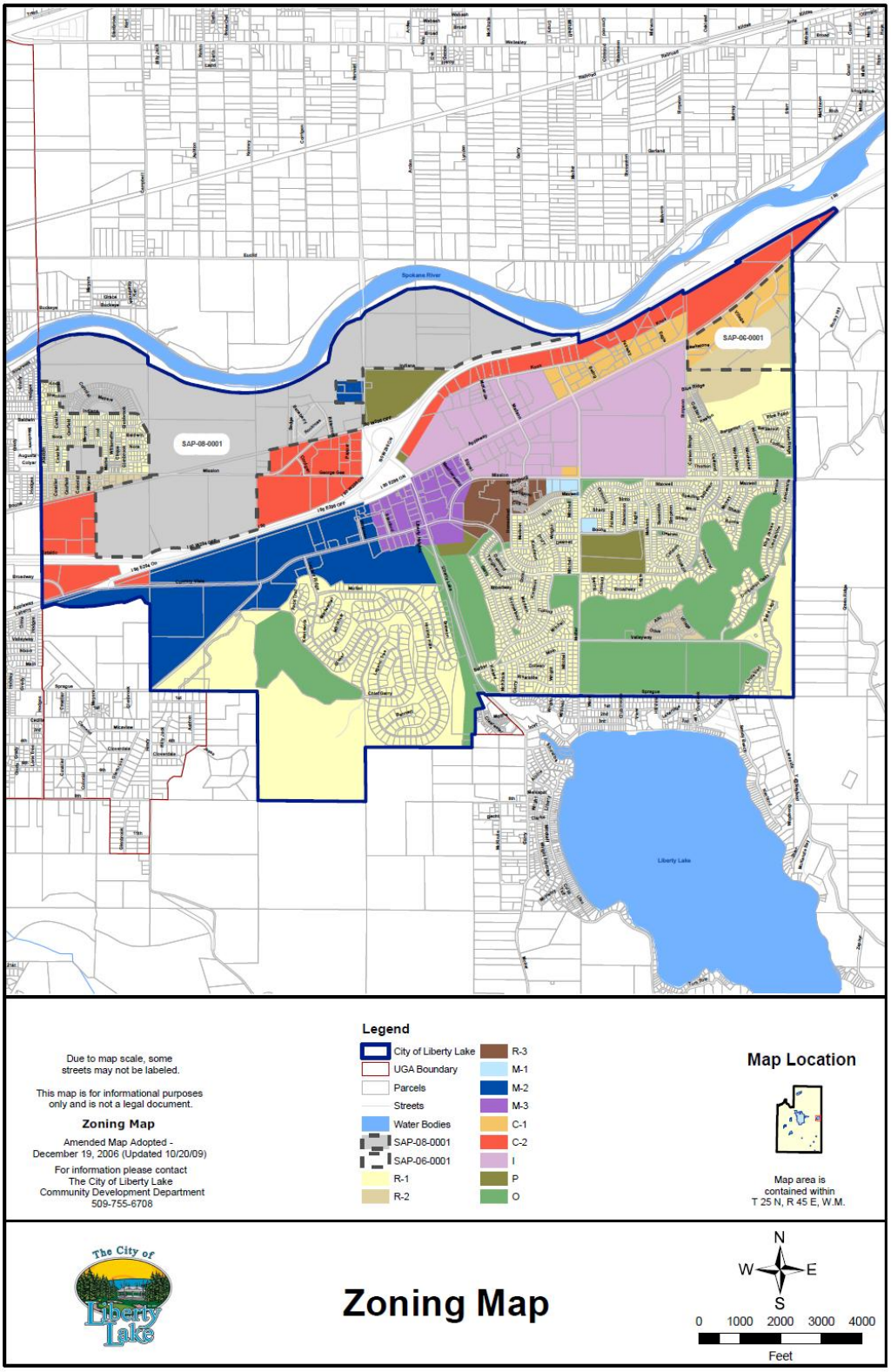
Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Child day-care											
Family child day-care home (5 or fewer children)	P	P	P	P	P	P	N	N	N	N	N
Family child day-care home (6 to 12 children)	P	P	P	P	P	P	N	N	N	N	N
Child day-care center	CU	P	P	P	P	P	P	P	L	P	N
Child day-care center (in a church or a school)	L	P	P	P	P	P	P	N	N	L	N
Community recreation and facilities											
Athletic club / exercise facility / gym	N	N	N	P	P	P	P	P	N	N	L
Community center / hall / club	L	P	P	P	P	P	P	P	N	P	L
Golf course	N	N	N	N	N	N	N	N	N	N	P
Parks & recreation	P	P	P	P	P	P	P	P	P	P	P
Participant & spectator sports facilities	N	N	L	L	L	N	P	P	P	N	L
Recreational vehicle park / campground	N	N	N	N	N	N	N	N	CU	N	CU
Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented)											
Adult entertainment establishment	N	N	N	N	N	N	CU	N	N	N	N
Adult retail use establishment	N	N	N	N	N	N	CU	N	N	N	N
Banks / financial institutions (without drive-thru)	N	N	N	P	P	P	P	P	P	N	N
Banks / financial institutions (with drive-thru)	N	N	N	L	L	L	P	P	L	N	N
Bed and breakfast inn	CU	CU	CU	CU	CU	CU	N	N	N	N	N
Building supply / hardware - sales (inside sales & storage)	N	N	N	P	P	P	P	P	N	N	N
Building supply / hardware - sales (outside sales & storage)	N	N	N	N	N	N	N	P	P	N	N
Commercial laundromat & dry cleaning facility (without drive-thru)	N	N	N	P	P	P	P	P	N	N	N
Commercial laundromat & dry cleaning facility (with drive-thru)	N	N	N	L	L	L	P	P	N	N	N
Cultural center, library, museum	N	P	P	P	P	P	N	N	N	P	N
Espresso stand	N	N	N	N	N	N	L	N	N	N	N
General retail	N	N	N	P	P	P	P	P	L	N	L
Grocery store	N	N	N	P	P	P	P	P	N	N	N
Hotel, motel, inn	N	N	N	P	P	P	P	P	N	N	N
Landscape supply, greenhouse, or commercial nursery	N	N	N	N	P	N	P	P	P	N	N
Marijuana Retailer	N	N	N	N	CU	CU	L	L	N	N	N
Personal care services such as barber shops, hair and nail salons, tanning salons, etc.	N	N	N	P	P	P	P	P	N	N	N
Pharmacy (without drive-thru)	N	N	N	P	P	P	P	P	N	N	N

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented), *continued*											
Pharmacy (with drive-thru)	N	N	N	L	L	L	P	P	N	N	N
Printing, reprographics, bookbinding, & graphic services	N	N	N	P	P	P	P	P	P	N	N
Restaurant, cafe, deli, or ice cream parlor (without drive-thru)	N	N	N	P	P	P	P	P	L	N	L
Restaurant, cafe, deli, or ice cream parlor (with drive-thru)	N	N	N	L	L	L	P	P	N	N	N
Sports Bar	N	N	N	N	CU	CU	P	P	N	N	N
Tavern / pub / liquor store	N	N	N	N	CU	CU	P	P	N	N	L
Theater (motion picture or performing arts)	N	N	N	P	P	P	P	P	N	N	L
Winery / Microbrew	N	N	N	N	P	P	P	P	P	N	N
Government / civic offices and facilities											
Detention facility - EPF	N	N	N	N	N	N	N	N	CU	CU	N
Maintenance / public works facility	N	N	N	N	P	P	N	N	P	P	L
Municipal Offices / Facilities	N	N	P	P	P	P	P	P	P	P	N
Post office	N	N	N	L	L	L	N	N	N	P	N
Prison / correctional facility - EPF	N	N	N	N	N	N	N	N	CU	N	N
Public transit facilities - EPF	P	P	P	P	P	P	P	P	P	P	N
Schools - public / private											
Nursery / pre-school	P	P	P	P	P	P	N	N	N	P	N
Elementary school	P	P	P	P	P	N	N	N	N	P	N
Middle school / Junior High	N	P	P	P	P	N	N	N	N	P	N
High school	N	N	P	N	P	N	N	N	N	P	N
College or university - EPF	N	N	P	N	P	N	N	N	N	P	N
Specialized / vocational / trade school	N	N	P	N	P	P	N	N	P	P	N
Housing											
Accessory caretaker's residence	N	N	N	N	N	N	N	L	L	N	L
Accessory dwelling unit (ADU), attached or detached	L	L	L	L	L	L	N	N	N	N	N
Dwelling, multi-family	N	L	L	L	L	L	N	N	N	N	N
Dwelling, multi-family (greater than 30 units per net acre)	N	N	CU	N	L	N	N	N	N	N	N
Dwelling, single family	P	P	P	N	N	N	N	N	N	N	N
Dwelling, single family attached townhome	L	L	L	L	L	L	N	N	N	N	N
Dwelling, two-family duplex	N	L	L	N	N	N	N	N	N	N	N
Manufactured homes (on individual lots)	L	L	L	N	N	N	N	N	N	N	N
Manufactured home park	N	L	L	N	N	N	N	N	N	N	N

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Housing, *continued*											
Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)	N	L	L	L	L	L	L	N	N	N	N
Zero lot line (single family courtyard home)	N	L	L	N	L	L	N	N	N	N	N
Manufacturing, equipment, and industrial production											
Concrete product manufacturing / ready mix concrete (excluding extraction / mining)	N	N	N	N	N	N	N	N	CU	N	N
Construction / industrial equipment sales or rental	N	N	N	N	N	N	N	P	P	N	N
High impact uses	N	N	N	N	N	N	N	N	N	N	N
Light manufacturing & assembly	N	N	N	N	L	L	P	P	P	N	N
Light manufacturing & assembly w/ retail sales showroom	N	N	N	N	L	L	P	P	P	N	N
Lumber mill, sawmill, shingle mill, plywood mill	N	N	N	N	N	N	N	N	N	N	N
Machine shop	N	N	N	N	N	N	N	L	P	N	N
Marijuana Processor	N	N	N	N	L	L	L	L	L	N	N
Plastic injection molding	N	N	N	N	L	L	N	L	P	N	N
Sandblasting / cutting	N	N	N	N	N	N	N	L	P	N	N
Tool and die making	N	N	N	N	L	L	N	L	P	N	N
Welding / sheet metal shop	N	N	N	N	N	N	L	L	P	N	N
Woodworking / cabinet manufacturing	N	N	N	N	N	N	L	L	P	N	N
Woodworking / cabinet manufacturing w/ retail sales showroom	N	N	N	N	L	L	L	L	P	N	N
General office and professional facilities											
Communications service systems	N	N	N	P	P	N	P	P	P	N	N
Office	N	CU	P	P	P	P	P	P	P	N	N
Medical equipment supply	N	N	N	N	P	N	P	P	P	N	N
Research facility / laboratory	N	N	N	P	P	N	L	L	P	N	N
Telemarketing centers / catalog & mail order houses	N	N	N	P	P	N	P	P	P	N	N
Social services											
Community residential facility (6 or fewer residents) - EPF	CU	CU	CU	N	N	N	N	N	N	N	N
Community residential facility (7 to 25 residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Community treatment facility (8 or fewer residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Community treatment facility (9 to 20 residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N

Facilities and Uses	R-1	R-2	R-3	M-1	M-2	M-3	C-1	C-2	I	P	O
Social services, *continued*											
Crisis residential center (6 or fewer residents) - EPF	CU	CU	CU	N	N	N	N	N	N	CU	N
Crisis residential center (7 to 20 residents) - EPF	N	CU	CU	N	N	N	N	N	N	CU	N
Halfway house (8 or fewer residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Halfway house (9 to 20 residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Secure Community Transition Facility (SCTF, 3 or fewer residents) - EPF	N	CU	CU	N	N	N	N	N	N	N	N
Solid waste management and recycling											
Commercial composting storage / processing facility - EPF	N	N	N	N	N	N	N	N	CU	N	N
Incinerator - EPF	N	N	N	N	N	N	N	N	CU	N	N
Landfill - EPF	N	N	N	N	N	N	N	N	CU	N	N
Recycling collection center	N	N	N	N	N	N	N	N	L	L	N
Solid waste transfer site - EPF	N	N	N	N	N	N	N	N	CU	N	N
Tire salvage yard	N	N	N	N	N	N	N	N	N	N	N
Storage, freight, and wholesale facilities											
Outdoor vehicle storage	N	N	N	N	N	N	N	N	CU	N	N
Self service storage facility (mini storage)	N	N	N	N	N	N	N	N	CU	N	N
Warehouse & freight movement	N	N	N	N	N	N	P	N	P	N	N
Wholesaling / distribution facility	N	N	N	N	L	N	P	P	P	N	N
Utilities and facilities											
Power plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Public utility local distribution facility	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	N
Public utility transmission facility - EPF	N	N	N	N	N	N	CU	L	L	L	N
Sewage treatment plant - EPF	N	N	N	N	N	N	N	N	N	CU	N
Wireless communication antenna array	N	CU	CU	CU	CU	CU	CU	CU	CU	CU	N
Wireless communication support tower	N	N	N	N	N	N	N	N	CU	CU	N

10-2A-5 Zoning Districts Map Exhibit



The map above is for informational purposes only.
For official zoning, contact the City of Liberty Lake Planning & Community Development Dept.

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

Sections:

10-2B-1 **Purpose**
10-2B-2 **Permitted Uses (P)**
10-2B-3 **Limited Uses (L)**
10-2B-4 **Conditional Uses (CU)**
10-2B-5 **Accessory Structures**
10-2B-6 **Development Setbacks**
10-2B-7 **Lot Area, Dimensions, Coverage, & Residential Density**
10-2B-8 **Building Height**
10-2B-9 **Building Orientation**
10-2B-10 **Architectural Guidelines and Special Standards**
10-2B-11 **Design Standards**

10-2B-1 Purpose

The R-1 (Single Family Residential) District is intended to promote the livability, stability, and improvement of the City's single family neighborhoods. This article provides standards for the orderly expansion and improvement of single family neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non owner-occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2B-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letter "P" are permitted in the R-1 zone, without special action by the Hearing Body, subject to development standards of the R-1 (Single Family Residential) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2B-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letter "L" are allowed in the R-1 zone if they comply with the development standards of the R-1 (Single Family Residential) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-1 Limited Uses.

1. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

4. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

5. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
b. The tower must be accessory to a residence on the same site.

7. Child day-care center (in a church or a school)

a. Any outdoor play area shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet
b. The facility shall meet Washington State childcare licensing requirements.

8. Community center / hall / club

a. Only permitted as part of an approved Planned Unit Development (PUD) Plat.

9. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling.
f. An ADU shall not be permitted if the principal unit is less than 1,200 square feet.
g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.
h. The principal unit or ADU shall be owner-occupied.

10. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.
c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.
f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.
j. The principal unit or ADU shall be owner-occupied.
k. Home occupations will be allowed within the detached accessory dwelling unit.

11. Dwelling, single family attached townhomes

a. Within the R-1 Residential District, the maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall), whichever is less.
b. As necessary, the City shall require dedication of right-of-way or easements

and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

d. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

e. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

12. Manufactured homes on individual lots

a. The manufactured home shall be multi-sectional floor plan and have an enclosed floor area of not less than 1,000 sq. ft.

b. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

c. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar to the exterior siding and roof material used on nearby residences.

d. The manufactured home shall have a garage or carport constructed of like materials when nearby residences have carports or garages. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences.

e. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling. Evidence demonstrating that the manufactured home meets "Super Good Cents" or equivalent energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers' certification shall not be required.

f. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 8 inches above grade.

10-2B-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-1 (Single Family Residential) District with the letters "CU" are permitted to locate in the R-1 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing

Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-1 Conditional Uses.

1. Child Day Care Center

a. Any outdoor play area shall be completely enclosed to a minimum height of 6 feet with a solid wall or fully sight obscuring fence.
b. The facility shall meet Washington State childcare licensing requirements.
c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Community residential facility (6 or fewer residents) – EPF

a. The facility shall be limited to 6 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The community residential facility shall meet any applicable state, federal, and local licensing requirements.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Crisis residential center (6 or fewer residents) – EPF:

a. The facility shall be limited to 6 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The crisis residential center shall meet any applicable state, federal, and local licensing for a facility housing children under the age of 18.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

5. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by

the Hearing Examiner under Article 10-4H.

10-2B-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in residential zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2B-3). Accessory structures shall comply with all of the following standards and Sections 10-2B-6 for setbacks and 10-2B-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

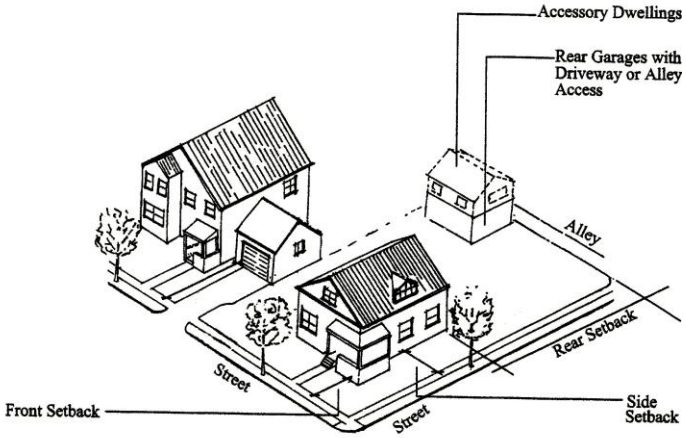
E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2B-6, 10-2B-7, 10-2B-8, 10-2B-9, 10-2B-10, and 10-2B-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2B-6 Development Setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sunlight, and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security.

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

the back of the border easement, as applicable.

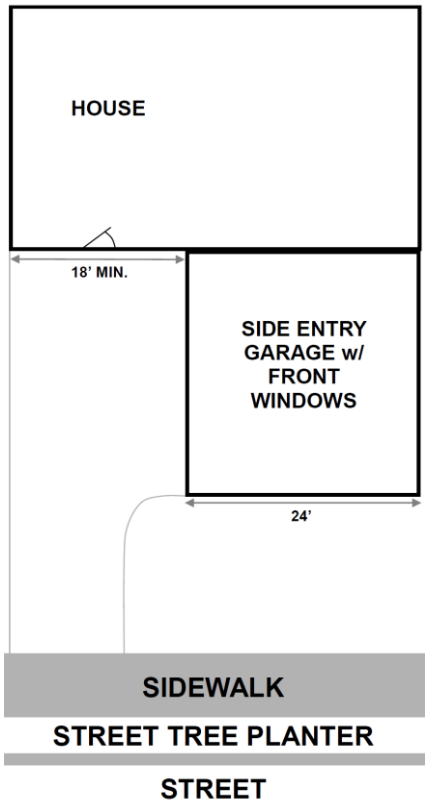


Liberty Lake Examples

A. Front Yard Setbacks

1. Minimum Setback
   a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement.
   b. Attached (townhome) Single Family: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement.
   c. Clustered Housing: A minimum front yard setback of 10' feet is required; however 0 feet is allowed when fronting a Home Owner Association common area. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.
2. Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. A side entry garage may be

utilized that extends out from the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined in subsection (3)(a - l) below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the depth of the garage / side elevation is 24', then the width of the house elevation must be at least 18' for a total structure width of 42' minimum). See example below. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.



3. Design Requirements for Garages Extending Past the Front Elevation of Houses

   A front loaded garage may extend up to twelve (12) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the width of the garage is 20', then the width of the house elevation must be at least 15' for a total structure width of 35' minimum). See example below.

   a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window

   b. The building facade includes two or more offsets of sixteen inches or greater

   c. A minimum sixty square-foot covered front porch that is at least five feet deep

   d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)

e. Windows on front elevations include a minimum of four-inch trim or shutters

f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade

g. Garage doors are painted the same color as the body color of the front elevation of the home

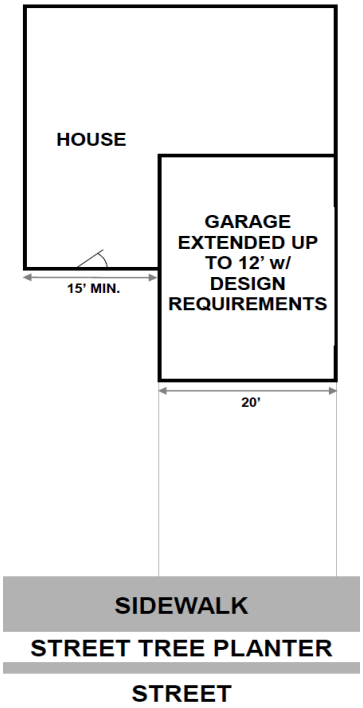
h. There are a minimum of two windows in each garage door

i. Windows in gables or dormers above the garage doors

j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows

k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape

l. Each garage door is a one car width (9')



4. Detached garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet and at least 20 feet from the back of sidewalk.

5. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2B-9.

B. <u>Rear Yard Setbacks</u>

1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

b. Attached (townhome) Single Family: The minimum rear yard setback shall be

15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

c. Clustered Housing: A minimum rear yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

2. Accessory structures:

a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.

b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.

C. Side Yard Setbacks

1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

b. Attached (townhome) Single Family: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

c. Clustered Housing: A minimum side yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet. Porches, decks, and similar structures not exceeding 24 inches in height may encroach into setbacks by no more than 5 feet, subject to the front yard setback provisions in “A”. Walls and fences may be placed on property lines, subject to the standards in Section 10-3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. Interior sideyard setbacks would be 0 feet for dwelling units that are attached by a common wall.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court,

landscaped yard, or other open space.

10-2B-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development).
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level.

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

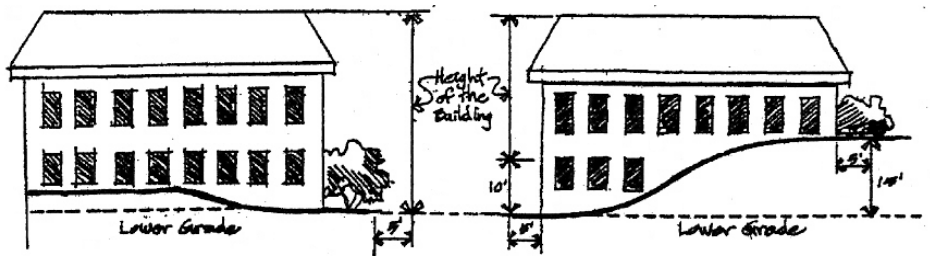
R-1 Land Use	Lot Area	Lot Width / Depth	Lot Coverage	Residential Density
Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 5000 square feet	Minimum Width: None Maximum Depth: None	Maximum: 40 percent	Minimum Net Density: 4 dwelling units per acre Maximum Net Density: 6 dwelling units per acre
Attached (townhome) Single Family Housing; Clustered Housing	Minimum area: 2000 square feet Maximum area: 7500 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 60 percent *	Minimum Net Density: 4 dwelling units per acre Maximum Net Density: 8 dwelling units per acre
Other Uses	Minimum area: None Maximum area: 4 acres	Minimum Width: 60 feet at front property line Maximum Depth:	Maximum: 70 percent	None

	(excluding parks and recreation uses)	None		

* Attached Clustered Housing shall be based on the individual project boundary

D. Exception. The minimum net density standards above may not apply when physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2B-8 Building Height



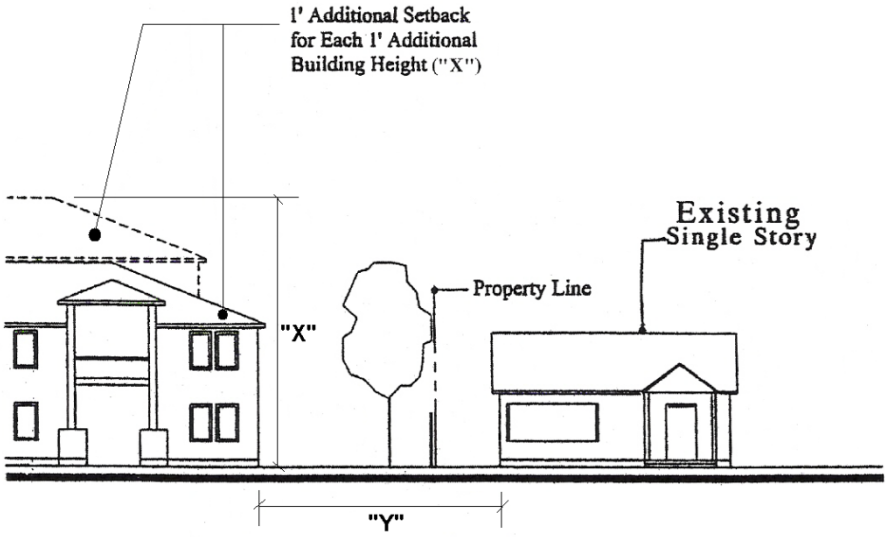
The following building height standards are intended to promote land use compatibility and support the principle of neighborhood-scale design:

A. Building Height Standard. Buildings within the R-1 Zone shall be no more than 35 feet tall. Building height may be restricted to less than this maximum when necessary to comply with the Building Height Transition standard in "C" below.

B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

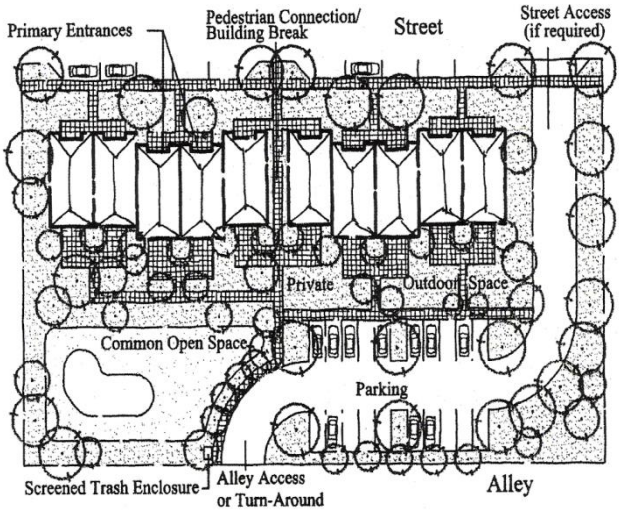
   Not included in the maximum height are: chimneys, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views. Within residential zones, bell towers, steeples, and similar features are included within the maximum height and shall conform to the height requirements of the R-1 zone.



C. Building Height Transition. To provide compatible building scale and privacy between developments, taller buildings shall "step-down" to create a building height transition to adjacent single-story building(s).

1. This standard applies to new and vertically expanded buildings within 12 feet (as measured horizontally) of an existing single-story building with a height of 20 feet or less, as shown above.
2. The building height transition standard is met when the height of the taller building ("x") does not exceed one (1) foot of height for every one (1) foot of side yard separating the two buildings ("y"), as shown above up to a maximum 10' required side yard setback adjacent to the single story building.

10-2B-9 Building Orientation



Residential Single Family Attached Townhome or Multi-Family Orientation Example

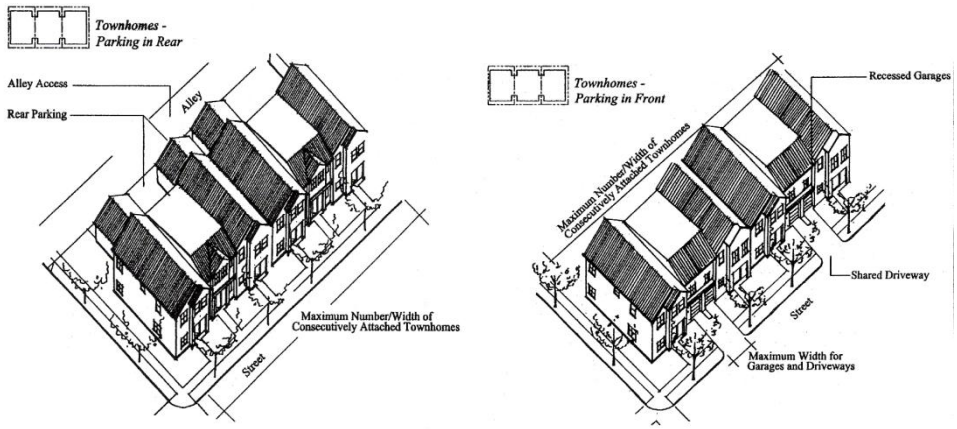
A. Purpose. The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic down, and encourage walking in

neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more "eyes-on-the-street".

B. Applicability. This section applies to all buildings in the R-1 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the R-1 zone are also required to comply with the standards outlined above in Section 10-2B-3 or 10-2B-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2B-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.



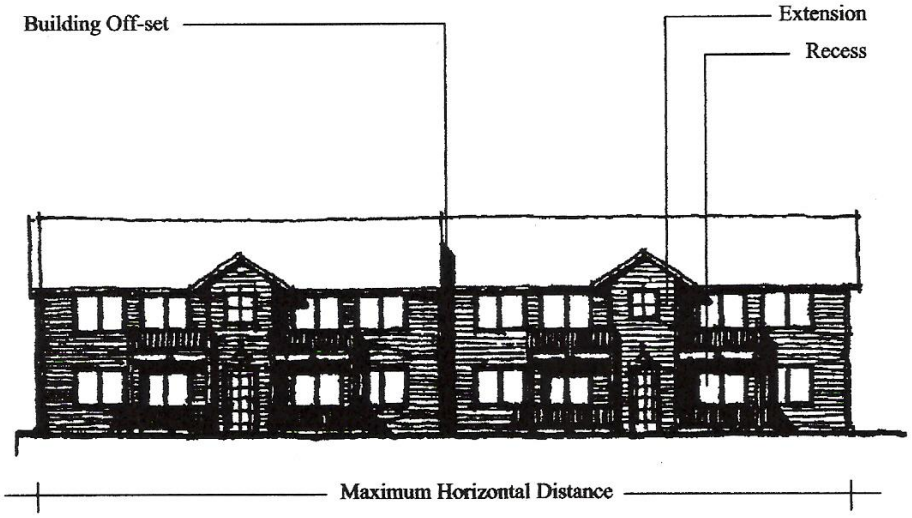
Residential Single Family Attached Townhome Alley and Street Access Examples

10-2B-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

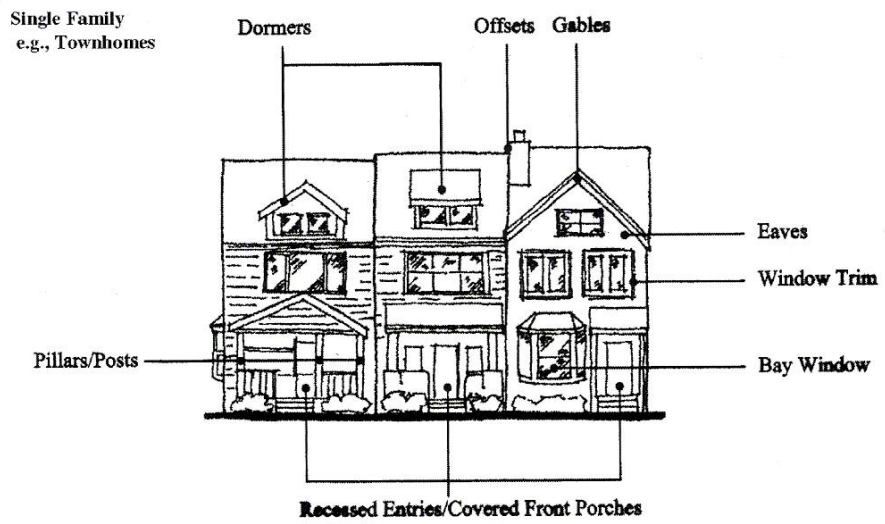
B. Applicability. This section applies to all buildings in the R-1 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the R-1 zone are also required to comply with the standards outlined above in Section 10-2B-3 or 10-2B-4. Buildings that do not require site design review are encouraged to incorporate these standards.

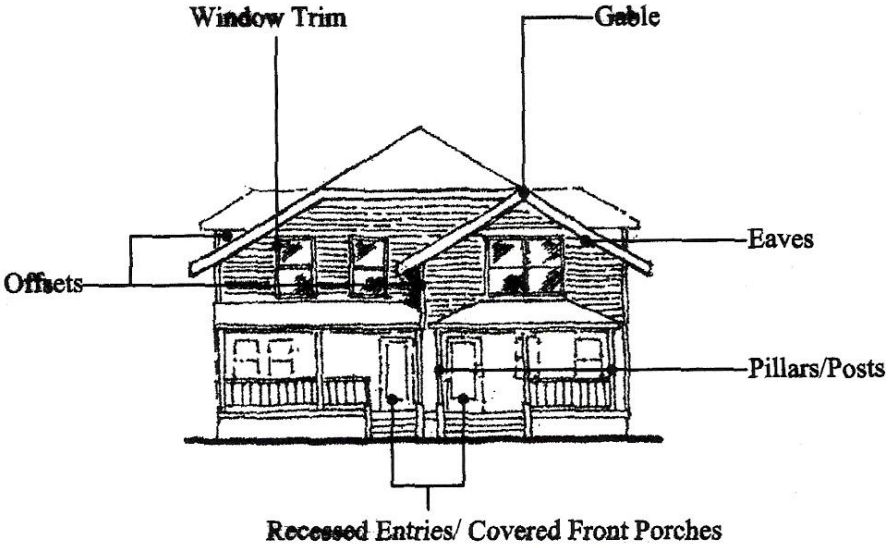
C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided with each standard are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.



1. Building Form.
   The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
   a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
   b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
   c. Offsets or breaks in roof elevation of 2 feet or greater in height.

2. Eyes on the Street.
   All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.





3. Detailed Design.
   All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):
   a. Dormers
   b. Gables
   c. Recessed entries
   d. Covered porch entries
   e. Cupolas or towers
   f. Pillars or posts
   g. Eaves (min. 6-inch projection)
   h. Off-sets in building face or roof (minimum 16 inches)
   i. Window trim (minimum 4-inches wide)
   j. Bay windows
   k. Balconies
   l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting,

ornamentation, and similar features)

m. Decorative cornices and roof lines (e.g., for flat roofs)

n. An alternative feature providing visual relief, similar to options a-n.

D. Materials. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials apply to new construction projects in the R-1 Zone:

1. Acceptable Roofing Materials
   a. Composition
   b. Concrete tile
   c. Slate
   d. Cedar Shake
   e. Metal - tile or shake only
   f. Copper Shake
   g. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Wood or Cedar Shake
   e. T-111 or Composite
   f. Vinyl Lap
   g. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
   a. Corrugated Metal

5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Other materials determined acceptable by the Planning & Community Development Director

10-2B-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article,

development within the R-1 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2C-1 **Purpose**
10-2C-2 **Permitted Uses (P)**
10-2C-3 **Limited Uses (L)**
10-2C-4 **Conditional Uses (CU)**
10-2C-5 **Accessory Structures**
10-2C-6 **Development Setbacks**
10-2C-7 **Lot Area, Dimensions, Coverage, & Residential Density**
10-2C-8 **Building Height**
10-2C-9 **Building Orientation**
10-2C-10 **Architectural Guidelines and Special Standards**
10-2C-11 **Design Standards**

10-2C-1 Purpose

The R-2 (Mixed Residential) District is intended to promote the livability, stability, and improvement of the City's mixed residential neighborhoods. This article provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non owner-occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2C-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letter "P" are permitted in the R-2 zone, without special action by the Hearing Body, subject to development standards of the R-2 (Mixed Residential) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2C-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letter "L" are allowed in the R-2 zone if they comply with the development standards of the R-2 (Mixed Residential) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-2 Limited Uses.

1. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

4. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

5. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
b. The tower must be accessory to a residence on the same site.

7. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit. In no case shall it be more than 35% of the principal unit's total livable floor area, above

grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling.

f. An ADU shall not be permitted if the principal unit is less than 1,200 square feet.

g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.

h. The principal unit or ADU shall be owner-occupied.

8. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.

b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.

c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.

f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.

g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.

h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.

i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.

j. The principal unit or ADU shall be owner-occupied.

k. Home occupations will be allowed within the detached accessory dwelling unit.

9. Dwelling, multi-family (see #11 below for three-family triplex)

The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

a. The maximum width or length of a multiple family building shall not exceed 160 feet (from end-wall to end-wall);

b. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

c. <u>Common open space.</u> Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open

space requirements.

d. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;

e. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);

f. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

10. Dwelling, single family attached townhomes, Dwelling, two-family duplex, & Dwelling, multi-family (three-family triplex)

a. The maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall), whichever is less.

b. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

d. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

e. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

f. “Common areas” (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

11. Manufactured homes on individual lots

a. The manufactured home shall be multi-sectional floor plan and have an enclosed floor area of not less than 1,000 sq. ft.

b. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

c. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered “superior” to metal siding and roofing).

d. The manufactured home shall have a garage or carport constructed of like materials when nearby residences have carports or garages. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences.

e. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling. Evidence demonstrating that the manufactured home meets "Super Good Cents" or equivalent energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers' certification shall not be required.

f. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 8 inches above grade.

12. Manufactured home park

a. Manufactured home parks are permitted on parcels of one (1) acre or larger.

b. The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide.

c. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.

d. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6 foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

e. The manufactured homes shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

f. The manufactured homes shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing)

g. Associated uses permitted within manufactured home parks - Single family residences, manufactured home park manager's office, home occupations, and accessory structures which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Section 10-4I-2 - Home Occupations.

13. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.

b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

14. Zero-lot line (single family courtyard home)

"Zero-lot line" houses are subject to the same standards as single family housing,

except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

a. Zero lot line homes are required to have 6 feet between structures;
b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;
c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and
d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

10-2C-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-2 (Mixed Residential) District with the letters “CU” are permitted to locate in the R-2 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as “similar” to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-2 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Office

a. Offices shall only be permitted on lots that front an arterial or collector street.
b. The maximum width or length of an office building shall not exceed 160 feet (from end-wall to end-wall).

c. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
d. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
e. The maximum commercial footprint area shall not exceed 3000 square feet total per site. An individual leasable office space shall not exceed 1500 square feet of footprint area.
f. Offices may include apartments above or within which shall not be included in the calculation for leasable office space area.
g. Offices shall be open to the public only during the following hours: 8:00 a.m. to 7:00 p.m.
h. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Community residential facility (25 or fewer residents) – EPF

a. The facility shall be limited to 25 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The community residential facility shall meet any applicable state, federal, and local licensing requirements.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Community treatment facility (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The community treatment facility shall meet any applicable state, federal, and local licensing requirements.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

5. Crisis residential center (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The crisis residential center shall meet any applicable state, federal, and local licensing for a facility housing children under the age of 18.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

6. Halfway house (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform

to the residential character of the area.

c. The applicant shall provide additional public notice to the following uses located within 1/4 of a mile from the proposed halfway house, as measured from the nearest property line between the two uses:
   i. Public and private schools;
   ii. School bus stops;
   iii. Licensed day care and licensed preschool facilities;
   iv. Public playground, sports fields, golf courses, parks, or public trails, including Liberty Lake and Centennial Trail;
   v. Recreational and community centers
   vi. Churches, synagogues, temples, mosques and other places of worship;
   vii. Public library;
   viii. Another halfway house.

d. The applicant shall demonstrate that the halfway house does not constitute a significant adverse impact to the health, safety and welfare of the uses identified in 5(a) above.

e. The halfway house shall meet any applicable state, federal and local licensing requirements for a facility housing inmates in transition from a correctional facility to the community.

f. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

g. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

7. Secure Community Transition Facility (SCTF, 3 or fewer residents) – EPF

a. The facility shall be limited to 3 or fewer residents.

b. In no case shall a secure community transition facility be sited adjacent to, immediately across a street or parking lot from, or within line of sight of risk potential activities or facilities in existence at the time a site is listed for consideration. "Within line of sight" means that it is possible to reasonably visually distinguish and recognize individuals. For the purposes of granting a conditional use permit for siting a secure community transition facility, the Hearing Examiner shall consider an unobstructed visual distance of 600 feet to be "within line of sight." Through the conditional use process, "line of sight" may be considered to be less than 600 feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the line of sight to less than 600 feet. The law defines “risk potential activity” or “risk potential facility” to mean “an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center.” The following are considered to be risk potential activities or facilities:
   i. Public and private schools;
   ii. School bus stops;
   iii. Licensed day care and licensed preschool facilities;
   iv. Public playground, sports fields, golf courses, parks, or public trails, including Liberty Lake and Centennial Trail;
   v. Recreational and community centers
   vi. Churches, synagogues, temples, mosques and other places of worship;
   vii. Public library;

viii. Any other risk potential facility identified in siting criteria by the Department of Social and Health Services with respect to siting a Secure Community Transition Facility.

c. The Secure Community Transition Facility shall meet any applicable state, federal, and local licensing for a facility authorized by state, federal, or local authorities to confine and treat sex offenders through a rehabilitation treatment program for those conditionally released from total confinement under a court ordered civil commitment;

d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional and local mandates, including the *Spokane County Regional Siting Process for Essential Public Facilities*.

e. The applicant shall demonstrate that it has met all the standards required by state law for public safety, staffing, security, and training, and those standards shall be maintained for the duration of the operation of the secure community transition facility including the following security measures:.

i. Intensive staffing. The law requires the Secure Community Transition Facility to provide intensive staffing ratios. In facilities with six or fewer residents, the facility must provide a ratio of one staff on duty for each three residents during the night hours (6:00 p.m. to 6:00 a.m.).

ii. Close supervision and escorts. Unless otherwise ordered by the court, each Secure Community Transition Facility resident must be closely supervised (on a one-to-one basis) by a trained staff or court-authorized escort when the resident leaves the Secure Community Transition Facility premises for any purpose. The staff/escort must remain with the resident for the duration of the outing, even when the resident may be working at a job. Staff and escorts must carry a cellular telephone or a similar communication device at all times when escorting a resident.

iii. Household security systems. The Secure Community Transition Facility must have household and perimeter security systems installed that meet specific technical specifications and offer appropriate emergency backup provisions. This includes providing a tamper-proof security panel, emergency electrical supply system, personal panic devises for all staff, staff photo ID badges, etc.

iv. Staff training and qualifications. The Secure Community Transition Facility staff must qualified and trained as required by Washington state law.

v. Informed staff and escorts. Staff and escorts must be fully informed about each resident's offense history and behavior patterns.

vi. Community trips require advance planning. Residents are allowed to leave the facility premises only for specified purposes, as authorized by the court order, and only with prior approval of the resident's assigned community corrections officer, treatment provider, and the Secure Community Transition Facility program manager. Reasons for leaving the facility may include treatment, employment interviews, employment, training, and other activities, such as family visits, that are specifically addressed in the resident's treatment plan.

vii. Individual electronic monitoring devices. Unless otherwise ordered by the court, each resident must wear an individual electronic monitoring device.

f. Properties that fail to meet any of these criteria must be removed from further consideration. The properties that do meet the minimum standards must be further evaluated to determine which one, among the available properties, is the most suitable. When a site is selected, preference must be given to properties that are the farthest removed from risk potential activities or facilities.

g. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

8. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

9. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.

b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer

operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2C-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in residential zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2C-3). Accessory structures shall comply with all of the following standards and Sections 10-2C-6 for setbacks and 10-2C-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

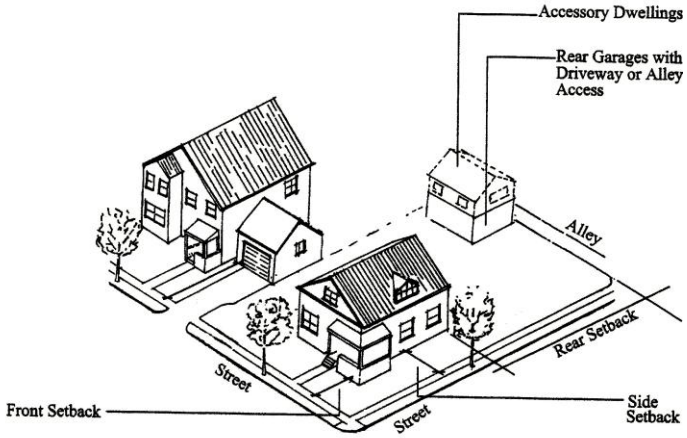
E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2C-6, 10-2C-7, 10-2C-8, 10-2C-9, 10-2C-10, and 10-2C-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2C-6 Development Setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sunlight, and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security.

Building setbacks are the distance between a building (or other feature of development) and a property line, right-of-way, auto-court lane, or street, as applicable; however, no structures shall be located within easements. Setbacks for decks and porches are measured from the edge of

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



Liberty Lake Examples

A. Front Yard Setbacks

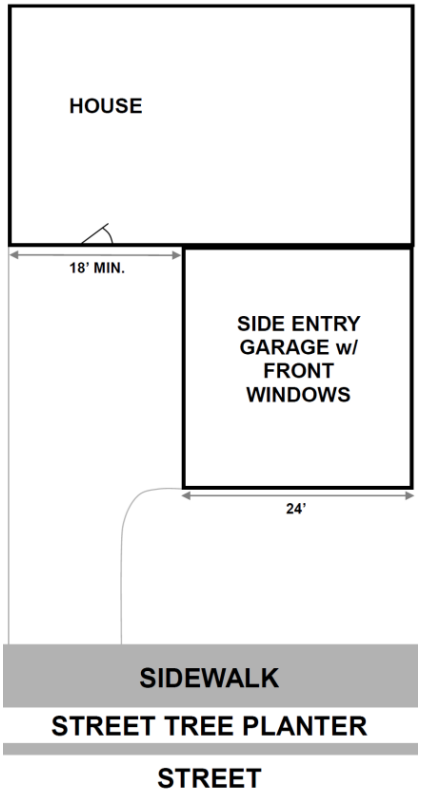
1. Minimum Setback

   a. Detached & Attached Single Family Housing; Manufactured Homes on Lots and Other Uses: A minimum front yard setback of 10 feet is required, except that an unenclosed porch may be within 5 feet, as long as it does not encroach into a public utility easement.

   b. Clustered Housing: A minimum front yard setback of 10 feet is required; however 0 feet is allowed when fronting a Home Owner Association common area. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

2. Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the garage entrance. A side entry garage may be

utilized that extends out from the furthest forward living space or covered porch on the street-facing elevation, if six (6) of the residential design elements outlined in subsection (3)(a - l) below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the depth of the garage / side elevation is 24', then the width of the house elevation must be at least 18' for a total structure width of 42' minimum). See example below. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.



3. Design Requirements for Garages Extending Past the Front Elevation of Houses

   A front loaded garage may extend up to twelve (12) feet in front of the furthest forward living space or covered porch on the street-facing elevation if six (6) of the residential design elements outlined below are included on the front of the structure. Additionally, the ratio of house elevation width to garage elevation width must be at least 75% in order to achieve an appropriate scale (i.e. if the width of the garage is 20', then the width of the house elevation must be at least 15' for a total structure width of 35' minimum). See example below.

   a. The design of the dwelling includes dormers, which are projecting structures built out from a sloping roof housing a vertical window

   b. The building facade includes two or more offsets of sixteen inches or greater

   c. A minimum sixty square-foot covered front porch that is at least five feet deep

   d. Windows and main entrance doors that occupy a minimum of fifteen of the lineal length of the front facade (excluding any windows in a garage door)

   e. Windows on front elevations include a minimum of four-inch trim or shutters

f. Shakes, shingles, brick, stone or other similar decorative materials shall occupy a minimum of sixty square feet of the street façade

g. Garage doors are painted the same color as the body color of the front elevation of the home

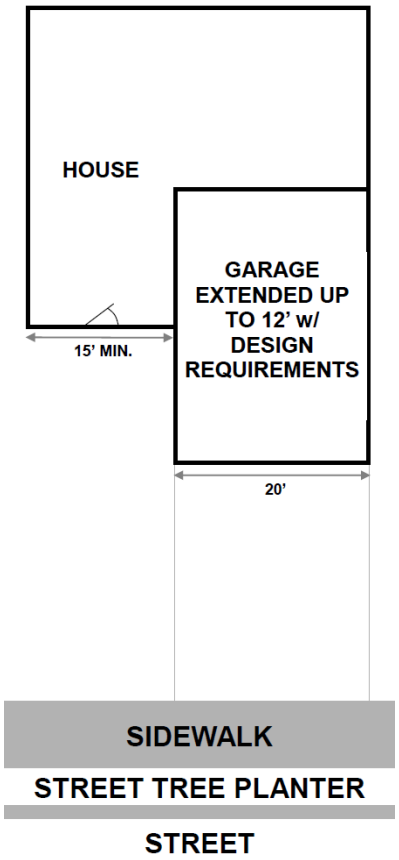
h. There are a minimum of two windows in each garage door

i. Windows in gables or dormers above the garage doors

j. A variety of architectural elements incorporated into the front building facade design, such as knee braces, varied column types, window boxes, corbels, and raised panel garage doors with windows

k. A direct pedestrian connection from the front door to the adjoining front sidewalk / streetscape

l. Each garage door is a one car width (9')



4. Detached garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet and at least 20 feet from the back of sidewalk.

5. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2C-9.

B. <u>Rear Yard Setbacks</u>

1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other

Uses: The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

b. Attached (townhome) Single Family: The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).

c. Clustered Housing: A minimum rear yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

2. Accessory structures:

a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.

b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.

C. Side Yard Setbacks

1. Minimum Setback

a. Detached Single Family Housing; Manufactured Homes on Lots and Other Uses: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

b. Attached (townhome) Single Family: The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).

c. Clustered Housing: A minimum side yard setback of 0 feet is allowed. Overhanging eaves may only extend beyond the property line into a common utility/use or maintenance easement, adjacent common area or tract that is owned and maintained by the Cluster Housing Home Owner Association. No other portion of the structure may extend beyond the property line and no structures shall be located within easements.

2. When zero-lot line development is permitted, the minimum side yard setbacks shall be 6 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 10-2C-3)

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet. Porches, decks, and similar structures not exceeding 24 inches in height may encroach into setbacks by no more than 5 feet, subject to the front yard setback provisions in “A”. Walls and fences may be placed on property lines, subject to the standards in Section 10-3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. Interior sideyard setbacks would be 0 feet for dwelling units that are attached by a

common wall.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-quarter (1/4) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2C-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Duplex and triplex or other multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat.
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level.

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

R-2 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 5000 square feet Maximum area: 10,000 square feet	Minimum Width: None Maximum Depth: None	Maximum: 50 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Two-Family Housing (duplex)	Minimum area: 7000 square feet Maximum area:	Minimum Width: None Maximum Depth:	Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre

	12,000 square feet	None		Maximum Net Density: 12 dwelling units per acre

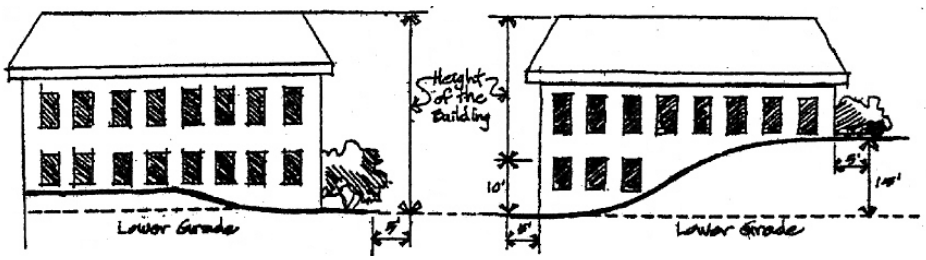
Attached (townhome) Single Family Housing; Clustered Housing	Minimum area: 2000 square feet Maximum area: 6,000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent*	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Manufactured Home Parks	See Section 10-2C-3 for Manufactured Home Park standards.			Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Multi-Family Housing	Minimum area for three-family (triplex): 9000 square feet Maximum area for three-family (triplex): 14,000 square feet Minimum area for multi-family (4 or more units): 9000 square feet. Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: 12 dwelling units per acre
Other Uses	Minimum area: None	Minimum Width: 60 feet at front	Maximum: 70 percent	None

	Maximum area: None	property line Maximum Depth: None		

* Attached Clustered Housing shall be based on the individual project boundary

D. Exception. The minimum net density standards above may not apply when physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2C-8 Building Height



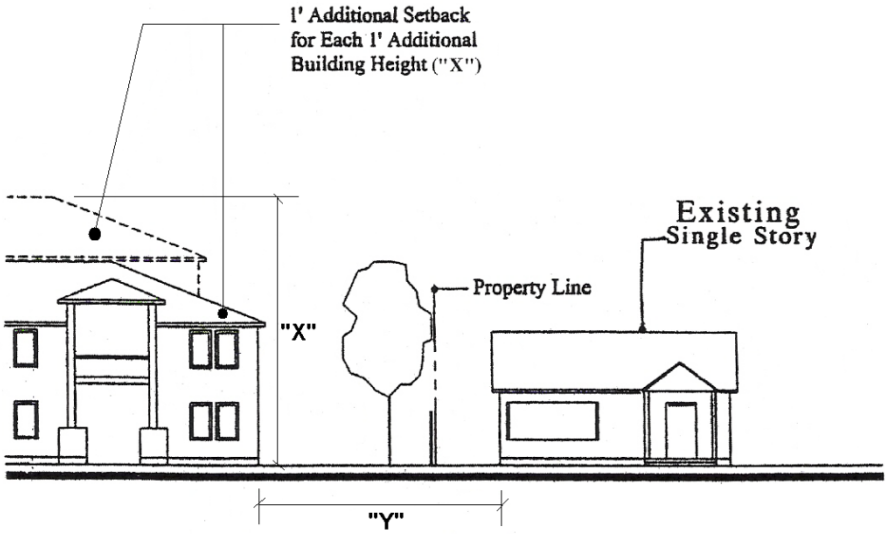
The following building height standards are intended to promote land use compatibility and support the principle of neighborhood-scale design:

A. Building Height Standard. Buildings within the R-2 Zone shall be no more than 35 feet tall. Building height may be restricted to less than this maximum when necessary to comply with the Building Height Transition standard in "C" below.

B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

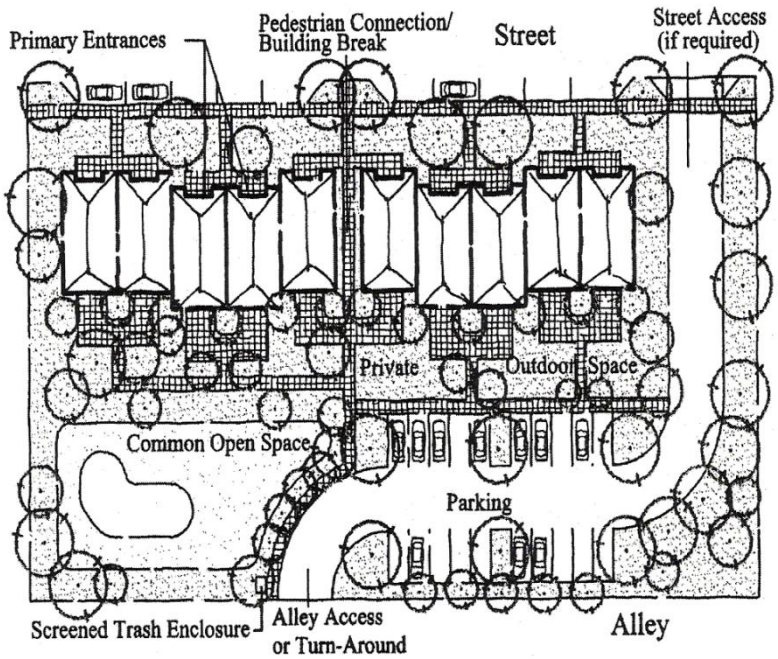
   Not included in the maximum height are: chimneys, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views. Within residential zones, bell towers, steeples, and similar features are included within the maximum height and shall conform to the height requirements of the R-2 zone.



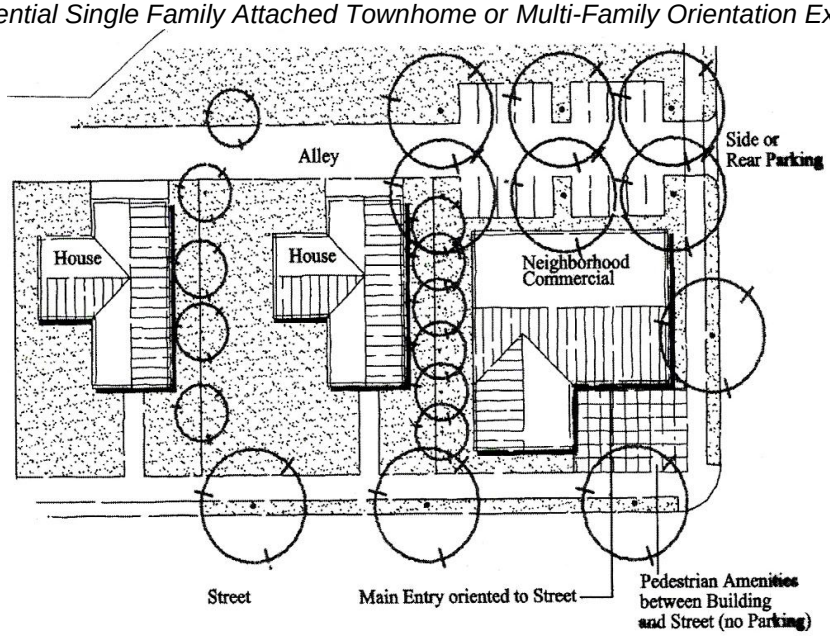
C. Building Height Transition. To provide compatible building scale and privacy between developments, taller buildings shall "step-down" to create a building height transition to adjacent single-story building(s).

1. This standard applies to new and vertically expanded buildings within 12 feet (as measured horizontally) of an existing single-story building with a height of 20 feet or less, as shown above.
2. The building height transition standard is met when the height of the taller building ("x") does not exceed one (1) foot of height for every one (1) foot of side yard separating the two buildings ("y"), as shown above up to a maximum 10' required side yard setback adjacent to the single story building.

10-2C-9 Building Orientation



Residential Single Family Attached Townhome or Multi-Family Orientation Example



Non-Residential Orientation Example

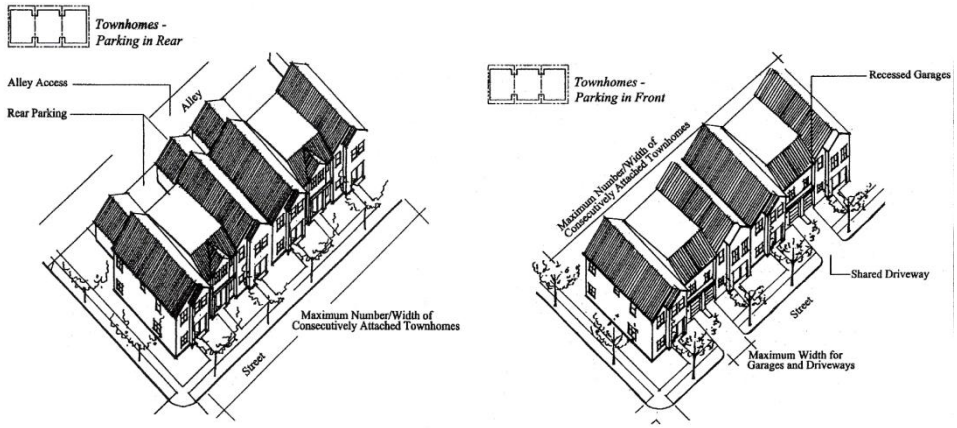
A. Purpose. The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic down, and encourage walking in neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more “eyes-on-the-street”.

B. Applicability. This section applies to all buildings in the R-2 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the R-2 zone are also required to comply with the standards outlined above in Section 10-2C-3 or 10-2C-4. Buildings that do not require

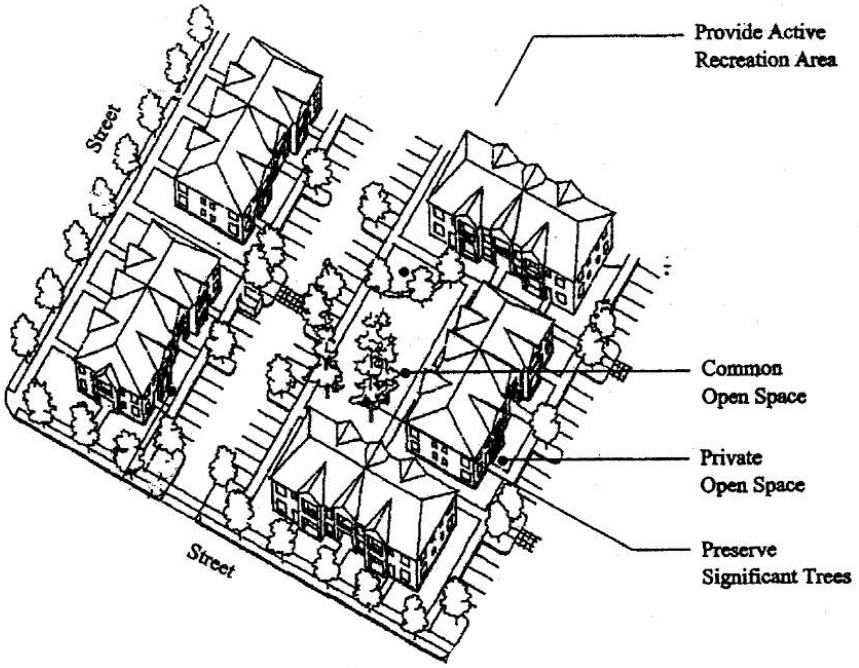
site design review are encouraged to incorporate these standards.

C. <u>Building orientation standards.</u> All buildings which are subject to this Section shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2C-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.



Residential Single Family Attached Townhome Alley and Street Access Examples



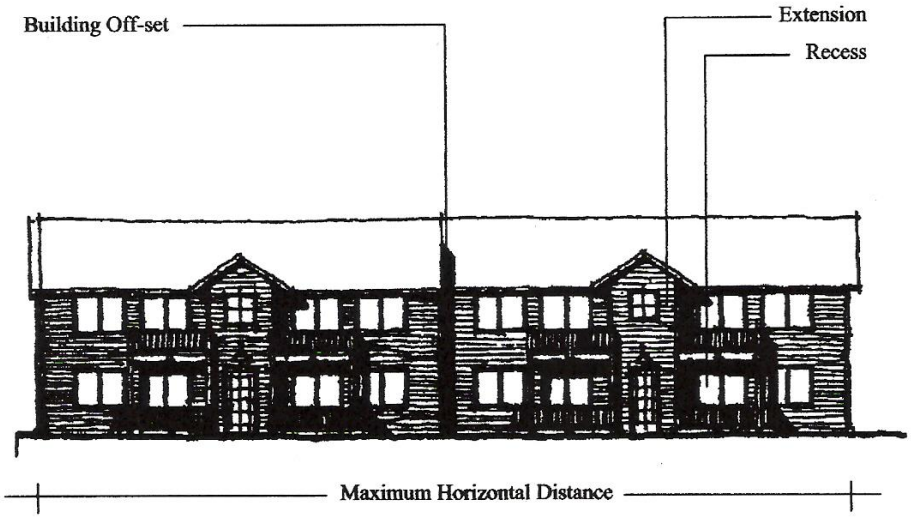
Multi-Family Example

10-2C-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

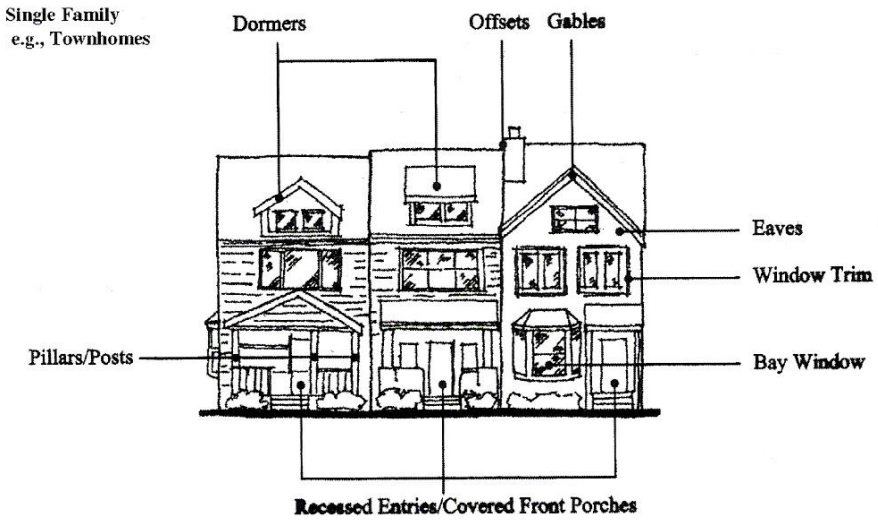
B. Applicability. This section applies to all buildings in the R-2 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the R-2 zone are also required to comply with the standards outlined above in Section 10-2C-3 or 10-2C-4. Buildings that do not require site design review are encouraged to incorporate these standards.

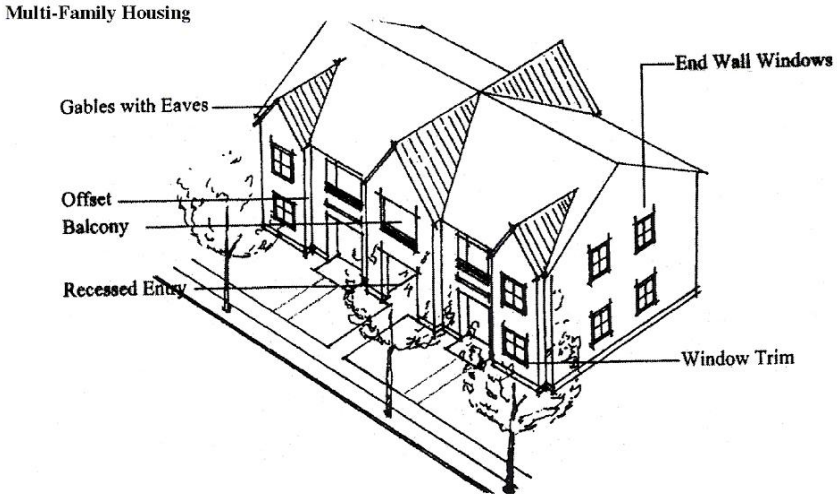
C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.

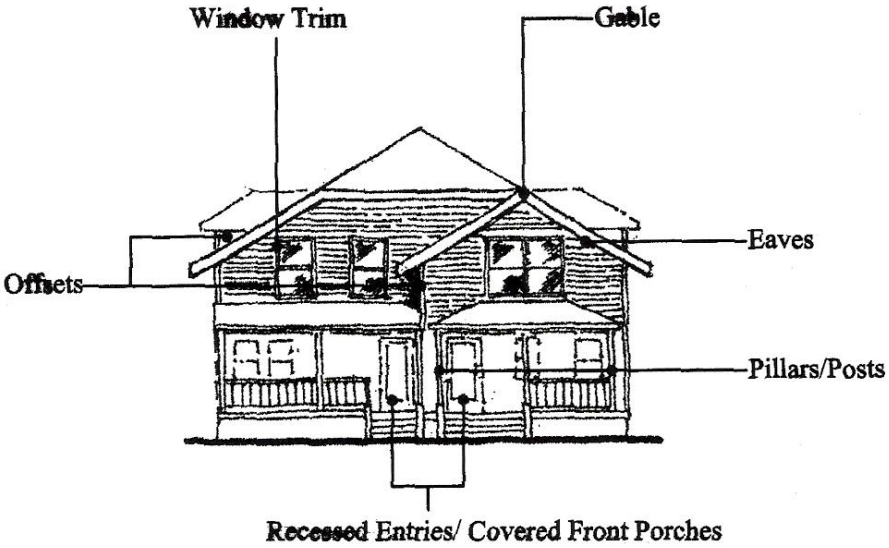


1. Building Form.
   The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
   a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
   b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
   c. Offsets or breaks in roof elevation of 2 feet or greater in height.

2. Eyes on the Street.
   All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.







3. Detailed Design.
   All buildings shall provide detailed design along all elevations (i.e., front, rear and

sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Eaves (min. 6-inch projection)
h. Off-sets in building face or roof (minimum 16 inches)
i. Window trim (minimum 4-inches wide)
j. Bay windows
k. Balconies
l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
m. Decorative cornices and roof lines (e.g., for flat roofs)
n. An alternative feature providing visual relief, similar to options a-n.

D. Materials. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials apply to new construction projects in the R-2 Zone:

1. Acceptable Roofing Materials
   a. Composition
   b. Concrete tile
   c. Slate
   d. Cedar Shake
   e. Metal - tile or shake only
   f. Copper Shake
   g. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Wood or Cedar Shake
   e. T-111 or Composite
   f. Vinyl Lap
   g. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
   a. Corrugated Metal

5. Detailing
   a. Brick

b. Stone
c. Wood or Timber
d. Board and Batten
e. Other materials determined acceptable by the Planning & Community Development Director

10-2C-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the R-2 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2D-1 **Purpose**
10-2D-2 **Permitted Uses (P)**
10-2D-3 **Limited Uses (L)**
10-2D-4 **Conditional Uses (CU)**
10-2D-5 **Accessory Structures**
10-2D-6 **Development Setbacks**
10-2D-7 **Lot Area, Dimensions, Coverage, and Residential Density**
10-2D-8 **Building Height**
10-2D-9 **Building Orientation**
10-2D-10 **Architectural Guidelines and Special Standards**
10-2D-11 **Design Standards**

10-2D-1 Purpose

The R-3 (Multi-Family Residential) District is intended to promote the livability, stability, and improvement of the City's multi-family neighborhoods. This article provides standards for the orderly expansion and improvement of neighborhoods based on the following principles:

A. Make efficient use of land and public services, and implement the Comprehensive Plan, by providing minimum and maximum density standards for housing.

B. Accommodate a range of housing needs, including owner-occupied and non owner-occupied housing.

C. Provide for compatible building and site design at an appropriate neighborhood scale.

D. Reduce reliance on the automobile for neighborhood travel and provide a variety of options for alternative transportation.

E. Provide direct and convenient access to schools, parks, and neighborhood services.

10-2D-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letter "P" are permitted in the R-3 zone, without special action by the Hearing Body, subject to development standards of the R-3 (Multi-Family Residential) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2D-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letter "L" are allowed in the R-3 zone if they comply with the development standards of the R-3 (Multi-Family Residential) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-3 Limited Uses.

1. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
b. Parking structure entrances facing a street shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

4. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

5. Seasonal and special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
b. The tower must be accessory to a residence on the same site.

~~8. Participant & spectator sports facilities~~

~~a. Gun and archery ranges, racetracks or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.~~

~~b. All lighting shall be directed downward.~~

~~c. The hours of operation shall be limited to 8:00 a.m. to 10:00 p.m.~~

~~d. A 20 foot minimum landscaped buffer zone shall be required between facility and any adjacent R-1 or R-2 Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.~~

~~e. The maximum building footprint area shall be 10,000 square feet or less.~~

9. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.

b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit with a common wall(s) and that meets the building code requirements for floor area and room sizes.

c. The ADU shall be clearly a subordinate part of the principal unit. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling.

f. An ADU shall not be permitted if the principal unit is less than 1,200 square feet.

g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.

h. The principal unit or ADU shall be owner-occupied.

10. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.

b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.

c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.

f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.

g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.

h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.

i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6

foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.

j. The principal unit or ADU shall be owner-occupied.

k. Home occupations will be allowed within the detached accessory dwelling unit.

11. Dwelling, multi-family (see #13 below for three-family triplex)

The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas.

a. The maximum width or length of a multiple family building shall not exceed 160 feet (from end-wall to end-wall);

b. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

c. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

d. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;

e. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);

f. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

12. Dwelling, single family attached townhomes, Dwelling, two-family duplex, & Dwelling, multi-family (three-family triplex)

a. The maximum number and width of consecutively attached townhomes (i.e., with attached walls at property line) shall not exceed 4 units, or 160 feet (from end-wall to end-wall), whichever is less.

b. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

c. When garages face the street, they shall be recessed behind the front elevation (i.e., living area or covered front porch) by a minimum of 4 feet.

d. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

e. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to

benefit each lot, prior to building permit issuance.

f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

13. Manufactured homes on individual lots

a. The manufactured home shall be multi-sectional floor plan and have an enclosed floor area of not less than 1,000 sq. ft.

b. The manufactured home shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).

c. The manufactured home shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing).

d. The manufactured home shall have a garage or carport constructed of like materials when nearby residences have carports or garages. The City may require an attached or detached garage where that would be consistent with the predominant construction of immediately surrounding residences.

e. The manufactured home shall be certified by the manufacturer to meet the thermal envelope requirements equivalent to those for a single-family dwelling. Evidence demonstrating that the manufactured home meets "Super Good Cents" or equivalent energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers' certification shall not be required.

f. The manufactured home shall be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 8 inches above grade.

14. Manufactured home park

a. Manufactured home parks are permitted on parcels of one (1) acre or larger.

b. The minimum size pad or space for each home is 2,500 square feet, provided that the overall density of the park does not exceed 12 units per acre. Each space shall be at least 30 feet wide.

c. The minimum setback between park structures and abutting properties is 5 feet. The minimum setback between park structures and public street right-of-way is 15 feet. At least a 10-foot separation shall be provided between all dwellings. Dwellings shall be placed a minimum of 14 feet apart where flammable or combustible fuel is stored between units. Park structures shall be placed no closer than 5 feet to a park street or sidewalk/pathway. An accessory structure shall not be located closer than 6 feet to any other structure or dwelling, except that a double carport or garage may be built which serves 2 dwellings. When a double carport/garage is built, the carport/garage shall be separated from all adjacent structures by at least 3 feet.

d. When manufactured homes are oriented with their back or side yards facing a public right-of-way, the City may require installation of fencing and planting of a 6 foot wide landscape buffer between the right-of-way and a manufactured home park for the privacy and security of residents or aesthetics of the streetscape.

e. The manufactured homes shall have a pitched roof with a slope not less than 3 feet in height for each 12 feet in width (14 degrees).
f. The manufactured homes shall have exterior siding and roofing which in color, material and appearance are similar or superior to the exterior siding and roof material used on nearby residences (e.g., horizontal wood or wood-appearance siding is considered "superior" to metal siding and roofing)
g. Associated uses permitted within manufactured home parks - Single family residences, manufactured home park manager's office, home occupations, and accessory structures which are necessary for the operation and maintenance of the manufactured home park (e.g., landscape maintenance). Home occupations shall comply with Section 10-4I-2 - Home Occupations.

15. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.
b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

16. Zero-lot line (single family courtyard home)

"Zero-lot line" houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

a. Zero lot line homes are required to have 6 feet between structures;
b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;
c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and
d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

10-2D-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the R-3 (Multi-Family Residential) District with the letters "CU" are permitted to locate in the R-3 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other

permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific R-3 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~**2. Dwelling, multi-family (greater than 30 units per net acre)**~~

~~The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; ensure management and maintenance of common areas, and provide for public transportation options.~~

~~a. The maximum width or length of a multiple family building shall not exceed 160 feet (from end-wall to end-wall);~~
~~b. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.~~
~~c. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.~~
~~d. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;~~
~~e. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);~~
~~f. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.~~
~~g. Public transit. All multi-family dwellings greater than 30 units per net acre shall only be located along a public transit route and transit amenities such as bus shelters or pullouts, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA) shall be provided for use by residents.~~

~~h. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

3. Community residential facility (25 or fewer residents) – EPF

a. The facility shall be limited to 25 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The community residential facility shall meet any applicable state, federal, and local licensing requirements.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Community treatment facility (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The community treatment facility shall meet any applicable state, federal, and local licensing requirements.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

5. Crisis residential center (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The crisis residential center shall meet any applicable state, federal, and local licensing for a facility housing children under the age of 18.
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

6. Halfway house (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.
b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
c. The applicant shall provide additional public notice to the following uses located within 1/4 of a mile from the proposed halfway house, as measured from the nearest property line between the two uses:
    i. Public and private schools;
    ii. School bus stops;
    iii. Licensed day care and licensed preschool facilities;
    iv. Public playground, sports fields, golf courses, parks, or public trails, including Liberty Lake and Centennial Trail;
    v. Recreational and community centers
    vi. Churches, synagogues, temples, mosques and other places of

worship;
vii. Public library;
viii. Another halfway house.

d. The applicant shall demonstrate that the halfway house does not constitute a significant adverse impact to the health, safety and welfare of the uses identified in 5(a) above.
e. The halfway house shall meet any applicable state, federal and local licensing requirements for a facility housing inmates in transition from a correctional facility to the community.
f. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
g. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

7. Secure Community Transition Facility (SCTF, 3 or fewer residents) – EPF

a. The facility shall be limited to 3 or fewer residents.
b. In no case shall a secure community transition facility be sited adjacent to, immediately across a street or parking lot from, or within line of sight of risk potential activities or facilities in existence at the time a site is listed for consideration. "Within line of sight" means that it is possible to reasonably visually distinguish and recognize individuals. For the purposes of granting a conditional use permit for siting a secure community transition facility, the Hearing Examiner shall consider an unobstructed visual distance of 600 feet to be "within line of sight." Through the conditional use process, "line of sight" may be considered to be less than 600 feet if the applicant can demonstrate that visual barriers exist or can be created that would reduce the line of sight to less than 600 feet. The law defines “risk potential activity” or “risk potential facility” to mean “an activity or facility that provides a higher incidence of risk to the public from persons conditionally released from the special commitment center.” The following are considered to be risk potential activities or facilities:
    i. Public and private schools;
    ii. School bus stops;
    iii. Licensed day care and licensed preschool facilities;
    iv. Public playground, sports fields, golf courses, parks, or public trails, including Liberty Lake and Centennial Trail;
    v. Recreational and community centers
    vi. Churches, synagogues, temples, mosques and other places of worship;
    vii. Public library;
    viii. Any other risk potential facility identified in siting criteria by the Department of Social and Health Services with respect to siting a Secure Community Transition Facility.
c. The Secure Community Transition Facility shall meet any applicable state, federal, and local licensing for a facility authorized by state, federal, or local authorities to confine and treat sex offenders through a rehabilitation treatment program for those conditionally released from total confinement under a court ordered civil commitment;
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional and local mandates, including the *Spokane County Regional Siting Process for Essential Public Facilities*.

e. The applicant shall demonstrate that it has met all the standards required by state law for public safety, staffing, security, and training, and those standards shall be maintained for the duration of the operation of the secure community transition facility including the following security measures:.

i. Intensive staffing. The law requires the Secure Community Transition Facility to provide intensive staffing ratios. In facilities with six or fewer residents, the facility must provide a ratio of one staff on duty for each three residents during the night hours (6:00 p.m. to 6:00 a.m.).

ii. Close supervision and escorts. Unless otherwise ordered by the court, each Secure Community Transition Facility resident must be closely supervised (on a one-to-one basis) by a trained staff or court-authorized escort when the resident leaves the Secure Community Transition Facility premises for any purpose. The staff/escort must remain with the resident for the duration of the outing, even when the resident may be working at a job. Staff and escorts must carry a cellular telephone or a similar communication device at all times when escorting a resident.

iii. Household security systems. The Secure Community Transition Facility must have household and perimeter security systems installed that meet specific technical specifications and offer appropriate emergency backup provisions. This includes providing a tamper-proof security panel, emergency electrical supply system, personal panic devises for all staff, staff photo ID badges, etc.

iv. Staff training and qualifications. The Secure Community Transition Facility staff must qualified and trained as required by Washington state law.

v. Informed staff and escorts. Staff and escorts must be fully informed about each resident's offense history and behavior patterns.

vi. Community trips require advance planning. Residents are allowed to leave the facility premises only for specified purposes, as authorized by the court order, and only with prior approval of the resident's assigned community corrections officer, treatment provider, and the Secure Community Transition Facility program manager. Reasons for leaving the facility may include treatment, employment interviews, employment, training, and other activities, such as family visits, that are specifically addressed in the resident's treatment plan.

vii. Individual electronic monitoring devices. Unless otherwise ordered by the court, each resident must wear an individual electronic monitoring device.

f. Properties that fail to meet any of these criteria must be removed from further consideration. The properties that do meet the minimum standards must be further evaluated to determine which one, among the available properties, is the most suitable. When a site is selected, preference must be given to properties that are the farthest removed from risk potential activities or facilities.

g. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

8. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

9. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.

b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2D-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in residential zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include

cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2D-3). Accessory structures shall comply with all of the following standards and Sections 10-2D-6 for setbacks and 10-2D-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

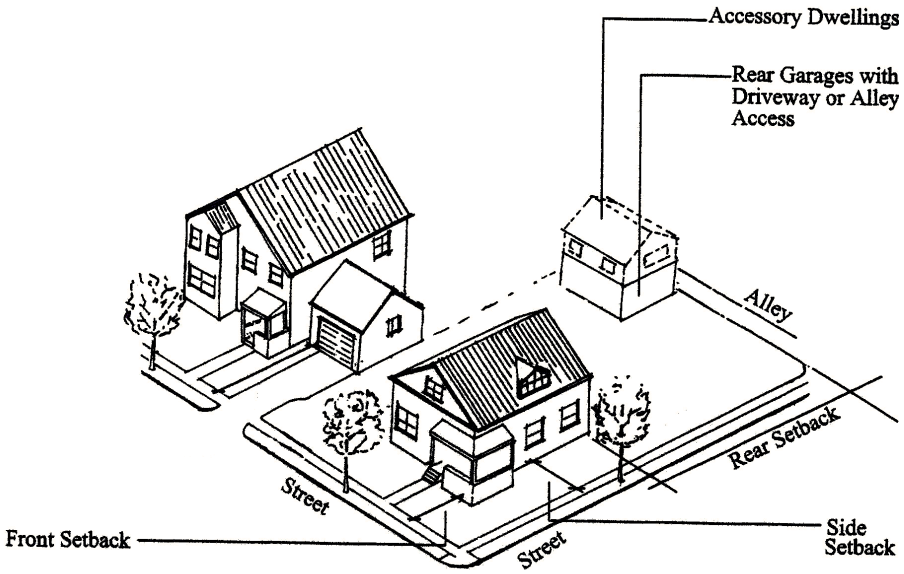
D. Buffering. A minimum 6--foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2D-6, 10-2D-7, 10-2D-8, 10-2D-9, 10-2D-10, and 10-2D-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2D-6 Development Setbacks

Building setbacks provide space for private yards, and building separation for fire protection/security, building maintenance, sunlight, and air circulation. This section is also intended to promote human-scale design and traffic calming by downplaying the visual presence of garages along the street and encouraging the use of extra-wide sidewalks and pocket parks in front of markets and other non-residential uses. The standards encourage placement of residences close to the street for public safety and neighborhood security.

