



## BUCKLEY CITY COUNCIL STUDY SESSION AGENDA

September 1, 2020

**Virtual Meeting**

City Council Study Session

Opening 7:00 P.M.

**\*\*Notice: This will be a virtual meeting held via Zoom meetings.  
To listen to the meeting live, please use the following information.**

**Call-in Number: 253-215-8782**

**Meeting ID: 819 3583 1549**

### Agenda

1. Updated Landscaping Code
2. DSHS Property – Comp. Plan and P&R Property Vision

## City of Buckley

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# Memo

**To:** Buckley City Council

**From:** City of Buckley Planning Department

**Date:** August 26, 2020

**RE:** Landscaping Code Updates – for 9/1/2020 Council Study Session

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Attached is the proposed updated landscaping code which has been developed and moved forward for a future public hearing by the Planning Commission. Please note that further copy-editing and formatting will be done to the attached landscaping code prior to taking this code to a hearing.

Two versions of the updated landscaping code are attached:

- 1) A version with track changes showing all changes from current code. Red text shows new or deleted content, and green text shows content that was moved.
- 2) A *clean* updated version without track changes but with a few side comments explaining some of what was changed or identifying which sections are new.

Also, for reference, Buckley's current adopted landscaping code is found here:

<https://www.codepublishing.com/WA/Buckley/#!/Buckley19/Buckley1929.html#19.29>

The City of Buckley Planning Commission intends to hold an open record public hearing on September 21, 2020 to consider whether to recommend approval on the attached updated landscaping code which repeals and replaces the current landscaping code in BMC Chapter 19.29. If the Planning Commission makes a recommendation to adopt the updated landscaping code, it would likely be brought to the first Council meeting in October for a vote. However, the Planning Commission welcomes any feedback on this timeline as it relates to the attached updated landscaping code.

### **Background & Planning Commission Considerations**

Municipal landscaping codes serve several purposes, including protection of public health and safety, protection of the natural environment, and preservation and enhancement of aesthetics. With these priorities in mind, the Planning Commission began discussing updates to Buckley's Landscaping Code in early 2020 based on staff input on recent experiences with questionable or confusing aspects of our landscaping code from recent projects.

Since Buckley's landscaping code most frequently applies to new commercial uses, there are infrequent opportunities to enforce different parts of our landscaping code and to discover whether the code is effective in practice. Since 2013, Buckley has issued an average of only 1-2 commercial building permits per year, and since 2017 we've averaged only 3 site plan reviews for new

commercial developments per year. However, in the past two years there has been an increase in commercial interest in Buckley and it's expected that commercial interest and projects will continue to grow. That made 2020 an appropriate time to look at improvements that could be made to Buckley's landscaping code.

In early 2020, Planning Staff presented an overview of real-world issues it was encountering with Buckley's landscaping code. Staff found that the landscaping code is:

- Arbitrarily specific in areas where it's unnecessary;
- Not specific enough in areas where it should be specific;
- Inflexible where it should offer some flexibility;
- Excessively focused on landscape buffers by zone instead of buffers *between* zones/uses, while insufficiently considering the actual compatibility of adjacent land uses;
- Inadequately organized making it difficult to interpret; and
- Lacking elements commonly found in other municipal landscaping codes.

The Planning Commission, supported by staff research and guidance, considered landscaping codes from different cities including Gig Harbor, Renton, Sumner, Bonney Lake, Enumclaw, and Lakewood. In some cases, these other city landscaping codes were considered just for context and ideas, and in others for verbatim borrowing of language deemed appropriate for Buckley.

A significant part of the Planning Commission's review focused on perimeter buffers as these are often a more impactful part of city landscaping codes; both in terms of their effect in mitigating impacts between uses, and for their impacts to project proponents in-terms of both loss of usable land area and installation and maintenance. A problem with Buckley's current landscaping code is that it is not always clear when perimeter buffers are required, leaving our code open to too-much staff interpretation on a project-by-project basis. Furthermore, as worded, perimeter buffers are required based on a specific set of zones without enough consideration given to the compatibility vs. incompatibility of uses between those zones. Likewise, even when our code mentions land use "compatibility," our code lacks any attempt to define "compatibility," leaving it open to interpretation. This appears to be a common problem in many other cities' landscaping code buffer requirements, but one Buckley's Planning Commission valiantly tried to address.

In addition to the perimeter buffer sections, other major updates included:

- 1) Significantly updating the purpose and intent section to be more specific;
- 2) Expanding the definitions section;
- 3) Expanding the applicability of the landscaping code to more project types, but then adding an exemptions section, with further paring down of landscaping applicability on a section-by-section/situation-by-situation basis;
- 4) Adding a new "General Provisions" section with requirements that apply across all landscaping situations that are important to specifically address in code;
- 5) Removing a requirement for partially sight-obscuring visual relief buffers between *compatible* uses but keeping visual relief buffers as an option for other, unique situations as described;
- 6) Adding a new 10% minimum landscaping requirement for all uses subject to this landscaping code;
- 7) Adding a new parking lot perimeter buffer requirement;
- 8) Adding a new requirement for protecting "significant trees" (as defined within); and

9) Improving the specificity of parking lot canopy as well as maintenance requirements.

These landscaping code updates both maintain, and in specific situations enhance, the intent of comprehensive plan policies to protect residential areas from impacts of adjacent non-residential uses while also improving the clarity, objectivity and practicality of other landscaping requirements.

**Summary of Landscaping Code Updates**

The following table provides a brief, section-by-section overview of updates to Buckley’s landscaping code. While the updated landscaping code would be proposed as a complete repeal and replace of the current landscaping code, some sections were mostly or entirely unchanged from current code.

