

Chapter 17.23

LANDSCAPING

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Section 17.23.010 Purpose and intent.

The purpose of this ordinance is to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way. The purpose of landscaping is to increase the compatibility between different intensities of land uses by providing visual barriers that interrupt the barren expanse of paved parking lots, contribute to the image and appeal of the community, mitigate air and noise pollution, and enhance property values. It is the intent of these requirements to encourage the retention of existing vegetation; to reduce erosion and storm water runoff; to minimize impacts of noise, light and glare; and to aid in regulating vehicular circulation.

Every effort shall be made to locate proposed landscaping in consideration of the microclimate of the site and surrounding properties by manipulation use of sunlight, shade, and wind for increased energy efficiency of the development and for maximum comfort of the users of the site.

Additionally, the landscape should promote the health, safety, and welfare of existing and future residents by providing uniform standards for the installation and maintenance of all landscapes within the city limits, and should include standards for:

- A. Water conservation
- B. Aesthetics
- C. Environmental quality

1. Air and water
 2. Energy conservation
 3. Wildlife habitat
 4. Shade to reduce summer temperatures
 5. Wind control
 6. Erosion control
 - D. Land values
 - E. Human values
 - F. Preservation and addition of vegetation
 - G. Improved community design.
- (C-446, Added, 04/17/2000)

Section 17.23.020 Definitions.

In addition to those definitions contained within Chapter 17.04 AHMC, the following terms shall have the following meaning, unless the context indicates otherwise:

Berm - An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

Landscape planting strip - Required landscaping buffer as specified in Section 17.23.060 AHMC. All required landscaping shall be located on the applicant's property outside of public right-of-ways.

Buffer, perimeter landscape - A continuous area of land set aside along the perimeter of a lot in which landscaping is used to provide a transition between and to reduce the environmental, aesthetic, and other impacts of one type of land use upon another.

Deciduous - A plant with foliage that is shed annually.

Evergreen - A plant that retains foliage and remains green year-round

Ground cover - Plants normally reaching an average maximum heights of not more than twenty four (24) inches at maturity.

Incompatibility of land uses - An issue arising from the proximity or direct association of contradictory, incongruous, or discordant land uses or activities, including the impacts of noise, vibration, smoke, odors, toxic matter, radiation, and similar environmental conditions.

Automatic irrigation system - A permanent, artificial watering system designed to automatically transport and distribute water to plants through the use of a controller. The controller shall be adjustable for time of year and climatic conditions.

Landscaping - Any combination of living plants (such as grass, ground cover, shrubs, hedges, or trees) and nonliving landscape material (such as rocks,

pebbles, sand, mulch, walls, fences or decorative paving materials).

Phased development - A development that is physically built in stages, on a single parcel, over a set period of time.

Planned coverage - Any area of land anticipated to be filled with ground cover.

Screen - A method for reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.

Sight obscuring non-pierced fence - A masonry wall or a chain woven fence with wooden or aluminum slats inserted in the weave may be installed on the property line. Chain link woven fences without slats must be installed five (5) feet inside of the property line with a Type II visual screen between the fence and the property line. (C-446, Added, 04/17/2000)

Section 17.23.030 Application

The planning department or designee shall review and may approve, approve with modifications, or disapprove site landscape development plans for all new developments in accordance with the provisions of this section. The planning department may permit alternative landscaping as set forth in Section 17.23.050 AHMC.

Developments involving additions or alternations to existing structures in which the cost of the additions or alterations exceeds fifty percent (50%) of the value of the existing structures(s) or improvements (value shall be determined from official Spokane County records) shall be subject to the provisions of this section, provided that where existing structures or improvements are situated so as to preclude installation of required landscaping, such required landscaping may be waived by the planning department. (C-446, Added, 04/17/2000)

Section 17.23.040 Approval.

A. No building permit shall be signed off where landscaping is required until a landscaping plan prepared in accordance with this chapter has been submitted and approved by the planning department.

