CHAPTER 1
INTRODUCTION

CONTENTS		Page #
Article 10-1A	How to Use the Development Code	1-2
Article 10-1B	General Administration	1-3
Article 10-1C	Definitions	1-6
Article 10-1D	Enforcement	1-54

Article 10-1A — How to Use the Development Code

Welcome to the River District Specific Area Plan (RDSAP) amendment to the City of Liberty Lake Development Code. This is a comprehensive land use and development code that governs all of the land within the River District of the City of Liberty Lake. The six chapters of the Code are used together to review land use applications. They are organized as follows:

Chapter 1 - In addition to this brief introduction, Chapter 1 provides definitions for selected terms and information on the legal construct of the Code. It also explains the city authority to enforce the Development Code.

Chapter 2 - Every parcel, lot, and tract of land within the City's incorporated boundaries is also within a "zoning district". (Zoning districts are shown on the River District Specific Area Zoning District Map.) Chapter 2 identifies the land uses that are permitted within each district, and the standards that apply to each type of land use (e.g., lot standards, setbacks, and use-specific design standards). As required by state law, he zones or "zoning districts" conform to the City of Liberty Lake Comprehensive Plan. The districts reserve land for planned land uses, provide compatibility between different uses, and implement planned housing densities.

Chapter 3 - The design and maintenance standards contained in Chapter 3 apply throughout the SAP overlay. They are used in preparing development plans, and reviewing applications, to ensure compliance with standards for access and circulation, landscaping, parking, signage, storage, public facilities, surface water management, and critical areas. Additionally, this chapter contains property maintenance standards.

Chapter 4 - Refer to City Development Code, Chapter 4, for all of the application requirements and procedures for obtaining permits required by this Code. Five types of permit procedures are covered: Exempt, Type I, Type II, Type III, and Type IV.

Chapter 5 & 6 - Refer to the City Development Code for Ch. 5 - Exceptions to Code Standards and Ch. 6 - Environment.

Article 10-1B — General Administration

Sections:

10-1B-1 **Severability**

10-1B-2 **Compliance and Scope**

10-1B-3 **Consistency with Plan and Laws**

10-1B-4 **Use of a Development**

10-1B-5 **Pre-Existing Approvals**

10-1B-6 **Building Permit and Certificate of Occupancy**

10-1B-7 **Official Action**

10-1B-8 **Alternative Methods of Compliance**

10-1B-1 Severability

The provisions of this title are severable. If any section, sentence, clause, or phrase of this title is adjudged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of this title.

10-1B-2 Compliance and Scope

A. Compliance with the provisions in the Development Code as modified by the River District Specific Plan (RDSAP). Land and structures may be used or developed by construction, reconstruction, alteration, occupancy, use or otherwise, only as this Development Code ("Code") or any amendment thereto permits. No plat shall be recorded, or no permit shall be issued without compliance with the provisions of this Code.

B. Obligation by successor. The requirements of this Code apply to the owner(s) of record, persons undertaking development or the use of land, and those persons' successors in interest.

C. River District Specific Area Plan regulations apply. Where the specific SAP regulations differ from the standards in the Development Code, the SAP regulations shall apply.

D. Variances. Variances shall be governed by the provisions of Article 10-5B of the City Development Code.

E. Transfer of development standards prohibited. No lot area, yard, or other open space, or off- street parking or loading area which is required by this Code for one use shall be a required lot area, yard or other open space, or off-street parking or loading area for another use, except as otherwise specifically allowed by this Code.

10-1B-3 Consistency with Plan and Laws

Each development and use application and other procedure initiated under this Code shall be consistent with the adopted comprehensive plan of the City of Liberty Lake as implemented by this Code, and with applicable state and federal laws and regulations. All provisions of this Code shall be construed in conformity with the adopted comprehensive plan and the Purpose and Intent statement of the SAP.

10-1B-4 Use of a Development

A development shall be used only for a lawful use. A lawful use of a development is one that is permitted by this Code (including non-conforming uses, subject to Article 10-5C of the City Development Code) and is not prohibited by law.

10-1B-5 Pre-Existing Approvals

A. Legality of pre-existing approvals. Developments, including subdivisions, projects requiring development review or site design review approval, or other development applications for which approvals were granted prior to the effective date of this Code, may occur pursuant to such approvals; except that modifications to development approvals shall comply with Article 10-4F - Modifications to Approved Plans and Conditions of Approval.

B. Subsequent development applications. All development proposals received by the Zoning Administrator after the adoption of this Code shall be subject to review for conformance with the standards under this Code or as otherwise provided by state law.

10-1B-6 Building Permit and Certificate of Occupancy

A. Building permit. A building permit shall not be issued until the Zoning Administrator or his or her designee, has issued a development permit in accordance with the provisions of Chapter 4 - Applications and Review Procedures and that the project complies with this Code, or otherwise found that a development permit or project review is not required.

B. Certificate of occupancy required. To ensure completion of a development or use in the manner approved, a development shall not be occupied, and a use shall not begin until the Building Official or his or her designee has issued a certificate of occupancy following completion of the work in substantial conformance to the applicable development regulations and building permits.

C. Prior to final completion. Prior to the final completion of all work, a temporary certificate of occupancy may be issued for a portion of the structure(s) conditioned upon further work being completed by a date certain.

10-1B-7 Official Action

A. Official Action. All officials, departments, employees (including contractor-officials), of the City vested with authority to issue permits or grant approvals shall adhere to and require conformance with this Code and shall issue no permit or grant approval for any development or use which violates or fails to comply with conditions or standards imposed to carry out this Code.

B. Severability. Any permit or approval issued or granted in conflict with the provisions of this Code shall be void.

C. Notice. The failure of any person to receive mailed notice or failure to post a notice shall not invalidate any actions pursuant to this Code; however, a good faith effort shall be made to provide notice.

10-1B-8 Alternative Methods of Compliance

The Zoning Administrator or designee, in consultation with the City Administrator or Building Official, as

applicable may accept alternative methods of complying with the development standards of this Code, provided it could be demonstrated that the alternative method is at least equivalent to such standards in terms of implementing the general purpose of the Code. The Zoning Administrator or designee shall not accept alternative methods of compliance that are inconsistent with the City Comprehensive Plan or with conditions of approval imposed through a land use action. Decisions on Alternative Methods of Compliance need to be documented in the project file and can be appealable in the same manner as an Administrative Interpretation. The Zoning Administrator or designee shall periodically forward decisions on Alternative Methods of Compliance to the Planning Commission and/or the Design Review Subcommittee for its information.

Article 10-1C-1 — Definitions

A. General.

1. For the purpose of this Code, certain words and terms are defined herein. The word "shall" is always mandatory. The word "may" is permissive, subject to the judgment of the person administering the Code.
2. Words not defined herein shall be construed as defined in Webster's *New Collegiate Dictionary*.
3. The present tense includes the future, and the future the present.
4. The singular number includes the plural, and the plural the singular.

B. Definitions.

Abatement of a nuisance - The act of removing, repairing, or taking other steps as may be necessary in order to remove a nuisance.

A-board/A-frame sign – A self-supporting, portable sign with one or two faces adjoined at the top and displayed at an angle, which is not permanently anchored, and designed for placement near a sidewalk, plaza, or other area used by pedestrians.

Abutting - Contiguous or adjoining, directly next to.

Access easement - An easement recorded for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

Access management - The control of street or highway access for the purpose of improving the efficiency, safety, and/or operation of the roadway for vehicles; may include prohibiting, closing, or limiting direct vehicle access to a roadway from abutting properties, either with curbs, medians, etc. or by land dedication or easement.

Accessible - Approachable and useable by people with disabilities. Complies with the Americans with Disabilities Act.

Accessory caretaker's residence - An accessory use of a residence that is occupied by an employee of the property owner who is responsible for taking care of the property on which the caretaker's residence is placed.

Accessory dwelling unit (ADU) - Separate dwelling unit with separate cooking facilities that are substantially contained within the structure of a single-family residence (attached) or an outbuilding which is an accessory structure to such residence (detached). Also includes individual apartments / dwelling units within mixed use buildings, generally for occupancy by business owners. Does not include multi-family dwellings.

Accessory use / structure - A building, area, part of a building, structure or use which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot. These uses are accessory to a permitted, limited, or conditional use within each zone and are allowed in conjunction with the permitted, limited, or conditional use only.

Actively farmed - Any farm from which $20,000 or more of agricultural products (e.g. fruit, ornamental plants, vegetables, grain and/or Christmas trees) were produced and sold or normally would have been sold during the year.

Adaptive plants – Species of plants that were originally native to other regions that have become acclimated and established in the local/regional ecosystem without being harmful to existing native plants and wildlife and are able to grow and reproduce without human intervention.

Adequate public facilities - Facilities which have the capacity to serve development without decreasing levels of service below locally established minimums.

Adjacent - Abutting or located directly across a street right-of-way.

Administrative - A discretionary action or permit decision made without a public hearing but requiring public notification and an opportunity for appeal.

Adult entertainment establishment - Collectively refers to adult arcade establishments and live adult entertainment establishments, as defined herein.

"Adult arcade establishment" means: A commercial premises to which a member of the public is invited or admitted and where adult arcade stations, booths, or devices are used to exhibit or display a graphic picture, view, film, videotape, or digital display of specified sexual activity, or live adult entertainment in a booth setting to a member of the public on a regular basis or as a substantial part of the premises activity.

"Live adult entertainment establishment" means: A commercial premises to which a member of the public is invited or admitted and where an entertainer provides live adult entertainment, in a setting which does not include arcade booths or devices, to a member of the public on a regular basis or as a substantial part of the premises activity.

Adult Family Home - A residential home in which a person or persons provide personal care, special care, room, board to more than one, but not more than eight adults who are not related by blood or marriage to the person or persons providing the service.

Adult retail use establishment - A retail establishment which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade, to the sale, exchange, rental, loan, trade, transfer, or viewing of adult oriented merchandise.

“Adult oriented merchandise” means: Any goods, products, commodities, or other ware, including but not limited to, videos, CD ROMs, DVDs, magazines, books, pamphlets, posters, cards, periodicals, or non-clothing novelties which depict, describe or simulate specified anatomical area or specified sexual activities.

“Specified anatomical areas” means: Less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

“Specified Sexual Activities” means any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, sodomy, oral copulation, or bestiality; or
3. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts, whether clothed or unclothed, of oneself of one person by another.

Adverse impact - Negative affect of development that can be measured (e.g., noise, air pollution, vibration, dust, etc.).

Aesthetic corridor / boulevard - Aesthetic corridors and boulevards are intended to protect the visual appeal of the area along major transportation routes entering, exiting, and circulating through the City of Liberty Lake. Aesthetic corridors provide special landscape and design standards for aesthetics along major transportation routes to help maintain a quality image of the City. Boulevards provide for welcoming entry into the City as well as appealing aesthetics throughout the City through street trees, pathways, and landscaped medians.

Affordable - Means housing affordable to a certain percentage of the population earning a specified level of income and spending no more than 30 percent of their income on housing expenses.

Agency or agencies - As used in Article 10-6A of this Code, agency means the adopting jurisdictions, depending on the context.

Agriculture - Relating to the science or art of cultivating soil or producing crops to be used or consumed directly or indirectly by man or livestock, or raising of livestock. As used in this Code, “agriculture” is the same as “farm use”.

Agricultural activities - Those activities conducted on lands defined in RCW 84.34.020(2), as now or hereafter amended, which are either (a) lands in any contiguous ownership of twenty or more acres devoted primarily to the production of livestock or agricultural commodities for commercial purposes, or enrolled in the federal conservation reserve program or its successor administered by the United States Department of Agriculture; (b) any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under Chapter 6; or (c) any parcel of land of less than five acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one thousand dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under Chapter 6. Agricultural activities shall also include those existing and ongoing activities involved in the production of crops or livestock, for example, the operation and maintenance of farm and stock ponds or drainage ditches, operation and maintenance of ditches, irrigation drainage ditches, changes between agricultural activities and normal maintenance, repair, or operation of existing serviceable structures, facilities, or improved areas. Activities which bring an area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a non-agricultural use or has lain idle for more than five years, unless the idle land is registered in a federal or state soils conservation program, or unless the activity is maintenance of irrigation ditches, laterals, canals, or drainage ditches related to an existing and ongoing agricultural activity. Forest practices are not included in this definition.

Agricultural product / craft sales stand or farmer's market - The temporary retail sale of agricultural products and nonagricultural products (e.g. crafts, antiques, kitchen goods, etc.), conduction of educational classes, and mobile concessions, as defined, operating as a "Farmer's Market" at a non-permanent fixed location for a period not to exceed 90 days within any one year and with property owner consent and approval of a Temporary Use Permit and compliance with other City and Washington State Health Department regulations.

Agricultural land - Means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by state law, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production. (Defined in 36.70A.030(2) as now or hereafter amended.)

> "Long-term commercial significance" means: the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

Agricultural processing - The series of operations taken to change agricultural products into food products.

Airport - Any area of land or water which is designated and set aside for landing and taking off of aircraft and which is utilized, or which is certified on a plan to be utilized, in the interest of the public for such purposes.

Airport hazard - Any structure or tree or use of land which obstructs the airspace required for the flights of aircraft in landing or taking off at an airport or which is otherwise hazardous to such landing or taking off of aircraft, and any use of land which is hazardous to persons or property because of its proximity to an airport.

Airstrip, Personal - A landing area for only 1 aircraft for personal use by only the owner.

Alley - A public or private right-of-way not designed for general travel and primarily used as a means of vehicular and pedestrian access to the rear of abutting properties. Alleys are connected to streets at both ends.

Altered / alteration - Any change, addition, or modification in construction or any change in occupancy group or character of occupancy.

Alteration of water course – Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

Ambient - Something that surrounds, as in the level of light, dust, or noise.

Ambulance / emergency services facility - A structure that houses vehicles and personnel equipped for transporting or caring for the injured or sick. May include dispatch facilities.

Amendment - A change in the wording, context, or substance of this Code, or change in the zone boundaries on the zoning map.

Animal, domestic - Animals other than inherently dangerous mammals or inherently dangerous reptiles, including but not limited to guinea pigs, ferrets, hamsters, rabbits, parakeets, canaries, aquarium fish, cats, dogs, and other animals that would be considered household pets and are not at large.

> "Household pet" means: any animal normally domesticated and kept inside a dwelling, not including inherently dangerous mammals or inherently dangerous reptiles.
>
> "At large" means: a dog off the premises of its owner and not under restraint by leash, or chain, or not otherwise controlled by a competent person.

Animal health services / veterinarian, domestic animals - An establishment other than a kennel in which veterinary medical services, clipping, bathing, boarding, and similar services are rendered to dogs, cats and other small animals or domestic pets.

Animal, livestock - Animal types customarily raised or kept on farms, ranches, or the wild including, but not limited to, horses, donkeys, burros, llamas, bovines, goats, sheep, bison, camels, chickens, guinea hens, geese, ducks, turkeys, emu, ostriches (struthious), kangaroos, mink, chinchilla, nutria, gnawing animals in general and other animals or fowl of similar size and type, except inherently dangerous mammals and inherently dangerous reptiles. Definition includes young or miniature livestock.

Animal shelter / kennel - Public or private establishments that provide a temporary home for lost or abandoned dogs, cats, and other animals that are offered for adoption.

Animal, wildlife rehabilitation facility - A building, structure, pen, or portion(s) thereof or an area of land where animals are housed, kept, or maintained for the purpose of wildlife rehabilitation.

Antenna - An apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communication Commission authorization, for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds, including transmitting device and any on-site equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with that antenna and added to a tower, structure, or building as part of the original installation. An antenna is mounted on or in, and is distinct from, a supporting structure, such as a pole, tower, structure, or building. This definition does not apply to broadcast antennae, antennae designed for amateur radio use, or satellite dishes for residential or household purposes.

Applicant - A person who files an application for permit or approval and who is either the owner of the land on which that proposed regulated activity would be located or is the authorized agent of the owner.

Aquifer - A geologic structure that is sufficiently permeable to conduct ground water and yield economically significant quantities of water to wells and springs.

Arcade - An arched or covered passageway; often along building fronts or between streets.

Area of shallow flooding - Designated as AO, or AH Zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one to three feet above the natural ground; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow; AH indicates ponding and is shown with standard base flood elevations.

Area of special flood hazard - The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V. “Special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

Arterial - An arterial street. See Article 10-3G.

Articulate / articulation - The jointing and interrelating of building spaces through offsets, projections, overhangs, extensions, and similar features.

Athletic club / exercise facility / gym - An indoor and/or outdoor area or structure(s) operated for profit and devoted to facilities and equipment for recreational purposes, including, but not limited to, swimming pools, tennis courts, racquetball courts, dance, and other similar uses, whether the use of such area is limited to private membership or whether open to the public upon the payment of a fee.

Auto-court lane - A privately maintained lane, connected to a public street, which provides vehicular access to the garages or off-street parking areas of buildings / dwelling units that have common area or pedestrian path frontage (no street frontage) in conjunction with a pedestrian pathway system to the main entrance (i.e. front entry) of each building / dwelling unit. Auto-court lanes must be designed with approved fire access turnarounds, as applicable.

Automobile impound yard - An open area used exclusively for the storage of automobiles, motor vehicles and recreational vehicles impounded pursuant to order of a public law enforcement agency or insurance organization licensed to conduct business in the State, and stored solely for the purposes of law enforcement investigation, insurance investigation, title clearance and transfer and/or litigation. This definition does not include the dismantling or disassembly of vehicles except pursuant to litigation, the sale of vehicle parts nor the storage of non-impounded vehicles or their parts.

Automobile, etc. sales - An area, other than a street, used for the display and sale of more than 2 new or used automobiles or trucks in any 30-day period and where no repair work is done except that necessary for completion of the sale. (also includes manufactured home, recreational vehicle, trailer, and boat sales)

Automobile, etc. rental - An area, or building, used to park automobiles to be rented to the general public and where no automobile repair work is done except that necessary for completion of the sale; such area may include customer service and support space. (also includes recreational vehicle, trailer, truck, and taxi rentals)

Automobile parts sales - An indoor establishment for the sale of automobile parts and supplies.

Automobile / truck repair or maintenance (**service station)** - A retail establishment for the lubrication and repairs of automotive vehicles, including tire recapping or sales, engine overhaul, and body and fender work.

Automobile wrecking / recycling, junk, and salvage yards - Any area, lot, land, parcel, building, structure, or part thereof where waste, discarded or salvaged materials are exchanged, handled, bought, sold, baled, packed, stripped, stored, dumped, or disassembled, including but

not limited to inoperable vehicles, machines, or remnants thereof, and/or metals, paper, rags, tires, and bottles. The following establishments shall not be considered an auto wrecking, junk, and salvage yard when all activity, storage, odor, and noise is confined wholly within an enclosed building:

1. The private, noncommercial storage of inoperable vehicles and remnants thereof
2. Pawn shops; secondhand stores; used furniture stores and public garages.
3. Open sales lots for the sale of new and used motor vehicles and machinery which are in operable condition;
4. Motor vehicle towing services and auto repair establishments which do not store inoperable vehicles for more than 90 days.
5. Accessory storage areas for recyclable items associated with permitted uses.

Available public facilities - Means that facilities or services are in place or that a financial commitment is in place to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development.

Average illumination - The overall average of all points on the surface of the illuminated area including the brightest and dimmest points.

Awning Sign – Lettering or imagery placed on an awning, which is a movable hood or cover which projects from the wall of the building, which can be retracted, folded or collapsed against the face of a supporting structure. Decorative awnings without lettering or imagery are not considered signs.

Balcony - A platform projecting from the wall of a building and surrounded by a balustrade, railing, or parapet.

Bank / financial institution - An institution offering certain financial services, such as the safekeeping of money, conversion of domestic into and from foreign currencies, lending of money at interest, and acceptance of bills of exchange.

Base flood - The flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the “100-year flood”). Designated on Flood Insurance Rate Maps by the letters A or V.

Base flood elevation (BFE) – The elevation to which floodwater is anticipated to rise during the base flood.

Basement - The usable portion of a building which is below the main entrance story and is partly or completely below grade. For the purpose of flood plain management, any area of the building having its floor sub-grade (below ground level) on all sides.

Bay window - A window that sticks out from the outside wall of a house.

Bed and breakfast inn - Provides accommodations (2 or more rooms) plus breakfast on a daily or weekly basis in an operator- or owner-occupied home that is primarily used for this purpose. This use is operated as a commercial enterprise, encourages direct bookings from the public, and is intended to provide a major source of income to the proprietors. This level includes inns that operate restaurants offering meals to the general public as well as to overnight guests.

Beekeeping - A private or commercial activity where hives are kept on a lot or parcel.

Berm - A small rise or hill in a landscape which is intended to buffer or visually screen certain developments, such as parking areas.

Beveled building corner - A rounded or flat edge on a building, usually at a street corner; may include an entrance, windows, pillars, or other architectural details and ornamentation.

Billboards - Outdoor Advertising signs containing a message, commercial or otherwise, unrelated to any use or activity of the property on which the sign is located.

Binding site plan (BSP) - A physical plan developed per requirements of chapter 58.17 RCW or local ordinance which allows divisions of land within Commercial or Industrial zones, and manufactured home parks as defined Article 10-4D.

Biosolids - Municipal sewage sludge that is a primary organic, semi-solid product resulting from the wastewater treatment process, that can be beneficially recycled and meets all applicable requirements under WAC Chapter 173-308. Biosolids include materials derived from biosolids, and septic tank sludge, also known as septage, that can be beneficially recycled and meets all applicable requirements under WAC Chapter 173-308. For the purpose of this rule, semisolid products include biosolids or products derived from biosolids ranging in character from mostly liquid to fully dried solids.

Blade Sign - A rigid projecting or suspended sign that is perpendicular to the building (or mounted at a 135° angle when located on building corner), that is mounted below an awning, canopy, or other first floor overhang and/or over the building or store entryway and for which the primary audience is pedestrians.

Block - A parcel of land or group of lots bounded by intersecting streets.

Boat - A small vessel for travel on water.

Bollard - A post of metal, wood, or masonry that is used to separate or direct traffic (vehicles, pedestrians and/or bicycles). Bollards are usually decorative and may contain sidewalk or pathway lighting.

Border easement - The areas on curbed roads, between the right-of-way line and the back of sidewalk dedicated as an easement.

Breezeway – A structure for the principal purpose of connecting a main building or structure on a property with other buildings.

Buffer area - A designated area along the perimeter of a wetland, fish and wildlife habitat, or other critical area which is regulated to minimize impacts of adjacent activities and uses from intruding into the aquatic resource.

Building - A structure with a single roof or connected with a roof built for the support, shelter, or enclosure of persons, animals, stored items, mechanical devices, or property of any kind, and permanently affixed to the ground. For the purposes of flood plain management, see “Structure”.

Building envelope - An area where regulated activities and uses are confined.

Building footprint - The outline of a building, as measured around its foundation.

Building height - The vertical distance from the highest grade on the front elevation to the highest roofline 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. 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, R-2, or R-3 zones.

Building line - A line established as the minimum distance a building may be located from any property line as determined by the standards of this Code.

Building orientation - The way a building is situated on a lot or parcel and the direction it fronts.

Building mass - The aggregate size of a building, or the total height, width, and depth of all its parts.

Building pad - A vacant building site on a lot or parcel with other building sites.

Building scale - The dimensional relationship of a building and its component parts to other buildings.

Building supply / hardware sales - Retail sales of home improvement products such as plumbing, mechanical, and electrical fixtures, building materials, paint, carpet, kitchen and bath furnishings, and tools.

Bulkhead - The wall below ground-floor windows on a building (i.e., may be differentiated from other walls by using different materials or detailing).

Bulletin board - A sign which identifies an institution or organization on the premises on which it is located, and which contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution, or similar messages.

Cafe - A small restaurant where drinks and snacks are sold.

Camping units - A structure, shelter, or vehicle designed and intended for temporary occupancy by persons engaged in camping or use of a camping unit for recreation.

Camping units include but are not limited to recreational vehicles, recreational park trailers, travel trailers and campers, camping cabins, tents, tepees, yurts, and other similar shelters. Camping units such as camping cabins, yurts or other structures constructed on site, which are not subject to the Department of Labor and Industry certification, require a building permit from the City of Liberty Lake. Camping units shall not exceed 400 square feet in floor area and not exceed a maximum height of 15 feet.

Canopy Sign – Any sign attached to or constructed in, on or under a canopy, which is a structure of canvas, other fabric, plastic, metal or wood or other material, which is permanently attached to any exterior building wall in any manner, intended to shield any wall, window, door, sidewalk or roadway from sun, rain or any other element, and which is not retractable such as an awning.

Canopy structure - Any overhead protective structure, which is constructed in a manner to allow pedestrians/vehicles to pass under.

Capacity - Maximum holding or service ability, as used for transportation, utilities, parks, and other public facilities.

Carnival - A commercial variety show of a temporary nature that includes rides and games for public entertainment.

Car wash - A place of business equipped for washing cars, trucks, and recreational vehicles.

Category - A land use classification as defined and used within the Comprehensive Plan text that applies policies to designated areas in the City of Liberty Lake as displayed on the Comprehensive Plan Map.

Ceiling height - The clear distance between the floor and the ceiling directly above it.

Cemetery - Land or facilities on such land legally used or planned for use for the preparation for burial and for the burial of the human dead or household pets including columbarium's, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Centerline radius - The radius of a centerline of a street right-of-way.

Child day-care center - A facility that regularly provides care and supervision of minor children for periods of less than 24 hours and that is regulated and licensed by Washington State and constructed, maintained, and operated in accordance with City building and development codes.

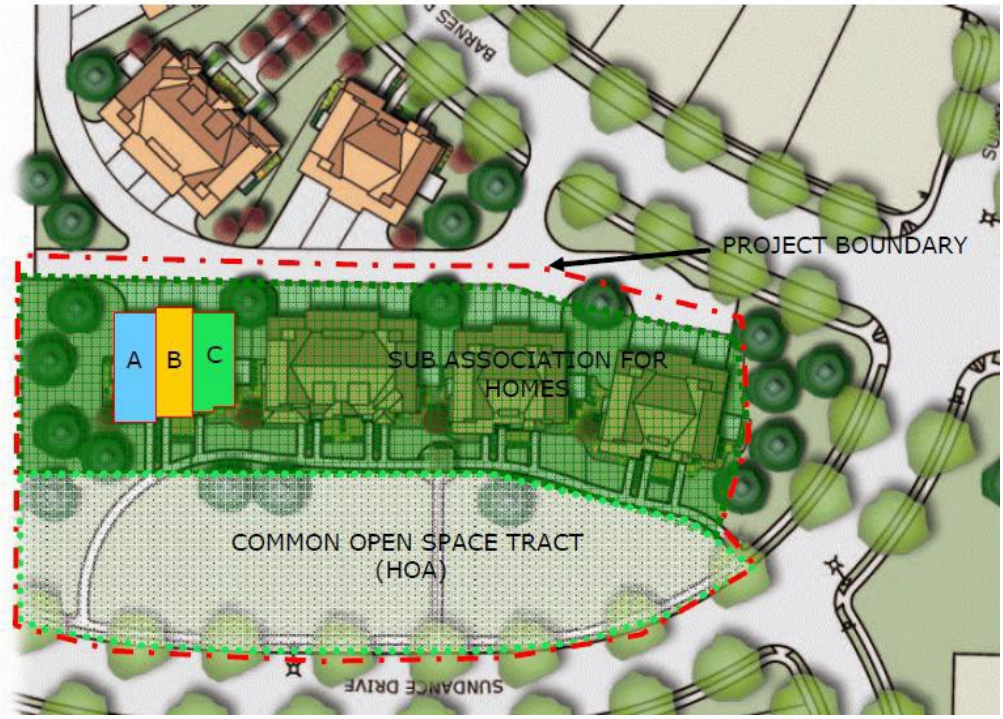
Church - An establishment, the principal purpose of which is religious worship and for which the main building or other structure contains the sanctuary or principal place of worship. A church may include accessory uses in the main building or in separate buildings or structures, including Sunday school rooms and religious education classrooms, assembly rooms, a common kitchen, a library room or reading room, recreation hall and quarters on site for nuns and clergy, but excluding facilities for training of religious orders. A single-family dwelling (parsonage) is included in this definition with its use for the pastor or caretaker.

Circus - A commercial variety show of a temporary nature that includes animal and/or human acts for public entertainment.

Clear and objective - Relates to decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

Club - An association of persons for some common purpose, but not including groups organized primarily to render a service that is customarily carried on as a business. (also see Community center / hall)

Clustered housing - a group of attached or detached dwelling units, consisting of permitted uses in the underlying zone, designed in such a manner as to make efficient use of existing or planned facilities and whereby the amount of resultant common open space per dwelling unit is equal to or greater than the open space requirements for conventional development under the pertinent zone and zoning standards.



Example Single Family Attached: A-C Attached single family home with common walls, property line is equal to footprint of the unit resulting in 100% coverage of lot. Open space for this example project would be no less than 60%, minimums may vary.

Co-living housing – a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other units in the building. Also commonly referred to as congregate living facilities, single room occupancy, rooming house, boarding house, and lodging house

Code - Development Code of the City of Liberty Lake, Washington.

Collocation - The mounting or installing an antenna facility on a pre-existing structure; and/or, the modifying a structure for the purpose of mounting or installing an antenna facility on that structure; and/or, the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

Collector - Type of street. See Article 10-3G.

College - A public or private institution offering instruction usually in a professional, vocational, or technical field beyond the 12th grade. Also referred to as a university.

Commercial composting storage / processing facility - A solid waste facility which utilizes a controlled biological process of degrading nonhazardous solid waste.

Commercial laundromat / dry cleaning - A business that provides self-serve equipment to wash and dry clothing, linen, etc.; may include dry-cleaning and/or drop-off and delivery service.

Commercial off premise sign - A sign which carries advertisements for a business not located on the premises or parcel where the sign is located, including signs indicating the business transacted, services rendered, goods sold or produced, name of the business and/or name of the person, firm, or corporation.

Commercial use - Any activity carried out for pecuniary gain or loss.

Commercial zoning districts -

C-1 (Community Commercial) - The C-1 zone designates areas for retail, service, and office establishments intended to serve several neighborhoods. Community business areas should be located as business clusters rather than arterial strip commercial development. Residences in conjunction with business and/or multifamily developments may be allowed, with specific guidelines that ensure compatibility.

C-2 (Freeway Commercial) **-** The C-2 zone designates intensive commercial areas intended to draw customers from outlying areas. Uses with Interstate 90 frontage are required to comply with specific design and landscape standards to maintain and enhance the aesthetics of the Interstate 90 frontages. The Freeway Commercial zone allows for shopping centers and major commercial areas of regional significance, and some light industry.

Common area - Land commonly owned to include open space, landscaping, or recreation facilities (e.g., typically owned by homeowner's associations).

Communications service systems - An industry that deals with the development and service of personal communications, internet protocol (IP), data communication, remote data processing, and other related computer-based functions.

Community center / hall - A building and related grounds used for social, civic, or recreational purposes and owned and operated by a nonprofit group or a public agency serving the area in which it is located and open to the general public on an equal basis. (also see Club)

Community event - A celebration, fair, festival, special event, or other activity held on public or private property which may have a direct significant impact on city services (e.g., streets, parks, emergency services, etc.). This includes harvest or holiday festivals, grand openings, recurring seasonal or special events, annual sporting events and fundraisers, etc. that are recognized and advertised in the community and open to the general public.

Community event sign – Sign that announces or promotes a community event.

Comprehensive Plan - The Plan Text and future Land Use Map of the City of Liberty Lake, Washington and additional elements as adopted or later amended by the City Council.

Concrete product manufacturing - Establishments primarily engaged in manufacturing concrete products, cement manufacturing, Ready-Mix Concrete manufacturing, concrete pipe, brick, and block manufacturing.

Concurrency - Means that adequate public facilities are available when the service demands of development occur. This definition includes the two concepts of "adequate public facilities" and of "available public facilities" as defined above. Facilities serving a development must be in place at the time of development (or for some types of facilities, that a financial commitment is made to provide the facilities within a specified period of time and such facilities have sufficient capacity to serve development without decreasing levels of service below minimum standards adopted in the Capital Facilities Plan (CFP).

Conditional use - A use listed among those in any given zone but 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. See Article 10-4H.

Consensus - Unanimous agreement among participants.

Conservation easement - An easement that protects identified conservation values of the land, such as wetlands, woodlands, significant trees, floodplains, wildlife habitat, and similar resources.

Construction / industrial equipment - A business supplying products and equipment to the manufacturing, commercial, and construction industries.

Corner radius - The radius of a street corner, as measured around the curb or edge of pavement.

Cornice - The projecting horizontal element that tops a wall or flat roof.

Courtyard - A court or enclosure open and unobstructed to the sky, located adjacent to a building, which usually provides amenities such as gardens, planters, seating, or art.

Critical aquifer recharge areas - Areas where there is an aquifer that is a source of drinking water that is vulnerable to contamination that would affect the potability of the water (WAC 365-190-030).

Critical areas - Include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. (Defined in 36.70A.030(5) as now or hereafter amended.)

Critical facility - A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

Critical material - A substance present in sufficient quantity that its accidental or intentional release would result in the impairment on one or more of the beneficial uses of aquifer water. Current beneficial uses of aquifer water include, but are not limited to, domestic and industrial water supply, agricultural irrigation, stock watering and fish raising.

Critical materials use activity - An activity or land use which has been determined to use, transport, or store a critical material.

Cultural center / museum - An institution operated by a nonprofit organization as a repository of natural, scientific, historical, cultural, or literary objects of interest or works of art, and where the collection of such items is systematically managed for the purpose of exhibiting them to the public.

Cumulative substantial damage - Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Cupola - A dome-shaped ornamental structure located on top of a larger roof or dome, often used as a lookout or to admit light and air.

Curb cut - A driveway opening where a curb is provided along a street.

Dangerous animal keeping - Harboring and/or owning 1 or more inherently dangerous mammals or reptiles.

Inherently Dangerous Mammal - Any live member of the Canidae, Felidae, or Ursidae families, including hybrids thereof, which, due to their nature, may be considered dangerous to humans, and which includes the following.

1. Canidae, including any member of the dog (canid) family not customarily domesticated by man, or any hybrids thereof, but not including domestic dogs (Canis Lupus Familiaris) or wolf hybrids which are a cross between a wolf and a domestic dog.
2. Felidae, including any member of the cat family not customarily domesticated by man, or any hybrids thereof, but not including domestic cats (Felis Catus).
3. Ursidae, including any member of the bear family, or any hybrids thereof.

Inherently Dangerous Reptile - Inherently dangerous reptile means any live member of the class Reptilia which:

1. Is venomous, including, but not necessarily limited to all members of the following families: Helodermidae; Viperidae; Crotalidae; Altractaspidae; Hydrophilidae; and Elapidae; or
2. Is a “rear fanged” snake of the family Colubridae that are known to be dangerous to humans, including but not necessarily limited to, all members of the following families: Dispholidus Typus; Thebtornis Kirtland; and Rhabdophis spp.; or
3. Is a member of the order Crocodilia (crocodiles, alligators, and caiman).

Day(s) - Shall mean calendar days unless otherwise specified and shall be computed pursuant to RCW 1.12.040 or as amended.

Deciduous - Tree or shrub that sheds its leaves seasonally in the winter.

Dedication - The designation of land by its owner for any public use as shown on a subdivision plat or deed. The term may also be used for dedications to a private homeowner’s association.

Degraded wetland - A wetland altered through impairment of some physical or chemical property which results in reduction of one or more wetland functions and values.

Deli - A shop selling delicatessen (such as salads or cooked meats).

Density(ies) - A measurement of the number of dwelling units in relationship to a specified amount of land.

Gross Density - units or lots per acre
Gross Density = Total lots / gross area of the site

Net Density - units or lots per acre minus the area used for public or private right of way, parks, common open space, and any other non-residential use.

Net Density = Total lots / (gross area of site minus the right of way, parks, common open space, and any other non-residential use)

Dependent relative - One who is related by direct blood line, marriage, adoption, or unmarried partner relationship, or court-appointed guardianship and has been determined by a licensed physician to be physically or mentally incapable of caring for themselves and/or their property; and who is over the age of 18. The Zoning Administrator may exercise discretion in determining qualifying relationships.

Design standards – Statements and graphics intended to direct the planning and development of the built environment in a particular manner or style so that the end result contributes positively to the overall development.

Detention facility - A public facility for the incarceration of persons under warrant, awaiting trial on felony or misdemeanor charges, convicted but not yet sentenced, or serving a sentence upon conviction. This definition does not include facilities for programs providing alternatives to imprisonment such as prerelease, work release, or probationary programs.

Developable - Buildable land, as identified by the City's Comprehensive Plan. Includes both vacant land and land likely to be redeveloped.

Development - All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, grading, and areas devoted to exterior display, storage, or activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or landscapes, land within wetlands, wetland buffers or any other restricted area on a particular piece of property.

Development design standards - Apply to each type of land use (e.g., lot standards, setbacks, building height standards, and use-specific design standards) to provide compatibility between different uses, establish aesthetic considerations, implement planned housing densities, and protect neighborhood character. Design standards also include access and circulation, landscaping, parking, signage, storage, public facilities, surface water management, and property maintenance regulations. (Chapters 2 & 3)

Discontinued / abandoned use - See Article 10-5C- Non-Conforming Uses and Development.

Discretionary - Describes a permit action or decision that involves substantial judgment or discretion.

Docketing - compiling and maintaining a list of suggested changes to the comprehensive plan or development regulations in a manner that will ensure such suggested changes will be considered by the county or city and will be available for review by the public.

Documented habitat: - Habitat where endangered, threatened, sensitive species, or species of local importance have been "documented" or are known to exist as confirmed by state or federal agencies.

Dormer - A gabled extension built out from a sloping roof to accommodate a vertical window.

Dormitory - A building used as group living quarters for a student body or religious order as a normal accessory use for a college, university, boarding school, orphanage, convent, monastery, or other similar institutional use.

Drip-line - Imaginary line around a tree or shrub at a distance from the trunk equivalent to the canopy (leaf and branch) spread.

Drive lane/travel lane - An improved (e.g., paved) driving surface for one line of vehicles.

Drive-up, drive-in, or drive-through components - Driveway queuing areas, windows, and similar facilities for use by clients or customers who drive up and remain in their automobiles while conducting business. A drive-through window at an establishment, from which business is conducted with clients or customers who drive up to the window and remain in their automobiles.

Driveway - Areas that provide vehicular access to a site, except for public and private streets. A driveway begins at the property line and extends into the site. Driveways do not include parking, maneuvering, or circulation areas in parking space areas.

Driveway apron / approach - The edge of a driveway where it abuts a public right-of- way; usually constructed of concrete.

Drought-tolerant / drought-resistant plants - Plants capable of surviving for extended periods with little or no water.

Dry line sewer - A sewer line constructed at the time of property development that is not put into service until the public sewer system is extended to the development. The installation of Dryline Sewers within a development facilitates the simple and straightforward connection of the development to sewer when the public sewer system is extended to the boundary of the development.

Dwelling - A building or portion thereof designed exclusively for residential purposes on a permanent basis as distinguished from a transient basis and which therefore does not include hotels, motels, dormitories, convalescent homes or accessory buildings or structures.

Dwelling, multi-family - A building designed for occupancy by 3 or more families living independently of each other within 3 or more separate dwelling units.

Dwelling, multi-family (low income) - A multi-family dwelling designed and constructed to primarily serve persons of low income as defined by the United States Department of Housing and Urban Development.

Dwelling, single-family - A building designed for long-term habitation exclusively by 1 family, having complete living facilities, and constituting 1 dwelling unit. This term shall include manufactured homes and mobile homes.

Dwelling, single family attached townhome - Single-family attached housing (townhome units on individual lots) designed for long-term habitation exclusively by 1 family per unit / per lot, having complete living facilities, and constituting 1 dwelling unit.

Dwelling, two-family (duplex) - A single structure containing 2 dwelling units designed exclusively for occupancy by 2 families living independently of each other, and neither unit is considered an accessory dwelling unit. To be classified as a duplex, the dwelling units must be connected by a common wall or by a covered carport/breezeway which does not exceed a distance of 20 feet between the two dwelling units.

Dwelling unit - One or more rooms in a dwelling, which is designed, occupied, or intended for occupancy as separate living quarters, with an individual entrance, cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of 1 family maintaining a household.

Early notice - As used in Article 10-6A of this Code, early notice means the lead agency's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (Mitigated Determination of Nonsignificance [DNS] procedures).

Easement - A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

Eave - The lower part of a roof projecting beyond the wall of a building.

Ecosystem - A dynamic and interrelating complex of plant and animal communities and their associated environment.

Electric sign - A sign or sign structure in which electrical wiring, connections and/or fixtures are used as part of the sign proper.

