

STREET TREE ORDINANCE AMENDMENTS
Adopted by City Council on April 2, 2019

DEVELOPMENT CODE TITLE 10

CHAPTER 1 INTRODUCTION

Article 10-1C Definitions

B. Definitions:

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.

CHAPTER 3 DESIGN AND MAINTENANCE STANDARDS

Article 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. ~~10~~ 5 feet from any curb cut for drainage; and,
- h. 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.

Article 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 10-31-4);
 - 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 ~~may be~~ 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.

TITLE 8 PUBLIC WAYS AND PROPERTY

Article 8-6, Trees: *City Code Article 8, Chapter 6: Trees* is hereby repealed, and replaced with the regulations detailed in City Code Article 10-3 Design and Maintenance Standards, §10-3C-4 (Street Trees), and §10-3I-3 (General Outdoor Maintenance Requirements).

CITY OF LIBERTY LAKE ENGINEERING DESIGN STANDARDS:

Section 3.3 Curbs, Gutters, Pedestrian Buffer Strips, Street Trees, Driveways and Sidewalks

Section 3.3(I-K):

- I. Roadside Planting
 - 1. Any roadside planting shall conform to the City's clearances/clear zone standards as discussed in Section 3.5. Planting, removal, or pruning of any street tree shall be in accordance with Liberty Lake Development Code, Article 10-3, Design & Maintenance Standards. All projects requiring landscaping within or affecting the public right-of-way shall submit a landscaping plan for review the City.
- J. Existing Street Trees
 - 1. When development occurs on sites with existing street trees, the following items must be addressed as part of the project:
 - a. Existing, healthy street trees shall be preserved and protected during construction, where feasible and practical.
 - b. Street trees that are in conflict with proposed site improvements shall be relocated or replaced elsewhere on site, where feasible, and shall require authorization by the City prior to removal and relocation.

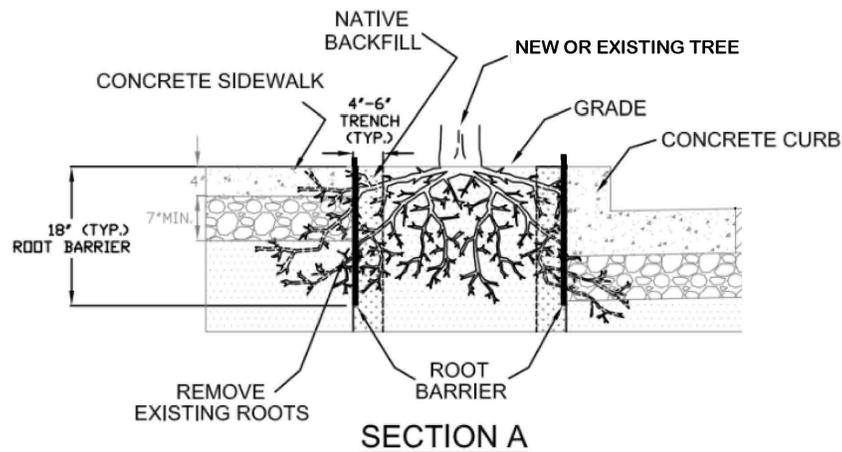
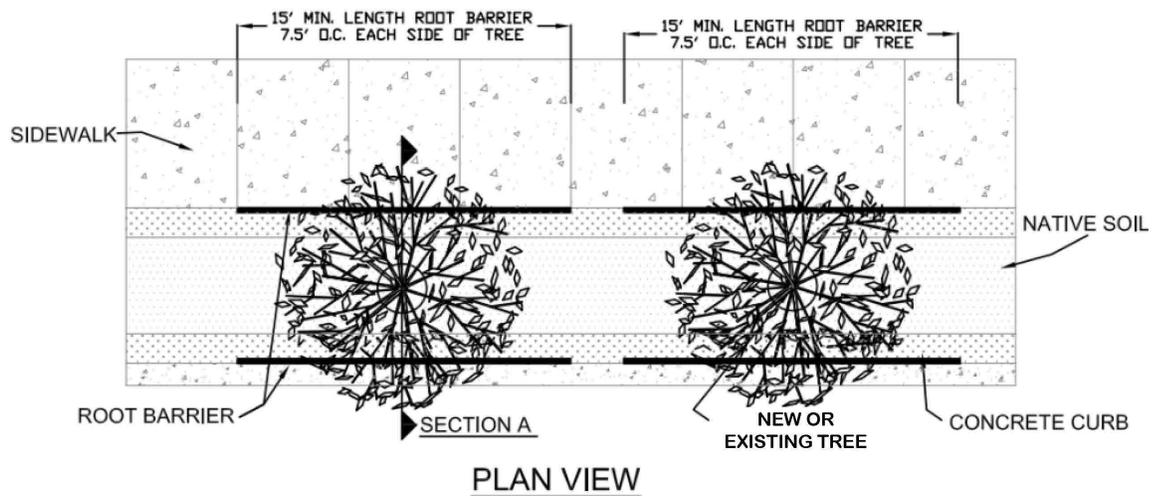
- c. All dead or diseased trees must be removed and replaced with the prior approval of the City.
- d. Trees that are missing shall be replaced at the discretion of the City.
- e. For trees being replaced, deep root irrigation systems or root barriers shall be installed in accordance with the standards detailed in paragraph K, subparagraphs 3(a) & (b) of this section.
- f. Broken or missing irrigation systems shall be repaired or replaced.
- g. Broken or missing tree grates shall be repaired or replaced.
- h. All concrete tree grates shall be replaced with metal grates meeting ADA requirements.
- i. When structural sidewalk is removed and backfilled, concrete planter vaults shall be removed and replaced with metal culverts 6' in diameter by 3' depth as approved by the City.
- j. Gaps between the tree grate and the soil surface exceeding 2 inches shall be filled in with a material approved the City.
- k. Tree grates that are not flush with the surrounding sidewalk shall be raised or lowered as necessary to prevent a tripping hazard.
- l. No new utility pole location shall be established closer than 15 feet to an existing tree.