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



A. Front Yard Setbacks

1. A minimum setback of 16 feet is required, except that an unenclosed porch may be within 10 feet, as long as it does not encroach into a public utility easement.
2. Garages and carports shall be accessed from alleys or otherwise recessed behind the front building elevation by a minimum of 4 feet. Alternatively, garage and carport entrances may be built flush with the front building elevation when the building is set back by at least 20 feet.
3. Multi-family housing and other buildings that require Site Design Review (see Section 10-4C-2), shall also comply with the building orientation standards in Section 10-2C-9.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 15 feet for street-access lots, and 6 feet for alley-access lots (except for accessory structures).
2. Accessory structures:
   a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.
   b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.

C. Side Yard Setbacks

1. The minimum side yard setback shall be 5 feet on interior side yards and 15 feet on flanking street yards (street corner yards).
2. When zero-lot line development is permitted, the minimum side yard setbacks shall be 6 feet minimum on one side of the dwelling unit, and no setback required on the opposite side. (See standards for zero-lot line housing in Section 10-2C-3)

D. Setback Exceptions

The following architectural features are allowed to encroach into the setback yards: Eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by no more than 2 feet. Porches, decks and similar structures not exceeding 24 inches in height may encroach into setbacks by no more than 5 feet, subject to the front yard setback provisions in "A". Walls and fences may be placed on property lines, subject to the standards in Section 10-3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. Interior sideyard setbacks would be 0 feet for dwelling units that are attached by a common wall.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2D-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Duplex and triplex or other multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat.
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level.

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

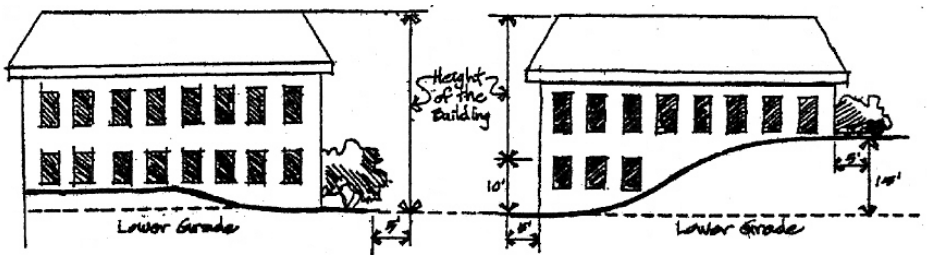
R-3 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Detached Single Family Housing; Manufactured Homes on Lots	Minimum area: 4000 square feet Maximum area: 8000 square feet	Minimum Width: 40 feet at front property line Maximum Depth:	Maximum: 60 percent	Minimum Net Density: 12 dwelling units per acre

		None		Maximum Net Density: None
Two-Family Housing (duplex)	Minimum area: 5000 square feet Maximum area: 10,000 square feet	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Attached (townhome) Single Family Housing	Minimum area: 2000 square feet Maximum area: 5000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Manufactured Home Parks	See Section 10-2D-3 for Manufactured Home Park standards.			Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Multi-Family Housing	Minimum area for three-family (triplex): 7000 square feet Maximum area for three-family (triplex): 12,000 square feet Minimum area for multi-family (4 or more units): 7000 square feet. Maximum area: None	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None

Other Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 70 percent	None

D. Exception. The minimum net density standards above may not apply when physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2D-8 Building Height



The following building height standards are intended to promote land use compatibility and support the principle of neighborhood-scale design:

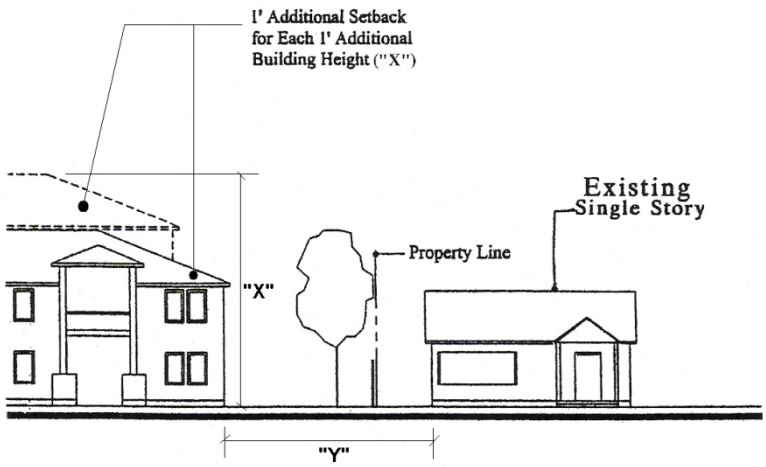
A. Building Height Standard. Buildings within the R-3 Zone shall be no more than 35 feet tall. Building height may be restricted to less than this maximum when necessary to comply with the Building Height Transition standard in "C" below. Roof equipment and other similar features visible from a street or I-90 which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.

B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

   Not included in the maximum height are: chimneys, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views. Within residential zones, bell towers, steeples, and similar features are

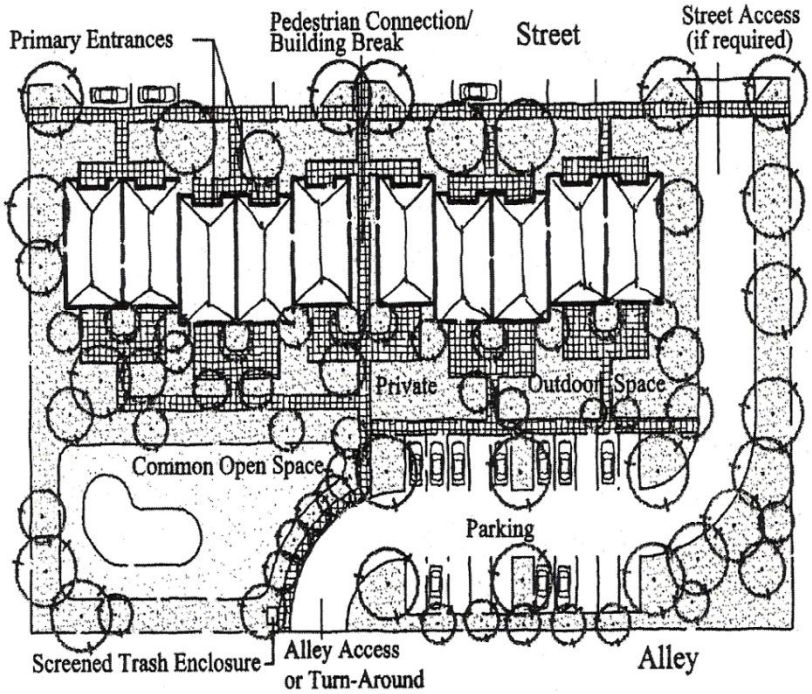
included within the maximum height and shall conform to the height requirements of the R-3 zone.



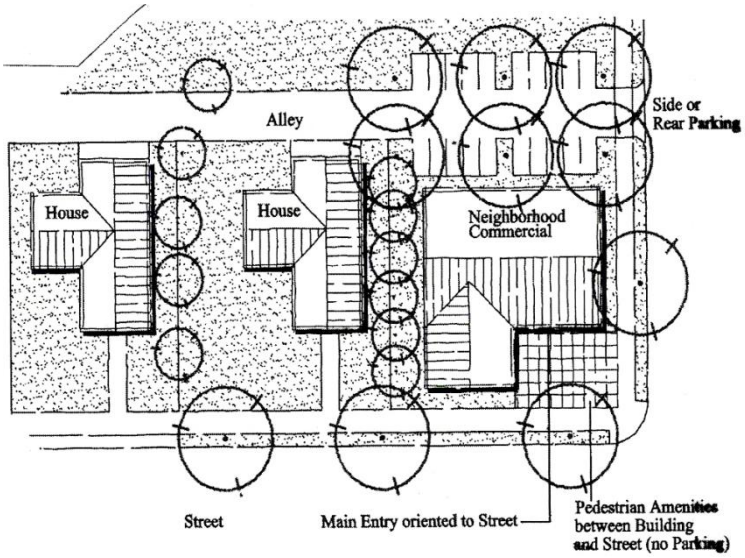
C. Building Height Transition. To provide compatible building scale and privacy between developments, taller buildings shall "step-down" to create a building height transition to adjacent single-story building(s).

1. This standard applies to new and vertically expanded buildings within 12 feet (as measured horizontally) of an existing single-story building with a height of 20 feet or less, as shown above.
2. The building height transition standard is met when the height of the taller building ("x") does not exceed one (1) foot of height for every one (1) foot of side yard separating the two buildings ("y"), as shown above up to a maximum 10' required side yard setback adjacent to the single story building.

10-2D-9 Building Orientation



Residential Single Family Attached Townhome or Multi-Family Orientation Example



Non-Residential Orientation Example

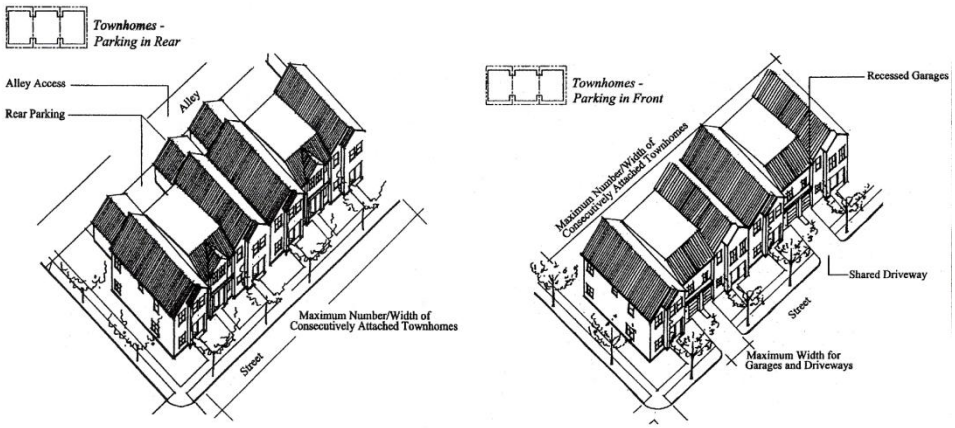
A. Purpose. The following standards are intended to orient buildings close to streets to promote human-scale development, slow traffic down, and encourage walking in neighborhoods. Placing residences and other buildings close to the street also encourages security and safety by having more "eyes-on-the-street".

B. Applicability. This section applies to all buildings in the R-3 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the R-3 zone are also required to comply with the standards outlined above in Section 10-2D-3 or 10-2D-4. Buildings that do not require

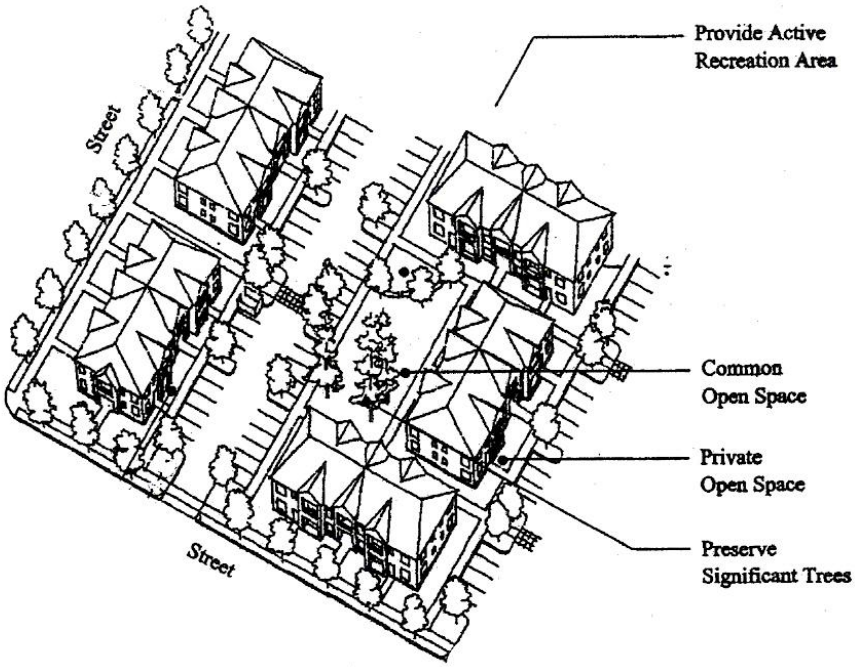
site design review are encouraged to incorporate these standards.

C. <u>Building orientation standards.</u> All buildings which are subject to this Section shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

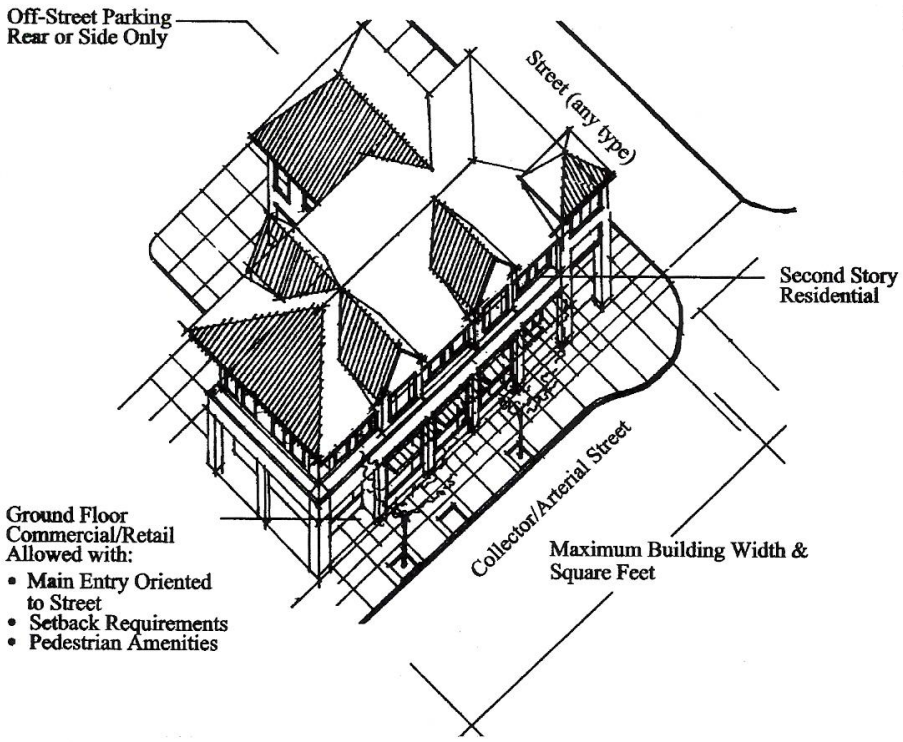
1. Compliance with the setback standards in Section 10-2D-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.



Residential Single Family Attached Townhome Alley and Street Access Examples



Multi-Family Example



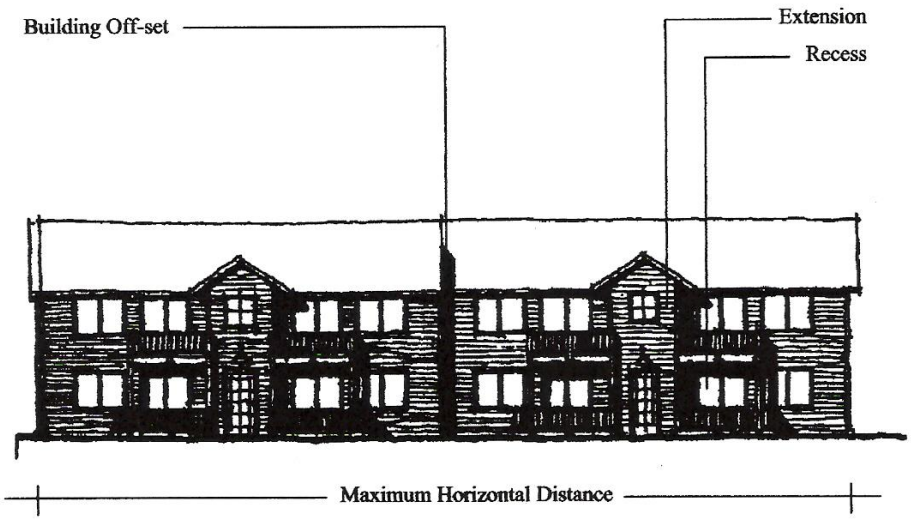
Mixed Use / Commercial Orientation Example

10-2D-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

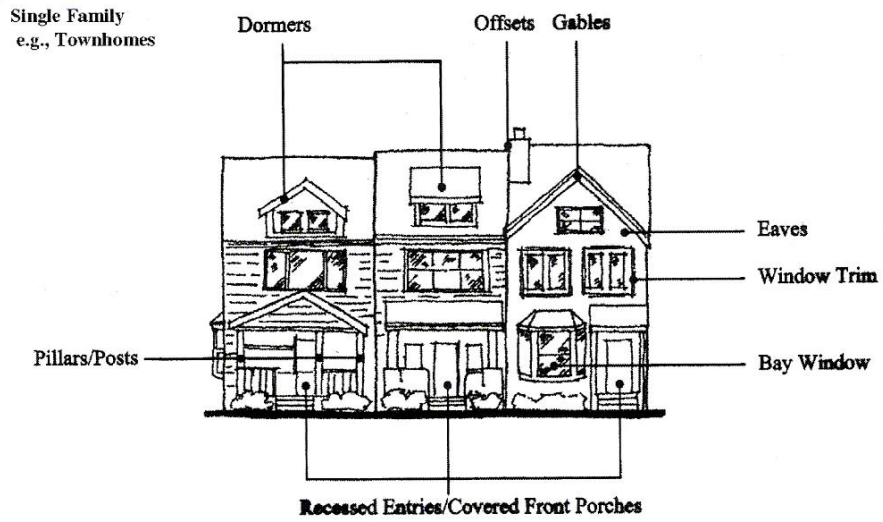
B. Applicability. This section applies to all buildings in the R-3 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the R-3 zone are also required to comply with the standards outlined above in Section 10-2D-3 or 10-2D-4. Buildings that do not require site design review are encouraged to incorporate these standards.

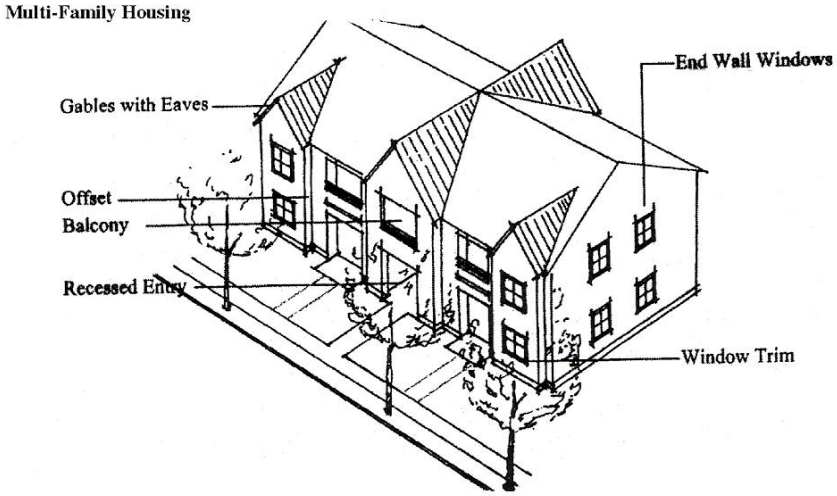
C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. The graphics provided are intended to show examples of how to comply. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature (i.e., as shown in the graphics) may be used to comply with more than one standard.

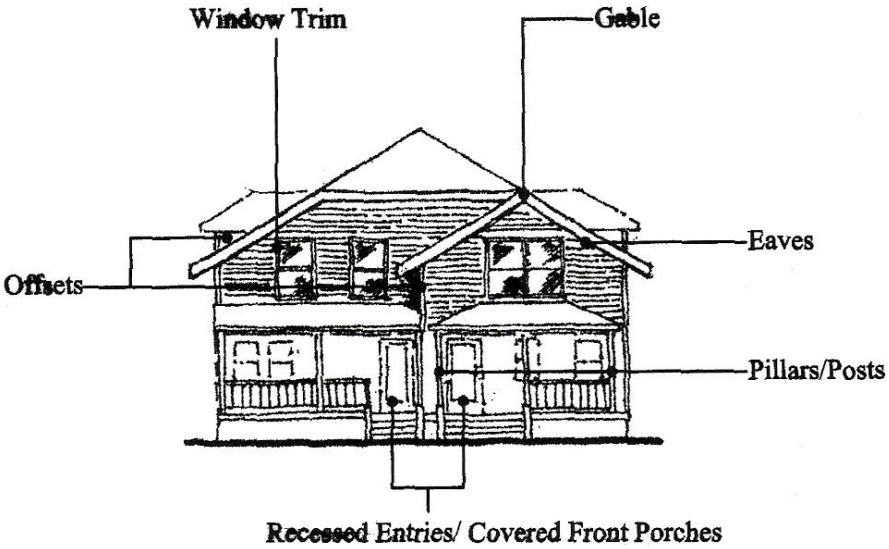


1. Building Form.
   The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
   a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
   b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
   c. Offsets or breaks in roof elevation of 2 feet or greater in height.

2. Eyes on the Street.
   All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.







3. Detailed Design.

All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

a. Dormers
b. Gables
c. Recessed entries
d. Covered porch entries
e. Cupolas or towers
f. Pillars or posts
g. Eaves (min. 6-inch projection)
h. Off-sets in building face or roof (minimum 16 inches)
i. Window trim (minimum 4-inches wide)
j. Bay windows
k. Balconies
l. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
m. Decorative cornices and roof lines (e.g., for flat roofs)
n. An alternative feature providing visual relief, similar to options a-n.

D. Materials. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials apply to new construction projects in the R-3 Zone:

1. Acceptable Roofing Materials
   a. Composition
   b. Concrete tile
   c. Slate
   d. Cedar Shake
   e. Metal - tile or shake only
   f. Copper Shake
   g. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Wood or Cedar Shake
   e. T-111 or Composite
   f. Vinyl Lap
   g. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
   a. Corrugated Metal

5. Detailing
   a. Brick

b. Stone
c. Wood or Timber
d. Board and Batten
e. Other materials determined acceptable by the Planning & Community Development Director

10-2D-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the R-3 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2E-1 **Purpose**
10-2E-2 **Permitted Uses (P)**
10-2E-3 **Limited Uses (L)**
10-2E-4 **Conditional Uses (CU)**
10-2E-5 **Accessory Structures**
10-2E-6 **Development Setbacks**
10-2E-7 **Lot Area, Dimensions, Coverage, & Residential Density**
10-2E-8 **Building Height**
10-2E-9 **Building Orientation**
10-2E-10 **Architectural Guidelines and Special Standards**
10-2E-11 **Pedestrian and Transit Amenities**
10-2E-12 **Design Standards**

10-2E-1 Purpose

The M-1 (Neighborhood Center Mixed-Use) District is intended to promote the livability, stability, and improvement of the City's neighborhood mixed use areas. This article provides standards for the orderly improvement and expansion of the of the M-1 (Neighborhood Center Mixed-Use) District based on the following principles:

A. Efficient use of land and urban services.

B. A mixture of land uses within the M-1 Zone to encourage walking as an alternative to driving, and provide more employment and housing options.

C. A connection to neighborhoods and other employment areas.

D. The M-1 (Neighborhood Center Mixed-Use) District provides both formal and informal community gathering places.

E. Providing an appropriate level of retail and commercial services to the neighborhood.

10-2E-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-1 (Neighborhood Center Mixed-Use) District with the letter "P" are permitted in the M-1 zone, without special action by the Hearing Body, subject to development standards of the M-1 (Neighborhood Center Mixed-Use) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2E-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-1 (Neighborhood Center Mixed-Use) District with the letter "L" are allowed in the M-1 zone if they comply with the development standards of the M-1 (Neighborhood Center Mixed-Use) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-1 Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

3. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

4. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings above the ground floor, or located behind or to the side of a building.
b. Parking structure entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

5. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

6. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

8. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
b. The tower must be accessory to a residence on the same site.

9. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.
b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

10. Participant and spectator sports facilities

a. Gun and archery ranges, racetracks or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.
b. All lighting shall be directed downward.
c. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.
d. A 20 foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.
e. The maximum building footprint area shall be 30,000 square feet or less.
f. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the building.

11. Banks / financial institutions (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner. (Walk-up only teller machines and kiosks may be oriented to a corner, but shall be separate from the drive-thru area).
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary bank building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary bank building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

12. Commercial laundromat & dry cleaning facility (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary commercial laundromat and dry cleaning facility building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary commercial laundromat and dry cleaning facility building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

13. Pharmacy (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary pharmacy building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary pharmacy building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

14. Restaurant / cafe / deli / ice cream parlor (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary restaurant / cafe / deli / ice cream parlor building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary restaurant / cafe / deli / ice cream parlor building.
e. Interior and exterior seating shall be provided.
f. Drive-up, drive-in, or drive-through components of any kind, shall be located a

safe distance from pedestrian crossings.

15. Post Office

When the post office contains a drive-up, drive-in, or drive-through facility, it shall be subject to the following standards:

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary post office building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary post office building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

16. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit or mixed use building.
b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit or mixed use building with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit or mixed use building. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less. ~~Within mixed use buildings, one or more dwelling units shall not comprise more than fifty percent (50%) of the total gross floor area of any building.~~
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling. ~~Within mixed use buildings, one or more dwelling units shall be allowed only in a building or structure with commercial / retail or business / office use on the entire ground floor.~~
f. An ADU shall not be permitted if the principal unit or mixed use building is less than 1,200 square feet.
g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence~~ or mixed use building~~. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.
h. The principal unit or ADU shall be owner-occupied~~, not applicable for mixed use buildings~~.
~~i. Common open space dedicated for the use of the residents of the dwelling units shall be provided at two hundred (200) square feet per unit for the first twelve (12) units with an additional one hundred (100) square feet per unit for greater than twelve (12) units up to a maximum of five thousand (5,000) square feet. Minimum for any dimension of dedicated, common open space shall be ten (10) feet.~~

17. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the

off-street parking required for the principal unit.

b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.

c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.

f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.

g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.

h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.

i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.

j. The principal unit or ADU shall be owner-occupied.

k. Home -occupations will be allowed within the detached accessory dwelling unit.

18. Dwelling, multi-family

Multi-family dwellings ~~should~~may only be permitted as a ~~be~~ part of a mixed use development (residential with commercial or other use). Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the following standards: ~~. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.~~

a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned,

after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;

f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);

g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

19. Dwelling, single family attached townhomes

Single family attached townhomes should be part of a mixed use development (residential with commercial or other use). ~~Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed,~~ Townhomes shall be subject to the standards in a-h.

a. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

b. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

c. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

d. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

e. When a subdivision (e.g., five or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable.

f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to

building permit approval, to check for common area maintenance provisions.

20. Zero-lot line (single family courtyard home)

"Zero-lot line" houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:

a. Zero lot line homes are required to have 6 feet between structures;

b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;

c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and

d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

21. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.

b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

10-2E-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-1 (Neighborhood Center Mixed-Use) District with the letters "CU" are permitted to locate in the M-1 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-1 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the bed and breakfast inn.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.
c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.
d. The applicant shall perform and provide documentation of a visual simulation of the site plan.
e. The applicant shall meet and provide documentation of all requirements of SEPA.
f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.
g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.
h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.
i. The owner of the antenna array shall notify the City of Liberty Lake Planning &

Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2E-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in mixed use zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2E-3). Accessory structures shall comply with all of the following standards and Sections 10-2E-6 for setbacks and 10-2E-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

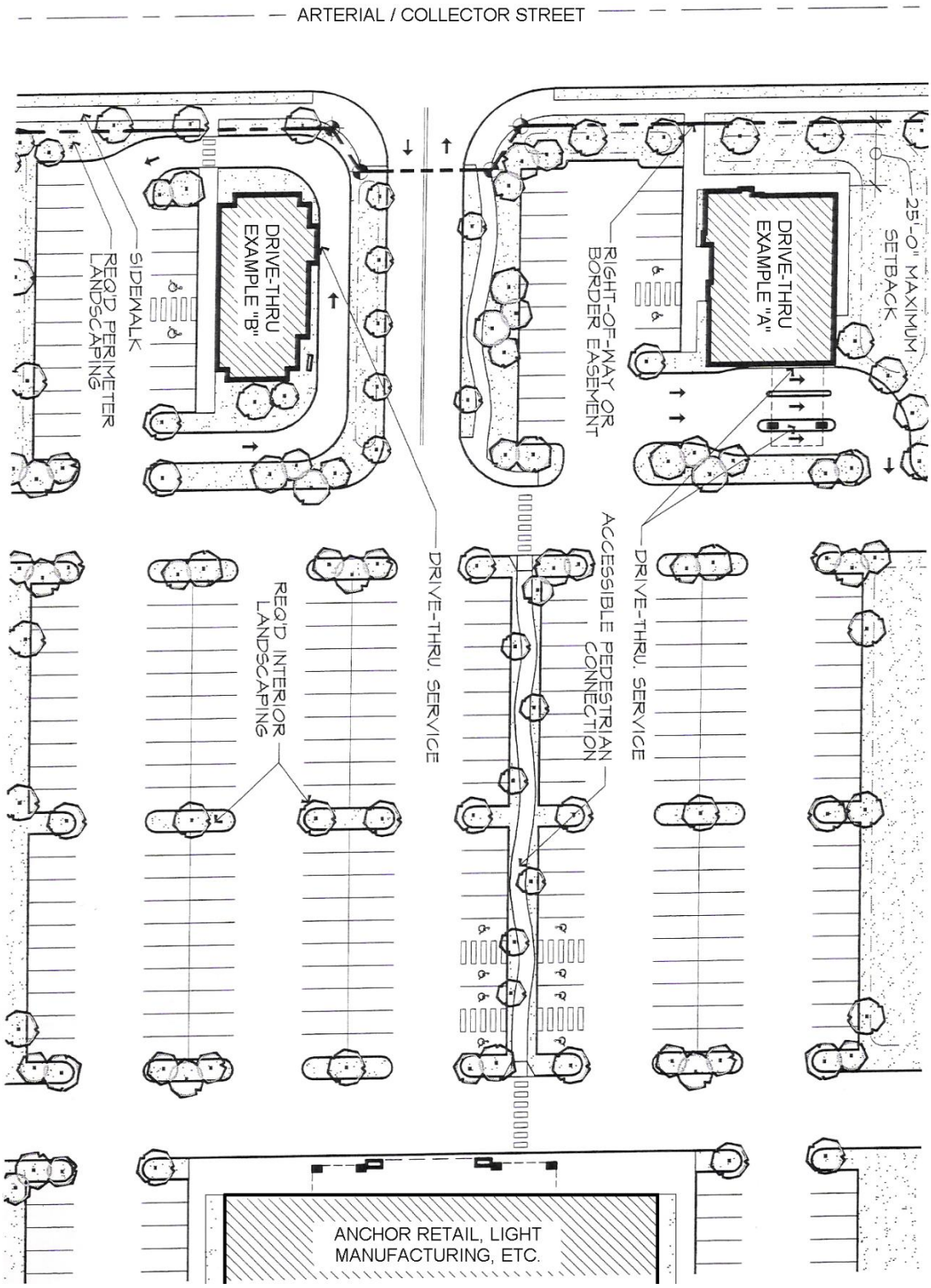
E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2E-6, 10-2E-7, 10-2E-8, 10-2E-9, 10-2E-10, 10-2E-11, and 10-2E-12), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2E-6 Development Setbacks

In the M-1 (Neighborhood Center Mixed-Use) District, the setback standards are flexible to encourage public spaces between sidewalks and building entrances (e.g., extra-wide sidewalks, plazas, squares, outdoor dining areas, and pocket parks). The standards encourage placement of buildings close to the street to create a vibrant pedestrian environment, to slow traffic down, to provide a storefront character to the street, and to encourage walking. The standards also encourage the formation of solid blocks of buildings to create a walkable environment.

Building setbacks are measured from perimeter of the structure to the respective property line. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A

Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.



A. Front Yard Setbacks

1. There is no minimum front yard setback required.
2. The maximum allowable front yard setback is 25 feet. This standard is met when a minimum of 25 percent of the front building elevation is placed no more than 25 feet back from the front property line, or the back of the border easement, as applicable. However, no structures shall be constructed within any easements. On parcels with more than one building, this standard applies to the building located the closest to the front property line. For developments where more than one building or development pad is proposed, the building located furthest from the right-of-way shall have no maximum front yard setback and parking may be located between the buildings furthest from the right-of-way.

   The maximum setback may be increased if the increased setback is used for the following pedestrian or aesthetic amenities associated with the building use (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area, courtyard, etc. or additional front yard landscaping).

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet for street-access lots, and 8 feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking (except for accessory structures).
2. Accessory structures:
   a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.
   b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.
3. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” may apply.

C. Side Yard Setbacks

There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Setback Exceptions

Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than 5 feet, subject to compliance with applicable standards of the Building Code and Fire Code. Walls and fences may be placed on property lines, subject to the standards in Section 10- 3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. P&CD has the discretion to allow an increase in the maximum setback for public safety facility access.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2E-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat, or final binding site plan.
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level. ~~Individual apartments above or within businesses (vertical or horizontal mixed use), are also exempt from the lot area, lot width, and residential density requirements in the chart below.~~

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

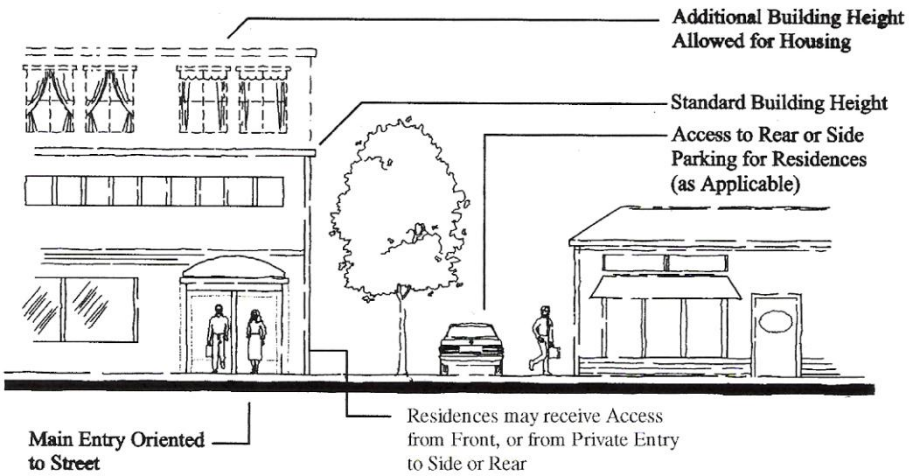
C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

M-1 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Attached (townhome) Single Family Housing	Minimum area: 2000 square feet Maximum area: 5000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: None
Multi-Family Housing	Minimum area: 7000 square feet. Maximum area: None	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density:

				None
Other Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 70 percent	None

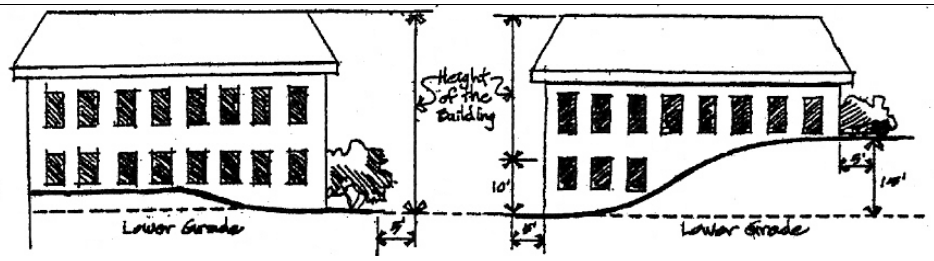
D. Exception. The minimum net density standards above may not apply when physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2E-8 Building Height



All buildings in the M-1 (Neighborhood Center Mixed-Use) District shall comply with the following building height standards. The standards are intended to allow for development of appropriately-scaled buildings with a pedestrian friendly character:

A. Building Height Standard. Buildings within the M-1 Zone shall be no more than 35 feet tall. The maximum height may be increased by 10 feet when housing is provided above the ground floor ("vertical mixed use"), as shown above. The building height increase for housing shall apply only to that portion of the building that contains housing. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.

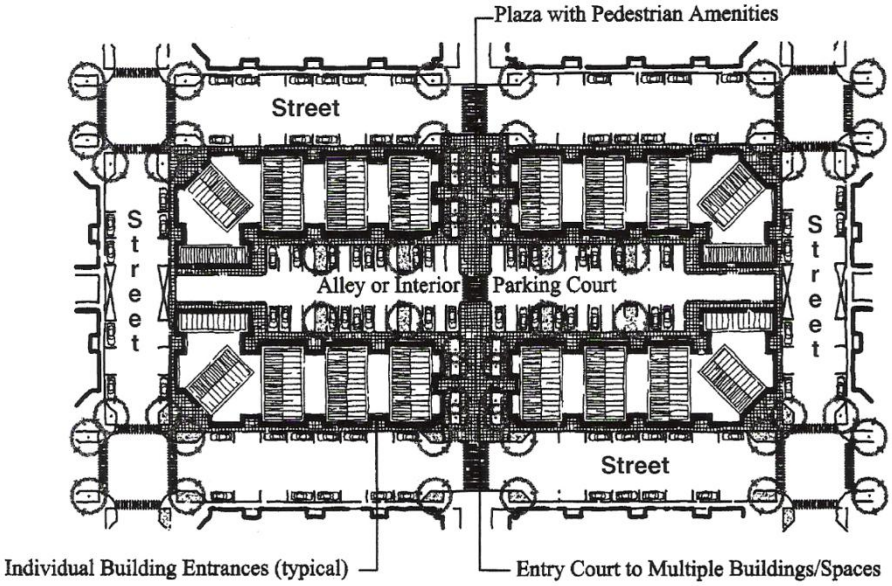


B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2E-9 Building Orientation



Block Layout Example

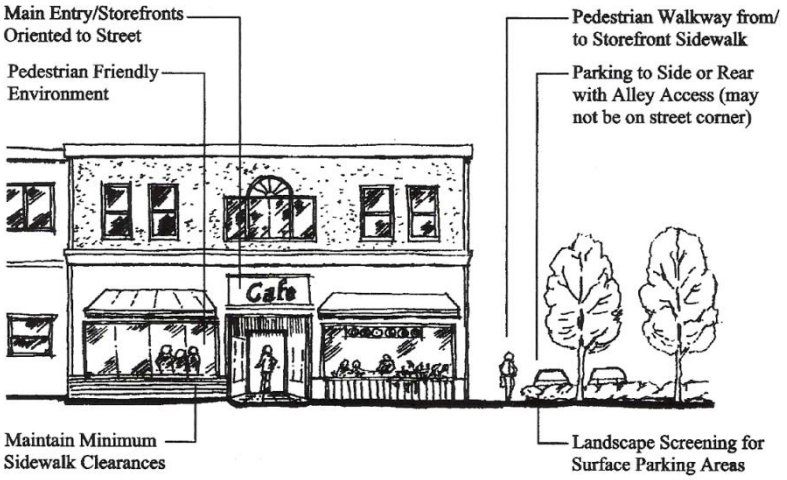
A. Purpose. This section is intended to promote the walkable, pedestrian friendly character of the M-1 (Neighborhood Center Mixed-Use) District by orienting (placing or locating) buildings close to streets. Placing buildings close to the street also slows traffic down and provides more

"eyes on the street", increasing the safety of public spaces. The standards, as listed and illustrated below, compliment the front yard setback standards in Section 10-2E-6 above.