Electronically changeable sign (electronic message display) – A sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

Elevated building - For insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Elevation - Refers to a building face, or scaled drawing of the same, from grade to roof ridgeline.

Elevation certificate - The official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate with Section B completed by Community Officials.

Emergency Housing – Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless, that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or occupancy agreement.

Emergency Shelter – A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Emergent wetland - A wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous wetland vegetation as the uppermost vegetative strata.

Evidence - Application materials, plans, data, testimony, and other factual information used to demonstrate compliance or non-compliance with a code standard or criterion.

Erosion - The wearing away of the ground surface as a result of mass wasting or the movement of wind, water, soil, and/or ice.

Essential public facility - Includes those facilities such as airports, colleges, universities, correctional facilities, solid waste stations, sewage treatment facilities, major highways, or freeways, and inpatient facilities, including substance abuse treatment facilities, mental health facilities, and group homes.

Espresso stand - An auto-oriented, non-portable structure, drive-thru business that dispenses hot and/or cold beverages and may offer snacks, muffins, etc. Espresso stands are required to have public sewer and water hookups, and an ADA accessible bathroom and working area.

Exit (means of egress) - A continuous, unobstructed means of escape to a public way, including intervening doors, doorways, exit balconies, ramps, stairways, smoke-proof enclosures, horizontal exits, passageways, exterior courts, and yards.

Exotic - Any species of plants or animals that are foreign to the planning area.

Exterior property area - The sections of residential property which are outside the exterior walls and roof of the dwelling.

Extermination - The elimination of insects, rodents, vermin, or other pests at or about the affected building.

Extraordinary hardship - When the strict application of the provisions of this Code would prevent all reasonable use of the property.

FAA - The Federal Aviation Administration.

Facade – The portion of the front exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.

Facility - When used in the context of small wireless facilities, shall mean a “small wireless facility”.

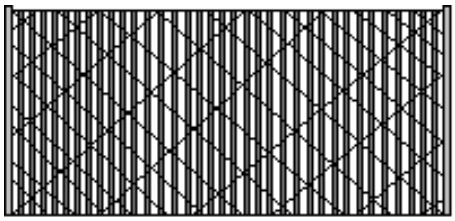
Family child day-care home - A facility within the family living quarters of the provider's residence to provide care and supervision of not more than 12 minor children for periods of less than 24 hours and that is regulated and licensed by Washington State and constructed, maintained, and operated in accordance with City building and development codes.

FCC - The Federal Communications Commission.

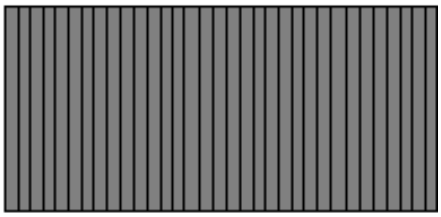
Fence - A wall or a barrier composed of stone, brick or posts connected by lumber, rails, panels, or wire for the purpose of enclosing space marking boundaries, serving as an obstruction or barrier, or separating parcels of land.

Fencing, partially sight-obscuring - A fence which provides partial visual separation.

Fencing, fully sight-obscuring - A fence which provides complete visual separation and is used where complete screening is needed.



Partially Sight Obscuring Fence



Fully Sight Obscuring Fence

Fire apparatus lane - As defined by the Fire Code.

Fire Station - A building where fire-fighting vehicles and equipment are housed and where firefighters on duty reside.

Fish and wildlife habitat conservation areas - Are defined in WAC-365-190-080 (5) as "fish and wildlife habitat conservation means land management for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean cooperative and coordinated land use planning is critically important among counties and cities in a region."

Fish and wildlife habitat conservation areas include:

1. Areas with which primarily endangered, threatened and sensitive species have a primary association; and
2. Habitats and species of local importance;
3. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
4. Waters of the state;
5. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity; or
6. State natural area preserves and natural resources conservation areas;
7. Wildlife corridors and landscape linkages;
8. Candidate and monitored species;
9. Priority habitats and areas in which priority species have a primary association as identified by the Department of Fish and Wildlife (WDFW) in the priority habitat and species lists; priority habitats as identified by WDFW are areas with one or more of the following attributes: comparatively high wildlife density, high wildlife species richness, significant wildlife seasonal ranges, wildlife travel corridors, limited availability and/or highly vulnerable habitat.

Flag lot - A lot or parcel which has access to a road, street, or easement, by means of a narrow strip of lot or easement.

Flashing sign - An electrical sign or portion thereof which changes light intensity in a brief, brilliant, or sudden and transient outburst of light causing a steady on and off, glittering, sparkling, or scintillating pattern. (This definition shall not include electronically changeable message signs or signs which simulate motion for mood lighting purposes in which no more than one-third 1/3 of the changing light source is off at any time.)

Flood or **Flooding** –

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
    a. The overflow of inland or tidal waters;
    b. The unusual and rapid accumulation of runoff of surface waters from any source; and/or
    c. Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in paragraph (2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

Flood elevation study - An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

Flood insurance rate map (FIRM) - The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood light - A fixture designed to "flood" a well-defined area with light.

Flood plain or flood-prone area - Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Flood plain management regulations - Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood proofing - Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities**,** structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor area - The area of clear floor space in a room exclusive of fixed or built-in cabinets or appliances.

Floor area, livable - The square footage of covered area used, or planned to be used, for living purposes, not including garages, carports, crawl spaces and other generally not lived in spaces.

Floor area ratio - The total gross floor area of all buildings or structures on a lot divided by the total lot area. (FAR = total gross building floor area ÷ total lot area).

Footcandle (fc) - A unit of illumination produced on a surface all points of which are one (1) foot from a uniform point source equivalent to one (1) candle in brightness of illumination.

Forecast - The future that is considered most likely to occur.

Forest land - means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses. (Defined in 36.70A.030(8) as now or hereafter amended.)

Forest practice - Any activity conducted on or directly pertaining to forest land relating to growing, harvesting, or processing timber, including but not limited to:

1. Road and trail constructions;
2. Harvesting, final and intermediate;
3. Precommercial thinning;
4. Reforestation;
5. Fertilization;
6. Prevention and suppression of diseases and insects;
7. Salvage of trees; and
8. Brush control.

Forest practice shall not include preparatory work such as tree marking, surveying and road flagging, and removal or harvesting or incidental vegetation from forest lands such as berries, ferns, greenery, mistletoe, herbs, mushrooms, and other products which cannot normally be expected to result in damage to forest soils, timber, or public resources (RCW 76.09.020(8)).

Forest practice class 4: As defined by the Forest Practice Act WAC 222-16-030, as now or hereafter amended.

Forested wetland - A wetland area with at least thirty percent of the surface area covered by woody vegetation greater than twenty feet in height and be at least one-half acre in size or comprise at least ten percent of the total area of the wetland.

Freestanding sign - A sign not attached to or forming part of a building. A Freestanding Sign, as used in Article 10-3E, must have at least 50% of the width of the sign constructed in a monument style (also see Monument Sign).

Frontage - The dimension of a property line abutting a public or private street.

Functional classification - The classification given to streets (e.g., “local/collector/arterial”) by the City’s Comprehensive Plan, by adopted County plans, and Washington State Department

of Transportation.

Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

Functions, beneficial functions, or functions and values - The beneficial roles served by wetlands including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

Funeral Home / mortuary - a place where the dead are prepared for burial or cremation or where dead bodies are kept before cremation or burial.

Gable - The vertical triangular wall between the sloping ends of gable roof

Gas station / convenience store - A gas station is a place that sells gasoline and diesel fuel, may include a convenience store which sells a limited variety of food and pharmaceutical items; open long hours for the convenience of customers.

Geologically hazardous areas - means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. (Defined in 36.70A.030(9) as now or hereafter amended.)

Glare - The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on factors such as the size, position, and brightness of the source, and on the brightness level to which the eyes are adapted.

Golf course - An area with at least 9 holes for playing golf, including improved tees, greens, fairways, hazards, and a driving range. A golf course may include accessory uses such as a clubhouse with related retail sales including a pro-shop, restaurant / food, and alcohol service.

Governmental buildings and uses - Federal, state, county, and municipal buildings of all types and facilities used by public or quasi-public agencies that serve or assist the public.

Grade - The average elevation of the finished ground level at the center of all exterior walls of a building as measured five feet from the exterior wall. In case of any wall that is parallel to and within 5 feet of a lot line, elevation at the lot line adjacent to the center of the wall shall be considered the finished ground level. In the case of any sign, grade shall be measured or determined at the sign support structure(s).

Grading - Excavation or fill or any combination thereof, including but not limited to the establishment of a grade following the demolition of a structure or preparation of a site for construction or development.

Greenhouse / commercial nursery - An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown both in the open and in an enclosed building for sale on a retail or wholesale basis.

Ground cover - A plant material or non-plant material (e.g., mulch, bark chips/dust) that is used to cover bare ground. See also, Article 10-3C - Landscaping.

Gun and archery range - A facility or area used for archery and/or the discharging of firearms including rifles, pistols, or shotguns, for the purpose of target practice.

Habitable room (Space) - Habitable room or space is a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage, or utility space, and similar areas are not considered habitable space.

Hammerhead turnaround - A “T” or “L” shaped dead-end street that allows for vehicles to turn around.

Hardscape - Non-plant landscape materials, including pathways, decorative pavers, benches, drinking fountains, arbors, pergolas, playgrounds, plazas, and similar amenities.

Hard surface - A hard surface shall consist of asphalt, Portland cement concrete, crushed rock, grass pavers, or other technologies laid to the specifications set forth by the City Engineer and this Code.

Hazardous waste - All dangerous and extremely hazardous waste as defined in RCW

70.105.010(15) as amended, except for moderate risk waste as set forth in RCW 70.105.10(17) as amended.

Hazardous waste storage - The holding of hazardous waste for a temporary period, as regulated by State Dangerous Waste Regulations, chapter 173-303 WAC.

Hazardous waste treatment - The physical, chemical, or biological processing of hazardous waste for the purpose of rendering these wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

Hazardous waste treatment and storage facility, off-site - Treatment and storage facilities which treat and store hazardous wastes generated on properties other than those on which the off-site facilities may be located. This use is always the primary use of a property.

Hazardous waste treatment and storage facility, on-site - Treatment and storage facilities that treat and store hazardous wastes generated on the same property. This activity is always an accessory use to a primary activity on the property.

Hearing body - The individual, committee, or agency designated by the City Council to conduct public hearings and render decisions on amendments, special permits, conditional uses, appeals, and other matters as set forth in this Code.

High impact uses - A business or use considered dangerous and/or noxious due to potential public health, safety, and environmental impacts. This includes uses that generate or cause nuisance, odors, noise, vibration, contamination, chemical exposure/release, and or explosions, including but not limited to the following uses:

1. Battery manufacture and reprocessing.
2. Chemical manufacturing
3. Crude petroleum refinery and storage.
4. Manufacture and processing of wood, coal, mineral, or animal by-products.
5. Gas or diesel manufacture or storage.
6. Smelting of ore or large-scale foundry.
7. Stockyards, hog farms, slaughterhouses, and rendering plants.
8. Tanneries.
9. Wood pulp manufacture.
10. Manufacture and storage of explosives or flammables.
11. Mining, rock crushing, asphalt plant.
12. Hazardous waste treatment and storage facilities.

High intensity illumination - Illumination exceeding 500 candela (cd) per square meter, measured at a distance of one meter, as measured with a Photo Research Spectra Spotmeter or equivalent device.

High occupancy vehicle (HOV) - A motorized vehicle carrying 2 or more passengers.

High quality vegetative buffer - A wetland buffer comprised of multilevel dense native vegetation including shrubs.

Highest adjacent grade - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Hip roof – Roof without gables.

Historic structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    a. By an approved state program as determined by the Secretary of the Interior, or
    b. Directly by the Secretary of the Interior in states without approved programs.

Hive - A manufactured receptacle or container prepared for the use of bees that includes movable frames, combs, and substances deposited into the hive by bees per RCW 15.60.005.

Home occupation - A profession or craft, excluding an adult retail use establishment or adult entertainment establishment, carried on within a residence by the occupants, which activity is clearly incidental to the use of said residence as a dwelling and does not change the residential character of the dwelling or neighborhood, and is conducted in such a manner as to not give any outward appearance of a business in the ordinary meaning of the term. Home occupations are permitted in residential units (dwellings) that are owned by the person operating the home occupation or which is the primary residence of the operator of the home occupation. Home occupations are subject to standards and criteria as may be required in the zone and require administrative approval from the City. These uses require approval of a Home Occupation Permit as set forth in Section 10-4I-2.

Horse boarding - A barn, stable, or other facility where owners or users of the property commercially bathe, train, house and/or feed more than 3 horses or other riding animals which are not owned by the users or owners of the property for more than 24 consecutive hours.

Hospital - An institution licensed by the state agencies under provisions of law to offer facilities and temporary or emergency services in surgery, obstetrics, and general medical practice for human patients who are ill or injured.

Hotel - A building or buildings in which there are a total of 6 or more guest rooms where lodging with or without meals is provided for compensation, and where no provision is made for cooking in any individual room or suite. (also includes inn)

Motel - One or more attached or detached buildings providing separate sleeping or living quarters primarily to temporarily accommodate transient individuals or families traveling by motor vehicle, with attached garages or parking spaces conveniently located to each

unit and may include kitchen facilities. Also commonly referred to as a tourist court, tourist home, motor lodge, motor inn, and similar designation.

Human-scale design/development - Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtowns and main street developments); larger buildings which have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, lighting, weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

Hydric soil - Soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

Hydrophytic vegetation - Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

Ice cream parlor - An establishment which primarily serves ice cream.

Immediate danger - Any condition posing a direct immediate threat to human life, health, or safety.

Impervious surface - Development which does not allow for water infiltration (e.g., pavement, roofs, etc.).

Incidental sign - A small nonelectric information sign four (4) square feet or less in area which pertains to goods, products, services, or facilities which are available on the premises where the sign occurs and intended primarily for the convenience of the public while on the premises.

Incidental and subordinate to - A use or portion of a development that is secondary to, and less apparent, than the primary use or other portion of the development.

Incinerator - A vessel, device, apparatus, or structure designed to burn solid waste under controlled, nuisance-free conditions, and at a relatively high temperature, for the purpose of reducing the combustible components to a non-putrescible residue capable of ready disposal.

Increased cost of compliance – A flood insurance claim payment up to $30,000 directly to a property owner for the cost to comply with floodplain management regulations after a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single instance of "substantial damage" or as a result of a "cumulative substantial damage."

Individual business - One business on one parcel, provided the parcel is not part of a multiple business complex, and also provided the parcel is not part of a group of multiple contiguous parcels under the same ownership. Individual business signage may include individual business parcels under the same ownership.

Industrial zoning district -

I (Light Industrial) - The I zone allows for industrial uses such as manufacturing but may incorporate office and commercial uses that support and complement the industrial area.

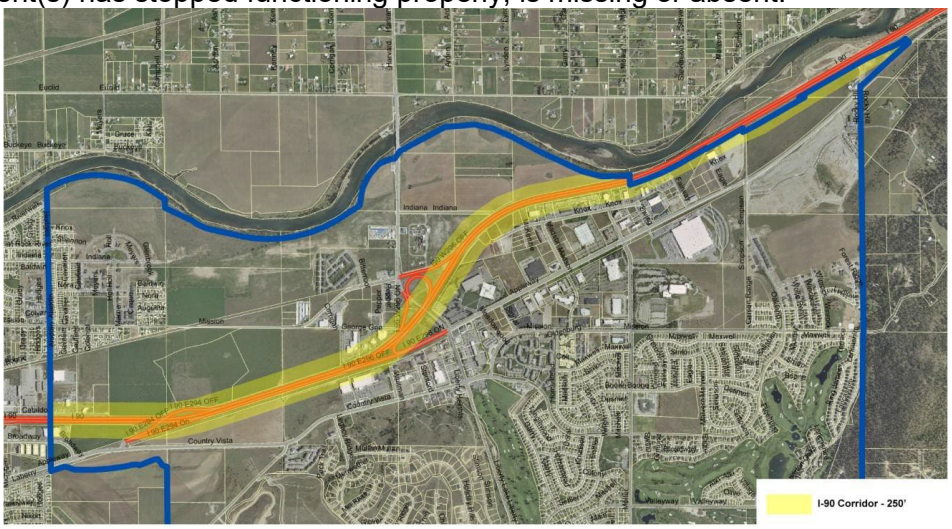
Infestation - The presence within or around a dwelling of insects, rodents, vermin, or other pests to a degree that is harmful to health or property.

Infill - The development of vacant, bypassed lands located in an area that is mainly developed or development or redevelopment of vacant commercial or industrial structures or parcels of land that are already provided with services.

Inflatable sign – Any object enlarged or inflated which floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphic.

Inoperable - When a machine or vehicle does not function as it was originally designed because an essential component(s) has stopped functioning properly, is missing or absent.

Interstate 90 Corridor - That portion delineated as being 250 feet beyond either side of the I-90 right-of-way that is between the east and west boundaries of the City (excluding exit and entrance ramps), as shown in map to the right.



Isolated wetlands - Those wetlands which are outside of and not contiguous to any one-hundred-year floodplain of a lake, river, or stream; and have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water.

Junk - Including but not limited to old or scrap metal, rope, rags, batteries, paper, rubber, machinery, scrap wood, debris, trash, or junked, dismantled, wrecked or inoperable motor vehicles or parts thereof.

Junked vehicle - Any vehicle certified as meeting at least three of the following requirements:

1. Is three years old or older;
2. Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;
3. Is apparently inoperable;
4. Has an approximate fair market value equal only to the approximate value of the scrap in it.

Junkyard - A property or place of business maintained, operated, or used for storing, keeping, buying, selling, or salvaging junk.

Kennel - A place where 5 or more cats or dogs are boarded, bred, bought, sold, exhibited, or trained for compensation, but not including a pet shop, or veterinary clinic/hospital where boarding is incidental to treatment. May include animal shelter.

Kitchen - A room used or designed to be used for the preparation of food.

Lamp - The component of the luminaire that produces the actual light including luminous tube lighting.

Lamp lumen depreciation (LLD) - Factor (between 0.0 and 1.0) used to describe how the lamp output changes with time compared to the initial output. Depends principally on lamp type. Typical LLD factors for outdoor lighting types are as follows: metal halide: 0.84, compact fluorescent: 0.85, high pressure sodium: 0.91 and mercury vapor: 0.79.

Land division - The process of dividing land to create parcels or lots.

Land use - The main activity that occurs on a piece of land, or the structure in which the activity

occurs (e.g., residential, commercial, mixed use, industrial, open space, recreation, street rights-of-way, vacant, etc.).

Land use district - As used in this Code, a land use district is the same as a zone district.

Landing - A level part of a staircase, as at the end of a flight of stairs.

Landscape linkages - A movement corridor in which the complete range of community and ecosystem processes continue to operate through time. Plants and small animals are able to move between larger landscapes over a period of generations.

Landscape supply - The sale of organic and inorganic materials, including but not limited to, soil and soil amendment, bark, sod, gravel, pea gravel, hardscape products, crushed rock, river rock and landscape boulders primarily used for landscaping and site preparation purposes. The exclusive sale of horticultural or floricultural stock that is permitted in a commercial greenhouse or nursery-wholesale shall not be considered “landscape materials.”

Landscaping - Any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains, or the like.

Landscaping also includes irrigation systems, mulches, topsoil, and revegetation or the preservation, protection, and replacement of existing trees.

Lane - A private road allowing ingress and egress to a parcel of land which may or may not have minimum lot frontage on a public street, road, or right-of-way.

Landfill - A method of final disposal of solid waste by utilizing land in a manner that allows the disposal of solid waste without creating hazards to public health, significant impacts to the environment, or nuisances.

Large-scale retail establishment – A retail establishment (also including grocery stores, auto supply stores, building supply stores, etc.), or any combination of retail establishments in a single building with:

1. a building footprint of fifty thousand (50,000) square feet or more (including outdoor display and sales areas),
2. a gross square footage of eighty thousand (80,000) square feet or more (including outdoor display and sales areas), or
3. multiple retail establishments in separate but abutting buildings, reviewed as one site plan, with a combined building footprint of one hundred thousand (100,000) square feet or more (including outdoor display and sales areas) (also known as "Big- Box" Retail or Superstores).

Lawn area - Any area of a property where lawn grasses are used as ground cover, or any area of a property where the ground covering vegetation does not permit passage to substantial portions of the property without walking directly on the vegetation.

Lawn grass - Varieties of grass that were planted, or are commonly sold, for the purpose of maintaining a mowed lawn.

Legislative - A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use (e.g., adoption of, or amendment to, a comprehensive plan or development regulation). See Chapter 4.

Level of service (LOS) - LOS standards are an indicator of the extent or quality of service provided by a facility that is related to the operational characteristics of the facility. They are a summary of existing or desired public service conditions. The process of establishing a level of service standards requires the City to make quality of service decisions explicit. Public services LOS standards are implemented to control the impacts of development and maintain existing City services.

Library - An establishment for the sole purpose of loaning and circulating books or providing a reading room and reference service to the public whether conducted by a public or private agency or whether the service is with or without direct cost to the user.

Light fixture - The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

Light loss factor (LLF) - Factor (between 0.0 and 1.0) describing light output of a luminaire after losses due to dirt accumulation (Luminaire Dirt Depreciation, LDD) and lamp lumen depreciation (LLD), relative to the output when the lamp and luminaire are new. LLF = LDD x LLD

Light manufacturing & assembly - A light industrial use where all processing, fabricating, assembly, or disassembly of items, takes place wholly within an enclosed building. Typical items for processing, fabricating, assembly, or disassembly under this use include but are not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, electronic devices, and small-scale casting and extrusion.

Light pole - A pole designed and primarily used to support lighting for the illumination of streets and sidewalks. The term does not include poles designed and primarily used to support traffic signals.

Light pollution - Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.

Light trespass - The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Limited uses - Uses allowed if they comply with the development standards of the zone and meet the requirements for the necessary permits or approvals. These uses include accessory uses, temporary uses, home occupations, special uses, etc.

Loading berth - An off-street space for the temporary parking of a vehicle while loading or unloading merchandise or materials and which abuts on a street, alley, or easement.

Local improvement district (LID) - A small public district formed for the purpose of carrying out local improvements (paving of streets, construction of storm sewers, development of a park, etc.). Property owners within the LID are assessed for the cost of the improvements in accordance with state law.

Lot - A platted or un-platted parcel of land defined by the Spokane County Assessor as being segregated and/or separated from other parcels of land and being in compliance with state and local platting laws.

Lot area - The total surface area (measured horizontally) within the lot lines of a lot.

Lot, buildable - A division of land created in compliance with state and local platting laws of at least sufficient size and lot frontage to meet minimum City Code requirements for use as a building site.

Lot coverage - 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.

Lot depth - The horizontal length of a straight line drawn from the midpoint of the lot front line and at right angles to such line to its intersection with a line parallel to the lot front line and passing through the midpoint of the lot rear line. In the case of a lot having a curved front line, the lot front line for purposes of this section shall be deemed to be a line tangent to the curve and parallel to a straight line connecting the points of intersection of the lot side lines with the curved lot front line.

Lot frontage (frontage) - The length of that portion of a lot abutting the public (private) street providing principal access to the lot.

Lot line adjustment - The adjustment of a property line by the relocation of a common line where no additional lots are created. This development code also defines the consolidation of lots (i.e., resulting in fewer lots) as a lot line adjustment.

Lot line, front - A line separating the lot from the street, or public right-of-way. In the case of a corner lot, the shortest continuous line separating the lot from the street or public right-of-way shall be the lot front line. In case of corner lots having equal lines abutting a street or public right-of-way, that property line which when extended creates the front property line for the greatest number of interior lots in the same block shall be considered as the lot front line of such corner lot. Where a lot does not abut a public right-of-way or street the lot front line shall be the lot line nearest to a street or public right-of-way.

Lot line, rear - A lot line that is opposite and most distant from the lot front line. For the purposes of establishing the lot rear line the following shall apply:

1. In the case of a lot with a rear boundary formed by a single line that is parallel to the lot front line, such rear boundary is the lot rear line.
2. In the case of a lot, the rear boundary of which is formed by 2 or more lines, the lot rear line shall be a line 10 feet in length within the lot and farthest removed from the lot front line and at right angles to the line comprising the depth of such a lot.
3. In the case of a trapezoidal lot, the rear line of which is not parallel to the lot front line, the lot rear line shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the recorded lot rear line.
4. In no case shall the application of the above be interpreted as permitting a main building to locate closer than 5 feet to any property line unless such building portion is below grade with no visible portion above grade.

Lot line, side - Any lot boundary line not a lot front line or a lot rear line.

Lot of record - An area of land designated as a residential lot on the plat or subdivision recorded or registered, pursuant to statute, with the Auditor for Spokane County.

Lot types -

Corner lot - A lot situated at the intersection of 2 or more streets, the street frontage of which lot form an angle not greater than 128 degrees, and not less than 45 degrees.

Interior lot - A lot other than a corner lot.

Lot width - The horizontal distance between the lot sidelines measured at right angles to the line comprising the depth of the lot.

Low-income housing - Housing that is economically feasible for families whose income level is categorized as low within the standards promulgated by the U. S. Department of Housing and Urban Development (HUD).

Low intensity lighting - Lighting not exceeding the equivalent of eight hundred (800) milliamperes* fluorescent tubing space on nine-inch (9) centers, or of exposed neon not exceeding thirty (30) milliamperes. *(approximately equal to a 100-watt bulb)

Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the flood damage prevention regulations found at §10-6F-3(B)(1)(b), (which specifically addresses adequate flood ventilation openings).

Lumber mill, sawmill, shingle mill, plywood mill - A building or collection of buildings with machinery by which the processes of manufacturing of wood products are carried on.

Lumber yard - An outdoor yard where a stock of lumber is kept for sale.

Luminaire - The complete lighting system including the lamp and light fixture.

Luminaire dirt depreciation (LDD) - Factor (between 0.0 and 1.0) used to describe how much light produced by the lamp is lost to dirt accumulation and other changes in the optical characteristics of the luminaire, relative to the value when the luminaire is new. Depends on the quality of the luminaire, materials used, maintenance, environment.

Machine shop - Machine shops are engaged in machining metal parts on a job or order basis. Generally, machine shop jobs are low volume using machine tools, such as lathes (including computer numerically controlled), automatic screw machines and machines for boring, grinding, and milling.

Macro cell - A large wireless communication facility that provides radio frequency coverage for a cellular telephone network. Generally, macro cell antennas are mounted on ground-based towers, rooftops, and other existing structures, at a height that provides a clear view over the surrounding buildings and terrain. Macro cell facilities typically contain antennas that are greater than three cubic feet per antenna and typically cover large geographic areas with relatively high capacity and may be capable of hosting multiple wireless service providers.

Macro wireless communication antenna array - Macro cell telecommunications equipment that consists of one or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency (RF) signals, which may include omni-directional antenna (whip), directional antenna (panel) and parabolic antenna (dish). The antennae included in macro cell wireless arrays are generally larger than 3 cubic feet. Does not include tower or tower, private. Small wireless facilities are expressly excluded from this definition.

Macro wireless communication support tower - A structure that supports a platform and macro cell wireless antennas / telecommunications equipment, that complies with the requirements of this paragraph and that is part of a cellular system authorized by the Federal Communications Commission. May include an auxiliary building housing electronic and communication equipment.

Main / primary entry / entrance - A main entrance is the entrance, or entrances, to a building that most pedestrians are expected to use. Generally, smaller buildings have one main entrance. Main entrances may also be the widest entrance of those provided for use by pedestrians. In multi-tenant buildings, main entrances open directly into the building's lobby or principal interior ground level circulation space. When a multi-tenant building does not have a lobby or common interior circulation space, each tenant's outside entrance is a main entrance. Buildings may also have main entrances opening directly into a reception or sales areas, a courtyard, or plaza.

Maintenance - The work of keeping property in proper condition to perpetuate its use.

Maintained compost area - A small portion of a property set aside for the purpose of encouraging the rapid decomposition of yard debris and other vegetable matter into a suitable fertilizer for the soil on the property. A maintained compost area shows clear indicators that the yard debris placed there is being actively managed to encourage its rapid decomposition. Possible signs of such active management may include evidence of regular turning, a mixture of yard debris types, any woody materials present having been chopped into small sizes, and the presence of internal heat in the composting mixture. A location where yard debris is placed primarily as a means to store it or dump it without reasonable expectation of rapid decomposition is not a maintained compost area.

Maintenance / public works facility - A structure where street and landscape maintenance equipment and supplies, and other public works agency equipment and supplies are stored and

where repairs and maintenance is performed on the equipment.

Maneuvering area / aisle - Refers to the driving area in a parking lot where motor vehicles are able to turn around and access parking spaces.

Manufactured home - A single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act and identified as such by appropriate labeling. For the purposes of this Code references to manufactured homes include mobile homes. Manufactured homes shall be considered as single-family dwellings. A manufactured home also:

1. Includes plumbing, heating, air conditioning, and electrical systems.
2. Is built on a permanent chassis.
3. Can be transported in one or more sections with each section at least 8 feet wide and 40 feet long when transported, or when installed on the site is 320 square feet or greater.

Manufactured home park - A site having as its principal use the rental of space for occupancy by 2 or more manufactured homes, and the accessory buildings, structures, and uses customarily incidental to such homes.

Manufactured home park or subdivision, existing - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

Manufactured home park or subdivision, expansion to an existing - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured home park or subdivision, new - A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

Marijuana processor - A person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

Marijuana producer - A person licensed by the state liquor control board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

Marijuana retailer - A person licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.

Marquee Sign - Any sign attached to or constructed in a marquee, which is a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against weather.

Massage parlor - A building or structure where persons obtain massage treatment and/or advice or where persons use facilities for nonsexual relaxation purposes.

Mean sea level - For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

Medical equipment supply - A business that sells medical equipment to private and public medical facilities or to the general public, retail and/or wholesale.

Medical services - An outpatient facility providing examination and treatment by physicians, dentists, and other health care professionals.

Mid-block lane - A lane that provides access to lots without frontage on a public street.

Ministerial - A routine governmental action or decision that involves little or no discretion. The issuance of a building permit is such an action.

Mitigation - To avoid, rectify, repair, or compensate for negative impacts which result from other actions (e.g., Improvements to a street may be required to mitigate for transportation impacts resulting from development.") Mitigation includes the following:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures. Mitigation may include a combination of the above measures.

Mixed-use - A land use pattern where a variety of complementary land uses occupy buildings in close proximity to each other, generally including residential, retail sales and services, offices, recreation, schools, churches and government. Mixed-use areas are intended to enhance opportunities to live, work and meet daily needs with less dependence on auto transportation.

Mixed-use zoning districts -

M-1 (Neighborhood Center) **–** The M-1 zone is the smallest and least intensive mixed-use zone. Neighborhood centers contain a mix of uses such as parks, a transit stop, neighborhood businesses and services, day care centers, churches, and schools. Residential is permitted with a minimum net density of 6 units per acre when associated with other permitted uses. Low-intensity, auto-dependent uses are discouraged and a focus on pedestrian orientation with an emphasis on aesthetics and design is encouraged.

M-2 (Community Center) – The M-2 zone is a higher-intensity mixed-use zone. Community centers contain a mix of commercial, civic, light manufacturing or industrial, office, and recreational uses. Residential is permitted with a minimum net density of 6 units per acre when associated with other permitted uses. Low-intensity, auto-dependent uses are discouraged and a focus on pedestrian orientation with an emphasis on aesthetics and design is encouraged.

M-3 (Central Business District) - The M-3 zone is the largest and most intensely developed mixed-use zone. The CBD is the primary retail, office, social, urban residential, and government center of the city that contains a complimentary and interactive mixture of uses including government offices and facilities, health, human service, and public safety facilities, retail stores and services, professional offices, parks, open space, and plazas, educational opportunities including branch university campuses, entertainment centers, and restaurants. Multi-family and other higher density housing is permitted with a minimum net density of 12 units per acre when associated

with other permitted uses. New low-intensity, auto-dependent uses are prohibited and a focus on pedestrian orientation with an emphasis on aesthetics and design is required.

Mobile home - A factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

Mobile sales / concessions - A mobile food service establishment or mobile sales booth operating at a non-permanent fixed location under an approved Temporary Use Permit. Definition does not include espresso stands as defined herein or Solicitors / Peddlers as defined in City Ordinance 96.

Monitoring - A periodic evaluation of a wetland's restoration, creation, or enhancement site to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.

Monument sign - A sign not attached to or forming part of a building constructed as a solid structure or one which gives the appearance of a continuous, non-hollow, unbroken, mass.

Mounting height - The vertical distance between the surface to be illuminated and the bottom of the light source.

Multiple building complex - A group of structures, or a single structure, with dividing walls and separate entrances for each business, housing at least 2 retail businesses, offices, commercial ventures or independent or separate parts of a business which share the same lot, access and/or parking facilities.

Multiple businesses - Includes businesses that may be located in a single building or in multiple buildings on a single site as shown in figures A and B below.

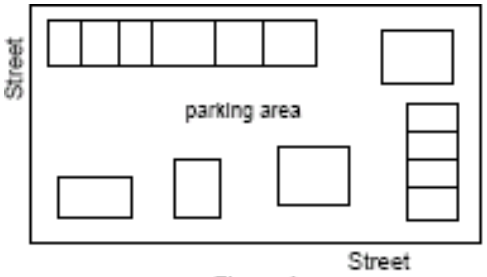


Figure A

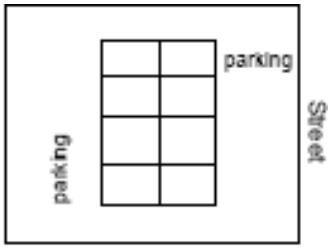


Figure B

Municipal offices / facilities - Structures that house public services. Examples include but are not limited to Ambulance / Emergency Services Facilities, City Hall, Fire Stations, Libraries, and Police Stations (definition does not include schools or other government facilities separately identified on the City Zoning Matrix).

Native plants – Species that have existed in the local/regional ecosystem for hundreds or thousands of years, without human intervention.

Natural resource areas / natural resources - Wetlands, significant trees, steep slopes, flood plains, and other natural resource areas designated for protection or conservation by the Comprehensive Plan.

Natural hazard - Natural areas that can cause dangerous or difficult development situations, including steep slopes, unstable soils, landslides, flood areas, etc.

Neighborhood - A geographic area lived in by neighbors and usually having distinguishing character.

Neighborhood-scale design - Site and building design elements that are dimensionally related to housing and pedestrians, such as narrower streets with tree canopies, smaller

parking areas, lower building heights (as compared to traditional downtown City areas) and similar neighborhood characteristics. These features are generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

Neon/exposed neon – An electric sign consisting of gas-filled tubing exposed to view.

New construction - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Non-conforming - A lot, use, building, or structure, which was legal when commenced or built, but which does not conform to subsequently enacted or amended regulations. See Article 10-5C.

Noxious weeds - Those plants which are non-native, highly destructive, and competitive as defined by RCW 17.10, as now or hereafter amended.

Nursery school - A private agency, school, or institution engaged in educational work with preschool children and in which no child is enrolled on a regular basis for 4 or more hours per day. Enrollment for 4 or more hours per day shall classify the facility as a "Day Care Facility" or "Kindergarten."

Nursing home - A place licensed by the State Department of Social and Health Services as a "nursing home" or institution which operates or maintains facilities providing convalescence and/or chronic care for a period in excess of 24 consecutive hours for 3 or more patients who are not related to the operator by blood or marriage and who by reason of illness or infirmity are unable to properly care for themselves.

> Convalescent home / assisted living and Alzheimer's facilities - A residential facility licensed by the State or County to provide special care and supervision to convalescents, invalids, and/or aged persons, but where no persons are kept who suffer from mental sickness or disease or physical disorder or ailment which is normally treated within sanitariums or hospitals. Special care in such a facility includes, but is not limited to, nursing, feeding, recreation, boarding and other personal services.

Occupant - Any person (including an owner or operator) using a building, or any part of a building, for its lawful, intended use.

Office, business/professional/medical/dental or government - Uses that are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, dental, or financial services, but shall not include retail commercial use or industrial use except for accessory retail use provided it is clearly incidental and subordinate to the office use.

Office/technology campus or park - A planned industrial, technology and/or office-based district located within the Industrial Zoning District of the city.

Off-Premise sign - A sign not located on the premises or parcel of the use or activity to which the sign pertains.

Off-street parking - All off-street areas designed, used, required, or intended to be used for the parking of motor vehicles. Off-street parking areas shall conform to the requirements of Article 10-3D.

On-Premise sign - A sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted at, services rendered, goods sold or produced on the premises, name of the business and/or name of the

person, firm, or corporation occupying the premises.

On-street parking - Parking in the street right-of-way, typically in parking lanes or bays. Parking may be “parallel” or “angled” in relation to the edge of the right-of-way or curb. See also, Article 10-3D.

One hundred (100)-year flood plain - An area determined by the Federal Emergency Management Agency (FEMA) or by the City of Liberty Lake to have a 1% chance of flooding in any given year.

Open space (common/private/active/passive) - Land within a development which has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreation, conservation, or other open space uses. The area of a lot or building site that is free and clear of buildings and structures.

Open Space and Recreation Zoning District -

> O (Open Space and Recreation) **-** The O - zone allows for open area spaces and recreational uses such as public/ private parks, preserves, and trails, as well as public and privately owned facilities such as golf courses. Local and regional recreation opportunities are included within this zone. The zone promotes the conservation of public and private sensitive or critical natural resource areas and areas of local interest as open space.

Open water component - Wetlands having any areas of standing water present for more than one month at any time of the year without emergent, scrub-shrub, or forested vegetation. Open water includes any aquatic beds.

Orchard - A planting of trees producing fruit and/or nuts for the purpose of sale.

Ordinance - The ordinance, resolution, rules, or other procedure used by agencies to adopt regulatory requirements.

Ordinary high-water mark - That mark on streams, lakes or water bodies that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in normal years, as to mark on the soil a character distinct from that of the abutting upland in respect to vegetation.

Orientation - To cause to face toward a particular point of reference (e.g., “A building oriented to the street”).

Oriented to a street - See Orientation.

Outdoor commercial use - A use supporting a commercial activity which provides goods or services, either wholesale or retail, where the amount of site area used for outdoor storage of materials or display of merchandise exceeds the total floor area of all buildings on the site. Examples of outdoor commercial uses include automobile sales or services, nurseries, lumber yards, and equipment rental businesses.

Outdoor Light Fixtures - Outdoor artificial illuminating devices, outdoor fixtures, lamps, and other similar devices, permanently installed or portable, used for flood lighting, general illumination, or advertisement.

Outdoor vehicle storage - An area that is leased or rented on an individual basis and used for the storage of automobiles, recreational vehicles, and boats.

Overlay zone - Overlay zones provide regulations that address specific subjects that may be applicable in more than one zoning district. Requirements described in the Code text which exist in conjunction with another zone, and which relate to the official zoning map. Developments within such an area must conform to the requirements of both zones unless otherwise specified. In the event of inconsistencies, the most restrictive requirements shall control. (also see Specific Area Plan Overlay District)

Owners - Any person, partnership, corporation, association, unincorporated organization, trust, or any other legal commercial entity having sufficient proprietary interest to seek development of land. This includes an agent or representative with written owner authorization. The person whose name and address is listed as the owner of the property by the County Tax Assessor on the County Assessment and Taxation records.

Parapet – The portion of a wall that extends above the roofline.

Parcel - A parcel is a unit of land that is created by subdividing land. See also, Article 10-4D.

Parks & recreation - Land intended for public use and enjoyment that may include any or all of the following:

1. Walkways or trails for motorized or non-motorized use, including winter activities.
2. Drives/roads and vehicular parking areas.
3. Formal and informal picnic areas, including shelters and cooking facilities.
4. Restrooms/showers facilities.
5. Athletic playing fields, including baseball, football, basketball, and/or soccer.
6. Playground structures/equipment.
7. Informal play areas.
8. Environmental education/interpretation facilities.
9. Swimming facilities, including beaches and pools.
10. Boat launches, moorage docks, and parking areas.
11. Bank fishing areas and fishing piers/docks.
12. Natural and/or cultural resource preservation areas.
13. Fish and wildlife habitat management areas.
14. Support facilities directly related to the operation and maintenance of a park including staff offices, maintenance work, storage areas, and staff/public meeting space.
15. Winter recreation areas, including downhill, Nordic, and cross-country skiing, snowmobiling, and ice-skating.

Parking structure - A structure used for the specific purpose of parking or storage of motor vehicles for compensation and/or to accommodate the patrons of the establishment providing said parking structure; establishments providing such facilities include industrial, manufacturing, commercial, recreational, office, institutional, and residential uses.

Parking lot perimeter - The boundary of a parking lot area which usually contains a landscaped buffer area.