B. Landscaping plans must be submitted with the preliminary site plan at the time of application. Small projects (less than 10,000 square feet of total land area) can be approved by the planning

department. Projects greater than ten thousand (10,000) square feet require a landscape architect's seal. The landscape architect must be licensed in the state of Washington. Approvals will be tied to the release of applicant's building permit or the approval of the site plan. All final plans must be drawn using an appropriate scale (such as 1"=10'-0") and shall contain the following elements:

1. Location of existing and proposed vegetation (with identification of areas where vegetation will be retained);
2. Footprint of all existing and proposed structures and fixtures;
3. Final site grading;
4. Stormwater drainage ponds and swales;
5. All public and private open space;
6. Vehicle and pedestrian use areas that identify all sidewalks, driveways, streets, alleys, and easements on or abutting the site;
7. Clear view triangles in vehicular areas as required by Chapter 17.20 AHMC;
8. Boundaries and dimensions of the site;
9. Location, height and materials for all fences and walls.

For projects on lots greater than 10,000 square feet the following elements shall also be included:

10. An irrigation plan; indicating the location and type of all sprinkler heads, backflow prevention devices, valves, controllers, piping, nozzles, drip irrigation zones, emitters, filters, faucets, etc. with all necessary notes and details to provide one hundred percent (100%) coverage must be clearly indicated on the site plan.

11. Common and scientific names of all plant materials used, along with their size at planting, number of plants, symbol, as well as size (height and width) at maturity, including all landscape planting standards, notes, and details; (C-446, Added, 04/17/2000)

Section 17.23.050 Modification of landscaping requirements

It is not the intention of this chapter to establish arbitrary or onerous regulations or to inhibit creative solutions to land use problems. The planning department may waive some of the landscaping requirements in the following circumstances:

A. When the landscaping would interfere with the adequate flow of stormwater runoff, as determined by the city engineer, along drainage easements and/or when the landscaping would

interfere with the adequate treatment of stormwater in grassed percolation areas;

B. When application of requirements of this section would result in more than fifteen percent (15%) of the site being landscaped. In such cases the planning department shall modify those requirements so that not more than fifteen percent (15%) of the site must be landscaped;

C. When the retention of significant existing vegetation located on the site would result in as good or better landscaping for the purposes of this section.

D. Applications for modified compliance are available through the city's technical review committee, which may waive certain requirements based upon lot size, physical restrictions, and type of use. The planning department will decide cases of alternative compliance as follows:

1. Approval;
2. Approval with conditions;
3. Denial of the proposal,

The decision of the technical committee, via the planning department, regarding modified compliance shall be final unless appealed to the hearing body under the procedure outlined in Chapter 14.06

AHMC

(C-446, Added, 04/17/2000)

Section 17.23.060 Types of landscaping defined.

A. The following are types of landscaping are required in Section 17.23.070 AHMC:

1. TYPE I: SCREEN. Type I landscaping shall generally consist of a mix of predominately evergreen plantings, including living trees, shrubs, and ground covers. Evergreen trees shall be a minimum height of four (4) feet at time of planting. Plantings shall be chosen and spaced so as to grow together within five (5) years in a manner that is sufficient to obscure sight through the barrier. The entire planting strip shall be landscaped; however, those plantings used to achieve the sight-obscuring screen shall cover the length of the strip. Existing vegetation may be incorporated into the landscape design as set forth in Section 17.23.050 AHMC and shall be considered acceptable in lieu of new plantings, provided that it contributes to achieving the intent of this section;

2. TYPE II: VISUAL BUFFER. Type II landscaping shall consist of a mix of evergreen and deciduous plantings including living trees, shrubs, and ground covers. Plantings of shrubs and ground covers shall be chosen and spaced to result in a total

covering of the landscape strip. Shrubs shall be of a type that, within five (5) years, provide a visual buffer. Deciduous trees shall have a minimum trunk diameter of one and three-quarter (1-3/4) inches at time of planting. Existing vegetation may be incorporated into the landscape design as set forth in Section 17.23.050 AHMC and shall be considered acceptable in lieu of new plantings, provided that it contributes to achieving the intent of this section.