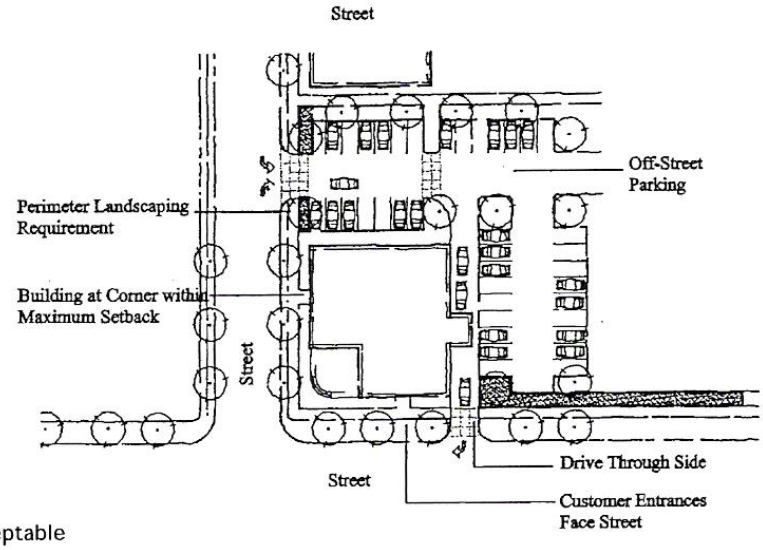
B. Applicability. This section applies to all buildings in the M-1 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the M-1 zone are also required to comply with the standards outlined above in Section 10-2E-3 or 10-2E-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2E-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. At least one entrance shall be provided not more than 50 feet from the closest sidewalk, street, or pedestrian path, as depicted in the graphic in Section 10-2E-6 above.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.



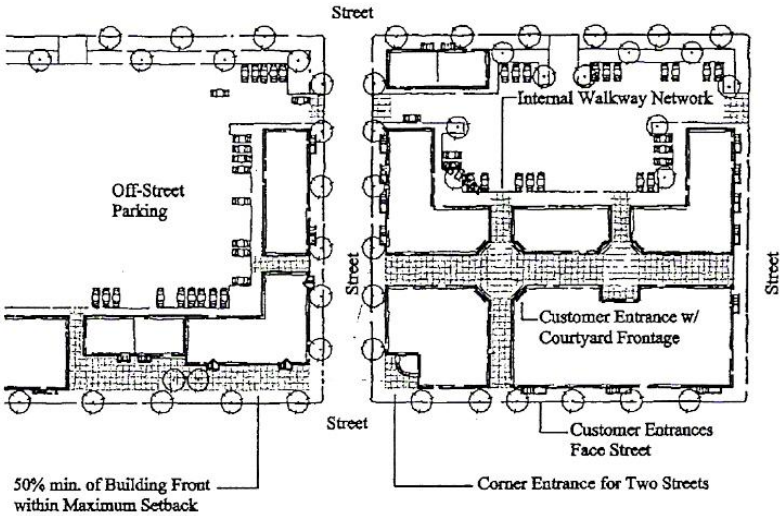
Mixed Use Building Orientation Example



Acceptable

Site layout for drive through uses should place parking and driveways away from pedestrian areas.

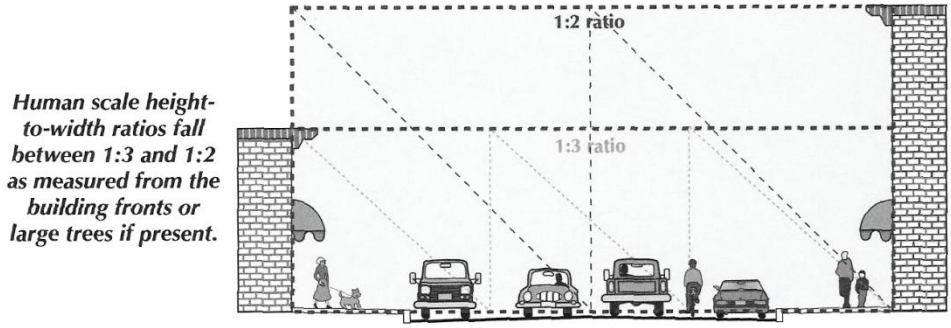
Orientation Examples for Businesses with a Drive-Thru



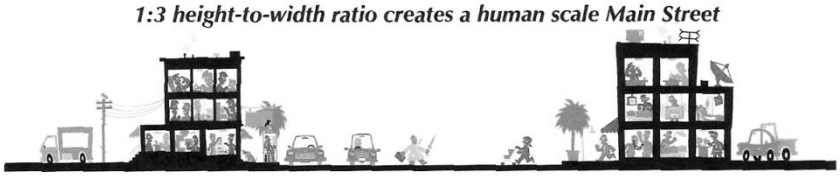
Mixed Use Site Layout Example

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

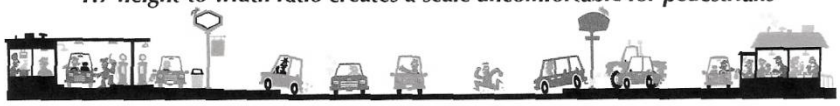
10-2E-10 Architectural Guidelines and Special Standards



1:3 height-to-width ratio creates a human scale Main Street



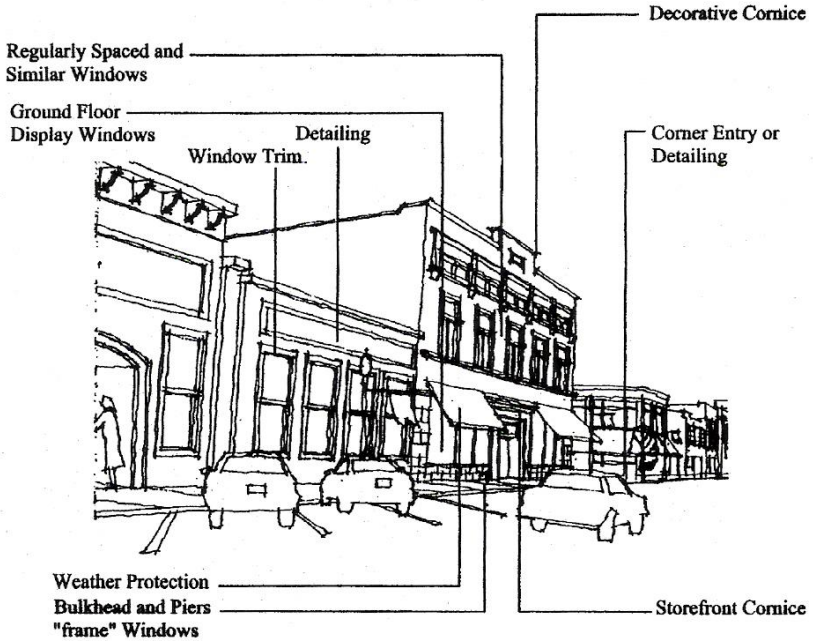
1:7 height-to-width ratio creates a scale uncomfortable for pedestrians



A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

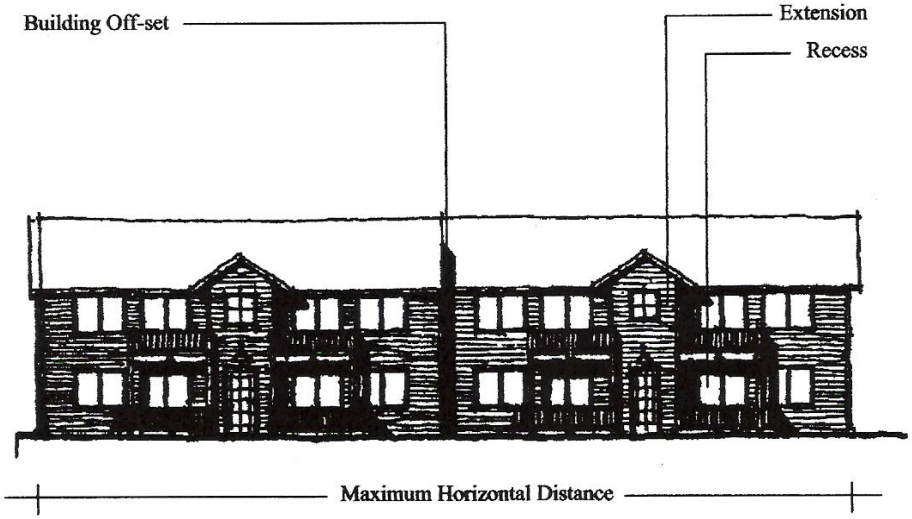
B. Applicability. This section applies to all buildings in the M-1 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-1 zone are also required to comply with the standards outlined above in Section 10-2E-3 or 10-2E-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



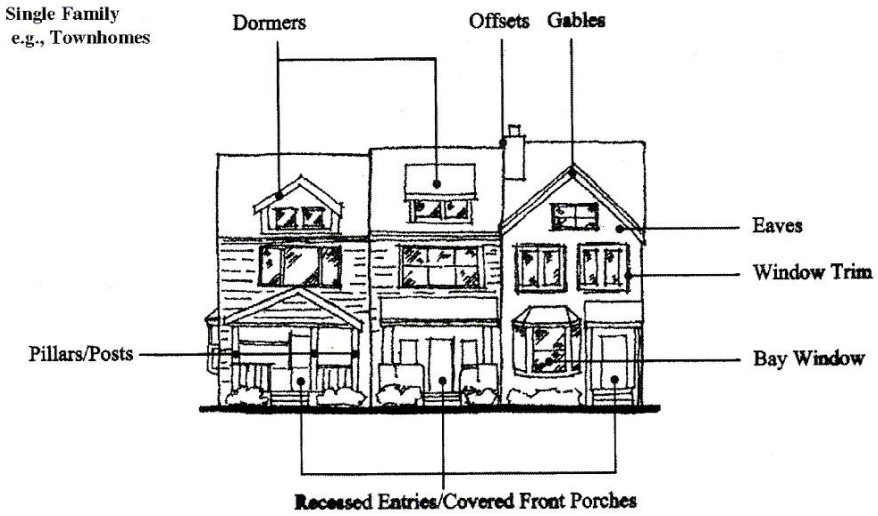
1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.
   a. Corner building entrances on corner lots. Alternatively, 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. The main entrance(s) to buildings shall be clearly delineated through architectural design and provide protection for pedestrians.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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.

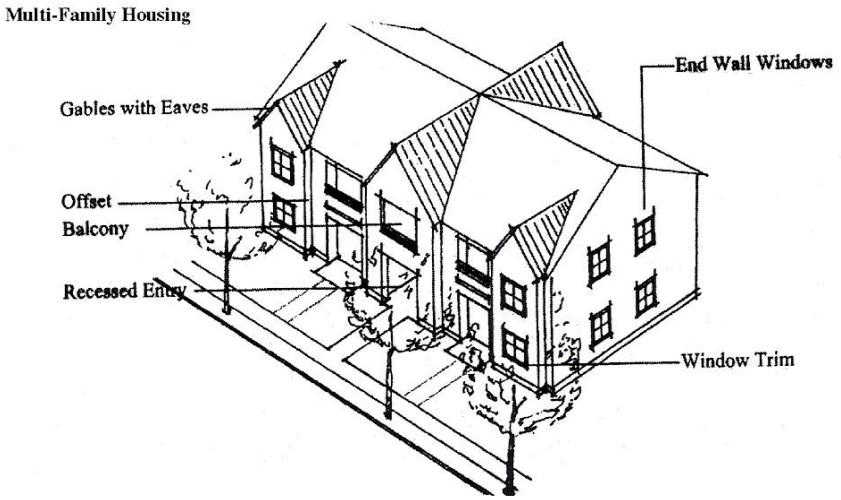
2. Residential Buildings.

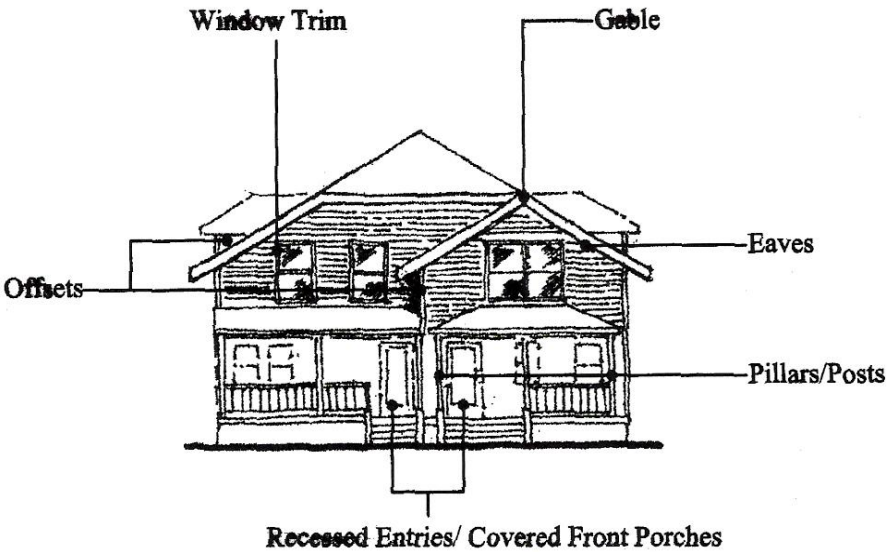


a. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
    i. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
    ii. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
    iii. Offsets or breaks in roof elevation of 2 feet or greater in height.

b. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.







c. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

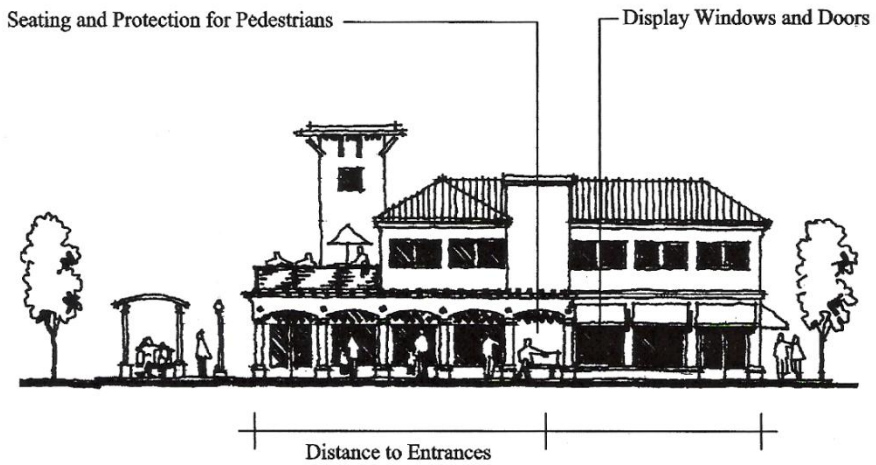
i. Dormers
ii. Gables
iii. Recessed entries
iv. Covered porch entries
v. Cupolas or towers
vi. Pillars or posts
vii. Eaves (min. 6-inch projection)
viii. Off-sets in building face or roof (minimum 16 inches)
ix. Window trim (minimum 4-inches wide)
x. Bay windows
xi. Balconies
xii. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)

xiii. Decorative cornices and roof lines (e.g., for flat roofs)
xiv. An alternative feature providing visual relief, similar to the above options.

3. Design of Large-Scale Buildings and Developments.
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.

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 below is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.

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.) or for structural reasons may not be required to meet this standard~~.~~; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and Section 10-2E-9, subsection C above.



D. <u>Materials & Colors</u>. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the M-1 Zone, and the color standards shall also apply to tenant

improvements:

1. Acceptable Roofing Materials
    a. Composition
    b. Composite Flat Roof
    c. Concrete tile
    d. Slate
    e. Cedar Shake
    f. Metal - tile or shake only
    g. Copper Shake
    h. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
    a. Corrugated Metal

3. Acceptable Siding Materials
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Concrete Block - split faced, smooth (non-residential structures only)
    e. Concrete Tilt-Up (non-residential structures only)
    f. Wood
    g. Vinyl - tile or shake only
    h. Metal - tile or shake only
    i. Painted corrugated metal (only with detailing)
    ~~i~~j. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
    a. Corrugated Metal
    b. T-111 (may be used when combined with detailing noted below)
    c. Vinyl Lap (may be used when combined with detailing noted below)

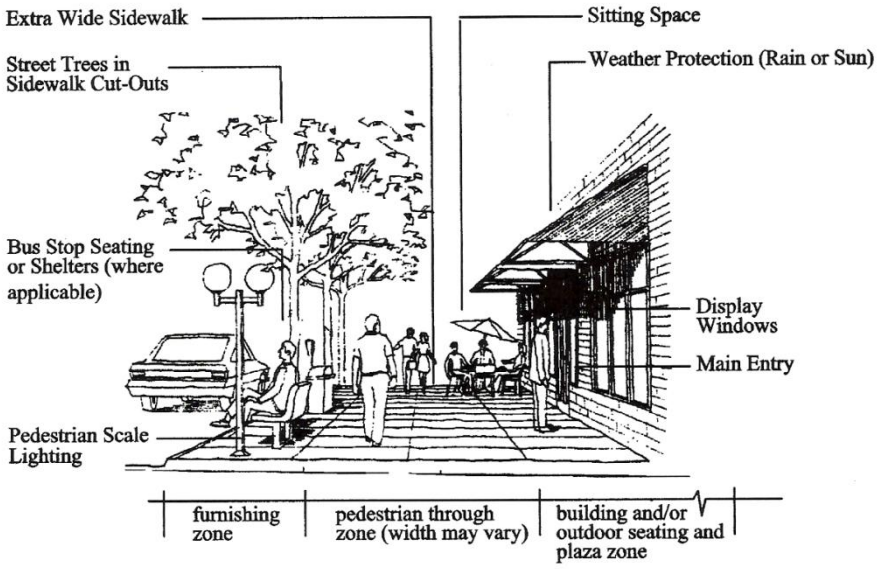
5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Planning & Community Development Director

6. Colors
    a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
    b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
    c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2E-11 Pedestrian and Transit Amenities

A. Purpose. This section is intended to complement the building orientation standards in Section 10-2E-9 above, and the street standards in Articles 10-3B and 10-3G, by providing comfortable and inviting pedestrian spaces within the M-1 (Neighborhood Center Mixed-Use) District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment, and contribute to a walkable district.

B. Applicability. This section applies to all buildings in the M-1 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-1 zone are also required to comply with the standards outlined above in Section 10-2E-3 or 10-2E-4. Buildings that do not require site design review are encouraged to incorporate these standards.



C. Guidelines and Standards. Every development shall provide one or more of the "pedestrian amenities" listed below, and illustrated above. Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other types of amenities and designs may be used. Pedestrian amenities may be provided within a public right-of-way when approved by the City.

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 12 feet);
2. Sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).
4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).
5. Transit amenity, such as bus shelter or pullout, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA).

10-2E-12 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the M-1 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2F-1 **Purpose**
10-2F-2 **Permitted Uses (P)**
10-2F-3 **Limited Uses (L)**
10-2F-4 **Conditional Uses (CU)**
10-2F-5 **Accessory Structures**
10-2F-6 **Development Setbacks**
10-2F-7 **Lot Area, Dimensions, Coverage, & Residential Density**
10-2F-8 **Building Height**
10-2F-9 **Building Orientation**
10-2F-10 **Architectural Guidelines and Special Standards**
10-2F-11 **Pedestrian and Transit Amenities**
10-2F-12 **Design Standards**

10-2F-1 Purpose

The M-2 (Community Center Mixed-Use) District is intended to promote the livability, stability, and improvement of the City's community center mixed use areas. This article provides standards for the orderly improvement and expansion of the M-2 (Community Center Mixed-Use) District based on the following principles:

A. Efficient use of land and urban services.

B. A mixture of land uses within the M-2 Zone to encourage walking as an alternative to driving, and provide more employment and housing options.

C. A connection to neighborhoods and other employment areas.

D. Provide visitor accommodations and tourism amenities.

E. Transit-oriented development reduces reliance on the automobile and parking needs.

F. The M-2 (Community Center Mixed-Use) District provides both formal and informal community gathering places.

G. Providing retail and commercial services to the surrounding neighborhoods and community.

10-2F-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letter "P" are permitted in the M-2 zone, without special action by the Hearing Body, subject to development standards of the M-2 (Community Center Mixed-Use) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2F-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letter "L" are allowed in the M-2 zone if they comply with the development standards of the M-2 (Community Center Mixed-Use) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-2 Limited Uses.

1. Agriculture (actively farmed)

a. Existing uses only, new agriculture (actively farmed) uses not permitted.

2. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

3. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

4. Large-scale retail establishments

a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:
   1. New construction;
   2. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
   3. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.
   4. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with

the chart below:

- Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or
- A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or
- The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and
- Granting of the waiver would not impose significantly more negative impacts on nearby properties.

Requirements	New Construction	Addition	Interior Remodel	Exterior Remodel
Compliance with the City Development and Building Codes	Required	Required	Required	Required
Application Requirements	Required	Required	Required	Required
Site Design & Features	Required	x	Exempt	x
Outdoor Display / Sales Area & Accessory Uses	Required	x	N/A	x
Building Design	Required	Required	N/A	x
Materials & Colors	Required	Required	N/A	Required
Adaptability for Reuse / Compartmentalization / Redevelopment	Optional	Optional	N/A	Optional
Signage	Optional	Optional	Optional	Optional

x = Portions of the standards may be waived in accordance with Exceptions

b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement, that the City will record with the Spokane County Auditor, to cover the following:

1. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large-scale retail establishment from occupying the vacated building);
2. The property owner agrees to provide a notice of closure to the Director of Planning and Community Development as soon as a closure is anticipated or at least three (3) months prior to an anticipated store closure; and
3. The property owner agrees to meet with the Director of Planning & Community Development at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-3I (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.

c. Pedestrian & Bicycle Circulation / Facilities

1. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;
2. Distinct pedestrian crossing markers or changes in surfacing must be used;

and

3. Publicly accessible focal points with features such as a patio /seating area are required.

d. Shopping Cart Storage & Return Stations - When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts are permitted. Exterior shopping cart storage areas are not permitted and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations

1. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;
2. Shopping cart return stations shall incorporate landscaping, architectural features, or similar design elements to draw attention to and lessen the impact of stand-alone features within parking areas;
3. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and
4. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

e. Outdoor Storage Uses & Service / Loading Areas -

1. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;
2. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;
3. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and
4. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

f. Outdoor Display / Sales Areas & Accessory Uses

1. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;
2. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Director of Planning & Community Development or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;

3. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;
4. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;
5. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and
6. Temporary sales / displays, such as Christmas trees, landscape materials, etc. shall be reviewed and approved by the Director of Planning & Community Development through the Temporary Use Permit process in accordance with Section 10-4I-1.

g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:
1. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;
2. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and
3. Landscaping schemes that complement the multiple entrance design.

~~5. Marijuana Producer~~

~~a. Land must currently be used for agriculture (actively farmed).~~
~~b. Marijuana production shall not be allowed as an Accessory Use.~~
~~c. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~
~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~
~~d. Must have approval from the Washington State Liquor Control Board.~~

6. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

7. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings above the ground floor, or located behind or to the side

of a building.

b. Parking structure entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

8. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

9. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

10. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

11. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

b. The tower must be accessory to a residence on the same site.

12. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.

b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

13. Automobile parts sales (retail)

a. The automobile parts sales store shall be contained within an enclosed building which does not exceed 10,000 square feet or 100 feet of street frontage, whichever is less.

b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the automobile parts sales building.

14. Participant & spectator sports facilities

a. Gun and archery ranges, racetracks or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.

b. All lighting shall be directed downward.

c. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.

d. A 20 foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic

impacts. The buffer may contain pedestrian seating but shall not contain any lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.

e. The maximum building footprint area shall be 30,000 square feet or less.

f. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the building.

15. Banks / financial institutions (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner. (Walk-up only teller machines and kiosks may be oriented to a corner, but shall be separate from the drive-thru area).

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary bank building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary bank building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

16. Commercial laundromat & dry cleaning facility (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary commercial laundromat and dry cleaning facility building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary commercial laundromat and dry cleaning facility building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

17. Pharmacy (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary pharmacy building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary pharmacy building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

18. Restaurant / cafe / deli / ice cream parlor (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. "Subordinate" means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary restaurant / cafe / deli / ice cream parlor building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary restaurant / cafe / deli / ice cream parlor building.
e. Interior and exterior seating shall be provided.
f. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

19. Sports Bar

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Sports Bar.
b. Design and compatibility with neighborhood character shall be considered in the approval process.

20. Tavern / pub / liquor store

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.
b. Design and compatibility with neighborhood character shall be considered in the approval process.

21. Post Office

When the post office contains a drive-up, drive-in, or drive-through facility, it shall be subject to the following standards:

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. "Subordinate" means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary post office building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary post office building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

2~~0~~2. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit or mixed use building.

b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit or mixed use building with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit or mixed use building. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less. ~~Within mixed use buildings, one or more dwelling units shall not comprise more than fifty percent (50%) of the total gross floor area of any building.~~
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling. ~~Within mixed use buildings, one or more dwelling units shall be allowed only in a building or structure with commercial / retail or business / office use on the entire ground floor.~~
f. An ADU shall not be permitted if the principal unit ~~or mixed use building~~ is less than 1,200 square feet.
g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence ~~or mixed use building~~. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.
h. The principal unit or ADU shall be owner-occupied~~, not applicable for mixed use buildings~~.
i. ~~Common open space dedicated for the use of the residents of the dwelling units shall be provided at two hundred (200) square feet per unit for the first twelve (12) units with an additional one hundred (100) square feet per unit for greater than twelve (12) units up to a maximum of five thousand (5,000) square feet. Minimum for any dimension of dedicated, common open space shall be ten (10) feet.~~

2~~1~~3. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.
c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.
f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.
j. The principal unit or ADU shall be owner-occupied.

k. Home occupations will be allowed within the detached accessory dwelling unit.

24~~2~~. Dwelling, multi-family

Multi-family dwellings may only be permitted as a ~~should be~~ part of a mixed use development (residential with commercial or other use). Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed, in accordance with the following standards: ~~. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.~~

a. Projects shall provide an equivalent square footage of non-residential uses within the permit application packet.

b. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

~~b~~c. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

d~~c~~. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

e~~d~~. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

f~~e~~. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;

g~~f~~. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);

h~~g~~. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

~~23. Dwelling, multi-family (greater than 30 units per net acre)~~

~~The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; ensure management and maintenance of common areas, and provide for public transportation options. Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed, subject to the standards in a-h.~~

~~a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.~~

~~b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.~~

~~c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.~~

~~d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.~~

~~e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;~~

~~f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);~~

~~g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.~~

~~h. Public transit. All multi-family dwellings greater than 30 units per net acre shall only be located along a public transit route and transit amenities such as bus shelters or pullouts, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA) shall be provided for use by residents.~~

2~~4~~5. Dwelling, single family attached townhomes

Single family attached townhomes should be part of a mixed use development (residential with commercial or other use). ~~Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed,~~ Townhomes shall be subject to the standards in a-h.

a. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.
b. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
c. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.
d. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.
e. When a subdivision (e.g., five or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable.
f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

2~~5~~6. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.
b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

2~~6~~7. Zero lot line (single family courtyard homes)

"Zero-lot line" houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building

maintenance:

a. Zero lot line homes are required to have 6 feet between structures;

b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;

c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and

d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

28~~7~~. Light manufacturing and assembly

a. The light manufacturing & assembly use shall be completely enclosed within a building.

b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the architectural guidelines and special standards in Section 10-2F-10 below and will normally include terracing of upper floors and modulation of front facades.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.

29~~8~~. Light manufacturing and assembly w/ retail sales showroom

a. The light manufacturing & assembly use shall be completely enclosed within a building.

b. Retail sales showroom shall comprise at least 5% of the gross floor area of the light manufacturing and assembly portion of the building, in return, a 5% reduction in the required parking shall be granted.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.

~~**29. Marijuana Processor**~~

~~a. The use shall be completely enclosed within a building.~~

~~b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the Architectural Guidelines and Special Standards section below and will normally include terracing of upper floors and modulation of front facades.~~

~~c. Marijuana processing shall not be allowed as an Accessory Use.~~

~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~

~~2. Playground;~~

~~3. Recreation center or facility;~~

~~4. Child care center;~~

~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~e. Must have approval from the Washington State Liquor Control Board.~~

~~30. Plastic injection molding~~

~~a. The plastic injection molding use shall be completely enclosed within a building.~~
~~b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the architectural guidelines and special standards in Section 10-2F-10 below and will normally include terracing of upper floors and modulation of front facades.~~
~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the plastic injection molding building.~~

~~31. Tool and die making~~

~~a. The tool and die making use shall be completely enclosed within a building.~~
~~b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the architectural guidelines and special standards in Section 10-2F-10 below and will normally include terracing of upper floors and modulation of front facades.~~
~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tool and die making building.~~

~~32~~30. Woodworking / cabinet manufacturing w/ retail sales showroom

a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.
b. Retail sales showroom shall comprise at least 5% of the gross floor area of the manufacturing portion of the building, in return, a 5% reduction in the required parking shall be granted.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the woodworking / cabinet manufacturing building.

~~33~~31. Wholesaling / distribution facility

a. The Wholesaling / distribution facility use shall be completely enclosed within a building.
b. Wholesaling / distribution facilities, shall be spaced a distance of 150 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd., Mission Ave., or Harvard.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Wholesaling / distribution facility building.

10-2F-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-2 (Community Center Mixed-Use) District with the letters "CU" are permitted to locate in the M-2 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-2 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the bed and breakfast inn.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~**2. Marijuana Retailer**~~

~~a. Building or portion of mixed-use building shall not exceed 5000 square feet.~~
~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~c. Marijuana sales shall not be allowed as an Accessory Use.~~
~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~
~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~
~~e. Must have approval from the Washington State Liquor Control Board.~~
~~f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~**3. Sports Bar**~~

~~a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Sports Bar.~~
~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~4. Tavern / pub / liquor store~~

~~a. The building shall not exceed 5000 square feet.~~
~~b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.~~
~~c. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

5. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

6. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.
c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.
d. The applicant shall perform and provide documentation of a visual simulation of the site plan.
e. The applicant shall meet and provide documentation of all requirements of SEPA.
f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.
g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency

contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2F-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in mixed use zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2F-3). Accessory structures shall comply with all of the following standards and Sections 10-2F-6 for setbacks and 10-2F-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

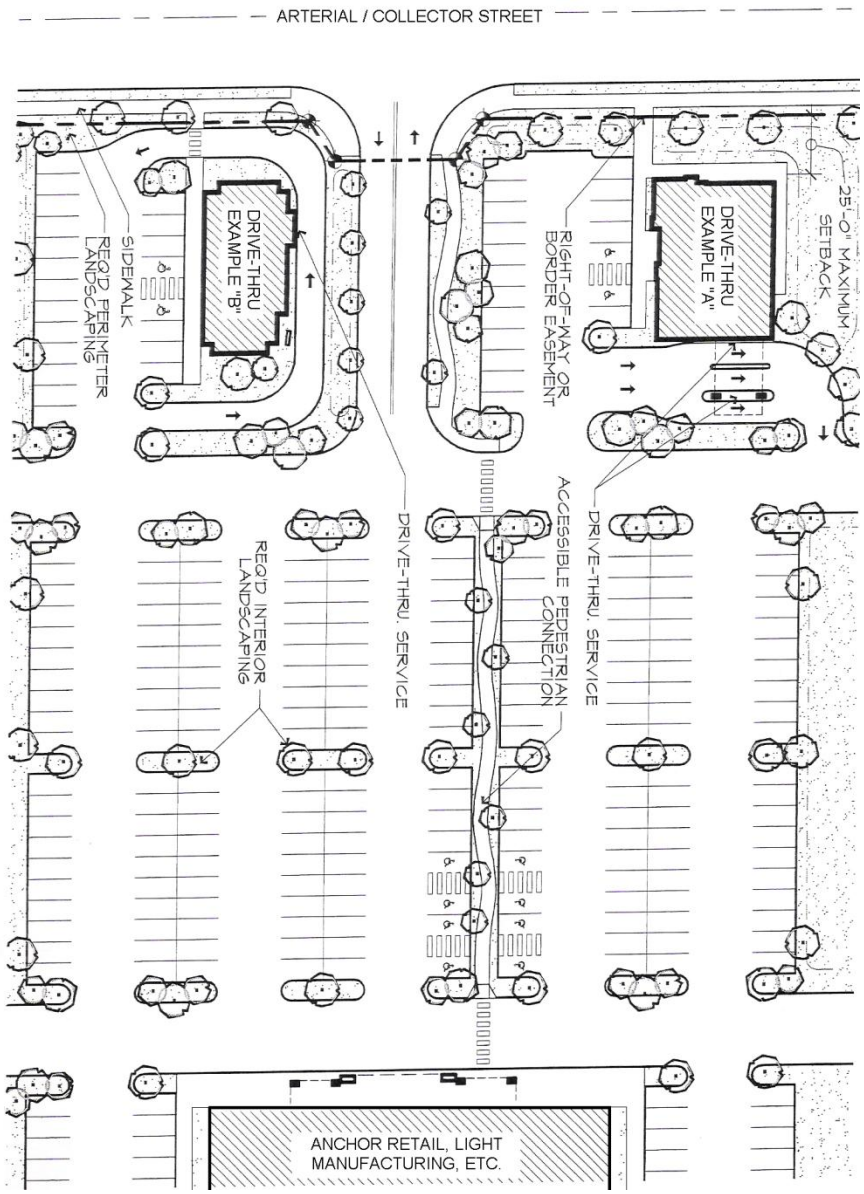
E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2F-6, 10-2F-7, 10-2F-8, 10-2F-9, 10-2F-10, 10-2F-11, and 10-2F-12), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2F-6 Development Setbacks

In the M-2 (Community Center Mixed-Use) District, the setback standards are flexible to encourage public spaces between sidewalks and building entrances (e.g., extra-wide sidewalks, plazas, squares, outdoor dining areas, and pocket parks). The standards encourage placement of buildings close to the street to create a vibrant pedestrian environment, to slow traffic down, to provide a storefront character to the street, and to encourage walking. The standards also

encourage the formation of solid blocks of buildings to create a walkable environment.

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



A. <u>Front Yard Setbacks</u>

1. There is no minimum front yard setback required.
2. The maximum allowable front yard setback is 25 feet. This standard is met when a minimum of 25 percent of the front building elevation is placed no more than 25 feet back from the front property line, or the back of the border easement, as applicable.

However, no structures shall be constructed within any easements. On parcels with more than one building, this standard applies to the building located the closest to the front property line. For developments where more than one building or development pad is proposed, the building located furthest from the right-of-way shall have no maximum front yard setback and parking may be located between the buildings furthest from the right-of-way.

The maximum setback may be increased if the increased setback is used for the following pedestrian or aesthetic amenities associated with the building use (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area, courtyard, etc. or additional front yard landscaping).

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet for street-access lots, and 8 feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking (except for accessory structures).
2. Accessory structures:
   a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.
   b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.
3. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” shall apply.

C. Side Yard Setbacks

There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Setback Exceptions

Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than 5 feet, subject to compliance with applicable standards of the Building Code and Fire Code. Walls and fences may be placed on property lines, subject to the standards in Section 10- 3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. P&CD has the discretion to allow an increase in the maximum setback for public safety facility access.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2F-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat, or final binding site plan.
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level. ~~Individual apartments above or within businesses (vertical or horizontal mixed use), are also exempt from the lot area, lot width, and residential density requirements in the chart below.~~

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

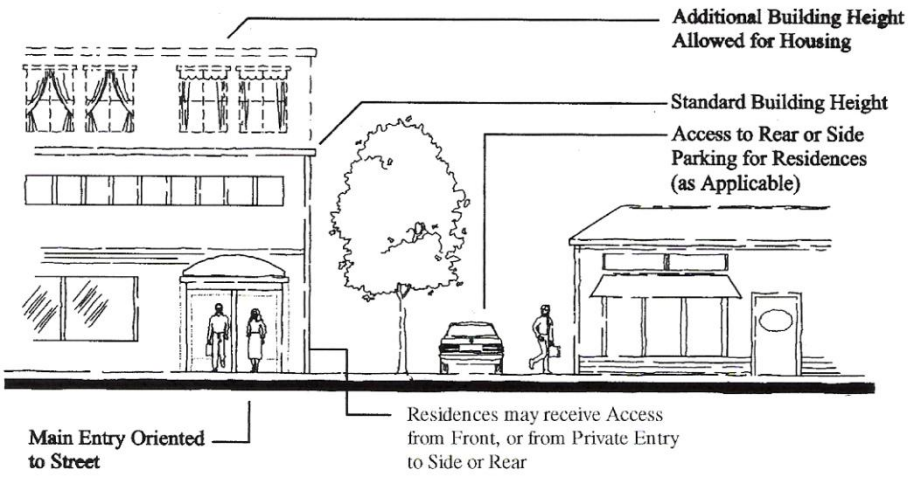
C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

M-2 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Attached (townhome) Single Family Housing	Minimum area: 1500 square feet Maximum area: 5000 square feet	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 6 dwelling units per acre Maximum Net Density: None
Multi-Family Housing	Minimum area: 7000 square feet. Maximum area: None	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Other Uses	Minimum area: None	Minimum Width: 50 feet at front property line	Maximum: 70 percent	None

	Maximum area: None	Maximum Depth: None		

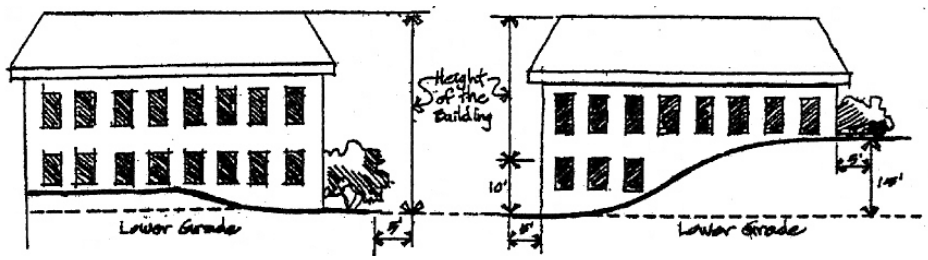
D. Exception. The minimum net density standards above may not apply when physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2F-8 Building Height



All buildings in the M-2 (Community Center Mixed-Use) District shall comply with the following building height standards. The standards are intended to allow for development of appropriately-scaled buildings with a pedestrian friendly character:

A. Building Height Standard. Buildings within the M-2 Zone shall be no more than 50 feet tall. The maximum height may be increased by 10 feet when residential housing is provided above the ground floor ("vertical mixed use"), as shown above. The building height increase for housing shall apply only to that portion of the building that contains housing. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.