Parking lot travel lane - Privately owned lanes for vehicles to travel through parking lots to parking stalls, loading areas, public roadways, and other adjacent public or private parking lots.

Parking vs. storage - Parking is the area used for leaving motor vehicles for a temporary time. Storage is to place or leave in a location for maintenance, repair, sale, rental, or future use.

Participant and spectator sports facilities - Participant sports and recreation use in which the sport or recreation is conducted within an enclosed structure or an outdoor facility. Examples include but are not limited to bowling alleys, roller and ice-skating rinks, dance halls, racquetball courts, videogame parlors, water parks, baseball and football stadiums, racetracks, and arenas. (definition does not include school related facilities which would be accessory to the school)

Party of record - A person who testified at the public hearing on a land use application or submitted substantive written comments on the application before the hearing record was

closed.

Pedestrian oriented development – Development designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and buildings/structures rather than on auto access. The buildings/structures are generally located close to the public or private right-of-way, and the main entrance(s) is oriented to the street sidewalk. There are generally windows or display cases along building facades. Although parking is provided, it is generally limited in size and location.

Pedestrian walkway – A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot / driving aisle.

Permanent sign - Any sign which is permanently affixed, and which is not designed for or capable of being moved.

Permitted use - An activity or use so designated in any given zone, and which may occur without special action by the Hearing Body, subject to development and performance standards of the zone in which it is located.

Person - A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof.

Personal care services - Barber and beauty shops, cosmetology and cosmetic salons, diet counseling centers, electrolysis/hair removal salons, tanning and fingernail salons.

Pharmacy - A place where drugs and dry goods are sold.

Pier - Exterior vertical building elements that frame each side of a building or its ground-floor windows (usually decorative).

Pillars / posts - A tall cylindrical vertical upright which may be used to support a structure.

Placeholder - An area designated by the Washington State Department of Health to hold the place of a wellhead protection area for a well until completion of the wellhead protection plan.

Planned unit development (PUD) - A land development project planned comprehensively as an entity through a design process prescribed by ordinance that permits some flexibility in the regulations of the underlying zone.

Planter strip, tree cut-out - A landscape area for street trees and other plantings within the public right-of-way, usually between the street and a sidewalk.

Plastic injection molding - The process of forming a material by forcing it from a heated cylinder, under pressure, into the cavity of a confined mould.

Plat - A map of a subdivision, prepared as specified in this Code and in accordance with RCW 58.17, and recorded with the Spokane County Assessor's Office. All plats shall also conform to Article 10-4D - Land Divisions.

Plaza - A public square or extra-wide sidewalk (e.g., on a street corner) that allows for special events, outdoor seating, sidewalk sales, and similar pedestrian activity.

Pocket park - A small park, usually less than one-half acre.

Pole support – A sign support structure that is narrower than the display surface of the sign.

Police station - A public safety facility staffed by law enforcement officers and support staff that respond to hazards to public health and safety.

Pollution - Such contamination, or other alteration of the physical, chemical, or biological properties of wetlands, or such discharge of any liquid, gaseous, solid, radioactive or other substance into wetlands as will or is likely to cause a nuisance or render such wetlands harmful, detrimental or injurious to the public health, safety or welfare, or to domestic, commercial,

industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wildlife, fish, native vegetation, or other aquatic life.

Porch - A structure attached to the exterior of a building often forming a covered entrance.

Portable sign - Any sign which is not permanently affixed and is designed for or capable of being moved, except those signs explicitly designed for people to carry on their person.

Portico – A porch or walkway with a roof supported by columns, often leading to the entrance to a building.

Post office - An independent agency of the federal government responsible for mail delivery (and sometimes telecommunications) between individuals and businesses in the United States and the facility that houses post office personnel.

Power plant - A facility that generates electricity from mechanical power produced by gas, coal, water, nuclear fission, etc.

Practical alternative - An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Premises - A lot of record not separated by right-of-way and owned or managed by the same individual or entity.

Primary - The largest or most substantial element on the property, as in “primary”: use, residence, entrance, etc. All other similar elements are secondary in size or importance.

Primary drainage basin - The basin of the stream or tributary within which a project is proposed, not including basins of major tributaries.

Printing, reprographics, bookbinding, and graphic services - The business of printing, copying, graphic production, or binding of books, or similar activities.

Priority habitats and species - A fish or wildlife habitat or species that has been identified by the Washington State Department of Fish and Wildlife in the Priority Habitat and Species Program or by the City of Liberty Lake as a species of local importance.

Prison / correctional facility - A correctional institution where persons are confined while on trial or for punishment.

Private off-premises directional sign - A permanently installed sign that provides directional information to business(es) located within the City of Liberty Lake but not located on the same parcel as the business(es).

Prohibited use - A use not specifically enumerated as a permitted use, limited use, conditional use, or nonconforming use. Prohibited uses include, but are not limited to, the enumerated “not permitted uses” within each zone of this Code.

Project permit / project permit application - See Chapter 4.

Projection - A conditional statement about the future based on a set of assumptions.

Public assembly - Places where public or private groups assemble for civic, educational, political, religious, or social purposes including, but not limited to, arenas, religious institutions, lecture halls, theaters, schools, auditoriums, and stadiums.

Public facilities - Includes streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools. See Article 10-3G.

Public improvements - Development of public facilities. See Article 10-3G.

Public officer - Federal, state, county, and municipal employees.

Public right of way - Any sidewalk, planting strip, alley, street, or pathway, improved or unimproved, that is dedicated to public use. Land that is owned in fee simple by the public, usually for transportation facilities.

Public and semi-public institutional zoning district -

> P (Public and Semi-Public Institutional) **-** The P zone provides for large and moderate scale governmental uses, special districts, and semi-institutional uses. The zone allows for the specialized needs of providing public services to the City of Liberty Lake.

Public services - Includes fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

Public transit facility - A bus transfer area or facility located at major points providing passenger access to routes and adjacent activities.

Public utility - A closely regulated public or private enterprise with an exclusive franchise for providing a public service paid for directly by the recipient of that service.

Public utility local distribution facility - Any building, structure, or device which transfers directly to the public the service or supply provided by a public utility, including telephone, electric (less than 60 feet in height), gas, cable television, water and sewer, and all other facilities, equipment, and structures necessary for conducting a local distribution service by a government or public utility.

Public utility transmission facility - Any building, structure, or device which does not directly transfer to the public the service or supply provided by a public utility, including telephone, electric (greater than 55,000 volts or 55 KV), gas, cable television, water and sewer, and all other facilities, equipment, and structures, including substations, switching stations, and reservoirs.

Publicly owned treatment works (POTW) - A treatment works treating domestic sewage that is owned by a municipality, a county, the state of Washington, or the federal government.

Qualified biologist - The holder of a four-year degree in biology with an emphasis in fish and wildlife biology from an accredited university and at least two years field experience evaluating land use impacts on fish and wildlife species and their habitats.

Qualified erosion or landslide specialist - An individual or team that has both the academic qualifications and field experience to implement the provisions of Chapter 6.

Qualified geologist - A Washington State licensed geologist or hydrogeologist, or a geologist from another state with an equivalent license recognized by the state of Washington.

Qualified wetlands specialist - The holder of SWS (Society of Wetland Scientists) certification or has the equivalent in academic qualifications and field experience for making competent wetlands delineations and reports and recommendations necessary to implement the provisions of Chapter 6.

Quasi-judicial - Refers to an action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code and usually involves a public hearing. See Chapter 4.

Readerboard - A sign face consisting of tracts to hold readily changeable letters allowing frequent changes of copy.

Record - The official file, exhibits, maps, and slides including the tape-recorded or video proceedings or transcription thereof.

Recreational vehicle (RV) - A vehicle that is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Includes, but is not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational vehicle park/campground - An area where facilities are provided for camping units as defined herein, utilized by the public for camping for recreation on a temporary basis and not designed for long-term occupancy. The recreational vehicle park/campground may include recreational services, facilities, and activities for utilization by the public that are typical and ordinary to the recreational vehicle park/campground industry. Recreational vehicle park/campgrounds shall comply with all applicable State and City codes.

Recycling collection center - A municipally or privately owned and/or operated area with a structure or vehicle, the main purpose of which is to hold recyclable materials, prior to transport to a central collection location (commercial composting storage / processing facility). Recycling collection centers collect only ferrous metals, aluminum, glass, plastics, paper, and other reusable, non-hazardous items. The recycling collection center is not a sanitary landfill, garbage, and refuse dump, or recycling plant.

Regulated activity - Any of the activities which are directly undertaken or originate in a wetland or its buffer.

Repair - The reconstruction or renewal of any part of an existing structure for the purpose of its maintenance. To restore a development to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the resource or environment; maintenance means those usual acts to prevent a decline, lapse or cessation from a lawfully established condition.

Research facility / laboratory - A facility used for the purpose of research and investigation aimed at the discovery and interpretation of facts or the collecting of information about a particular subject.

Residence - Same as “dwelling”.

Resident - Any person (including owner or operator) hiring or occupying a room or dwelling unit for living or sleeping purposes.

Residential Zoning Districts -

R-1 (Single-Family) - The R-1 zone provides for single-family homes in support of established residential neighborhoods and a minimum net density of 4 units per acre is required. Zero lot-line housing and other incentives are permitted to promote infill, preservation of open space, and a variety of housing types and densities.

R-2 (Mixed Residential) - The R-2 zone provides for a moderate increase in density using a variety of urban housing types and designs. This design-oriented designation promotes residential renewal to small-lot single family homes, townhouses, duplexes, and small apartment buildings. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types. The R-2 zone allows for a net density of no less than 6 units per acre.

R-3 (Multi-Family) - The R-3 designation provides for a variety of medium to high density housing types and designs. The designation incorporates a combination of urban design elements to enhance the living environment while integrating the housing into a neighborhood or neighborhood business district. Urban design elements such as private and public open space, pedestrian orientation and connections, and security are integrated into the housing to create a high standard of community cohesion and

character. Developments within this designation shall have a net density of no less than 12 units per acre.

Restaurant - Commercial establishments where meals are prepared and served to customers and may include a social or entertainment setting. (also see cafe, deli, and ice cream parlor)

Retail sales / use (General Retail) - Location where products such as clothing, shoes, household goods, toys, office supplies, etc. are displayed and the public is allowed to purchase items. Definition does not include adult entertainment or adult retail use establishments as defined herein.

Retaining wall - Any wall not an integral part of a building that is used to resist the lateral displacement of earth material.

Retirement/elderly apartments (low income subsidized) - A retirement/elderly apartment developed and owned by a nonprofit sponsor who receives a direct funding loan from HUD-FHA or some other agency and where rents are subsidized by HUD-FHA or some other agency based upon low-income status.

Ridge line (building) - The top of a roof at its highest elevation.

Riparian wetlands - The transitional area between aquatic and upland ecosystems that is identified by the presence of vegetation that requires or tolerates free or unbound water or conditions that are more moist than normally found in the area.

Roof - A structural covering over any portion of a building or structure, including the projections beyond the walls or supports of the building or structure.

Roof pitch - The slope of a roof, usually described as ratio (e.g., 1 foot of rise per 2 feet of horizontal distance).

Roof sign - A sign supported by and erected on and/or above a roof, wall, or parapet of a building or structure.

Roof-top garden - A garden on a building terrace, or at top of a building with a flat roof (usually on a portion of a roof).

Sandblasting / cutting - A system of cutting or abrading a surface such as concrete by a stream of sand ejected from a nozzle at high speed; compressed air is used to propel a stream of wet or dry sand onto the surface; often used for cleanup of horizontal construction joints or for exposure of aggregate in architectural concrete; a method of scarifying the surface of concrete or masonry to provide a bondable surface; used to clean metal before painting.

Schools; kindergarten, elementary, middle, junior high, and high - Public and private institutions of learning offering instruction from kindergarten to grade 12 required by the Education Code of the State of Washington.

Screen – The sole purpose of a screen is to block views. A screen should be constructed of opaque materials and whose height will be effective in obstructing unwanted views.

Scrub-shrub wetland - An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height as the uppermost strata.

Secure community transition facility (SCTF) - Any dwelling or place licensed, certified, or 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. May include secure community housing unit operated by the Department of Social and Health Services and secure community housing unit operated by a contractor on behalf of the Department of Social and Health Services.

Secure residential treatment facility - Any dwelling or place licensed, certified, or 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. May include secure community housing unit operated by the Department of Social and Health Services and secure community housing unit operated by a contractor on behalf of the Department of Social and Health Services.

Self-service storage facility (mini-storage) - A facility including buildings and/or structures containing spaces of varying sizes leased or rented on an individual basis and used exclusively for the indoor storage of excess property.

Senior housing - Housing designated and/or managed for persons over the age of 55. (Specific age restrictions vary.)

SEPA rules - Chapter 197-11 WAC adopted by the WA State Department of Ecology.

Serviceable - Presently usable.

Setback - The distance between a building (or other feature of development) and a property line. Minimum and maximum setbacks may be required for front, flanking, side, and rear yards.

Sewage sludge - The concentrated deposit, sediment, or mass resulting from the treatment of sewage, including materials pumped from cesspools, septic tanks, sewage holding tanks and drywells.

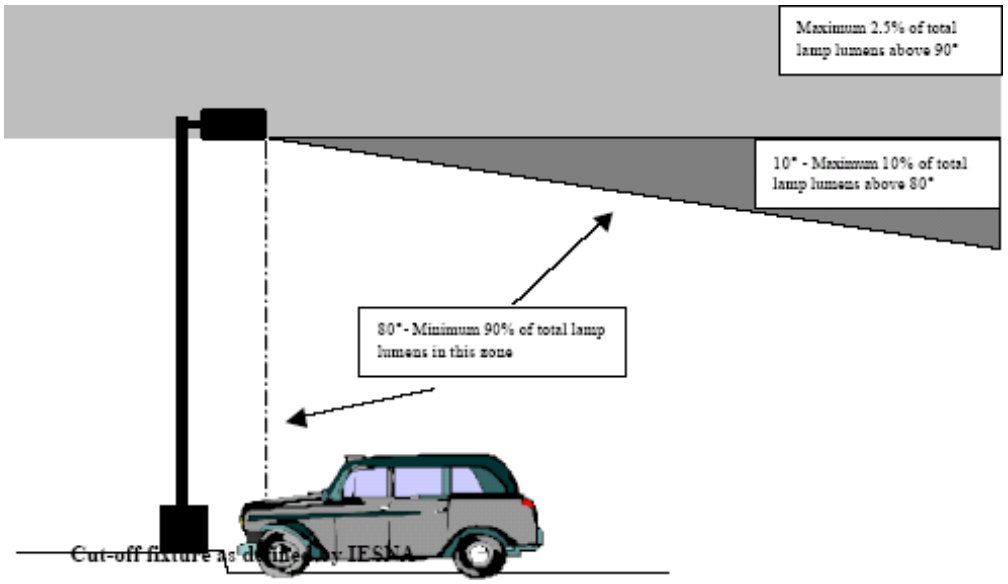
Sewage treatment plant - A facility for receiving and treating sewage from the city sanitary sewer system.

Shall - As used in this Code, is mandatory.

Shared driveway - When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) may be created for this purpose. See Article 10-3B.

Shared parking - See Article 10-3D.

Shielded fixture - Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e. a shoebox-type fixture or a cutoff fixture as defined by the Illuminating Engineering Society of North America. The fixtures almost always have a flat, horizontally oriented lens and opaque (usually metal) sides. A luminaire mounted in a recessed fashion under a canopy or other structure so that the surrounding structure effectively shields the light in the same manner is also considered fully shielded.



Shopping centers - Two or more individual stores, in the same building or attached buildings, with an area greater than 25,000 gross sq. ft.

Sign / signage - Any visual communication device, structure, or fixture which is visible from any right-of-way and is intended to aid the establishment in question in promoting the sale of products, goods, services, or events, or to identify a building using graphics, letters, figures, symbols, trademarks, or written copies. Painted wall designs or patterns, which do not represent a product, service, or registered trademark or which do not identify the user, shall not be considered signs. If a design or pattern is combined with a sign, only that part of the design or pattern, which cannot be distinguished from the sign, will be considered as part of the sign. This definition does not include billboards or video boards.

Significant trees, significant vegetation - See Article 10-3C.

Site - A property (or group of adjacent parcels or lots under the same ownership) where activities are proposed, performed, or permitted and that is subject to a permit application under this Code.

Site design review, development review - See Article 10-4C.

Small wireless facility - Facilities normally and regularly used in providing wireless communication and data services, including any and all wires, lines, conduits, cables, vaults, duct runs, and all necessary or convenient facilities and appurtenances thereto, whether the same is located over, above or underground, specifically meeting the following conditions:

1. The facilities:
    a. Are mounted on structures fifty (50) feet or less in height including their antennas as defined in herein; or
    b. Are mounted on structures no more than ten percent (10%) taller than other adjacent structures; or
    c. Do not extend existing structures on which they are located to a height of more than fifty (50) feet or by more than ten percent (10), whichever is greater;
2. Each antenna associated with the deployment, excluding associated antenna equipment (as defined herein), is no more than three (3) cubic feet in volume;
3. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume;
4. The facilities do not require antenna structure registration and notice to the Federal Aviation Administration, as required by 47 CFR §17;
5. The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and
6. The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR§1.1307(b).

Solid waste - All putrescible and non-putrescible solid and semisolid material, including, but not limited to, garbage, refuse, bulky waste, inert waste, agricultural solid waste, sewage sludge, and demolition and construction wastes.

Solid waste transfer site - A municipally or privately owned and/or operated area with a structure or vehicle, the main purpose of which is to hold solid waste, prior to transport to a central disposal or collection location (commercial composting storage / processing facility). The solid waste transfer site is not a sanitary landfill, garbage, and refuse dump, or recycling plant.

Special uses - A regional land use, not specifically allowed by the zoning of the location, but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. A special use permit may be granted by the Hearing Examiner subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. These uses require approval of a Special Use Permit as set forth in Section 10-4I-3.

Specialized / vocational / trade school - A vocational or university extension school used for post-secondary education or training in specific trades or fields such as business marketing and development, fine arts, etc.

Specific area plan overlay district - 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 landowners, or a single large parcel. (see Article 10-2M)

Specified anatomical areas - Human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered. This definition shall also include human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities - Human genitals in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse, or sodomy, fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Sports bar - A sports-related entertainment facility that contains a full-service restaurant with a separate tavern / pub area, for use by customers 21 years of age or older. May contain pool tables, shuffleboard, arcades, and other small-scale indoor recreation areas and various types of gaming activities as permitted by the Washington State Gambling Commission as a secondary use to the primary restaurant / tavern.

Spotlight - A lighting assembly designed to direct the output of a contained lamp in a specific tightly focused direction (a beam) with a reflector located external to the lamp.

Stagnant water - Any impoundment of water in which there is no appreciable flow of water through the impoundment and the level of water does not vary during any 48-hour period.

Standards and criteria - Standards are code requirements. Criteria are the elements required to comply with a particular standard.

Start of construction – Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stealth - Any Wireless Communication Antenna Array or Wireless Communication Support Tower, which is designed to blend into the surrounding environment. Examples of stealth may include architecturally screened roof-mounted antennas, building- mounted antennas painted to match the existing structure, antennas integrated into architectural elements, and wireless communication support towers designed to look like trees, clock towers, bell steeples, light poles, or flag poles.

Steep slopes - Slopes of greater than 15 percent depending on soil conditions.

Storage vs. parking - Storage is to place or leave in a location for maintenance, repair, sale, rental, or future use. Parking is the area used for leaving motor vehicles for a temporary time.

Storefront character - The character expressed by buildings placed close to the street with ground-floor display windows, weather protection (e.g., awnings or canopies), corner building

entrances or recessed entries, and similar features.

Stormwater drainage facility - Constructed and natural features which function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate, evaporate, divert, treat or filter stormwater. Stormwater facilities include, but are not limited to, pipes, ditches, culverts, street gutters, detention ponds, retention ponds, evaporation ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, and swales.

Story - That portion of a building included between the upper surface of any floor and the upper surface of the next floor above, except that the topmost story shall be that portion of a building included between the upper surface of a topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under- floor space is more than 6 feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

Street / road - A public or private way for travel by vehicles, bicycles, and pedestrians that meets the City standards in Article 10-3G.

Streetscape – All elements of a development or area that are in view from other points along a street.

Street access - See Article 10-3B & Article 10-3G.

Street connectivity - The number of street connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through neighborhoods.

Street, flanking - One of the two streets abutting a corner lot that is not parallel with the lot front line.

Street furniture/furnishings - Benches, lighting, bicycle racks, drinking fountains, mailboxes, kiosks, and similar pedestrian amenities located within a street right-of-way.

Street, local access - Street classification per the Spokane County Road Standards.

Street, public (private) - A public or private thoroughfare which affords primary means of access to abutting property and whose legal description of is recorded with the County Auditor. A recorded private thoroughfare may be a recorded easement for ingress or egress, or a platted street designed as a private thoroughfare for access of abutting property but for which the City assumes no responsibility or ownership and is available for use to the abutting property owners only. The private road easements and road maintenance agreements shall meet the requirements of the adopted public or private road standards for the city of Liberty Lake, as amended. The private road easements and associated maintenance agreement shall be recorded with the County Auditor prior to final subdivision or segregation by Certificate of Exemption.

Street stub - A temporary street ending; i.e., where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.

Street tree - Any tree planted on land lying between private property lines on either side of any streets, avenues, or ways within the city, in roundabouts or medians within the public right-of-way, or in trees wells located in sidewalks on public right-of-way or in public access easements.

Structure –

1. Any object constructed or erected which requires location on or in the ground or is attached to something having a location on the ground (including towers, smokestacks, overhead transmission lines, captive balloons, etc.) but not including fences, retaining walls, signs or walls used as fences less than 6 feet in height. Excluded from this

definition are accessory storage structures for the sole purpose of the owner or occupant less than 120 square feet in area not specifically permitted or prohibited by this Title or written interpretation thereto. Also excluded are docks and piers, but which may still be governed by the City's Shoreline Program. (See also Macro Wireless Communication Antenna Array and Macro Wireless Communication Support Tower.)

2. When used in the context of a small wireless facility, shall mean a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used for or to be used for the provision of wireless service, (either on its own or co-mingles with other services).
3. For the purposes of flood plain management, a “structure” shall be a walled and roofed building, including a gas or liquid storage tank that is principally above the ground.

Subdivision - Within this Code, includes both short subdivisions and long subdivisions defined within Article 10-4D.

Subject property - The site where an activity requiring a permit or approval under this ordinance will occur.

Substantial damage – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement – means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term excludes:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official, and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Support structure(s) - Posts or columns and their anchors and bolts that structurally support the sign attached to it.

Supportive Housing, Permanent – Subsidized, leased housing with no limits on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with complex and disabling behavioral health or physical health conditions.

Swale - A type of storm water facility. Usually a broad, shallow depression with vegetation that filters and processes contaminants.

Tangent - Meeting a curve or surface in a single point.

Tavern / pub - An establishment licensed for the sale and consumption of alcoholic drink for

use by persons 21 years of age or older.

Telemarketing centers / catalog and mail order houses - A call center that has the ability to handle a considerable volume of calls at the same time aided by computer automation. Call centers are used by, but not limited to, internet and catalog retailers, and telemarketing companies.

Temporary banner – A temporary sign constructed of a strip of cloth, paper, plastic, or other material which is supported between poles or fastened to buildings or other structures.

Temporary construction & sales office - A temporary structure used as an office or job shack during the construction of buildings at a given location or as a temporary marketing center. May include a permanent structure that is temporarily being used for the above activities.

Temporary sign – Any non-permanently affixed sign designed or intended to be displayed for limited periods of time.

Temporary use - Temporary uses are characterized by the non-permanent nature of the facilities/site improvements, and/or the short term or seasonal nature of the use. Temporary uses are subject to standards and criteria as may be required in the zone and require administrative approval from the City for a Temporary Use Permit as set forth in Section 10-4I-1.

Terrace - A porch or promenade supported by columns, or a flat roof or other platform on a building.

Theater - A building designed for the performance of plays, operas, etc.: a large room or hall, usually with a raised platform and tiered seats for an audience, used for lectures, film shows, etc. Definition does not include adult entertainment or adult retail use establishments as defined herein.

Tire salvage yard - Any area, lot, land, parcel, building, structure, or part thereof where waste, discarded or salvaged tires are exchanged, handled, bought, sold, stored, chipped, shredded or dumped. Outdoor storage of up to 800 tires and the storage of up to 1800 tires inside an enclosed building or semi-trailer, as an accessory use to a permitted business use, shall not be considered a tire salvage yard.

Title Notice - A document recorded with the County Auditor for the purpose of disclosure of important information, special conditions, restrictions, and/or circumstances that affect the property to a purchaser, lender, and others.

Tool / die making - The industrial art of manufacturing stamping dies (a cutting tool that is fitted into a diestock and used for cutting male (external) screw threads on screws or bolts or pipes or rods, plastics molds, and jigs and fixtures) to be used in the mass production of solid objects device used for shaping metal.

Topographical constraint - Where existing slopes prevent conformance with a Code standard.

Tower - A structure not enclosed with exterior walls, and which extends more than 75 feet above grade, or which exceeds the maximum building height for the zone in which it is located. Public utility structures used for the distribution or transmission of electricity are excluded from this definition, but structures used for production of energy are included (e.g. wind tower). Structures less than the above-stated height standard shall be considered accessory structures. Does not include Wireless Communication Antenna Array or Wireless Communication Support Tower.

Tower, private - A structure less than 75 feet in height above grade used for two-way communication for hobby or emergency service purposes by private individuals. Does not include Wireless Communication Antenna Array or Wireless Communication Support Tower.

Tract: private/public - A piece of land set aside in a separate area for dedication to the public, a homeowner's association, or other entity (e.g., open space, recreation facilities, sensitive lands, etc.).

Trailer - A wheeled vehicle that can be pulled by a car or truck and is equipped for occupancy.

Transitional Housing – A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living. The housing is short-term, typically less than 24 months. In addition to providing safe housing for those in need, other services are available to help participants move into independent living and permanent housing.

Transportation facilities - The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.).

Transportation mode - The method of transportation (e.g., automobile, bus, walking, bicycling, etc.)

Tri-plex - A building with three attached housing units on one lot or parcel.

Truck stop - An establishment that is engaged primarily in the fueling, servicing, repair, and/or parking of tractor trailers, trucks, and similar freight vehicles, with ancillary services that may include a restaurant, shower facilities, and/or sleeping quarters.

Ultralight vehicle - A vehicle that meets the Federal Aviation Administration specifications for an ultralight vehicle.

Uniformity - In outdoor lighting, uniformity is a measure indicating how evenly light is distributed across a surface. Typically, the measure is expressed as a ratio of one value to another, such as average to minimum, or maximum to minimum. Using ratios, perfect uniformity would be 1:1.

Urban growth area (UGA) - Areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature as defined in RCW 36.70A.030(18).

Use - The purpose for which land or building is arranged, designed, or intended, or for which either is or may be occupied or maintained.

Utilities - Enterprises or facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, and for the disposal of sewage.

Utility pole - A pole located in the right-of-way that is designed and primarily used for the support of electrical power lines, telephone wires, television cables or wireless-only facilities.

Vacate plat/street - To abandon a subdivision or street right-of-way. For example, vacation of a public right-of-way that is not needed or cannot be used for a street or other public purpose. A plat may be vacated, returning the property to an undivided condition.

Variance - An administrative (Class A Variance) or quasi-judicial (Class B Variance) decision to lessen or otherwise modify the requirements of this Code for a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the vicinity and similar zone classification and which adjustment remedies the difference in privileges; provided, however, that a variance granted shall not authorize a use otherwise prohibited in the zone classification in which the property is located. (See Article 10-5B).

Variance from flood elevation standards - A grant of relief from the requirements of Article 10-6F of this title, to permit construction in a manner that would otherwise be prohibited by that Article.

Vegetative classes - Certain types of wetlands as defined by the U.S. Fish and Wildlife Service's Classification of Wetlands and Deepwater Habitats of the United States, FWS/OBS-79-31 (Cowardin et al., 1979, or hereinafter amended), and must be at least one-half acre in

size or comprise at least ten percent of the entire wetland.

Vehicle - An item which is designed to transport objects, merchandise, other articles, or persons from one point to another whether the item (vehicle) is operable or inoperable. Does not include manufactured or mobile homes.

Vernal wetland system - Seasonal depressional wetlands typically occurring high in the drainage that derive their hydrology from rainfall and snow and a small immediate watershed. Vernal systems are formed as a result of accumulation of surface water in an isolated basin that at no time of the year would have a natural inlet or outlet and water is entirely absent from the surface part of the year.

Vision clearance area - See Section 10-3B-2, subsection N.

Wall Sign - A non-paper sign attached or erected parallel to and extending not more than fifteen (15) inches from the facade or face of any building to which it is attached and supported throughout its entire length, with the exposed face of the sign parallel to the plane of said wall or facade.

Warehouse and freight movement - A place for the storage and/or distribution of goods or merchandise. Does not include manufacturing or sale of goods.

Water dependent - A structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

Water surface elevation - The height, in relation to the vertical datum utilized in applicable flood insurance study of flood of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

Welding / sheet metal shop - A facility where material is processed by machining, cutting, grinding, welding, or similar processes.

Wetland(s) - Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands. (Defined in RCW 36.70A.030(20) as now or hereafter amended.)

Wetland banking - The off-site created, restoration, and/or enhancement of wetlands to compensate for unavoidable wetlands impacts associated with development. The newly created or restored site functions as a “bank” which can issue credits to compensate for future wetland impacts.

Wetland buffer or wetland buffer area - An area that surrounds and protects a wetland from adverse impacts to the functions and values of a wetland. The buffer width shall be determined according to the rating assigned to the wetland in accordance with Section 10-6B-3. Buffer width is measured outward from the wetland boundary.

Wetlands Delineation Manual - The 1987 U.S. Army Corps of Engineers Wetland Delineation Manual used in conjunction with the “Washington Regional Guidance on the 1987 Wetland Delineation Manual” dated May 23, 1994, as amended or any other wetlands delineation adopted or recommended for use by the Washington State Department of Ecology.

Wetlands of local significance - Wetlands evaluated by established criteria and given a higher designation as either class 1 or class 2 wetlands.

Wetlands permits - Any permit, modification, revision, or variance issued, conditioned, or denied pursuant to Section 10-6B-3.

Wetland types - The wetland classes or subclasses of the wetlands taxonomic classification system described in the U.S. Fish and Wildlife Service's Classification of Wetlands and Deepwater Habitats of the United States, FWS/OBS-79/31 (Cowardin et al., 1979 or hereinafter amended).

Wholesaling / distribution facility - Engaging in trade or sale by the piece or large quantity; selling to retailers or jobbers at a reduced price, rather than to consumers. The act or process of distributing; does not include manufacturing of goods.

Wildlife corridor - A landscape feature that facilitates the biologically effective transport of animals between larger patches of habitat dedicated to conservation functions. Such corridors may facilitate several kinds of traffic, including frequent foraging movements, seasonal migrations, or the once in a lifetime dispersion of juvenile animals. These are transitional habitats and need not contain all the habitat elements required for the long- term survival or reproduction of its migrants.

Window hood - An architectural detail placed above a window, used as an accent.

Window Sign - A sign applied to a window or mounted or suspended directly behind a window.

Window trim - Architectural decoration that surrounds a window.

Winery / Microbrew - A facility devoted to one or more activities related to making, ageing, bottling, storing, and serving of wines or beers.

Wireless only pole - A pole erected for the sole purpose of supporting a small wireless facility, which may be permitted if the wireless provider has demonstrated that it is technically infeasible to collocate said facility on existing light poles, utility poles or other buildings or structures to provide service in a specifically defined area.

Wireless provider - Any person or entity who provides wireless service or who owns, operates, or manages wireless communications and data facilities.

Wireless services - FCC licensed or authorized wireless services, including personal wireless services as defined in 47 U.S.C. Section 332.

Woodworking / cabinet manufacturing - A facility for the custom making, repairing, or refinishing of furniture or wood products.

Xeriscaping - A patented name for water conservation through creative landscaping, which includes appropriate planting and design, soil improvement, efficient irrigation, drought resistant turf, appropriate plant selection, use of mulches, and maintenance.

Yard - The area defined by setbacks (i.e., between the setback line and respective property line).

Yards, Types and Measurements -

1. Front Yard - An area extending across the full width of a lot and lying between the lot front line and that portion of a proposed or existing building or structure on the lot closest to the lot front line, or between the lot front line and the required front yard depth in each classification when no building or structure exists or is proposed. The front yard is generally recognized by location of the main entrance to the building and/or orientation to the primary street. "Front yards" shall be measured by a line at right angles to the lot front line, or by the radial line or radial line extended in the case of a curved lot front line. Any lot extending between 2 nonintersecting streets shall be deemed to have front yards on both streets regardless of building orientation.
2. Rear Yard - An area extending across the full width of the lot and lying between the lot rear line and that portion of a proposed or existing building or structure closest to the lot

rear line, or between the lot rear line and the required rear yard depth in each classification when no building or structure exists or is proposed. "Rear yards" shall be measured by a line at right angles to the lot rear line, or by the radial line or radial line extended in the case of a curved lot area line.

3. Side Yard - That area of a lot, unoccupied, which is neither a front yard, a rear yard, nor a flanking street yard.
4. Flanking Street Yard - Unoccupied area of a lot which is conterminous with a flanking street, bounded by the front yard and rear yard and the flanking street yard depth, usually on a corner lot.

Youth Camp - The use of a site for indoor or outdoor activities for children, including sports, arts and crafts, entertainment, recreation, educational activities, swimming, fishing, horseback riding, and incidental food service.

Zero-lot line (single family courtyard home) - Zero-lot line houses are single family houses without a side yard setback on one side of a typical lot. This type of housing is permitted to allow development on smaller (i.e., narrower) lots and still provide usable outdoor living area in side-oriented courtyards.

Zone - A portion of the City of Liberty Lake designated on the official zoning map and established for the purpose of promoting orderly and efficient development of land compatible with surrounding areas and the Comprehensive Plan.

Zoning Administrator – The Director of Planning, Engineering & Building Services, or his/her designee.

Zoological Park - Any facility other than a pet shop, circus, or kennel displaying, exhibiting, or keeping (one or more) species of animals. Domestic pet shows or farm displays of domestic animals are excluded from this definition.

Article 10-1D — Enforcement

Sections:

10-1D-1 **Provisions of this Code Declared to be Minimum Requirements**

10-1D-2 **Violation of Code Prohibited**

10-1D-3 **Penalty**

10-1D-4 **Complaints Regarding Violations**

10-1D-5 **Inspection and Right of Entry**

10-1D-6 **Abatement of Violations**

10-1D-7 **Notice of Violation**

10-1D-8 **Notice of Violation Administrative & Judicial Appeals**

10-1D-9 **Emergency Order**

10-1D-1 Provisions of this Code Declared to be Minimum Requirements

A. Minimum requirements intended. In their interpretation and application, the provisions of this Code shall be held to be minimum requirements, adopted for the protection of the public health, safety, and general welfare.

B. Most restrictive requirements apply. When the requirements of the River District SAP vary from other provisions of the Liberty Lake Development Code or with other applicable development standards, the River District SAP standards shall govern, with the exception of life-safety issues.

10-1D-2 Violation of Code Prohibited

No person shall erect, construct, alter, maintain, or use any building or structure or shall use, divide, or transfer any land in violation of this Code or any amendment thereto.

10-1D-3 Penalty

A. Responsible party. Person(s) having charge, care, or control of the violation or those engaged in doing such work or causing such work to be done that is in violation of this Code. If a provision of this Code is violated by a firm or corporation, the officer or officers, or person or persons responsible for the violation shall be subject to the penalties imposed by this section.

B. Each violation a separate infraction. Each violation of a separate provision of this Code shall constitute a separate infraction, and each day that a violation of this Code is committed or permitted to continue shall constitute a separate infraction. The City may pursue such remedies as outlined in this section or any remedial action as may be allowed by state law including abatement of the violation. The City may exercise the remedies under this Code or state law concurrently or sequentially against any person violating this Code.

C. Class 1 civil infraction and/or abatement. Any person who violates any provision of this Code shall be found to have committed a class one (1) civil infraction and be assessed a monetary penalty in accordance with Chapter 7.80 of the Revised Code of Washington and Title 1, Chapter 4 of the Liberty Lake Municipal Code which allows for a two hundred fifty (250) dollar fine for each day that

the violation occurs, not including statutory assessments. The penalty shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service to the responsible party. The City attorney on behalf of the City of Liberty Lake may collect civil penalties and abatement work costs by use of all appropriate legal remedies including a lien(s) against the property as joint and separate personal obligations of any person in violation. If penalties or costs are not paid, the Zoning Administrator or the City attorney shall cause a claim for lien to be filed for record in the Spokane County auditor's office within ninety (90) calendar days from the date the civil penalty was imposed or within ninety (90) calendar days from the date of completion of the abatement work performed pursuant to this chapter.

D. Citations. The Liberty Lake Police Department, at the request of the Zoning Administrator, may issue citations for the following:

1. Whenever a violation threatens the health and safety of the occupants of the premises or property, any member of the public, or the environment, the Zoning Administrator may issue an Emergency Order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety or threat and harm to the environment be corrected immediately. If the threat is not corrected the Zoning Administrator may order the issuance of a citation to the responsible party.
2. Whenever the responsible party fails to act on a Notice of Violation, and a continued violation of this Code occurs or a deliberate continued disregard of this Code occurs, the Zoning Administrator may order the issuance of a citation to the responsible party.

10-1D-4 Complaints Regarding Violations

A. Filing written complaint. Whenever a violation of this Code occurs, or is alleged to have occurred, any person may file an investigation request with the City.

B. File complaint with Zoning Administrator. Investigation requests, stating fully the causes and basis thereof, shall be filed with the Zoning Administrator. The Zoning Administrator or his or her designee shall properly record such complaints, investigate, and take action thereon as provided by this Code.

10-1D-5 Inspection and Right of Entry

Whenever necessary to make an inspection to enforce or determine compliance with the provisions of this Code, or whenever the Zoning Administrator or his/her duly authorized inspector has reasonable cause to believe that a violation of this Code has been or is being committed, an inspector may enter any building, structure, property, or portion thereof at reasonable times to inspect the same.

A. Occupied properties. If such building, structure, property, or portion thereof is occupied, the inspector shall present identification credentials, state the reasons for the inspection, and request entry.

B. Unoccupied properties. If such building, structure, property, or portion thereof is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, property, or portion thereof and request entry. If the inspector is unable to locate the owner or such other persons, and he or she has reason to believe that conditions therein create an immediate and irreparable land use or safety hazard, he or she shall make entry.

C. Compliance with request. It is unlawful for any owner or occupant, or any other person having charge, care, or control of any building, structure, property, or portion thereof to fail or neglect after

proper request has been given to permit prompt entry where the inspector has reason to believe that conditions therein create an immediate and irreparable land use or safety hazard.

D. Permits. Any person submitting an application for a permit issued pursuant to this Code shall be deemed to have consented to on-site inspection of their property for the purpose of assessing compliance with this Code.

10-1D-6 Abatement of Violations

Any development or use which occurs contrary to the provisions of this Code or contrary to any permit or approval issued or granted under this Code is unlawful and may be abated by appropriate proceedings as outlined in this article. A finding of a violation of this Code and paying of a penalty shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this article are in addition to and not in lieu of any remedies available to the City.

10-1D-7 Notice of Violation

A. Notice of Violation issuance. Whenever any violation of this Code occurs or any work is being done in violation of the provisions of this Code or a condition of any permit or other approval, the Zoning Administrator or his or her designee may issue a written Notice of Violation to order the violation corrected or removed, or work stopped. This Notice shall be served on the responsible party. All work under any permit or approval shall cease until it is authorized to continue by the Zoning Administrator.

1. The Zoning Administrator or his or her designee may precede the Notice of Violation with attempts to secure a voluntary correction via a conversation in person or by phone, or through a written notice.