Section	Summary Listing of Changes from Current Landscaping Code
19.29.010: Purpose and Intent	1) Adds a new purpose and intent statement which largely still conveys the current purpose and intent, but with more specificity and clarity.
19.29.020: Definitions	1) Added several definitions for further clarity on frequently used or ambiguous terms, including a definition for “significant tree” which corresponds to a new proposed “significant tree standard.” 2) Removed certain buffer-related definitions since they are more appropriate to define later in the code. 3) Added an example image for “drip line boundary.”
19.29.030: Application of Chapter and 19.29.040 Exemptions	The “Application” section lists which permits are subject to our landscaping code, unless otherwise noted in other landscaping code sections. In current code this section already covers most commercial construction and some residential construction. In the updated code, this section was broadened even further, but then an “exemptions” section was added. So, in practice, the default interpretation of our landscaping code is that it is applicable to nearly all land conversions and construction activities, but then from there several specific situations are exempted. Thus, when the “application of chapter” and “exemptions” sections are considered together, the following are changes from our existing code: <ul style="list-style-type: none"> <li>1) Interior portions of storage lots and vehicle sales parking lots are exempt</li> <li>2) Yards in residential subdivisions not abutting public or private streets, or shared driveways, are exempt</li> </ul> As written, those changes listed above would still be subject to maintenance and street tree requirements, but since by default the areas described aren’t abutting streets, only the maintenance requirements would apply whenever landscaping is required for those specific situations in our code.
19.29.050: Objectives	1) Removed a specific and confusing reference to façade buffers in the “commercial zone” since there are several commercial zones, and there are non-commercial zones where façade buffers apply. 2) Removed a reference to visual relief buffers between similar land uses and parking lots, since in most cases visual relief buffers would no longer be required in this updated version.
19.29.060: Overlapping	This is a new section. It is best practice to have to be clear how to interpret our code when there are conflicts within or between chapters – the more stringent

Section	Summary Listing of Changes from Current Landscaping Code
Requirements	standards apply in situations of conflict.
19.29.070: Landscaping plan and submittal	<ol style="list-style-type: none"> <li>1) Requirements for the format/# of copies for plan submittal was made less specific so the Planning Dept. can determine the format of submittals.</li> <li>2) A section on “compliance” was moved to the “general provisions” section and renamed since it was more applicable there.</li> </ol>
19.29.080: General provisions	<p>This is a new section which sets standards across all site development activities where this landscaping code applies, unless otherwise noted. In some cases, the requirements in this section clarify how to interpret the landscaping code or set general standards such as protecting street trees or avoiding hazardous situations with landscaping.</p> <p>However, it’s worth noting the new standard that, for projects subject to the landscaping code, a minimum of 10% of the site areas shall be landscaped. In many cases, this requirement will be met by default when projects are subject to landscaping buffer requirements, but this 10% minimum covers other projects not subject to buffer requirements.</p>
19.29.090: Area and Situation-Specific Landscaping Requirements	<p>This and the new proposed BMC 19.29.100 are reworked from our current “design standards” section. Our current “design standards” section does the following:</p> <ol style="list-style-type: none"> <li>1) Defines the buffer requirements (which is redundant with the definitions section as it’s worded in our current code)</li> <li>2) States who each buffer applies to (which is redundant with the application and objectives chapters as worded in our current code)</li> <li>3) States where each buffer applies by referencing specific zones</li> </ol> <p>Our landscaping code was updated so information on <i>where</i> buffers are required on a site and <i>which</i> situations are subject to buffers are addressed in the new BMC 19.29.090. Information on <i>what</i> landscaping buffers must contain is addressed in the new BMC 19.29.100.</p> <p>Specific changes from current code:</p> <ol style="list-style-type: none"> <li>1) A guideline about retaining existing trees and using drought-tolerant plants is addressed in other sections (where it’s more appropriate) and was removed from this section.</li> <li>2) More clarity that sight-obscurer barrier buffers are applied where a proposed use is incongruous with the adjacent use or zone. In some cases, whether a barrier buffer is required can be determined by comparing zones only, but in other situations the use table shall be consulted to determine if uses are congruous.</li> <li>3) Visual relief buffers are no longer required between congruous (formerly called “compatible”) zones and/or uses, but they may be required as an alternative to barrier buffers in certain situations including protecting incongruous commercial non-conforming uses, and as a tool for mitigating impacts from conditional uses on a case-by-case basis.</li> <li>4) A new requirement for parking lot perimeter buffers was added for</li> </ol>

Section	Summary Listing of Changes from Current Landscaping Code
	<p>multifamily with 3 or more units as well as commercial and industrial parking lots.</p> <p>5) A new requirement for at least 20 sq. ft. per space of interior parking lot landscaping is required for parking lots with at least 15 stalls.</p> <p>6) The requirement for parking lot canopy buffers is now required for parking lots with at least 15 stalls; a change from at least 20 stalls.</p> <p>7) A few example graphics were added.</p>
<p>19.29.100 Description of required landscaping types</p>	<p>1) Removed a street tree standard about not removing street trees since it's already addressed (and more appropriately so) in the new General Provisions section.</p> <p>2) Barrier buffer definition was updated to:</p> <ul style="list-style-type: none"> <li>a. Remove the requirement that only wooden fences be used</li> <li>b. Add a requirement that fully sight-obscuring fences are used when a barrier buffer is required adjacent to a residential zone</li> </ul> <p>3) Visual relief buffer definition was updated to:</p> <ul style="list-style-type: none"> <li>a. Remove the 5-10 ft. width requirement but add a 6 ft. height requirement</li> <li>b. Increase the requirement for percentage of trees that may be deciduous from 70% to a new allowance of 85%</li> </ul> <p>4) Parking lot canopy buffers: See track changes. While there are many updates to specific details, the main intended outcome is unchanged – a minimum of 50% of canopy shading within 10 years of planting. Many of the specific new standards to achieve this outcome come from City of Renton code.</p> <p>5) New parking lot perimeter buffer type was added</p> <p>6) Added a “Buffer Alteration” section describing the Planning Director’s ability to allow modifications from landscaping standards in certain situations.</p>
<p>19.29.110 Protection of significant trees and existing native vegetation</p>	<p>This is a new section – added based on Gig Harbor’s landscaping code.</p>
<p>19.29.120 Installation Standards</p>	<p>No changes from current code</p>
<p>19.29.130 Maintenance Requirements</p>	<p>Significantly updated to be more specific about what “maintenance” involves, largely based on Gig Harbor’s code</p>

If you have question about these changes, please contact Leticia Wallgren or Evan Lewis in the Planning Department.

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Chapter 19.29  
LANDSCAPING (DRAFT)

Sections:

- 19.29.010 Purpose and Intent.
- 19.29.020 Definitions.
- 19.29.030 Application of chapter.
- 19.29.040 Exemptions.
- 19.29.050 Objectives.
- 19.29.060 Overlapping requirements.
- 19.29.070 Landscaping plan and submittal.
- 19.29.080 General landscape requirements.
- 19.29.090 Areas required to be landscaped.
- 19.29.100 Description of required landscaping types.
- 19.29.110 Protection of significant trees and existing native vegetation.
- 19.29.120 Installation standards.
- 19.29.130 Maintenance requirements.

