

ORDINANCE NO. 2785

AN ORDINANCE AMENDING CHAPTER 18.57 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "LANDSCAPING"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 18.57 of the Moses Lake Municipal Code entitled "Landscaping" is amended as follows:

18.57.030 General Requirements: All required landscaped areas shall comply with the following:

- A. Landscaping shall be vegetative and consist of combinations of trees, shrubs, and ground cover. Non-living natural features may also be incorporated.
- B. Required landscape plantings shall be suited to the climate, location, and physical conditions of the site. The use of drought-tolerant species is encouraged to reduce irrigation and maintenance demands. See MLMC 18.57.055 G Drought Tolerant Landscaping
- C. All landscaped areas shall be graded to prevent erosion and to facilitate the installation, growth, and maintenance of the landscaping. All turf areas located in public right-of-ways shall have a grade of no greater than 4(h):1(v).
- D. Trees and shrubs shall be chosen and located to avoid interference with underground and overhead utility lines or public improvements.
- E. Landscaping shall be designed to insure adequate visibility and safety of vehicular traffic, bicyclists, pedestrians, and other users, on and off the proposed site. Height and/or spacing of landscaping may be modified to accommodate sight distances.
- F. Other than a fence around an individual one-or two-family dwelling, all fences shall be placed on the inward side of any required perimeter landscaping.
- G. To protect against the possibility of all trees in one project being destroyed by disease or pests, a mix of tree species shall be provided in accordance with the following table:

Required Number of Trees	Minimum Number of Species	Maximum Percent of Any One Species
11-20	2	55
21-30	3	35
31-40	4	27
41+	5	22

- H. Minimum Plant Sizes at Installation: See Table in MLMC 18.57.055.
- I. No disturbed ground shall be left exposed. Groundcover or mulch shall cover all disturbed areas that are not built upon or paved.
- J. If approved by the City, required street frontage landscaping may be placed in City right-of-way. This area shall be maintained by the owner of the property that abuts the right-of-way. The City and other public services shall have the right to remove landscaping placed on City right-of-way for repair, replacement, or installation of utility services. The City will not accept liability for damages to said landscaping from future street expansion, meter reading, or utility installation, inspection, or repair.
- K. All required landscaping shall be served by irrigation systems appropriate for the plants.

- L. The incorporation of existing vegetation, especially healthy trees, is strongly encouraged. Where existing trees and associated vegetation serve the same or similar function as the required landscaping, they may substitute for the required landscaping, provided trees are healthy and appropriate for the site at mature size. When necessary, existing vegetation shall be supplemented with new plantings to accomplish the specific intent and purpose of this chapter.
- M. Landscape requirements contained in this chapter are minimums. Additional landscaping is encouraged.
- N. Areas within two hundred feet (200') of the shoreline or associated wetlands are subject to the State of Washington Shoreline Management Act and the City of Moses Lake Shoreline Master Program.
- O. In the event of a conflict between the content of this chapter and other regulations, the more restrictive regulations shall apply.
- P. Landscaping may be included within stormwater facilities, provided it does not impede the functionality of the stormwater facility.
- Q. For interior property line buffers, where a buffer meeting the requirements of this ordinance has previously been installed on the adjoining property, an additional buffer is not required along the screened property line.
- R. Where buildings are located within 20' of a property line, all landscaping between the building and the property line may be counted toward the required points for the buffer.
- S. Subdivision Street Trees: Street trees shall be planted clearly on one side of the side property line or the other, to make clear which owner is responsible for maintaining the tree.
- T. Site Distance: Street trees at corners shall be set back at least thirty-five feet (35') from the extended curb line, and must be trimmed to allow at least five feet (5') of clearance from grade to the bottom of the tree canopy.

18.57.040 Specific Requirements

- A. **Buffers:** When adjacent to the uses listed, the subject property shall provide the type and width of landscaping listed in the table below along the entire property line between the subject property and the adjacent use, except for vehicular and pedestrian access points. If a building is located in the buffer area, the landscaping displaced by the building shall be located elsewhere on the site. Types of landscaping are as described in Section 18.57.050.