B. Notice of Violation content. The following shall be included in the Notice of Violation:

1. The street address, when available, and a legal description of real property and/or description of the property location sufficient enough to identify where the violation occurred or is located;
2. A statement that the Zoning Administrator has found the person to be in violation of the City of Liberty Lake Development Code, with a brief and concise description of the conditions found to be in violation and a reference to the City regulation(s) which has been violated;
3. A statement of the corrective action required to be taken, and that the violation shall be corrected within fourteen (14) calendar days or less from the date of service of the order;
    a. If the Zoning Administrator has determined that corrective work is required, the notice shall require that all required permits be secured, that work physically be commenced, and that the work be completed within such times as the Zoning Administrator determines are reasonable under the circumstances, provided however, that in no event shall the time given for corrective work be greater than thirty (30) calendar days;
4. A statement specifying the amount of any civil penalty assessed due to the violation and, if applicable, the conditions on which assessment of such civil penalty is contingent;
5. Statement advising that: If any required work is not commenced or completed within the times specified, the Zoning Administrator will proceed to cause abatement of the violation and cause the work to be done and charge the costs as a lien against the property and as a joint and separate personal obligation of any person in violation;
6. Statement advising that: If any assessed civil penalty is not paid, the Zoning Administrator will charge the amount of the penalty as a lien against the property and as a joint and separate personal obligation of any person in violation;

7. Statement that: The Notice of Violation may be appealed within fourteen (14) calendar days from the date of the notice to the City Hearing Examiner, pursuant to the provisions outlined below in Section 10-1D-8. Any per day civil penalty shall not accrue during the pendency of such administrative appeal, unless the Hearing Examiner determines that the appeal is frivolous or intended solely to delay compliance; and a failure to file a timely and complete appeal will constitute a waiver of all rights to an administrative appeal under this Code.

C. Notice of Violation service. The Zoning Administrator or his or her designee shall serve the Notice of Violation upon the person to whom it is directed, either personally or by mailing a copy of the order by certified mail to such person at his/her last known address. If the address of any such person cannot be readily ascertained, a copy shall be mailed by certified mail to such person at the address of the location of the violation. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this article. Service by mail in the manner provided in this section shall be effective on the date of postmark. The order may be, but is not required to be, posted on the subject property.

10-1D-8 Notice of Violation - Administrative & Judicial Appeals

A. Administrative appeal. A person to whom a Notice of Violation is directed may appeal such order to the Hearing Examiner within fourteen (14) calendar days from the date of the notice. A notice of appeal shall be delivered to Zoning Administrator by mail or personal delivery with the required appeal fee as set forth in the City Fee Schedule. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information required in this section. Any notice of appeal not in full compliance with this section shall not be considered. Prior to filing a notice of appeal, within the fourteen (14) day timeframe, a person may request an administrative interpretation of the violation as outlined in Section 10- 4G-2.

1. The notice of appeal shall contain a concise statement identifying:
   a. The code violation being appealed;
   b. The name and address of the appellant and his/her interest(s) in the matter;
   c. The specific reasons why the appellant believes the violation notice to be wrong. The appellant shall bear the burden of proving the violation notice was wrong;
   d. The desired outcome or changes.
2. Scheduling of Public Hearing. A public hearing for the appeal shall be scheduled before the Hearing Examiner not less than twenty-one (21) calendar days from the date the complete notice of appeal with appeal fee is submitted to Zoning Administrator. The decision of the Hearing Examiner shall be a recommendation to the City Council as outlined in City of Liberty Lake Ordinance No. 27, establishing the office of the hearing examiner and providing for rules and regulations. The City Council will conduct an additional public hearing at its next available, regularly scheduled City Council meeting; to render the final appeal decision, The Council hearing shall be held within the timeline established for project permit reviews and decisions, see Section 10-4B- 4.
   a. Any per day civil penalty shall not accrue during the pendency of such administrative appeal, unless the Hearing Examiner determines that the appeal is frivolous or intended solely to delay compliance. Enforcement of any Notice of Violation issued pursuant to this chapter shall be stayed during the pendency of any appeal under this chapter, except when the Zoning Administrator issues an Emergency Order as described below in Section 10-1D-9 of this article.
   b. Waiver. Failure to file a timely and complete appeal will constitute a waiver of all rights to an

administrative appeal under this Code.

B. Judicial appeal. Appeals from the final decision of the City Council shall be made to the Spokane County Superior Court and must be filed as a land use petition at the superior court within twenty-one (21) calendar days of the date the written appeal decision is signed.

1. Notice of the appeal and any other pleadings required to be filed with the court shall be served on the City Clerk and all persons identified in RCW 36.70C.040, within the applicable time period.

2. Costs of transcribing and preparing all records ordered certified by the court or desired by the appellant shall be borne by the appellant. Prior to the preparation of any records, the appellant shall post with the City Clerk, an advance fee deposit in the amount specified by the City Clerk. Any overage will be promptly returned to the appellant.

10-1D-9 Emergency Order

Notwithstanding any other provision of this article, whenever any use or activity in violation of this Code threatens the health and safety of the occupants of the premises or property, any member of the public, or the environment, the Zoning Administrator may issue an Emergency Order directing that the use or activity be discontinued and the condition causing the threat to the public health and safety or threat and harm to the environment be corrected immediately. The Emergency Order shall specify the time for compliance and shall be posted in a conspicuous place on the property, if posting is physically possible. In the event the Zoning Administrator issues an Emergency Order, the Notice of Violation procedures outlined above shall not apply. A failure to comply with an Emergency Order shall constitute a violation of this Code and the responsible party shall be subject to Section 10-1D-3.

4.1 - River District Zoning District Matrix

Comprehensive Plan Category	Implementation - Zoning District
Mixed Residential	**RD-R** (Mixed Residential)
Community Center Mixed Use	**RD-M** (Community Center)
Freeway Commercial	**RD-C** (Freeway Commercial)

Types of Uses

Permitted Uses (P): Permitted uses are designated in the following 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 the following 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 the following 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 Applicable (N/A): Neighborhood Retail Clusters include uses that are Permitted in RD-M, and RD-C Zones, however as defined, Neighborhood Retail Clusters are specific to the RD-R Zone.

Not Permitted (N): Uses designated in the following 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.

River District SAP Zoning Districts Matrix

Facilities and Uses	RD-R	RD-M	RD-C
Agriculture (actively farmed)	L	L	L
Agricultural product / craft sales stand (Farmer's market)	N	P	P
Church / religious institution	P	P	P
Funeral home / mortuary	N	N	N
Home occupation	L	L	N
Hospital - EPF	N	P	P
Large-scale retail establishments	N	N	L
Marijuana Producer	N	N	N
Mobile sales / concessions	L	L	L
Parking structure	N	P	P
Planned unit development (PUD)	P	P	P
Temporary construction / sales office	L	L	L
Tower	N	N	N
Tower, private	N	N	L
Animal related			
Animal health services / veterinarian - domestic animals	N	P	P
Animal shelter / kennel	N	N	N
Animal, wildlife rehabilitation facility	N	N	N
Dangerous animal / livestock keeping	N	N	N
Automobile, etc. oriented			
Automobile, manufactured home, recreational vehicle, trailer, and boat -sales	N	N	P
Automobile parts sales (retail)	N	L	P
Automobile parts sales (wholesale)	N	N	P
Automobile, recreational vehicle, trailer, truck, & taxi - rentals	N	N	P
Automobile / truck repair or maintenance (service station)	N	N	L
Automobile impound yard	N	N	N
Automobile wrecking / recycling, junk, and salvage yards	N	N	N
Boat, recreational vehicle, and trailer - construction, repair, parts sales, and maintenance	N	N	L
Car wash (automatic or self-service)	N	N	P
Gas station / convenience store	N	N	L
Fueling stations as an accessory use	N	N	L
Child day-care			
Family child day-care home (5 or fewer children)	P	P	N
Family child day-care home (6 to 12 children)	P	P	N

Facilities and Uses	RD-R	RD-M	RD-C
Child day-care center	L	P	P
Child day-care center (in a church or a school)	P	P	P
Community recreation and facilities			
Athletic club / exercise facility / gym	L	P	P
Community center / hall / club	P	P	P
Golf course	N	N	N
Parks & recreation	P	P	P
Participant & spectator sports facilities	N	L	P
Recreational vehicle park / campground	N	N	N
Dining, personal services, entertainment, lodging, and retail (excluding automobile oriented)			
Adult entertainment establishment	N	N	N
Adult retail use establishment	N	N	N
Banks / financial institutions (with drive-thru)	N	L	P
Bed and breakfast inn	CU	P	N
Building supply / hardware - sales (inside sales and storage)	N	P	P
Building supply / hardware - sales (outside sales and storage)	N	N	P
Commercial laundromat and dry-cleaning facility (without drive-thru)	N	P	P
Commercial laundromat and dry-cleaning facility (with drive-thru)	N	L	P
Cultural center, library, museum	P	P	P
Espresso stand	N	N	P
Neighborhood Retail Cluster	L	NA	NA
General Retail	L	P	P
Grocery store	L	P	P
Hotel, motel, inn	N	P	P
Landscape supply, greenhouse, or commercial nursery	N	N	P
Marijuana Retailer	N	N	N
Personal care services such as barber shops, hair and nail salons, tanning salons, etc.	N	P	P
Pharmacy (without drive-thru)	L	P	P
Pharmacy (with drive-thru)	N	L	P
Printing, reprographics, bookbinding, and graphic services	N	P	P
Restaurant, cafe, deli, or ice cream parlor (without drive-thru)	L	P	P
Restaurant, cafe, deli, or ice cream parlor (with drive-thru)	N	L	P
Sports Bar	N	L	P
Tavern / pub / liquor store	N	L	P
Theater (motion picture or performing arts)	N	P	P
Winery / Microbrew	L	P	P

Facilities and Uses	RD-R	RD-M	RD-C
Government / civic offices and facilities			
Ambulance / emergency services facility	N	N	P
Detention facility - EPF	N	N	N
Fire station	N	N	N
Maintenance / public works facility	N	N	N
Offices / City Hall	N	P	P
Police station	N	P	P
Post office (without drive-thru)	N	P	P
Post office (with drive-thru)	N	L	P
Prison / correctional facility - EPF	N	N	N
Public transit facilities - EPF	P	P	P
Schools - public / private			
Nursery / pre-school	P	P	P
Elementary school	P	P	P
Middle school / Junior High	P	N	P
High school	N	N	P
College or university - EPF	N	P	P
Specialized / vocational / trade school	N	P	P
Housing			
Accessory caretaker's residence	N	N	L
Accessory dwelling unit (ADU), attached or detached	L	L	N
Adult family home	P	P	P
Co-living housing	L	L	L
Dwelling, multi-family	P	L	P
Dwelling, single family	P	P	N
Dwelling, single family attached townhome	P	P	N
Dwelling, two-family duplex	P	P	N
Emergency Housing & shelters	N	L	L
Manufactured homes (on individual lots)	N	N	N
Manufactured home park	N	N	N
Transitional & supportive housing, 8 beds or less	L	L	L
Transitional & supportive housing, more than 8 beds	L	L	L
Zero lot line (single family courtyard home)	P	P	N
Manufacturing, equipment, and industrial production			
Construction / industrial equipment sales or rental	N	N	P
Light manufacturing and assembly	N	L	P

Facilities and Uses	RD-R	RD-M	RD-C
Light manufacturing and assembly w/ retail sales showroom	N	L	P
Marijuana Processor	N	N	N
Artisan / Craftsman Live Work	L	P	P
General office and professional facilities			
Communications service systems	N	P	P
Office	L	P	P
Medical equipment supply	N	P	P
Research facility / laboratory	N	P	P
Telemarketing centers / catalog & mail order houses	N	P	P
Social services			
Secure Community Transition Facility (SCTF, 3 or fewer residents) - EPF	N	N	N
Solid waste management and recycling			
Commercial composting storage / processing facility - EPF	N	N	N
Incinerator - EPF	N	N	N
Landfill - EPF	N	N	N
Recycling collection center	N	N	N
Solid waste transfer site - EPF	N	N	N
Tire salvage yard	N	N	N
Storage, freight, and wholesale facilities			
Outdoor vehicle storage	N	N	N
Self-service storage facility (mini storage)	N	N	N
Warehouse and freight movement	N	N	P
Wholesaling / distribution facility	N	N	P
Utilities and facilities			
Macro cell wireless communication antenna array	N	L	L
Macro cell wireless communication support tower	N	L	L
Power plant - EPF	N	P	P
Public utility local distribution facility	L	L	L
Public utility transmission facility - EPF	N	N	L
Sewage treatment plant - EPF	N	N	N
Small wireless communication antenna array	L	L	L

Article 10-2C — RD-R (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 RD-R (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 River District Zoning Matrix under the RD-R (Mixed Residential) District with the letter "P" are permitted in the RD-R zone, without special action by the Hearing Body, subject to development standards of the RD-R (Mixed Residential) District, and other applicable portions of this Code. Only land uses which are specifically listed in the River District Zoning Matrix and land uses which are approved as "similar" to those in the River District Zoning Matrix 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 River District Zoning Matrix under the RD-R (Mixed Residential) District with the letter "L" are allowed in the RD-R zone if they comply with the development standards of the RD-R (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 River District Zoning Matrix and land uses which are approved as "similar" to those in the River District Zoning Matrix 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 RD-R Limited Uses.

1. **Agriculture (actively farmed)**
   a. Existing uses only, new agriculture (actively farmed) uses not permitted.
   b. Small scale orchards, vineyards and community gardens are permitted.
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 community events.
4. **Temporary construction / sales office**
   a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
5. **Child day-care center**
   a. Only permitted on sites specifically designed to meet the traffic and parking needs of this type of use.
6. **Athletic club/exercise facility/gym**
   a. Permitted within Neighborhood Retail Cluster
7. **Neighborhood Retail Cluster**
   a. Uses permitted in the "Neighborhood Retail Cluster" shall be limited to the following facilities and uses as defined in the code: Agricultural product/craft sales stand/Farmers Market; Animal health services/veterinarian/domestic animals; Banks/financial institution (non-drive thru); General retail; Grocery store; Restaurant, café, deli, or ice cream parlor (non-drive thru); winery/microbrew; Post office; Office and residential uses in a mixed use building.
   b. The size of the Neighborhood Retail Cluster shall not exceed 25,000 square feet in land area nor more than 5,000 square feet on the first story and 7,500 square feet in total commercial building area (excludes residential uses in mixed use buildings).
   c. The buildings in the Neighborhood Retail Cluster shall be street facing, on a corner and may

include street side seating and plaza areas.

d. Parking shall be provided from the rear of the building from an alley. Parking shall not be less than 2.0 nor more than 3.5 spaces per 1500 square feet of building area.

e. Neighborhood Retail Clusters must be located more than 1000 feet from other such Neighborhood Retail Clusters.

8. General Retail

a. Permitted within Neighborhood Retail Cluster

9. Grocery store

a. Permitted within Neighborhood Retail Cluster

10. Pharmacy (without drive-thru)

a. Permitted within Neighborhood Retail Cluster

11. Restaurant café, deli, or ice cream parlor (without drive-thru)

a. Permitted within Neighborhood Retail Cluster

12. Winery/Microbrew

a. Permitted within Neighborhood Retail Cluster

13. Accessory dwelling unit, attached

a. No 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 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 50% 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. Within non- residential buildings one ADU dwelling unit shall be allowed. This is not intended to limit the number of residential units in a mixed-use building.

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. Home occupations shall be allowed within the ADU.

14. Accessory dwelling unit, detached

a. No 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 50% 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 32 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 5,000 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.

15. Co-living housing

a. Co-living housing shall be subject to a provision of .25 parking spaces per sleeping unit, unless located within one-half mile walking distance from a major transit stop, in which case no parking shall be required. For this purpose, “major transit stop” shall be defined as a transit stop providing fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays or a transit stop on a bus rapid transit route.

b. Co-living housing shall be subject to the architectural design review requirements applicable to multi-family developments within this zone.

c. Co-living housing consisting of 8 sleeping units or less shall be treated as one dwelling unit for purposes of density calculations; if co-living housing consists of more than 8 sleeping units, each sleeping unit shall be considered equal to one-quarter of a dwelling unit for purposes of density calculations.

16. Transitional & Supportive Housing, 8 beds or less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

17. Transitional & Supportive Housing, more than 8 beds

a. The facility shall be limited to 40 or fewer residents, not including caregivers and staff.

b. The facility should be limited to 20 or fewer housing units within a single facility or complex.

c. The facility must maintain an outwardly residential appearance and conform to the residential character of the area.

d. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

e. The facility must be located within ¼ mile of a fixed transit route.

f. The facility shall meet any applicable state and federal licensing requirements.

18. **Artisan/Craftsman Live Work**

    a. Permitted within Neighborhood Retail Cluster or under the requirements of home occupation.

19. **Office**

    a. Permitted within Neighborhood Retail Cluster.

20. **Public Utility Local Distribution Facility**

    a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

    c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

21. **Small Wireless Facility**

    a. Siting Hierarchy.

        i. Collocation on existing or replacement non-wooden light poles, buildings, or structures adjacent to the zoning district boundary is the preferred siting location.

        ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on existing or replacement utility poles, buildings or other structures within a neighborhood park, or other existing light poles, or buildings within the zoning district shall be allowed.

        iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

    b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small cell wireless facilities.

    c. Must meet design standards as detailed in City Development Code §10-3F-4.

    d. A Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2C-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the River District Zoning Matrix under the RD-R (Mixed Residential) District with the letters “CU” are permitted to locate in the RD-R 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 River District Zoning Matrix and land uses which are approved as “similar” to those in the River District Zoning Matrix 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 RD-R 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.

d. Bed and breakfast operations shall be limited to two (2) bedroom units within any individual residential dwelling and total occupancy by transient persons shall be limited to four (4) per dwelling.

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.

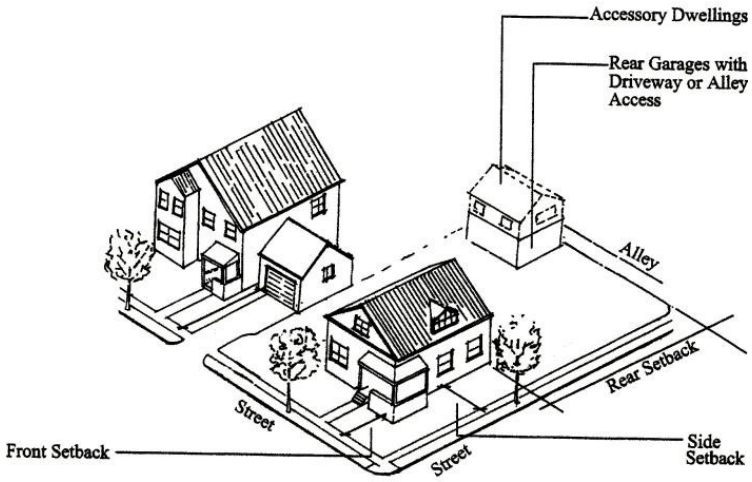
D. Development Standards, Architectural Guidelines, and Design Standards. Accessory structures must comply with all applicable standards and guidelines for this zone (10-2C-6, 10-2C-7, 10-2C-8, 10-2C-9, 10-2C-10, and 10-2C-11), unless specifically exempted, or alternative methods are authorized, or a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

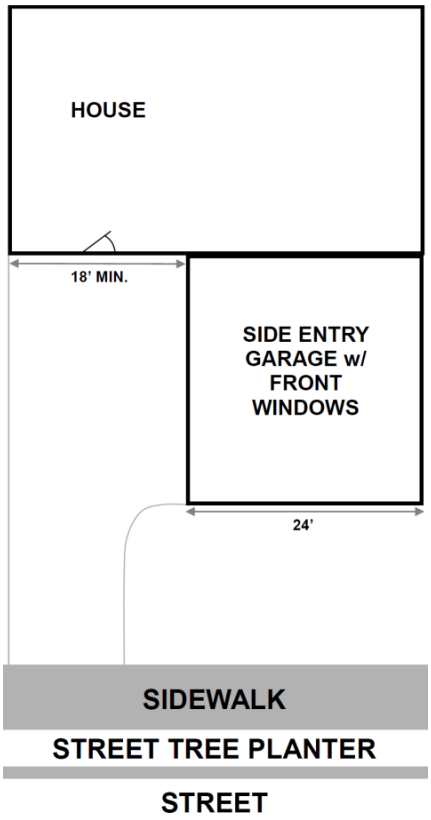


Liberty Lake Examples



A. Front Yard Setbacks

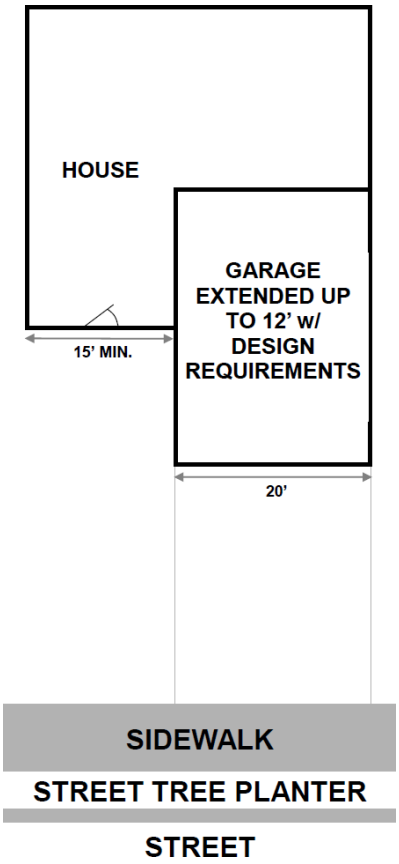
1. A minimum setback of 5 feet is required from the back of sidewalk on rear loaded lots.
2. Garage doors on attached garages should be accessed from alleys or face the side or rear of the property, rather than the front and be accessed from a driveway that does not exceed 20 feet wide except at the 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 18 feet from the back of sidewalk.

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 18 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.
6. Attached Single Family Clustered Housing unit setbacks shall be only for the single building elevation that is nearest to the right-of-way, auto-court lane, or street, as applicable; however, no structures shall be located within easements. A minimum building front yard setback of 5 feet is required for an attached single family clustered housing unit building with rear loaded lots.

B. Rear Yard Setbacks

1. The minimum rear yard setback shall be 5 feet for street-access lots, and no setback for alley-access lots, unless easements prohibit (except for accessory structures). Lots backing up to open space shall have no minimum rear yard setbacks.
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 or easement, 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. Attached Single Family Clustered Housing unit setbacks shall be only for the single building elevation that is nearest to the alley or property line.

C. Side Yard Setbacks

1. No minimum side yard setback shall be required on interior side yards providing the separation between the buildings meets the current building code 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.
3. No minimum or maximum side yard setback is required for dwelling units (including clustered housing unit buildings) that are attached by a common wall. This applies to units that are oriented towards street ROW, auto-court lanes, streets, or common areas.

D. Setback Exceptions

Unless easements prohibit, 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. Steps to porches or decks may encroach into front yard setback by no more than 5 feet. Porches, decks, and similar structures not exceeding 24 inches in height may encroach into setbacks by no more than 5 feet. Walls and fences may be placed on property lines, subject to the standards in Chapter 3. Walls and fences within front yards shall additionally comply with the vision clearance standards in Chapter 3.

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

A. Residential Density Standard. The density standards shall apply to all new development. The minimum net density is 4 dwelling units per acre and the maximum net density is 18 dwelling units per acre. 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

zoning category of a specific area plan). 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 Area, & Dimensions. "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.

Maximum Lot Coverage in the RD-R Zone is 80%. Attached Single Family Clustered Housing may include individual attached units that have 100% coverage of the lot; in these cases, the proposed clustered housing development shall include not less than 20% common open space around the building(s).

There is no minimum or maximum lot area, width, or depth.

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

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 the Zoning Administrator.

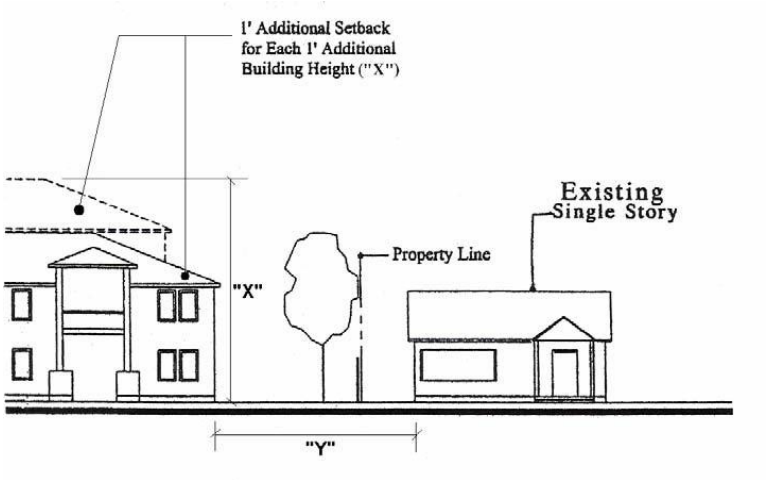
10-2C-8 Building Height

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 RD-R Zone shall be no more than 45 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 from the highest grade on the front elevation to the highest roofline on the building.

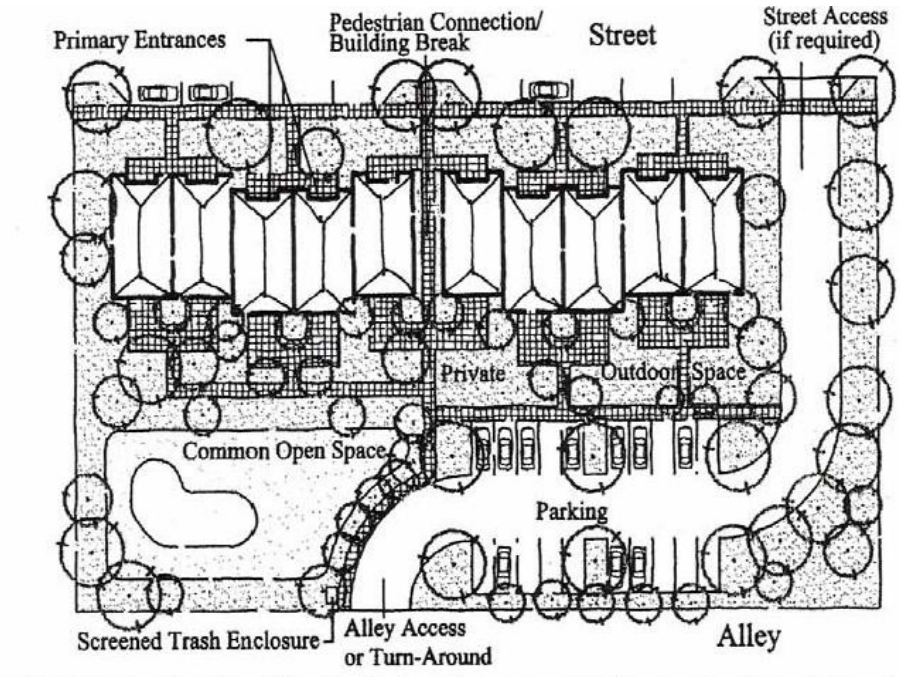
Not included in the maximum height are chimneys, roof equipment, flag poles, and similar features which are not for human occupancy, but may be restricted in height to protect views. Within residential zones, bell towers, steeples, and similar features are included within the maximum height and shall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



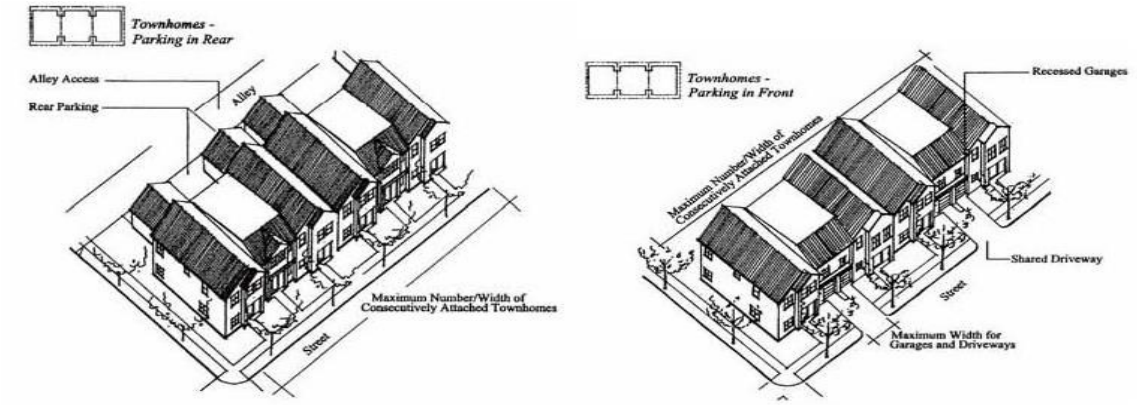
Residential Single Family Attached Townhome or Multi-Family Orientation Example

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".

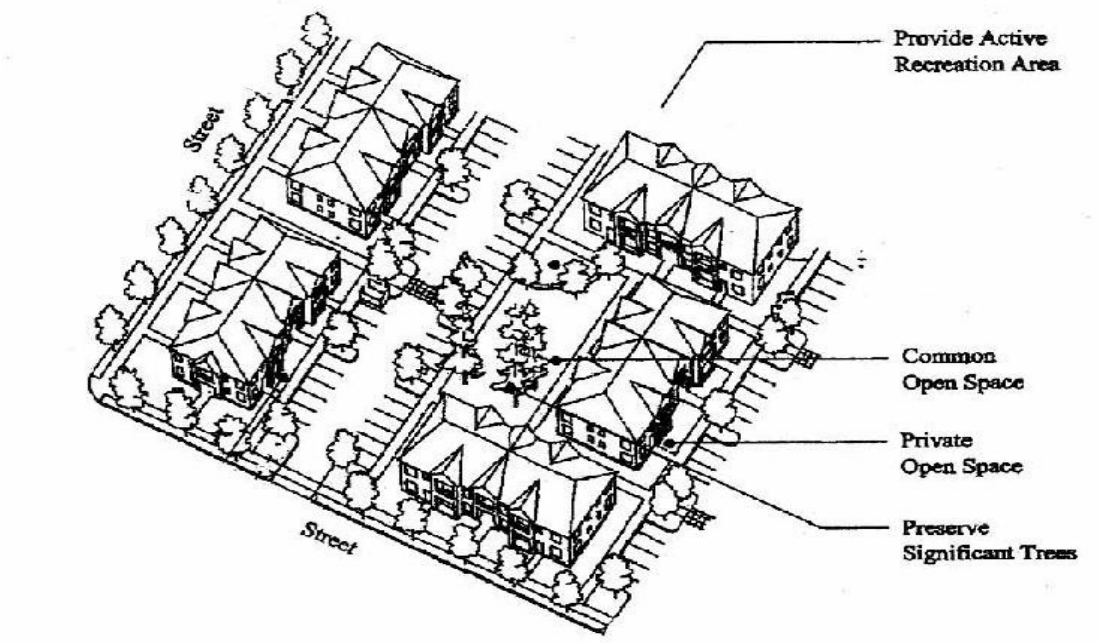
B. Applicability. This section applies to all buildings in the RD-R Zone that require Site Design Review (see Section 10-4C-2), except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses). Limited and Conditional Uses within the RD-R 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. Building orientation standards. All buildings which are subject to this Section shall be oriented to a street. Primary entrances for buildings should be oriented directly to the street, breezeway, or courtyard with a direct connection to the 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. Commercial, multi-family and mixed-use buildings should provide a primary entrance within 30 feet of 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 Chapter 3.



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.

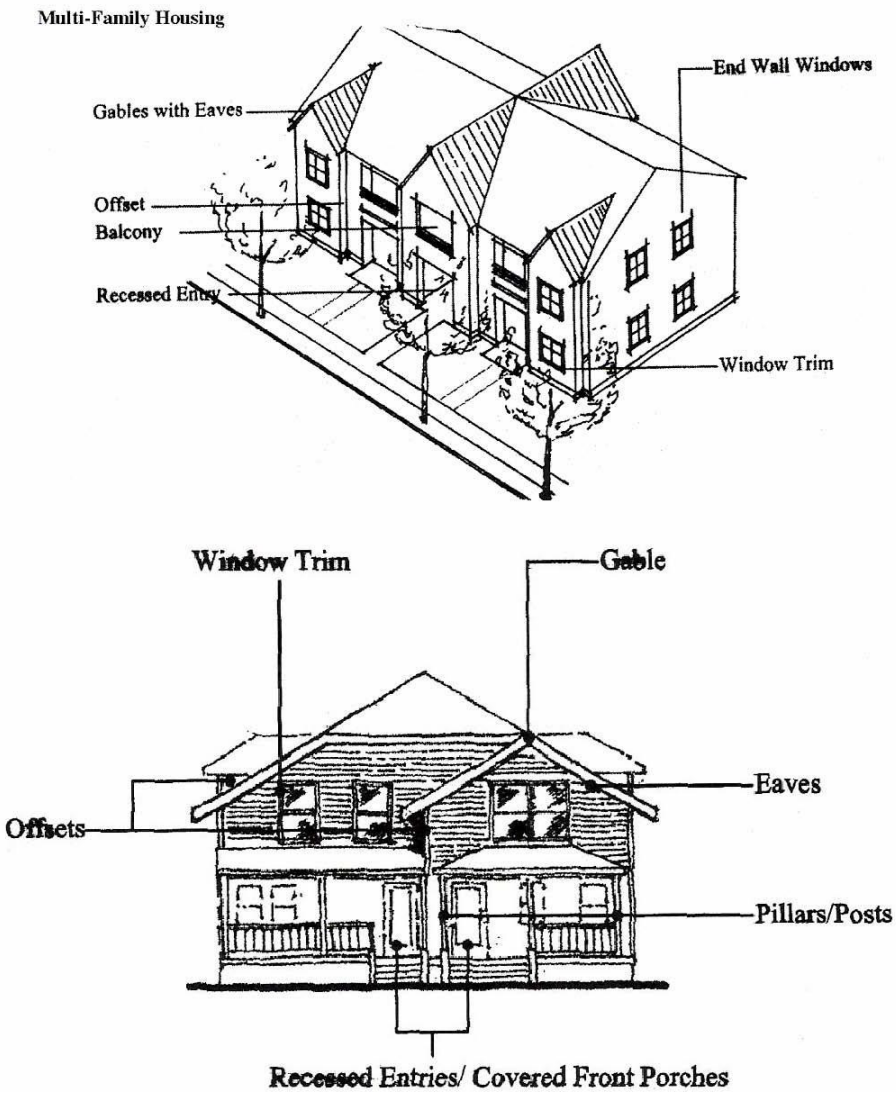
B. Applicability. This section applies to all buildings in the RD-R Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the RD-R zone are also required to comply with the standards outlined above in Section 10-2C-3 or 10-2C-4. Buildings that do not require 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. 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 4 of the following architectural features on front elevations and 2 on rear and side 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. Offsets 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 RD-R Zone:

1. Acceptable Roofing Materials (minimum of 25-year warranty product)
   a. Composition
   b. Concrete tile
   c. Slate
   d. Cedar Shake
   e. Metal
   f. Copper Shake
   g. Other materials determined acceptable by the Zoning Administrator

2. Prohibited Roofing Materials
    a. Galvanized, corrugated metal roofing not to exceed 25% of total roof area
3. Acceptable Siding Materials (minimum of 20-year warranty product)
    a. Brick
    b. Stucco or Dryvit
    c. Cultured or Natural Stone
    d. Wood or Cedar Shake
    e. Fiber Cementuous Board
    f. Vinyl Lap
    g. Other materials determined acceptable by the Zoning Administrator
4. Prohibited Siding Materials
    a. T-111
5. Detailing
    a. Brick
    b. Stone
    c. Wood or Timber
    d. Board and Batten
    e. Other materials determined acceptable by the Zoning Administrator

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 RD-R Zone will require compliance with Chapter 3 and other applicable portions of this Code.

Article 10-2E — RD-M (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 RD-M (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 RD-M (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 RD-M 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 RD-M (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.

F. Provide visitor accommodations and tourism amenities.

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

10-2E-2 Permitted Uses (P)

A. Permitted Uses. The land uses listed in the River District Zoning Matrix under the RD-M

(Neighborhood Center Mixed-Use) District with the letter "P" are permitted in the RD-M zone, without special action by the Hearing Body, subject to development standards of the RD-M (Neighborhood Center Mixed-Use) District, and other applicable portions of this Code. Only land uses which are specifically listed in the River District Zoning Matrix and land uses which are approved as "similar" to those in the River District Zoning Matrix 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 River District Zoning Matrix under the RD-M (Neighborhood Center Mixed-Use) District with the letter "L" are allowed in the RD-M zone if they comply with the development standards of the RD-M (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 River District Zoning Matrix, and land uses which are approved as "similar" to those in the River District Zoning Matrix, may be permitted as Limited 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 RD-M 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.

1. **Agriculture (actively farmed)**
   a. Existing uses only, new agriculture (actively farmed) uses not permitted.
   b. Small scale orchards, vineyards and community gardens are permitted.
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 community events.
4. **Temporary construction / sales office**
   a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
5. **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.

6. **Participant & spectator sports facilities**

   a. Outdoor 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.

7. **Drive-thru facilities**

   a. Uses which are permitted outright in the RD-M zone may incorporate drive-thru facilities as defined herein into their building and site design.

   b. In all cases, such facilities shall be designed and constructed in accordance with the provisions for drive-thru facilities contained within the Design Standards of Chapter 3 as applicable to the River District Specific Area Plan.

   c. Drive-through facilities are not a right; the size of the site or the size and location of existing structures may make it impossible to meet the standards of this chapter.

8. **Sports Bar**

   a. Building to be oriented to the street with main entrance fronting on the street, street corner, plaza or courtyard.

   b. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary business entrance.

   c. Architectural design should be compatible with Village Center or neighborhood character.

9. **Tavern/ pub/ liquor store**

   a. Building or portion of mixed-use building shall not exceed 5000 square feet.

   b. Building to be oriented to the street with main entrance fronting on the street, street corner, plaza or courtyard.

   c. Sidewalks or pathways shall be provided to connect pedestrians from the frontage street to the primary business entrance.

   d. Architectural design should be compatible with Village Center or neighborhood character.

10. **Accessory dwelling unit, attached**

    a. No 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 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 building. In no case shall it be more than 50% 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. Within non- residential buildings one ADU dwelling unit shall be allowed. This is not intended to limit the number of

residential units in a mixed-use building.

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. 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 (this provision is not applicable for commercial buildings). Home occupations shall be allowed within the ADU.

11. Accessory dwelling unit, detached

a. No 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. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 32 feet or the height of the principal unit, whichever is less.

g. Detached ADU's shall not be allowed on lots that are less than 5,000 square feet in size.

h. 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.

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

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

12. Co-living housing

a. Co-living housing shall be subject to a provision of .25 parking spaces per sleeping unit, unless located within one-half mile walking distance from a major transit stop, in which case no parking shall be required. For this purpose, “major transit stop” shall be defined as a transit stop providing fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays or a transit stop on a bus rapid transit route.

b. Co-living housing shall be subject to the architectural design review requirements applicable to multi-family developments within this zone.

c. Co-living housing consisting of 8 sleeping units or less shall be treated as one dwelling unit for purposes of density calculations; if co-living housing consists of more than 8 sleeping units, each sleeping unit shall be considered equal to one-quarter of a dwelling unit for purposes of density calculations.

13. Dwelling, multi-family

a. Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Mixed use buildings, specialty housing, and single-family attached dwellings (townhomes) are exempt from this provision.

14. Emergency Housing & Shelters

a. The facility must be open 24 hours per day, 7 days per week.

b. The maximum number of residents in the facility is limited to the general capacity of the building.

c. Beds or rooms shall be assigned to specific residents.

d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.

e. The facility shall meet any applicable state and federal licensing requirements.

15. Transitional & Supportive Housing, 8 Beds or Less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

16. Transitional & Supportive Housing, More than 8 Beds

a. The facility should be limited to 50 or fewer housing units within a single facility or complex.

b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

c. The facility must be located within ¼ mile of a fixed transit route.

d. The facility shall meet any applicable state and federal licensing requirements.

17. Light manufacturing & 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.

18. 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.

19. Macro 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 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.

20. Public Utility Local Distribution Facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA

review for the project as a condition of permitting.

21. Small wireless facility

a. Siting Hierarchy.

i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement utility pole within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small cell wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2E-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the River District Zoning Matrix under the RD-M (Neighborhood Center Mixed-Use) District with the letters "CU" are permitted to locate in the RD-M 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 River District Zoning Matrix, and land uses which are approved as "similar" to those in the River District Zoning Matrix, 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.

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, and 10-2E-11), unless specifically exempted, or alternative methods are authorized, or a variance is approved by the City.

10-2E-6 Development Setbacks

In the RD-M (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. 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, unless easements prohibit.
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. On parcels with more than one building, this standard applies to the building located closest to the front property line.
3. 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. There is no minimum rear yard setback,
2. For buildings on through-lots (lots with front and rear frontage onto a street), the front yard setbacks in “A” apply.

C. Side Yard Setbacks

There is no minimum side yard setback required, except that buildings shall conform to the vision clearance standards in Chapter 3, 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 Uniform Building Code and Uniform Fire Code. Walls and fences may be placed on property lines, subject to the standards in Chapter 3. Walls and fences within front yards shall additionally comply with the vision clearance standards in Chapter 3. The Zoning Administrator has the discretion to allow an increase in the maximum setback.

