

City of Shady Cove

ORDINANCE 287

AMENDING THE SHADY COVE CODE OF ORDINANCES TO ADD LANDSCAPING STANDARDS IN THE GENERAL COMMERCIAL (GC) AND PUBLIC USES (P) ZONING DISTRICTS

**WHEREAS**, the State of Oregon has, pursuant to state law and the municipal home rule provisions of the state constitution, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry, and

**WHEREAS**, Chapter 154 of the Shady Cove Code of Ordinances governs Type IV Legislative Procedures within the corporate limits of the City and requires, if approval is recommended by the Planning Commission, that the Shady Cove City Council make the final decision regarding the application, and

**WHEREAS**, the Shady Cove Planning Commission conducted a public hearing on February 8, 2018, and voted unanimously to recommend Council adoption of new landscaping standards, and

**WHEREAS**, the Shady Cove City Council considered the Planning Commission recommendation in a properly advertised public hearing on March 1, 2018, and voted unanimously on March 15, 2018, to approve the ordinance.

**NOW, THEREFORE, THE CITY OF SHADY COVE ORDAINS AS FOLLOWS:**

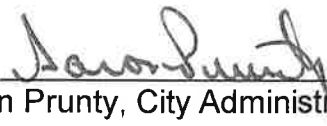
Sections 154.103, 154.314 of the City of Shady Cove Code of Ordinances are hereby amended as attached; and Section 154.318 – Landscaping is hereby added as attached.

Adopted by the Shady Cove City Council on this 5th day of April, 2018.

Approved:

Attest:

  
\_\_\_\_\_  
Tom Sanderson, Mayor

  
\_\_\_\_\_  
Aaron Prunty, City Administrator

**Council Vote:**

Mayor Sanderson	<u>Y</u>
Councilor Mitchell	<u>Y</u>
Councilor Kristich	<u>Y</u>
Councilor McGregor	<u>Y</u>
Councilor Tarvin	<u>Y</u>

§ 154.103 PROPERTY DEVELOPMENT REQUIREMENTS.

All development in the P Zoning District shall be in compliance with any conditions associated with variances, site plan review, conditional use permits, state or federal environmental regulations and with the following minimum standards:

(A) *Lot area*. Five thousand square feet, unless an applicant can show that the use will meet all setback, off-street parking and loading and other development requirements on a smaller parcel;

(B) *Lot width*. No minimum requirement;

(C) *Lot depth*. No minimum requirement;

(D) *Front yard*. Ten-foot setback when the property abuts a residential district;

(E) *Side yard*. Ten-foot setback when the property abuts a residential district;

(F) *Rear yard*. Ten-foot setback when the property abuts a residential district; and

(G) *Lot coverage*. No minimum or maximum coverage provided the proposed development meets all off-street parking and other code requirements.

(H) *Landscape plan*. A landscape plan is required and shall conform to the requirements of Section 154.318.

§ 154.314 SITE DESIGN REVIEW; APPLICATION SUBMISSION REQUIREMENTS.

All of the following information is required for site design review application submittal.

(A) *General submission requirements.* The applicant shall submit an application containing all of the general information required by § [154.379](#), as applicable.

(B) *Site design review information.* An application for site design review shall include the following information, as deemed applicable by the city.

(5) *Landscape plan.* A landscape plan is required and shall conform to the requirements of Section 154.318.

## Section 154.318 - Landscaping

### **(A) Purpose**

Section 154.318 contains standards for landscaping and screening. The regulations are intended to protect public health, safety, and welfare by reducing development impacts (e.g., glare, noise, and visual impacts) on adjacent uses; minimizing erosion; slowing the rate of surface water runoff, thereby reducing infrastructure costs; buffering pedestrians from vehicle maneuvering areas; cooling buildings and parking lots in summer months with shade; and enhancing the city's appearance.

### **(B) Applicability**

- (1)** Section 154.318 (C) establishes design standards for landscaping and screening. Projects in the General Commercial and Public Uses zoning district requiring Site Design Review approval shall meet the landscape standards of Section 154.318 (C). Property owners are required to maintain landscaping and screening pursuant to subsection 154.318 (C)(6).
- (2)** Section 154.085 establishes design standards for when a fence or a wall not attached to a building is to be erected, extended, or otherwise altered. It also applies to situations where this code requires screening or buffering (e.g., outdoor or unenclosed storage uses).