**19.29.010 Purpose and Intent.**

The purpose of these landscaping requirements is to establish consistent and comprehensive provisions to:

1. Preserve and enhance the landscape character of the City;
2. Improve the aesthetic quality of the built environment of the City;
3. Minimize erosion and reduce the impacts of development on natural areas within the City and on storm drainage systems and water resources in particular;
4. Protect existing street trees;
5. Provide shade, reduce noise and glare, and establish a healthier environment;
6. Provide transitions between various land uses;
7. Improve and soften the appearance of parking areas;
8. Ensure plant establishment and survival;
9. Increase privacy and protection from visual or physical intrusion;
10. Maintain and protect property values, and generally enhance the overall image and appearance of the City and quality of life for its citizens; and
11. Avoid untimely and haphazard removal or destruction of significant trees and vegetation while preserving important landscape characteristics.

It is not the intent of these requirements to impose rigid and inflexible design standards, but rather to set minimum standards. It is expected that accepted horticultural practices and landscape architectural principles will be applied by design professionals.

**19.29.020 Definitions.**

Unless noted otherwise in this chapter, the words or phrases defined in this section shall have the indicated meanings as follows:

- (1) "Congruous," for the purpose of determining buffer requirements, means:
- a) Two adjacent parcels in the same zone or like zones (e.g. adjacent zones that are primarily industrial, commercial, or residential); or
  - b) A proposed use adjacent to a zone where that use is also permitted.

**Commented [EL1]:**

**Changes from Current Code:**

1. New purpose and intent statement which still conveys our current purpose and intent, but with more specificity and clarity
2. Adds a statement about the flexibility of our Landscaping requirements

**Commented [EL2]:**

**Changes from Current Code:**

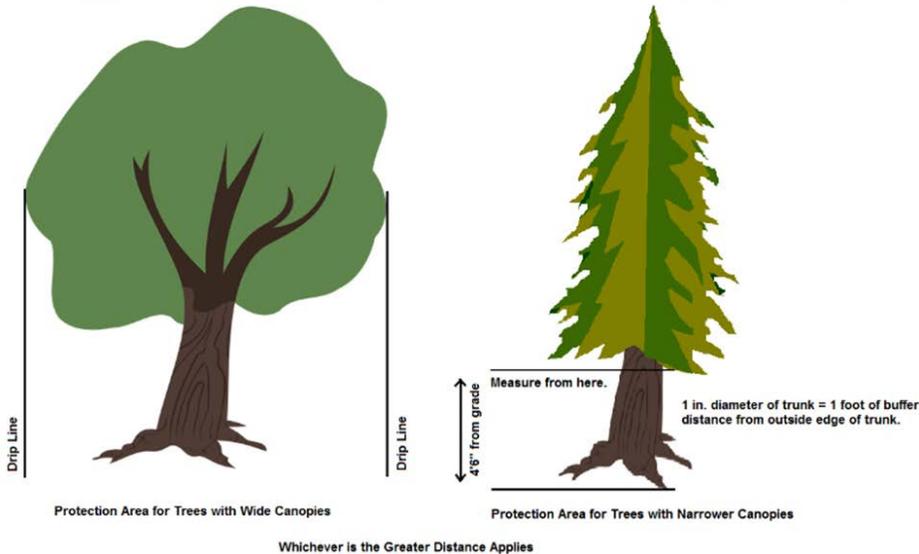
1. Added definition for "Congruous" and "adjacent"
2. Removed "barrier buffer" definition – since it's defined more specifically later
3. Changed "caliper" to DBH since that's the more common name
4. Updated "drip line boundary" definition to be more situation-specific
5. Removed "façade buffer" definition – since it's defined more specifically later
6. Significantly updated "significant tree" definition (see below for comparison)
7. Added "parking lot" definition
8. Removed "façade buffer" definition – since it's defined more specifically later
9. Added 2 drawings as examples

- (2). "Adjacent" means two properties that abut or are across an alley from one another.
- (3). "Diameter at breast height" (DBH) means the diameter of a tree trunk measured at four and one-half feet above grade.
- (4). "Drip line boundary" is measured in two ways, depending on the growth habit of the tree. The drip line that applies is whichever of the following results in a greater distance.

For Wide Canopies: The drip line is measured as a line extending from the extreme reach of a tree's branches down to the ground.

For Narrow Canopies: The drip line is a buffer distance extending in a circle measuring one foot in distance from the trunk for every one inch in diameter of DBH.

Significant Vegetation = healthy trees with a trunk diameter of at least six inches (6") as measured 54 inches (4'6") above the existing grade.



- (5). "Height of tree" means the distance from growth stem at treetop to top of root ball.
- (6). "Landscaping" means the placement, preservation, and/or replacement of trees, shrubs, plants, and other living vegetative materials installed to meet the provisions of this chapter. Bark, mulch and ornamental rock are not considered to be substitutes for living landscape plants or ground cover.
- (7). "Landscaping area" means any portion of a site not used for building, parking, driveway or accessory storage area. A landscape area may include patios, plazas, walkways, walls and fences, fountains or pools, and planting areas. Ponds, streams, natural areas, or areas for the detention of stormwater runoff are not considered part of the landscaped area of a site unless they are integrated with required landscaping as a water feature.

(8). "Maintenance" means the continual maintenance of planting areas and landscape plants in a healthy, living condition; the replacement of dead, diseased, or damaged plant material; and the repair of irrigation systems.

(9). "Parking Lot" means an area devoted to vehicular parking for three or more dwelling units or any commercial or industrial building."

(10). "Significant Trees" means native trees having a DBH of at least twelve inches. A tree growing with multiple stems shall be considered significant if at least one of the stems, measured at a point six inches from the point where the stems digress from the main trunk, is at least four inches in diameter. Alders (alnus rubra), Cottonwood (Populus aigeiros), and trees in the Poplar species shall not be considered a significant tree. A dead tree or a tree that has been identified by a qualified arborist as substantially diseased or damaged shall not be considered a significant tree.

(11). "Stand" means a homogenous grouping of tree species or a group of trees that contains a large proportion of the same species.