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

A. Residential Density Standard. There is a minimum residential density standard of 6 units per net acre when housing / residential is included in a project. There is no maximum net density.

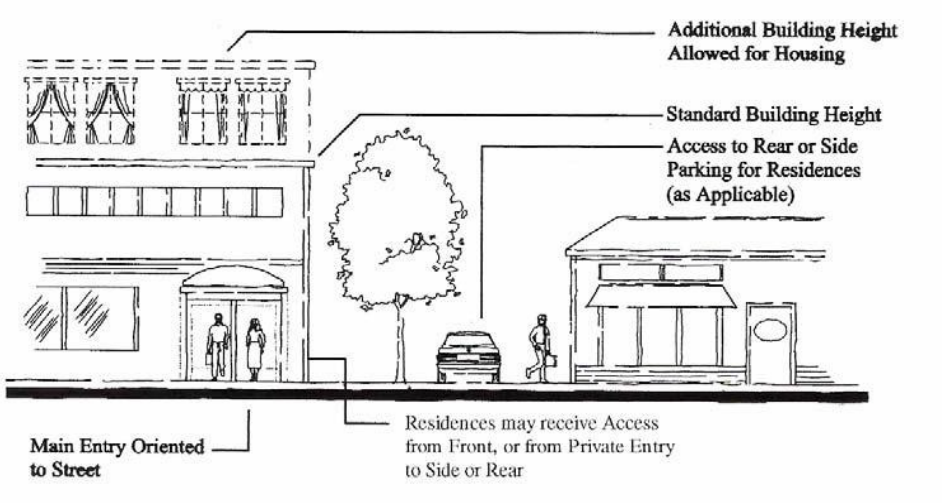
1. The density standards may be averaged over more than one development phase (i.e., as in a zoning category of a specific area plan).
2. The following types of housing categorized under other uses, are exempt from the density standards: Specialty housing (independent senior, assisted living, nursing 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.

B. Maximum Lot Coverage, Lot Area, & Dimensions. There is no maximum lot coverage, or minimum or maximum lot area, width, or depth.

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

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 the Zoning Administrator.

10-2E-8 Building Height



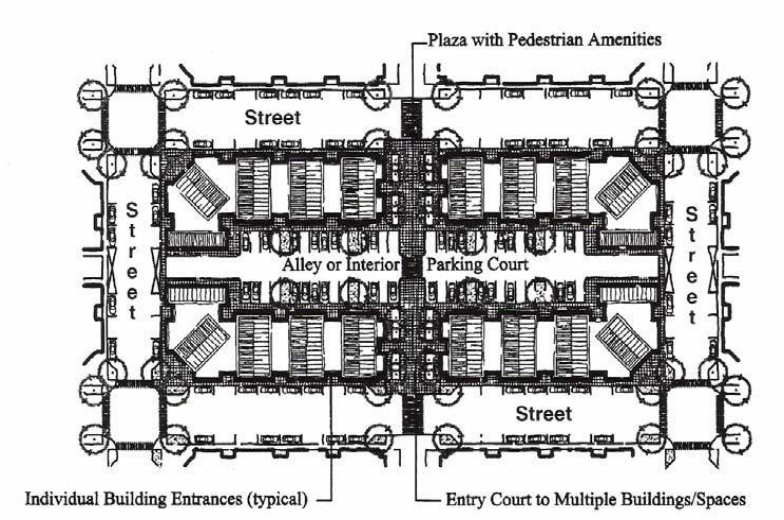
All buildings in the RD-M (Neighborhood Center Mixed-Use) District shall comply with the following building height standards. The standards are intended to allow for development of appropriately scaled buildings with a pedestrian friendly character:

A. Building Height Standard. Buildings within the RD-M Zone shall be no more than 80 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, 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 Zoning Administrator 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 from the highest grade on the front elevation to the highest roofline on 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.

10-2E-9 Building Orientation



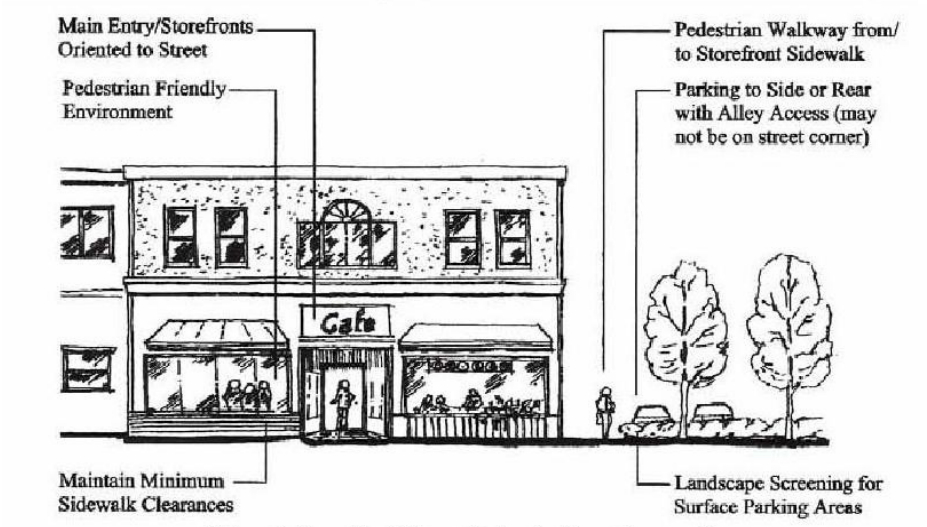
Block Layout Example

A. Purpose. This section is intended to promote the walkable, pedestrian friendly character of the RD-M (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.

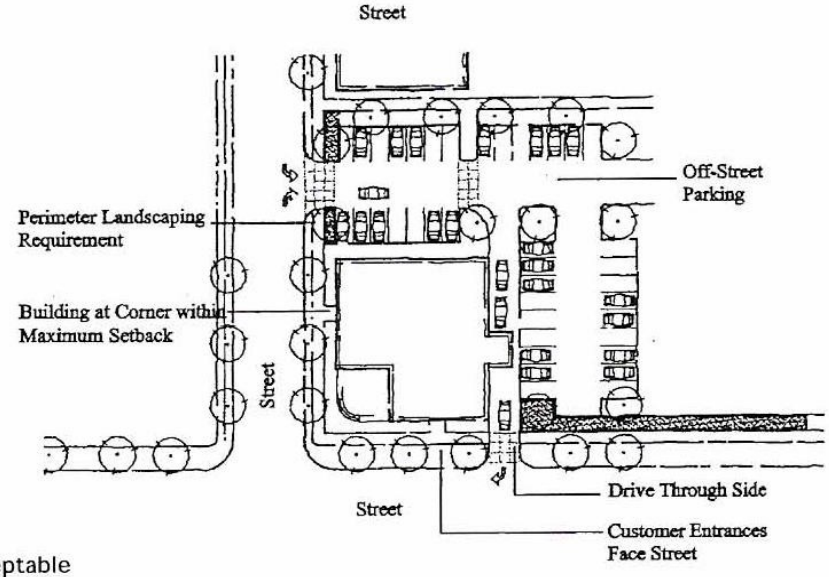
B. Applicability. This section applies to all buildings in the RD-M Zone, except that the standard shall not apply to buildings which do not receive the public (e.g., buildings used solely for storage or for housing mechanical equipment; and similar uses).

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. 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. 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 Chapter 3.
3. Buildings should be oriented to the primary street with main entrance(s) fronting on the street, street corner, plaza or courtyard. Entrances (primary, service, or secondary) may be oriented to a side yard, however pedestrian connections to the street, alley, parking lot or other service access shall be provided.



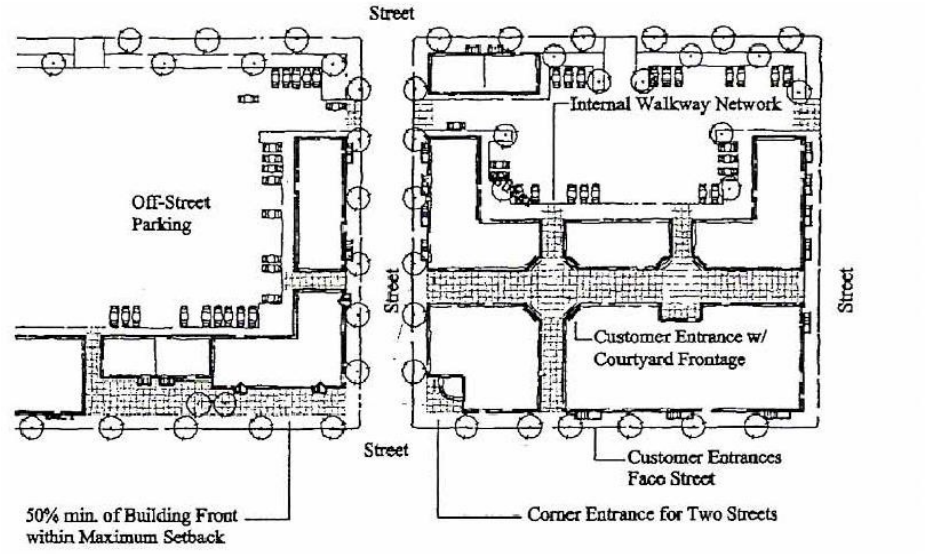
Mixed Use Building Orientation Example



Acceptable

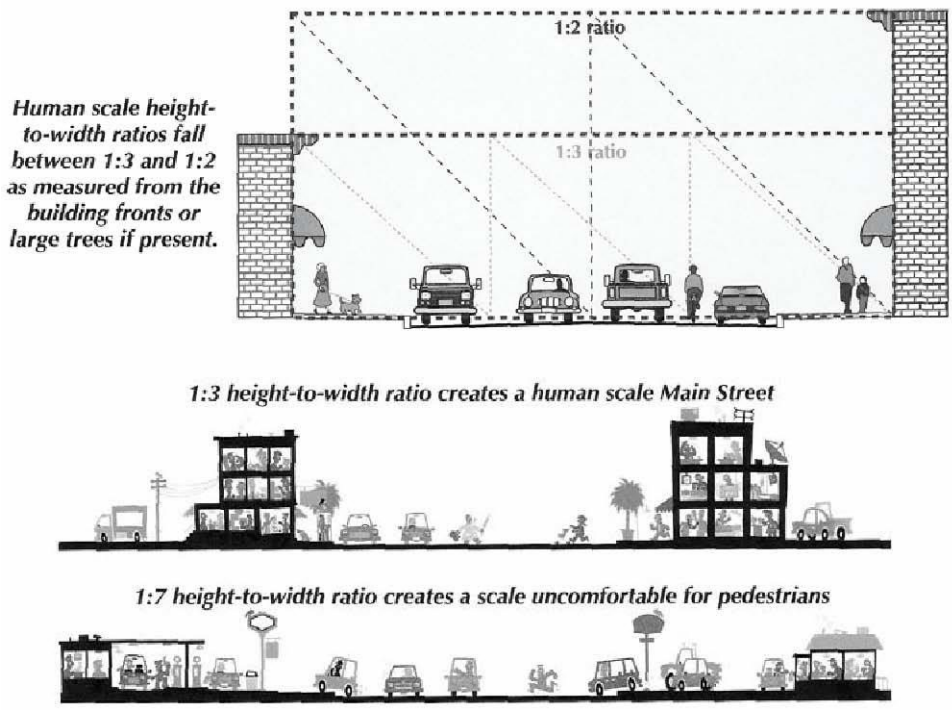
Site layout for drive through uses should place parking and driveways away from pedestrian areas.

Orientation Examples for Businesses with a Drive-Thru



Mixed Use Site Layout Example

10-2E-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 RD-M Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the RD-M 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.

   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, etc.) may not be required to meet this standard.

   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, etc.) may not be required to meet this standard.

   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.

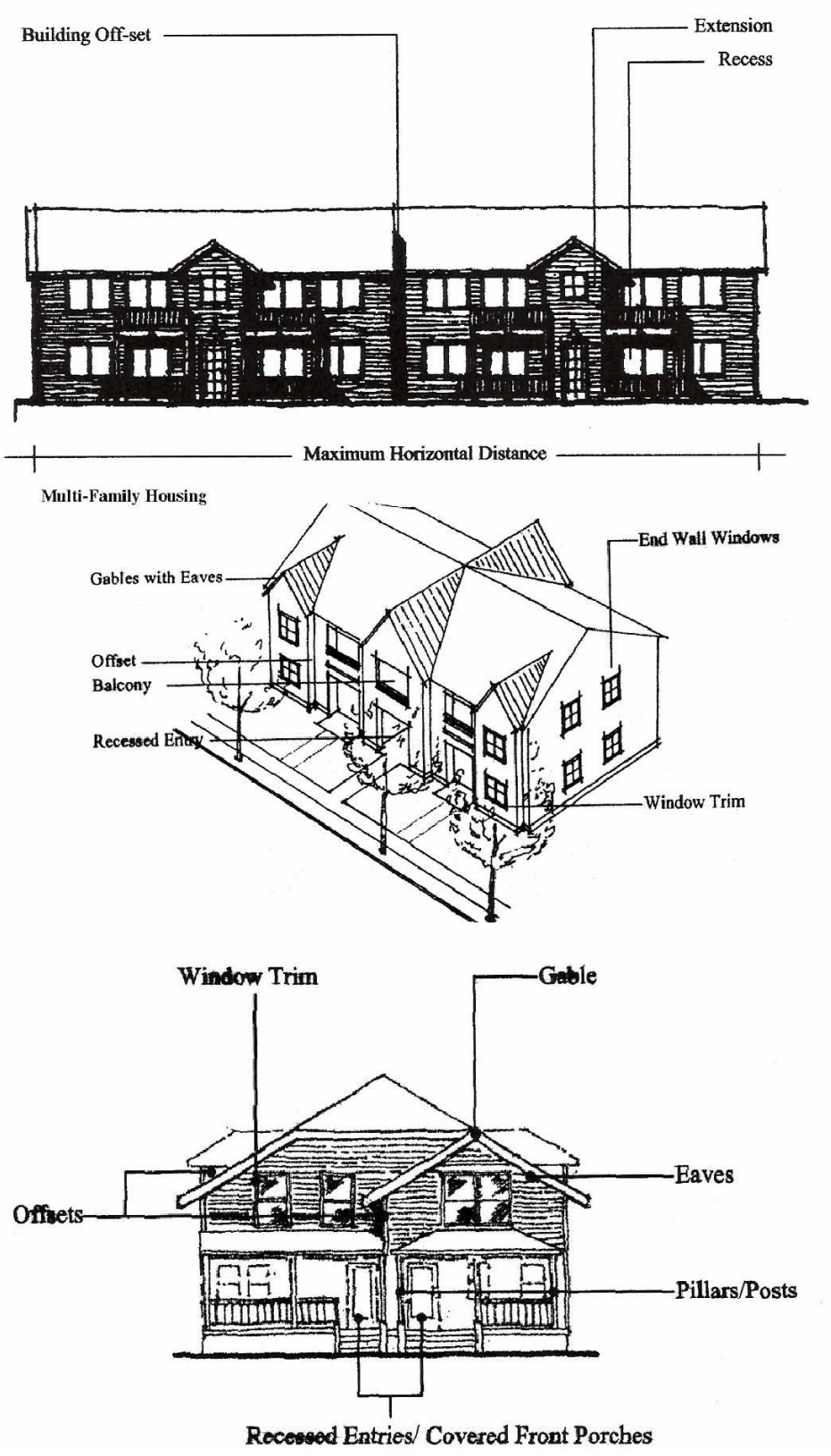
   a. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces, as shown in the following Figures. Along the vertical face of a structure, such features shall occur at a minimum 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. Residential buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least 4 of the following architectural features on front elevations and 2 on rear and sides, as appropriate for the proposed building type and style (may vary features on rear/side/front elevations):

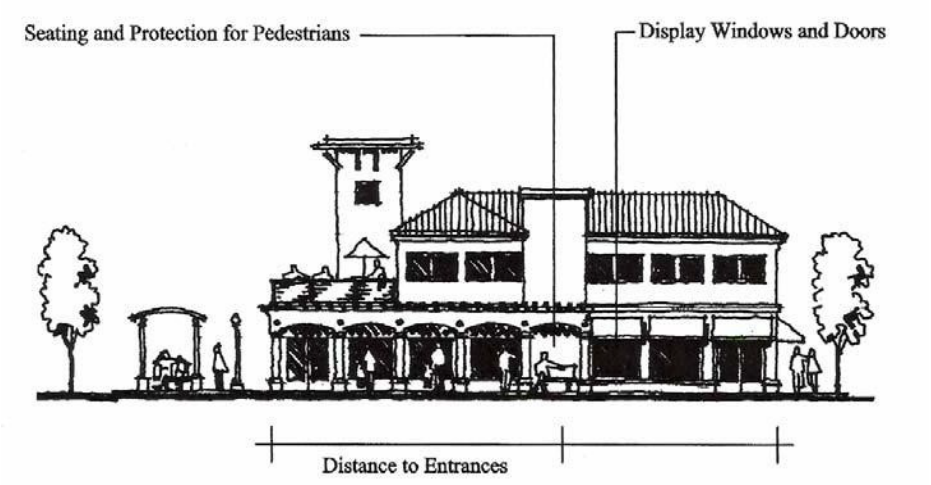

Building Off-set
Extension
Recess
Maximum Horizontal Distance
Multi-Family Housing
End Wall Windows
Gables with Eaves
Offset
Balcony
Recessed Entry
Window Trim
Window Trim
Gable
Eaves
Offsets
Pillars/Posts
Recessed Entries/ Covered Front Porches

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. Offsets 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 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 Chapter 3.



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 RD-M 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 Zoning Administrator
2. Prohibited Roofing Materials
    a. Galvanized 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. Vinyl Lap
j. Fiber Cementous board
k. Painted corrugated metal (only with detailing)
l. Other materials determined acceptable by the Zoning Administrator

4. Prohibited Siding Materials
   a. T-111 (may be used when combined with detailing noted below)
   b. Galvanized corrugated metal
5. Detailing
   a. Brick
   b. Stone
   c. Wood or Timber
   d. Board and Batten
   e. Painted corrugated metal
   f. Other materials determined acceptable by the Zoning Administrator
6. Colors
   a. Color, as well as material selection, for buildings in the RD-M zone should reinforce overall massing and architectural concepts while portraying a sense of high quality and permanence. Colors shall be low reflectance.
   b. Paint color should be, at a minimum, appropriate to the style and setting of the building. Color selection should complement the proposed building as well as other buildings in the block. In general, color schemes for wall and major decorative trim or details should be kept simple; in most cases, the color or colors chosen for a storefront should be used on other painted exterior detailing (windows, shutter, cornice, etc.) to unify upper and lower portions of the facade.
   c. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing may be acceptable for accent light at building entrances, building trim, or accent areas, if approved through the City design review process.
   d. Corporate / trademark colors may be used on the building elevation / siding, roof, trim, or accent areas as long as 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 the River District SAP, by providing comfortable and inviting pedestrian spaces within the RD M (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 RD-M Zone that require Site Design Review (see Section 10-4C-2). Limited and Conditional Uses within the RD-M 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 RD-M Zone will require compliance with Chapter 3 and other applicable portions of this Code.

Article 10-2I — RD-C (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 **Design Standards**

10-2I-1 Purpose

The RD-C (Freeway Commercial) District provides for a range of light industrial, retail, office and commercial uses that are automobile-oriented in nature, which may not be appropriate in the mixed-use zones. Within the RD-C Zone, there is an emphasis on the landscape 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 River District Zoning Matrix under the RD-C (Freeway Commercial) District with the letter "P" are permitted in the RD-C zone, without special action by the Hearing Body, subject to development standards of the RD-C District, and other applicable portions of this Code. Only land uses which are specifically listed in the River District Zoning Matrix and land uses which are approved as similar in scale and impact to those in the River District Zoning Matrix 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 River District Zoning Matrix under the RD-C District with the letter "L" are allowed in the RD-C zone if they comply with the development standards of the RD-C 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 River District Zoning Matrix and land uses which are approved as similar in scale and impact to those in the River District Zoning Matrix 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 RD-C Limited Uses.

1. **Agriculture (actively farmed)**
   a. Existing uses only, new agriculture (actively farmed) uses not permitted.
   b. Small scale orchards, vineyards and community gardens are permitted.
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:
      i. New construction;
      ii. An addition that would increase the building(s) square footage to equal or greater than the square footages above; or
      iii. 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.
      iv. 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:
         aa. 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
         bb. 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
         cc. The new siting of parking areas and buildings in relation to the street is not possible with the remodel or addition; and

dd. 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. Pedestrian & Bicycle Circulation / Facilities

i. Twelve (12) foot wide walks are required across the front of all buildings over 80,000 sf. Ten (10) foot wide walks are required for other building sides wherever public access is required;

ii. Ten (10) foot wide walks wide walks are required across the front of all buildings under 80,000 sf or wherever public access areas are located around the building.

iii. Distinct pedestrian crossing markers or changes in surfacing must be used;

iv. Incorporation of focal points, plazas, or pedestrian / bicycle nodes with seating or other pedestrian amenities as destinations or intermediate points along circulations routes is required.

v. Arcades or columns can be located along building facades as long as the minimum clear pedestrian passage of eight (8) feet is maintained.

vi. Season display or temporary sales displays may utilize the walks as long as a minimum clear pedestrian passage of eight (8) feet is maintained.

vii. Bicycle parking facilities should be incorporated into the design of the pedestrian walkway and provide for secure and visible storage of bicycles.

c. 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:

i. Shopping cart return stations shall be identified on the site plan and the locations shall be approved by the City;

ii. Shopping cart return stations shall be integrated in parking lot landscaping, and utilize architectural features, or similar design elements, to reduce visual impact while drawing attention to the shopping cart return area.

iii. Storage or temporary storage of shopping carts shall not be allowed on walkways outside of buildings at any time; and

iv. The applicant shall submit a working plan for the collection of shopping carts from the parking lot.

d. Outdoor Storage Uses & Service / Loading Areas -

i. Outdoor storage of items such as products, racks, and pallets, and the use of cargo containers for storage is prohibited;

ii. 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;

iii. 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

iv. 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.

e. Outdoor Display / Sales Areas & Accessory Uses

i. All outdoor display / sales areas and accessory uses shall be permitted only where clearly depicted on the site plan approved by the City;

ii. 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 Zoning Administrator 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;

iii. 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;

iv. 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;

v. 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

vi. Temporary sales / displays, such as Christmas trees, landscape materials, shall be reviewed and approved by the Zoning Administrator through the Temporary Use Permit process in accordance with Section 10-4I-1.

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 community events.
4. **Temporary construction / sales office**
    a. Requires application for and approval of a Temporary Use Permit as outlined in Section 10-4I-1.
5. **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 use on the same site.
6. **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.
7. **Boat, recreational vehicle, and trailer - construction, repair, parts sales, and 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.
8. **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 8,000 square feet per lot. A pump site is one dispenser which may be double sided.
9. **Accessory Fueling Station**
    a. Fueling station must be accessory to a principal use that is permitted within the zone, except that truck stops as the principal use shall be expressly prohibited.
    b. Underground storage tanks and stormwater disposal shall not be located within the 1000-foot radius of a wellhead.
    c. Pump islands and other fuel dispensing tanks (e.g. propane) shall be located at least 25 feet from the right-of-way lines(s)
    d. Fueling stations shall not exceed 8 pump sites. A pump site is one dispenser which may be double sided.

10. Co-living housing

a. Co-living housing shall be subject to a provision of .25 parking spaces per sleeping unit, unless located within one-half mile walking distance from a major transit stop, in which case no parking shall be required. For this purpose, “major transit stop” shall be defined as a transit stop providing fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays or a transit stop on a bus rapid transit route.

b. Co-living housing shall be subject to the architectural design review requirements applicable to multi-family developments within this zone.

c. Co-living housing consisting of 8 sleeping units or less shall be treated as one dwelling unit for purposes of density calculations; if co-living housing consists of more than 8 sleeping units, each sleeping unit shall be considered equal to one-quarter of a dwelling unit for purposes of density calculations.

11. 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 simultaneously 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.

12. Emergency Housing & Shelters

a. The facility must be open 24 hours per day, 7 days per week.

b. The maximum number of residents in the facility is limited to the general capacity of the building.

c. Beds or rooms shall be assigned to specific residents.

d. On-site services such as laundry, hygiene, and meals are limited to the residents of the facility and shall not be available for drop-in use by non-residents.

e. The facility shall meet any applicable state and federal licensing requirements.

13. Transitional & Supportive Housing, 8 Beds or Less

a. The facility shall be limited to 8 or fewer residents, not including caregivers and staff.

b. The facility must maintain the outward appearance of a residence and conform to the residential character of the area.

c. The facility shall meet any applicable state and federal licensing requirements.

14. Transitional & Supportive Housing, More than 8 Beds

a. The facility should be limited to 50 or fewer housing units within a single facility or complex.

b. In order to prevent the concentration of facilities in one area of the City, the proposed facility must be distanced at least 3/4 mile from any other stand-alone emergency shelter or transitional and supportive housing, as measured from the nearest points of such properties.

c. The facility must be located within ¼ mile of a fixed transit route.

d. The facility shall meet any applicable state and federal licensing requirements.

15. Macro 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 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.

16. Public Utility Local Distribution Facility

a. The utility 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 utility shall comply with all landscaping and screening requirements, as detailed in City Development Code §10-3C, unless a valid public safety and security reason for not installing said landscaping can be demonstrated by the utility.

c. The utility shall implement all mitigation measures as may be identified through the SEPA review for the project as a condition of permitting.

17. 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.

18. Small wireless facilities

a. Siting Hierarchy.

i. Collocation on an existing building or existing or replacement non-wooden light poles is the preferred siting location in this zone.

ii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, collocation on an existing or replacement utility pole within the zoning district shall be allowed.

iii. If collocation as described in the subparagraph above is demonstrated to be technically infeasible or inadequate for network objectives, a wireless only pole shall be permitted.

b. Shall only be permitted on public property or in public right-of-way with a valid Franchise Agreement in place, as required in Liberty Lake Municipal Code §8-8, which expressly addresses small cell wireless facilities.

c. Must meet design standards as detailed in City Development Code §10-3F-4.

d. Small Wireless Facility Permit is required, as detailed in City Development Code §10-4I-4.

10-2I-4 Conditional Uses (CU)

A. Conditional Uses. The land uses listed in the River District Zoning Matrix under the RD-C District with the letters “CU” are permitted to locate in the RD-C 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 River District Zoning Matrix and land uses which are approved as similar in scale and impact to those in the River District Zoning Matrix 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.

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 Sections10-2I-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. The fence may be omitted if:

1. A similar screen is already provided.
2. The distance to adjacent dwelling(s) is greater than 50 feet.
3. The buffer requirement is waived in acknowledged writing by abutting property owners.
4. or the accessory structure incorporates the same architectural detailing, materials, colors, etc. as the principal use or structure on the same lot.

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 and Special Landscaping

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 10 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

1. The minimum interior side yard setback shall be those required by the International Building Code, as adopted by the City of Liberty Lake, except that buildings shall be setback from Residential Zones by a minimum of 20 feet (includes accessory structures).
2. The minimum flanking street yard (street corner yards) setback shall be 15 feet. Additionally, buildings shall conform to the vision clearance standards in Chapter 3, and the applicable fire and building codes for attached structures, fire walls, and related requirements.

D. Other Yard Requirements

1. Mixed Residential Zone Buffering.

   A 20-foot minimum landscape buffer zone shall be required between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The landscaped border shall consist of at least three (3) shade, ornamental or evergreen trees and twenty (20) shrubs distributed per 25 linear feet of perimeter. Clustering of similar trees in groups of 3-5 is highly encouraged. 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 Chapter 3 may require buffering in other situations, as well.

2. Interstate 90 Buffering.

   A 40-foot minimum landscape buffer shall be required between development and the Interstate 90 corridor to reduce light glare, noise, and aesthetic impacts of Interstate 90 on the development as well as provide a continuous visual screen of the development from Interstate 90 traffic. This buffer shall include a mix of deciduous and evergreen trees and shrubs. The buffer shall contain an average of at least three (3) deciduous or coniferous trees and twenty (20) shrubs per 1000 square feet of buffer. At least 50% of the planting shall be evergreen. Berms, ornamental and sound walls less than 6’ in height may be incorporated in the design. Pedestrian trails and amenities as part of an overall pedestrian circulation system area encouraged. Innovative stormwater management techniques that incorporate stormwater facilities and native plants into the buffer are encouraged.

3. Mission Avenue Buffering.

   A 20-foot minimum landscape buffer shall be located behind the public sidewalk on Mission Avenue to reduce light, glare, minimize aesthetic impacts and provide a distinct visual screen between the development and street. The landscaped border shall consist of at least three (3) shade, ornamental or evergreen trees and twenty (20) shrubs distributed per 25 linear feet of perimeter. Clustering of similar trees in groups of 3-5 is highly encouraged. This buffer shall include a mix of deciduous and evergreen trees and shrubs. At least 50% of the planting shall be evergreen. Berms, ornamental fences, and walls no more than 42” tall may be incorporated in the design. Innovative stormwater management techniques that incorporate stormwater facilities and native plants into the buffer are encouraged.

   Pedestrian connections between buildings as part of the overall pedestrian circulation system may penetrate.

4. Neighborhood Access.

Construction of pathway(s) that meet the Americans with Disabilities Act (ADA) standards shall be included with each development. These pathways are intended to provide connections to adjacent neighborhoods and development. Sidewalks and pathways along streets shall be in accordance with approved River District Street sections. In addition, internal project sidewalks and pathways shall be:

a. 5' minimum for internal circulation systems.

b. 4' minimum for access to individual residential units or utility access.

5. 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.).

6. Walls and Fences.

   Walls and fences may be placed on property lines, subject to the standards in Chapter 3. Walls and fences within front yards shall additionally comply with the vision clearance standards in Chapter 3.

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.

RD-C Land Use	***Lot Area***	***Lot Width / Depth***	***Lot Coverage***	***Residential Density***
All Uses	Minimum area: None	Minimum Width: 50 feet at front property line	Maximum: 60 percent	None
	Maximum area: None	Maximum Depth: None		

10-2I-8 Building Height

All buildings in the RD-C District shall comply with the following building height standards.

A. Building Height Standard. Buildings within the RD-C Zone shall be no more than 70 feet tall, except when a lot is adjacent to an RD-R (Mixed 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 Zoning Administrator 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 from the highest

grade on the front elevation to the highest roofline on 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 RD-C 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 RD-C Zone that require Site Design Review (see Section 10-4RD-C), 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 RD-C 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 private drive, street, or auto court lane. Parking shall be oriented to provide efficient building access, screened from adjacent public right of ways, and shared to the maximum extent possible. A majority of the parking shall be located in a rear, side, or interior parking area away from the public ROW. See 10-2I-6 Development Setbacks and Special Landscaping above for I-90 and Mission Avenue landscape buffer requirements. 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 driveway, auto court lane, or public/private street with direct efficient connections for pedestrians and to parking. 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 primary vehicular access and/or parking which is connected to the street.
3. 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 Chapter 3.
4. On corner lots, buildings and their entrances shall be oriented to the street corner (see, 10-2I-6 Development Setbacks and Special Landscaping above) 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 consisting of two streets, 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

i. Large-scale retail establishments must have at least two approaches with the main approach located on an arterial or collector street, additionally large master planned retail centers may provide two main entrances that serve multiple large-scale retail establishments;

ii. Vehicle access must be designed to accommodate peak traffic volumes;

iii. Site layout shall consider and provide as feasible, access connections to adjacent parcels / uses; and

iv. Off-street parking, drives, and other vehicular areas that are internally oriented and screened within a large master planned retail center are encouraged.

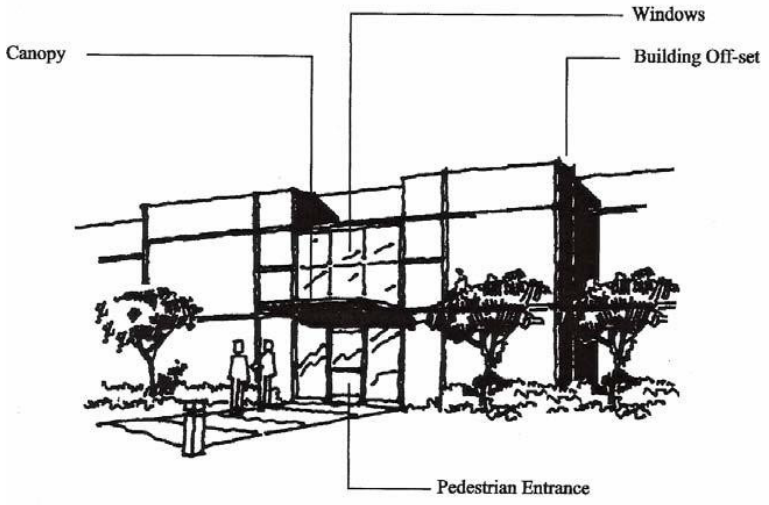
v. Provisions for centrally located transit facilities within a large master planned retail center is encouraged.

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 RD-C Zone that require Site Design Review (see Section 10-4RD-C). Limited and Conditional Uses within the RD-C 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 oriented to a driveway, auto court lane, I-90, or public/private 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 the building elevations that includes the main and secondary entries to the building. Additionally, articulate large building facades to break up extended wall surfaces and visually reduce building mass.

b. Corner building entrances on corner lots. A building entrance may be located away from a corner, created by two streets, when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner. Driveways are excluded.

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 or Interstate 90 shall be screened from the ROW as detailed in 10-2I-6 Development Setbacks and Special Landscaping. Pathways shall connect all entrances to the project circulation system that connects to the street right-of-way, in conformance with Article 10-3B - Access and Circulation.

3. Large-Scale Retail Establishments

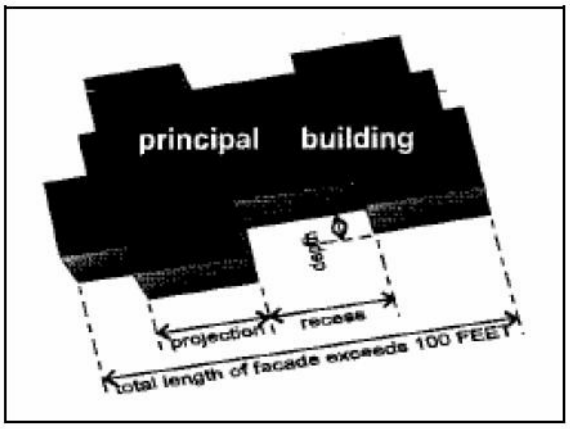
   a. Building Elevations

      i. Uninterrupted lengths of any elevation shall not exceed one hundred (100) horizontal feet.

      ii. Ground floor elevations with primary entrances that face a street (public or private) or that face a driveway, auto court lane, or I-90 shall have arcades, display windows, entry ways, awnings, building articulation or incorporation of pedestrian scale materials or other such features along no less than 60% of the horizontal length.

      iii. Building side and rear elevations that do not include primary entrances may reduce the above requirement to 40% when 15' of landscape buffer is provided between the building and the walk, street, auto-court lane, or driveway. Innovative stormwater techniques can be integrated in no more than 5' of the landscape buffer. The landscape buffer shall include a mix of evergreen and deciduous trees with at least 50% of the trees being evergreen and spaced at least 2/3 the mature spread of each tree.

b. Building Facade – Strong articulation of the building facades is required. In particular, this should include:



(Drawing Source - Fort Collins, Colorado)

i. The base, middle and top of the building facade expressed through the use of materials and detailed design.

ii. Blank or single material facade that extend the entire length of the building parallel to the driveway, auto court lane, or public/private street should not be permitted.

iii. Facade of any significant size should be subdivided through a combination of windows, projections, recessions and/or changes in plane in the building wall to create a consistent rhythm across the façade while establishing divisions that express a hierarchy of entrances and identification of individual businesses, where applicable.

iv. Changes in wall facing materials should occur at wall setbacks or projections or to articulate the transition between the building base, middle and top.

v. Wall detailing should integrate functional building elements such as vents or rainwater leaders within the wall plane as visible and integrated elements.

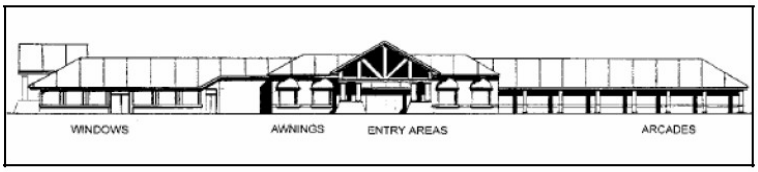
vi. The building must integrate at least three (3) of the elements listed below. Integration can be achieved as described above.

aa. 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;

bb. Color change;

cc. Texture change; and / or

dd. 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:

i. canopies or porticos;

ii. overhangs;

iii. recesses/ projections;

iv. arcades and colonnades;

v. raised corniced parapets over the door;

vi. peaked or corniced roof forms;

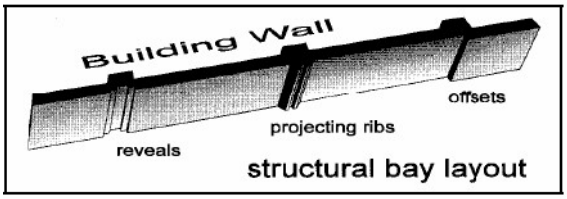
vii. arches

viii. outdoor patios;

ix. display windows;

x. architectural details such as tile work and moldings which are integrated into the building structure and design; and / or

xi. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.



(Drawing Source - Fort Collins, Colorado)

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:

i. 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

ii. Windows shall contain displays or be recessed and should include visually prominent details that include trim, sills, shutters, or other such elements that frame the window.

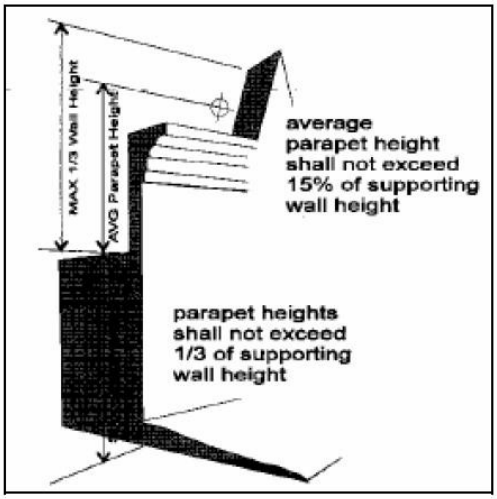
e. Roofs - Each building shall have at least two (2) of the following roof features:

i. 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;

ii. Overhanging eaves, extending no less than three (3) feet past the supporting walls;

iii. 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

iv. 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 RD-C 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
    g. Corrugated or standing seam metal roofing, galvanized, or painted as accent on shed roofs and dormers only. Colors to be complimentary to overall paint scheme of building.
    h. Painted corrugated metal
    i. Copper Shake
    j. Other materials determined acceptable by the Zoning Administrator
2. Prohibited Roofing Materials
    a. Corrugated metal roofing exceeding 25% of total roof area.
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. Corrugated or standing seam metal (galvanized or painted) siding, no more than 25% of each elevation with this material.

j. Other materials determined acceptable by the Zoning Administrator

4. Prohibited Siding Materials

   a. T-111 (may be used when combined with detailing noted below)

   b. 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 Zoning Administrator

6. Colors

   a. Color, as well as material selection, for buildings in the RD-C zone should reinforce overall massing and architectural concepts while portraying a sense of high quality and permanence. Colors shall be low reflectance.

   b. Paint color should be, at a minimum, appropriate to the style and setting of the building. Color selection should complement the proposed building as well as other buildings within the development. In general, color schemes for wall and major decorative trim or details should be kept simple; in most cases, the color or colors chosen for the façade shall be appropriately extended to the side and rear elevations to unify entire building as well as upper and lower portions of the façade / elevation.

   c. Building trim and accent areas can feature brighter colors, including primary colors, if approved through the design review process. Neon tubing may be acceptable for accent light at building entrances, building trim, or accent areas, if approved through the City design review process.

   d. Corporate / trademark colors may be used on the building elevation / siding, roof, trim, or accent areas as long as they comply with these color standards. Corporate / trademark colors can be used on signage.

10-2I-11 Design Standards

The River District 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 RD-C Zone will require compliance with Chapter 3 and other applicable portions of the River District Specific Area Plan.

CHAPTER 3

RIVER DISTRICT DESIGN STANDARDS

CONTENTS		Page #
Article 10-3A	Design Standards Administration	3-2
Article 10-3B	Access and Circulation	3-3
Article 10-3C	Landscaping, Street Trees, Fences, & Walls	3-8
Article 10-3D	Vehicle & Bicycle Parking	3-20
Article 10-3E	Signage Standards	3-31
Article 10-3F	Other Design Standards	3-32
Article 10-3G	Public Facilities Standards	3-45
Article 10-3H	Stormwater Management	3-54
Article 10-3I	Property Maintenance Standards	3-55

Article 10-3A — Design Standards Administration

All developments within the River District SAP must comply with the River District Design Standards (RDDS) as well as the standards of the applicable zone within which the development is located.