### **(C) Landscaping and Screening**

- (1) General Landscape Standard.** All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped.
- (2) Minimum Landscape Area.** All lots shall conform to the minimum landscape area standards of The Planning Commission, consistent with the purposes in Section 154.318 (A), may allow credit toward the minimum landscape area for existing vegetation that is retained in the development.
- (3) Plant Selection.** A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions, among other factors. When new vegetation is planted, soils shall be amended and irrigation shall be provided, as necessary, to allow for healthy plant growth. The selection of plants shall be based on all of the following standards and guidelines:
  - (a)** Use plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions shall also be considered. The City may rely on Oregon State University Extension Service bulletins, University of Washington Urban Forestry Program guidelines, or other Firewise expert sources in evaluating landscape plans.
  - (b)** Plant species that do not require irrigation once established (naturalized) are preferred over species that require irrigation.
  - (c)** Trees shall be not less than two-inch caliper for street trees and 1.5-inch caliper for other trees at the time of planting. Trees to be planted under or near power lines shall be selected so as to

not conflict with power lines at maturity.

- (d) Shrubs shall be planted from five-gallon containers, minimum, where they are for required screens or buffers, and two-gallon containers minimum elsewhere.
  - (e) Shrubs shall be spaced in order to provide the intended screen or canopy cover within two years of planting.
  - (f) All landscape areas, whether required or not, that are not planted with trees and shrubs or covered with allowable non-plant material, shall have ground cover plants that are sized and spaced to achieve plant coverage of not less than 50 percent at maturity
  - (g) Bark dust, chips, aggregate, or other non-plant ground covers may be used, but shall cover not more than 50 percent of any landscape area. Non-plant ground covers cannot be a substitute for required ground cover plants.
  - (h) Where storm water retention or detention, or water quality treatment facilities are proposed, they shall be planted with water-tolerant species.
  - (i) Existing mature trees that can thrive in a developed area and that do not conflict with other provisions of this Code shall be retained where specimens are in good health, have desirable aesthetic characteristics, and do not present a hazard.
  - (j) Landscape plans shall avoid conflicts between plants and buildings, streets, walkways, utilities, and other features of the built environment.
  - (k) Evergreen plants shall be used where a sight-obscuring landscape screen is required.
  - (l) Deciduous trees may be used where summer shade and winter sunlight is desirable.
  - (m) Landscape plans shall provide focal points within a development, for example, by preserving large or unique trees or groves or by using flowering plants or trees with fall color.
  - (n) Landscape plans shall use a combination of plants for seasonal variation in color and yearlong interest.
  - (o) Where plants are used to screen outdoor storage or mechanical equipment, the selected plants shall have growth characteristics that are compatible with such features.
  - (p) Landscape plans shall provide for both temporary and permanent erosion control measures, which shall include plantings where cuts or fills, including berms, swales, storm water detention facilities, and similar grading, are proposed.
  - (q) When new vegetation is planted, soils shall be amended and irrigation provided, as necessary, until the plants are naturalized and able to grow on their own.
  - (r) Where landscaping is not otherwise feasible, planter boxes or decorative tubs shall be installed. Planting shall be consistent with in-ground landscaping requirements.
- (4) Parking Lot Landscaping.** All of the following standards shall be met for parking lots. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.
- (a) A minimum of 10 percent of the total surface area of all parking areas, as measured around the

perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of canopy trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. The trees shall be planted so that they provide a partial canopy cover over the parking lot within 5 years. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.

- (b) All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 12 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than six feet, to ensure adequate soil, water, and space for healthy plant growth.
- (c) All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within two years of planting, not less than 50 percent of that area is covered with living plants.
- (d) Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than two feet from any such barrier.
- (e) Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

**(5) Screening Requirements.** Screening is required for outdoor storage areas, unenclosed uses, and parking lots, and may be required in other situations as determined by the Planning Commission. Landscaping shall be provided pursuant to the standards of subsections a-c, below:

- (a) **Outdoor Storage and Unenclosed Uses.** All areas of a site containing or proposed to contain outdoor storage of goods, materials, equipment, and vehicles (other than required parking lots and service and delivery areas, per Site Design Review), and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See also Section 154.085 (Commercial) or 154.105 (Public Uses) for related fence and wall standards.
- (b) **Parking Lots.** The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting a sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between three feet and four feet.
- (c) **Other Uses Requiring Screening.** The Planning Commission may require screening in other situations as authorized by this Code, including, but not limited to, outdoor storage areas, blank walls, and as mitigation where an applicant has requested an adjustment.

**(6) Maintenance.** All landscaping shall be maintained in good condition, or otherwise replaced by the property owner or tenant, consistent with the landscaping standards of this chapter.