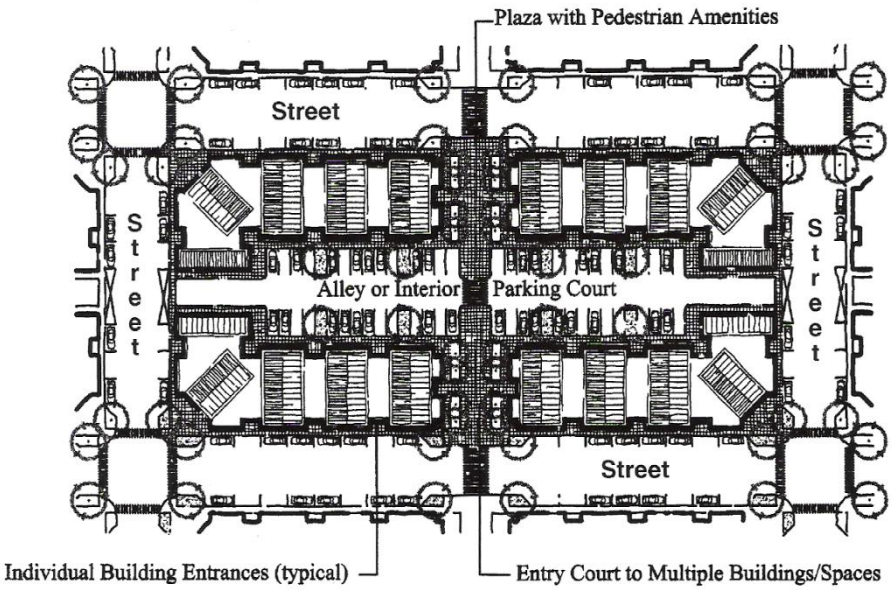


B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above

examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2F-9 Building Orientation



Block Layout Example

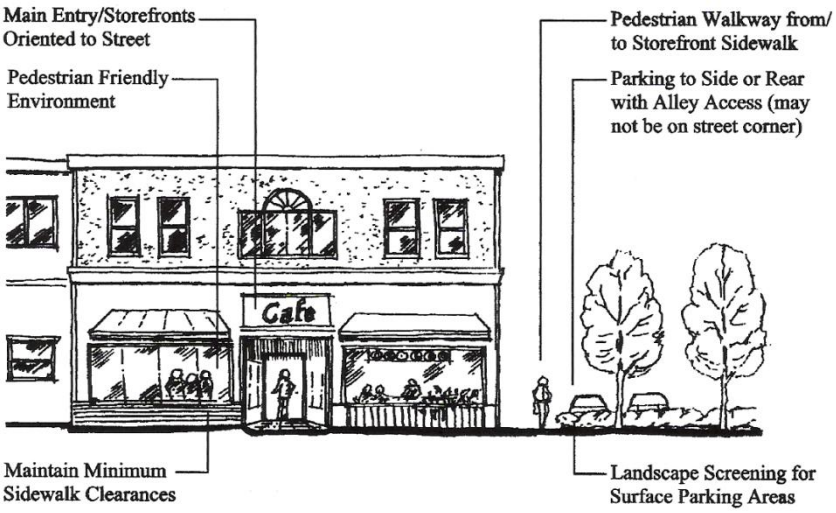
A. Purpose. This section is intended to promote the walkable, pedestrian friendly character of the M-2 (Community Center Mixed-Use) District by orienting (placing or locating) buildings close to streets. Placing buildings close to the street also slows traffic down and provides more "eyes on the street", increasing the safety of public spaces. The standards, as listed and illustrated below, compliment the front yard setback standards in Section 10-2F-6 above.

B. Applicability. This section applies to all buildings in the M-2 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the M-2 zone are also required to comply with the standards outlined above in Section 10-2F-3 or 10-2F-4. Buildings that do not require site design review are encouraged to incorporate these standards.

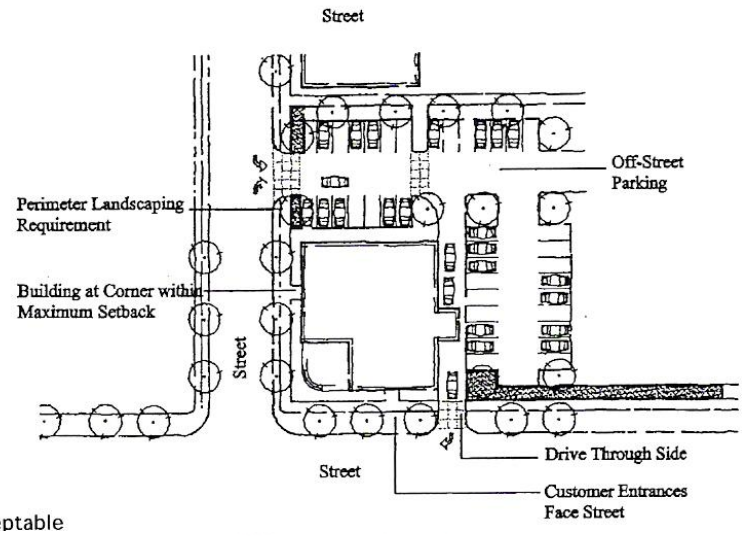
C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building

entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2F-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. At least one entrance shall be provided not more than 50 feet from the closest sidewalk, street, or pedestrian path, as depicted in the graphic in Section 10-2F-6 above.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible; parking, driveways, and other vehicle areas shall be prohibited between buildings and street corners.



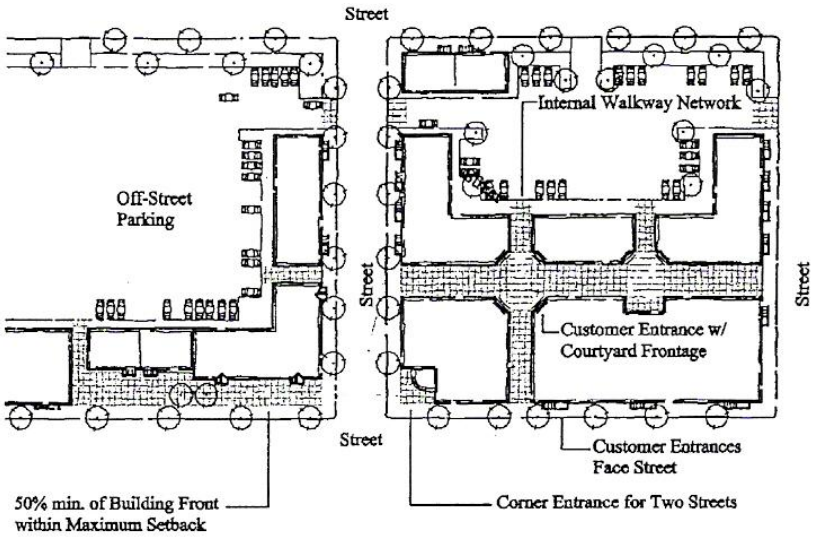
Mixed Use Building Orientation Example



Acceptable

Site layout for drive through uses should place parking and driveways away from pedestrian areas.

Orientation Examples for Businesses with a Drive-Thru



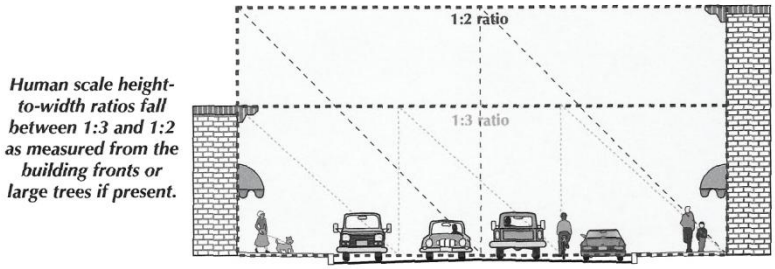
Mixed Use Site Layout Example

5. Large-scale retail establishments
   a. Large-scale retail establishments shall not be located on corner lots, unless smaller buildings (less than 50,000 gross square feet) are located between the large-scale retail establishment and the street
   b. Outparcels with non large-scale retail establishments must be located between large-scale retail establishments and an arterial or collector street.
   c. Access & Traffic
      1. Large-scale retail establishments must have at least two approaches with the main approach located on an arterial or collector street;
      2. Vehicle access must be designed to accommodate peak traffic volumes;
      3. Site layout must provide access connections to adjacent parcels / uses; and
      4. Off-street parking, drives, and other vehicular areas cannot be placed between

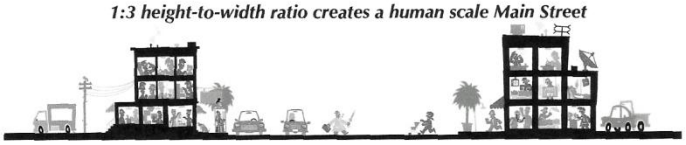
buildings and streets, if prohibited by the Development Code for the zone.

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

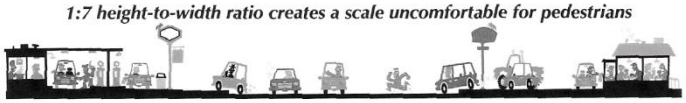
10-2F-10 Architectural Guidelines and Special Standards



1:3 height-to-width ratio creates a human scale Main Street



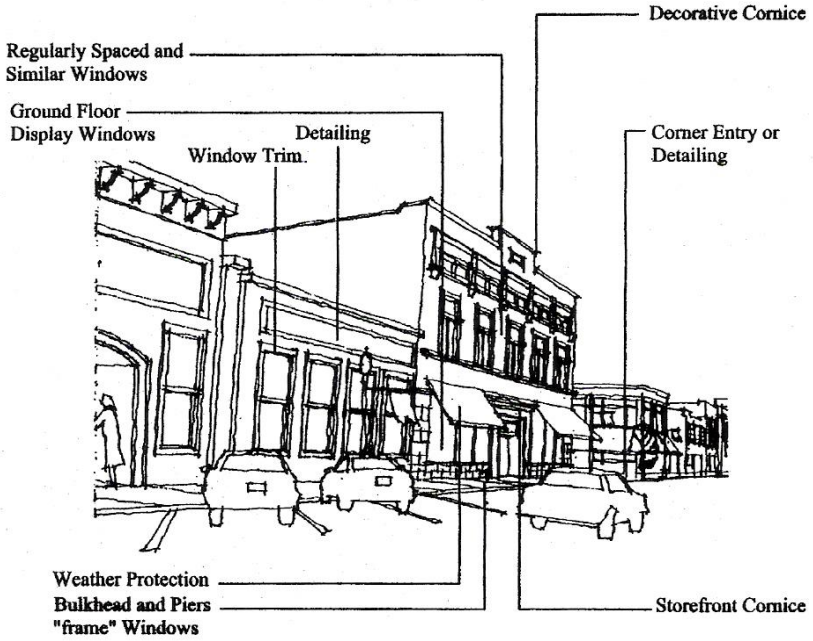
1:7 height-to-width ratio creates a scale uncomfortable for pedestrians



A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

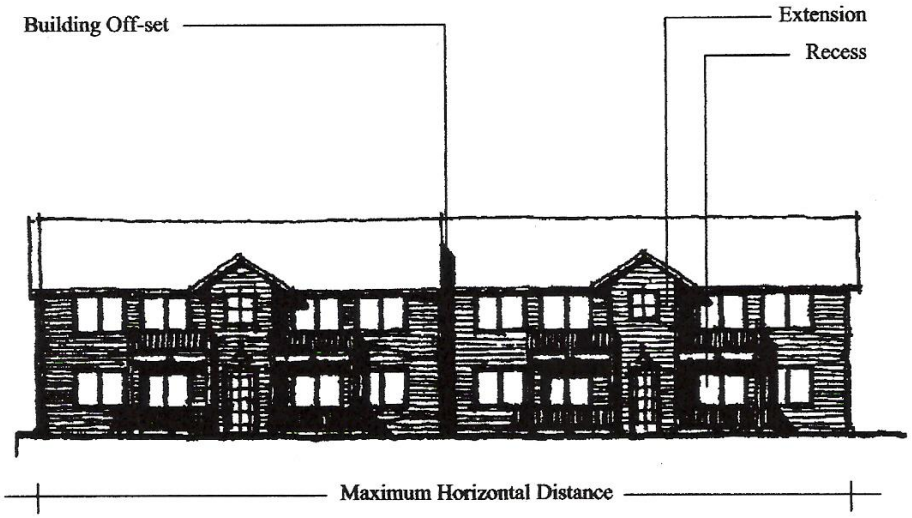
B. Applicability. This section applies to all buildings in the M-2 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-2 zone are also required to comply with the standards outlined above in Section 10-2F-3 or 10-2F-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



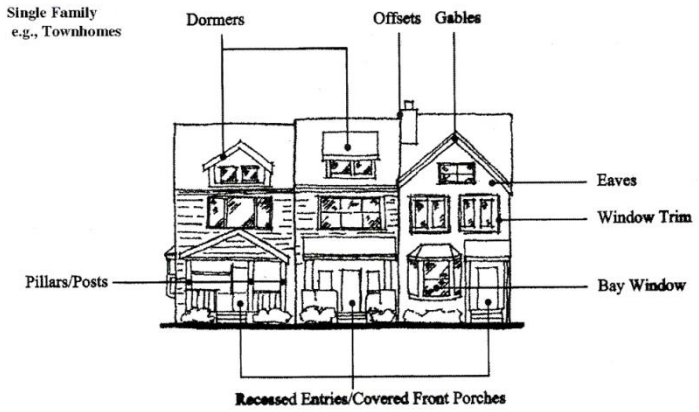
1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.
   a. Corner building entrances on corner lots. Alternatively, 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. The main entrance(s) to buildings shall be clearly delineated through architectural design and provide protection for pedestrians.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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

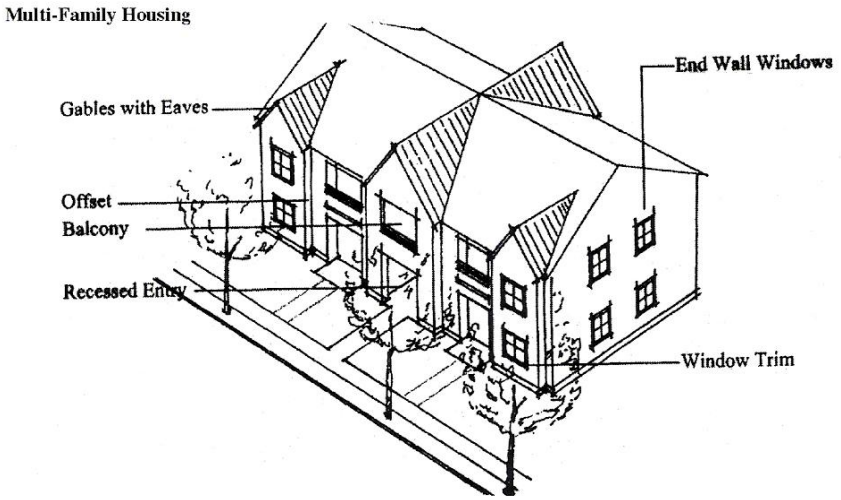
2. Residential Buildings.

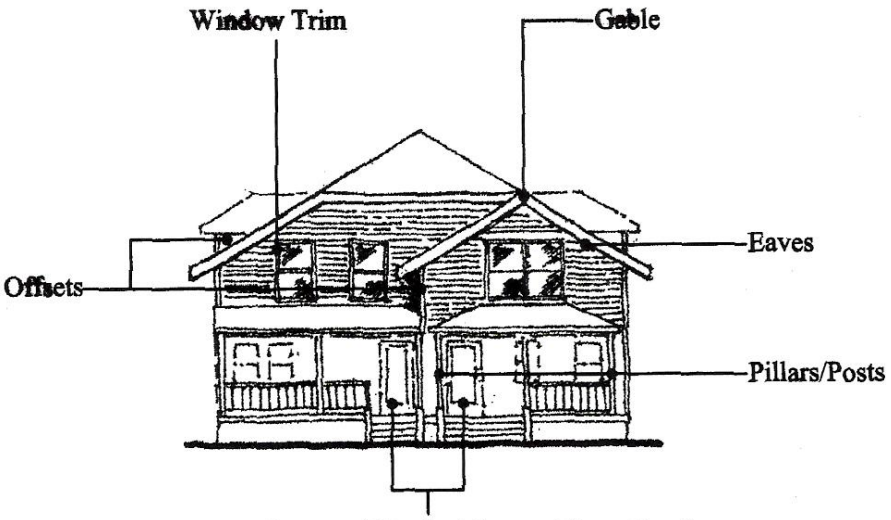


a. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
    i. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
    ii. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
    iii. Offsets or breaks in roof elevation of 2 feet or greater in height.

b. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.







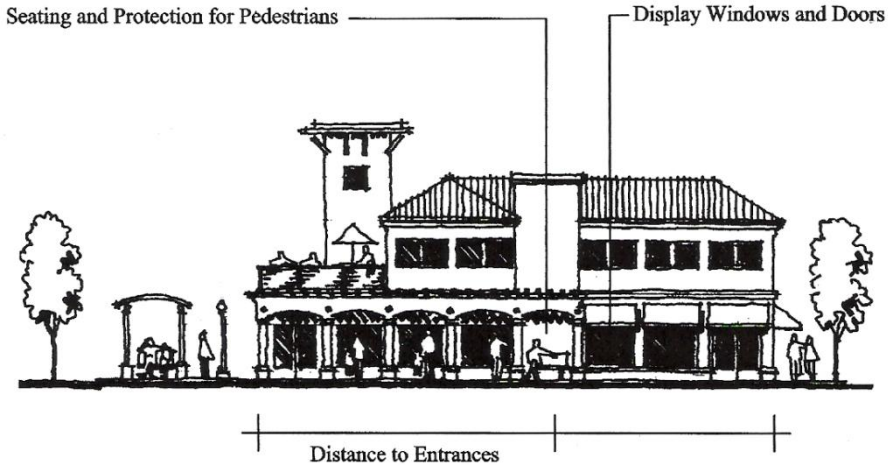
Recessed Entries/ Covered Front Porches

c. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

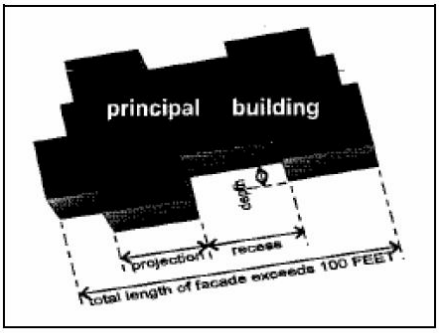
i. Dormers
ii. Gables
iii. Recessed entries
iv. Covered porch entries
v. Cupolas or towers
vi. Pillars or posts
vii. Eaves (min. 6-inch projection)
viii. Off-sets in building face or roof (minimum 16 inches)
ix. Window trim (minimum 4-inches wide)
x. Bay windows
xi. Balconies
xii. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)
xiii. Decorative cornices and roof lines (e.g., for flat roofs)

xiv. An alternative feature providing visual relief, similar to the above options.

3. Design of Large-Scale Buildings and Developments.
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.
   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 below is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.
   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.) or for structural reasons may not be required to meet this standard~~.~~; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and Section 10-2F-9, subsection C above.

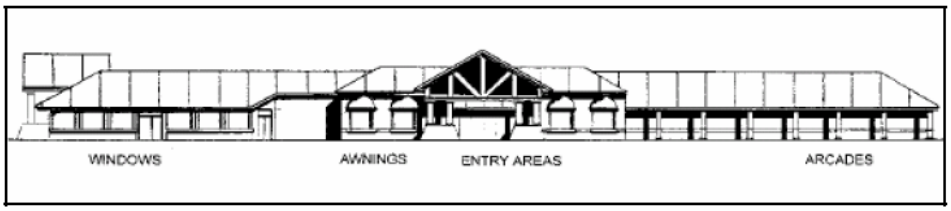


4. Large-Scale Retail Establishments
   a. Building Elevations
      - Uninterrupted lengths of any elevation shall not exceed one hundred (100) horizontal feet.



(Drawing Source - Fort Collins, Colorado)

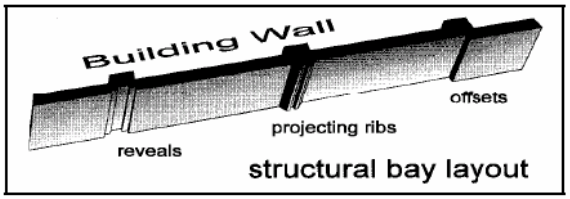
- Ground floor elevations that face a street (public or private) or that face Interstate 90 shall have arcades, display windows, entry ways, awnings, or other such features along no less than 60% of the horizontal length.



(Drawing Source - Fort Collins, Colorado)

b. Building Facade - The front facade of the building must include a repeating pattern with at least three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

- Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib;
- Color change;
- Texture change; and / or
- Material module change.



(Drawing Source - Fort Collins, Colorado)

c. Entrances - Each building shall have clearly defined; highly visible customer entrances and each additional store located within a principal building shall have at least one separate exterior customer entrance. Entryways shall feature no less than three of the following design features:

- canopies or porticos;
- overhangs;
- recesses/ projections;
- arcades;
- raised corniced parapets over the door;
- peaked roof forms;
- arches;
- outdoor patios;

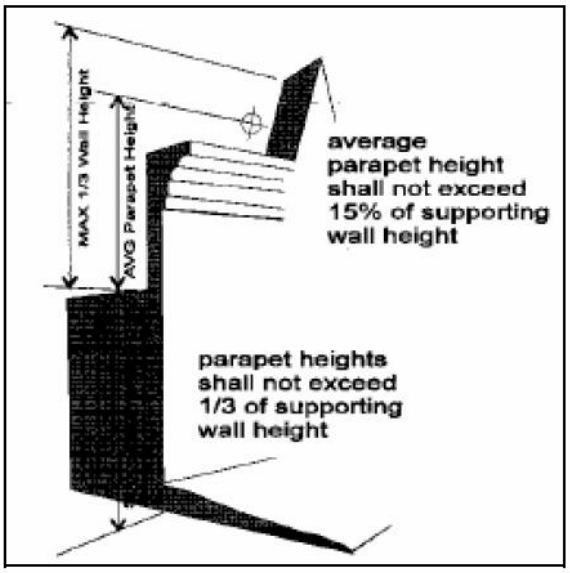
- display windows;
- architectural details such as tile work and moldings which are integrated into the building structure and design; and / or
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

d. Smaller Retail Stores - In addition to the entrance requirements above, when additional store(s), with less than fifty thousand (50,000) square feet, are located within a principal building, the facade of each additional store shall contain the following, as applicable:

- Display windows between the height of three (3) feet and eight (8) feet above the walkway / sidewalk grade for no less than sixty percent (60%) of the horizontal length of each additional store facade; and
- Windows shall contain displays or be recessed and should include visually prominent sills, shutters, or other such forms of framing.

e. Roofs - Each building shall have at least two (2) of the following roof features:

- Parapets concealing flat roofs and roof top equipment such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments;
- Overhanging eaves, extending no less than three (3) feet past the supporting walls;
- Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run; and / or
- Three (3) or more roof slope planes.



(Drawing Source - Fort Collins, Colorado)

D. <u>Materials & Colors</u>. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the

City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the M-2 Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
    a. Composition
    b. Composite Flat Roof
    c. Concrete tile
    d. Slate
    e. Cedar Shake
    f. Metal - tile or shake only
    g. Copper Shake
    h. Painted Corrugated Metal
    i. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
    a. Corrugated Metal

3. Acceptable Siding Materials
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Concrete Block - split faced, smooth (non-residential structures only)
    e. Concrete Tilt-Up (non-residential structures only)
    f. Wood
    g. Vinyl - tile or shake only
    h. Metal - tile or shake only
    i. Painted corrugated metal (only with detailing)
    ~~i~~j. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
    a. Corrugated Metal
    b. T-111 (may be used when combined with detailing noted below)
    c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Planning & Community Development Director

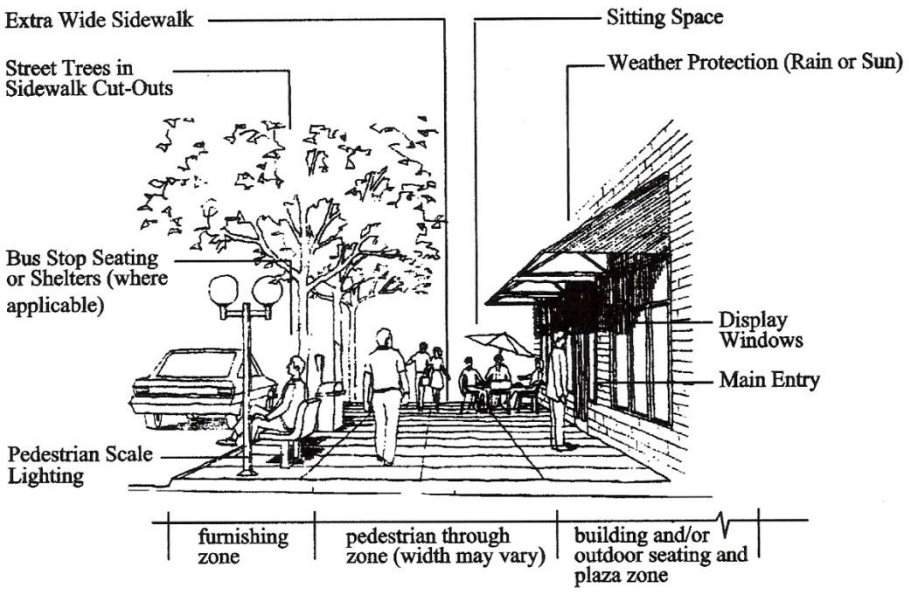
6. Colors
    a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
    b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
    c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color

standards. Corporate / trademark colors can be used on signage.

10-2F-11 Pedestrian and Transit Amenities

A. Purpose. This section is intended to complement the building orientation standards in Section 10-2F-9 above, and the street standards in Articles 10-3B and 10-3G, by providing comfortable and inviting pedestrian spaces within the M-2 (Community Center Mixed-Use) District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment, and contribute to a walkable district.

B. Applicability. This section applies to all buildings in the M-2 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-2 zone are also required to comply with the standards outlined above in Section 10-2F-3 or 10-2F-4. Buildings that do not require site design review are encouraged to incorporate these standards.



C. Guidelines and Standards. Every development shall provide one or more of the "pedestrian amenities" listed below, and illustrated above. Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other types of amenities and designs may be used. Pedestrian amenities may be provided within a public right-of-way when approved by the City.

1. An extra-wide sidewalk along the frontage of the property that connects to the building entrance (minimum width of 12 feet) with on-street parking, street trees, pedestrian-scale lighting, and other similar enhancements. (If this option is chosen by the majority of the surrounding developments, the City may require this option to be chosen)
2. A plaza, courtyard, square or sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).
4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).

5. Transit amenity, such as bus shelter or pullout, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA).

10-2F-12 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the M-2 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2G-1 **Purpose**
10-2G-2 **Permitted Uses (P)**
10-2G-3 **Limited Uses (L)**
10-2G-4 **Conditional Uses (CU)**
10-2G-5 **Accessory Structures**
10-2G-6 **Development Setbacks**
10-2G-7 **Lot Area, Dimensions, Coverage, & Residential Density**
10-2G-8 **Building Height**
10-2G-9 **Building Orientation**
10-2G-10 **Architectural Guidelines and Special Standards**
10-2G-11 **Pedestrian and Transit Amenities**
10-2G-12 **Design Standards**

10-2G-1 Purpose

A city goal is to strengthen the M-3 (Central Business District Mixed-Use) District as the "heart" of the community and as the logical place for people to gather and create a business center. The M-3 (Central Business District Mixed-Use) District is intended to support this goal through elements of design and appropriate mixed use development. This article provides standards for the orderly improvement and expansion of the M-3 (Central Business District Mixed-Use) District based on the following principles:

A. Efficient use of land and urban services.

B. A mixture of land uses within the M-3 Zone to encourage walking as an alternative to driving, and provide more employment and housing options.

C. A connection to neighborhoods and other employment areas.

D. Provide visitor accommodations and tourism amenities.

E. Transit-oriented development reduces reliance on the automobile and parking needs.

F. The M-3 (Central Business District Mixed-Use) District provides both formal and informal community gathering places.

G. Providing retail and commercial services to the surrounding neighborhoods and community.

10-2G-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letter "P" are permitted in the M-3 zone, without special action by the Hearing Body, subject to development standards of the M-3

(Central Business District Mixed-Use) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2G-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letter "L" are allowed in the M-3 zone if they comply with the development standards of the M-3 (Central Business District Mixed-Use) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-3 Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Home Occupation

a. Requires application for and approval of a home occupation permit as outlined in Section 10-4I-2.

3. Large-scale retail establishments

a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:
   1. New construction;
   2. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
   3. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of

Liberty Lake.

4. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with the chart below:
   - Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or
   - A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or
   - The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and
   - Granting of the waiver would not impose significantly more negative impacts on nearby properties.

Requirements	New Construction	Addition	Interior Remodel	Exterior Remodel
Compliance with the City Development and Building Codes	Required	Required	Required	Required
Application Requirements	Required	Required	Required	Required
Site Design & Features	Required	x	Exempt	x
Outdoor Display / Sales Area & Accessory Uses	Required	x	N/A	x
Building Design	Required	Required	N/A	x
Materials & Colors	Required	Required	N/A	Required
Adaptability for Reuse / Compartmentalization / Redevelopment	Optional	Optional	N/A	Optional
Signage	Optional	Optional	Optional	Optional

x = Portions of the standards may be waived in accordance with Exceptions

b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement, that the City will record with the Spokane County Auditor, to cover the following:

1. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large-scale retail establishment from occupying the vacated building);
2. The property owner agrees to provide a notice of closure to the Director of Planning and Community Development as soon as a closure is anticipated or at least three (3) months prior to an anticipated store closure; and
3. The property owner agrees to meet with the Director of Planning & Community Development at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-3I (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.

c. Pedestrian & Bicycle Circulation / Facilities

1. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;
2. Distinct pedestrian crossing markers or changes in surfacing must be used; and
3. Publicly accessible focal points with features such as a patio /seating area are required.

d. Shopping Cart Storage & Return Stations - When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts are permitted. Exterior shopping cart storage areas are not permitted and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations

1. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;
2. Shopping cart return stations shall incorporate landscaping, architectural features, or similar design elements to draw attention to and lessen the impact of stand-alone features within parking areas;
3. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at anytime; and
4. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

e. Outdoor Storage Uses & Service / Loading Areas -

1. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;
2. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;
3. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and
4. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

f. Outdoor Display / Sales Areas & Accessory Uses

1. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;
2. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Director of Planning & Community Development or permitted through a Temporary Use Permit

(see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;

3. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;
4. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;
5. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and
6. Temporary sales / displays, such as Christmas trees, landscape materials, etc.
   - Temporary sales / displays shall be reviewed and approved by the Director of Planning & Community Development through the Temporary Use Permit process in accordance with Section 10-4I-1.

g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:

1. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;
2. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and
3. Landscaping schemes that complement the multiple entrance design.

4. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

5. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings above the ground floor, or located behind or to the side of a building.
b. Parking structure entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

6. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

7. Seasonal ~~&~~and special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

8. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined

in Section 10-4I-1.

9. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

b. The tower must be accessory to a residence on the same site.

10. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.

b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

11. Automobile parts sales (retail)

a. The automobile parts sales store shall be contained within an enclosed building which does not exceed 8000 square feet or 100 feet of street frontage, whichever is less.

b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the automobile parts sales building.

12. Gas station / convenience store

a. A Gas station / convenience store is allowed in the M-3 zone if it is being re-located from another location within the M-3 zone and it meets the following criteria:

1. Underground storage tanks and stormwater disposal shall not be located within the 1000 foot radius of a wellhead.
2. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).
3. Convenience stores/gas stations shall not exceed 8 pump sites and the building footprint area shall not exceed 5,000 square feet per lot. A pump site is one dispenser which may be double sided.

13. Banks / financial institutions (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, teller machines, service windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner. (Walk-up only teller machines and kiosks may be oriented to a corner, but shall be separate from the drive-thru area).

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the

primary bank building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary bank building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

14. Commercial laundromat & dry cleaning facility (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary commercial laundromat and dry cleaning facility building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary commercial laundromat and dry cleaning facility building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

15. Pharmacy (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, drop-boxes, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary pharmacy building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary pharmacy building.

e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

16. Restaurant / cafe / deli / ice cream parlor (with drive-thru)

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.

b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.

c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary restaurant / cafe / deli / ice cream parlor building.

d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary restaurant / cafe / deli / ice cream parlor building.

e. Interior and exterior seating shall be provided.
f. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

17. Sports Bar

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Sports Bar.
b. Design and compatibility with neighborhood character shall be considered in the approval process.

18. Tavern / pub / liquor store

a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.
b. Design and compatibility with neighborhood character shall be considered in the approval process.

19~~7~~. Post Office

When the post office contains a drive-up, drive-in, or drive-through facility, it shall be subject to the following standards:

a. The drive-thru portion of the facility shall be accessed only from an alley, driveway, or local access street and not an arterial or collector street.
b. None of the drive-up, drive-in, or drive-through components (e.g., driveway queuing areas, windows, and similar facilities) shall be located within 20 feet of a street and shall not be oriented to an arterial or collector street corner.
c. The drive-up, drive-in, or drive-through facility shall be subordinate to the primary structure. “Subordinate” means all components of the drive-up, drive-in, or drive-through facility, in total, shall occupy less street frontage than the primary post office building.
d. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary post office building.
e. Drive-up, drive-in, or drive-through components of any kind, shall be located a safe distance from pedestrian crossings.

20~~18~~. Accessory dwelling unit, attached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit or mixed use building.
b. The ADU shall be a complete, separate housekeeping unit that is within or attached to the principal unit or mixed use building with a common wall(s) and that meets the building code requirements for floor area and room sizes.
c. The ADU shall be clearly a subordinate part of the principal unit or mixed use building. In no case shall it be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less. ~~Within mixed use buildings, one or more dwelling units shall not comprise more than fifty percent (50%) of the total gross floor area of any building.~~
d. The ADU shall not have more than 2 bedrooms.
e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling. ~~Within mixed use buildings, one or more dwelling units shall be allowed only in a building or structure with commercial / retail or business / office use on the entire ground floor.~~
f. An ADU shall not be permitted if the principal unit or mixed use building is less than 1,200 square feet.
g. The ADU shall be designed in a manner so that the appearance of the

principal unit remains that of a single-family residence~~ or mixed use building~~. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.

h. The principal unit or ADU shall be owner-occupied~~, not applicable for mixed use buildings~~.

i.~~ Common open space dedicated for the use of the residents of the dwelling units shall be provided at two hundred (200) square feet per unit for the first twelve (12) units with an additional one hundred (100) square feet per unit for greater than twelve (12) units up to a maximum of five thousand (5,000) square feet. Minimum for any dimension of dedicated, common open space shall be ten (10) feet.~~

21~~19~~. Accessory dwelling unit, detached

a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.

b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.

c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.

d. The ADU shall not have more than 2 bedrooms.

e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.

f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.

g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.

h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.

i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.

j. The principal unit or ADU shall be owner-occupied.

k. Home occupations will be allowed within the detached accessory dwelling unit.

22~~0~~. Dwelling, multi-family

Multi-family dwellings may only be permitted as a~~should be~~ part of a mixed use development (residential with commercial or other use), in accordance with the following standards:~~. Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.~~

a. All buildings fronting streets shall contain areas for commercial and/or office uses on the ground floor and may contain covered parking. All residential uses shall be above the ground floor.

1. The building and site layout shall be designed to maximize the amount of commercial/office uses on the ground floor, as determined by the City.

2. This vertical mixed use requirement may not apply when the City determines that topography precludes access to the street.

b. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.

c~~b~~. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

~~c~~d. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

~~d~~e. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

f~~e~~. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;

g~~f~~. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);

h~~g~~. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

23~~1~~. Dwelling, single family attached townhomes

Single family attached townhomes should be part of a mixed use development (residential with commercial or other use). ~~Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed,~~ Townhomes shall be subject to the standards in a-h.

a. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.

b. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a

minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

c. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of the total building width. For example, a 24-foot wide unit may have one 12-foot wide recessed garage facing the street.

d. Two adjacent garages shall share one driveway when individual driveways would otherwise be separated by less than 20 feet (i.e., the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, prior to building permit issuance.

e. When a subdivision (e.g., five or more townhome lots) is proposed, a public or private alley shall be created for the purpose of vehicle access. Alleys are not required when existing development patterns or topography make construction of an alley impracticable.

f. "Common areas" (e.g., landscaping in private tracts, shared driveways, private alleys, and similar uses) shall be maintained by a homeowners association or other legal entity. A homeowners association may also be responsible for exterior building maintenance. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval, to check for common area maintenance provisions.

24~~2~~. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.

b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

~~**23. Zero lot line (single family courtyard homes)**~~

~~"Zero-lot line" houses are subject to the same standards as single family housing, except that a side yard setback is not required on one side of a typical lot and usable outdoor living areas are provided in rear and side-oriented courtyards. This type of housing is only permitted within approved Zero Lot Line Planned Unit Developments (PUD's). The following standards are intended to promote compatibility and privacy between adjacent buildings and allow for building maintenance:~~

~~a. Zero lot line homes are required to have 6 feet between structures;~~

~~b. The Planning & Community Development Department shall approve the minimum rear and front setbacks and they shall be drafted on the final PUD Plat;~~

~~c. Prior to building permit approval, the applicant shall submit a copy of a recorded easement for every zero-lot line house that guarantees rights for the purpose of construction and maintenance of structures and yards. The easement shall stipulate that no fence or other obstruction shall be placed in a manner that would prevent maintenance of structures on the subject lots; and~~

~~d. The building placement, landscaping, and/or design of windows on the non zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.~~

~~**24. Light manufacturing & assembly**~~

~~a. The light manufacturing & assembly use shall be completely enclosed within a~~

~~building.~~

~~b. Light manufacturing & assembly facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.~~

~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.~~

~~25. Light manufacturing & assembly w/ retail sales showroom~~

~~a. The light manufacturing & assembly use shall be completely enclosed within a building.~~

~~b. Retail sales showroom shall comprise at least 5% of the gross floor area of the light manufacturing and assembly portion of the building, in return, a 5% reduction in the required parking shall be granted.~~

~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the light manufacturing & assembly building.~~

~~26. Marijuana Processor~~

~~a. The use shall be completely enclosed within a building.~~

~~b. Facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Dr. or Liberty Lake Rd.~~

~~c. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the Architectural Guidelines and Special Standards section below and will normally include terracing of upper floors and modulation of front facades.~~

~~d. Marijuana processing shall not be allowed as an Accessory Use.~~

~~e. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~f. Must have approval from the Washington State Liquor Control Board.~~

~~27. Plastic injection molding~~

~~a. The plastic injection molding use shall be completely enclosed within a building.~~

~~b. Plastic injection molding facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.~~

~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the plastic injection molding building.~~

~~28. Tool and die making~~

~~a. The tool and die making use shall be completely enclosed within a building.~~
~~b. Tool and die making facilities shall be spaced a distance of 400 linear feet apart along the same street frontage and shall not be located on parcels that abut Country Vista Blvd or Liberty Lake Dr.~~
~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tool and die making building.~~
~~**29. Woodworking / cabinet manufacturing w/ retail sales showroom**~~
~~a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.~~
~~b. Retail sales showroom shall comprise at least 5% of the gross floor area of the manufacturing portion of the building, in return, a 5% reduction in the required parking shall be granted.~~
~~c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the woodworking / cabinet manufacturing building.~~

10-2G-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the M-3 (Central Business District Mixed-Use) District with the letters "CU" are permitted to locate in the M-3 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific M-3 Conditional Uses.

