

**CITY OF LIBERTY LAKE  
SPOKANE COUNTY, WASHINGTON  
ORDINANCE NO. 275**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON, AMENDING  
CITY OF LIBERTY LAKE LANDSCAPE REGULATIONS CONTAINED IN CITY  
DEVELOPMENT CODE.**

WHEREAS, the Growth Management Act ("GMA") was established in the State of Washington in 1990 to provide a framework for land use planning and development regulation; and

WHEREAS, Spokane County and the cities within it were mandated to plan under the GMA in 1993; and

WHEREAS, the City of Liberty Lake has adopted its own comprehensive land use plan pursuant to RCW 36.70A; and

WHEREAS, the City has adopted a Development Code to implement the Comprehensive Plan; and

WHEREAS, the 14 planning goals outlined in RCW 36.70A.020 and 480, guide the development and adoption of comprehensive plans and development regulations; and

WHEREAS, planning is an ongoing process, and improved data or changing circumstances require amendments to the Development Code from time to time; and

WHEREAS, the Planning Commission of the City of Liberty Lake has undertaken an extensive process to identify proposed amendments to streamline and simplify the landscaping regulations contained in the City of Liberty Lake's Development Code, with said amendments providing more flexibility in design by incorporating performance-based standards, while maintaining the aesthetic values of the community, and implementing the goals and policies established in the City's Comprehensive Plan

WHEREAS, a complete public participation program was followed for the development of the proposed amendments to the City of Liberty Lake's Development Code; and

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

WHEREAS, a SEPA DNS Threshold Determination and Adoption of Existing Environmental Document was issued on each of the proposed amendments with a fourteen (14) day public comment period; and

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

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

WHEREAS, the City of Liberty Lake has met the GMA notice to state agency requirements in RCW 36.70A.106 for the Proposed Amendments to the City of Liberty Lake' Landscaping Regulations; and

WHEREAS, the City Council has reviewed the Planning Commission Findings of Fact, Conclusions, and Recommendations in the Matter of the Proposed Amendments to the City of Liberty Lake Landscape Regulations, and other documents in the landscape regulation amendment file that were available for review;

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

**Section 1.** Amendments to the City of Liberty Lake's Landscape Regulations Contained in the City's Development Code.

The approved amendments to the City of Liberty Lake Landscaping Regulations are attached hereto as "Exhibit A", and incorporated herein.

**Section 2.** Severability.

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

**Section 3.** Administration and Enforcement.

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

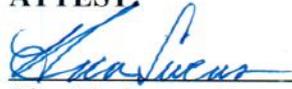
**Section 4.** Effective Date.

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

PASSED by the City Council this 18<sup>th</sup> day of May, 2021.

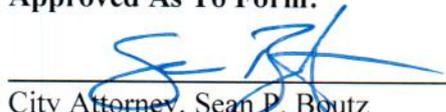
Cris Kaminskas  
Mayor Cristella Kaminskas

**ATTEST:**



\_\_\_\_\_  
City Clerk, Ann Swenson

**Approved As To Form:**



\_\_\_\_\_  
City Attorney, Sean P. Boutz

Date of Publication: 5-28-2021

Effective Date: 6-2-2021

## EXHIBIT A

### PROPOSED AMENDMENTS TO Article 10-1C — Definitions

Add the following new definitions to Paragraph B: Definitions:

**Native Plants** - Species that have existed in the local/regional ecosystem for hundreds or thousands of years, without human introduction.

**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.

### PROPOSED AMENDMENTS TO Article 10-3C — Landscaping, Street Trees, Fences, and Walls

**Sections:**

- 10-3C-1 Purpose
- 10-3C-2 Landscape Conservation
- 10-3C-3 New Landscaping
- 10-3C-4 Street Trees
- 10-3C-5 Fences and 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 resource 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 resource 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.
- B. Significant Vegetation.
  1. Significant Trees and Shrubs - All trees within the public right of way with a trunk diameter of six (6) inches or greater, as measured 4 feet above the ground (DBH), that are deemed healthy and non-invasive shall be preserved, unless they fall within a planned new driveway, are in conflict with other required infrastructure, or as based upon other compelling circumstances, with the concurrence of the Zoning Administrator, or his/her designee. Additionally, other individual trees and shrubs not located within the public right of way with a trunk diameter of six (6) inches or greater shall be preserved, unless they fall within the proposed building footprint or required parking area or are in conflict with other required on-site infrastructure. 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 non-native invasive plants.

- 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 City. 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.