ADJACENT USE	SUBJECT PROPERTY USE					
	1 & 2 Family Subdivision	Multi-family	Manufacture d Home Park	Commercial/ Institutional	Industrial	Public Park
Freeway or Highway	Type I 20 feet wide	Type I 20 feet wide	Type I 20 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type II 10 feet wide
Street Frontage	Type IV 5 feet wide 12 pts/25'	Type IV 5 feet wide 12 pts/25'	Type IV 5 feet wide 18 pts/25'	Type IV 10 feet wide 18 pts/25'	Type IV 20 feet wide 18 pts/25'	Type IV 5 feet wide 12 pts/25'
1 & 2 Family or vacant land zoned R-1 or R-2		Type II 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide	
Multi-family or vacant land zoned R-3	Type II 10 feet wide	Type III 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide	

ADJACENT USE	SUBJECT PROPERTY USE					
	1 & 2 Family Subdivision	Multi-family	Manufacture d Home Park	Commercial/ Institutional	Industrial	Public Park
Manufactured Home Park	Type II 10 feet wide	Type III 5 feet wide		Type II 10 feet wide	Type I 15 feet wide	
Commercial/ Institutional or vacant land zoned C-1 or C-2	Type II 10 feet wide	Type II 5 feet wide	Type II 10 feet wide		Type II 10 feet wide	
Industrial or vacant land zoned I-L	Type II 10 feet wide	Type I 5 feet wide	Type II 10 feet wide	Type II 10 feet wide		
Public Park						

B. Parking Areas: Parking areas shall be landscaped to provide shade and visual relief while maintaining clear lines of sight.

1. Landscaping shall be provided within and/or around all surface parking lots containing ten (10) or more parking stalls, except that no parking lot landscaping shall be required within industrial zones. At a minimum, landscaping shall consist of ground cover and shade trees with a minimum mature canopy spread of fifteen feet (15'). See Section 18.57.055 for required landscape points for parking lots.
2. The minimum area per planter shall be one hundred (100) square feet.
3. Landscaped areas shall be distributed around and/or throughout the parking lot so that the maximum distance between the trunk of shade tree and any parking stall shall be no more than fifty feet (50'). Shade trees used to meet this requirement are not required to be those specifically included in the parking lot landscaping.
4. Parking lots: two (2) points per required parking space + one (1) point for each parking space provided in addition to required spaces.
5. Permanent curbs or structural barriers shall be provided to protect the landscape plantings from vehicle overhang.
6. Trees shall be planted at least four feet (4') from the outside edge of the planting area.
7. No plant material greater than twelve inches (12") in height shall be located within two feet (2') of the edge of a landscaped area adjacent to a parking stall.
8. Required parking lot planter areas shall be in addition to any required front, side, and rear yard buffer requirements.
9. The requirements of this section shall not apply to parking garages or parking decks, or display areas for automotive and equipment sales and rentals.

C. Residential Landscaping

1. **Front Yard:** The required front yard and exterior side yard of all one (1) and two (2) family residential uses shall be landscaped within one (1) year of occupancy and maintained. For the purposes of this section, landscaping shall be defined as the addition of decorative rock, bark, groundcover, lawn, trees, plants, shrubs, and other natural and decorative features. At least fifty percent (50%) of the front and exterior side yard area shall be landscaped. Driveways and parking areas may be located in the remaining area that is not required to be landscaped.