3. TYPE III: SEE-THROUGH BUFFER. Type III landscaping shall consist of a mix of evergreen and deciduous plantings including living trees, shrubs, and ground covers. Plantings of shrubs and ground covers shall be chosen and spaced to result in a covering of the landscape strip within five (5) years. Shrubs shall be of a type that do not exceed a height at maturity of approximately to four (4) feet. Deciduous trees shall have a minimum trunk diameter of one and three-quarter (1-3/4) inches at time of planting. Evergreen trees shall be a minimum of four (4) feet tall at time of planting and spaced so as to result in a space between vegetation approximately equal to the mature spread of the plantings used. Existing vegetation may be incorporated into the landscape design as set forth in Section 17.23.050 AHMC and shall be considered acceptable in lieu of new plantings, provided that it contributes to achieving the intent of this section;

4. TYPE IV: OPEN AREA LANDSCAPING. Type IV landscaping shall consist of canopy-type deciduous trees or spreading evergreen trees, planted in wells or strips, with a mix of living evergreen and deciduous ground covers and low shrubs. Shrubs shall be of a type that do not exceed a height at maturity of approximately four (4) feet. Planting wells or strips shall be a minimum of thirty-two (32) square feet in area, with the narrowest dimension not less than four (4) feet. Deciduous trees shall have a minimum trunk diameter of one and three-quarter (1-3/4) inches at time of planting. Evergreen trees shall be a minimum of four (4) feet tall at time of planting. Existing vegetation may be incorporated into the landscape design as set forth in Section 17.23.050 AHMC and shall be considered acceptable in lieu of new plantings, provided that it contributes to achieving the intent of this section.

B. All trees, shrubs and plants and materials used shall be in accordance with the American Association of Nurserymen Standards (ANSI 2601-1973) or better.

C. Berms, when planted with turf grass, are not to exceed a slope of three horizontal units to one vertical unit (3:1). A slope of two horizontal units to one vertical unit (2:1) is permissible when the berm is

planted with shrubs and other ground cover. Slopes for planted areas are not to exceed two horizontal units to one vertical unit (2:1).

D. Slopes for stormwater facilities planted with turf grass are not to exceed a slope of three horizontal units to one vertical unit (3:1). Stormwater facilities shall not have more than fifty percent (50%) of the perimeter defined by a wall. Walls around stormwater facilities shall not exceed thirty (30) inches.

E. Shrubs shall be a minimum two (2) gallon root ball size at time of planting.

F. Annual flowers are allowed substitutes for groundcovers for no more than ten percent (10%) of the area required to be landscaped.

G. Over all design effect must be taken into consideration in respect to plant conflicts with utilities, lighting, fire hydrants, utility vaults, etc. (C-446, Added, 04/17/2000)

Section 17.23.070 Location of required landscaping.

A. The following table indicates the type and width of landscaping required along side and rear property lines not abutting public streets for various proposed uses, depending on the zoning of adjacent parcels:

TABLE 1 REQUIRED LANDSCAPING AND SCREENING

<i>Proposed Use</i>	<i>Type of Adjacent Zoning</i>	<i>Minimum Landscaping Required*</i>	<i>Width of Landscaping</i>	<i>Street Landscaping</i>
Manufactured (mobile) home park; Multiple family dwellings (3 or more units)	C-1, C-2 I-1, I-2	Type II	10 feet	Type III strip 10 feet
	R-1, R-2	Type IV	15 feet	
Uses proposed in commercial zones (C-1 or C-2)	R-1, R-2, R-3	Type II	15 feet	Type IV strip 5 feet
Uses proposed in light industrial zone (I-1)	R-1, R-2, R-3	Type II	15 feet	Type IV strip 15 feet
	C-1, C-2	Type IV	5 feet	
Uses proposed in heavy industrial zone (I-2)	R-1, R-2, R-3	Type II **	15 feet	Type IV strip 15 feet
	C-1, C-2	Type II	10 feet	

* A lower-number Type may be substituted for a higher number Type.

** The technical review committee may require Type I landscaping when the potential exists for a nuisance.

Please note:

The technical review committee may alter the landscaping type required, depending upon the surrounding uses or if the land is considered a small lot.