#### 19.29.030 Application of chapter.

(1) The standards required by this chapter shall apply in any of the following cases, unless otherwise noted in this chapter:

- a) All uses of land which are subject to site plan review, or a shoreline permit;
- b) All final plats or short plats;
- c) All new buildings subject to building permit review;
- d) Additions to existing buildings that increase the gross square footage of the building by greater than one third;
- e) Conversion of vacant land (e.g., to parking or storage lots);
- f) Conversion of a residential use to a non-residential use;
- g) Manufactured home parks and subdivisions, and recreational vehicle parks;
- h) New streets and street rehabilitation projects;
- i) A change of occupancy of commercial and/or manufacturing use property as defined by the International Building Code, and/or improvement which exceeds 30 percent of the appraised value of the existing structure(s) within any 12-month period.

**Commented [EL3]:** This section was broadened to be applicable to more activities, but then several activities are exempted in the "exemptions" section

#### 19.29.040 Exemptions.

(1) The following uses are exempt from all but the maintenance and street tree requirements of this chapter:

- a) Single family residential building permits, when not a part of a new subdivision;
- b) Duplex residential building permits, when not part of another permit process;
- c) Those yards in residential subdivisions not abutting a public street or private street, or shared driveway;
- d) Non-perimeter portions of vehicle sales display areas;
- e) Non-perimeter portions of storage lots; and
- f) Those alterations or small additions determined by the Planning Director not to warrant improvements to the entire site.

**Commented [EL4]:** New section

#### 19.29.050 Objectives.

**Commented [EL5]:** Removed reference to "commercial zones" since this code could apply to more zones. Otherwise no significant changes.

- (1) Provide building facade buffers to produce a softening effect to new buildings or developments as well as encourage landscaping by current merchants.
- (2) Provide sight and noise barrier buffers between incongruous land uses, e.g., between residential and commercial uses.
- (3) Provide and maintain natural riparian corridors along streams, wetlands and drainage areas.
- (4) Provide visual screening around dumpster areas and utility boxes.
- (5) Ensure that the following landscaping maintenance done by the city of Buckley is minimized:
  - (a) Cleaning of drains from leaves and other yard waste clutter.
  - (b) Pruning required allowing emergency vehicles easy access along streets.
  - (c) Pruning required maintaining sight triangles at intersections.

#### 19.29.060 Overlapping Requirements.

In the event of a conflict between the standards for individual uses and other requirements of this chapter, the more stringent shall apply. Determination of the appropriate standards shall be made by the Planning Director. In the event of a conflict between the standards for individual uses and other general requirements of this chapter with the requirements of Shoreline Master Program (SMP), the requirements of the SMP shall apply. Landscaping regulations shall not be construed as conflicting with SMP regulations where they supplement SMP standards rather than replace them. For example, if zoning code imposes a wider landscape buffer than the SMP buffer, the wider zoning code buffer shall apply. However, if the SMP requires specific vegetation within the buffer, then SMP requirements shall apply.

#### 19.29.070 Landscaping plan and submittal.

##### (1) Submittal Requirements.

- a) Preliminary Plans. The conceptual preliminary landscaping plan, drawn to scale, shall be submitted with the development application for all projects specified in BMC 19.29.030, Application of chapter. The preliminary plan shall indicate existing and proposed plant material. The preliminary landscaping plan shall be submitted in a digital format. The Planning Director may request hard copies; the number of copies shall be prescribed by the planning department.
- b) Final Plans. The final landscape plan drawn to scale shall be submitted with the building permit application and site plan for any project referenced under BMC 19.29.030, Application of chapter. No clearing, grading or building permit will be issued before the submittal of this final plan. The final landscaping plan should encourage a low maintenance, quality design. Design with drought-resistant plants and minimal grass area is encouraged to promote water conservation. Design shall include utilization of native vegetation.

##### The final plan submission must include:

- i. Location. Provide legal description of site or parcel as well as name and address of owner and/or developer when different from the owner.
- ii. Planting Schedule. The planting schedule shall indicate common names, quantities, sizes at planting, and spacing for all plants. The final site plan will show individual trees and shrubs. Ground cover may be expressed as on-center (o.c.) placement.
- iii. Cost Estimate. If a performance assurance is proposed as an alternative, the applicant must submit a current estimate of the cost to install the required landscaping. The Planning Director may approve the submitted cost estimate or require that written bids be obtained.

Commented [EL6]: New Section

Commented [EL7]: This paragraph was moved up from the current "Design Standards" chapter in Landscaping Code

Commented [EL8]: The remainder of this section is unchanged from current code

- iv. **Elevation Drawing.** An elevation and/or cross-section drawing is required for steep slopes that exceed five feet in height and are steeper than one unit vertical in one and one-half units horizontal (1:1.5). The scale should be appropriate to show structures and plantings at time of installation.
  - v. **Grading Details.** If land contours are to be altered, existing and proposed grading contours with spot elevations shall be drawn to scale on the preliminary and final site or landscape plan. All landscaped mounds, ditches, and gullies are to be shown.
  - vi. **Existing Tree Survey.** Applicants shall submit a tree survey indicating the name, caliper, and location of any existing tree greater than six inches in caliper at four and one-half feet above grade. The boundaries and species of any stands of trees shall be detailed. The plan shall note which trees shall be retained, using the drip line boundary delineation to locate retained trees on the grading plan. An effort shall be made to preserve existing trees, especially conifers, on site and incorporate them into overall design.
- c) **Revisions.** A revised landscaping plan may be approved by the Planning Director in the event there are significant physical elements which are discovered during or after plan review which may prevent installation of the required landscaping. Revisions to the approved landscaping plan may be required if the installed landscaping has failed to perform as intended during the maintenance warranty period.

(2) **Performance Assurance.** Before the issuance of a certificate of occupancy for any project is issued, the approved landscaping must be installed, unless the developer provides a performance security to guarantee the installation of the landscaping. The amount of the security will be based on 150 percent of the projected cost to install the approved landscaping.