1. Bed and breakfast inn

a. The facility must maintain the outward appearance of a residence and conform to the ~~residential~~ character of the area.
b. Parking shall be located as to not detract from the aesthetics of the residence, street, or neighborhood.
c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the bed and breakfast inn.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~**2. Marijuana Retailer**~~
~~a. Building or portion of mixed-use building shall not exceed 5000 square feet.~~
~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~c. Marijuana sales shall not be allowed as an Accessory Use.~~
~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~
~~1. Elementary or secondary school, including school bus stop locations;~~

~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~
~~e. Must have approval from the Washington State Liquor Control Board.~~
~~f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~**3. Sports Bar**~~

~~a. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the Sports Bar.~~
~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~**4. Tavern / pub / liquor store**~~

~~a. The building shall not exceed 5000 square feet.~~
~~b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the tavern / pub / liquor store.~~
~~c. Design and compatibility with neighborhood character shall be considered in the approval process.~~
~~d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~5~~2. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~6~~3. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is

prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2G-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in mixed use zones include detached garages, carports, sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. (For standards applicable to Accessory Dwellings, please refer to Section 10-2G-3). Accessory structures shall comply with all of the following standards and Sections 10-2G-6 for setbacks and 10-2G-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

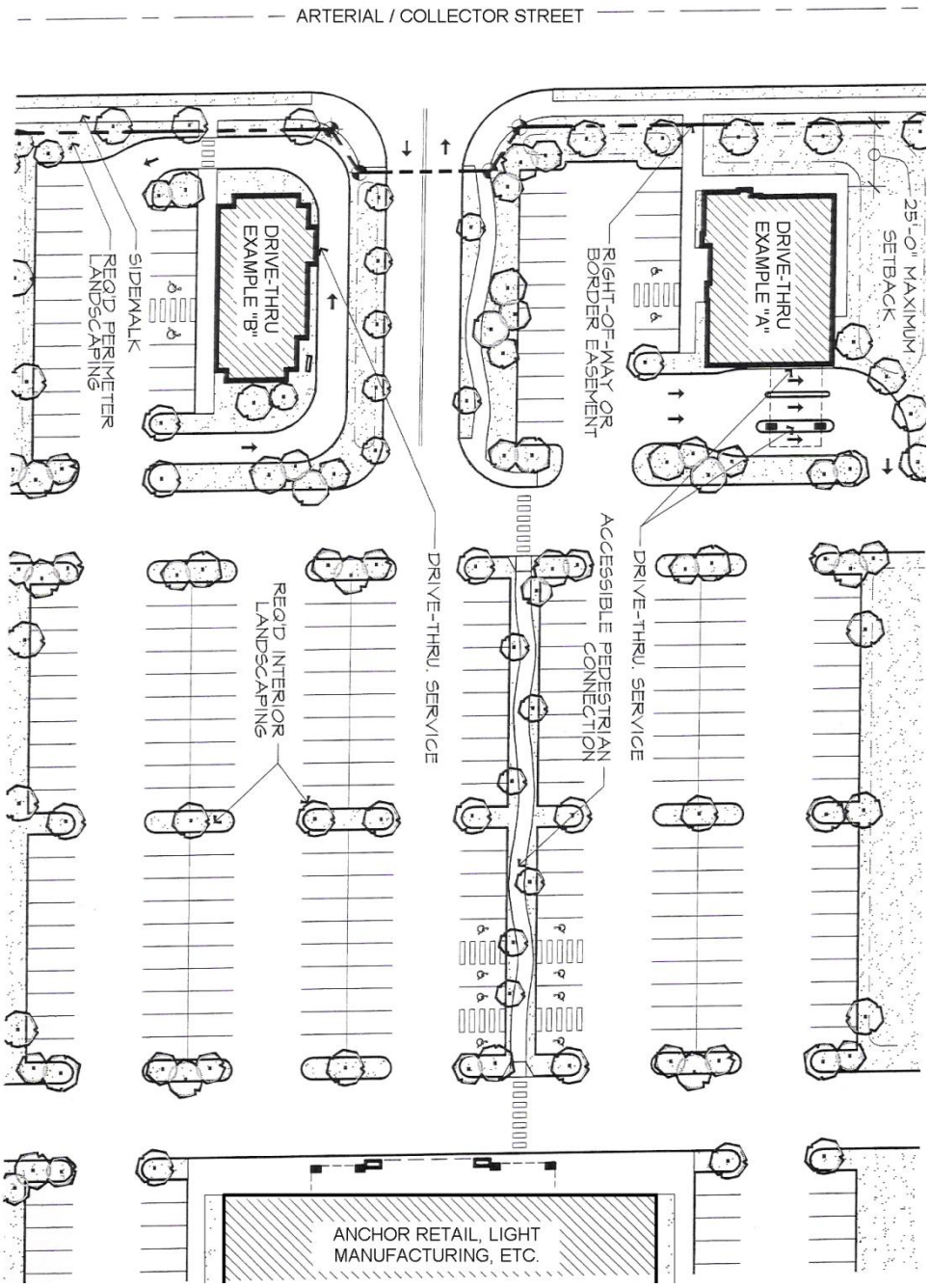
D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2G-6, 10-2G-7, 10-2G-8, 10-2G-9, 10-2G-10, 10-2G-11, and 10-2G-12), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2G-6 Development Setbacks

In the M-3 (Central Business District Mixed-Use) District, the setback standards are flexible to encourage public spaces between sidewalks and building entrances (e.g., extra-wide sidewalks, plazas, squares, outdoor dining areas, and pocket parks). The standards encourage placement of buildings close to the street to create a vibrant pedestrian environment, to slow traffic down, to provide a storefront character to the street, and to encourage walking. The standards also encourage the formation of solid blocks of buildings to create a walkable environment.

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



A. <u>Front Yard Setbacks</u>

1. There is no minimum front yard setback required.
2. The maximum allowable front yard setback is 25 feet. This standard is met when a minimum of 25 percent of the front building elevation is placed no more than 25 feet back from the front property line, or the back of the border easement, as applicable. However, no structures shall be constructed within any easements. On parcels with more than one building, this standard applies to the building located the closest to the front property line. For developments where more than one building or development pad is proposed, the building located furthest from the right-of-way shall have no maximum front yard setback and parking may be located between the buildings

furthest from the right-of-way.

The maximum setback may be increased if the increased setback is used for the following pedestrian or aesthetic amenities associated with the building use (e.g., extra-wide sidewalk, plaza, pocket park, outdoor dining area, courtyard, etc. or additional front yard landscaping).

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet for street-access lots, and 8 feet for alley-access lots (distance from building to rear property line or alley easement) in order to provide space for parallel parking (except for accessory structures).
2. Accessory structures:
   a. Structures 120 square feet or under may be located on the rear and side property lines, so long as no eave overhangs the property line, the structure is not built on a permanent foundation, and the abutting property is protected from runoff or other intrusion.
   b. The minimum rear yard setback shall be 5 feet for all other accessory structures less than 15 feet tall and for accessory structures greater than 15 feet tall, an additional foot of rear yard setback shall be added per foot of height to a maximum of 15 feet.
3. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply.

C. Side Yard Setbacks

There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Setback Exceptions

Eaves, chimneys, bay windows, overhangs, cornices, awnings, canopies, porches, decks, pergolas, and similar architectural features may encroach into setbacks by no more than 5 feet, subject to compliance with applicable standards of the Building Code and Fire Code. Walls and fences may be placed on property lines, subject to the standards in Section 10- 3C-5 - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N. P&CD has the discretion to allow an increase in the maximum setback for public safety facility access.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2G-7 Lot Area, Dimensions, Coverage, & Residential Density

A. Residential Density Standard. The density standards in the following chart shall apply to all new development. The standards are intended to ensure efficient use of buildable lands and

provide for a range of needed housing, in conformance with the Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a planned unit development). Multi-family lots used to comply with the density standard shall be so designated on the final subdivision or short subdivision plat, or final binding site plan.
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities), social service facilities, and bed and breakfast inns. Additionally, Accessory Dwelling Units (ADU's) are exempt due to their small size and low occupancy level. ~~Individual apartments above or within businesses (vertical or horizontal mixed use), are also exempt from the lot area, lot width, and residential density requirements in the chart below~~.

B. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

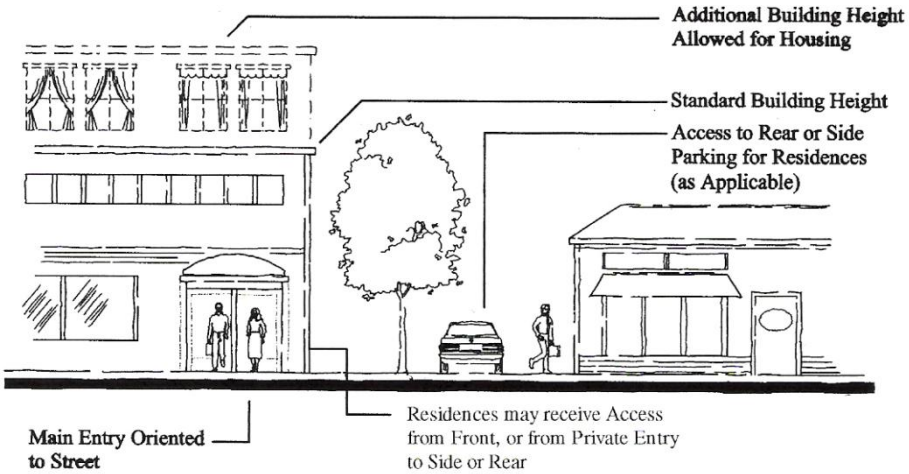
C. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

M-3 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
Attached (townhome) Single Family Housing	Minimum area: None Maximum area: None	Minimum Width: 20 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Multi-Family Housing	Minimum area: None Maximum area: None	Minimum Width: 40 feet at front property line Maximum Depth: None	Maximum: 70 percent	Minimum Net Density: 12 dwelling units per acre Maximum Net Density: None
Other Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 70 percent	None

D. Exception. The minimum net density standards above may not apply when physical

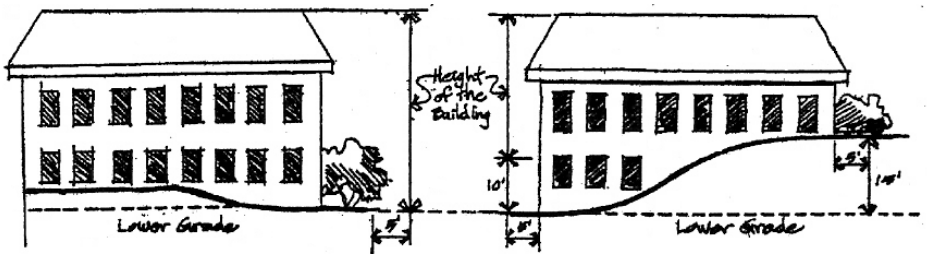
constraints (e.g., topography) prevent construction in conformance with the standards, as determined by P&CD.

10-2G-8 Building Height



All buildings in the M-3 (Central Business District Mixed-Use) District shall comply with the following building height standards. The standards are intended to allow for development of appropriately-scaled buildings with a pedestrian friendly character:

A. Building Height Standard. Buildings within the M-3 Zone shall be no more than 50 feet tall. The maximum height may be increased by 10 feet when residential housing is provided above the ground floor ("vertical mixed use"), as shown above. The building height increase for housing shall apply only to that portion of the building that contains housing. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.

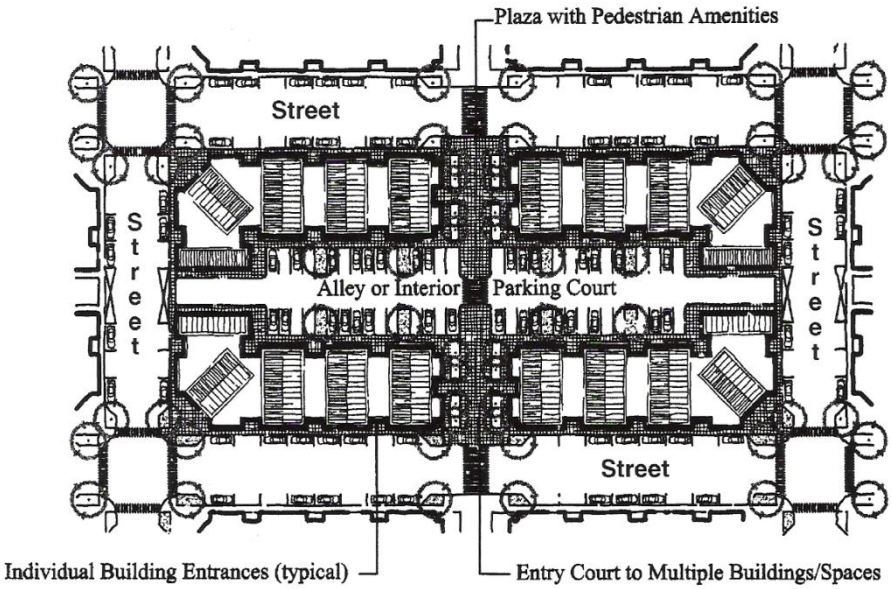


B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2G-9 Building Orientation



Block Layout Example

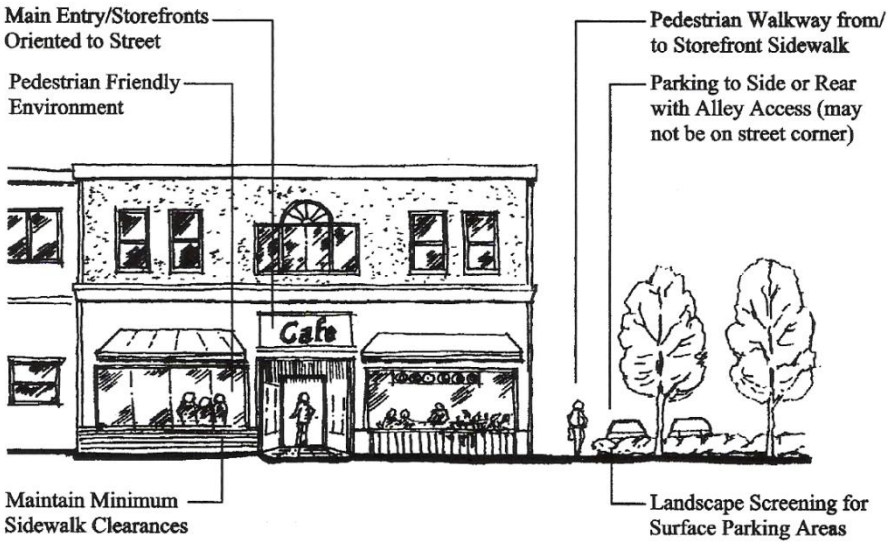
A. Purpose. This section is intended to promote the walkable, pedestrian friendly character of the M-3 (Central Business District Mixed-Use) District by orienting (placing or locating) buildings close to streets. Placing buildings close to the street also slows traffic down and provides more "eyes on the street", increasing the safety of public spaces. The standards, as listed and illustrated below, compliment the front yard setback standards in Section 10-2G-6 above.

B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.

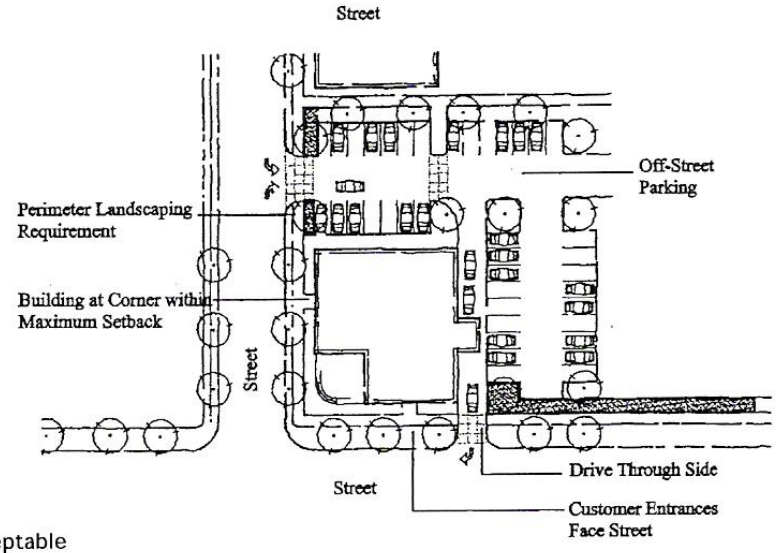
C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2G-6.

2. All buildings shall have their primary entrance(s) oriented to the street. Commercial and multi-family building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. At least one entrance shall be provided not more than 50 feet from the closest sidewalk, street, or pedestrian path, as depicted in the graphic in Section 10-2E-6 above.
3. Off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.



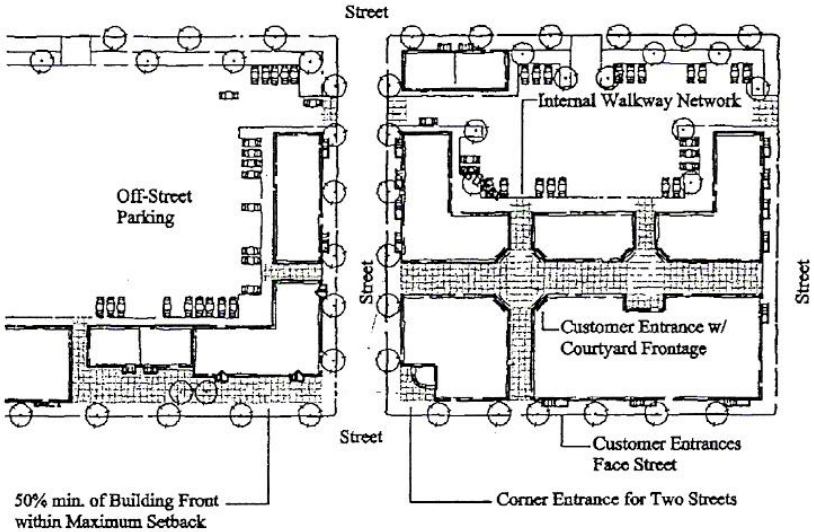
Mixed Use Building Orientation Example



Acceptable

Site layout for drive through uses should place parking and driveways away from pedestrian areas.

Orientation Examples for Businesses with a Drive-Thru



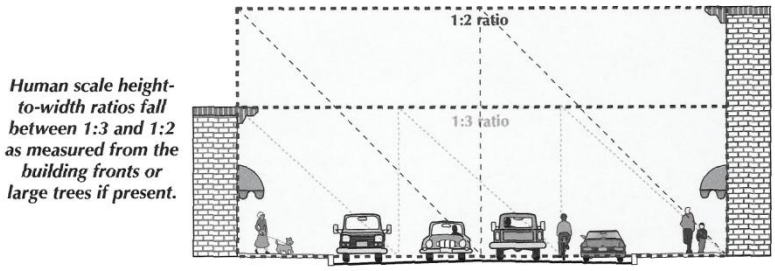
Mixed Use Site Layout Example

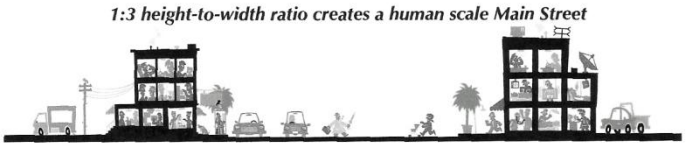
5. Large-scale retail establishments
   a. Large-scale retail establishments shall not be located on corner lots, unless smaller buildings (less than 50,000 gross square feet) are located between the large-scale retail establishment and the street
   b. Outparcels with non large-scale retail establishments must be located between large-scale retail establishments and an arterial or collector street.
   c. Access & Traffic
      1. Large-scale retail establishments must have at least two approaches with the main approach located on an arterial or collector street;
      2. Vehicle access must be designed to accommodate peak traffic volumes;
      3. Site layout must provide access connections to adjacent parcels / uses; and

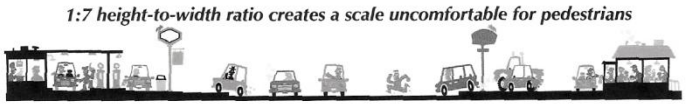
4. Off-street parking, drives, and other vehicular areas cannot be placed between buildings and streets, if prohibited by the Development Code for the zone.

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2G-10 Architectural Guidelines and Special Standards



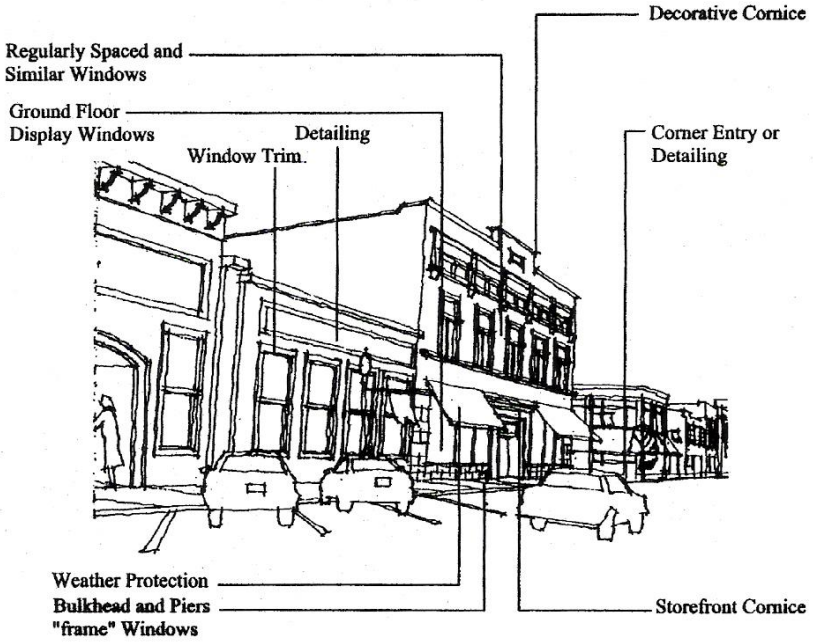




A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

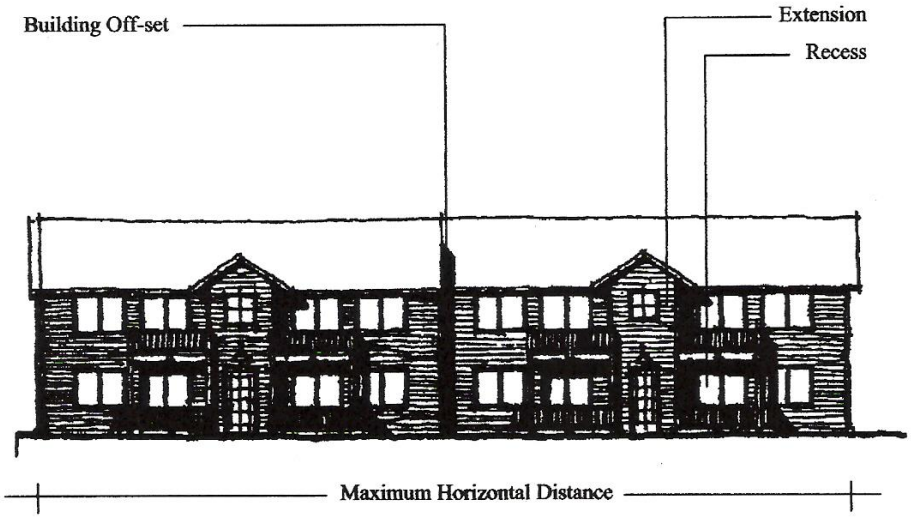
B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



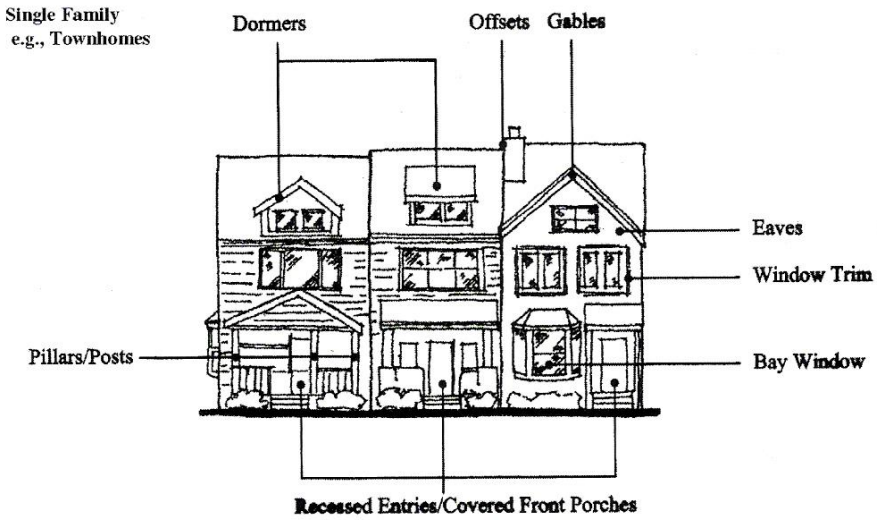
1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street), as applicable. Note: the example shown above is meant to illustrate required building design elements, and should not be interpreted as a required architectural style.
   a. Corner building entrances on corner lots. Alternatively, 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. The main entrance(s) to buildings shall be clearly delineated through architectural design and provide protection for pedestrians.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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, movie theater viewing areas, light sensitive laboratories, etc.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided.
   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

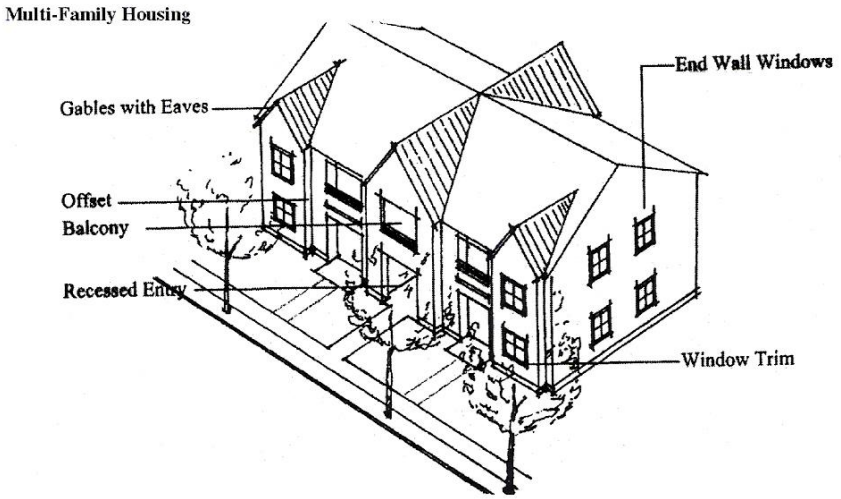
2. Residential Buildings.

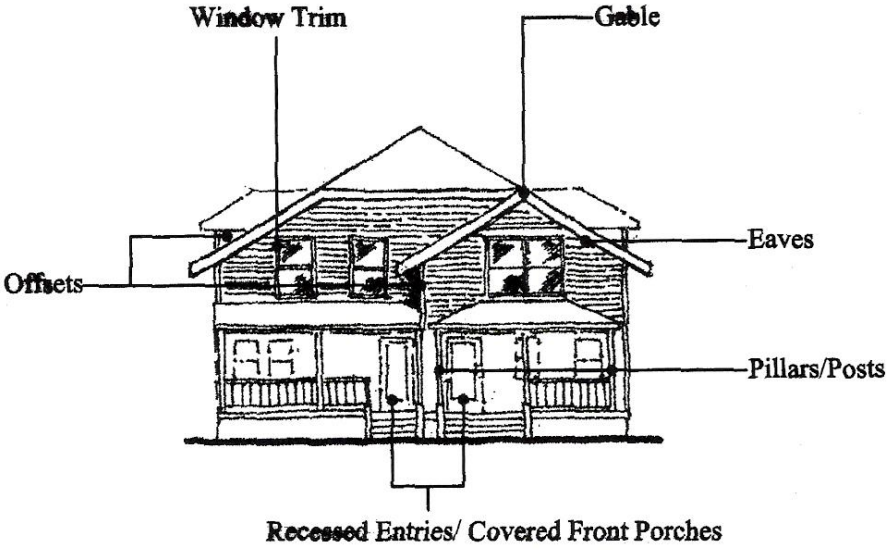


a. The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed 160 feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the above Figure. Along the vertical face of a structure, such features shall occur at a minimum of every 40 feet, and on each floor shall contain at least two of the following features:
    i. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of 4 feet;
    ii. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of 2 feet and runs horizontally for a minimum length of 4 feet; and/or
    iii. Offsets or breaks in roof elevation of 2 feet or greater in height.

b. All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of 50 percent of the front (i.e., street-facing) elevation width, and a minimum of 25 percent of the side and rear building elevation width, as applicable, shall meet this standard. The standard applies to each full and partial building story.





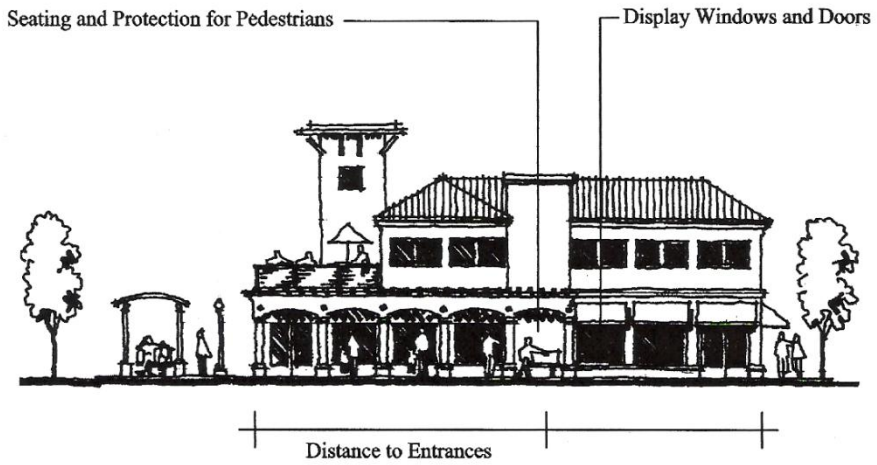


c. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 2 of the following architectural features on all elevations, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

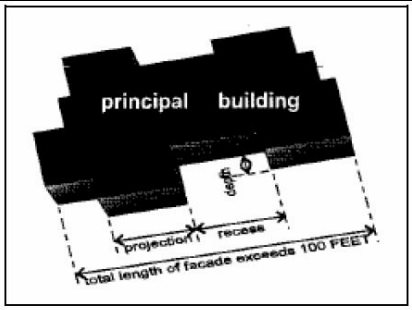
i. Dormers
ii. Gables
iii. Recessed entries
iv. Covered porch entries
v. Cupolas or towers
vi. Pillars or posts
vii. Eaves (min. 6-inch projection)
viii. Off-sets in building face or roof (minimum 16 inches)
ix. Window trim (minimum 4-inches wide)
x. Bay windows
xi. Balconies
xii. Decorative patterns on exterior finish (e.g., scales/shingles, wainscoting, ornamentation, and similar features)

xiii. Decorative cornices and roof lines (e.g., for flat roofs)
xiv. An alternative feature providing visual relief, similar to the above options.

3. Design of Large-Scale Buildings and Developments.
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.
   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 below is meant to illustrate examples of these building design elements, and should not be interpreted as a required architectural style.
   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.) or for structural reasons may not be required to meet this standard~~.~~; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation and Section 10-2G-9, subsection C above.

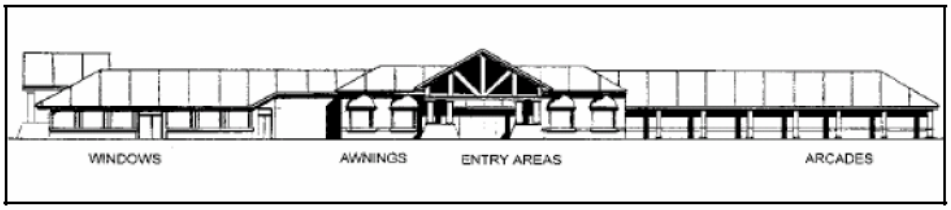


4. Large-Scale Retail Establishments
   a. Building Elevations
      - Uninterrupted lengths of any elevation shall not exceed one hundred (100) horizontal feet.



(Drawing Source - Fort Collins, Colorado)

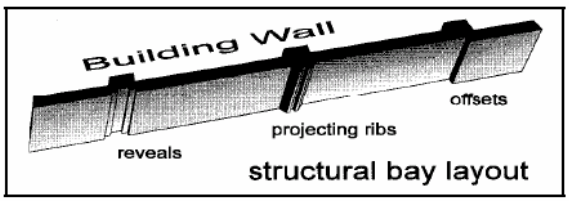
- Ground floor elevations that face a street (public or private) or that face Interstate 90 shall have arcades, display windows, entry ways, awnings, or other such features along no less than 60% of the horizontal length.



(Drawing Source - Fort Collins, Colorado)

b. Building Facade - The front facade of the building must include a repeating pattern with at least three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

- Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib;
- Color change;
- Texture change; and / or
- Material module change.



(Drawing Source - Fort Collins, Colorado)

c. Entrances - Each building shall have clearly defined; highly visible customer entrances and each additional store located within a principal building shall have at least one separate exterior customer entrance. Entryways shall feature no less than three of the following design features:

- canopies or porticos;
- overhangs;
- recesses/ projections;
- arcades;
- raised corniced parapets over the door;
- peaked roof forms;
- arches;
- outdoor patios;
- display windows;

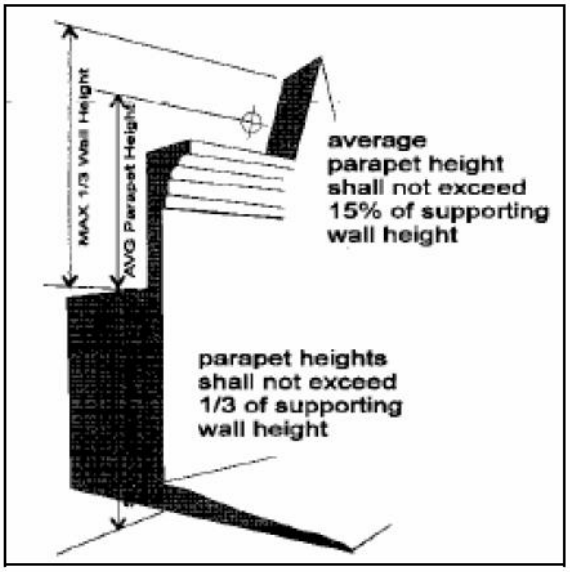
- architectural details such as tile work and moldings which are integrated into the building structure and design; and / or
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

d. Smaller Retail Stores - In addition to the entrance requirements above, when additional store(s), with less than fifty thousand (50,000) square feet, are located within a principal building, the facade of each additional store shall contain the following, as applicable:

- Display windows between the height of three (3) feet and eight (8) feet above the walkway / sidewalk grade for no less than sixty percent (60%) of the horizontal length of each additional store facade; and
- Windows shall contain displays or be recessed and should include visually prominent sills, shutters, or other such forms of framing.

e. Roofs - Each building shall have at least two (2) of the following roof features:

- Parapets concealing flat roofs and roof top equipment such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments;
- Overhanging eaves, extending no less than three (3) feet past the supporting walls;
- Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run; and / or
- Three (3) or more roof slope planes.



(Drawing Source - Fort Collins, Colorado)

D. <u>Materials & Colors</u>. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/

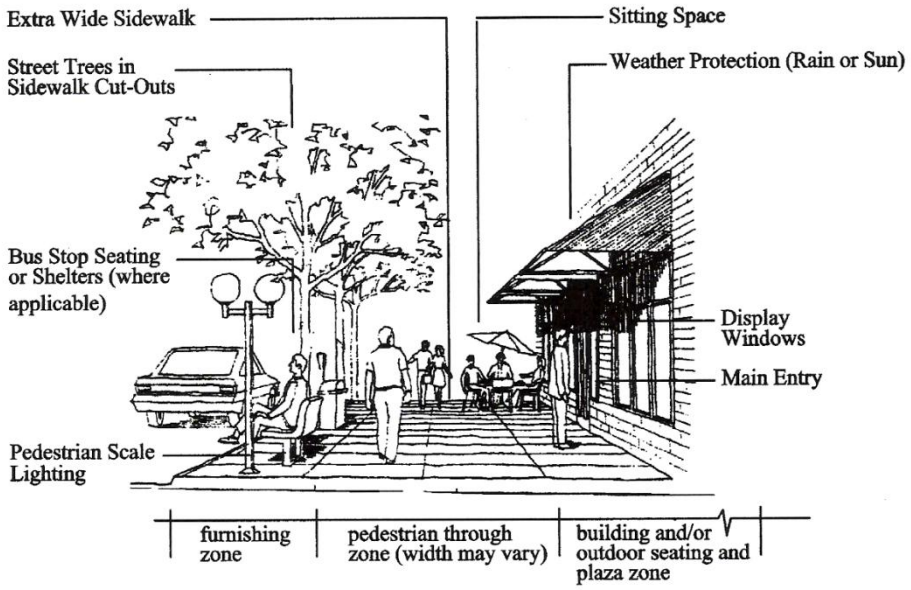
additions to existing projects in the M-3 Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
    a. Composition
    b. Composite Flat Roof
    c. Concrete tile
    d. Slate
    e. Cedar Shake
    f. Metal - tile or shake only
    g. Copper Shake
    h. Painted corrugated metal
    ~~h~~i. Other materials determined acceptable by the Planning & Community Development Director
2. Prohibited Roofing Materials
    a. Corrugated Metal
3. Acceptable Siding Materials
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Concrete Block - split faced, smooth (non-residential structures only)
    e. Concrete Tilt-Up (non-residential structures only)
    f. Wood
    g. Vinyl - tile or shake only
    h. Metal - tile or shake only
    i. Painted corrugated metal (only with detailing)
    ~~i~~j. Other materials determined acceptable by the Planning & Community Development Director
4. Prohibited Siding Materials
    a. Corrugated Metal
    b. T-111 (may be used when combined with detailing noted below)
    c. Vinyl Lap (may be used when combined with detailing noted below)
5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Planning & Community Development Director
6. Colors
    a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
    b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
    c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2G-11 Pedestrian and Transit Amenities

A. Purpose. This section is intended to complement the building orientation standards in Section 10-2G-9 above, and the street standards in Articles 10-3B and 10-3G, by providing comfortable and inviting pedestrian spaces within the M-3 (Central Business District Mixed-Use) District. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment, and contribute to a walkable district.

B. Applicability. This section applies to all buildings in the M-3 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the M-3 zone are also required to comply with the standards outlined above in Section 10-2G-3 or 10-2G-4. Buildings that do not require site design review are encouraged to incorporate these standards.



C. Guidelines and Standards. Every development shall provide two or more of the "pedestrian amenities" listed below, and illustrated above. Note: the example shown above is meant to illustrate examples of pedestrian amenities. Other types of amenities and designs may be used. Pedestrian amenities may be provided within a public right-of-way when approved by the City.

1. An extra-wide sidewalk along the frontage of the property that connects to the building entrance (minimum width of 12 feet) with on-street parking, street trees, pedestrian-scale lighting, and other similar enhancements. (If this option is chosen by the majority of the surrounding developments, the City may require this option to be chosen)
2. A plaza, courtyard, square or sitting space (i.e., dining area, benches or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width);
3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space).
4. Public art which incorporates seating (e.g., fountain, sculpture, etc.).
5. Transit amenity, such as bus shelter or pullout, in accordance with the City's Transportation Plan and guidelines established by Spokane Transit Authority (STA).

10-2G-12 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the M-3 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2H-1 **Purpose**
10-2H-2 **Permitted Uses (P)**
10-2H-3 **Limited Uses (L)**
10-2H-4 **Conditional Uses (CU)**
10-2H-5 **Accessory Structures**
10-2H-6 **Development Setbacks**
10-2H-7 **Lot Area, Dimensions, and Coverage**
10-2H-8 **Building Height**
10-2H-9 **Building Orientation**
10-2H-10 **Architectural Guidelines and Special Standards**
10-2H-11 **Design Standards**

10-2H-1 Purpose

The C-1 (Community Commercial) District provides for a range of light manufacturing, office uses, automobile-oriented uses, and similar uses which may not be appropriate in the mixed use zones. The district's standards are based on the following principles:

A. Ensure efficient use of land and urban services.

B. Provide business services close to major employment centers.

C. Compatibility between commercial uses and nearby residential areas.

D. Allow for automobile-oriented uses, while preventing strip-commercial development along arterial and collector streets.

10-2H-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-1 (Community Commercial) District with the letter "P" are permitted in the C-1 zone, without special action by the Hearing Body, subject to development standards of the C-1 (Community Commercial) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2H-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-1 (Community Commercial) District with the letter "L" are allowed in the C-1 zone if they comply with the development standards of the C-1 (Community Commercial) District, and other

applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific C-1 Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
b. Parking structure entrances facing a street shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

4. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

5. Seasonal and special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Tower

a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking gate; however, no barbed wire or razor wire shall be permitted.
b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.
c. The tower shall not exceed 15 feet above the maximum height of the underlying zone.

d. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

e. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied.

8. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

b. The tower shall not exceed the maximum height of the underlying zone.

c. The tower must be accessory to a residence on the same site.

9. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.

b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

10. Automobile / truck repair or maintenance (service station)

a. All vehicles being repaired or maintained shall be completely enclosed within a building or shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.

11. Gas station / convenience store

a. Underground storage tanks and stormwater disposal shall not be located within the 1000 foot radius of a wellhead.

b. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).

c. Convenience stores/gas stations shall not exceed 8 pump sites and the building footprint area shall not exceed 5,000 square feet per lot. A pump site is one dispenser which may be double sided.

12. Espresso stand

a. The facility shall be located on a separate platted lot with a tax parcel number or shall be part of a leasable commercial strip or structure.

b. The building shall contain an ADA accessible bathroom, as specified in the building code.

~~13. Marijuana Retailer~~

~~a. Building or portion of mixed-use building shall not exceed 5000 square feet.~~

~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~

~~c. Marijuana sales shall not be allowed as an Accessory Use.~~

~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~e. Must have approval from the Washington State Liquor Control Board.~~

~~14~~13. Specialty housing (independent senior, assisted living, nursing home, convalescent home, Alzheimer's facilities)

a. All specialty housing shall be duly licensed by the State of Washington, if required by the State.

b. A minimum of one parking space shall be provided for each employee and typical number of visitors, in accordance with Article 10-3D-3 - Parking requirements.

~~15. Marijuana Processor~~

~~a. The use shall be completely enclosed within a building.~~

~~b. On parcels abutting an arterial or collector street, the facility shall only be permitted if design techniques are used to minimize perceived building mass and achieve architectural and human scale from abutting rights-of-way and public open spaces. In meeting this requirement, buildings shall exceed the Architectural Guidelines and Special Standards section below and will normally include terracing of upper floors and modulation of front facades.~~

~~c. Marijuana processing shall not be allowed as an Accessory Use.~~

~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~

~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~e. Must have approval from the Washington State Liquor Control Board.~~

14. Plastic injection molding, Sandblasting / cutting, & Tool and die making

a. The uses shall be completely enclosed within a building.