2. **Multi-family Structures:** Multi-family residential uses shall also landscape the required open space areas so that they are usable for outdoor recreation.
 3. **Manufactured Home Parks:** All areas within the boundaries of the manufactured home park shall be landscaped. All lawns, trees, landscaping, occupied and unoccupied manufactured home spaces, recreation areas, and open space areas shall be continually maintained. A permanent irrigation system shall be installed and maintained for planted common areas.
 4. **Planter strips:** Street frontage planter strips between the curb and sidewalk shall be landscaped with Type IV landscaping consisting of a minimum of twelve (12) points per twenty-five feet (25') of frontage. Timing of landscape installation shall be as follows:
 - a. For new subdivisions, planter strip landscaping shall be installed or bonded for before a Certificate of Occupancy is issued for the house on the lot abutting the planter strip.
 - b. For new planter strips built in existing developed areas, planter strip landscaping shall be installed within one year of completion of the planter strip.
 - c. For areas with existing planter strips, planter strip landscaping shall be installed within one (1) year of the adoption of this ordinance.
- D. **Building Facade Landscaping:** To ensure that wall facades are visually interesting when viewed from surrounding streets and buildings, blank building facades more than twenty feet (20') in height or fifty feet (50') in width or length shall be landscaped with Type III landscaping to provide visual relief and soften the effect of the new building on the surrounding area.
1. Blank facades are defined as those which do not add to the character of the streetscape and do not contain transparent windows or sufficient ornamental features, decorations, artwork, articulation, high quality building materials (such as brick), or other architectural features.
 2. Exceptions: Buildings in industrial zones are not required to screen blank facades. In all other zones, blank facades that are within twenty feet (20') of another building or which are otherwise not visible to the general public are not required to be screened. (Ord. 2647, 4/10/12; Ord. 2534, 11/10/09; Ord. 2144, 12/9/03; Ord. 1857, 6/8/99)

18.57.055 Landscape Point Values:

- A. Applicant may use any combination of planting materials to meet the requirements of this section. Points are assigned based on the following table and can be decreased using subsection G and I.

Type of Plant Material	Mature Height	Minimum Size (at time of planting)		Point Value
		Deciduous Trees (in caliper inches)	Evergreen Trees (in feet of height)	
Large Tree	>60 ft	8-inch or greater	22 ft and over	115
	>60 ft	7-inch	19 - 21ft.	100
	>60 ft	6-inch	16 -18 ft.	90
	>60 ft	5-inch	13 -15 ft.	80
	>60 ft	4-inch	11-12 ft.	65
	>60 ft	3-inch	9 -10 ft.	55
	>60 ft	2-inch	7 - 8 ft	35

Type of Plant Material	Mature Height	Minimum Size (at time of planting)		Point Value
		Deciduous Trees (in caliper inches)	Evergreen Trees (in feet of height)	
Medium Tree	25 ft to 60 ft	3-inch	7-8 ft	40
Medium Tree	25 ft to 60 ft	2 -inch	7 - 8 ft	30
Medium Tree	25 ft to 60 ft	1.5 -inch	5-6 ft	20
Small Tree	<25 ft	Single Trunk 1.5 inch caliper	5 - 6 ft	15
Ornamental Tree	varies	Multiple trunk (minimum 3 trunks): smallest trunk 1.5 inch caliper	5 - 6 ft	10
Large Shrub	>6 ft	24 -inch height at planting		9
Medium Shrub	3 ft to 6 ft	12-inch height at planting		6
Small Shrub	< 3 ft	8 - inch height at planting		4
Ornamental Grasses	varies	1 gallon		same as shrub of same mature height
Groundcover	< 1 ft, excluding flowers on tall stalks	1 gallon		½
Existing Trees	varies	Greater than 3" caliper		10 pts + 10 pts/inch of caliper
Landscaped Berm		30" height; 10-foot length; 3:1 slope		1 per 5 lineal feet
Turf Grass	n/a	n/a		1/4 per square yard
Sculpture or Basalt Columns *may not be substituted for trees		2' minimum height		15 points + 15 pts for each additional 2' height

Note: Points will be based on the size of the mature tree or shrub. For example, a small species of shrub in a three (3) gallon pot at the time of planting will not be given points as a medium shrub, it remains a small shrub. The Community Development Department will maintain a list of commonly-planted species and the size per the above chart. For species not included in the list, mature height shall be as shown in a standard published source. Where a range of sizes is given in the source, points for the larger size may be claimed, provided the correct minimum size is planted for the points claimed.