#### **19.29.080 General Provisions.**

- 1) **Compliance:** The landscaping standards are minimums; higher standards can be substituted as authorized by permit review criteria so long as fencing and vegetation do not exceed applicable height limits. The Planning Director may also increase, reduce or otherwise modify landscaping standards to the extent reasonably necessary for public safety, including traffic safety and crime prevention. In circumstances where the Planning Director reduces landscaping requirements due to public safety, the Planning Director may require enhanced landscaping in other parts of the project site to mitigate for the lost landscaping.
- 2) **Flexibility.** This chapter does not intend to stifle creative problem solving but is rather a guideline for landscape requirements. Where strict interpretation of requirements is impractical, variances or administrative variances, as applicable, may be approved by the designated official as authorized by Chapter 19.40 BMC and Title 20. Variances are not required where the Planning Director is given direct authority to waive a landscaping standard, such as in BMC 19.29.100(8).
- 3) **Minimum Landscaped Areas:** For all projects to which this landscaping code is applicable, in no case shall the total amount of landscaping be less than 10 percent of the total site area.
- 4) **Protection of Street Trees:** It shall be unlawful for any person without prior written approval of the City to remove, destroy, cut, break, or injure any street tree that is planted or growing in or upon any right-of-way.
- 5) **Retention of Existing Landscaping and Existing Trees Encouraged:** Where possible, existing native trees and shrubs, rock outcroppings, and mature ornamental landscaping shall be preserved and incorporated in the landscape layout and can be counted towards required landscaping. Development or redevelopment of properties shall retain existing trees when possible and minimize the impact of tree loss during development. Landscape plans are

**Commented [EL9]:** New section added – not in current Landscaping code

subject to requirements specified in this chapter to protect significant trees and vegetation with habitat value.

- 6) **Calculation of Required Plantings:** Some required landscaping areas require a minimum amount of plantings per square feet of area. If the calculation of the number of plantings results in a fraction of 0.5 or greater, the applicant shall round up to the next whole number. If the calculation of the number of plantings results in a fraction of less than 0.5, the applicant shall round down to the next whole number.
- 7) **Avoidance of Hazards:** All landscaping shall be planned in consideration of public health, safety, and welfare.
  - a. Landscaping shall not intrude within the clear vision areas at driveways and street intersections;
  - b. Trees planted near overhead power lines shall be species that will comply with utility purveyor clearance requirements;
  - c. Landscaping shall not obscure fire hydrants or access for emergency response vehicles;
  - d. Crime prevention and safety should be considered in landscape design;
  - e. Landscaping in a parking lot shall not conflict with the safety of those using a parking lot, abutting sidewalks, or with traffic safety.
- 8) **Vegetation Preference:** Vegetation within required setbacks or screening areas shall be retained or planted in this order of preference: (a) native coniferous trees; (b) native deciduous trees; (c) other native vegetation. Vegetated low impact development stormwater facilities may be incorporated as part of landscaped setbacks or screening requirement.
- 9) **Plant Compatibility.** All new plantings must be of a type which will thrive amid existing vegetation without killing or overtaking it. Incompatible plants which require different planting environments or microclimates shall not be mixed. Haphazard mixture of textures, colors and plant types should be avoided. Invasive, nuisance plants on the noxious weed list (state and Pierce County) are prohibited.
- 10) **Irrigation.** Planting areas with nursery stock or transplanted vegetation shall include an automatic mechanical irrigation system designed for full coverage of the planting area. Exceptions may be granted for native planting plans that provide temporary irrigation for at least three growing seasons.
- 11) **Preservation of Significant Views.** Applicants are encouraged to consider and preserve views and vistas from public rights-of-way when determining placement of vegetation. While it is not the intent to avoid all trees in the foreground of a view, consideration should be given to the expected height of tree and how they might be located to “frame” the view. Notwithstanding any other provision of this chapter, trees and shrubs planted pursuant to the provisions of this chapter should be types and ultimate sizes at maturity that will not impair scenic vistas.

#### 19.29.090 Area and Situation-Specific Landscaping Requirements

- 1) **Right-of-way strips:** Between the property line and the edge of the curb or street paving, street trees, in compliance with BMC 19.29.100, shall be planted along arterial and collector streets. These street tree requirements pertain to new commercial and manufacturing buildings or change of occupancy, as defined by the International Building Code, within the following zones: CC, GC, HC, HDR, LI, and NMU; to new multifamily structures containing more than two units; and to improvements which exceed 30 percent of the appraised value of the existing structure(s) within any 12-month period.
- 2) **Perimeter Landscaping Buffers**
  - a) Perimeter landscaping buffers are defined in BMC 19.29.100, and include:

#### Commented [EL10]:

##### Significant Update from Current Code:

In our current landscaping code, there's a design standard section that does 3 things:

1. Defines the buffer requirements (which is also redundant with the definitions section as it's worded in our current code)
2. States who each buffer applies to (which is redundant with the application and objectives chapters as they're worded in our current code)
3. States where each buffer applies by referencing specific zones

Our code was updated so that the *what*, *who*, and *where* aspects of landscaping requirements, particularly for visual relief and barrier buffers, are described in 2 different sections (this section and the subsequent section) which helps to 1) fix redundancies, 2) make code easier to interpret, and 3) make future landscaping code changes easier.

**Barrier Buffers:** Required along the common side and rear property lines of properties where the proposed use is abutting an incongruous zone.

**Visual relief buffers:** Required along the common side and rear property lines of properties where visual relief buffers are required.

- b) Perimeter buffer requirements are based on the congruity of zones and uses. Congruous zones include:
  - i. Light industrial (LI) adjacent to other LI zones
  - ii. General commercial (GC) and Central Commercial (CC) adjacent each other
  - iii. High Density Residential (HDR), R-6000, R-8000 or R-20,000 adjacent to each other
- c) Perimeter buffers shall be required as detailed in **Table 1** below.

