



## SPECIFIC AREA PLAN (SAP) OVERLAY APPLICATION

Liberty Lake Planning & Building Services  
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**A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF THIS APPLICATION. TO SCHEDULE A PRE-APPLICATION CONFERENCE, PLEASE CONTACT PLANNING & BUILDING SERVICES.**

### **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.

### **CRITERIA FOR ESTABLISHING SPECIFIC AREA PLAN OVERLAY DISTRICTS**

A Specific Area Plan (SAP) Overlay District is adopted by the City Council through a City Ordinance. The adoption of the SAP 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 the Development Code; except that only a zoning district change shall be required when the specific area plan is consistent with the Comprehensive Plan. If an amendment to the text of the Comprehensive Plan or the Land Use Map is required, then the SAP Overlay request will only be reviewed once a year during the Comprehensive Plan annual review period. 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 (SAP) 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 of the City Development Code:

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:
  - encouraging or requiring mixed use development where applicable;
  - providing a master plan with direct and convenient pedestrian and bicycle connections between all land uses; and
  - 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.

### **SPECIFIC AREA PLAN (SAP) OVERLAY DISTRICT REVIEW**

Specific Area Plan (SAP) Overlay District request will be reviewed as a Type IV Project, as outlined in Section 10-4B-3, subsection E and Section 10-4B-5 of the City Development Code. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council. The project permit 120 day process timeline shall not apply to Type IV projects and Type IV projects shall only be reviewed once a year. Applications for project development proposals may run concurrently with a Specific Area Plan (SAP) Overlay request.

**Planning Commission Review** - The initial hearing(s) for a SAP Overlay request would be before the Planning Commission and may be preceded by public workshops. At the hearing(s), individuals and agencies can provide testimony. This notice occurs via the mail, posting on the City website, publication in the official City newspaper, and on site signage. The Planning Commission's decision will be a recommendation to the City Council. Additionally, a SEPA review process and threshold determination will occur during the Planning Commission review process.

A Type III Project notice procedure is utilized for preparation of the Notice of Hearing before the City Planning Commission. The applicant shall be responsible for preparing the notification envelopes and on-site signage, and P&CD shall publish a Notice of Hearing in the official City newspaper and on the City website, at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing. Public workshop notices will only require posting on the City website and publication in the official City newspaper.

**State Agency Review** - As outlined in WAC 365-197-620 and RCW 36.70A.106, P&CD shall notify the WA State Dept. of Community, Trade, & Economic Development (CTED) of its intent to adopt such a plan at least sixty days prior to final adoption. State agencies including the department may provide comments during the public review process prior to adoption.

**City Council Review** - The City Council will conduct an additional public workshop and 'open record' public hearing(s) at a regularly scheduled City Council meeting to render the final decision on Type IV projects. The Planning Commission recommendation will normally be reviewed during a first reading of a draft SAP Overlay ordinance at a public workshop. The 'open record' public hearing will usually occur during the same meeting as the second reading of the draft SAP Overlay ordinance.

A Type III Project notice procedure is also utilized for preparation of the Notice of Hearing before the City Council. The applicant shall be responsible for preparing the notification envelopes, and the City shall publish a Notice of Hearing in the official City newspaper and on the City website, at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing. Public workshop notices will only require posting on the City website and publication in the official City newspaper.

**City Council Decision** - The SAP Overlay request may be adopted or denied by ordinance of the City Council. and when the City Council makes a decision on a SAP Overlay ordinance, the Parties shall receive notification as follows, per the Type III Project notice procedure:

- The applicant shall receive the notice by certified mail,
- Parties of record, the Spokane County Assessor, and those that requested notice of the decision shall receive notification by regular mail.

The City shall also publish a notice in the official City newspaper and on the City website. Additionally, the City shall transmit a complete and accurate copy of the adopted comprehensive plan or development regulations amendments to the state as outlined in WAC 365-197-620 and RCW 36.70A.106 within 10 days after the final adoption.

**APPLICATION - PART 1**

ANSWER THE FOLLOWING, AS APPLICABLE (ANSWER N/A IF NOT APPLICABLE TO THIS SAP OVERLAY REQUEST)

**APPLICANT 1:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

**APPLICANT 2:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

**AGENT/ CONSULTANT/ ATTORNEY:** (mandatory if primary contact is different from applicant or property owner)

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROPERTY OWNER:**

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROPERTY OWNER 2 :** (if more than two property owners attach additional info/signature sheets)

Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Signature: \_\_\_\_\_ E-mail: \_\_\_\_\_

The above signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury, each state that we are all of the legal owners of the property described above and designate the above listed agent/consultant/attorney to act as our agent with respect to this application.