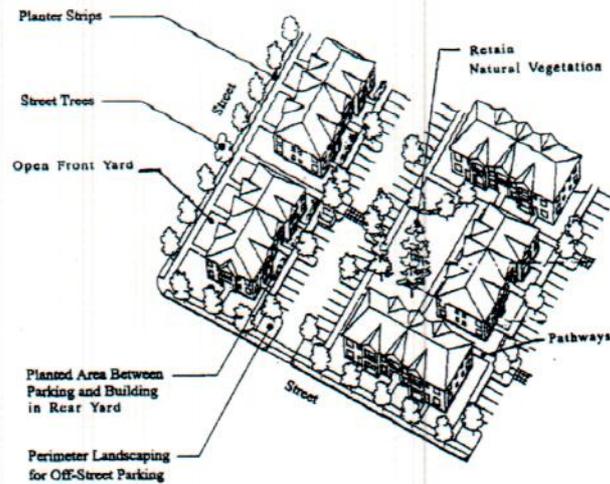
### **10-3C-3 New Landscaping**

- A. Applicability. New landscaping requirements shall apply to the following uses:
1. Commercial and industrial buildings;
  2. Multi-family buildings and complexes with 5 or more attached units;
  3. Developments with three or more independent buildings on site;
  4. As may be required by a condition of approval, or a conditional use permit; and,
  5. Public buildings greater than 5,000 sq. ft.

Other uses not subject to new landscaping requirements, as detailed above, are, however, subject to 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. For projects requiring 11 parking spaces or more, the landscape plan shall be prepared or approved by a licensed landscape architect with the landscape architect's stamp on the plans.
- 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, subsection D. In the event a bond or other assurance is needed, a temporary certificate of occupancy (TCO) may be issued for a period of up to 12 months, to complete the installation of the landscaping. In the case of a phased construction, the TCO may be extended once, for a period of up to 12 months. If the installation of the landscaping is not completed prior to the expiration of the TCO, the bond/ assurance may be used by the City to complete the installation.
- 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 (C-1, C-2, I, & P Zones) - 10%
  3. Commercial, Industrial, and Other Non-Residential (M-1, M-2, M-3, & O Zones) - 15%

4. Government / Civic (all zones) - 20%



Multi-Family Landscape Example

E. The following table sets forth the required landscape buffers associated with specific zoning/land use adjacencies, as described in paragraph G:

Required Zone/Use Landscape Buffers		
Zoning/Use of the Site	Adjacent Zoning or Adjacent Use <sup>1</sup>	Landscape Buffering Requirement
Mixed Use Zones (M-1, M-2, M-3, RD-M)/ all non-residential uses	Residential Zone or Use	Type II – Visual Relief Buffer
C-1, C-2, RD-C/All uses	Residential Zone or Use	Type II – Visual Relief Buffer
I/All Uses	Residential Zone or Use	Type I – Visual Screen
I/All Uses	Mixed Use, P or O Zones	Type II – Visual Relief Buffer

<sup>1</sup>Whichever is least intensive

F. The following table establishes landscaping requirements for all developments identified in paragraph A of this section:

Landscaping Requirements	
Location	Landscape Type
I-90 Frontage	Type II – Visual Relief Buffer
Street Frontage	Type III – See-through Buffer
Parking Lot Perimeter <sup>1</sup>	Type III – See-through Buffer
Interior Park Lot <sup>2</sup>	As per Paragraph H
Building Perimeter	Type IV – Aesthetic Separation

<sup>1</sup>Not required if perimeter landscaping is established on adjacent lot.

<sup>2</sup>Done in combination with Interior Parking Lot Landscaping requirements

G. The following table establishes the standards for the different types of required landscape buffers:

<b>Standards for Landscape Buffers</b>				
	<b>Type I -Visual Screen</b>	<b>Type II - Visual Relief Buffer</b>	<b>Type III -See Through Buffer</b>	<b>Type IV - Aesthetic Separation</b>
<b>Purpose</b>	Dense, year-round screen between incompatible uses & zones to create a noise and sight obscuring barrier	A year-round, visual separation between incongruous land uses and zone designations	A street frontage aesthetics buffer, together with visual relief and canopy opportunities along the perimeter of parking lots	An aesthetic buffer to create a separation to soften the appearance of building elevations adjacent to driveways, parking areas
<b>Width</b>	10 ft. with required solid fence or wall	15 ft.	6 ft	5 ft.
<b>Required Trees</b>	Evergreen trees planted on the interior side of the fence to create a continuous screen within 15 years of planting (in no event shall trees be separated by greater than 25 feet on center)	Class I Tree = 1/180 sf Class II Tree = 1/240 sf Class III Tree =1/400 sf Maximum deciduous = 50%	Class I Tree = 1/180 sf Class II Tree = 1/240 sf Class III Tree =1/400 sf Maximum evergreen 25%	
<b>Required Shrubs</b>	Not required	1/25 sf, 50% evergreen/50% deciduous	1/25 sf, 50% evergreen/50% deciduous	1/25 sf, 50% evergreen/50% deciduous
<b>Ground Cover</b>	100% coverage with native & adaptive plants & grasses, vegetative or non-vegetative ground coverage around required trees; turf grass is not an acceptable ground cover	100% coverage with native & adaptive plants & grasses, vegetative or non-vegetative ground coverage around required shrubs & trees; turf grass is not an acceptable ground cover	100% coverage with native & adaptive plants & grasses, vegetative or non-vegetative ground coverage around required shrubs & trees; turf grass is not an acceptable ground cover	100% coverage with native & adaptive plants & grasses, vegetative or non-vegetative ground coverage around required shrubs & trees; turf grass is not an acceptable ground cover