B. The owners of adjacent properties may agree to consolidate their perimeter plantings along shared boundaries, with each property owner providing one-half of the required landscaping. (C-446, Added, 04/17/2000)

Section 17.23.080 Parking area landscaping.

A. The purpose of the landscaping provisions for parking areas is as follows:

1. To break up the visual effect created by large expanses of barren asphalt;
2. To encourage the preservation of mature trees;

3. To ensure the preservation of land values by creating an environmental quality which complements the objectives of the respective land uses.

B. Landscaping on street frontage: Unless otherwise stated herein, a parking area or outdoor display area fronting on a street right-of-way shall provide a landscaped planting area of Type IV landscaping of at least five (5) feet in width along the entire street frontage except for driveways, provided

that the plantings shall not obstruct the sight distance at street intersections or driveway approaches.

C. Additional plantings: Additional plantings may be placed in street right-of-way behind the sidewalk line if the property owner provides the city engineer with a written release of liability for damages which may be incurred to the planting area from any public use of right-of-way.

D. Amount and location: At least ten percent (10%) of the parking area shall be devoted to landscaping (exclusive of landscaping required by C. above within the public right-of-way), provided that:

1. No landscaping area shall be less than thirty two (32) square feet in area;

2. No parking stall shall be located more than sixty (60) feet from a landscaped area. The city planner may approve landscaping plans involving alternatives to this specification for individual properties if it finds the alternative would be more effective in meeting the purposes of this section;

3. Landscaping should be located between parking stalls, at the end of parking columns, or between stalls and the property line. Landscaping which occurs solely between the parking lot and a building or recreation area shall not be considered as satisfaction of these requirements;

4. All required landscaping shall meet the clear view triangle requirements pursuant to Chapter 17.20 AHMC.

E. Size exception: Parking lots containing less than twenty (20) parking spaces need provide only perimeter screening to satisfy the ten percent (10%) area requirement.

F. Materials used: Planting areas shall include liberal landscaping using combinations of such materials as trees, ornamental shrubs, gravel, river rock, driftwood, rockeries, or lawn, provided that the materials used are approved by the city engineer in relationship to stormwater disposal.

G. Internal property lines: When a parking area abuts residentially zoned property along any interior property line, a minimum six-foot (6') high screening device, or a minimum fifteen-foot (15') wide planting area with Type I or Type II landscaping, as determined by the city planner, shall be installed along the property line.

H. Maintenance of landscaped area: All required landscaping shall have automatic sprinkler systems and be maintained in a healthy growing condition. Dead or dying plantings shall be removed and replaced, or repaired.

I. Protective curbing: Landscaped areas shall be protected from vehicle damage by protective curbing consistent with drainage requirements.

J. Timing of installation: All required landscaping shall be installed prior to issuance of a Certificate of Occupancy with provision that the planning department or building official may authorize up to a four month delay to initiate landscaping, when planting season conflicts would produce high probability of plant loss. Bonding or other adequate security may be required of an applicant to ensure that the landscaping requirements herein are met.

(C-446, Added, 04/17/2000)

Section 17.23.090 Street landscaping.

A. The following landscaping is required adjacent to all streets except where permitted structures and driveways are proposed:

1. Within all developments to be located in the multiple family (R-3) zone, a Type III landscaping strip with a minimum width of ten (10) feet shall be provided;

2. Within all developments to be located in any commercial (C-1 or C-2) zone, a Type IV landscaping strip with a minimum width of five (5) feet shall be provided with the use of deciduous trees preferred;

3. Within all developments to be located in an industrial (I-1 or I-2) zone, a Type IV strip with a minimum width of fifteen (15) feet shall be provided;

4. Within the mining (MZ) zone, mining, quarrying and asphalt-mixing type uses will be landscaped per Section 17.14.050(D) AHMC.

B. The plantings shall not violate the sight distance requirements at street intersections or driveways, nor interfere with the adequate flow of stormwater runoff along drainage easements.
(C-446, Added, 04/17/2000)

Section 17.23.100 Institutional and recreational use.