B. An additional ten percent (10%) in the number of points shall be required adjacent to the following aesthetic corridors:

1. West Broadway from I-90 to its intersection with Division Street
2. East Broadway from its intersection with Division Street to where it joins with Pioneer Way
3. Pioneer Way from where it joins with East Broadway to its intersection with Highway 17

- C. Points for required buffers shall be in addition to the Parking Lot Points required in this section.
 - D. A maximum of twenty-five percent (25%) of required landscape points may be claimed within street right-of-way.
 - E. A minimum of sixty percent (60%) of points shall be used for landscaping in the front and side yards.
 - F. A maximum of twenty-five percent (25%) of required points may be used for turf grass. Turf grass within street right-of-way does not earn any points.
 - G. Drought Tolerant Landscaping. Landscaping areas that meet the criteria listed below may have the points required for that area reduced by thirty percent (30%). To qualify as drought tolerant, the following must be incorporated:
 - 1. An approved drip irrigation system
 - 2. Low volume - low pressure - low flow distribution
 - 3. Drought tolerant plant selection
 - 4. Use of mulches, which can include decorative rock
 - H. Native and Naturalized Plant Species. New landscaping materials shall include species native to Eastern Washington or hardy, waterwise, and noninvasive species appropriate in the climatic conditions of Eastern Washington (decorative annuals are an exception). Washington State University maintains a list of trees, shrubs, vines, ground covers, perennials, grasses, bulbs, and annuals that are appropriate for Eastern Washington. (Link: <http://public.wsu.edu/~lohr/wcl/>). The selections of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.
 - I. Alternative Water Source: Projects irrigated from sources other than City water may have the points required for that area reduced by thirty percent (30%).
- 18.57.110 Alteration of Landscape Requirements: The applicant may submit for consideration a landscaping plan that differs from the specific criteria set forth in this chapter. The applicant shall in writing, clearly and in detail, state what adjustments are being requested and the reasons that such adjustments are warranted. The application shall be accompanied by a drawing that meets the requirements of MLC 18.57.060, along with any supplemental data, such as sketches, surveys, and statistical information, that is deemed necessary to support the adjustment. The Planning Commission may approve, modify, or deny the requested adjustment. In approving the alteration, the Planning Commission shall make the following findings:
- A. The alteration would be in keeping with and preserve the intent of this chapter; and
 - B. The alteration would not be contrary to the public interest; and
 - C. The alteration is justified based on at least one (1) of the following:
 - 1. The requirements of this chapter would result in more than fifteen percent (15%) of the site area being landscaped. In such cases the Planning Commission may modify those requirements so that not more than fifteen percent (15%) of the site must be landscaped, provided that the landscaping and corresponding setbacks required are those most beneficial to the public. More intensive landscaping may be required if the reduction in area would reduce the effectiveness of landscaping to a point where the intent of the landscaping type cannot be satisfied.

2. The inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of the purposes of this chapter.
3. Three foot (3') berms or six foot (6') architectural barriers are incorporated into the landscape design. Adjacent to the berm or barrier, the width of the perimeter landscaping strip may be reduced up to twenty-five percent (25%) if the landscaping materials are incorporated elsewhere on site.
4. Existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures, or utilities would render application of this chapter ineffective.
5. An existing or proposed structure precludes installation of the total amount of required perimeter landscaping. In such cases, the landscaping material shall be incorporated on another portion of the site. If no portion of the site can be landscaped, approved waterless landscaping features such as decorative rock, gabions, sculptures, and/or facade improvements as defined in 18.57.040 D.1 may be used. The totality of such features must be of sufficient substance and location as to serve the purpose of this chapter.
6. The proposed landscaping represents a superior result or is more effective than that which would be achieved by strictly following requirements of this section.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on October 13, 2015.



Dick Deane, Mayor

ATTEST:



W. Robert Taylor, Finance Director

APPROVED AS TO FORM:



Katherine L. Kenison, City Attorney