**Table 1: Guide for Applying Perimeter Buffer Requirements**

	Adjacent Property is zoned LI	Adjacent Property is zoned GC or CC	Adjacent Property is zoned NMU, HC, or P	Adjacent Property is zoned HDR, R-6000, R-8000, or R-20,000
<b>Proposed Use in an LI Zone</b>	No buffer	Barrier buffer or no buffer <sup>1</sup>	Barrier buffer or no buffer <sup>1</sup>	Barrier buffer <sup>2</sup>
<b>Proposed Use in an GC or CC Zone</b>	Barrier buffer or no buffer <sup>1</sup>	No buffer	Barrier buffer or no buffer <sup>1</sup>	Barrier buffer <sup>2</sup>
<b>Proposed Use in an NMU, HC, P Zone</b>	Barrier buffer or no buffer <sup>1</sup>			
<b>Proposed Use in HDR, R6000, R8000, or R20000 Zone</b>	Barrier buffer <sup>2</sup>	Barrier buffer <sup>2</sup>	Barrier buffer <sup>2</sup>	No buffer

**Commented [EL11]:** This is a new table, added to make perimeter buffer requirements easier to interpret in the future. This is an idea inspired by Bonney Lake and Enumclaw

Table 1 Exceptions:

- i. When an existing non-conforming use is located on a parcel adjacent to a proposed use, and when that non-conforming use is incongruous with the proposed use, a barrier buffer shall be required along the common property line of the non-conforming use. A visual relief buffer may be considered as an alternative, if approved by the Planning Director, when the non-conforming use is not a residential use.
- ii. Visual relief buffers may be an acceptable alternative to barrier buffers, if approved by the Planning Director, when an adjacent incongruous use is not permitted outright but may be permitted as a conditional use.
- iii. When the proposed use is a residential use, perimeter buffers are not required.

- 3) **Building facades:** Façade buffers, as defined in BMC 19.29.100, shall be required for new commercial and manufacturing buildings or uses within the CC, GC, HC, HDR, LI and NMU zones; to new multifamily buildings containing more than two units; and to existing commercial, manufacturing or multifamily residential improvements which exceed 30 percent of the appraised value of the structure(s).

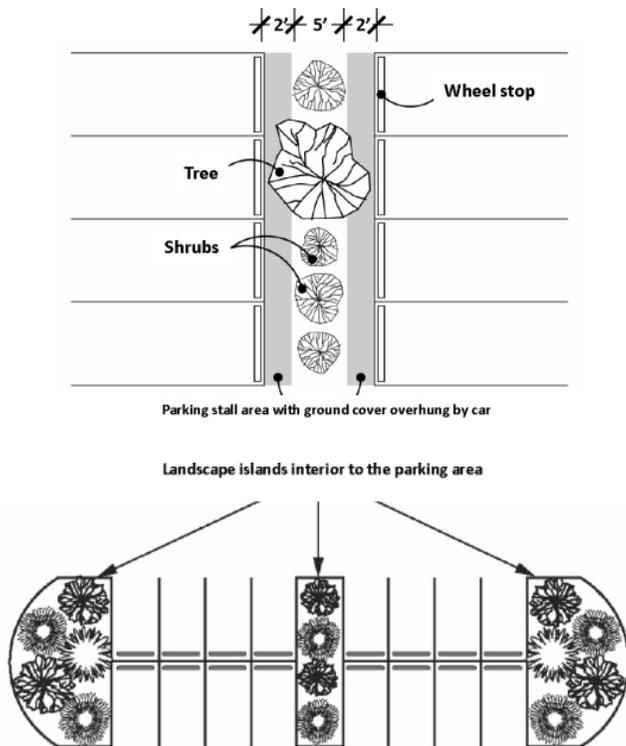
<sup>1</sup> Depends on use congruous. See definition of "congruous."

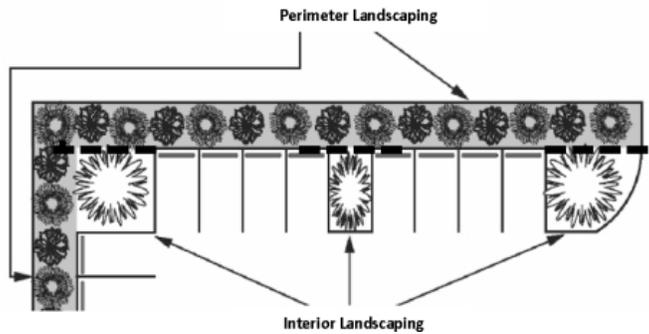
<sup>2</sup> Except when proposed use is permitted outright in both zones.

- 4) **Parking Lots:** Vehicle parking lots shall meet minimum landscape standards in this Section.
- a. **Perimeter Landscaping:** All parking lots shall meet parking lot perimeter buffer requirements as described in BMC 19.29.100.
  - b. **Minimum Amounts of Interior Parking Lot Landscaping:** Surface parking lots with fifteen (15) or more stalls shall be landscaped with at least 20 square feet per parking space of Parking Lot Canopy Buffer plantings and trees as identified in BMC 19.29.100.
  - c. **Shading:** Parking lots shall be designed to provide a minimum of 50 percent canopy shading within 10 years of planting. All required landscaping area widths shall be measured from back of curb to back of curb.
  - d. **Perimeter vs. Interior Landscaping:** Perimeter landscaping may not substitute for interior landscaping.
  - e. **Optional layouts:** The following graphics are optional yet recommended layouts for meeting interior and perimeter landscaping requirements.

**Commented [EL12]:** Parking lot perimeter buffers are a new requirement

**Parking Lot Landscaping Examples:**





### 19.29.100 Description of required landscaping types.

The following are descriptions of individual landscaping types and buffers described in BMC 19.29.090.

- (1) **Street Trees:** Such landscaping shall include a mixture of trees, shrubs, and groundcover as approved by the Planning Department.
  - a. Street trees shall be planted by the land owner or developer according to city Public Works Standards.
  - b. Where tree branches might interfere with pedestrians or vehicles in the right-of-way, trees should have a clear trunk area of seven feet above the ground for pedestrian paths, eight feet above bicycle lanes, 15 feet above arterial streets, and 14 feet above all other streets.
  - c. Spacing of street trees shall be a minimum of 40 feet apart on arterial streets and up to 30 feet on collector and local streets.
  - d. In the Historic Commercial zone, a combination of potted street trees, lamp posts, planter boxes, hanging baskets or other landscaping or street furniture may be substituted for street trees upon approval by the decision maker as recommended by the Planning Director and/or City Engineer.
  - e. Property owners on local access streets are encouraged to plant street trees in accordance with Public Works Standards and recommended species type as adopted by resolution.
  - f. Property owners are encouraged to plant or retain vegetation other than trees within the right-of-way strip between the property line and the edge of the curb or street paving. This shall include vegetation used within low impact development facilities and shall not obscure visibility.
- (2) **Barrier Buffer:** These buffers should create a sight-obscuring barrier, as follows:
  - a. Use either 20 feet of landscaping, or 10 feet of landscaping plus fencing that shall be, at minimum, six feet (6') high at planting and one hundred percent (100%) sight-obscuring within three years.
  - b. Specifically when the barrier buffer is required adjacent to a residential zone, a permanent, fully sight-obscuring fence shall be required.
  - c. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaping area within two years after planting.
- (3) **Visual Relief Buffer:** Such landscaping or landscape plus fencing shall be, at minimum, six feet (6') high at time of planting. Partially sight obscuring buffers provide a transparent buffer to soften