Site Address / Location: \_\_\_\_\_

Existing Parcel Number(s) of Project / Proposal: \_\_\_\_\_

Legal Description of Project / Proposal: \_\_\_\_\_

Section\_\_\_\_ Township\_\_\_\_ Range\_\_\_\_ Source of Legal Description: \_\_\_\_\_

Adjacent Area Owned or Controlled (acres or sq. ft.): \_\_\_\_\_

Parcel Number(s) of Adjacent Area: \_\_\_\_\_

Land Use Map

Zoning Map

Current Designation: \_\_\_\_\_

Existing Use of Property: \_\_\_\_\_

Proposed Use of Property:

Single Family Dwellings

Duplexes

Multifamily Dwellings

Manufactured Homes

Commercial

Industrial

Mixed Use

Other  (describe): \_\_\_\_\_

School District: \_\_\_\_\_

Fire District: \_\_\_\_\_

Sewer Purveyor: \_\_\_\_\_

Water Purveyor: \_\_\_\_\_

List Previous Planning Actions Involving Subject Property: \_\_\_\_\_

Name of Public Road(s) Providing Access: \_\_\_\_\_

Width of Property Fronting on Public Road: \_\_\_\_\_

Does the Proposal Have Access to an Arterial or Planned Arterial:  YES  NO

Name of Arterial Road(s): \_\_\_\_\_

If You Do Not Hold Title to the Property, What is Your Interest In It? \_\_\_\_\_

What Impacts Will the Proposed SAP Overlay Have on the Adjacent Properties? \_\_\_\_\_

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What Measures Do You Propose to Mitigate Your Proposal's Impact on Surrounding Land Use? \_\_\_\_\_

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**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 (the ordinance number will be assigned by the City and must be indicated on the final boundary map only).
  
- 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 (describe)

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 City Development Code 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.

**Specific Area Plan Overlay Text.** SAP Overlay District ordinances shall set forth the following provisions and standards. On a separate sheet of paper, please address each of the following sections:

- 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 of the City Development Code (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 Development Code Section 10-2M-6. 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.)

## APPLICATION - PART 2

**THE ITEMS BELOW MUST BE SUBMITTED WITH YOUR APPLICATION, AS APPLICABLE:**

**APPLICATION FORM & FEES**

Submit completed application on the attached form with all signature blocks completed and non-refundable application fees and associated environmental fees (contact Planning & Building Services for a copy of the current fee schedule). *Acceptance of the application and fees does not guarantee approval of the SAP Overlay request).*

**AGREEMENT TO PAY FEES**

**SPECIFIC AREA PLAN MAPS**

Submit **12** hard copies and **1** .pdf (on CD) of each of the SAP Overlay proposal maps (Boundary Map, Specific Area Plan Map, and Conceptual Development Plan). Include the information required under Specific Area Plan Maps above.

**SPECIFIC AREA PLAN OVERLAY TEXT**

Submit **12** hard copies and **1** .pdf (on CD) of the SAP Overlay proposal text (Itemized Comparison List, Name & Purpose of Overlay District, Implementation, Land Use & Development Standards, and Additional Information). Include the information required under Specific Area Plan Overlay Text above.

**ASSESSOR'S SECTION MAPS**

Submit **1** copy of current County Assessor maps showing the subject property outlined in red and adjacent property owned or under option to the owner or sponsor (indicate adjacent property with a red dashed line). Adjacent includes property located across roads and rivers, etc.

Assessor maps are available at the County Assessor's Office and must be current (less than 30 days old) at the time of submittal and stamped by a licensed land surveyor. Platted (1"=200') and range (1"=400') parcel maps must be obtained, as you may need both sets, depending on your property location. The maps are used for legal notification of property owners within 400 feet of the boundary of the total contiguous ownership and/or controlled property (shown in red). Label and show in red line the 400 foot boundary from the total contiguous ownership.

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property(s) is an approximate representation on the map.



**ZONING SECTION MAP**

Submit 1 copy of the official zoning map with the boundary of the proposed SAP Overlay district indicated in red. The zoning boundary shall be stamped by a licensed land surveyor. Copies of official zoning maps are obtainable from the City of Liberty Lake. (The written legal description(s) on the application form and the zoning boundary(s) shown on the map shall coincide).

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the proposed SAP Overlay district is an approximate representation on the zoning map.

**ENVIRONMENTAL CHECKLIST**

**CERTIFICATE OF WATER & SEWER AVAILABILITY**

Submit 1 copy of a signed certificate of water availability from the water purveyor and 1 copy of a letter from the sewer purveyor discussing how sewer will be provided to the site (size of lines and improvements required to connect) and whether the required improvements are in conformance with the approved sewer comprehensive plan or an amendment to the sewer comprehensive plan is required.

**REQUIRED PUBLIC NOTICE** - Planning & Building Services staff will provide you with the preparation instructions at the Pre-Application Conference

**OTHER EXHIBITS OR APPLICATIONS**

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**(PLANNING & BUILDING SERVICES OFFICE USE ONLY)**

DATE RECEIVED: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

DATE COMPLETE: \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_

TOTAL FEES: \_\_\_\_\_

RECEIPT NUMBER: \_\_\_\_\_