Each zoning district (Chapter 2) provides design standards that are specifically tailored to the zoning district. In addition, each district provides special standards that are meant to address the impacts or characteristics of certain land uses.

Article 10-3B — Access and Circulation

10-3B-1 Purpose

The purpose of this article is to ensure that developments provide safe and efficient access and circulation for pedestrians and vehicles.

10-3B-2 Access and Circulation

A. Intent and Purpose. The intent of this article is to manage vehicle access and calm traffic flow to development through a connected street system, while preserving pedestrian movements and the flow of traffic in terms of safety, roadway capacity, and efficiency. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods. Local access streets and driveways provide access to individual properties and local access streets facilitate pedestrian movements. Alleys can provide secondary access to properties. This article attempts to balance the right of reasonable access to private property with the need to slow traffic in residential neighborhoods; and the need to provide interconnected pedestrian systems throughout the district. To achieve this policy intent, roadways have been categorized in the River District Specific Area Plan (RDSAP) by function and classified for access purposes based upon their level of importance and function. The specific road classifications and standards are attached as Exhibits 6.2.1a through 6.2.1k.

B. Applicability. This article shall apply to all vehicular access and traffic circulation within the RDSAP and to all abutting properties.

C. Approach Permit Required. Access to a public street requires an Approach Permit in accordance with City of Liberty Lake Development Code Article 10-3B-2.

D. Traffic Study Requirements. The entire River District SAP boundary is included as part of the proposed Liberty Lake Transportation Mitigation Fee Plan area (formerly Harvard Road Mitigation Plan). The land uses permitted in the SAP are subject to the mitigation fee requirements when the plan is adopted. The mitigation plan shall be updated every five years.

The City or other agency with access jurisdiction may require a traffic study prepared by a qualified professional engineer licensed in the State of Washington to determine access, circulation and other transportation requirements or participation in an established traffic mitigation plan shall be required.

E. Access to Private Property. When vehicle access is required for development, access shall be provided by one of the following methods:

Option 1. Access is from a driveway or auto-court lane that has access to a public street. A public access easement covering the driveway shall be recorded in this case to assure access to the closest public street for all users of the driveway or auto-court lane.

Option 2. Access is from a public street adjacent to the development parcel. An auto-court lane or private road extending from the public road may serve parcels concurrent with City Street Standards, as amended.

F. Conditions of Approval. The City may, in the case of new development along arterial or collector streets, require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage

street, installation of traffic control devices, and/or other mitigation as a condition of granting an approach permit that is identified in the Liberty Lake Transportation Mitigation Plan, when adopted, to ensure the safe and efficient operation of the street system.

Access to and from off-street parking areas shall not permit backing onto a public street, except in Residential Zones.

G. Access Spacing. Driveway accesses shall be separated from other driveways, alleys and street intersections in accordance with the following standards and procedures:

A minimum of 50 feet separation between driveways or alleys and a minimum of 150 feet between intersections (as measured from the edge of the driveway / intersection) shall be required on local access streets (i.e., streets not designated as collectors or arterials). Single family, two-family, and townhome uses shall not be required to comply with the 50-foot minimum separation.

Arterial and Collector Streets. Access spacing on collector and arterial streets, and at controlled intersections (i.e., with four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the City's Transportation Improvement Plan and applicable Engineering Design standards.

H. Number of Access Points. For all housing types, except multi-family, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted for housing on corner lots (i.e., no more than one access per street), subject to the access spacing standards listed above. The number of street access points for multiple family, commercial, industrial, and public/institutional developments shall be minimized to protect the function, safety, and operation of the street(s) and sidewalk(s) for all users. Shared access is encouraged to minimize disruption of pedestrian traffic and limit the number of access points along collectors and arterials.

I. Shared Driveways. Except for single family residential, shared driveways are encouraged and may be required when feasible, for traffic safety and access management purposes in accordance with the following standards:

1. Shared driveways are encouraged to consolidate access onto a collector or arterial streets. When shared driveways are provided, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway or street temporarily ends at the property line but may be extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).
2. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways at the time of final plat approval (Article 10-4D) or as a condition of site development approval (Article 10-4C).
3. Exception. Shared driveways are not required when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent extending the street/driveway in the future.

J. Street Connectivity and Formation of Blocks Required. In order to promote efficient vehicular and pedestrian circulation throughout the city, land divisions shall produce blocks bounded by a connecting network of public and/or private streets, in accordance with the following standards:

1. Block Length. The maximum block length and perimeter shall not exceed: 900 feet in length in Residential and Mixed-Use Zones.
2. Street Standards. Public and private streets shall also conform to the River District SAP Road standards, as reviewed and approved by the City Engineer.

Exception. The block length and perimeter standards may not apply when existing development patterns or physical constraints restrict construction in conformance with the standards.

K. Driveway Openings. Driveway openings or curb cuts shall be the minimum width necessary to provide the required number of vehicle travel lanes and shall comply with the City of Liberty Lake Engineering Design Standards. The following standards (i.e., as measured where the front property line meets the sidewalk or right-of-way) are required to provide adequate site access, minimize stormwater runoff, and avoid conflicts between vehicles and pedestrians. Approach width may be increased if it is necessary to provide for shared driveways or public safety, as determined by the Zoning Administrator or designee:

1. Single-family, two-family, and townhome uses shall have a minimum driveway width of 10 feet, and a maximum width of 30 feet.
2. Multiple family uses with more than 4 dwelling units shall have a minimum driveway or auto-court lane width of 20 feet, and a maximum width of 30 feet.
3. Driveway widths for all other uses shall not exceed 35 feet.
4. Driveway Aprons. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive. Driveway aprons shall conform to ADA standards for sidewalks and pathways.

L. Fire Access and Parking Area Turnarounds. A fire equipment access drive shall be provided in accordance with the Building and Fire Codes. Parking areas shall provide adequate aisles or turn-around areas for service and delivery vehicles. All access to collector and arterial streets must be made to accommodate entrance in a forward manner.

M. Vertical Clearances. Driveways, private streets, aisles, turn-around areas, and ramps shall have a minimum vertical clearance of 13' 6“ for their entire length and width.

N. Vision Clearance. Compliance shall be consistent with City of Liberty Lake Development Code Article 10-3B-2.

O. Construction. Driveways, parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing, or a durable non-paving material may be used to reduce stormwater runoff and protect water quality. Paving surfaces shall be subject to review and approval by the City Engineer. In no case shall graveled surfaces be used except for temporary turnarounds or access.

P. Pedestrian Access.

1. Pedestrian Access and Circulation. River District and associated neighborhoods, parks, neighborhood retail clusters, village centers, commercial, retail and offices shall be interconnected with a continuous paved system of sidewalks, pathways, trails, and multi- use pathways in compliance with the Americans with Disabilities Act. (Trails and multi- use pathways accommodate pedestrians and bicycles.) The system shall be designed based on the standards in subsections a-d, below:
    a. Interconnected System. The pathway system shall extend throughout River District and individual development sites to connect existing and future phases of development, adjacent trails, public parks, greenways, and open space areas whenever possible.
    b. Safe, Direct, and Convenient Non-motorized Circulation System. The system within River District and developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and the non-motorized circulation system in compliance with the Americans with Disabilities Act.

i. Reasonably direct. A route that does not deviate unnecessarily or a route that does not involve a significant amount of out-of-direction travel for likelyusers.

ii. Safe and convenient. Bicycle and pedestrian routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.

iii. For commercial, industrial, mixed use, public, and institutional buildings, the "primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance.

iv. For residential buildings the "primary entrance" is the front door (i.e., facing the street). For multifamily buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard, or breezeway which serves as a common entrance for more than onedwelling.

c. Connections within Development. For all developments subject to Site Design Review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities, and common areas (as applicable). Connections to adjacent developments to the site should be provided when practical.

d. Connectivity. Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by this Code. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, when practical. Pathways used to comply with these standards shall conform to all of the following criteria:

i. Multi-use or shared pathways (i.e., for pedestrians and bicyclists) are no less than 10 feet wide and located within an associated street right-of-way, 20- foot-wide right-of-way or easement that allows access for emergency vehicles;

ii. Stairs or switchback paths using a narrower right-of-way/easement may be required in lieu of a multi-use pathway where grades are steep;

iii. The City Engineer may determine that a pathway is impractical due to: physical or topographic conditions (e.g., freeways, railroads, extremely steep slopes, critical areas, and similar physical constraints); buildings or other existing development on adjacent properties that physically prevent a connection now or in the future, considering the potential for redevelopment; and sites where the provisions of recorded leases, easements, covenants, restrictions, or other agreements recorded as of the effective date of this Code prohibit the pathway connection.

<u>Pathway Standards (Typical)</u>

2. Design and Construction. Pathways shall conform to all of the standards in 1-5 below:

a. Vehicle/Pathway Separation. Where pathways are parallel and adjacent to a driveway or street (public or private), they shall be raised 6 inches and curbed, or separated from the driveway/street by a 5-foot minimum strip with bollards, a landscape berm, or other physical barrier. If a raised path is used, the ends of the raised portions must be equipped with curb ramps. This standard may not apply to re-construction of existing roadways.

b. Housing/Pathway Separation. Pedestrian pathways in right-of-way or publicly maintained easements shall be separated a minimum of 5 feet from all internal residential living areas on the ground-floor, except at building entrances. Separation is measured from the pathway edge to the closest dwelling unit. The separation area shall be landscaped in conformance with the provisions of Article 10-3C. No pathway/building separation is required for commercial, industrial, public, or institutional uses.

c. Crosswalks. Where pathways cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials, humps/raised crossings, or painted striping. An example of contrasting paving material is the use of a concrete crosswalk through an asphalt driveway. If painted striping is used, it shall consist of thermo-plastic striping or similar type of durable application. Crosswalks within parking areas may be removed at the discretion of the City Engineer.

d. Sidewalk & Pathway Surface. Sidewalks shall be concrete and at least 6' wide, unless otherwise specified by this Code. Pathway surfaces shall be concrete, asphalt, brick/ masonry pavers, or other durable surface, at least 10 feet wide. (See also the applicable City Transportation Standards related to pathways). Additionally, sidewalk and pathway design shall conform to the requirements of this Code, the City Engineering Design Standards, the Liberty Lake Trail System Plan and Parks, Recreation, Open Space, and Trails Plan, as applicable.

e. Accessible routes. Pathways shall comply with the Americans with Disabilities Act, which requires accessible routes of travel.

Article 10-3C — Landscaping, Street Trees, Fences, & Walls

10-3C-1 Purpose

The purpose of this article is to promote community health, safety, and welfare by protecting natural vegetation, and setting development standards for landscaping, street trees, fences, and walls. Together, these elements of the natural and built environment maintain and protect property values, enhance the City's appearance and character, visually unify the City and its neighborhoods, and promote proper plant selection and provide for continuous maintenance so that plant materials can flourish. Trees provide climate control through shading during summer months and wind screening during winter, and trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control stormwater drainage and can improve water quality, as compared to paved or built surfaces. The article is organized into the following sections:

A. **10-3C-2 Landscape Conservation -** prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands and other protected natural resources and critical areas.

B. **10-3C-3 New Landscaping -** sets standards for and requires site landscaping and buffering for parking and maneuvering areas, and between different zones. (Note that other landscaping standards may be provided in Chapter 2 - Zoning Districts, for specific types of development.)

C. **10-3C-4 Street Trees -** sets standards for and requires planting of trees along all streets for shading, comfort, and aesthetic purposes.

D. **10-3C-5 Fences and Walls -** sets standards for new fences and walls, including maximum allowable height and materials, to promote security, personal safety, privacy, and aesthetics. (Note that other fence and wall standards may be provided in Chapter 2- Zoning Districts, for specific types of development.)

10-3C-2 Landscape Conservation

A. Applicability. All development sites containing Significant Vegetation, as defined below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development and protect vegetation associated with streams, wetlands and other protected natural resources and critical areas. The use of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature landscaping provides summer shade and wind breaks and allows for water conservation due to larger plants having established root systems. The use of existing landscaping is encouraged, and existing landscape can be used to offset new landscaping requirements. Existing landscaping being used to offset new landscaping requirements will be indicated on the proposed plan.

B. Significant Vegetation.

1. Significant Trees and Shrubs - All trees within the public right of way with a trunk diameter of 12 inches or greater, as measured 4 feet above the ground (DBH), and all plants within the drip line of such trees and shrubs, shall be protected, if practical and as applicable. Additionally, individual trees and shrubs with a trunk diameter of 12 inches or greater should be protected, if practical. Other trees may be deemed significant, when nominated by the

property owner or City staff and designated by the City Council as “Heritage Trees” (i.e., by virtue of site, rarity, historical significance, etc.)

2. Natural Resource / Critical Areas - Trees and shrubs on sites that have been designated as “Critical Areas” or natural resource areas, in accordance with Chapter 6 (e.g., due to slope, natural resource areas, wildlife habitat, etc.) shall be protected.

3. Exception - Protection shall not be required for plants listed as non-native, Class A weeds by the Spokane County Noxious Weed Control Board or for non-native invasive plants.

4. Existing trees and shrubs protected during construction can be used to offset new landscaping requirements on a one-for-one basis provided they meet the other standards of this code.

C. Mapping and Protection Required. All significant trees within the right of way and all Heritage Trees shall be mapped individually and identified by species and size (diameter at 4 feet above grade, or “DBH”). A “protection” area shall be defined around the edge of all branches (drip line) of each tree (drip lines may overlap between trees). The City also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine vegetation boundaries, building setbacks, and other protection or mitigation requirements. Other significant vegetation should be identified as existing vegetation on required landscape plans with their size and species, if the trees will be preserved as a portion of the required landscaping.

D. Protection Standards. All of the following protection standards shall apply to significant vegetation identified in B above, other vegetation should comply whenever practical:

1. Protection of Significant Vegetation - Significant vegetation shall be retained whenever practical, as determined by the Zoning Administrator. Preservation may become impractical when it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable zoning district and relocation of the vegetation or replacement with equivalent vegetation with the closest DBH for trees or commercially available nursery size available in the Spokane/ Coeur d’Alene metro region shall be required within the development or if not possible, then relocated or replaced within another area in the City.

2. Protection of Natural Resource / Critical Areas - Natural Resource / Critical Areas shall be protected in conformance with the provisions of Chapter 6.

3. Conservation Easements and Dedications - When necessary to implement the Comprehensive Plan, the City may require dedication of land or recordation of a conservation easement to protect specific areas, including groves of significant trees or Heritage Trees.

E. Construction. All areas of significant vegetation shall be protected prior to, during, and after construction. Grading and operation of vehicles and heavy equipment is prohibited within significant vegetation areas, except as approved by the City for installation of utilities or streets. Such approval shall only be granted after finding that there is no other reasonable alternative to avoid the protected area, and any required mitigation is provided in conformance with Chapter 6 and Subsection D above.

F. Exemptions. The protection standards in “D” above shall not apply in the following situations:

1. Dead, Diseased, and/or Hazardous Vegetation - Vegetation that is dead or diseased, or poses a hazard to personal safety, property, or the health of other trees, may be removed. Prior to tree removal, the applicant shall provide a report from a certified arborist or other qualified professional to determine whether the subject tree is diseased or poses a hazard, and any possible treatment to avoid removal, except as provided by subsection 2, below.

2. Emergencies - Significant vegetation may be removed in the event of an emergency when the vegetation poses an immediate threat to life or safety, as determined by the Zoning

Administrator. The Zoning Administrator shall prepare a notice or letter of decision within 15 days of the tree(s) being removed. The decision letter or notice shall explain the nature of the emergency and be on file and available for public review at City Hall.

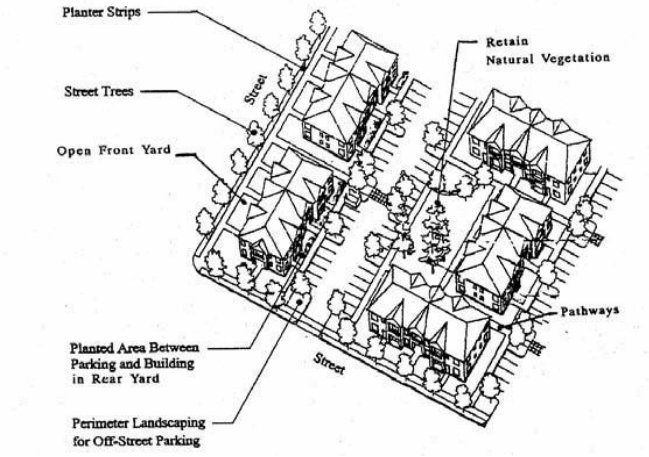
10-3C-3 New Landscaping

A. Applicability. All land uses shall comply with the requirements of this section, except temporary uses, single-family detached residential, and other uses not subject to Site Design Review as outlined in Article 10-4C, which must only comply with the requirements for the preservation of significant vegetation and landscape conservation identified in Section 10-3C-2 above.

B. Landscaping Plan Required. A landscape plan is required and shall be submitted and reviewed prior to any permit issuance or development approval. All landscape plans shall conform to the requirements in Section 10-4C-3(B)(1)(c)(vi). The landscape plan shall be prepared or approved by a licensed landscape architect licensed in the state of Washington and sealed with the landscape architect's stamp. In addition to the requirements outlined in10-4C-3(B)(1)(c)(vi), the landscaping plan shall include:

1. New landscape area calculations shall be calculated as the gross landscape area (length x width) less the areas where planting is not possible. These areas include clear view triangles, utility pads, utility offsets, signs, and light offsets, as defined in 10-3C-1B.
2. Identification of any existing landscape trees or shrubs that are included in the plan being used to offset the new landscaping requirements.

C. Bonding and Assurances. Prior to the issuance of any occupancy permits for a project, the project shall either install the required landscaping in accordance with the approved landscape plan or obtain bonding or other assurances as established in Section 10-4C-5. In the event a bond or other assurance is needed, a temporary certificate of occupancy may be issued for a nine-month period to complete the installation of the landscaping. If the installation of the landscaping is not completed within the nine-month period, the security may be used by the City to complete the installation.



Multi-Family Landscape Example

D. Landscape Area Requirements. The landscaping requirements are minimums; higher standards can be substituted as long as all fence or vegetation height limitations are met, and vision clearance areas (Section 10-3B-2, subsection N) are maintained. Crime prevention and safety should be remembered when exceeding the landscaping standards (height and amount of vegetation may be an issue). The following are minimum percentages of required site landscaping

based on types of development (the requirements in E-G below may require exceeding the percentages below). If after meeting the requirements in E-G below, the required minimum percentage has not been achieved; additional landscaping shall be added on the site around the buildings, in the parking areas, around the perimeter, etc. in order to meet the required minimum percentages below (percentage of the site that is required to be landscaped):

1. Multi-Family Residential (and other applicable residential projects in all zones) - 20%
2. Commercial, Industrial, and Other Non-Residential (RD-C) - 10%
3. Commercial, Industrial, and Other Non-Residential (RD-M) 15%
4. Government / Civic (all zones) - 20%

E. Interior Parking Area Landscaping. Interior parking area landscaping shall contribute to the total site area requirements in D above.

1. The interior of all parking areas shall contain landscape islands and peninsulas located in such a manner as to:
   a. Divide and break up large expanses of paving.
   b. Guide traffic flow and direction.
   c. Promote pedestrian and vehicular safety.
   d. Preserve existing trees and vegetation.

   Interior landscaping shall consist of an evenly distributed mix of shade trees with shrubs. “Evenly distributed” means that the trees are distributed around the parking lot perimeter and between parking spaces to provide a partial canopy.
2. Landscape islands shall be installed to break up the parking area into rows of not more than 20 contiguous parking spaces or 10 spaces in one row.
   a. Each end of each row of parking spaces shall require a landscape island unless the end of such row of parking spaces is adjacent to a perimeter landscape.
   b. The minimum width for a landscape island that is parallel to a parking space shall be equivalent to the area of one parking space (e.g. 90-degree stalls are required to be a minimum of 9' x 18', therefore the landscape island shall be at least 9' x 18'). Each landscape island or peninsula shall contain a minimum of one (1) shade tree and a combination of five (5) deciduous and evergreen shrubs or groundcover.
   c. No stormwater facilities are allowed within the required portions of landscape islands.
3. Alternative Interior Parking Lot Landscaping. Interior parking lot landscaping is required to supplement the perimeter parking lot landscaping in order to meet the following standards:
   a. No Parking stall is located more than 50 feet from a shade tree, unless the site contains a large-scale building or development (buildings with greater than 20,000 square feet of enclosed ground floor space or multiple buildings with a combined enclosed ground floor space greater than 40,000 square feet (as per section 10-2J- 10(C)(2))), then no parking stall shall be located more than 100 feet from a shade tree. Street trees and trees located on adjacent properties can be included for the purpose of this calculation if they are in close enough proximity to the parking.
   b. Required shade trees shall be located in landscape islands of not less than 100 sq. ft. in area, and not less than 9 feet in width.
   c. In addition to shade trees, landscape islands shall contain vegetative or non-vegetative ground cover. Shrubs are optional.

d. Parking, loading, storage, and/or display areas for tractor/trailers, buses, recreational vehicles, heavy equipment, and similar uses are exempt from interior parking lot landscaping requirements.

F. Perimeter Landscaping. Perimeter landscaping shall contribute to the total site area requirements in D above. The landscape screening shall provide breaks, as necessary, to allow for access to the site and sidewalk by pedestrians via pathways.

1. Perimeters Adjacent to Public Rights-of-way.

   a. Location: Portions of the parking lot parallel to the ROW, where plantings are located between the parking lot and the ROW. This section is not applicable to driveways.

   b. Parking areas that extend to within 50 feet of a public right-of-way shall provide a landscape screen between the parking area and the right-of-way.

   c. The landscape screen shall be a minimum of ten (10') feet in width and shall contain at least one (1) evergreen or deciduous tree and ten (10) shrubs distributed per 25 linear feet of street frontage. At least 50% of the perimeter trees shall be evergreen. Clustering of evergreen trees is encouraged. Incorporation of berms, low walls or other landscape features is encouraged. Street trees can be used in the count of required trees.

2. Perimeters Not Adjacent to Public Rights-of-way.

   a. Location: Portions of the parking area or vehicular area NOT adjacent to either a ROW or a structure. This section shall be applied to driveways, unless the driveway is adjacent to a structure, in which case 10-3C-3-F3 shall apply.

   b. In addition to F-1 above, the remaining perimeter of any parking areas, driveways, or other vehicular areas shall be surrounded by a continuous five (5') foot landscape border minimum. Such landscape border shall be required between any paved area and any property line, yard, or required yard. The landscape border may be interrupted for ingress and egress to structures and adjoining lots. When a shared driveway will be located at the property line, the perimeter landscaping can be located at the sides of the driveway or as a landscaped median, as applicable. The landscaped border shall consist of at least one (1) evergreen or deciduous tree and ten (10) shrubs distributed per 25 linear feet. At least 50% of the perimeter trees shall be evergreen. Clustering of evergreen trees is encouraged.

3. Landscape Border Between Structures and Parking Vehicular Area.

   a. The landscape border between any structure and parking or vehicular area shall be at least five (5') foot wide and consist of a minimum of ten (10) shrubs distributed per 25 linear feet. The landscape border is not required where a pedestrian path or sidewalk runs parallel to the building. The sidewalks / pedestrian paths located at the main building entrance shall be incorporated with plants. Borders between buildings and loading, storage or service areas that are not accessible to the general public are exempt from this requirement.

   b. Sight obscuring fences may be installed on the side yard and rear yard property lines of commercial developments with the perimeter landscaping installed between the parking area and the fence. Installation of shrubs on the inside of perimeter fencing is not required adjacent to loading, storage or other areas not accessible to the general public. Trees, however, are still required. Chain link with slats is not approved.

4. Perimeters Adjacent to Interstate 90.

   A 40-foot minimum landscape buffer shall be required for perimeters adjacent to Interstate 90 to reduce light glare, noise, and aesthetic impacts of Interstate 90 on the development as well

as provide an aesthetic buffer between development and Interstate 90 traffic.

a. Width: 40-foot minimum

b. Plant Material: The buffer shall contain an average of at least three (3) deciduous or coniferous trees and twenty (20) shrubs per 1000 square feet of buffer.

c. Trees:

i. Evergreen: 50% of all trees, planted size 6-8'. Clustered in groups.

ii. Deciduous: 50% of all trees, planted size 2" caliper.

iii. Native, drought tolerant and adapted trees are highly encouraged.

d. Shrubs: 50% evergreen and 50% deciduous when planted. Planted size: 5-gallon min. Native, drought tolerant and adapted shrubs are highly encouraged.

e. Irrigation: Automatic irrigation systems are required. Drip irrigation and other water conservation measures are highly encouraged. Utilization of reclaimed water is required when available.

f. Berms: Undulating berms ranging from 3' to 6' are encouraged. Berms to be constructed in natural shapes with integrated landscaping.

i. Berm slopes:

aa. Mown Turf: 4:1

bb. Native Grass: 3:1

cc. Shrubs: 2:1

g. Stormwater: Innovative stormwater management techniques are encouraged. Stormwater facilities may be integrated in the 40' buffer as long as they do not exceed 50% of the total depth of the buffer at any one point.

h. Pedestrian Facilities: Pedestrian pathways may be integrated in the 40' buffer as part of a larger pedestrian circulation system.

5. Other Buffering.

Refer to Section 10-2I-6(D), RD-C Development Setbacks, Other Yard Requirements, for additional buffering required within the RD-C Zone.

G. Screening of Mechanical Equipment, Outdoor Storage, and Loading Areas Placed at Ground Level. All mechanical equipment, outdoor storage and manufacturing areas, and loading, service, and delivery areas, shall be screened from view from all public streets and any Residential Zones. Screening shall be provided by one or more the following (minimum of 6 feet tall):

1. Decorative wall (i.e., masonry or similar quality material),
2. Evergreen hedge,
3. Sight-obscuring fence, or
4. Similar feature that provides a non-see-through barrier.

Walls, fences, and hedges shall comply with the vision clearance requirements (Section 10-3B-2, subsection N) and provide for pedestrian circulation, in accordance with Article 10-3B - Access and Circulation. (See Section 10-3C-5 for standards related to fences and walls.)

Chain link fences with slats do not meet the requirements of a site obscuring fence.

H. Refuse Enclosures. Trash dumpsters or compactors that are required by this Code shall be enclosed by a refuse enclosure consisting of a six (6) foot tall decorative or solid fence with fully sight obscuring access gates.

I. Landscape Materials. Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hard-scape features, as described below:

1. Natural Vegetation. Natural vegetation shall be preserved or planted where practical and may contribute to the required landscaping.
2. Significant Vegetation. Significant vegetation preserved in accordance with Section 10- 3C-2 above shall be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Section 10-3C-4 below may be waived when trees preserved within the front yard provide the same or better shading and visual quality as would otherwise be provided by street trees.
3. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, unless otherwise specified above. The selection plantings shall be based on local climate, exposure, water availability, and drainage conditions and non-native, invasive plants shall be prohibited. As necessary, soils shall be amended to allow for healthy plant growth.
    a. Minimum Deciduous Tree Size. Deciduous trees shall have a caliper size of 1.75 inches or greater, or be at least 10 feet tall at time of planting. Plant sizing can vary with reductions if proven that larger tree sizes are not readily available.
    b. Minimum Evergreen Tree Size. Evergreen trees shall be at least 6 feet tall at time of planting and have a low-branching habit with dense foliage.
    c. Minimum Shrub Size. Shrubs or perennials shall be planted from 2-gallon containers or larger and be at least 12” tall at time of planting. Perennials may be planted from 1-gallon containers if 2-gallon are not available.
4. Hardscape features (i.e., patios, decks, plazas, etc.) may cover up to 10 percent of the required site landscape area; except in the RD-MU, where hardscape features may cover up to 20 percent of the required site landscape area (e.g. on a five acre site in the RD-M zone, 15% of the site or 32,670 sq. feet, is required to be landscaped, of that 32,670 sq. feet, 6534 sq. feet may be covered by hardscape features). Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
5. Plant & Non-plant Ground Covers. Plant groundcovers and bark mulch, chips, aggregate, or other non-plant ground covers are encouraged to be used around trees and shrubs in landscaped areas.
6. Storm Water Facilities. Storm water facilities (e.g., detention/retention ponds and swales) should be landscaped with water tolerant, native plants.

J. Protective Curbing. All landscaped areas shall be protected from vehicle damage by a six (6) inch high protective concrete curbing, consistent with drainage requirements. Raised/rolled curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles.

K. Maintenance and Irrigation. The use of drought-tolerant plant species is encouraged, and xeriscaping may be required when irrigation is not available. An automatic Irrigation system shall be provided for plants that are not drought-tolerant, and the use of drip irrigation and moisture sensing timers is encouraged. Landscaping shall comply with City Water Conservation Ordinances, as adopted or amended. If the plantings fail to survive, the property owner shall

replace them with an equivalent specimen of the same size (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All other landscape features required by this Code shall be maintained in good condition or otherwise replaced by the owner.

L. Additional Requirements.

1. Additional buffering and screening may be required for specific land uses, as identified by Chapter 2, and the City may require additional landscaping through the Conditional Use Permit process (Article 10-4H).
2. Reclaimed water use in landscape areas is required when available.
3. Landscape design should take into account the integration of required trees and shrubs with required exterior lighting, as well as monument and freestanding signage.
4. In accordance with City Development Code Section 10-1B-8, Alternative Methods of Compliance, the City may approve alternatives to the landscape requirements, if the consistency and other standards of Section 10-1B-8 are met.

M. 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 (see integrated curb example below);
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.



10-3C-4 Street Trees

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Requirements for street tree planting strips are provided in Section 10-3G-2 - Transportation Improvements. Planting of unimproved streets shall be deferred until the construction of curbs and

sidewalks. Street trees shall conform to the following standards and guidelines:

A. Landscaping Plan Required. A landscape plan is required and shall be submitted and approved by the City prior to any permit issuance or development approval. All landscape plans shall conform to the requirements in Section 10-4C-3 and shall indicate the anticipated height and width of each tree species proposed at maturity. The landscape plan shall be prepared or approved by a licensed landscape architect with the landscape architect's stamp on the plans.

B. Acceptable Street Trees. Acceptable street trees shall be considered any species of tree determined or approved by city staff for planting on rights-of-way and other public lands.

The following sections C – F contain guidance for selecting species of trees proposed for planting on rights-of-way and other public lands.

All individual specimens to be planted must meet industry-accepted standards of quality established within the American National Standards Institute's *"Z60.1 American Standards for Nursery Stock"* as published by AmericanHort.

C. Growth Characteristics. Trees shall be selected based on the compatibility of their growth characteristics with site conditions, including but not limited to available space for trees to grow above and below ground; required clearances for traffic, visibility and other infrastructure; soil conditions; and, exposure. The following should guide tree selection:

1. Provide a broad canopy where shade is desired.
2. Use low-growing trees for spaces under utility wires.
3. Select trees which can be "limbed-up" as the tree grows to accommodate vision clearance requirements.
4. Use narrow or "columnar" or other similar trees with narrow or upright growth forms, where awnings or other building features may limit growth, or where greater visibility is desired between buildings and the street.
5. Use species with similar characteristics on the same block for design continuity.
6. Avoid using trees that are susceptible to insect damage and avoid using trees that produce excessive seeds or fruit.
7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, de-icing chemicals, and exhaust. Drought-resistant trees should be used in areas with sandy or rocky soil.
8. Use deciduous trees for summer shade and winter sun.

D. Size at Planting. The minimum caliper size at planting shall be 1 ¾ inches.

E. Size at Maturity. The following size classes which categorize tree species' size at maturity are set forth as follows and are referenced throughout other provisions of this section. [See Paragraph J of this Section for a list of acceptable street tree species.]

1. Class I Trees (Small Trees) are 20'-30' tall at maturity. Examples include but are not limited to:

Crataegus x lavallei - Lavalle Hawthorne

Maackia amurensis - Amur Maackia

Malus x 'Spring Snow' - Spring Snow Crabapple (fruitless)

Parrotia persica - Persian Parrotia

2. Class II Trees (Medium Trees) are 30'-50' tall at maturity. Examples include but are not limited to:

   Acer campestre - Hedge Maple

   Gleditsia triacanthos 'Skycole' - Skyline Thornless Honeylocust

   Tilia americana 'Redmond' - Redmond Linden

   Tilia tomentosa 'Sterling' - Sterling Silver Linden

3. Class III Trees (Large Trees) are in excess of 50' tall at maturity. Examples include but are not limited to:

   Acer x freemanii 'Autumn Blaze' - Autumn Blaze Maple Acer saccharum spp. - Sugar Maple Varieties

   Ginkgo biloba - Maidenhair Tree Liriodendron tulipifera - Tulip Tree

F. Spacing and Location. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips. The use of grass in sidewalk tree wells is discouraged and if necessary, shall only be utilized in a manner approved by the City. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity.

1. Spacing. The spacing of Street Trees should be based upon the size of the tree selected and the canopy size at maturity, in accordance with the three species classes listed below:
   a. Class I Trees (Small Trees): 15 - 30 feet
   b. Class II Trees (Medium Trees): 30 - 40 feet
   c. Class III Trees (Large Trees): 40 - 50 feet
   d. Exceptions - special plantings designed or approved by a landscape professional or certified arborist.
2. Distance from Curb and Sidewalk. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three size classes listed in paragraph F (above), and no trees may be planted closer to any curb or sidewalk than the following, except in the case of existing plantings:
   a. Class I Trees (Small Trees) and Class II (Medium Trees) - three feet (minimum planting strip width of six feet)
   b. Class III Trees (Large Trees) - four feet (minimum planting strip width of eight feet)
   c. For existing planting strips less than 6 feet in width, only Class I Trees will be permitted, for replanting purposes.

   The City may require increased distances from curbs and/or sidewalks on Arterial and Collector streets to accommodate snow removal, vertical clearances, and visibility at intersections.
3. Separation Distances from Other Infrastructure Fixtures. Street trees are to be located in available planting areas as determined once improvements and infrastructure identified below are taken into account and spacing is adjusted. No street tree shall be planted closer than the following separation distances, unless a design deviation has been granted by the City:
   a. Tree placement near any street corner, cross walk, or intersection shall be in conformance with the City's clear view triangle standard;
   b. 15 feet from the edge of any commercial or multi-family driveway;

c. Half the measured distance between the curb and the sidewalk will be used as the offset dimension from an alley or single-family driveway;

d. 15 feet from any light fixture;

e. 7 feet from any fire hydrant;

f. 15 feet from any utility poles;

g. For trees NOT included on the Avista approved list of powerline compatible trees, a minimum of 15 lateral feet from any overhead utility line (greater separation distance may be required as based on the tree class, and anticipated size and shape of the tree canopy at maturity);

h. 5 feet from any curb cut for drainage; and,

i. 10 feet from any dry well.

G. Planting Standards. Street trees shall be planted in accordance with City of Liberty Lake Engineering Design Standards, Section 3.3(K)(3), Planting Standards.

H. Soil Preparation, Planting, and Care. The developer or abutting property owner, as applicable, shall be responsible for ensuring the planting of street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two years after planting. The developer or abutting property owner, as applicable, shall also be responsible for ensuring the tree care (pruning, irrigating, fertilization, and replacement as necessary). Note: if at any time a street tree is substantially damaged by a vehicle or other means, it shall be the responsibility of the person causing the damage to replace the tree with one of similar species and size. Contact the City of Liberty Lake for additional information on street tree planting, pruning, and replacement.

I. Assurances. The City may require the developer to obtain bonding or other assurances as established in Section 10-4C-5, subsection D to ensure the planting of the tree(s) and care during the first two years after planting.

J. Street Tree List. The City of Liberty Lake is a Tree City USA, and the program emphasizes native species and encourages species diversity. The City maintains a non-exhaustive list of approved Street Tree species for the City of Liberty Lake, Washington. Other trees, with characteristics similar to the above listed trees, and consistent with paragraph C of this section, may be used with prior approval from City staff.

10-3C-5 Fences and Walls

The following standards shall apply to all fences and walls:

A. General Requirements. All fences and walls shall comply with the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with Article 10-4H - Conditional Use Permits or Article 10-4C – Site Design Review. Walls built for required landscape buffers or as enclosures shall comply with Section 10-3C-3 subsections G and H.

B. Dimensions.

1. The maximum allowable height of residential fences and walls is 6 feet, as measured from the lowest grade at the base of the wall or fence, except that retaining walls and terraced walls may exceed 6 feet when permitted as part of a site development approval, or as necessary to construct streets and sidewalks. A building permit is required for fences and walls exceeding

6 feet in height, in conformance with the Building Code, as well as retaining walls exceeding 4 feet in height.

2. The height of fences and walls within a front yard shall not exceed 4 feet (except decorative arbors, gates, etc.), as measured from the grade closest to the street right-of- way. Sight-obscuring fences shall not exceed 3 feet in height.
3. Walls and fences to be built for required buffers shall comply with Section 10-3C-3 subsection G.
4. Fences and walls shall comply with the vision clearance standards of Section 10-3B-2, subsection N.

C. Materials. The following fencing materials shall be regulated within the City:

1. Barb wire or razor wire (prohibited in all Zones)
2. Chain link
   a. Prohibited in RD-R except when part of fencing for parks, open space, or sports facilities in private/public parks, or as provided in paragraph d of this section. Chain link with black or green vinyl coating is approved for tennis courts, ball fields or other sports facilities.
   b. Prohibited in the RD-MU zone, except as provided for in paragraph d of this section.
   c. Except as provided for in paragraph d of this section, chain link fence is restricted in the RD-C zone to rear yard and side yard fencing only when the zoning of the adjacent land use is RD-C. Chain link is not allowed for side yards adjacent to public rights of way or driveways.
   d. Chain link fence material with green or vinyl coating shall be permitted when associated tennis courts, ball fields, or other sports facilities are located on publicly owned or maintained property in any zone within the River District.

These prohibitions shall not apply to essential public facilities and utilities, including but not limited to sewage treatment facilities, wells, water towers, lift stations, electrical substations, distribution and transmission facilities, and other critical public infrastructure.

D. Maintenance. For safety and for compliance with the purpose of this article, walls and fences required as a condition of development approval shall be maintained in good condition or otherwise replaced by the owner.

Article 10-3D — Vehicle and Bicycle Parking

10-3D-1 Purpose

The purpose of this article is to provide basic and flexible standards for development of vehicle and bicycle parking. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. This article recognizes that each development has unique parking needs by providing a flexible approach for determining parking space requirements. This article also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

10-3D-2 Applicability.

All new development shall comply with the provisions of this article.

10-3D-3 Vehicle Parking Standards

A. Vehicle Parking Minimum Standards. The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in the public or private road right of way, garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), pathway, or landscape area. Parking facilities provided in the RD-M Zone and for Neighborhood Retail Clusters shall be located to the rear and/or side of buildings to enhance streetscapes and promote pedestrian access. Required parking spaces shall be calculated for primary and accessory uses.

Residential Uses	Required Parking Spaces
Accessory caretaker's residence	None
Accessory dwelling units (ADU's)	None
Single family detached housing / zero lot line / manufactured homes on individual lots	2 spaces per dwelling unit
Manufactured home parks	2 spaces per unit
Two-family and townhome housing	1.5 spaces per dwelling unit
Multi-family housing	
Studio or 1-bedroom units less than 500 sq. ft.	1 space per dwelling unit
1-bedroom units 500 sq. ft. or larger	1.0 spaces per dwelling unit
2-bedroom units	1.25 spaces per dwelling unit
3-bedroom or greater units	1.5 spaces per dwelling unit
Rooming and boarding houses, dormitories	One space for every 2 beds
Specialty housing	.5 space per bed, plus 1 space per employee on the largest shift

Commercial Uses	Required Parking Spaces
Auto, boat, recreational vehicle, trailer sales, etc., retail nurseries and similar bulk retail uses (additional parking for auto oriented sales display areas may be provided in accordance with the landscaping standards)	1 space per 1,000 gross square feet of the first 10,000 square feet of gross land area; plus 1 space per 5,000 gross square feet for the excess over 10,000 square feet of gross land area; and 1 space per two employees.
Automobile, etc. repair and rental	1 space per 500 gross square feet (3 spaces minimum required) Additional parking shall be provided for vehicles under repair or rental vehicles, and the additional parking shall be enclosed within a building or with a solid wall or fully sight obscuring fence to a minimum height of 6 feet.
Business, general retail, personal services, animal health services	1 space per 350 gross square feet
Cultural centers, museums, libraries, and athletic clubs, gyms, etc.	1 space per 350 gross square feet
Hotels and motels	.75 space per guest room, plus 1 space per employee on the largest shift, plus 1 space per 200 gross square feet of meeting or conference rooms (restaurants, etc. require additional spaces as set forth herein)
Offices	1 space per 450 gross square feet for general or 1 space per 350 gross square feet for medical and dental offices
Restaurants, bars, ice cream parlors and similar uses	1 space per four seats or 1 space per 200 gross square feet, whichever is less
Theaters, auditoriums, stadiums, gymnasiums, community centers, and similar uses	1 space per four fixed seats or 1 space per 75 gross square feet, whichever is greater

Industrial, Manufacturing, and Storage Uses	Required Parking Spaces
Industrial and manufacturing uses, except warehousing	1 space per two employees on the largest shift or 1 space per 700 gross square feet, whichever is less, plus 1 space per company vehicle
Self-service storage facility	1 space per employee, plus 1 space per 250 units (5 spaces minimum required)
Warehousing	1 space per 1,000 gross square feet or 1 space per two employees on the largest shift, whichever is greater, plus 1 space per company vehicle.