**Commented [EL13]:** Substantive changes from current code:  
1) Remove a requirement that only wooden fences be used  
2) Add a requirement that fully sight-obscuring fences be used when a barrier buffer is required adjacent to a residential zone

**Commented [EL14]:** Substantive changes from current code:  
1. Removes 5-10 ft buffer width requirement; adds height requirement

the appearance of parking lots. The buffer shall be constructed around the site perimeter as follows:

- a. 85 percent of trees may be deciduous. One tree shall be provided for each 30 linear feet of landscaped area. The trees may be spaced irregularly or clustered.
- b. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaped area within two years after planting.
- c. Vegetation used within low impact development facilities shall be considered as part of these landscaping requirements as approved by the Public Works Director.
- d. Buffer shall be at least fifty percent (50%) sight-obscuring.

- (4) **Facade Buffer.** Blank walls shall include a narrow planting area, where feasible, with shrubs or vines (espaliers) giving coverage to the wall.

Facade buffers should accent the character of the building. Street trees, window boxes, planters and hanging pots within the public right-of-way are acceptable, subject to approval by the Planning Director or City Engineer. These items should not create a hazard by inhibiting pedestrian movement in the right-of-way and shall comply with required sight distances at intersections. The planting material should soften the transition between the pavement and the building. Blank building walls should be softened by landscaping. Plantings arranged formally or informally. Vegetation used within low impact development facilities shall be considered as part of these landscaping requirements as approved by the Public Works Director.

Within the historical commercial zone, potted street trees, planter boxes and street furniture within the public right-of-way may be substituted for the above facade landscaping upon approval by the design review committee or decision maker and recommended for approval by the city Planning Director or City Engineer.

- (5) **Parking Lot Canopy Buffer:** Parking lots shall be designed to provide a minimum of 50 percent canopy shading within 10 years of planting. Any interior parking lot landscaping area shall be sized to dimensions of at least eight feet (8') by twelve feet (12'). Landscaping shall be dispersed throughout the parking area and shall include a mixture of trees, shrubs, and groundcover as follows:

- a. Trees shall be two inches (2") in DBH for multi-family, commercial, and industrial uses. At least one tree for every six (7) parking spaces within the lot interior shall be planted. At least 30 percent of the required trees shall be evergreen.
- b. Shrubs at the minimum rate of one per twenty (20) square feet of landscaped area shall be planted. Up to fifty percent (50%) of shrubs may be deciduous.
- c. Ground cover shall be planted in sufficient quantities to provide at least ninety percent (90%) coverage of the landscaped area within three (3) years of installation.
- d. There shall be no more than fifty feet (50') between parking stalls and an interior parking lot landscape area.
- e. Landscaped islands the same dimensions and alignment as the parking spaces shall be installed at the ends of each row of parking spaces and separating every 12 spaces within rows of parking spaces. Each landscaped island shall have at least one tree, and at least 15 percent of the trees shall be evergreens. The number of required parking spaces may be reduced by one space for each landscaped island provided.
- f. Planting strips and landscaped islands within parking lots shall be protected from vehicular access by a curb or landscaping timber border.

- (6) **Parking Lot Perimeter Buffer:** Such landscaping shall be at least ten feet (10') in width as measured from the street right-of-way. Standards for planting shall be as follows:

**Commented [EL15]:**

The following was changed from current code for this standard:

1. 85 changed from 70%
2. The following lead-in language was deleted; so the width requirement for visual relief buffers was removed:

**Commented [EL16]:** This sub-section is new – not in current code

- a. Trees shall be two-inch (2") caliper for multi-family, commercial, and industrial uses at an average minimum rate of one tree per thirty (30) lineal feet of street frontage. Trees shall be one-and-one-half-inch (1.5") caliper for low impact development stormwater management facilities associated with any land use.
- b. Shrubs at the minimum rate of one per twenty (20) square feet of landscaped area. Up to fifty percent (50%) of shrubs may be deciduous.
- c. Ground cover in sufficient quantities to provide at least ninety percent (90%) coverage of the landscaped area within three (3) years of installation.

(7) **Riparian Zone Buffer.** This design pertains to all parcels and sites within the City of Buckley. Unless replaced as part of development mitigation, original vegetation along streams, wetlands, water sources and drainage channels must be maintained in order to continue natural erosion control and ground water recharge. Permits and procedures established in the city wetlands and critical areas ordinance must be followed in these areas.

- (8) **Buffer Alteration.** The Planning Director has the ability to allow modifications or deviations from landscaping buffer standards, without the need for a variance, when all of the following conditions exist:
- a) Another engineering solution is possible
  - b) There is little visual impact to external properties.
  - c) The applicant can demonstrate the end product will result in a higher quality or a demonstrably more desirable outcome.

**Commented [EL17]:** This sub-section is new – not in current code

#### **19.29.110 Protection of significant trees and existing native vegetation.**

**Commented [EL18]:** New Section

- (1) Areas of native vegetation which are designated as landscape or buffer areas, or which are otherwise retained under the provisions of the Buckley Design Guidelines, shall be subject to a 10' setback from any native tree larger than 6 inches DBH. Clearing, grading or contour alteration is not permitted within this no-construction area unless a qualified arborist provides written documentation that proposed construction activity within the 10-foot setback will not harm existing vegetation within the designated landscape or buffer area.
- (2) Encroachment into Drip Line. No construction activities shall take place within the drip line of a tree to be retained without extra precautions as recommended by a qualified arborist. The applicant may install impermeable or compactible surface within the area defined by the drip line if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees.
- (3) Grading. If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree beyond a no-construction zone or as approved by a qualified arborist.
- (4) Tree Protection Barricade. All significant trees to be retained must be protected during construction by installation of a protective barricade. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation with heavy equipment begins. The barricade must be made of cylindrical steel posts or four-inch by four-inch wood posts with chain link fence attached. Fence posts shall be eight feet on center connected with two-inch by four-inch top rails or equivalent support system. Fence height must be a minimum of four feet high.