~~16~~15. Welding / sheet metal shops

a. Open air welding shall be prohibited

~~17~~16. Woodworking / cabinet manufacturing with & without retail sales showroom

a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.

~~18~~17. Research facility / laboratory

a. The research facility / laboratory use shall be completely enclosed within a building.

10-2H-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-1 (Community Commercial) District with the letters "CU" are permitted to locate in the C-1 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific C-1 Conditional Uses.

1. Adult entertainment establishment & adult retail use establishment

a. There shall be 5 existing acres of adjacent zoning classified C-1 Community Commercial.

b. The use shall be located or maintained at least 1,000 feet from the nearest property line of the uses listed below. Distance shall be measured from the nearest property line of the adult retail use establishment or adult entertainment establishment(s) to the nearest property line of the following pre-existing uses:

i. Public library.

ii. Public playground or park.

iii. Public or private school and its grounds of kindergarten to 12th grade.

iv. Nursery school, mini-day care center, or day care center.

v. Church, convent, monastery, synagogue or other place of religious worship.

vi. Another adult use subject to the provisions of this section.

c. An adult retail use establishment or adult entertainment establishment(s) shall not be located within 1,000 feet of any residential or mixed use zone and

buildings shall not be more than 35' in height.

d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Public utility transmission facility – EPF

a. The utility company shall secure the necessary property or right-of-way to assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.

b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.

c. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.

b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the

owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2H-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in commercial zones may include storage sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. Accessory structures shall comply with all of the following standards and Sections 10-2H-6 for setbacks and 10-2H-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2H-6, 10-2H-7, 10-2H-8, 10-2H-9, 10-2H-10, and 10-2H-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2H-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line.

The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply.

C. Side Yard Setbacks

The minimum interior side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures). The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may require buffering other situations, as well.
2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2H-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

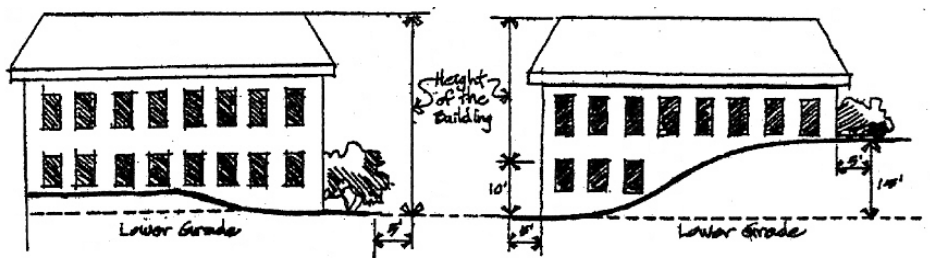
B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

C-1 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 60 percent	None

10-2H-8 Building Height

All buildings in the C-1 (Community Commercial) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the C-1 Zone shall be no more than ~~100~~ 60 feet tall, except when a lot is adjacent to a R-1 (Single Family Residential) Zone, then the maximum height is 40 feet. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot

horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2H-9 Building Orientation

A. Purpose. All of the following standards shall apply to new development within the C-1 Zone in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking, bicycling, and transit use.

B. Applicability. This section applies to all buildings in the C-1 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the C-1 zone are also required to comply with the standards outlined above in Section 10-2H-3 or 10-2H-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2H-6.
2. All buildings shall have their primary entrance(s) oriented to the street. Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible and parking, driveways and other vehicle areas should not be placed between buildings and street corners.

D. Variances. These standards shall not be changed through a Variance. The Director may

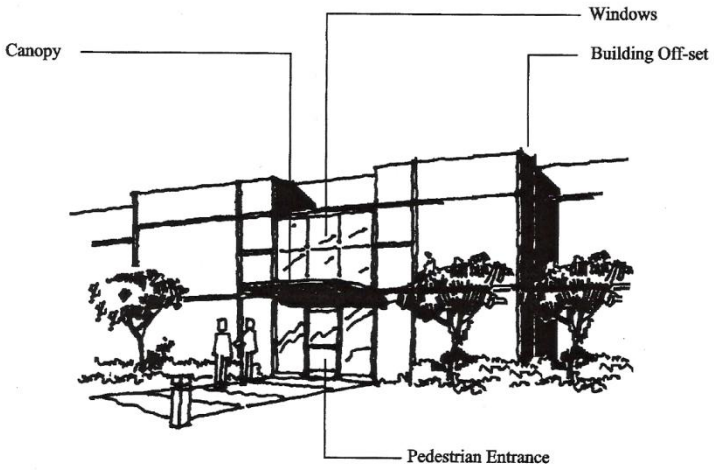
allow the standard to be varied from to address topographic or other physical constraints.

10-2H-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the C-1 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the C-1 zone are also required to comply with the standards outlined above in Section 10-2H-3 or 10-2H-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



1. Detailed Design.
   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.
   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.
   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. The main entrance(s) to buildings shall be clearly delineated through architectural design.
   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.

2. Design of Large-Scale Buildings and Developments.
   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.

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.

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.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

D. Materials & Colors. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the C-1 Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
   a. Composition
   b. Composite Flat Roof
   c. Concrete tile
   d. Slate
   e. Cedar Shake
   f. Metal - tile or shake only
   g. Copper Shake
   h. Painted corrugated metal
   ~~h~~i. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Concrete Block - split faced, smooth
   e. Concrete Tilt-Up

f. Wood
g. Vinyl - tile or shake only
h. Metal - tile or shake only
i. Painted corrugated metal (only with detailing)
~~i~~j. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
   a. Corrugated Metal
   b. T-111 (may be used when combined with detailing noted below)
   c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Other materials determined acceptable by the Planning & Community Development Director

6. Colors
   a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
   b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
   c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2H-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the C-1 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management

8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2I-1 **Purpose**
10-2I-2 **Permitted Uses (P)**
10-2I-3 **Limited Uses (L)**
10-2I-4 **Conditional Uses (CU)**
10-2I-5 **Accessory Structures**
10-2I-6 **Development Setbacks**
10-2I-7 **Lot Area, Dimensions, and Coverage**
10-2I-8 **Building Height**
10-2I-9 **Building Orientation**
10-2I-10 **Architectural Guidelines and Special Standards**
10-2I-11 **Special Standards**

10-2I-1 Purpose

The C-2 (Freeway Commercial) District provides for a range of light manufacturing, office uses, automobile-oriented uses, and similar uses which may not be appropriate in the mixed use zones. Within the C-2 Zone, there is an emphasis on the aesthetics of frontages along Interstate 90 to enhance Interstate 90's aesthetic corridor status. The district's standards are based on the following principles:

A. Ensure efficient use of land and urban services.

B. Provide business services close to major employment centers.

C. Compatibility between commercial uses and nearby residential areas.

D. Allow for automobile-oriented uses, while preventing strip-commercial development along arterial and collector streets.

E. Increase the aesthetics along Interstate 90 through special landscaping and building design standards along Interstate 90 frontages.

10-2I-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-2 (Freeway Commercial) District with the letter "P" are permitted in the C-2 zone, without special action by the Hearing Body, subject to development standards of the C-2 (Freeway Commercial) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2I-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-2 (Freeway Commercial) District with the letter "L" are allowed in the C-2 zone if they comply with the development standards of the C-2 (Freeway Commercial) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific C-2 Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Large-scale retail establishments

a. The following standards and the standards identified in Section 10-2F-10, subsection C-4 apply to all Large-scale retail establishments, as defined in Article 10-1C that make application for any of the following:
   1. New construction;
   2. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
   3. A remodel of a building(s) with square footage that is equal or greater than the square footages defined for Large-scale retail establishments within these standards and which the remodel exceeds fifty percent (50%) of the assessed value of the existing structure. The value of the remodel shall be based on the current Building Valuation Data Table adopted by the City of Liberty Lake.
   4. Exceptions - Waivers to these standards may be granted through a Class A Variance process under the following circumstances and in accordance with the chart below:
      - Strict application of the standard would result in peculiar or exceptional practical difficulties or exceptional and undue hardship upon the owner of the property; or
      - A proposed alternative building or site design satisfies the intent of the ordinance as well or better than would strict compliance with the standard; or
      - The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and
      - Granting of the waiver would not impose significantly more negative

impacts on nearby properties.

Requirements	New Construction	Addition	Interior Remodel	Exterior Remodel
Compliance with the City Development and Building Codes	Required	Required	Required	Required
Application Requirements	Required	Required	Required	Required
Site Design & Features	Required	x	Exempt	x
Outdoor Display / Sales Area & Accessory Uses	Required	x	N/A	x
Building Design	Required	Required	N/A	x
Materials & Colors	Required	Required	N/A	Required
Adaptability for Reuse / Compartmentalization / Redevelopment	Optional	Optional	N/A	Optional
Signage	Optional	Optional	Optional	Optional

x = Portions of the standards may be waived in accordance with Exceptions

b. Development Agreement - Prior to building permit issuance for a large-scale retail establishment or at the time of a property ownership change, the City will require property owners (including assigns, heirs, and successors in interest) to sign an agreement, that the City will record with the Spokane County Auditor, to cover the following:
   1. The property owner agrees not to impose any post-closure limits on the type of reuse of previously occupied buildings (e.g. not permitting another large-scale retail establishment from occupying the vacated building);
   2. The property owner agrees to provide a notice of closure to the Director of Planning and Community Development as soon as a closure is anticipated or at least three (3) months prior to an anticipated store closure; and
   3. The property owner agrees to meet with the Director of Planning & Community Development at least three (3) months prior to an anticipated store closure to discuss their exit strategy and facilitate opportunities for building / property reuse and redevelopment. At this meeting, the property owner will provide a maintenance plan for normal repairs and upkeep of property, in compliance with Article 10-3I (Property Maintenance Standards) of the City Development Code and elimination of legible impressions, images, or remnants of signs remaining on a building or sign surface after the use for which the sign was permitted ceases to operate.

c. Pedestrian & Bicycle Circulation / Facilities
   1. Ten (10) foot wide sidewalks will be required across the front of all buildings or wherever public access areas are located around the building;
   2. Distinct pedestrian crossing markers or changes in surfacing must be used; and
   3. Publicly accessible focal points with features such as a patio /seating area are required.

d. Shopping Cart Storage & Return Stations - When a business utilizes shopping carts, adequate close-by shopping cart return stations to temporarily house returned shopping carts shall be provided throughout the parking lots. All shopping carts shall be effectively contained or controlled within the boundaries of store premises, which refers to the lot area, maintained, managed and/or utilized by the business, that may include the building, parking lot and adjacent walkways, and where the business's shopping carts

are permitted. Exterior shopping cart storage areas are not permitted and carts must be permanently stored inside the building. The following standards apply to exterior shopping cart return stations

1. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;
2. Shopping cart return stations shall incorporate landscaping, architectural features, or similar design elements to draw attention to and lessen the impact of stand-alone features within parking areas;
3. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at anytime; and
4. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

e. Outdoor Storage Uses & Service / Loading Areas -

1. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;
2. Areas for truck parking, trash collection or compaction, loading, or other such uses shall not be visible from public or private rights-of-way, not located within 20 feet of any public or private street, public sidewalk, or internal pedestrian way and location(s) are restricted to the location(s) shown on the site plan approved by the City;
3. Loading docks, truck parking, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape; and
4. When the site is abutting a Residential Zone / Use, deliveries and collections shall not occur between 10:00 p.m. and 6:00 a.m., unless mitigating measures can be proposed to prevent noise or light nuisances.

f. Outdoor Display / Sales Areas & Accessory Uses

1. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;
2. Outdoor displays of merchandise, equipment, vending machines, etc. located on building aprons or along the storefront are only permitted if shown on the approved site plan and permitted by the Director of Planning & Community Development or permitted through a Temporary Use Permit (see temporary sales / displays below). Display areas on building aprons or along the storefront must maintain a minimum walkway width of ten (10) feet between the display items and any vehicle drives;
3. All outdoor display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten (10) feet;
4. Any permanent display / sales areas not located on building aprons, shall be permanently defined and screened with walls, fences, or evergreen hedges, a minimum of five (5) feet in height;
5. Outdoor display / sales areas and accessory uses such as food vendors shall be incorporated into the overall design of the building and the landscaping; and
6. Temporary sales / displays, such as Christmas trees, landscape materials,

etc.

- Temporary sales / displays shall be reviewed and approved by the Director of Planning & Community Development through the Temporary Use Permit process in accordance with Section 10-4I-1.

g. Adaptability for Reuse / Compartmentalization / Redevelopment - It is recommended that the building design include specific elements for adaptation for multi-tenant re-use. The design standards above will aid in adaptive reuse of a building, additionally, the building design should also allow for the following:
   1. Facades that readily adapt to multiple entrances and adapt to entrances on all but one side of the building;
   2. Parking lot schemes that are shared by establishments or are linked by safe and functional pedestrian connections; and
   3. Landscaping schemes that complement the multiple entrance design.

3. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

4. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
b. Parking structure entrances facing a street shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

5. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

6. Seasonal and~~&~~ special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

8. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.
b. The tower shall not exceed the maximum height of the underlying zone.
c. The tower must be accessory to a residence on the same site.

9. Animal health services / veterinarian - domestic animals

a. Treatment rooms, cages, yards, or runs are to be maintained within a completely enclosed building. Compliance with noise standards for a

commercial noise source as identified by WAC 173-60-040, shall be demonstrated by the applicant.

b. Short term boarding of animals not currently under treatment may be permitted within the clinic building. The operation of the clinic shall be conducted in such a way as to produce no objectionable odors or noise outside its walls, or other nuisance or health hazard.

c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the animal health services / veterinarian building.

10. Automobile / truck repair or maintenance (service station)

a. All vehicles being repaired or maintained shall be completely enclosed within a building or shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.

11. Boat, recreational vehicle, & trailer - construction, repair, parts sales, & maintenance

a. All boats, recreational vehicles, and/or trailers being constructed, repaired, or maintained shall be completely enclosed within a building or shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.

12. Gas station / convenience store

a. Underground storage tanks and stormwater disposal shall not be located within the 1000 foot radius of a wellhead.

b. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way line(s).

c. Convenience stores/gas stations shall not exceed 8 pump sites and the building footprint area shall not exceed 5,000 square feet per lot. A pump site is one dispenser which may be double sided.

~~**13. Marijuana Retailer**~~

~~a. Building or portion of mixed-use building shall not exceed 5000 square feet.~~

~~b. Design and compatibility with neighborhood character shall be considered in the approval process.~~

~~c. Marijuana sales shall not be allowed as an Accessory Use.~~

~~d. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~e. Must have approval from the Washington State Liquor Control Board.~~

~~14~~13. Accessory caretaker's residence

a. The residence is an accessory use to the primary use and is limited to the

duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.

b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.

c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

~~15~~14. Machine shop, plastic injection molding, sandblasting / cutting, & tool and dye making

a. The uses shall be completely enclosed within a building.

~~16. Marijuana Processor~~

~~a. The use shall be completely enclosed within a building.~~

~~b. Marijuana processing shall not be allowed as an Accessory Use.~~

~~c. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~d. Must have approval from the Washington State Liquor Control Board.~~

~~17~~15. Welding / sheet metal shops

a. The welding / sheet metal shop use shall be completely enclosed within a building.

b. Open air welding shall be prohibited

~~18~~16. Woodworking / cabinet manufacturing with and without retail sales showroom

a. The woodworking / cabinet manufacturing use shall be completely enclosed within a building.

~~19~~17. Research facility / laboratory

a. The research facility / laboratory use shall be completely enclosed within a building.

~~20~~18. Public utility transmission facility – EPF

a. The utility company shall secure the necessary property or right-of-way to assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.

b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.

c. Before issuance of a building permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in

accordance with state, regional, and local mandates.

d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

10-2I-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the C-2 (Freeway Commercial) District with the letters "CU" are permitted to locate in the C-2 zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific C-2 Conditional Uses.

1. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.

b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.
f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.
g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.
h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.
i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.
j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2I-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in commercial zones may include storage sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. Accessory structures shall comply with all of the following standards and Sections 10-2I-6 for setbacks and 10-2I-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2I-6, 10-2I-7, 10-2I-8, 10-2I-9, 10-2I-10, and 10-2I-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2I-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” shall apply.

C. Side Yard Setbacks

The minimum interior side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures). The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may require buffering other situations, as well.
2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2I-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

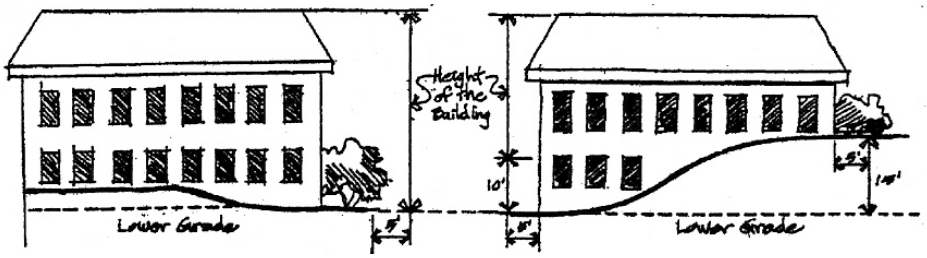
B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

C-2 Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 60 percent	None

10-2I-8 Building Height

All buildings in the C-2 (Freeway Commercial) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the C-2 Zone shall be no more than ~~100~~ 60 feet tall, except when a lot is adjacent to a R-1 (Single Family Residential) Zone, then the maximum height is 40 feet. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.



B. Method of Measurement. "Building height" is measured as the vertical distance above a

reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2I-9 Building Orientation

A. Purpose. All of the following standards shall apply to new development within the C-2 Zone in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking, bicycling, and transit use.

B. Applicability. This section applies to all buildings in the C-2 Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the C-2 zone are also required to comply with the standards outlined above in Section 10-2I-3 or 10-2I-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street or Interstate 90 and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. If vehicles are parked adjacent to Interstate 90, special landscaping standards identified in Article 10-3C shall apply. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2I-6.
2. All buildings shall have their primary entrance(s) oriented to a street or Interstate 90. Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section

10-3C-3, subsection H.

4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible and parking, driveways and other vehicle areas should not be placed between buildings and street corners.

5. Large-scale retail establishments
   a. Large-scale retail establishments shall not be located on corner lots, unless smaller buildings (less than 50,000 gross square feet) are located between the large-scale retail establishment and the street
   b. Outparcels with non large-scale retail establishments must be located between large-scale retail establishments and an arterial or collector street.
   c. Access & Traffic
      1. Large-scale retail establishments must have at least two approaches with the main approach located on an arterial or collector street;
      2. Vehicle access must be designed to accommodate peak traffic volumes;
      3. Site layout must provide access connections to adjacent parcels / uses; and
      4. Off-street parking, drives, and other vehicular areas cannot be placed between buildings and streets, if prohibited by the Development Code for the zone.

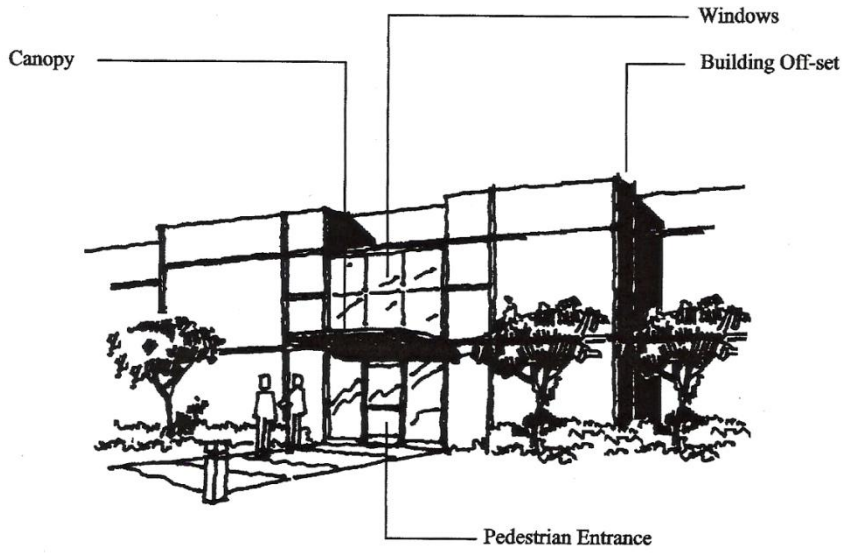
D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2I-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the C-2 Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the C-2 zone are also required to comply with the standards outlined above in Section 10-2I-3 or 10-2I-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street) and along Interstate 90, 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.
   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.
   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. The main entrance(s) to buildings shall be clearly delineated through architectural design.
   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.

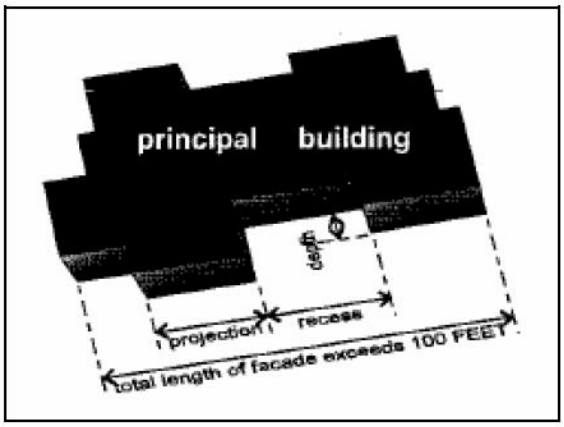
2. Design of Large-Scale Buildings and Developments.
   All large-scale buildings and developments shall provide human-scale design by conforming to the standards in subsections a & b, below. Large-scale buildings and developments are buildings with greater than 20,000 square feet of enclosed ground-floor 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.
   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.

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.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

3. Large-Scale Retail Establishments

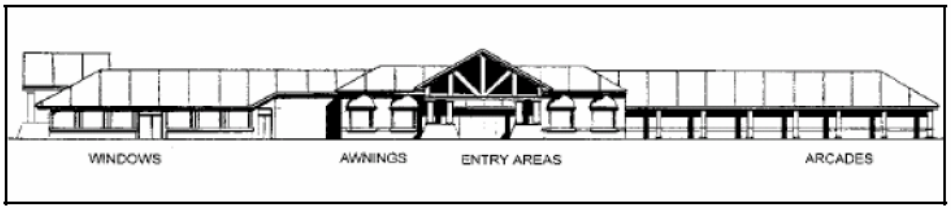
a. Building Elevations

- Uninterrupted lengths of any elevation shall not exceed one hundred (100) horizontal feet.



(Drawing Source - Fort Collins, Colorado)

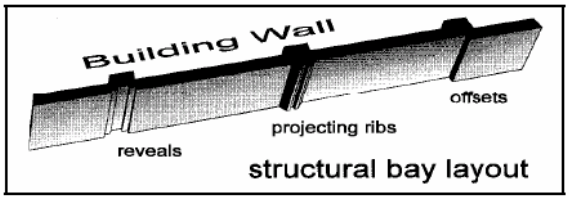
- Ground floor elevations that face a street (public or private) or that face Interstate 90 shall have arcades, display windows, entry ways, awnings, or other such features along no less than 60% of the horizontal length.



(Drawing Source - Fort Collins, Colorado)

b. Building Facade - The front facade of the building must include a repeating pattern with at least three (3) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.

- Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, or projecting rib;
- Color change;
- Texture change; and / or
- Material module change.



(Drawing Source - Fort Collins, Colorado)

c. Entrances - Each building shall have clearly defined; highly visible customer entrances and each additional store located within a principal building shall have at least one separate exterior customer entrance. Entryways shall feature no less than three of the following design features:

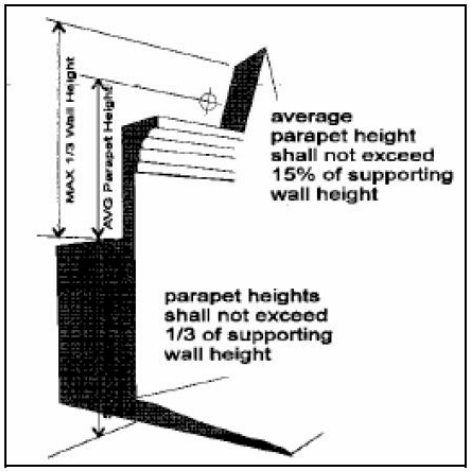
- canopies or porticos;
- overhangs;
- recesses/ projections;
- arcades;
- raised corniced parapets over the door;
- peaked roof forms;
- arches;
- outdoor patios;
- display windows;
- architectural details such as tile work and moldings which are integrated into the building structure and design; and / or
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

d. Smaller Retail Stores - In addition to the entrance requirements above, when additional store(s), with less than fifty thousand (50,000) square feet, are located within a principal building, the facade of each additional store shall contain the following, as applicable:

- Display windows between the height of three (3) feet and eight (8) feet above the walkway / sidewalk grade for no less than sixty percent (60%) of the horizontal length of each additional store facade; and
- Windows shall contain displays or be recessed and should include visually prominent sills, shutters, or other such forms of framing.

e. Roofs - Each building shall have at least two (2) of the following roof features:

- Parapets concealing flat roofs and roof top equipment such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments;
- Overhanging eaves, extending no less than three (3) feet past the supporting walls;
- Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run; and / or
- Three (3) or more roof slope planes.



(Drawing Source - Fort Collins, Colorado)

D. Materials & Colors. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the C-2 Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
    a. Composition
    b. Composite Flat Roof
    c. Concrete tile
    d. Slate
    e. Cedar Shake
    f. Metal - tile or shake only
    g. Copper Shake
    h. Painted corrugated metal
    ~~h~~i. Other materials determined acceptable by the Planning & Community Development Director
2. Prohibited Roofing Materials
    a. Corrugated Metal
3. Acceptable Siding Materials
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Concrete Block - split faced, smooth
    e. Concrete Tilt-Up
    f. Wood
    g. Vinyl - tile or shake only
    h. Metal - tile or shake only
    i. Painted corrugate metal (only with detailing)
    ~~i~~j. Other materials determined acceptable by the Planning & Community Development Director
4. Prohibited Siding Materials
    a. Corrugated Metal

b. T-111 (may be used when combined with detailing noted below)
c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Other materials determined acceptable by the Planning & Community Development Director

6. Colors
   a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
   b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
   c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2I-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the C-2 Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

Article 10-2J — I (Light Industrial) District

Sections:

10-2J-1 **Purpose**
10-2J-2 **Permitted Uses (P)**
10-2J-3 **Limited Uses (L)**
10-2J-4 **Conditional Uses (CU)**
10-2J-5 **Accessory Structures**
10-2J-6 **Development Setbacks**
10-2J-7 **Lot Area, Dimensions, and Coverage**
10-2J-8 **Building Height**
10-2J-9 **Building Orientation**
10-2J-10 **Architectural Guidelines and Special Standards**
10-2J-11 **Design Standards**

10-2J-1 Purpose

~~The I (Light Industrial) District provides for a range of manufacturing and industrial production, office uses, automobile-oriented uses, storage, and similar uses which may not be appropriate in the mixed use or commercial zones.~~ The I Zone is intended ~~to segregate incompatible developments from other districts, while providing~~ provide a high-quality environment for businesses and employees with an emphasis on aesthetics, landscaping, and internal and community compatibility. This article guides the orderly development of light industrial areas based on the following principles:

A. Ensure efficient use of land and urban services.

B. Provide transportation options for employees and customers.

C. Compatibility between industrial uses and nearby residential areas.

D. Integrate appropriate design and landscape standards to accommodate a range of industrial users, in conformance with the Comprehensive Plan.

E. Support the development of a campus-like setting.

10-2J-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the I (Light Industrial) District with the letter "P" are permitted in the I zone, without special action by the Hearing Body, subject to development standards of the I (Light Industrial) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2J-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the I (Light Industrial) District with the letter "L" are allowed in the I zone if they comply with the development standards of the I (Light Industrial) District, and other applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific I Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Parking structure

a. Parking structures shall be accessed from an alley, placed underground, placed within buildings, or located behind or to the side of a building.
b. Parking structure entrances facing a street shall be recessed behind the front elevation by a minimum of 4 feet. On corner lots, parking structure entrances shall be oriented to a side-street (i.e., away from the arterial or collector street) when vehicle access cannot be provided from an alley.

4. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

5. Seasonal ~~&~~and special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Tower

a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking

gate; however, no barbed wire or razor wire shall be permitted.

b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.

c. The tower shall not exceed 15 feet above the maximum height of the underlying zone.

d. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

e. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied.

8. Tower, private

a. The applicant shall show that the impact area (that area in all directions equal to the private tower's height above grade) is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

b. The tower shall not exceed the maximum height of the underlying zone.

c. The tower must be accessory to a residence on the same site.

9. Animal shelter / kennel

a. The structure(s) housing animals shall be adequately soundproofed to meet WAC 173-60.

b. There shall be no outside runs or areas, however an interior courtyard may be permitted if it is adequately soundproofed to meet WAC 173-60.

10. Child day-care center

~~a. Shall be permitted within an office/technology campus or park. Child day-care centers that are not within an identified office/technology campus or park are only permitted when owned and/or operated by an existing or permitted business and located abutting or within the existing business to supply child care for their employees' children~~

~~b~~a. Any outdoor play area shall be completely enclosed to a minimum height of 6 feet with a solid wall or fence.

~~c~~b. The facility shall meet Washington State childcare licensing requirements and applicable building codes.

11. Child day-care center (in a church or a school)

a. Any outdoor play area shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet

b. The facility shall meet Washington State childcare licensing requirements.

~~**Banks / financial institutions (with drive-thru)**~~

~~a. Drive-thru window shall be located on side or rear yard areas of the site and not between the frontage street and the road.~~

~~b. The use is subject to all other applicable development code standards for uses~~

~~of this zone.~~

12. General retail

a. Shall only be permitted when abutting or within an existing or permitted business.

13. Restaurant / cafe / deli / ice cream parlor (without drive-thru)

a. Shall only be permitted when abutting or within an existing or permitted business.
b. Outdoor seating shall be required.
c. The facility shall meet Department of Health requirements and applicable building codes.

14. Theater (performing arts)

a. Shall only be permitted when abutting or within an existing or permitted business.

15. Accessory caretaker's residence

a. The residence is an accessory use to the primary use and is limited to the duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.
b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.
c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

~~**15. Marijuana Processor**~~

~~a. The use shall be completely enclosed within a building.~~
~~b. Marijuana processing shall not be allowed as an Accessory Use.~~
~~c. Per City Ordinance 217, a marijuana business shall not be located within one thousand feet of the perimeter of the grounds of any of the following entities or locations:~~

~~1. Elementary or secondary school, including school bus stop locations;~~
~~2. Playground;~~
~~3. Recreation center or facility;~~
~~4. Child care center;~~
~~5. Park;~~
~~6. Public transit center, including transit bus stop locations;~~
~~7. Library;~~
~~8. Game arcade where admission is not restricted to persons age 21 and older;~~
~~9. Churches and religious facilities; or~~
~~10. Access points for the Centennial Trail or other public trails within the City of Liberty Lake.~~

~~d. Must have approval from the Washington State Liquor Control Board.~~

~~**16. Recycling collection center**~~

~~a. Adequate ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.~~
~~b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~17~~16. Public utility transmission facility – EPF

a. The utility company shall secure the necessary property or right-of-way to

assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.

b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.

c. Before issuance of a building permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

10-2J-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the I (Light Industrial) District with the letters "CU" are permitted to locate in the I zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific I Conditional Uses.

~~1. Recreational vehicle park / campground~~

~~a. The maximum net units per acre shall be 15.~~

~~b. The site shall have a minimum frontage of 125 feet on a major collector arterial or higher classification.~~

~~c. Traveled roadways on site shall be private and paved.~~

~~d. Accessory uses including management headquarters, recreational facilities, restrooms, dumping stations, showers, laundry facilities and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted as accessory uses. In addition, stores, restaurants, beauty parlors, barber shops and other convenience establishments shall be permitted as accessory uses, subject to the following restrictions:~~

~~i. Such establishments and their associated parking shall not occupy more than 5 percent of the gross area of the park.~~

~~ii. Such establishments shall be restricted in their use to occupants and their guests of the park.~~

~~iii. Such establishments shall present no visible evidence from any street outside the park of their commercial character, which would attract customers other than occupants of the park and their guests.~~

~~iv. The structures housing such facilities shall not be located closer than 100 feet to any public street.~~

~~e. Recreational vehicle stalls (spaces) shall average 1,500 square feet.~~

~~f. A minimum of 15 percent of the gross site area for the recreational vehicle park~~

~~shall be set aside and developed as common use areas for open or enclosed recreation facilities. Recreational vehicle stalls, private roadways, storage, utility sites, and off street parking areas or shall not be counted as meeting this requirement.~~

~~g. Entrances and exits to the recreational vehicle park shall be designed for safe and convenient movement of traffic.~~

~~h. Off-street parking, at 1 space per stall, shall be provided.~~

~~i. The application for a recreational vehicle park shall include a site plan that identifies vehicle stalls (spaces), motor vehicle parking spaces, the interior private road circulation, open and enclosed spaces for recreational opportunities, landscaping plans, and any other major features of the proposal.~~

~~j. Sight-obscuring fencing, landscaping or berming may be required to assure compatibility with adjacent uses.~~

~~k. The recreational vehicle park shall meet all Regional Health and City regulations regarding sewage and water.~~

~~l. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~2. Detention facility – EPF~~

~~a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~3. Prison / correctional facility – EPF~~

~~a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~4. Concrete product manufacturing / ready mix concrete (excluding extraction / mining)~~

~~a. Adequate ingress and egress to and on the site for trucks shall be provided.~~

~~b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~5. Commercial composting storage / processing facility – EPF~~

~~a. The minimum lot area is 10 acres.~~

~~b. The conditional use permit may be revoked if air quality standards are not maintained.~~

~~c. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~6. Incinerator – EPF~~

~~a. The minimum lot area is 5 acres.~~

~~b. Adequate paved ingress and egress to and on the site for trucks and/or trailer~~

~~vehicles shall be provided.~~

~~c. An on-site circulation plan shall be submitted, for review and approved by the City~~

~~d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~7. Landfill – EPF~~

~~a. The minimum lot area is 15 acres.~~

~~b. The minimum distance of disposal operations shall be 350 feet from existing residences.~~

~~c. The applicant shall submit for approval a site reclamation plan and the site shall be rehabilitated consistent with the plan after disposal terminates.~~

~~d. The conditional use permit may be revoked by the Hearing Examiner if the landfill operation is found in violation of any local, state, or federal regulation related to the landfill operation.~~

~~e. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~8. Solid waste transfer site – EPF~~

~~a. Adequate ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.~~

~~b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~c. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.~~

~~d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~9. Outdoor vehicle storage~~

~~a. All areas that are not landscaped or occupied by buildings shall be paved.~~

~~b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~c. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

~~10. Self service storage facility (mini storage)~~

~~a. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~b. The buildings shall comply with the building design standards Section 10-2K-10.~~

~~c. Driveway aisles shall be a minimum of 20 feet where access to units is only provided on one side and 24 feet where access is on both sides of the aisle.~~

~~c. The use shall be subject to restrictions and conditions as may be imposed by~~

~~the Hearing Examiner under Article 10-4H.~~

~~11~~1. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.
b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~12~~2. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.
b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.
c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.
d. The applicant shall perform and provide documentation of a visual simulation of the site plan.
e. The applicant shall meet and provide documentation of all requirements of SEPA.
f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.
g. No advertising or display shall be located on any antenna array; however, the owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.
h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.
i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.
j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~13~~3. Wireless communication support tower

a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking gate; however, no barbed wire or razor wire shall be permitted.

b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.

c. Support tower foundations, equipment shelters, cabinets or other on-the ground ancillary equipment shall be buried below ground or screened with a site obscuring secured fence not less than 6 feet high. The Director may waive the site obscuring secured fence requirement provided the applicant has secured all on the ground ancillary equipment in a locked cabinet designed to be compatible with and blend into the setting and provided that when a locked fence is not required the means of access for the support tower is located a minimum of 12 feet above the ground.

d. The tower shall not exceed 15 feet above the maximum height of the underlying zone. The height of the support tower means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure even if the highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances and shall be measured from the finished grade of the parcel.

e. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

f. The wireless communication company shall secure the necessary property or easement to assure for the proper construction, continued maintenance, and general safety of the properties adjoining the wireless communication facility.

g. The facility shall meet the minimum landscaping and setback requirements for the underlying zone.

h. Support towers shall not be permitted inside a public park, public monument or private inholding located within a public park or public monument.

i. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied. The applicant shall have provided a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC.

j. The owner of the support tower shall notify the City of Liberty Lake Planning & Community Development Department when the tower is no longer utilized. Within 6 months of the date the tower ceases to be utilized, the support tower must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

k. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2J-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures in industrial zones may include storage sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. Accessory structures shall comply with all of the following standards and Sections 10-2J-6 for setbacks and 10-2J-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2J-6, 10-2J-7, 10-2J-8, 10-2J-9, 10-2J-10, and 10-2J-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2J-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” shall apply.

C. Side Yard Setbacks

The minimum interior side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures). The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may require buffering other situations, as well.
2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2J-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

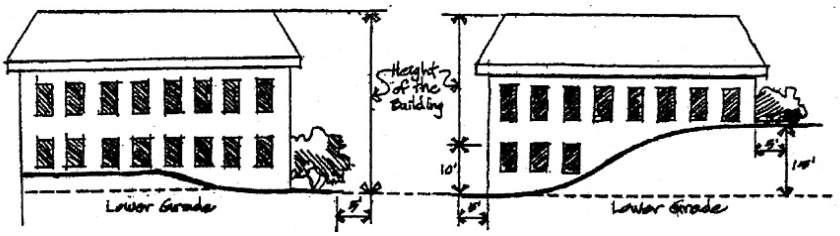
I Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None Maximum area:	Minimum Width: 50 feet at front property line	Maximum: 60 percent	None

	None	Maximum Depth: None		

10-2J-8 Building Height

All buildings in the I (Light Industrial) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the I Zone shall be no more than ~~100~~ 60 feet tall, except when a lot is adjacent to a R-1 (Single Family Residential) Zone, then the maximum height is 40 feet. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2J-9 Building Orientation

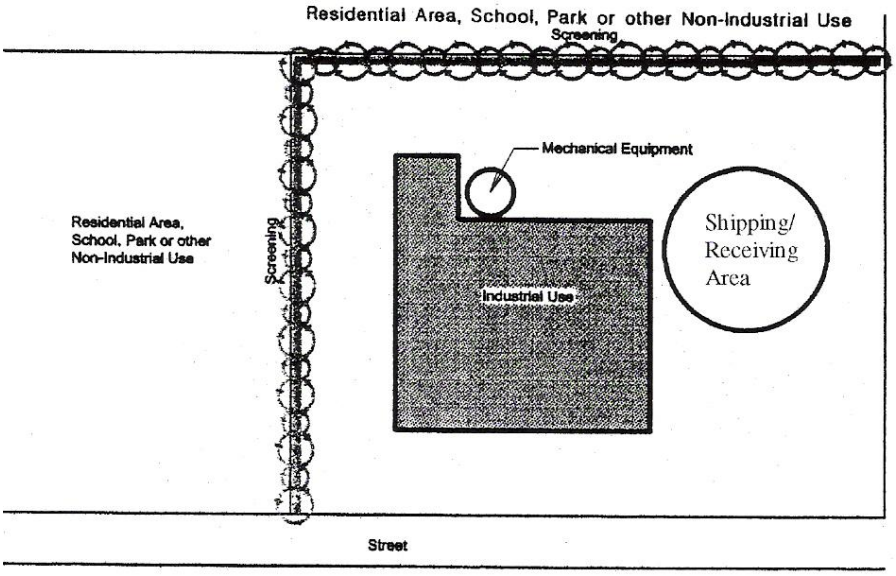
A. Purpose. All of the following standards shall apply to new development within the I Zone in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking, bicycling, and transit use.

B. Applicability. This section applies to all buildings in the I Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the I zone are also required to comply

with the standards outlined above in Section 10-2J-3 or 10-2J-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2J-6.
2. All buildings shall have their primary entrance(s) oriented to a street. Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible and parking, driveways and other vehicle areas should not be placed between buildings and street corners.