Recreation, Public and Institutional, and Other Uses	Required Parking Spaces
Childcare centers having 13 or more children and nursery / pre-schools	1 space per two employees; a minimum of 2 spaces is required.
Chapels and mortuaries, and churches and similar places of worship	1 space per four fixed seats or 1 space per 150 gross square feet, whichever is greater.
Golf courses	8 spaces per hole, plus additional spaces for accessory uses set forth in this section. Miniature golf courses - 4 spaces per hole.
Group homes	1 space per employee, plus 1 space per 5 residents, plus 1 space per vehicle operated by the home or facility.
Hospitals	2.5 spaces per patient bed
Elementary and middle school / junior high	1.5 spaces per classroom, plus the requirements for auditorium areas as set forth herein.
High schools	1 space per classroom, plus 1 space per 5 students that the school is designed to accommodate, plus the requirements for auditorium areas as set forth herein.
Colleges, universities, and trade schools	1.5 spaces per classroom, plus 1 space per 5 students that the school is designed to accommodate, plus the requirements for on-campus student housing (dormitories) as set forth herein.
Participant & spectator sports facilities	1 space per 150 gross square feet
Public utilities and facilities, not including offices	1 space per two employees on the largest shift, plus 1 space per company vehicle (2 spaces)
Recreational vehicle park / campground	1 space per stall

B. Maximum Number of Parking Spaces. The number of parking spaces provided by any particular use in ground surface parking lots shall not exceed the required minimum number of spaces provided herein by more than 50%; except uses in the RD-C Zone are exempt from the maximum parking standards. Unless otherwise specified, all commercial and industrial uses may exceed the maximum number of parking spaces in order to provide .5 spaces per employee during the largest shift. Larger parking areas should be in a parking structure. If surface parking lots must be larger than 4 acres to meet the minimum required parking space requirements in this Code, additional landscaping shall be provided, at the discretion of the Director or his or her designee. Spaces provided on-street or within parking structures do not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking”, parking spaces for golf carts (as defined by City Ordinance 186, as amended), and electric vehicle spaces also do not apply toward the maximum number. Additionally, auto oriented sales display spaces that conform to the landscaping standards and auto repair or outdoor vehicle storage areas that are enclosed within a building or with a solid wall or fully sight obscuring fence to a minimum height of 6 feet, do not apply toward the maximum number of parking spaces. As outlined in Article 10- 5B, the Director may approve variances to the minimum or maximum standards for off-street parking through a Class A Variance.



C. Unspecified Uses. Where a use is not specifically listed in subsection "A" above, parking requirements shall be determined by finding that a use is similar to those listed in terms of parking needs or by utilizing the ITE Parking Manual. For all non-residential uses or for special cases involving new residential developments, the required minimum parking amount shall be determined by the City. For determination by the City, the Applicant shall supply:

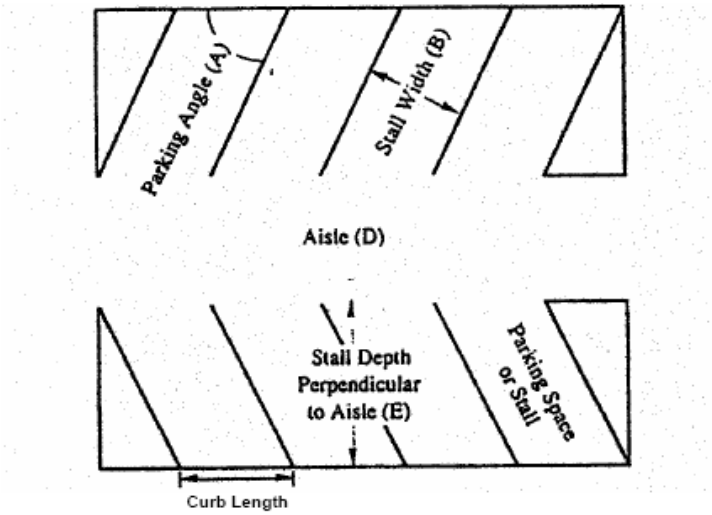
1. Documentation regarding actual parking demand for the proposed use; or
2. Technical studies relating the parking need for the proposed use; or
3. Required parking for the proposed use as determined by other comparable jurisdictions.

D. Credit for On-Street Parking. The amount of off-street parking required may be reduced by the amount of on-street parking reasonably available to the proposed development use. Reasonably available parking shall be that available within 100 feet of the property line of the proposed use.

E. Credit for Bicycle Parking. Bicycle parking may substitute for up to ten percent of required parking. For every five non-required bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

F. Change of Use. When a change in the use of a building or site is proposed, the Applicant must provide documentation for City review and approval demonstrating how the parking requirements for the proposal will be met. This may include the provision of additional onsite parking, shared parking, credit for on-street parking and/or a variance, in accordance with the provisions of this Chapter.

G. Parking Stall Standard Dimensions and Compact Car Parking. All parking stalls shall be improved to conform to City standards for surfacing, stormwater management, and striping, and provide dimensions in accordance with the following table. Up to 15% of the required parking may be designed and labeled as compact. Compact stalls are 1' narrower and 2' shorter than standard stalls (i.e. a 9' x 18' standard stall would be an 8' x 16' compact stall). Compact stalls shall include landscape islands as required by Article 10-3C of this Code, except they can be 9' x 16'. Disabled person parking shall be provided in conformance with ADA requirements and the adopted Building Code.



Angle (A)	Width (B)	Curb Length (C)	1 Way Aisle Width (D)	2 Way Aisle Width (D)	Stall Depth (E)
Parallel	9 ft.	24	12 ft.	24 ft.	9 ft.
30 Degree	9 ft.	18	12 ft.	24 ft.	17 ft.
45 Degree	9 ft.	12' 6"	14 ft.	24 ft.	19 ft.
60 Degree	9 ft.	10' 6"	18 ft.	24 ft.	20 ft.
90 Degree	9 ft.	9 ft.	24 ft.	24 ft.	18 ft.

H. Parking Location and Shared Parking.

1. Location. Vehicle parking is allowed only on approved parking shoulders (streets), within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code.
2. Off-site parking. Except for single family dwellings, the vehicle parking spaces required by this Article may be located on another parcel of land if on-site parking cannot be provided. The parcel shall be within 1000 feet of the use it serves. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.
3. Mixed uses. If more than one type of land use occupies a single structure or parcel of land or group of structures with reciprocal parking rights, the total requirements for off- street automobile parking shall be the sum of the requirements for all uses less 20%, unless it can be shown that the peak parking demands are actually less than the sum of the requirement less 20% (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be further reduced accordingly.
4. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or

operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature), and provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.

10-3D-4 Bicycle Parking Standards

All uses shall provide bicycle parking, in conformance with the following guidelines:

A. Number of Bicycle Parking Spaces. Unless specified in 1-7 below, at least one bicycle parking space shall be supplied per 50 required vehicle parking spaces with a minimum of 2 spaces provided. Generally, a bike rack(s) would be installed that have the capacity to accommodate the required number of spaces. Providing sheltered spaces (under an eave, overhang, independent structure, or similar cover) is encouraged.

The following additional standards apply to specific types of development:

1. Multi-Family Residences. Provide one bicycle parking space for every unit (structures with 4 or more units). This provision is met when enclosed parking garages or storage rooms for bicycles are provided for each unit.
2. Parking Structures and Park & Ride Facilities. All parking structures shall provide a minimum of one bicycle parking space for every 10 motor vehicle parking spaces.
3. Elementary and middle schools, both private and public. Provide one bicycle parking space for every 8 students that the school is designed to accommodate.
4. High schools, both private and public. Provide one bicycle parking space for every 20 students that the school is designed to accommodate.
5. Colleges and trade schools. Provide one bicycle parking space for every 10 motor vehicle spaces plus one space for every dormitory unit.
6. RD-M Zone. Individual businesses shall provide their own bicycle parking, spaces may be clustered between businesses to serve up to six (6) bicycles or spaces may be provided as part of the public roadway improvements. One bicycle parking space shall be provided per 25 required vehicle spaces. Bicycle parking spaces should be located in front of the businesses, either on the sidewalks or in specially constructed areas such as pedestrian curb extensions. Bicycle parking shall not interfere with pedestrian passage, leaving a clear area of at least 36 inches between bicycles and other existing and potential obstructions.
7. Multiple Uses. For buildings with multiple uses (such as a commercial or mixed-use center), bicycle parking standards shall be calculated by using the total number of motor vehicle parking spaces required for the entire development. One bicycle parking space per 25 motor vehicle parking spaces is recommended, with a minimum of 5 spaces.

B. Exemptions. This section does not apply to single family, two-family, and townhome housing (attached, detached, or manufactured housing), home occupations, accessory dwelling units or other developments with fewer than 10 required vehicle parking spaces.

C. Location and Design. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, streetlights, planters, and other pedestrian amenities.

D. Visibility and Security. Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

E. Options for Storage. Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

10-3D-5 Loading Space Standards

It is the intent of this section to require all future commercial, business, institutional, or industrial development to provide off-street loading facilities in order to guarantee full utilization of existing rights of way to accommodate present and future traffic demands.

A. Location and Design.

1. All off-street loading spaces shall be designed to minimize impacts on adjacent properties.
2. In all cases, loading facilities shall be located on the same lot as the structure they are designed to serve. Required yards cannot be used for loading. Off-street loading space shall not be included in an area used to satisfy off-street parking requirements.
3. Loading spaces shall be designed and located so vehicles using these spaces do not project into any public right-of-way or otherwise extend beyond property lines.
4. Loading spaces shall be designed and built so vehicles are not required to back to or from an adjacent street, except for minor access for heavy trucking in industrial zones on local access streets.
5. When a proposed structure is intended to be used concurrently for different purposes, final determination of required loading spaces shall be made by the Director, provided the loading requirement for the combined uses shall not be less than the total requirement for each separate use.

B. Required Off-Street Loading Spaces. The minimum number of off-street loading spaces shall be required according to the following table, unless the number is reduced by the Director:

Use	Size	Required Spaces
Industrial, manufacturing wholesale, warehouse, and similar uses	Up to 40,000 sq. ft. 40,000 - 60,000 sq. ft. 60,000 - 100,000 sq. ft. Over 100,000 sq. ft.	1 space; 2 spaces; 3 spaces; 3 spaces plus 1 additional space per every 50,000 sq. ft. of building or portion thereof over 100,000
Offices, hotels/motels, and restaurants	Up to 60,000 sq. ft. 60,000 - 100,000 sq. ft. Over 100,000sq. ft.	None; 2 spaces; 2 spaces plus 1 additional space per every 50,000 sq. ft. of building or portion thereof over 100,000
Hospitals, nursing homes, and similar uses	Up to 40,000 sq. ft. 40,000 - 100,000 sq. ft. Over 100,000 sq. ft.	1 space; 2 spaces; 2 spaces plus 1 additional space per every 50,000 sq. ft. of building or portion thereof over 100,000
Retail and other commercial uses	Up to 10,000 sq. ft. 10,000 - 30,000 sq. ft. 30,000 - 100,000 sq. ft. Over 100,000sq. ft.	None; 1 space; 2 spaces; 3 spaces plus 1 additional space per every 50,000 sq. ft. of building or portion thereof over 100,000

10-3D-6 Drive-Through Facilities

The standards of this section are intended to allow for drive-through facilities by reducing the negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, lighting and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this chapter are to: Reduce noise, lighting and visual impacts on abutting uses, particularly residential uses; Promote safer and more efficient on-site vehicular and pedestrian circulation; Minimize conflicts between queued vehicles and traffic on adjacent streets.

A. Location and Design

1. The standards of this section apply to all uses that have drive-through facilities regardless of zone, including vehicle repair and quick vehicle servicing.
2. The standards of this section apply only to the portions of the site development that comprise the drive-through facility. The standards apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility. Drive-through facilities are not a right; the size of the site or the size and location of existing structures may make it impossible to meet the standards of this chapter. Chapter 3 -

Design and Maintenance Standards, as well as standards for specific land use zones, contain additional requirements regarding vehicle areas.

3. Parts of a Drive-through Facility. A drive-through facility is composed of two parts – the stacking lanes and the service area. A drive-through facility may also have a third part – an order menu. The stacking lanes are the space occupied by vehicles queuing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs. For other developments, such as gas pumps, air compressors and vacuum cleaning stations, the service area is the area where the vehicles are parked during the service.

B. Setbacks and Landscaping

All drive-through facilities must provide the setbacks and landscaping stated below.

1. Abutting a RD-R Zone. Service areas and stacking lanes must be set back five feet from all lot lines which abut Residential zones. The setback must be landscaped per the requirements of 10-3C-3 New Landscaping.

2. Abutting a RD-M or RD-C Zone. Service areas and stacking lanes must be set back five feet from all lot lines which abut Commercial or Industrial zones. The setback must be landscaped to the minimum requirements included in 10-3C-3 New Landscaping.

3. Abutting a Street. Service areas and stacking lanes must be set back five feet from all street lot lines. The setback must be landscaped to the minimum requirements included in 10-3C-3 New Landscaping.

C. Vehicular Access

All driveway entrances, including stacking lane entrances, must meet driveway spacing requirements, unless otherwise authorized by the City. The distance is measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.

1. Stacking Lane Standards

These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lands.

a. Gasoline Pumps. A minimum of thirty feet of stacking lane is required between a lot line and the nearest gasoline pump. The applicant must demonstrate to engineering services that sufficient queuing area is available such that vehicles in queue do not interfere with adjacent street traffic.

b. Other Drive-through Facilities.

i. Primary Facilities.

A minimum of eighty feet for a single stacking lane, or eighty feet per lane when there is more than one stacking lane, is required for all other drive- through facilities. A stacking lane is measured from the curb cut to the service area or the order area if an outdoor order area precedes the service area. Stacking lanes do not have to be linear.

ii. Accessory Facilities.

A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.

2. Stacking Lane Design and Layout.

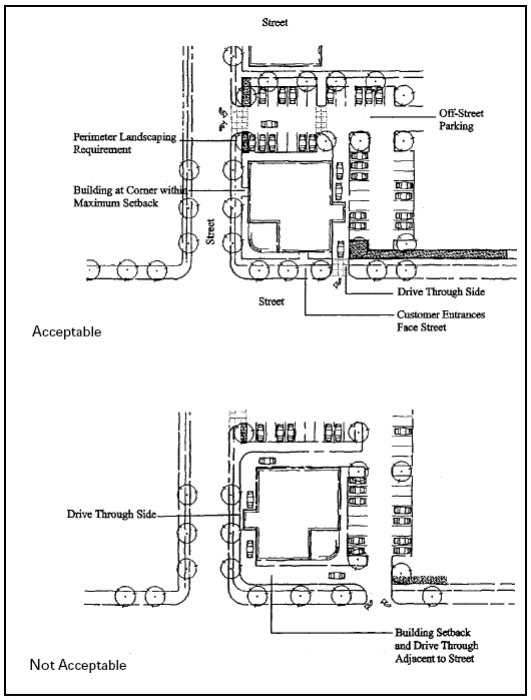
   Stacking lanes must be designed so that they do not interfere with parking, parking access and vehicle circulation.

3. Stacking Lanes Identified.

   All stacking lanes must be clearly identified, through the use of means such as striping, landscaping and signs.

D. Off-site Impacts

Drive-through facilities must meet the off-site impact standards of this chapter regarding off- site impacts. When abutting land zoned RD-R, drive-through facilities with noise-generating equipment must document in advance that the facility will meet the off-site impact noise standards. Noise generating equipment includes items such as speakers, mechanical car washes, vacuum cleaners, and exterior air compressors.



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

10-3D-7 Electric Vehicle Infrastructure (EVI)

Electric Vehicle Infrastructure, as defined by RCW 35A.63.107 shall be allowed as an accessory use within any parking lot / area or within a garage or parking structure. Site and landscaping requirements identified in this Code shall apply, as applicable.

A. Residential Zones. EVI in residential zones shall be limited to residential use and shall not be used for purposes of wholesale or retail sales.

B. Other Zones. EVI for commercial and industrial uses should be designed and sized proportionately to accommodate the demand of the underlying permitted, limited, or conditional use and shall be suitable for the desired location.

1. Design Criteria and Guidelines.
   a. Minimum Number. There is no required minimum on the number of parking stalls for electric vehicle recharge stations. Electric vehicle recharging stations may utilize required parking spaces and are exempt from maximum parking standards.
   b. Parking Space Size. Electric Vehicle charging stations should be sized the same as a regular parking space as identified in this Code.
   c. Lighting. Unless the charging station is designated as daytime use only, adequate lighting shall be provided for the charging station, consistent with the standards identified in this Code.
   d. EVI Signage. Signage should be posted to identify each charging station space as an electric vehicle charging station and identify any restriction such as use limits, towing provisions etc. Signage shall be consistent with the following guidance documents: “Electric Vehicle Infrastructure: A guide for Local Government in Washington State” (July 2010) or the Manual on Uniform Traffic Control Devices (MUTCD).
   e. Notification of station specifics. Notification shall be placed on the unit to identify voltage and amperage levels, time of use, fees, safety information and other pertinent information.
2. Public Streets. Generally electrical vehicle charging stations should not be allowed within the publicly owned right of way. Placement of electric vehicle charging stations proposed to be located in the publicly owned right of way shall serve a public purpose and receive the approval of the City Engineer.



3. Maintenance. Maintenance of the electrical vehicle charging station, including but not limited to functionality of the station, shall be the responsibility of the property owner.

Article 10-3E — Signage Standards

Please refer to the City Development Code Article 10-3E Signage Standards

Article 10-3F — Other Design Standards

10-3F-1 Solid Waste Storage

Solid waste shall not be stored on public or private property for more than two (2) weeks. Except for single, two-family, and townhome housing residential waste & recycle containers, all other solid waste storage areas containing trash dumpsters, compactors, etc. and recycle bins are to be screened from adjacent properties and public rights-of-way in accordance with Section 10-3C-3, subsection H.

10-3F-2 Lighting

A. Purpose. The purpose of this Section is to provide regulations that preserve and enhance the view of the dark sky; promote health, safety, security, and productivity; and help protect natural resources. The provisions of this Section are intended to control skyglow, glare and light trespass. It is the intent of this Section to provide standards for appropriate lighting practices and systems that will enable people to see essential detail in order that they may undertake their activities at night, facilitate safety and security of persons and property, and curtail the degradation of the nighttime visual environment.

B. Applicability.

1. All outdoor lighting fixtures installed on private and public property shall comply with this Section. This Section does not apply to interior lighting; provided, that if it is determined by the Zoning Administrator that any interior lighting emitting light outside of the building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of this Section. Lighting shall also comply with the Non- Residential Energy Code (NREC), as applicable.
2. In the event of a conflict between the requirements of this Section and any other requirement of the City of Liberty Lake Municipal Code the more specific requirement shall apply.
3. Exterior lighting plans, photometric calculations and photometry plan as noted, and fixture specification sheets (cut sheets) must be supplied to the City to review for compliance with this Section.

C. Exemptions. The following are exempt from the provisions of this Section provided that they have no glare or other detrimental effects on adjoining streets or property owners:

1. Traffic control signals and devices;
2. Temporary emergency lighting (i.e., fire, police, repair workers) or warning lights;
3. Moving vehicle lights;
4. Navigation lights (i.e., radio/television towers, docks, piers, buoys) or any other lights where state or federal statute or other provision of the City of Liberty Lake Municipal Code requires lighting that cannot comply with this Section. In such situations, lighting shall be shielded to the maximum extent possible, and lumens shall be minimized to the maximum extent possible, while still complying with state or federal statute;
5. Outdoor lighting approved by the Zoning Administrator for temporary or periodic events (e.g., fairs, nighttime construction);
6. Internally illuminated signs and searchlights permitted under the City Signage Standards (Article 10-3E);

7. Private swimming pools;
8. Seasonal holiday decorations;
9. Window displays;
10. Pedestrian walkway lighting;
11. Residential lighting (excluding luminaires for the sidewalks and roadways);
12. Streetlights shall be designed and installed per Section 10-3G-2, subsection W of this Code;
13. Low light output (under 750 delivered lumens) decorative luminaires; and
14. Accent lighting on the municipal, state, or national flags that is properly shielded to limit direct glare.

D. General Standards. The following general standards shall apply to all nonexempt outdoor lighting fixtures and accent lighting:

1. All outdoor lighting fixtures and accent lighting shall be designed, installed, located, and maintained such that there is no light trespass onto adjacent properties under separate ownership unless the adjacent property owner grants an easement to extend the area of light trespass onto the adjacent property provided that such easement is perpetual in duration and recorded with the Spokane County Auditor;
2. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward (except as noted). The light must be aimed to ensure that the illumination is only pointing downward onto the ground surface, with no escaping direct light permitted to contribute to light pollution by shining upward into the sky;
3. Outdoor lighting fixtures and accent lighting shall not directly illuminate public waterways such as the Spokane River, unless it is a navigational light subject to state or federal regulations;
4. Accent/architectural lighting shall be directed onto the illuminated object or area and not toward the sky or onto adjacent properties under separate ownership. Colored lighting is allowed for accent as long as it meets this standard. All accent lighting must be included in trespass calculations noted. Uplight accent lighting is allowed as long as it does not exceed 750 delivered lumens;
5. Spotlighting on landscaping and foliage may be directed upward and shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section.
6. Accent lighting on statues/monuments shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section; and
7. Accent lighting on flags (except as noted above) shall be limited to luminaires with no more than 750 delivered lumens and comply with other standards in this section.

E. Prohibited.

1. The following fixtures (luminaires) are prohibited:
    a. Searchlights for any other purpose other than temporary emergency lighting or as allowed under the City Signage Standards (Article 10-3E);
    b. Laser lights or any similar high-intensity light for outdoor use or entertainment;
2. The city reserves the right to further restrict outdoor lighting including, but not limited to, pole height and level of illumination, when it is deemed to be in the best public interest consistent with the purpose of this Section.

F. Temporary Outdoor Lighting. Any temporary outdoor lighting that conforms to the requirements of this code shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the zoning administrator for a limited duration, provided that the applicant can demonstrate that such temporary lighting is in the public interest, and any potential annoyance or safety concerns that may result from the non-conforming temporary outdoor lighting can be mitigated through conditions of approval.

G. Recreational Facilities. Any light source permitted by this code may be used for lighting of outdoor recreational facilities (public or private), including but not limited to football fields, soccer fields, baseball fields, tennis courts, or show areas, provided all of the following conditions are met:

1. All fixtures used for event lighting shall be fully shielded or provided with sharp cut-off capability, so as to minimize up-light, spill-light and glare.
2. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstance shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m., and circumstances prevented its conclusion before 11:00 p.m. Participant and spectator sports facilities in the RD-C zone shall be permitted to use lighting exempted under this Section until 12:30 AM, Monday through Friday, and until 1:30 AM Saturday and Sunday, provided, however, that such time restrictions on illumination set forth in this Section shall not apply to any lighting on the property other than for the outdoor recreational facility.
3. Participant and spectator sports facilities in the RD-C zone may use light fixtures that have a rating of G5 or less under the BUG rating system, provided that the lighting shall be located no closer than one hundred fifty (150) yards from the boundary of the nearest Residential zone and shall be limited in height to thirty (30) feet from the ground.

H. Lamp or Fixture Substitution. Should any light fixture regulated under this Section, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Zoning Administrator for his/her approval, together with adequate information to assure compliance with this code, which must be received prior to substitution.

I. Administration. Outdoor lighting plans shall be reviewed by the Department. Approval of the plan shall be based on conformance with this Section. The Zoning Administrator has the discretion to require the re-direction of existing light fixtures when it is determined that the fixture is creating off-site glare not permitted by the approved lighting plan.

J. Plan Review. Lighting plans shall address the following criteria:

1. Backlight and light trespass to adjacent properties. Applicant must provide a site plan with photometric calculations at the property line. The maintained foot-candle levels can be no more 0.1 at the property line and 0.0 10’ beyond the property line, unless permitted under Section 10-3F-2(D)(1).
2. Uplight and skyglow. Using the Backlight, Uplight, and Glare (BUG) rating system, applicants must provide the luminaire specification sheets for all exterior fixtures showing no higher than a U0 for up-light. Exception: Luminaires with higher than U0 can be used if they are installed on the underside of an opaque surface that blocks all up-light (i.e. Soffits and canopies).
3. Glare and luminaire brightness. Using the BUG system rating system, applicants must provide luminaire specification sheets for all exterior fixtures showing no higher than a G1 in residential RD-R zone; no higher than G2 in Mixed-Use RD-M zone; and G3 in Commercial RD-C zone.

K. Lamp or Fixture Substitution. Should any light fixture regulated under this Section, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Zoning Administrator for his/her approval, together with adequate information to

assure compliance with this code, which must be received prior to substitution.

L. Administration. Outdoor lighting plans shall be reviewed by City staff. Approval of the plan shall be based on conformance with this Section. The Zoning Administrator has the discretion to require the re-direction of existing light fixtures when it is determined that the fixture is creating off-site glare.

10-3F-3 Clearing and Grading

A. Applicability. All activities that involve the clearing, grading, filling, and/or covering of the ground shall apply for and receive a clearing and grading permit prior to commencing work, unless specifically exempted.

B. Exempt Activities. The following activities may be exempt from the requirements of this chapter unless it involves a drainage course, wetlands, environmentally sensitive areas, areas of special flood hazard, and/or archaeological sites:

1. Construction or maintenance of public roads when done by a public agency when the project has completed an environmental checklist, has been approved by the City, and the work is in existing or future public right-of-way;
2. The installation of utilities in accordance with a valid permit, franchise or road construction plan from the city, well drilling activities, or excavation for soil logs;
3. Routine maintenance and operation activities at cemeteries;
4. Emergency sandbagging, diking, ditching, filling, or similar work during or after periods of extreme weather conditions when done to protect life or property;
5. The broadcasting of less than 100 yards of peat, sawdust, mulch, bark, or chips on a lot, tract or parcel of land, or the broadcasting of any amount of the above material to a maximum depth of eight (8) inches; or
6. Broadcasting of five yards or less of topsoil or soil nutrients not more than four (4) inches deep; or
7. Landscaping and minor home improvement activities that do not involve heavy equipment such as excavators, bulldozers, etc.

C. Application Requirements. Unless specifically exempted by the City, all clearing and grading activities must receive a City permit or written approval. Applications shall be submitted on forms provided by the City, provided that the City may authorize the submittal of the required information as a part of a related application, such as a building permit.

1. Minor Clearing and Grading Activities. Nonexempt clearing, grading, filling, and excavation activities that do not involve a total of more than 100 cubic yards throughout the lifetime of the project, and that do not involve or adversely impact environmentally sensitive or critical areas, as determined by the City, may be considered minor clearing and grading activities; provided, that the City may determine that a proposed activity that otherwise meets the criteria of a minor clearing and grading permit shall be processed as a major clearing and grading permit based on a finding of unique and unusual circumstances or to protect the public health and safety.
2. Major Clearing and Grading Activities. All nonexempt clearing, grading, filling, and excavation activities that do not meet the minor clearing and grading criteria shall be considered major clearing and grading activities. The City may require that applications for major clearing and

grading activities include plans stamped by a licensed geotechnical engineer and/or may require financial guarantees to ensure that neighboring properties, environmentally sensitive areas, and/or historical or archaeological sites are not adversely affected.

3. All clearing and grading permit applications must be submitted and shall be processed concurrently with all associated permits and approvals.

    a. A SEPA Checklist shall be required for all clearing and grading activities, unless it is determined by the City to be exempt from the environmental review requirements of Title 10, Chapter 6 of the City of Liberty Lake Development Code.

    b. Clearing and grading permits shall be processed as an Exempt or Type 1 project permit (in accordance with Article 10-4B) unless it is a part of a development activity that is subject to a Type 2 or 3 project permit (Article 10-4B).

D. Design Criteria. All work must be designed to a standard as required by the City and will follow standards of good engineering practices and principles. The applicant will be responsible for providing a design that is acceptable and, when constructed, a facility that can be easily maintained by the property owner. If circumstances create a hazard to life, endanger or adversely affect the use or stability of a public or private way or drainage courses, the City may impose additional or greater requirements to fulfill the intent of this Chapter.

1. All clearing and grading activities shall include temporary erosion control and stormwater management provisions designed and implemented in accordance with the requirements of the City's Engineering and Design Manual, unless specifically exempted by the City.

2. Excavation Standards – Cut Slopes.

    a. The top of cut slopes shall be set back from the site boundary at a 2.5:1 ratio (depth x 2.5) unless a retaining wall or swimming pool wall is designed by an engineer and constructed for the project.

    b. Slopes shall be no steeper than is safe for the intended use and shall not be steeper than two- and one-half horizontal to one vertical (2.5:1), or as recommended by a soils engineer.

3. Fill Standards.

    a. The toe or catch point of fill slopes shall be set back from the site boundary at a 2.5:1 ratio (depth x 2.5) unless a retaining wall or swimming pool wall is designed by an engineer and constructed for the project.

    b. Slopes shall be no steeper than is safe for the intended use and shall notbe steeper than two- and one-half horizontal to one vertical (2.5:1), or as recommended by a soils engineer.

    c. Fill which is intended for building sites shall be constructed in conformance with the requirements of the latest edition of the IBC/IRC, as adopted by the City.

    d. Fill sites must be approved by the engineer as suitable locations for the proposed fill.

    e. Preparation of Ground. The ground surface for fills over five feet in height shall be prepared by removing vegetation, unsuitable fill, topsoil and other unsuitable materials, scarifying to provide a bond with the new fill, and, where existing slopes are steeper than five horizontal to one vertical, by benching into competent material as determined by the engineer. The bench under the toe of a fill on a slope steeper than five horizontal to one vertical shall be at least 10 feet wide, or as recommended by a soils engineer.

    f. Fill Material. Except as permitted by the City, no material other than earth material shall be buried or placed in fills. Placement of other than earth material is regulated by state

statutes or federal laws and additional permits may be required.

g. Slope Stability. Fills shall be constructed using earth materials, compaction methods and construction techniques, so that stable fills are created.

E. Review coordination.

1. A grading permit will not be granted by the City until all other project-related public governmental agencies' approvals, if required, are received. Conditions imposed by other governmental agencies affecting the permit must be incorporated into the project's design and implemented by the applicant.
2. Issuance of a grading permit for the purpose of project site preparation may be withheld until all applicable permits or approval for the proposed project are obtained by the applicant.
3. When development is intended or proposed on a site affected by issuance of a grading permit, work allowed by the grading permit shall be subordinate to future site development conditions or requirements.
4. The issuance of a grading permit shall not relieve the applicant from complying with other applicable city zoning or land use regulations.

F. Financial Guarantees.

1. Guarantee Required. Prior to issuance of a permit, the applicant may be required to submit a financial guarantee to the City to assure compliance with the provisions of this chapter, the permit, and approved plans. Improvements and facilities that must be guaranteed by the applicant are, but are not limited to, temporary and permanent erosion and sedimentation control work, drainage control work and restoration work.
2. General. Financial guarantees shall be in a form acceptable to the City and will not be released by the city until all work is completed in accordance with the approved plans and conditions of the permit. All work must be completed within the time limits as noted on the permit or the approved plan for the project. If not completed, the city may use the financial guarantee to complete the work as outlined in the permit or approved plans, or complete those items of work that would safeguard adjacent or downstream property owners or may deposit the financial guarantee in a designated account as contribution toward the cost of completing the work. Collection of the financial guarantee does not relieve the applicant of the responsibility to complete the work, and the city may act as necessary to ensure completion of the work.
3. All financial guarantees shall run continuously until released by the City and shall not be subject to an expiration or cancellation date.
4. An engineer's estimate for the work to be accomplished, based on current construction costs, must be submitted to the City for review and approval. The City will establish the minimum financial guarantee at 150 percent of the estimate to allow for inflation, engineering expenses and administrative costs should the city have to complete the work. The City shall retain from the funds all costs associated with administration, collection of the funds and completion of the guaranteed work.
5. Upon receipt of an acceptable letter of completion from the applicant's architect or engineer, the City will release the applicable financial guarantee; provided, that the City may retain a portion or require a new financial guarantee to ensure that the improvements are adequately maintained and perform as designed.

G. Change of conditions.

Should the City become aware of conditions that invalidate the original design data used to obtain the permit or determine that the applicant is not complying with the conditions of the permit or approved plans, the city may revoke the original permit and/or order work stopped on the project. The City may require the applicant to resubmit information or plans for review and approval and apply for a new permit. The City may order all or part of the permitted work stopped for any period of time for any of the following reasons:

1. The applicant fails to comply with the conditions of the permit;
2. The permit was granted on the basis of erroneous information submitted to the City by the applicant;
3. The weather or weather-created conditions cause off-site or downstream drainage or water quantity or quality problems; and/or
4. The work has become a hazard to life, endangers property, or adversely affects the use or stability of a public way or drainage course.

H. Approval and inspection process.

1. Obligations of Engineer. The applicant shall be responsible for the inspection and approval of all work on private property as shown on the approved plan. This shall include, but is not limited to, all grading work, drainage facilities and erosion and sedimentation control facilities or other work approved for the project.
2. Notification of Completion. The applicant or his/her designee shall submit a letter to the City certifying that the completed project conforms to the conditions of the permit and approved plans and all grading work, drainage facilities, erosion control measures, etc., have been completed in accordance with the issued permit. The report shall be stamped and signed by the engineer and shall be worded as follows:

   "I have inspected the project and find that the work substantially conforms to the terms and conditions of the permit and the intended design for the project."

   Minor alterations to the system must be listed in the approval letter or noted on reproducible as-built drawings which must be submitted with the approval letter.
3. City Inspection. After receipt of the notification of completion the City shall make a final inspection of the project.

Prior to completion of a project and/or the issuance of a certificate of occupancy, all temporary erosion control measures shall be removed and all final storm water measures installed and fully functional.

10-3F-4 Small Wireless Facilities

A. Applicability.

1. All small wireless facilities, as defined in §10-1C-B, that are located on public or private property shall be designed and maintained in accordance with the design requirements of this section.
2. The following are specifically excluded from the requirements of this section:
   a. Macro cell wireless communication antenna arrays and towers, which are regulated as conditional uses in certain zoning districts.

b. Radio and television antennas, cable television and satellite dish structures, and other similar telecommunication devices mounted on a building or other structure that do not meet the definition of a small wireless facility.

B. Equipment Height and Volume Limits. Small wireless facilities are subject to the following height and volume limits:

1. Pole Height.

a. Existing Poles. A pole extender may be used to attach a small wireless facility to an existing pole but may not increase the height of the existing pole by more than 10 feet, inclusive of the antenna, nor shall it exceed a total height of 50 feet, unless the applicant demonstrates in writing that a further height increase is necessary to provide sufficient separation and/or clearance from electrical and/or wireline facilities. In no event may any pole exceed 60 feet in height, inclusive of the pole extender and antenna.

b. Replacement Poles. A replacement pole, inclusive of its antenna, shall not exceed the height of the existing pole by more than 10 feet nor shall it exceed a total height of 50 feet, unless the applicant demonstrates in writing that a further height increase is necessary to provide sufficient separation and/or clearance from electrical and/or wireline facilities. In no event may any replacement pole exceed 60 feet in height, inclusive of the antenna.

c. New Poles. New poles shall not exceed 50 feet in height, inclusive of the antenna.

2. Equipment Volume.

a. Each antenna shall be located inside an antenna enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements shall be capable of fitting within an imaginary enclosure of no more than three cubic feet; and

b. Total wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume. Underground equipment shall not be included in the calculation of total wireless equipment volume.

C. Standards Applicable to All Small Wireless Communication Facilities.

1. Non-interference. Small wireless facilities shall not interfere with existing use of the right-of-way for transportation, public or private utilities, street trees and landscaping, or public health or safety facilities, including fire hydrants.

2. Obstructions. Ground-mounted equipment, replacement poles, and/or new poles shall comply with the Americans with Disabilities Act (“ADA”). Each component of the small wireless facility shall be located so as not to cause any physical or visual obstruction or safety hazard to pedestrian or vehicular traffic and shall comply with all local, state and federal laws, regulations and orders regarding clear and safe passage within the right-of-way. Facilities shall comply with the requirements of the “clear view triangle”, as detailed in City Development Code §10-3B-2(N).

3. Structural Strength. Each small wireless facility shall be properly designed and engineered to withstand seismic, wind, and ice loads. Engineering calculations shall be required to demonstrate poles and other support structures upon which the small wireless equipment is proposed to be collocated are adequately designed to support the weight of the small wireless equipment while withstanding seismic, wind, ice, and snow loads applicable in the City of Liberty Lake.

4. Public Health Compliance Standard. The small wireless facility shall comply with the following public health compliance standard:

    a. Any potential exposure to radio frequency emissions from a proposed small wireless facility is below the threshold established by FCC regulations, as detailed in 47 CFR §1,1307(B), (including aggregate emissions from collocated equipment).

5. Concealment Requirements. Small wireless facilities are subject to the following concealment requirements:

    a. The facility shall not exceed the height and volume limits imposed by this chapter.

    b. The applicant shall employ screening, camouflaging and/or other stealth techniques to minimize the visual impact of the small facility, to the extent technically feasible. The purpose of this requirement is to maximize the extent to which the small wireless facility will blend into the surrounding environment and minimize visual clutter.

    c. Primary equipment enclosures shall be underground, incorporated and concealed within pole structure or street furniture, or incorporated into the base of the pole, to the maximum extent feasible. Equipment enclosures shall be no larger than is necessary to enclose the equipment.

    d. Pole-mounted equipment shall be flush mounted, except as otherwise required by applicable safety codes or pole owner requirements.

    e. Cables and wires shall be routed within the interior of the pole to the maximum extent feasible. Where interior installation is infeasible, conduit attached to the exterior of the poles shall be flush mounted, except as otherwise required by applicable safety codes or pole owner requirements, and shall be painted to match the pole, in the case of non-wooden poles. All cabling shall be encased in conduit.

    f. The small wireless facility shall not be illuminated.

    g. No advertising, signage, message, or identification other than manufacturer's identification or other required identification by governing law is allowed to be portrayed on any antennae or equipment enclosure. Displays of public art and/or artistic wraps shall be permitted on equipment enclosures, if so commissioned by the City, with the mutual agreement of the applicant/owner.