All public or institutional uses, including churches, commercial and noncommercial recreation facilities (e.g., country clubs, golf courses, tennis courts), community clubs, schools, charitable and fraternal organizations, hospitals, public utility facilities, sewage transfer plants, government facilities, museums, libraries, fire stations, retirement homes, nursing homes, and similar uses, shall provide landscaping as prescribed by Section 17.23.090(B) AHMC, and Section 17.23.120 AHMC, unless otherwise modified by Section 17.23.050 AHMC.

(C-446, Added, 04/17/2000)

Section 17.23.110 Clear view triangle.

All landscaping within the clear view triangle shall meet the requirements of Chapter 17.20 AHMC. (C-446, Added, 04/17/2000)

Section 17.23.120 Building facade landscaping.

Perimeter landscaping width requirements can be reduced by twenty five percent (25%), but not less than five (5) feet, if the reduced area is reallocated to landscaping along the facade of a building adjacent to a street right-of-way. (C-446, Added, 04/17/2000)

Section 17.23.130 Installation requirements.

Landscaping required pursuant to this section must be installed to the satisfaction of the planning department, in accordance with the approved site development plan prior to building occupancy. The planning department or building official may authorize up to a four month delay to initiate landscaping, where planting season conflicts would produce a high probability of plant loss. In the interim, a temporary Certificate of Occupancy (per adopted Uniform Building Code) will be issued. When landscape installation is complete, the owner must contact the building department who will then inspect the property within seventy two (72) workweek hours. If landscaping is not installed as planned, the applicant will receive formal notification and be fined according to the provisions of Section 17.23.150 AHMC. After thirty (30) days of formal noncompliance, the temporary Certificate of Occupancy will be rescinded by the building department. The planning department may require performance bonds or other appropriate security, including letters of credit, to ensure the landscaping will be installed according to the approved plan specifications. (C-446, Added, 04/17/2000)

Section 17.23.140 Maintenance requirements.

Property owners shall keep the required planting area maintained in a manner to serve the original purpose intended. Lack of maintenance shall constitute a violation of this code. All of the

following maintenance procedures shall be practiced by the applicant:

A. Dead, diseased, stolen, or vandalized plantings shall be replaced within six (6) weeks. If seasonal temperatures do not allow immediate replacement, plants shall be replaced at the beginning of their next planting season;

B. Planting area shall be maintained, pruned, trimmed and kept free of weeds and trash in order to maintain plant health and appearance.

C. Property owners shall keep the required planting area maintained with automatic sprinkler systems and in a manner to serve the original purpose intended. Lack of maintenance shall constitute a violation of this code.

D. Incorporation of Xeriscaping principles is highly encouraged in an effort to conserve potable water. Some examples are:

1. The use of drip irrigation for shrubs and trees;
 2. The adjustment of spray heads to minimize overspray onto walks, driveways, buildings, other impervious surfaces;
 3. Adjustment of system to operate at night.
- (C-446, Added, 04/17/2000)

Section 17.23.150 Penalties.

When landscaping is not maintained, the city planner or appointed designee is authorized to notify the owner, tenant, lessee, or assignee of any such owner, that the landscaping is not being adequately maintained and of the penalty for failure to maintain. The notice shall specify the date which maintenance must be accomplished, and shall be sent by certified mail to the owner at his/her last known address. Compliance must be attained within thirty (30) days of the date of notice, unless seasonal temperatures do not permit replanting. In these cases, compliance must be attained thirty (30) days after seasonal temperatures permit replanting. If the landscaping has not been brought into accord by the date of compliance, each day thereafter shall be considered a separate violation, and the property owner shall be fined an amount specified by the most recent city resolution, based per day, until compliance is achieved. The accrual of civil penalties is suspended pending a decision on any appeal (from the date of filing to the date of the final decision). (C-446, Added, 04/17/2000)

Section 17.23.160 Appeals.

Applicants may appeal an administrative interpretation and/or decision in accordance with Section 14.05.020 AHMC.
(C-446, Added, 04/17/2000)

Section 17.23.170 Governing regulation.

If there are two conflicting regulations within the Airway Heights Municipal Code (AHMC), the stricter of the two shall apply.
(C-446, Added, 04/17/2000)