Industrial Orientation Example

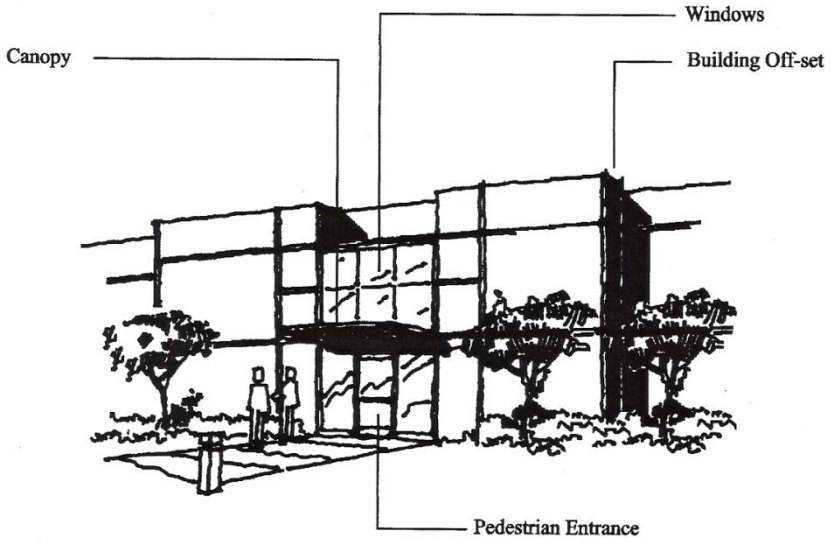
D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2J-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the I Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the I zone are also required to comply with the standards outlined above in Section 10-2J-3 or 10-2J-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



1. Detailed Design.
   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.
   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.
   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. The main entrance(s) to buildings shall be clearly delineated through architectural design.
   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.

2. Design of Large-Scale Buildings and Developments.
   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.

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.

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.) or for structural reasons may not be required to meet this standard; however alternatives to break up blank walls shall be provided. Pathways shall connect all public entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

D. Materials & Colors. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the I Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
   a. Composition
   b. Composite Flat Roof
   c. Concrete tile
   d. Slate
   e. Cedar Shake
   f. Metal - tile or shake only
   g. Copper Shake
   h. Painted Corrugated Metal
   i. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Concrete Block - split faced, smooth

e. Concrete Tilt-Up
f. Wood
g. Vinyl - tile or shake only
h. Metal - tile or shake only
i. Painted corrugated metal (only with detailing)
~~i~~j. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
   a. Corrugated Metal
   b. T-111 (may be used when combined with detailing noted below)
   c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Other materials determined acceptable by the Planning & Community Development Director

6. Colors
   a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
   b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
   c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2J-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the I Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management

8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2K-1 Purpose
10-2K-2 Permitted Uses (P)
10-2K-3 Limited Uses (L)
10-2K-4 Conditional Uses (CU)
10-2K-5 Accessory Structures
10-2K-6 Development Setbacks
10-2K-7 Lot Area, Dimensions, and Coverage
10-2K-8 Building Height
10-2K-9 Building Orientation
10-2K-10 Architectural Guidelines and Special Standards
10-2K-11 Design Standards

10-2K-1 Purpose

The P (Public / Semi-Public Institutional) District provides for a range of governmental, civic, and special district facilities, educational, and similar uses which provide public services to the City. The district's standards are based on the following principles:

A. Ensure efficient use of land and urban services.

B. Provide areas for required public services and facilities.

C. Compatibility between public / semi-public institutional uses and nearby residential areas.

D. Locations for public gathering, parks, and recreational uses.

10-2K-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the P (Public / Semi-Public Institutional) District with the letter "P" are permitted in the P zone, without special action by the Hearing Body, subject to development standards of the P (Public / Semi-Public Institutional) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2K-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the P (Public / Semi-Public Institutional) District with the letter "L" are allowed in the P zone if they comply with the development standards of the P (Public / Semi-Public Institutional) District, and other applicable portions of this Code, including meeting the requirements for the necessary

permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific P Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Animal shelter / kennel

a. Only temporary boarding permitted (48 hour maximum time).

3. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

4. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

5. Seasonal and~~&~~ special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

7. Child day-care center (in a church or a school)

a. Any outdoor play area shall be completely enclosed with a solid wall or fully sight obscuring fence to a minimum height of 6 feet
b. The facility shall meet Washington State childcare licensing requirements.

~~**8. Recycling collection center**~~

~~a. Adequate ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.~~
~~b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.~~

~~9~~8. Public utility transmission facility – EPF

a. The utility company shall secure the necessary property or right-of-way to

assure for the proper construction, maintenance, and general safety of properties adjoining the public utility transmission facility.

b. All support structures for electrical transmission lines shall have their means of access located a minimum of 16 feet above the ground and the height of the structure above ground shall not exceed 45 feet.

c. Before issuance of a building permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

d. Undergrounding of all newly installed or extensively modified utilities under 55kV shall be required.

10-2K-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the P (Public / Semi-Public Institutional) District with the letters "CU" are permitted to locate in the P zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4) and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific P Conditional Uses.

1. Detention facility – EPF

a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

2. Prison / correctional facility – EPF

a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

3. Crisis residential center (20 or fewer residents) – EPF

a. The facility shall be limited to 20 or fewer residents, including live-in caregivers.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The crisis residential center shall meet any applicable state, federal, and local licensing for a facility housing children under the age of 18.

d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

e. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

4. Commercial composting storage / processing facility – EPF

a. The minimum lot area is 10 acres.
b. The conditional use permit may be revoked if air quality standards are not maintained.
c. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

5. Incinerator – EPF

a. The minimum lot area is 5 acres.
b. Adequate paved ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.
c. An on-site circulation plan shall be submitted, for review and approved by the City
d. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

6. Landfill – EPF

a. The minimum lot area is 15 acres.
b. The minimum distance of disposal operations shall be 350 feet from existing residences.
c. The applicant shall submit for approval a site reclamation plan and the site shall be rehabilitated consistent with the plan after disposal terminates.
d. The conditional use permit may be revoked by the Hearing Examiner if the landfill operation is found in violation of any local, state, or federal regulation related to the landfill operation.
e. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.
f. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

7. Recycling collection center

a. Adequate ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.
b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.

8. Solid waste transfer site – EPF

a. Adequate ingress and egress to and on the site for trucks and/or trailer vehicles shall be provided.
b. The site shall either be bermed with landscaping to preclude viewing from adjacent properties and/or fenced with a sight-obscuring fence as determined by the Director.
c. Before issuance of a conditional use permit, the applicant shall have complied

with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

d. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~8~~9. Power plant – EPF

a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~9~~10. Public utility local distribution facility

a. The utility company shall secure the necessary property or right of way to assure for the proper construction, maintenance, and general safety of properties abutting the public utility local distribution facility.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~10~~11. Sewage treatment plant – EPF

a. Before issuance of a conditional use permit, the applicant shall have complied with all applicable requirements for the siting of an essential public facility in accordance with state, regional, and local mandates.

b. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~11~~12. Wireless communication antenna array

Prior to issuance of a building permit, the applicant shall have demonstrated compliance with the conditions and standards set forth herein:

a. The maximum height of the mounted antenna shall not exceed 20 feet above the height of the existing building or structure upon which it is mounted. The height of an antenna array mounted on a wireless communication support tower or alternative tower structure shall be included in the vertical measurement use to calculate the maximum allowable height of the support structure.

b. The applicant shall provide a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements, and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC. Interferences with public broadcast transmissions to the local community is prohibited.

c. The applicant shall meet and provide documentation that all applicable requirements of FCC, FAA, and any required aviation easements have been satisfied.

d. The applicant shall perform and provide documentation of a visual simulation of the site plan.

e. The applicant shall meet and provide documentation of all requirements of SEPA.

f. The antenna array and supporting electrical and mechanical equipment shall be installed using stealth technology.

g. No advertising or display shall be located on any antenna array; however, the

owner of the antenna array shall place an identification plate indicating the name of the wireless service provider and a telephone number for emergency contact on the site.

h. No artificial lights other than those required by FAA or other applicable authority shall be permitted, and that any security lights shall be down shielded, and shall be positioned, placed, constructed, or used so as not to illuminate directly any adjacent lot, building, or structure or portion thereof.

i. The owner of the antenna array shall notify the City of Liberty Lake Planning & Community Development Department when the antenna array is no longer operating as part of a wireless communication system authorized and licensed by FCC. Within 6 months of the date the antenna array ceases to operate as part of an authorized system, the antenna array must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

j. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

~~12~~13. Wireless communication support tower

a. The tower shall be enclosed by a 6-foot sight-obscured fence with a locking gate; however, no barbed wire or razor wire shall be permitted.

b. The tower shall have a locking trap door or the climbing apparatus shall stop 12 feet short of the ground.

c. Support tower foundations, equipment shelters, cabinets or other on-the ground ancillary equipment shall be buried below ground or screened with a site obscuring secured fence not less than 6 feet high. The Director may waive the site obscuring secured fence requirement provided the applicant has secured all on the ground ancillary equipment in a locked cabinet designed to be compatible with and blend into the setting and provided that when a locked fence is not required the means of access for the support tower is located a minimum of 12 feet above the ground.

d. The tower shall not exceed 15 feet above the maximum height of the underlying zone. The height of the support tower means the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure even if the highest point is an antenna. Measurement of tower height shall include antenna, base pad, and other appurtenances and shall be measured from the finished grade of the parcel.

e. The applicant shall show that the impact area (that area in all directions equal to the tower's height above grade), as designed and certified by a registered engineer, is completely on the subject property or that an easement(s) has been secured for all property in the tower's impact area. Such easement(s) shall be recorded with the County Auditor with a statement that only the City of Liberty Lake Planning & Community Development Department or its successor agency can remove the easement.

f. The wireless communication company shall secure the necessary property or easement to assure for the proper construction, continued maintenance, and general safety of the properties adjoining the wireless communication facility.

g. The facility shall meet the minimum landscaping and setback requirements for the underlying zone.

h. Support towers shall not be permitted inside a public park, public monument or private inholding located within a public park or public monument.

i. Before the issuance of a building permit, the applicant shall demonstrate that all applicable requirements of the Federal Communications Commission, Federal Aviation Administration and any required aviation easements can be satisfied.

The applicant shall have provided a certified statement from a licensed radio frequency (RF) engineer demonstrating need within network buildout and a report of radio frequency (RF) emissions existing at occupancy, maximum future projected emission measurements and cumulative emissions from multiple antenna arrays located on the same structure or wireless communication support tower are all within the standards required by FCC.

j. The owner of the support tower shall notify the City of Liberty Lake Planning & Community Development Department when the tower is no longer utilized. Within 6 months of the date the tower ceases to be utilized, the support tower must be removed from the site, or when the technology becomes obsolete and is no longer utilized.

k. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.

10-2K-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures may include storage sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. Accessory structures shall comply with all of the following standards and Sections 10-2K-6 for setbacks and 10-2K-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2K-6, 10-2K-7, 10-2K-8, 10-2K-9, 10-2K-10, and 10-2K-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2K-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is

required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in "A" shall apply.

C. Side Yard Setbacks

The minimum interior side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures). The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may require buffering other situations, as well.
2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2K-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

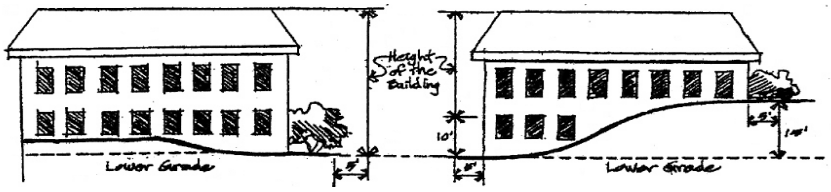
B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

P Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 60 percent	None

10-2K-8 Building Height

All buildings in the P (Public / Semi-Public Institutional) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the P Zone shall be no more than ~~100~~ 60 feet tall, except when a lot is adjacent to a R-1 (Single Family Residential) Zone, then the maximum height is 40 feet. Roof equipment and other similar features which are necessary to the commercial / industrial operation shall be screened, and shall not exceed 6 feet in height, which shall be included within the maximum height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell

towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2K-9 Building Orientation

A. Purpose. All of the following standards shall apply to new development within the P Zone in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking, bicycling, and transit use.

B. Applicability. This section applies to all buildings in the P Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the P zone are also required to comply with the standards outlined above in Section 10-2K-3 or 10-2K-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2K-6.
2. All buildings shall have their primary entrance(s) oriented to a street. Commercial building entrances may include entrances to individual units, lobby entrances, or breezeway/courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.
3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible and parking, driveways and other vehicle areas should not be placed between buildings and street corners.

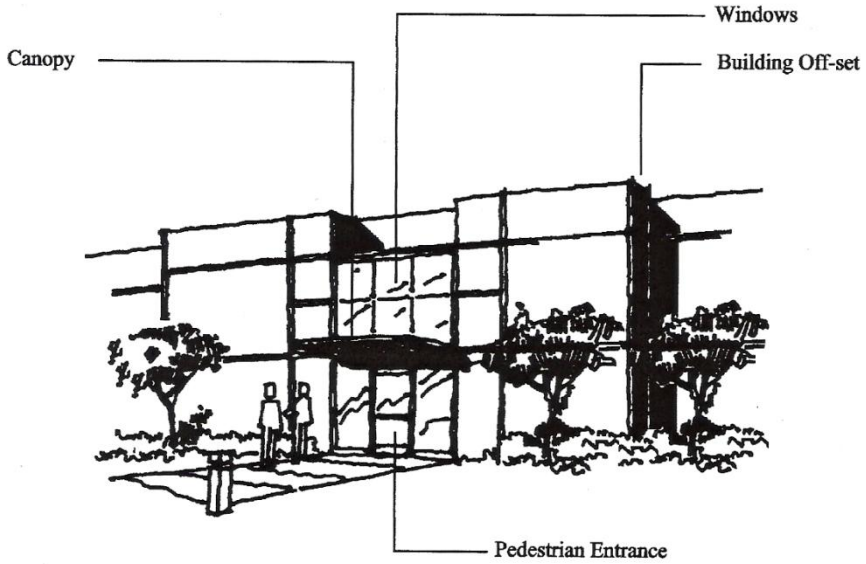
D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2K-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the P Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the P zone are also required to comply with the standards outlined above in Section 10-2K-3 or 10-2K-4. Buildings that do not require site design review are encouraged to incorporate these standards.

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.



1. Detailed Design.
   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.
   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.
   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.
   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.

2. Design of Large-Scale Buildings and Developments.
   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.

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.

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 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.) may not be required to meet this standard. Pathways shall connect all entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

D. Materials & Colors. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the P Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
   a. Composition
   b. Composite Flat Roof
   c. Concrete tile
   d. Slate
   e. Cedar Shake
   f. Metal - tile or shake only
   g. Copper Shake
   h. Painted corrugated metal
   h. Other materials determined acceptable by the Planning & Community Development Director

2. Prohibited Roofing Materials
   a. Corrugated Metal

3. Acceptable Siding Materials
   a. Brick
   b. Stucco or Dryvit
   c. Cultured or Natural Stone
   d. Concrete Block - split faced, smooth
   e. Concrete Tilt-Up
   f. Wood
   g. Vinyl - tile or shake only
   h. Metal - tile or shake only
   i. Painted corrugated metal (only with detailing)
   ~~i~~j. Other materials determined acceptable by the Planning & Community Development Director

4. Prohibited Siding Materials
    a. Corrugated Metal
    b. T-111 (may be used when combined with detailing noted below)
    c. Vinyl Lap (may be used when combined with detailing noted below)

5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Planning & Community Development Director

6. Colors
    a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
    b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
    c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2K-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the P Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

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

Sections:

10-2L-1 **Purpose**
10-2L-2 **Permitted Uses (P)**
10-2L-3 **Limited Uses (L)**
10-2L-4 **Conditional Uses (CU)**
10-2L-5 **Accessory Structures**
10-2L-6 **Development Setbacks**
10-2L-7 **Lot Area, Dimensions, and Coverage**
10-2L-8 **Building Height**
10-2L-9 **Building Orientation**
10-2L-10 **Architectural Guidelines and Special Standards**
10-2L-11 **Design Standards**

10-2L-1 Purpose

The O (Open Space / Recreation) District provides for a range of open area spaces and recreational uses such as public/ private parks, campgrounds, public and privately owned facilities such as golf courses and their associated uses, and similar uses which retain open space. The district's standards are based on the following principles:

A. Ensure efficient use of land and urban services.

B. Provide areas for parks, recreational, and associated uses.

C. Compatibility between open space and recreation uses and nearby residential areas.

D. Protect natural and open space areas to preserve the aesthetics of the City.

10-2L-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letter "P" are permitted in the O zone, without special action by the Hearing Body, subject to development standards of the O (Open Space / Recreation) District, and other applicable portions of this Code. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

10-2L-3 Limited Uses (L)

A. Limited Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letter "L" are allowed in the O zone if they comply with the development standards of the O (Open Space / Recreation) District, and other

applicable portions of this Code, including meeting the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as Limited Uses. The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas, as applicable.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

C. Requirements for Specific O Limited Uses.

1. Agricultural product / craft sales stand (Farmer's market)

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Displays of merchandise and vendors shall be limited to crafts, cards, plants, gardening/floral products, food, books, newspapers, and similar small items for sale to pedestrians.
c. A minimum aisle width of 6 feet shall be maintained between booths or displays.

2. Mobile sales / concessions

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
b. Only permitted during special community events such as Liberty Lake Yard Sale Weekend.

3. Public assembly

a. Requires application for and approval of a Public Assembly Permit from the Building Official.

4. Seasonal & special events

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

5. Temporary construction / sales office

a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.

6. Athletic club / exercise facility / gym

a. Only allowed on privately owned property.

7. Community center / hall / club

a. Only allowed on privately owned property.

8. Participant and spectator sports facilities

a. Only allowed on privately owned property.
b. Gun and archery ranges, racetracks or riding facilities (animal or motorized vehicle oriented), paintball facilities, stadiums, arenas, and water or amusement parks are prohibited.
c. All lighting shall be directed downward.
d. The hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.
e. A 20 foot minimum landscaped buffer zone shall be required between facility and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer may contain pedestrian seating but shall not contain any

lighting, except for low intensity landscape lighting, trash receptacles or storage of equipment, materials, vehicles, etc.

f. The maximum building footprint area shall be 15,000 square feet or less.

9. General retail

a. Only allowed when associated with a permitted and approved golf course or other permitted or conditionally approved community recreation facility.

10. Restaurant, cafe, deli, or ice cream parlor (without drive-thru)

a. Only allowed when associated with a permitted and approved golf course or other permitted or conditionally approved community recreation facility.

11. Tavern / pub / liquor store

a. Only allowed when associated with a permitted and approved golf course.

12. Theater (~~motion picture or~~ performing arts)

a. Only allowed when associated with a permitted or conditionally approved community recreation facility.

b. The theater shall not be located within an entirely enclosed structure.

13. Maintenance / public works facility

a. Only allowed when associated with a permitted and approved golf course.

14. Accessory caretaker's residence

a. The residence is an accessory use to the primary use and is limited to the duration of need associated with the custodial, maintenance or overseeing of the owner's property, building, and/or use.

b. Construction of the primary use shall occur previous to or simultaneous with the construction of the residential unit.

c. The caretaker's residence shall be limited in size to 1,000 square feet and shall be served with public water and sewer.

10-2L-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the Zoning Matrix (Section 10-2A-4) under the O (Open Space / Recreation) District with the letters "CU" are permitted to locate in the O zone only after a public hearing and the decision to grant a permit (conditional use permit) imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against excessive interference with other permitted uses or imposing excessive demands upon public utilities and facilities as determined by the Hearing Body. Conditional use permits require a public hearing before the Hearing Examiner. Only land uses which are specifically listed in the Zoning Matrix (Section 10-2A-4), and land uses which are approved as "similar" to those in the Zoning Matrix (Section 10-2A-4), may be permitted as conditional uses.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Article 10-4G - Administrative Interpretations.

~~C. Requirements for Specific O Conditional Uses.~~

~~**1. Recreational vehicle park / campground**~~

~~a. The maximum net units per acre shall be 15.~~

~~b. The site shall have a minimum frontage of 125 feet on a major collector arterial~~

~~or higher classification.~~

~~c. Traveled roadways on site shall be private and paved.~~

~~d. Accessory uses including management headquarters, recreational facilities, restrooms, dumping stations, showers, laundry facilities and other uses and structures customarily incidental to operation of a recreational vehicle park are permitted as accessory uses. In addition, stores, restaurants, beauty parlors, barber shops and other convenience establishments shall be permitted as accessory uses, subject to the following restrictions:~~

~~i. Such establishments and their associated parking shall not occupy more than 5 percent of the gross area of the park.~~

~~ii. Such establishments shall be restricted in their use to occupants and their guests of the park.~~

~~iii. Such establishments shall present no visible evidence from any street outside the park of their commercial character, which would attract customers other than occupants of the park and their guests.~~

~~iv. The structures housing such facilities shall not be located closer than 100 feet to any public street.~~

~~e. Recreational vehicle stalls (spaces) shall average 1,500 square feet.~~

~~f. A minimum of 25 percent of the gross site area for the recreational vehicle park shall be set aside and developed as common use areas for open or enclosed recreation facilities. Recreational vehicle stalls, private roadways, storage, utility sites, and off street parking areas or shall not be counted as meeting this requirement.~~

~~g. Entrances and exits to the recreational vehicle park shall be designed for safe and convenient movement of traffic.~~

~~h. Off-street parking, at 1 space per stall, shall be provided.~~

~~i. The application for a recreational vehicle park shall include a site plan that identifies vehicle stalls (spaces), motor vehicle parking spaces, the interior private road circulation, open and enclosed spaces for recreational opportunities, landscaping plans, and any other major features of the proposal.~~

~~j. Sight-obscuring fencing, landscaping or berming may be required to assure compatibility with adjacent uses.~~

~~k. The recreational vehicle park shall meet all Regional Health and City regulations regarding sewage and water.~~

~~l. The use shall be subject to restrictions and conditions as may be imposed by the Hearing Examiner under Article 10-4H.~~

10-2L-5 Accessory Structures

Accessory structures are of a nature customarily incidental and subordinate to the principal use or structure on the same lot. Typical accessory structures may include storage sheds, workshops, green houses, and similar structures, but do not include cargo containers, which are not permitted. Accessory structures shall comply with all of the following standards and Sections 10-2L-6 for setbacks and 10-2L-7 for maximum lot coverage:

A. Primary use required. An accessory structure shall only be allowed on lots with another permitted, limited, or conditional use as defined above, on the same lot.

B. Compliance with land division standards. The owner may be required to remove an accessory structure as a condition of land division approval when removal of the structure is

necessary to comply with setback standards.

C. Building Height. The height of a detached accessory structure shall not exceed the height of the primary structure or twenty-five (25) feet, whichever is greater.

D. Buffering. A minimum 6-foot sight-obscuring fence shall be required to screen the accessory structure from dwellings on adjacent lots, unless a similar screen is already provided, the distance to adjacent dwelling(s) is greater than 50 feet, or the buffer requirement is waived in acknowledged writing by abutting property owners.

E. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2L-6, 10-2L-7, 10-2L-8, 10-2L-9, 10-2L-10, and 10-2L-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2L-6 Development Setbacks

Building setbacks provide building separation for fire protection/security, building maintenance, sunlight, and air circulation, noise buffering, and visual separation.

Building setbacks are measured from perimeter of the structure to the respective property line. The setback standards, as listed below, apply to primary structures as well as accessory structures, unless otherwise specified above for Limited or Conditional Uses. A Variance is required in accordance with Article 10-5B to modify any setback standard. If an existing border easement is in place, the setback is measured from the back of the border easement.

A. Front Yard Setbacks

1. The minimum front yard setback shall be 20 feet.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet. (includes accessory structures).
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” shall apply.

C. Side Yard Setbacks

The minimum interior side yard setback shall be 5 feet, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures). The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Section 10-3B-2, subsection N, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Buffering. A 20 foot minimum buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Article 10-3C may

require buffering other situations, as well.

2. Neighborhood Access. Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.
3. Building and Fire Codes. All developments shall meet applicable fire and building code standards, which may require setbacks different from those listed above (e.g., combustible materials, etc.).
4. Walls and Fences. Walls and fences may be placed on property lines, subject to the standards in Article 10-3C - Landscaping and Fences and Walls. Walls and fences within front yards shall additionally comply with the vision clearance standards in Section 10-3B-2, subsection N.

E. Special Yards - Distance Between Buildings on the Same Lot

To provide usable yard area and allow air circulation and light, the minimum distance between buildings on the same lot shall be at least ~~one-half (½) the sum of the height of both buildings; provided, however, that in no case shall the distance be less than 12~~ 6 feet. This requirement shall also apply to portions of the same buildings separated from each other by a court, landscaped yard, or other open space.

10-2L-7 Lot Area, Dimensions, and Coverage

A. Maximum Lot Coverage. "Lot Coverage" means all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 30 inches above the finished grade. Compliance with other sections of this code may preclude development of the maximum lot coverage for some land uses.

B. Restrictions. Structures shall not be placed over an easement that prohibits such placement or encroach into the public right-of-way.

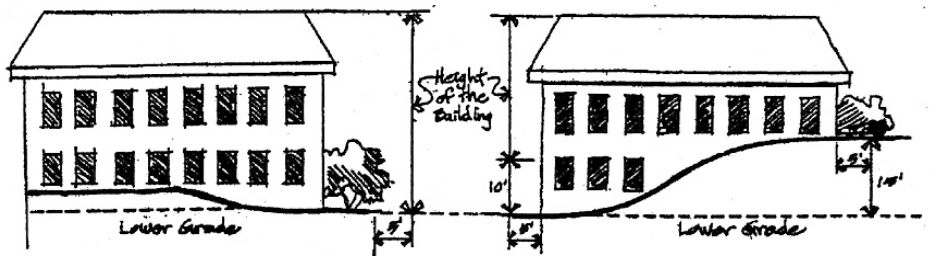
O Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None Maximum area: None	Minimum Width: 50 feet at front property line Maximum Depth: None	Maximum: 25 percent	None

10-2L-8 Building Height

All buildings in the O (Open Space / Recreation) District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the O Zone shall be no more than 35 feet tall. Roof equipment and other similar features which are necessary to the commercial operation shall be screened, and shall not exceed 6 feet in height. The screen shall consist of a parapet wall or similar aesthetically pleasing architectural feature, as determined by the Director or

designee. Equipment not visible from 5' above the centerline of the adjoining street will not have to meet screen requirements.



B. Method of Measurement. "Building height" is measured as the vertical distance above a reference datum measured to the highest point of the roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building (see above examples):

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade;
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection '1' above is more than 10 feet above the lowest grade. The height of a stepped or terraced building is the maximum height of any segment of the building. Not included in the maximum height are: chimneys, bell towers, steeples, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views.

10-2L-9 Building Orientation

A. Purpose. All of the following standards shall apply to new development within the O Zone in order to reinforce streets as public spaces, encourage alternative modes of transportation, such as walking, bicycling, and transit use, and promote the preservation of open space.

B. Applicability. This section applies to all buildings in the O Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the P zone are also required to comply with the standards outlined above in Section 10-2L-3 or 10-2L-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street and shall be configured to provide the majority of the parking in a rear, side, or interior parking area. Pedestrian pathways shall be provided from the street right-of-way to parking areas between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking. The building orientation standard is met when all of the following criteria are met:

1. Compliance with the setback standards in Section 10-2L-6.
2. All buildings shall have their primary entrance(s) oriented to a street. Alternatively, a building may have its entrance oriented to a side yard when a direct pedestrian walkway is provided between the building entrance and the street in accordance with

the standards in Article 10-3B - Access and Circulation. In this case, at least one entrance shall be provided not more than 30 feet from the closest sidewalk or street.

3. The majority of the off-street parking, drives, or other vehicle areas shall not be placed between buildings and streets, unless otherwise permitted by this Code. Refuse enclosures shall be oriented away from adjacent structures to the greatest extent practical and shall not be placed between buildings and streets. Refuse enclosures shall be screened with a wall of not less than 6 feet in height, as outlined in Section 10-3C-3, subsection H.
4. On corner lots, buildings and their entrances shall be oriented to the street corner, whenever possible and parking, driveways and other vehicle areas should not be placed between buildings and street corners.
5. Preservation of open space shall be considered when locating buildings.

D. Variances. These standards shall not be changed through a Variance. The Director may allow the standard to be varied from to address topographic or other physical constraints.

10-2L-10 Architectural Guidelines and Special Standards

A. Purpose. The architectural guidelines are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

B. Applicability. This section applies to all buildings in the O Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the O zone are also required to comply with the standards outlined above in Section 10-2L-3 or 10-2L-4. Buildings that do not require site design review are encouraged to incorporate these standards.

C. Standards. All buildings which are subject to this Section shall comply with all of the following standards. Various building styles and designs can be used to comply, so long as they are consistent with the text of this section.

1. Detailed Design.
   All buildings shall provide detailed design along the front building elevation (i.e., facing the street) and other elevations that are regularly viewed by the public, as applicable.
   a. Incorporate architectural features such as windows, pedestrian entrances, screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting), building off-sets, projections, detailing, changes in materials or similar features, or changes in building direction shall be used to break up and articulate large building surfaces and volumes.
   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.
   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.
   d. Incorporate natural elements or community themes in the building design.
   e. 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 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.) may not be required to meet this standard. Pathways shall connect all entrances to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

D. Materials & Colors. All proposed building materials should be durable and of good quality and appropriate to the surroundings. Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore they should be aesthetically pleasing and compatible with materials and colors of adjoining buildings and other buildings within the City. The following materials and colors apply to new construction projects or remodels/ additions to existing projects in the O Zone, and the color standards shall also apply to tenant improvements:

1. Acceptable Roofing Materials
    a. Composition
    b. Composite Flat Roof
    c. Concrete tile
    d. Slate
    e. Cedar Shake
    f. Metal - tile or shake only
    g. Copper Shake
    h. Other materials determined acceptable by the Planning & Community Development Director
2. Prohibited Roofing Materials
    a. Corrugated Metal
3. Acceptable Siding Materials
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Concrete Block - split faced, smooth
    e. Concrete Tilt-Up
    f. Wood
    g. Vinyl - tile or shake only
    h. Metal - tile or shake only
    i. Other materials determined acceptable by the Planning & Community Development Director
4. Prohibited Siding Materials
    a. Corrugated Metal
    b. T-111 (may be used when combined with detailing noted below)
    c. Vinyl Lap (may be used when combined with detailing noted below)
5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Planning & Community Development Director
6. Colors

a. Building elevation / siding and roof colors shall be low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors, metallic colors, black, or fluorescent colors is prohibited;
b. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing shall not be an acceptable feature for building trim or accent areas; and
c. Corporate / trademark colors shall not be used on the building elevation / siding, roof, trim, or accent areas unless they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2L-11 Design Standards

The City's development design standards are contained in both Chapter 2 and Chapter 3. It is important to review both chapters, and all relevant code sections within the chapters, to determine which standards apply.

A. Additional Design Standards. In addition to the standards outlined in this article, development within the O Zone will require compliance with the following and other applicable portions of this Code:

1. Article 10-3B - Access and Circulation
2. Article 10-3C - Landscaping, Street Trees, Fences and Walls
3. Article 10-3D - Vehicle and Bicycle Parking
4. Article 10-3E - Signage Standards
5. Article 10-3F - Other Design Standards
6. Article 10-3G - Public Facilities Standards
7. Article 10-3H - Stormwater Management
8. Article 10-3I - Property Maintenance Standards

Article 10-2M — Specific Area Plan Overlays

Sections:

10-2M-1 Purpose
10-2M-2 Specific Area Plan Maps
10-2M-3 Specific Area Plan Text
10-2M-4 Criteria for Establishing Specific Area Plan Districts
10-2M-5 Specific Area Plan Overlay Districts Adopted

10-2M-1 Purpose

Specific area plan overlay districts ("specific plans") describe in more detail the type of development planned for a specific area than is typically found in a comprehensive plan or zone map. The area covered by a specific plan can include multiple parcels and land owners, or a single large parcel. Some of the characteristics of specific plans are:

A. Designation of site specific land uses (e.g., for individual parcels);

B. Design standards or a development style specific to a geographic area (e.g., Transit Oriented Development);

C. Detailed description of public facilities needed to serve development;

D. The plan is adopted through a consensus-based process involving property owners;

E. Streamlined development review for projects that are part of the plan; and

F. May include intergovernmental agreements and complimentary zoning for sites that cross jurisdictional boundaries (e.g., between city and county).

Specific plans usually focus on some unique feature of the site, such as natural resources, economic activity, or desired neighborhood character. Specific plans may be used for large undeveloped areas, or partially developed areas with potential for infill and redevelopment.

Specific plans do not require phasing or a timeframe for development, and an application for future development (i.e., subdivision and/or site plan) need not accompany the application for specific plan approval. However, all land use applications for property within the specific plan area are required to comply with the specific area plan overlay districts policies and regulations.

10-2M-2 Specific Area Plan Maps

Specific Area Plan Overlay District ordinances shall include the following plan maps:

A. Boundary Map. A boundary map shall be prepared for every Specific Area Plan Overlay District. The boundary map (i.e., based on parcel boundaries or other surveyed boundaries) shall be used to delineate areas of the district that lie within the city's boundaries on the official zoning map. The zoning map shall identify such areas as "SAP", and reference the applicable specific area plan ordinance.

B. Specific Area Plan Map. A Specific Area Plan Map shall designate the land use types and intensities permitted within the overlay district. The plan shall identify areas for the following land uses, as applicable:

1. Residential
2. Commercial
3. Industrial
4. Mixed use
5. Open Space
6. Other

The plan shall identify sufficient area for any needed parks, schools, libraries and other public and facilities based on the City's Comprehensive Plan and other applicable policies and plans.

C. Conceptual Development Plan. The Specific Area Plan shall provide a conceptual development plan, with maps indicating the following features:

1. Blocks. A map with the general location and configuration of all blocks (i.e., areas bounded by streets).
2. Residential Land Use. A map with proposed residential densities, permitted housing types, and general lot patterns. Specific lot patterns shall be refined during land division approval.
3. Transportation Plan. A transportation plan map shall indicate future street connections to existing streets, and connections within the plan area. At a minimum, the plan shall indicate the general alignment of collector and arterial streets, and potential local access street connections. Final street alignments and design shall be subject to final engineering approvals. The plan shall also indicate the location of bicycle, pedestrian, and transit improvements that are necessary to serve the area, in conformance with Article 10-3B and 10-3G.
4. Preliminary Grading and Utilities Plan. The preliminary grading and utilities plan shall indicate the extent of grading (i.e., cuts and fills) and the general alignment and sizing of major utility lines necessary to serve the area, including sanitary sewer, water, and storm drainage. Actual utility alignments and design shall be subject to engineering approvals through the land division and/or site design review process.

10-2M-3 Specific Area Plan Text

Specific Area Plan Overlay District ordinances shall set forth the following provisions and standards:

A. Name and Purpose of Overlay District. This section shall describe the overlay district in sufficient detail as to clarify the purpose and intent of the overlay district regulations.

B. Implementation. This section shall describe the required land use application process for development within the overlay district, including any modifications to the procedures in Chapter 4 (e.g., Type I or Type II application versus Type III, etc.). This section shall also reference

intergovernmental agreements that apply to the plan area (i.e., when part of the plan area lies outside of the City, within an unincorporated area).

C. Land Use & Development Standards.

This section shall specify the City Development Code requirements that will be applicable or tailored to the SAP (based on Ch.1, Ch.2, Ch.3, and Ch.6). The existing zones contained within the SAP overlay area shall be identified and an itemized list of proposed modifications to each of the items listed below shall be included at the beginning of this section. Please compare proposed changes to existing zoning standards. The standards proposed to be used for the SAP Overlay shall apply to the entire project duration, unless an amendment is proposed, as described in Section 10-2M-6 below. Subsequent changes to the City Development Code after the SAP Overlay proposal is approved shall not apply to the project.

1. Definitions

   Specify any definitions not included in the City Development Code or that will differ from the City Development Code for the SAP.

2. Land Uses

   Identify permitted and prohibited land uses, and uses with special requirements or review procedures (i.e., site design review, conditional use, etc.).

3. Accessory Structures

   Identify whether or not accessory structures will be permitted and if they are permitted, what the height and other standards will be.

4. Development Setbacks

   Identify required building setbacks for front, side, rear, and flanking yards, as well as setback exceptions and special yards, as applicable.

5. Lot Area, Dimensions, Coverage, & Residential Density

   Identify minimum / maximum lot area, minimum / maximum lot width & depth, minimum lot coverage, and minimum / maximum residential density, as applicable.

6. Building Height

   Identify the building height standards and method of measurement.

7. Building Orientation

   Identify the building orientation standards for interior and corner lots, as well as specific use, as applicable.

8. Architectural Guidelines and Special Standards

   Identify the overall detailed design and human scale components as well as components for specific uses, along with permitted / prohibited building materials (roof, siding, and detailing) and permitted / prohibited colors, as applicable.

9. Pedestrian and Transit Amenities

   Identify the pedestrian and transit amenities that will be incorporated into the SAP site and/or specific buildings, as applicable.

10. Identify any portion of the SAP that is proposed to be different from the requirements of Chapter 3 (i.e. parking, landscaping, lighting standards, etc.), as applicable.

11. Identify if any portion of the site contains Critical Areas and any SAP standards that are proposed to be different from the requirements of Chapter 6, as applicable.

The criteria in Section 10-2M-4 shall be used in creating land use and development standards.

D. Additional Information

1. All SAP applications must include an analysis of the number of dwelling units permitted under the original (pre-SAP) zoning. Although it is not possible to compute a concrete, single figure, this analysis will make estimates, based on reasonable assumptions about open space percentage, street coverage percentage, etc.
2. All SAP applications must include a binding minimum and maximum number of dwelling units that the SAP will include. These numbers may be higher or lower than the number of dwelling units contemplated under the original zoning.
3. All SAP applications must include the proposed amount of open space (i.e. maintained parks, natural areas, etc.)

10-2M-4 Criteria for Establishing Specific Area Plan Overlay Districts

The adoption of the Specific Area Plan Overlay District ordinance shall conform to the following standards and procedures:

A. Comprehensive Plan Amendment and/or Zoning District Change Required. Specific Area Plan Overlay Districts are adopted by ordinance as an amendment to both the Comprehensive Plan and Chapter 2 (Zoning Districts) of this code; except that only a zoning district change shall be required when the specific area plan is consistent with the Comprehensive Plan. Specific area plans that cover unincorporated areas within the UGA shall also require amendment to Spokane County's Comprehensive Plan and/or Zoning and shall comply with the Countywide Planning Policies for joint planning.

B. Specific Area Plan Overlay District Criteria. Specific Area Plan Overlay Districts shall meet the following minimum standards for adoption, in addition to the amendment criteria in Article 10-4F:

1. Specific Area. The overlay district is necessary to provide land use or development standards tailored to a specific geographic area and development program, that cannot otherwise be provided through conventional zoning.
2. Land Use Compatibility. The overlay district provides equal or greater compatibility with surrounding land uses than what would likely occur with conventional zoning.
3. Critical Areas. The overlay district provides equal or greater protection to critical areas than what would likely occur with conventional zoning.
4. Efficient Land Use. The overlay district promotes efficient land use by allowing housing and commercial development at densities that are equal to or greater than the densities that would be allowed with conventional zoning. The overlay district may provide for density transfers or transferable development rights as a method of providing efficient land use while protecting critical areas.
5. Land Use and Transportation Relationship. The overlay district provides equal or greater opportunities for alternative modes of transportation (e.g., walking, bicycling, transit) than what would likely occur with conventional zoning by:
    a. encouraging or requiring mixed use development where applicable;
    b. providing a master plan with direct and convenient pedestrian and bicycle

connections between all land uses; and

c. providing for transit service where applicable.

6. Design Standards. The design standards of Chapters 2 and 3 shall apply to all development, unless the SAP provides development design standards (see 10-2M-3C above) that are equal to or greater than the standards that would be required with conventional zoning (e.g., building orientation, parking, open space, architectural guidelines, etc.). Development standards specified in the SAP ordinance are binding, and take precedence over standards in Chapter 2 or 3.

10-2M-5 Specific Area Plan Overlay Districts Adopted

- SAP-06-0001 (Liberty Village - 100 Acres, SE Corner of Appleway Ave. & Simpson Rd.)
- SAP-08-0001 (River District - 650 Acres, N. of I-90, S. of Spokane River)

10-2M-6 Specific Area Plan Overlay District Amendment

SAP amendment review shall follow the process for Minor and Major Modifications identified in City Development Code Article 10-4F - Modifications to Approved Plans and Conditions of Approval.