K. New Street Trees

- 1. Tree selection shall be coordinated through City Staff. Approval shall be obtained from the City prior to planting tree(s) in the City right of way.
- 2. When locating street trees, the following specific criteria shall apply:
 - a. Street tree installations shall meet all City of Liberty Lake visibility requirements.
 - b. Street trees installed in tree pits or sidewalk cutouts shall be located so as to not interfere with street signs, lighting poles, utility wires bus stops or pads and to accommodate ADA pedestrian requirements.
 - c. Minimum horizontal distances from the centerline of a tree to other structures or improvements in the planting strip shall be as follows:

- 1) Tree placement near any street corner, cross walk, or intersection shall be in conformance with the City's clear view triangle standard ~~(as measured from the end of the curb radius);~~
 - 1) 15 feet from the edge of any commercial driveway;
 - 2) ~~25~~ 15 feet from any street light luminaire;
 - 3) ~~25~~ 7 feet from any fire hydrant;
 - 4) 15 feet from any utility poles;
 - 5) 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);
 - 6) 5 feet from any curb cut for drainage; and,
 - 7) 10 feet from any dry well.
 - d. Trees that are suitable for wet areas shall be selected for planting within grass percolation areas. Trees that are planted within grass percolation areas shall not interfere with, obstruct, or retard the flow of water within the swale.
 - e. Spacing of street trees will be determined by City, as per City Code 10-3C-4(F).
 - f. If trees are to be planted in an area with no planting strip, the following criteria shall apply:
 - 1) A permanent, hard walking surface at least four feet wide shall be provided between the tree well or planting area and any structure or obstruction.
 - 2) Sidewalk cuts in concrete for tree planting shall be at least 4' x 4' to allow air and water to the root area and shall comply with planting requirements detailed in City Code Section 10-3C-D(2).
 - 3) In cases where the existing walk cannot meet the four foot width requirement after tree planting, additional sidewalk width must be added within street right of way or easement, or the tree position must be modified.
3. Tree Planting Standards. New street trees shall be planted in accordance with the following standards:
- a. Irrigation systems, to include deep root irrigation, shall be installed at the time of street tree planting.
 - b. Root Barriers. Linear root barriers may be installed in lieu of a deep root irrigation system when planting a street tree located 8 feet or less from hardscape (including, but not limited to pavement, curbing, sidewalks, and pedestrian ramps), in accordance with the following standards:

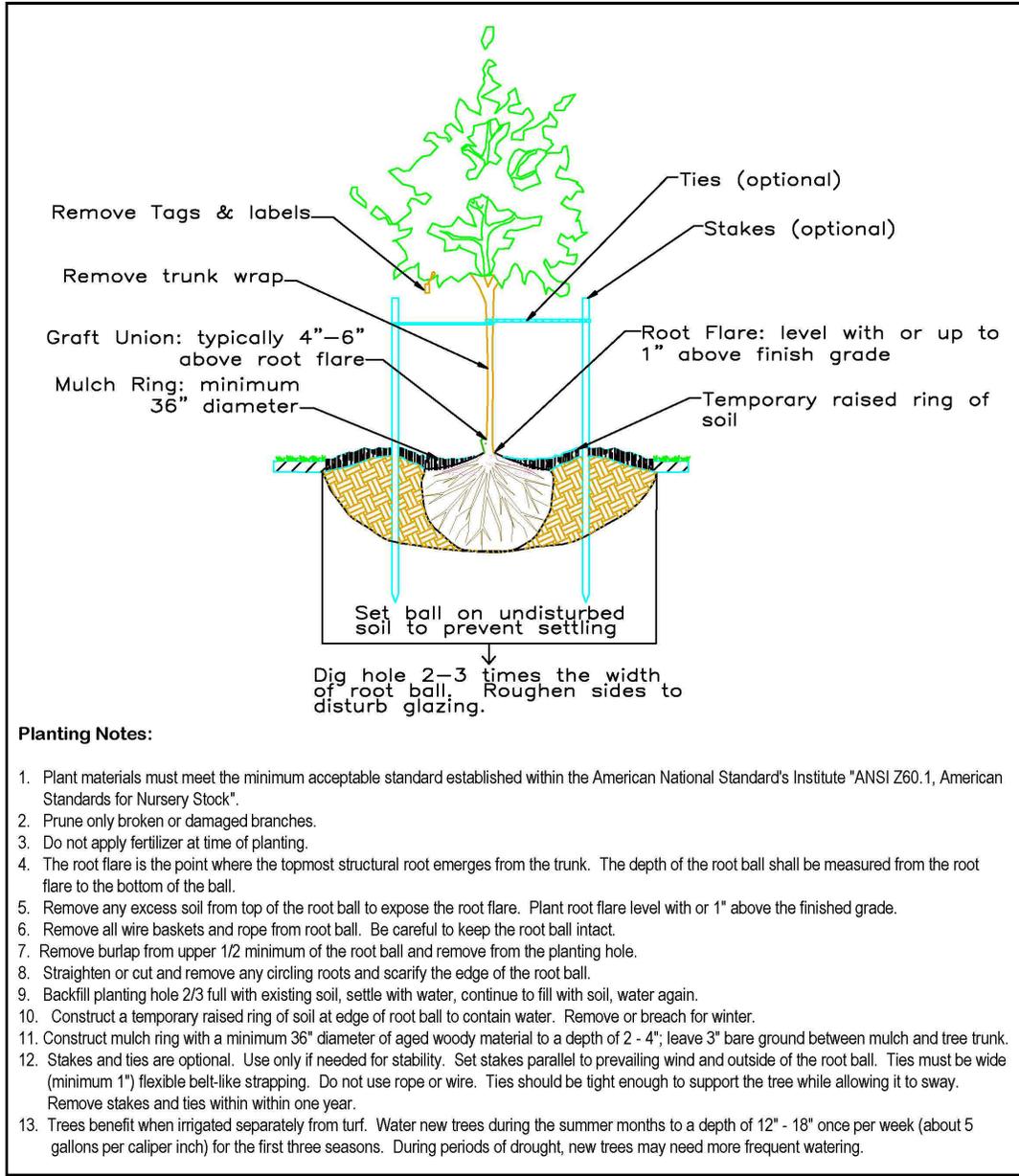
- i. The barrier shall be a minimum of 18 inches (18") in height and shall be centered on the tree and extend a minimum of 15 feet (15') along edge of the hardscape (as depicted in the installation standards below); or, In the case of a tree well, shall be sized to fit the perimeter of that tree well. The top of the barrier shall be above the soil line.
- ii. Root Barrier Standard Installation Standards. Root barriers shall be installed as per the root barrier installation standards detailed below:



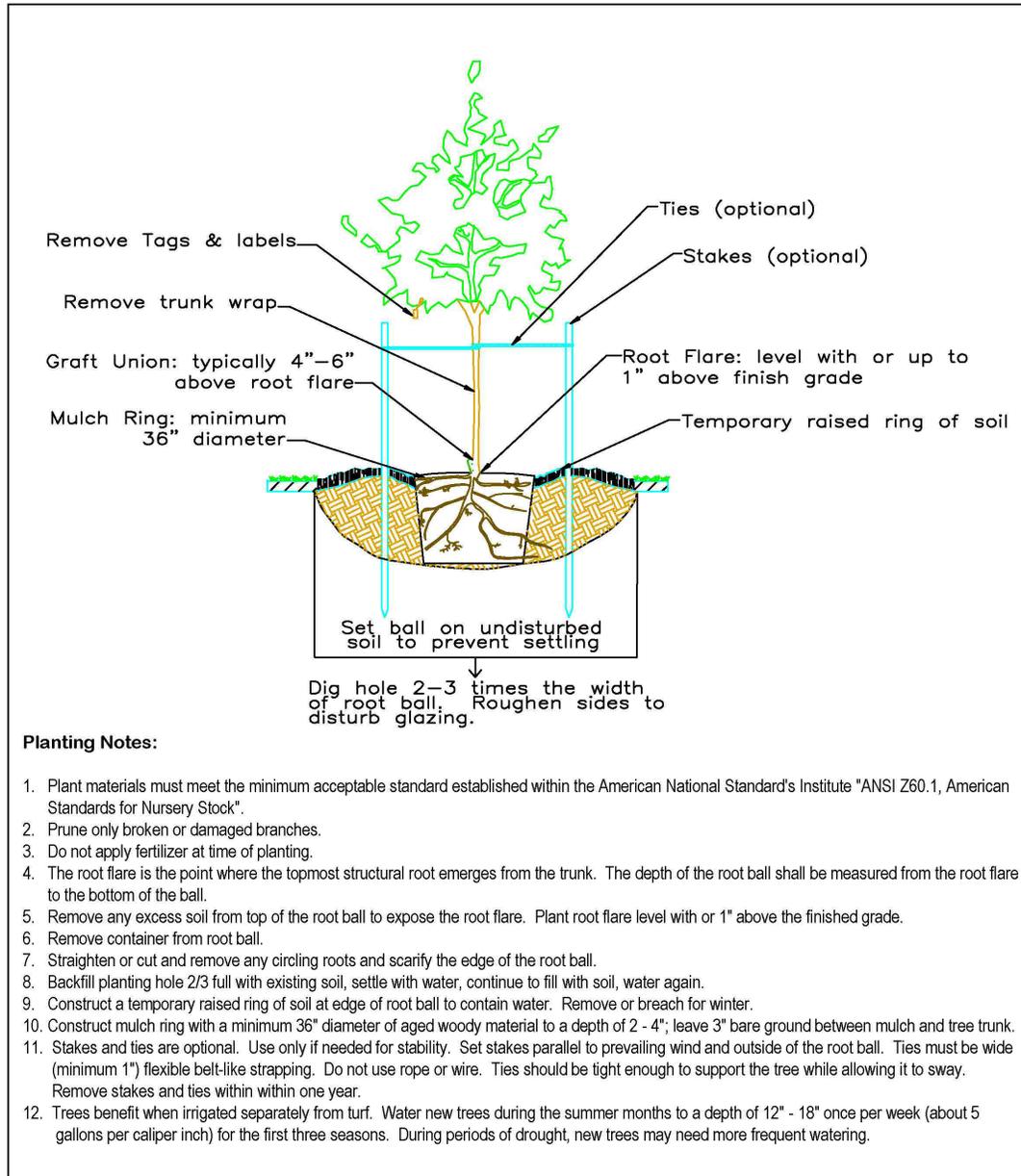
NOTES:

1. ROOT BARRIER SHALL BE BLACK, INJECTION MOLDED PANELS OR LINEAR ROLL WITH 90 DEGREE DEFLECTING RIBS.
2. ROOT BARRIER SHALL BE MANUFACTURED WITH 50% POST CONSUMER POLYPROPYLENE PLASTIC WITH ADDED ULTRAVIOLET INHIBITORS.
3. INSTALL MINIMUM 18" HIGH ROOT BARRIER.
4. ROOT BARRIERS SHALL HAVE A MINIMUM WALL THICKNESS OF 0.06" (60 MIL) & RIB THICKNESS OF 0.08" (80 MIL).
5. THE VERTICAL ROOT DEFLECTION RIBS SHALL BE FACING INWARDS TO THE ROOT BALL.
6. ROOT BARRIER SHALL BE 15' LONG; 7.5' O.C. FROM TREE UNLESS APPROVED OTHERWISE BY THE CITY.
7. ROOT BARRIER TRENCH SHALL BE 4" WIDE TO 6" WIDE.
8. ROOT BARRIER SHALL BE INSTALLED VERTICAL IN TRENCH ADJACENT TO SIDE WALK AND CURB ABOVE THE SOIL LINE.
9. A CERTIFIED ARBORIST SHOULD BE CONSULTED BEFORE EXTENSIVE CUTTING OF ROOTS ON AN EXISTING STREET TREE.

- iii. Concrete barriers meeting the dimensional requirements detailed in paragraphs (a) and (b) above shall be an acceptable alternative to polypropylene root barriers.
- c. Tree Rings. A mulched tree ring at least three feet (3') in diameter, and 2 inches to 3 inches deep is required in planting strips that incorporate turf grass.
- d. Additional Standards for Trees Planted in Sidewalk Tree Wells.
 - 1) A permanent, hard walking surface at least four feet (4') wide shall be provided between the tree well and any structure, obstruction, lawn or landscaped areas.
 - 2) Tree wells cut out of hardscape shall be at least 4 feet by 4 feet to allow air and water to the root area.
 - 3) Dimensions of the root barrier shall be adjusted to accommodate the dimension of tree well.
- e. Trees with balled and burlapped roots should be planted in accordance with the following planting detail:



- f. Container trees should be planted in accordance with the following planting detail:



4. Deviation from these Standards will be considered via the Design Variance process.