	Type I -Visual Screen	Type II - Visual Relief Buffer	Type III -See Through Buffer	Type IV - Aesthetic Separation
<b>Alternates</b>	Note: planting on interior of fence (for maintenance purposes)	Planting strip width can be reduced to 6 ft in combination with a minimum 6 ft high solid fence or wall. Note: planting on interior of fence (for maintenance purposes); also, no shrubs required with fence.	Landscaping between shared parking areas is not required, provided adequate tree canopy is provided through other means.	Landscape boulders and hardscape can be installed in lieu of 50% of required planting area
<b>Exceptions:</b>			Tree placement near any street corner, cross walk, or intersection shall be in conformance with the City's clear view triangle standard; Trees must be set back a minimum of 15 feet from edge of driveway	Sidewalk or pedestrian path can be installed in lieu of planting strip
Administrative variances may be granted to the above requirements based upon topographic challenges and/or other naturally occurring site limitations.				

H. Interior Parking Lot Landscaping: Interior parking lot landscaping is required to supplement the perimeter parking lot landscaping in order to meet the following standards:

1. 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.
2. 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.
3. In addition to shade trees, landscape islands shall contain vegetative or non-vegetative ground cover. Shrubs are optional.
4. 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.

- I. Screening of Mechanical Equipment, Outdoor Storage, and Loading Areas. 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.
  5. 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.)
- J. 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 wall or solid fence with fully sight obscuring access gates.
- K. Landscape Materials. Landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below:
1. 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.
  2. Plant Selection. Native and/or adaptive plant materials shall be used for all required landscaping. 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 3/4 inches or greater or be at least 10 feet tall at time of planting.
    - 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 Mixed Use Zones, where hardscape features may cover up to 20 percent of the required site landscape area (e.g. on a five acre site in the M-2 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), or as otherwise provided in this section. Swimming pools, sports courts and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
5. Plant & Non-plant Ground Covers. Native and adaptive plant materials under 3 inches in height, and bark mulch, chips, aggregate, or other non-plant ground covers are encouraged to be used around trees and shrubs in landscaped areas. Turf grasses may not be used for ground cover, except where required landscape areas are combined with stormwater treatment facilities.
6. Storm Water Facilities. Storm water facilities (e.g., detention/retention ponds and swales) should be landscaped as per Regional Stormwater Manual specifications.

L. Protective Curbing. All landscaped areas shall be protected from vehicle damage by a six (6) inch high protective concrete curbing, consistent with drainage requirements. Rolled curbs are an acceptable alternative. Raised curbs, bollards, wheel stops, or other design features shall be used to protect buildings from being damaged by vehicles.

M. Maintenance and Irrigation.

- a. An automatic Irrigation system shall be required.
- b. Exceptions to irrigation system requirements may be waived for xeriscaping and drought-tolerant plantings, provided a plan is in place to provide for irrigation during the period required for the plantings to become established.
- c. 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.).
- d. All other landscape features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.

N. 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 Conditional Use Permit process (Article 10-4H).
2. Landscape design shall take into account the integration of required trees and shrubs with required exterior lighting, and should coordinate signage with landscape plans.
  - a. A separation distance of 15 feet must be maintained between light poles and trees.
  - b. Owners shall coordinate the location of planned or potential future wall, monument, and freestanding signage with landscape plans as part of the site plan review process. For the purpose of this requirement, potential future signage should be based upon allowable signage as per City Development Code 10-3E, if specific sign plans are not yet available.
3. 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.

O. 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);



**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, deicing 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 H 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 lavalleyi* - Lavalley 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. 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 driveway;
- c. 15 feet from any street light luminaire;
- d. 7 feet from any fire hydrant;
- e. 15 feet from any utility poles;
- f. 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);
- g. 5 feet from any curb cut for drainage; and,
- h. 10 feet from any dry well.

A. 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 prohibited within the City:
  - 1. Barb wire or razor wire (prohibited in all Zones)
  - 2. Chain link (prohibited in Residential Zones)
- 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.