D. Standards for Pole Mounted Facilities.

1. Non-Wooden Light Pole Standard. Small wireless facilities attached to existing or replacement non-wooden light poles and other non-wooden poles in the right-of-way or non-wooden poles outside of the right-of-way shall conform to the following design criteria:

    a. Antennas and the associated equipment enclosures (including disconnect switches and other appurtenant devices) shall be fully concealed within the pole, unless such concealment is otherwise technically infeasible, or is incompatible with the pole design, then the equipment enclosures must be painted or otherwise camouflaged to appear as an integral part of the pole or flush-mounted to the pole, meaning not more than 12 inches off of the pole, or the minimum needed to achieve safety clearances and antenna tile needs, and must be the minimum size necessary for the intended purpose, not to exceed the volumetric dimensions of small wireless facilities.

    b. The farthest point of any equipment enclosure may not extend more than 28 inches from the face of the pole.

    c. All conduit, cables, wires, and fiber must be routed internally in the light pole, when technically feasible. Full concealment of all conduit, cables, wires, and fiber is required

within mounting brackets, shrouds, canisters, or sleeves if attaching to exterior antennas or equipment.

d. Mid-pole primary equipment cabinets (not including cabinets housing antennas) shall only be permitted if the applicant can demonstrate that it is technically infeasible to locate the equipment cabinet underground or at the base of the pole.

e. An antenna on top of an existing pole may not extend more than ten feet above the height of the existing pole and the diameter may not exceed 18 inches, measured at the top of the pole, unless the applicant can demonstrate that more space is needed. The antennas shall be integrated into the pole design so that they appear as a continuation of the original pole, including colored or painted to match the pole, if technically feasible, and shall be shrouded or screened to blend with the pole if technically feasible, except for canister antennas which shall not require screening. All cabling and mounting hardware/brackets from the bottom of the antenna to the top of the pole shall be fully concealed and integrated with the pole.

f. An omnidirectional antenna may be mounted on the top of an existing or replacement non-wooden pole. Such antenna shall be no more than four (4) feet in height, 18 inches in diameter, and must be mounted directly on the top of a pole or attached to a sleeve made to look like the exterior of the pole as close to the top of the pole as technically feasible. All cables shall be concealed within the sleeve between the bottom of the antenna and the mounting bracket.

g. Any replacement pole shall substantially conform to the design of the pole it is replacing or the neighboring pole design standards utilized within the contiguous right-of-way.

h. The height of any replacement pole may not extend more than 10 feet above the height of the existing pole or the minimum additional height necessary; provided, however, that the height of the replacement pole cannot be extended further by additional antenna height.

i. The diameter of a replacement pole shall comply with the city's setback and sidewalk clearance requirements and shall, to the extent technically feasible, not be more than a 25 percent increase of the existing non-wooden pole measured at the base of the pole, unless additional diameter is needed in order to conceal equipment within the base of the pole, and shall comply with the requirements in subsection (C)(1) and (C)(2) of this section.

j. The height of the luminaire on a replacement pole shall match the height of the luminaire on the pole that is being replaced.

k. The use of the pole for the siting of a small wireless facility shall be considered secondary to the primary function of the pole. If the primary function of a pole serving as the host site for a small wireless facility becomes unnecessary, the pole shall not be retained for the sole purpose of accommodating the small wireless facility and the small wireless facility and all associated equipment shall be removed.

l. Exceptions to these standards may be granted by the Zoning Administrator (or designee) upon the applicant's demonstration that the strict application of such standards are technically infeasible in a specific circumstance, and the exception granted is the minimum exception necessary to address the technical challenge.

2. Wooden Pole Standard. Small wireless facilities located on wooden poles shall conform to the following design criteria:

a. The wooden pole at the proposed location may be replaced with a taller pole for the purpose of accommodating a small wireless facility; provided, however, that the replacement pole shall not exceed a height that is a maximum of 10 feet taller than the

existing pole, unless a further height increase is required and confirmed in writing by the pole owner and that such height extension is the minimum extension possible to provide sufficient separation and/or clearance from electrical and wire line facilities.

b. Replacement wooden poles must either match the approximate color and materials of the replaced pole or shall be the standard new wooden pole used by the pole owner in the city.

c. Equipment enclosures, and all ancillary equipment, boxes and conduit shall be colored or painted a consistent, neutral color (brown, tan, or grey).

d. Antennas shall not be mounted more than 12 inches from the surface of the wooden pole.

e. Antennas should be placed in an effort to minimize visual clutter and obtrusiveness. Multiple antennas are permitted on a wooden pole; provided that each antenna enclosure shall not be more than three cubic feet in volume.

f. A canister antenna may be mounted on top of an existing wooden pole but may not exceed the height requirements described in subsection (B)(1) of this section. A canister antenna mounted on the top of a wooden pole shall not exceed 18 inches in diameter, measured at the top of the pole, and shall be colored or painted a consistent, neutral color (brown, tan or grey). The canister antenna must be placed to look as if it is an extension of the pole. In the alternative, the applicant may propose a side-mounted canister antenna, so long as the inside edge of the antenna is no more than 12 inches from the surface of the wooden pole. All cables shall be concealed either within the canister antenna or within a sleeve between the antenna and the wooden pole.

g. The farthest point of any equipment enclosure may not extend more than 28 inches from the face of the pole.

h. An omnidirectional antenna may be mounted on the top of an existing wooden pole. Such antenna shall be no more than four (4) feet in height, 18 inches in diameter, and must be mounted directly on the top of a pole or attached to a sleeve made to look like the exterior of the pole as close to the top of the pole as technically feasible. All cables shall be concealed within the sleeve between the bottom of the antenna and the mounting bracket.

i. All appurtenant equipment, including but not limited to accessory equipment, radios, cables, associated shrouding, microwaves, and conduit which are mounted on wooden poles, shall not be mounted more than six inches from the surface of the pole, unless a further distance is technically required and is confirmed in writing by the pole owner.

j. Equipment for small wireless facilities must be attached to the wooden pole, unless otherwise permitted to be ground mounted, as may be permitted based upon the requirements of subsection (C)(2) of this section. The equipment must be placed in the smallest enclosure possible for the intended purpose. The equipment enclosure(s) and all other wireless equipment associated with the utility pole, including wireless equipment associated with the antenna, and any preexisting associated equipment on the pole, may not exceed 28 cubic feet. Multiple equipment enclosures may be acceptable if designed to more closely integrate with the pole design and do not cumulatively exceed 28 cubic feet.

k. Mid-pole primary equipment cabinets (not including cabinets housing antennas) shall only be permitted if the applicant can demonstrate that it is technically infeasible to locate the equipment cabinet underground, at the base, or near the top the pole.

l. An applicant who desires to enclose both its antennas and equipment within one unified enclosure may do so; provided, that such enclosure is the minimum size necessary for its intended purpose and the enclosure and all other wireless equipment associated with the

pole, including wireless equipment associated with the antenna and any preexisting associated equipment on the pole does not exceed 28 cubic feet. The unified enclosure may not be placed more than six inches from the surface of the pole, unless a further distance is required and confirmed in writing by the pole owner. To the extent possible, the unified enclosure shall be placed so as to appear as an integrated part of the pole.

m. The visual effect of the small wireless facility on all other aspects of the appearance of the wooden pole shall be minimized to the greatest extent possible.

n. The use of the wooden pole for the siting of a small wireless facility shall be considered secondary to the primary function of the pole. If the primary function of a pole serving as the host site for a small wireless facility becomes unnecessary, the pole shall not be retained for the sole purpose of accommodating the small wireless facility and all associated equipment shall be removed.

o. The diameter of a replacement pole shall comply with the city's setback and sidewalk clearance requirements and shall not be more than a 25 percent increase of the existing utility pole measured at the base of the pole.

p. All cables and wires shall be routed through conduit along the outside of the pole. The outside conduit shall be colored or painted to match the pole. The number of conduit shall be minimized to the number technically necessary to accommodate the small wireless facility.

q. Exceptions to these standards may be granted by the Zoning Administrator (or designee) upon the applicant's demonstration that the strict application of such standards are technically infeasible in a specific circumstance, and the exception granted is the minimum exception necessary to address the technical challenge.

3. Wireless Only Pole Standard. All pole-mounted transmission equipment shall be collocated on existing poles or replacement poles, unless permitted based on the required justification for a new wireless only pole. A wireless only pole may be permitted if the applicant submits a new pole justification report demonstrating to the reasonable satisfaction of the Zoning Administrator that no pole currently exists within the right-of-way within a 250-foot radius of the proposed new pole that is available for use by the applicant and that would provide substantially equivalent functionality. If so demonstrated, such new pole shall comply with the following design standards, in addition to the other requirements detailed in this section. Wireless only poles shall:

   a. Resemble existing poles in the right-of-way near that location, with the exception of pole designs that are scheduled to be removed and not replaced; if no existing poles are located in the right-of-way near this location, the new wireless pole shall be a non-wooden pole; and,

   b. Antennas and the associated facility equipment enclosures (including disconnect features and other appurtenant equipment) shall be fully concealed within the pole, unless such concealment is otherwise technically infeasible; and,

   c. Be located at least 180 feet from any existing pole, unless the applicant demonstrates to the Zoning Administrator's (or designee's) reasonable satisfaction that (i) the minimum separation requirement cannot be satisfied for technical reasons and (ii) placement of the small wireless facility at a distance less than 180 feet from an existing pole will meet the intent of reducing visual clutter to the greatest extent practicable.

   d. Exceptions to these standards may be granted by the Zoning Administrator (or designee) upon the applicant's demonstration that the strict application of such standards are technically infeasible in a specific circumstance, and the exception granted is the minimum exception necessary to address the technical challenge.

E. Strand Mounted Facilities. Small wireless facilities mounted on cables strung between existing poles shall only be permitted if the applicant has successfully demonstrated that collocation of the proposed facility on an existing structure or a wireless only pole is technically infeasible or inadequate for network objectives in that specific area. If so permitted based upon such demonstration, the following standards shall apply in addition to all other requirements of this section:

1. Each strand-mounted facility shall not exceed three cubic feet in volume;
2. Pole-mounted equipment for strand-mounted facilities shall meet the requirements for pole-mounted small wireless;
3. Only one strand-mounted facility is permitted per cable between any two existing poles;
4. The strand-mounted device shall be placed as close as possible to the nearest pole and in no event more than six feet from the pole unless a greater distance is technically necessary or required by the pole owner for safety clearance;
5. No strand-mounted device shall be located in or above the portion of the roadway open to vehicular traffic; and,
6. Strand-mounted devices shall be installed to cause the least visual impact, including by utilizing the minimum amount of exterior cabling or wires (other than the original strand) necessary to meet the technological needs of the facility.
7. Exceptions to these standards may be granted by the Zoning Administrator (or designee) upon the applicant's demonstration that the strict application of such standards are technically infeasible in a specific circumstance, and the exception granted is the minimum exception necessary to address the technical challenge.

F. Traffic Signal Mounted Facilities. Small wireless facilities are not permitted on traffic signals poles unless denial of the siting is demonstrated to be a prohibition or effective prohibition of the applicant's ability to provide telecommunications service in violation of 47 USC 253 and 332.

G. Standards for Facilities Attached to Existing Buildings. Small wireless facilities attached to existing buildings shall conform to the following design criteria:

1. Small wireless facilities may be mounted to the sides of a building if the antennas do not interrupt the building's architectural theme.
2. The interruption of architectural lines or horizontal or vertical reveals is discouraged.
3. New architectural features such as columns, pilasters, corbels, or other ornamentation that conceal antennas may be used if it complements the architecture of the existing building.
4. Small wireless facilities shall utilize the smallest mounting brackets necessary in order to provide the smallest offset from the building.
5. Skirts or shrouds shall be utilized on the sides and bottoms of antennas in order to conceal mounting hardware, create a cleaner appearance, and minimize the visual impact of the antennas. Exposed cabling/wiring is prohibited.
6. Small wireless facilities shall be painted or colored and textured to match the adjacent building surfaces.

Article 10-3G — Public Facilities Standards

10-3G-1 Purpose and Applicability

A. Purpose. The purpose of this article is to provide planning and design standards for public and private motorized and non-motorized transportation facilities and utilities.

B. When Standards Apply. Unless otherwise provided in the RD roads standards, the standard specifications for construction, reconstruction, or repair of transportation facilities, utilities, and other public improvements within the City shall occur in accordance with the standards of this article and the City of Liberty Lake Engineering Design Standards. No development may occur unless the public facilities related to development comply with the public facility requirements.

C. Standard Specifications. The City Engineer shall establish standard construction specifications consistent with the concepts of this article and application of engineering principles. These specifications shall be contained in the City of Liberty Lake Engineering Design Standards, and they are incorporated in this code by reference.

D. Conditions of Development Approval. No development may occur unless required public facilities are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be directly attributable and roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

10-3G-2 Transportation Improvement

A. Development Standards. No development shall occur unless the development has frontage or approved access to a public street. Streets within or adjacent to a development shall be improved in accordance with the River District SAP, the provisions of this article, and the City of Liberty Lake Engineering Design Standards.

1. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this article and the City of Liberty Lake Engineering Design Standards as modified by the RDSAP. Public streets shall be dedicated to the applicable city, county, or state jurisdiction;
2. New streets and drives shall be paved; and
3. The City may accept a future improvement guarantee [e.g., owner agrees not to object against the formation of a local improvement district in the future in lieu of street improvements if one or more of the following conditions exist:
    a. A partial improvement may create a potential safety hazard to motorists or pedestrians;
    b. Due to the developed condition of adjacent properties, it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
    c. The improvement would be in conflict with an adopted capital facility plan; or
    d. The improvement is associated with an approved land division on property zoned residential and the proposed land division does not create any new streets.

e. The improvement is part of the proposed Liberty Lake Transportation Mitigation Plan, when adopted.

4. Privately owned and maintained streets may be allowed. However, streets must meet all the design and construction standards required in the RD-SAP, as reviewed and approved by the City Engineer concurrent with AASHTO or current applicable standards. A homeowner's or property owner's association must be established to provide for street repair and maintenance.

B. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final plat, binding site plan, or short plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed essential by the City Council for the purpose of implementing the Transportation Improvement Plan, and the deeded right-of-way conforms to the standards of this Code and the City of Liberty Lake Engineering Design Standards. All deeds of dedication shall be in a form prescribed by the Zoning Administrator and shall name "the public," as grantee.

C. Creation of Access Easements. The City may approve an access easement established by deed when the easement is necessary to provide for access by private roadway, driveway, alley, or auto-court lane.

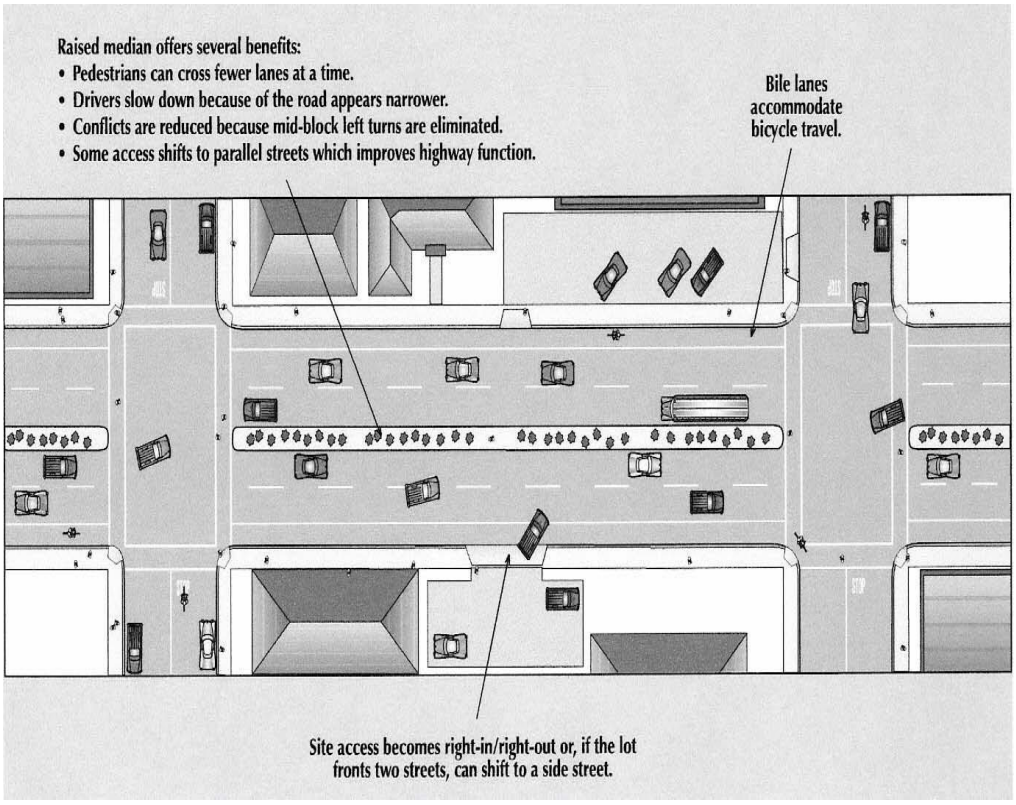
D. Street Location, Width, and Grade. Except as noted below, the location, width, and grade of all streets shall conform to the Transportation Improvement Plan, as modified by the RDSAP, the City of Liberty Lake Engineering Design Standards; and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience, and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

1. Street grades shall be approved by the City Engineer in accordance with the City of Liberty Lake Engineering Design Standards.
2. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:
   a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this article and the City of Liberty Lake Engineering Design Standards, or
   b. Conform to a street plan adopted by the City Council, if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.

E. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall be the widths listed in the City of Liberty Lake Engineering Design Standards, as modified by the RDSAP and as reviewed and approved by the City Engineer. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following factors:

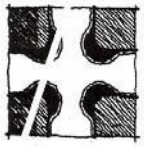
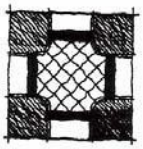
1. Street classification in the RDSAP;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements based on anticipated level of use;
5. Requirements for placement of utilities;
6. Street lighting;

7. Minimize or prevent drainage, slope, and critical area impacts, as identified by the Comprehensive Plan;
8. Safety and comfort for motorists, bicyclists, and pedestrians;
9. Street furnishings (e.g., benches, lighting, bus shelters, etc.), when provided;
10. Access needs for emergency vehicles; and
11. Transition between different street widths (i.e., existing streets and new streets), as applicable.



F. Traffic Signals and Traffic Calming Features.

1. Traffic-calming features, such as traffic circles / modern roundabouts, curb extensions, narrow residential streets, and special paving are encouraged to slow traffic in neighborhoods and areas with high pedestrian traffic.
2. Traffic signals or traffic circles / modern roundabouts shall be required with development when traffic signal warrants are met. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed. The developer's cost and the timing of improvements shall be included as a condition of development approval.

Drawing	*Technique*	*Description*
	Traffic Circles	Circular raised islands centered within intersections. Circles can be landscaped or surfaced with special paving. Landscaping can be maintained by the local jurisdiction or by neighborhood volunteers.
	Chicanes	Alternately placed curb extensions into the street that force motorists to drive in a serpentine pattern. Chicanes are offset from each other in mid-block locations and can be used to keep through-trucks versus local delivery off residential streets.
	Curb Bulb-Outs, Chokers/ Neckdowns	Curb extensions placed at mid-block locations or intersections which narrow the street to provide visual distinction and reduce pedestrian crossing distances. Bulb-outs help to provide a clear visual signal to drivers that a crossing is approaching and makes waiting pedestrians more visible. Neckdowns are often longer than bulb-outs and often line up with and help to define parallel street parking areas. They narrow the appearance of the street and can be attractive, especially when landscaped.
	Special Paving	Alternative road surfaces, such as brick, colored concrete or special pavers, can be used at crossings, intersections, or along the sides of the street to break up the visual expanse of pavement and define areas of pedestrian travel.

Traffic Calming Features

G. Street Alignment and Connections.

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.
2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area, or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.
3. Proposed streets or street extensions shall be located to provide direct access to existing or planned commercial services and other neighborhood facilities, such as schools, shopping areas, parks, and transit facilities.

H. Sidewalks, Planter Strips, Bicycle Lanes. Separated sidewalks with planters shall be required along both sides of streets in all new developments, unless existing sidewalks prohibit the use of separated sidewalks or physical constraints (e.g., topography) prevent construction in conformance with the standards, as determined by the City and additional sidewalks or pathways will be required within the development or the City. The use of urban streetscapes is encouraged in mixed use zones and designs shall be reviewed for compliance with the intent of the street tree and sidewalk standards. Maintenance of sidewalks, curbs, and planter strips is the continuing obligation of the adjacent property owner and sidewalks shall be kept free of obstructions to pedestrians at all times. A planter strip, consistent with the RDSAP road design sections, shall be included on public and private roads. The required planter strip shall not be used for stormwater treatment or disposal.

I. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practical, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area, or similar neighborhood amenity. See the City of Liberty Lake Engineering Design Standards for details.

J. Existing Rights-of-Way. Whenever existing rights-of-way adjacent to or within a tract are of less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of this article.

K. Cul-de-sacs. A cul-de-sac should be no more than 200 feet long and used on a limited basis when environmental, site/project specific, topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation.

L. Grades and Curves. Grades shall not exceed standards in the City of Liberty Lake Engineering Design Standards.

M. Curbs, Curb Cuts, Ramps, and Driveway approaches. Concrete curbs, curb cuts, wheelchair, bicycle ramps, and driveway approaches shall be constructed in accordance with City Standards.

N. Alleys, Public or Private. Alleys shall conform to the standards in this Code and the City of Liberty Lake Engineering Design Standards. Alleys shall be provided off Local Access or Collector Streets only, not Arterials, and shall connect to a Local Access or Collector Street at both ends.

O. Private Streets. Private streets shall not be used to avoid connections with public streets. Gated communities (i.e., where a gate limits access to a development from a public street) are prohibited, unless the streets conform to the public street standards in the City of Liberty Lake Engineering Design Standards

P. Street Names & Addresses. No street name shall be used which will duplicate or be confused with the names of existing streets in Spokane County, except extensions of existing streets may be permitted. Street names, signs, and numbers shall conform to the established pattern in the City. Addresses shall be assigned by the City and provided off streets only. If a building does not have street frontage (e.g. common area or pedestrian path frontage), then the address shall be provided based on the street connection point for vehicular access and appropriate signage shall be provided for public safety. Exceptions may be granted by the Zoning Administrator for specific situations, including auto-court lanes.

Q. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.

R. Street Signs. The city, county, or state with jurisdiction shall install all signs for traffic control and street names, unless it is delegated to the developer. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required. Street signposts shall comply with City Standards.

S. Mailboxes. Plans for mailboxes to be used shall be approved by the United States Postal Service.

T. Street Light Standards. Streetlights shall be installed for all new development by the developer / applicant to encourage a pedestrian friendly environment and enhance community safety and business exposure. Final lighting fixture selection and location shall be made by the City based

on developer / applicant proposals. The developer / applicant should coordinate with Avista Utilities for style / fixture selection. All street light electrical installations including wiring, conduit, and power connections shall be located underground. A plan shall be provided showing the proposed fixture types and locations along with light fixture specification sheets and each fixture shall be equipped with a photocell. Current AASHTO Roadway Lighting Design Guidelines, or equivalent guidelines shall beutilized.

U. Street Cross-Sections. The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway and within one year of the conditional acceptance of the roadway, unless otherwise approved by the City Engineer. Street construction shall comply with the City of Liberty Lake Engineering Design Standards. Street improvements shall be in place prior to the issuance of a Certificate of Occupancy on any structure.

10-3G-3 Public Use Areas

The River District Specific Area Plan proposes a combination of public and private parks, greenways, and private open space areas. The SAP Park and Greenway plan and in 3.6 Land Use Analysis – Open Space identifies the areas, general configuration, size, and the aggregate acreage. It is intended to provide a flexible guide for the size, location, use, and configuration of park and open space areas. It is anticipated the final size, location, and configuration of public and private open space will evolve over the 25-year development time frame for the project. In the development of the land within the SAP, the following dedication requirements shall apply:

A. Dedication Requirements:

1. Private Parks or Greenway Dedications. Land set aside for private parks or greenways shall be dedicated to a Homeowner Association or related private entity responsible for the ownership and maintenance of said property. Private park and greenway dedications shall include provisions for public easement access.
2. Public Park Dedications. Land set aside for public parks or greenways shall be dedicated to and accepted by the city. The City shall agree to a general park development plan at the time of title transfer. Land dedicated for public park use shall include covenant language that would require that the property be used and developed for use as a public park. The City may not transfer or use land dedicated for park and open space use for any other purpose.
3. Location of Dedications. The SAP shows the general size and location of public and private parks and greenways. As development occurs within the SAP, the developer and the city shall work concurrently to identify the size, location, and configuration of proposed parks and greenways consistent with the city's adopted Parks, Recreation, Open Space, and Trails Plan. All proposed residential uses within the SAP shall be located within ½ mile of a public or private park or greenway area.
4. Timing of Dedications. Dedications shall occur in phases as part of the final platting of the property. Dedication of land to the City shall be coordinated between the City and the Developer dependent upon availability of access and utilities and the City timeline for development of park improvements.
5. Private Open Space Areas. Private open space areas will be part of the development of private projects and will occur when those properties are developed. The open space areas that will be part of residential, office, mixed use, and commercial developments will be owned and maintained by the project developer and owner. The private open space areas will be primarily for the use and benefit of the occupants or tenants of the project and will generally not be open for general public use.

B. Reservations and Acquisition by Public Agencies. Land reserved for acquisition by a Public Agency shall be secured with an agreement for purchase upon reservation. Land reserved for a park, playground, or other public use shall be acquired by the appropriate public agency within the defined period, mutually agreed upon time schedule, and price.

C. System Development Charge / Mitigation Fee / Impact Fee Credit. Dedication of land to the City for public use areas shall be eligible as a credit toward any required system development charge, mitigation fee, or impact fee for parks, as applicable.

10-3G-4 Sanitary Sewer and Water Service Improvements

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted construction specifications and the applicable Comprehensive Plan policies.

B. Sewer and Water Plan approval. Development permits for sewer and water improvements shall not be issued until the City, and the utility purveyor have approved all sanitary sewer and water plans.

C. Over-sizing. Proposed sewer and water systems should be sized to accommodate additional development within the area as projected by the Comprehensive Plan. The developer may be entitled to a system development charge or impact fee credits for the oversizing, if applicable.

D. Permits Denied. Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. Building moratoriums shall conform to the criteria and procedures contained in RCW 35A.63.220.

10-3G-5 Storm Drainage Improvements

The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Article 10-3H - Stormwater Management.

10-3G-6 Utilities

A. Underground Utilities. All utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground if screened, temporary utility service facilities during construction, and high-capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:

1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Section 10-3B- 2, subsection N);
2. The City reserves the right to approve the location of all surface mounted facilities;

3. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

B. Easements. Easements shall be provided for all underground utility facilities.

C. Exception to Under-Grounding Requirement. An exception to the under-grounding requirement may be granted due to physical constraints, such as steep topography, critical areas, or existing development conditions, as determined by the Zoning Administrator /designee.

10-3G-7 Easements

Easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be dedicated on a final plat or provided for in recorded easements. See also, Article 10-4C - Site Design Review, and Article 10-4D - Land Divisions. The developer or applicant shall make arrangements with the City, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be 10 feet when adjoining a public right-of-way, and 20 feet when private property is located on both sides of the easement, unless otherwise specified by the utility company, applicable district, or the City Engineer.

10-3G-8 Construction Plan Approval and Assurances

No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City or applicable district for construction and other services in connection with the improvement. The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements

10-3G-9 Installation

A. Conformance Required. Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this article, approved construction plans, and to improvement standards and specifications adopted by the City, including the City of Liberty Lake Engineering Design Standards.

B. Adopted Installation Standards. The most current edition of the Standard Specifications for Road, Bridge, and Municipal Construction from WSDOT, shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Engineer.

C. Commencement. Work shall not begin until the City has been notified two (2) working days in advance and a pre-construction meeting has been held.

D. Resumption. If work is discontinued for more than one month, it shall not be resumed until the City is notified.

E. City Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications requested by the developer shall be subject to land use review under Article 10-4F.

1. Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

F. Engineer's Certification and As-Built Plans. A registered engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 2 set(s) of "as-built" plans and one reproducible original plan, in conformance with the City Engineer's specifications, for permanent filing with the City.

Article 10-3H — Stormwater Management

10-3H-1 Spokane Regional Stormwater Manual (April 2008)

All development within the City shall comply with the Spokane Regional Stormwater Manual (April 2008), as amended by the City of Liberty Lake through the City's adopted Engineering Design Standards. The Manual serves as a single technical stormwater manual for the Spokane region. It provides uniform stormwater management standards and is a central repository for Best Management Practices (BMPs).

In addition to the standards set out above, the following standards shall be required in the River District SAP:

A. No stormwater may be treated in bio-swales located in a required parking strip between the curb and sidewalk. Stormwater swales may be located behind the curb but outside of the required parking strip.

B. No stormwater swales may be located within the required landscape areas of a parking lot.

Article 10-3I — Property Maintenance Standards

10-3I-1 Purpose

The purpose of this Title is to protect the health, safety, and welfare of Liberty Lake citizens, to prevent deterioration of existing housing, and to contribute to vital neighborhoods by:

A. Establishing and enforcing minimum standards for residential structures regarding basic equipment, sanitation, fire safety, and maintenance.

B. Establishing and enforcing minimum standards of maintenance for outdoor areas and adjacent rights of way.

C. Regulating dilapidated buildings.

10-3I-2 Applicability

The provisions of this Article shall apply to all property in the City except as otherwise excluded by law. Any alterations to buildings, or changes of their use, which may be a result of the enforcement of this Article shall be in accordance with the Development Code, applicable Building Regulations, and any applicable County, State, and/or Federal laws or regulations. If any portion of this article is in conflict with any other regulations of the City Municipal Code, the more restrictive shall apply and the procedures for administration and enforcement specified within this article shall always apply.

10-3I-3 General Outdoor Maintenance Requirements

A. Maintenance Requirements. It is the responsibility of the owner of any property, improved or unimproved, to maintain the outdoor areas of the property and adjacent rights of way in a manner that complies with the following requirements:

1. Holes, tanks, and child traps.

   Remove, or fill where filling will abate the nuisance, all holes, cisterns, open cesspools, open or unsanitary septic tanks, excavations, open foundations, refrigerators, freezers, or iceboxes with unlocked attached doors and any other similar substance, material or condition which may endanger neighboring property or the health or safety of the public or the occupants of the property.

2. Unsecured structures.

   Board over or otherwise secure, and maintain, all open or broken exterior doors, windows, or apertures of any structure so as to prevent access by unauthorized persons through such openings.

3. Vermin harborage.

   Remove or repair and prevent, any condition that provides a place where vermin gain shelter, feed, or breed.

4. Emergency access routes.

   Remove and maintain all brush, vines, overgrowth, and other vegetation located within 10 feet of a structure or within 10 feet of a property line which is likely to obstruct or impede the

necessary passage of fire or other emergency personnel.

5. Thickets that conceal hazards.

   Cut, remove, and maintain all vines and other thickets when such growth is found to be:

   a. Concealing trash and debris; or

   b. Creating vermin harborage; or

   c. Creating harborage for people involved in criminal activity or for products used for criminal activity.

6. Overgrown lawn areas, fields, and vegetation.

   Weeds, grass, or other uncultivated vegetation prohibited by this Code whether located on developed or undeveloped property shall be cut and removed. A property owner has a further duty to remove or destroy all uncultivated grass and weeds, including dead shrubs, bushes and trees which have no appreciable, practical use or value to the property, create a fire hazard or pose a menace to public health, safety, or welfare. The word “weeds” shall include noxious weeds regulated pursuant to RCW Chapter 17.10.

7. Trash and debris.

   Remove and maintain, unless specifically authorized by ordinance to do otherwise:

   a. All household garbage, offal, dead animals, animal and human waste, and waste materials (All household garbage shall be stored as specified in Section 10-3I-4);

   b. Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, or trash;

   c. Accumulations of dead organic matter and yard debris, with the exception of small accumulations of such material in a maintained compost area on the property and only if such material does not result in a nuisance, such as creating vermin harborage, as otherwise defined in this article; and

   d. Accumulations of clothing and any other items not designed for outdoor storage.

8. Storage of non-trash items.

   Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:

   a. Accumulations of wood pallets.

   b. All firewood that is not stacked and useable. "Useable" firewood has more wood than rot and is cut to lengths that will fit an approved fireplace or wood stove on the property.

   c. Accumulations of vehicle parts or tires, unless the parts or tires are enclosed within a legally permitted structure.

   d. All construction materials, except those that are stored in a manner to protect their utility and prevent deterioration and are reasonably expected to be used at the site.

   e. All appliances or appliance parts except for storage of appliances that are reasonably expected to be used at the site and are stored in a manner to protect their utility and prevent deterioration.

   f. All indoor furniture except that which is stored in a manner to protect its utility and prevent deterioration and is reasonably expected to be used at the property.

   g. All recycling materials except for reasonable accumulations (amounts consistent with a policy of regular removal) that are stored in a well- maintained manner.

9. Junk vehicles.

   No junk vehicles, as such term is defined in RCW 46.55.010, shall be stored on any property within the City for a period exceeding 30 days, unless the same is stored on private property within an enclosed, legally permitted structure or is covered by a vehicle cover intended for such purpose. A junk vehicle does not include a motor vehicle which is in the process of being repaired as evidenced by the good faith efforts of the vehicle owner, as defined in City Ordinance No. 109. Removal and abatement of such junk vehicles shall be in accordance with the provisions of Ordinance No. 109, an Ordinance of the City of Liberty Lake, Washington, Relating to Junk Vehicles Including Procedures for the Abatement and Removal as Public Nuisances.

10. Obstructions to sidewalks, streets, and other rights of way.

    Keep the adjacent rights of way free of anything that obstructs or interferes with the normal flow of pedestrian or vehicular traffic, unless specifically authorized by ordinance to do otherwise. This responsibility includes, but is not limited to, removal of earth, rock, and other debris, as well as projecting or overhanging bushes and limbs that may obstruct or render unsafe the passage of persons or vehicles. This responsibility also includes, but is not limited to, the obligation to maintain all rights of way referenced in this subsection to meet the minimum clearances as detailed in paragraphs 11, 12, and 13 of this subsection.

11. Sidewalks.

    When any street is improved with a sidewalk along either or both sides thereof, the duty to clean and maintain the same shall be upon the abutting property owner. It shall be the responsibility of the owner of property abutting upon a public sidewalk to maintain the sidewalk at all times in a safe condition, by removing snow and ice, or any accumulation of debris, materials or objects. All sidewalks must be clear of obstructions from edge to edge to an elevation of seven feet six inches (7’ 6”) above sidewalk level. For example, bushes that encroach on or over any part of a sidewalk area must be cut back or removed and tree limbs that project over the sidewalk area at an elevation of less than seven feet six inches (7’ 6”) above the sidewalk level must be removed. Sidewalk damage from heaving or cracks with a vertical separation of greater than ¼ inch must be repaired, as it creates a trip hazard.

12. Improved streets.

    All improved streets must be clear of obstructions to vehicle movement and parking from edge to edge and to an elevation of thirteen feet six inches (13' 6") above street level. For example, bushes that encroach on or over any part of a street must be cut back or removed; tree limbs that project over a street at an elevation of less than thirteen feet six inches (13' 6") above street level must be removed; and no wires or other items shall be maintained over the street level at any elevation less than thirteen feet six inches (13' 6"). Adjacent property owners shall prune tree branches so that the branches do not obstruct the view of any street intersection or traffic control devices.

13. Alleys and unimproved rights of way.

    All alleys, unimproved streets, and other public rights of way must be clear of obstructions that may hinder the normal flow of traffic or render the right of way unsafe for its current and necessary use.

14. Tree maintenance.

    a. No street trees shall be removed without the prior authorization of the City.

    b. The City shall have the right to plant, prune, maintain and remove trees, plants, and shrubs adjacent to all public streets, alleys, avenues, lanes, squares, and public grounds, as is necessary to ensure public safety or to preserve or enhance the symmetry and beauty of

such public properties and rights-of-way.

c. The City may remove or cause by order to be removed, any tree or part thereof which is in unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements.

d. Tree topping is not permitted as a normal practice for street trees, or other trees on public property. "Topping" is defined as the severe cutting back of limbs to stubs larger than three inches (3") in diameter within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions, where other pruning practices are impractical, may be exempted from this section at the determination of the city.

e. Owners shall remove all dead, diseased, dangerous, broken, or decayed limbs which threaten the safety of the public.

f. The city may prune any tree or shrub on private property when it interferes with the visibility of any traffic control device or sign or causes a threat to public safety.

g. All stumps of street trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

B. Other Endangering Conditions. It is the responsibility of the owner of any property, improved or unimproved, to remove or repair:

1. Any damage to or failure of an on-site sewage disposal system, private sewer line, or storm water system, and

2. Any other substance, material, or condition which is determined by the Zoning Administrator to endanger neighboring property, the health or safety of the public, or the occupants of the property.

10-3I-4 Housing Maintenance Requirements

A. General Provisions. No owner shall maintain, or permit to be maintained, any residential property which does not comply with the requirements of this article. All residential property shall be maintained to the building code requirements in effect at the time of construction, alteration, or repair.

B. Display of Address Number. Address numbers posted shall be the same as the number listed on the County Assessment and Taxation Records for the property. All dwellings shall have address numbers posted in a conspicuous place so they may be read from the listed street or public way. Units within apartment houses shall be clearly numbered, or lettered, in a logical and consistent manner.

C. Accessory Structures. All accessory structures on residential property shall be maintained structurally safe and sound and in good repair. Exterior steps and walkways shall be maintained free of unsafe obstructions or hazardous conditions.

D. Roofs. Roofs shall be structurally sound, tight, and have no defects which might admit rain. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building and shall channel rainwater in an approved manner to an approved point of disposal.

E. Chimneys. Every masonry, metal, or other chimney shall remain adequately supported and free from obstructions and shall be maintained in a condition which ensures there will be no leakage or backup of noxious gases. Every chimney shall be reasonably plumb. Loose bricks or blocks shall be re-bonded. Loose or missing mortar shall be replaced. Unused openings into the interior of the structure must be permanently sealed using approved materials.

F. Foundations and Structural Members.

1. Foundation elements shall adequately support the building and shall be free of rot, crumbling elements, or similar deterioration.
2. The supporting structural members in every dwelling shall be maintained structurally sound, showing no evidence of deterioration or decay which would substantially impair their ability to carry imposed loads.

G. Exterior Walls and Exposed Surfaces.

1. Every exterior wall and weather-exposed exterior surface or attachment shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building.
2. All exterior wood surfaces shall be made substantially impervious to the adverse effects of weather by periodic application of an approved protective coating of weather-resistant preservative and be maintained in good condition. Wood used in construction of permanent structures and located nearer than six inches to earth shall be treated wood or wood having a natural resistance to decay.
3. Exterior metal surfaces shall be protected from rust and corrosion.
4. Every section of exterior brick, stone, masonry, or other veneer shall be maintained structurally sound and be adequately supported and tied back to its supporting structure.

H. Stairs and Porches. Every stair, porch, and attachment to stairs or porches shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear and are broken, warped, or loose.

I. Handrails and Guardrails. Every handrail and guardrail shall be firmly fastened, and shall be maintained in good condition, capable of supporting the loads to which it is subjected, and meet the following requirements:

1. Handrails and guardrails required by building codes at the time of construction shall be maintained or, if removed, shall be replaced.
2. Where not otherwise required by original building codes, exterior stairs of more than three risers which are designed and intended to be used as part of the regular access to the dwelling unit shall have handrails. Interior stairs of more than three risers shall have handrails. When required handrails are installed, they shall be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.
3. Where not otherwise required by original building codes, porches, balconies, or raised floor surfaces located more than 30 inches above the floor or grade below shall have guardrails. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below shall have guardrails. When required guardrails are installed, they shall be installed so that they meet the applicable building code requirements in effect at the time this work is being performed.

J. Windows and Doors. All windows and doors, including garage doors shall be maintained in an operable condition and capable of performing their intended purpose.

K. Insect and Vermin Harborage. Every dwelling shall be kept free from insect and vermin infestation, and where insects and rodents are found, they shall be promptly exterminated. After extermination, proper precautions shall be taken to prevent reinfestation.

L. Cleanliness and Sanitation.

1. All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. All household garbage shall be stored in receptacles which are free from holes and covered with tight fitting lids.
2. The interior of every dwelling shall be maintained in a clean and sanitary condition and free from any accumulation of rubbish or garbage so as not to breed insects and rodents, produce dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or create a fire hazard.
3. The owner of any residential rental property shall provide in a location accessible to all dwelling units at least one 30-gallon receptacle for each dwelling unit, or receptacles with a capacity sufficient to prevent the overflow of garbage and rubbish from occurring, into which garbage and rubbish from the dwelling units may be emptied for storage between days of collection. Receptacles and lids shall be watertight and provided with handles.

All receptacles shall be maintained free from holes and covered with tight-fitting lids at all times. The owner of the units shall subscribe to and pay for weekly garbage removal service for the receptacles required by this subsection.

M. Maintenance of Facilities and Equipment. In addition to other requirements for the maintenance of facilities and equipment described in this article:

1. All required facilities in every dwelling shall be constructed and maintained to properly and safely perform their intended function.
2. All non-required facilities or equipment present in a dwelling shall be maintained to prevent structural damage to the building or hazards of health, sanitation, or fire.

N. Overcrowding. No dwelling unit shall be permitted to be overcrowded. A dwelling unit shall be considered overcrowded if there is more than 1 resident per 200 gross square feet of dwelling, or as defined in the adopted Building Code.

10-3I-5 Administration and Enforcement

All conditions in violation of Article 10-3I of this Code shall constitute a code violation. Any person whose duty it is to correct such conditions and who fails to do so shall be subject to the penalties provided for by Article 10-1D — Enforcement. In cases where the Zoning Administrator determines that it is necessary to take immediate action in order to meet the purposes of this article, the issuance of an emergency order shall be authorized, as outlined in Section 10-1D-9.

CHAPTER 4
APPLICATIONS AND REVIEW PROCEDURES

Please refer to the City Development Code Chapter 4, Applications & Review Procedures.