#### **19.29.120 Installation standards.**

**Commented [EL19]:** No changes from current code to this section

- (1) Soil Preparation. Before any plant material is installed, all soil shall be prepared to be conducive to the healthy growth of the new plants. The fill is to be rich in organic material; clay soils are not acceptable. All construction materials (concrete residue, rocks, etc.) shall be removed from the

landscaping area prior to landscaping. The new topsoil should provide an adequate transition from new topsoil to original native soil and include compost to assist in proper soil composition.

(2) Irrigation. Automated or manual irrigation must be supplied as needed for the first two years to guarantee the survival of the new plants. Irrigation-free landscape schemes and drought-resistant trees and ground cover are encouraged.

(3) Installation. All plans shall indicate the method of planting and tree staking. For trees, soil preparation shall be at least 12 inches deep, or as deep as the root ball, and planting pits shall be three times the diameter of the root ball to be planted. When trees are staked, the staking procedure should not damage the bark, limbs or ball. All stakes and attachments shall be removed by the landscape contractor or property owner by the end of the second growing season. Root barriers shall be provided for all trees and shrubs planted adjacent to planting strips, islands, streets and/or sidewalks.

(4) Minimum Plant Sizes at Installation.

- (a) One and one-half-inch minimum caliper for street trees and other deciduous trees.
- (b) Six-foot minimum height for evergreen trees.
- (c) Twelve-inch minimum height for small shrubs.
- (d) Eighteen-inch minimum height for medium and tall shrubs.

(5) Maximum Spacing for Shrubs and Ornamental Grasses.

- (a) Small shrubs: three feet on center.
- (b) Medium shrubs: four feet on center.

(6) Ground Cover. All planting bed areas shall provide 75 percent coverage within two years and 50 percent at the time of planting. Spacing is as follows:

- (a) One-gallon containers, 18 inches on-center (o.c.).
- (b) Four-inch pots, 15 inches o.c.
- (c) Two-and-one-quarter-inch pots, 12 inches o.c.
- (d) Grass sod areas to be 100 percent coverage.

(7) Mulching. All planting areas shall be mulched with a uniform two-inch layer of shredded bark mulch. Trees are not to be ringed with mulch. Mulch does not satisfy the requirement for ground cover; it is only used as a weed deterrent. Over-mulching, more than four inches deep, may cause plant health problems.

(8) Quality. Plant materials used shall be equivalent to available nursery-grown stock. All plants shall be compatible with the character and climate of the Pacific Northwest. In some cases exotics may be the preferred plant type depending on wind and moisture exposure. Street trees shall be of a variety suitable for the growing space above and below the ground, with special consideration given to utilities, sidewalks and proximity to the street and buildings.

(9) Grading. Graded slopes in landscaped areas should not exceed a two to one (2:1) slope. All graded landscaping areas should be planted as soon as possible after the disturbance. If landscaped areas are bonded and to be planted at a later date, graded areas shall be temporarily stabilized with erosion control devices.

(10) Sight Obstructions. No landscaping shall impair vision at a corner lot or driveway entrance/exit. (see BMC 19.22.040). In these areas, all landscaping shall be planted and maintained at a height no greater than two and one-half feet above street grade. Tree trunks must be kept clear of branches below 10 feet above street grade.

(a) Corner Lot. A sight distance triangle shall be created when two or more public rights-of-way intersect. Two sides of the triangle should extend no less than 30 feet from the intersection point. The hypotenuse of the triangle is the connection points opposite the intersection point.

(b) Driveways. Private driveways entering a city street shall have a triangular sight area 10 feet perpendicular to the street right-of-way and 30 feet along the street right-of-way on each side of the driveway.

**19.29.130 Maintenance requirements.**

- (1) Whenever landscaping is required under the provisions of this chapter, shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition. Planting beds shall not be located over impermeable surfaces. Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained reasonably free of noxious weeds and trash.
- (2) Similarly, if necessary, the trees or shrubs shall receive pruning or removal to avoid the creation of a safety hazard or nuisance through excessive shading, overhanging adjacent properties or to preserve a view.
- (3) Areas of natural vegetation shall be retained over time to maintain the health and fullness of natural vegetation and buffer areas.

**Commented [EL20]:** Significantly updated from current code – with specificity added based largely on Gig Harbor landscaping code

Chapter 19.29  
LANDSCAPING (DRAFT)

Sections:

19.29.010 ~~\_\_\_\_\_~~ Purpose and Intent.

19.29.020 ~~\_\_\_\_\_~~ Definitions.

19.29.030 ~~\_\_\_\_\_~~ Application of chapter.

19.29.040 ~~\_\_\_\_\_~~ Exemptions.

19.29.050 ~~\_\_\_\_\_~~ Objectives.

19.29.050 ~~\_\_\_\_\_~~ 060 ~~\_\_\_\_\_~~ Overlapping requirements.

19.29.070 ~~\_\_\_\_\_~~ Landscaping plan and submittal.

19.29.060 ~~\_\_\_\_\_~~ ~~Design standards~~ 080 ~~\_\_\_\_\_~~ General landscape requirements.

19.29.070 ~~\_\_\_\_\_~~ 090 ~~\_\_\_\_\_~~ Areas required to be landscaped.

19.29.100 ~~\_\_\_\_\_~~ Description of required landscaping types.

19.29.110 ~~\_\_\_\_\_~~ Protection of significant trees and existing native vegetation.

19.29.120 ~~\_\_\_\_\_~~ Installation standards.

19.29.080 ~~\_\_\_\_\_~~ 130 ~~\_\_\_\_\_~~ Maintenance requirements.

**19.29.010 Purpose and Intent.**

~~This chapter is intended~~ The purpose of these landscaping requirements is to establish consistent and comprehensive landscaping provisions. ~~This chapter provides minimum landscape requirements which will:~~ to:

- ~~1. Enhance~~ Preserve and enhance the ~~community's aesthetic landscape~~ character and appeal ~~of the City;~~
- ~~2. Establish~~ Improve the aesthetic quality of the built environment of the City;
- ~~3. Minimize erosion and reduce the impacts of development on natural areas within the City and on storm drainage systems and water resources in particular;~~
- ~~4. Protect existing street trees;~~
- ~~2-5. Provide shade, reduce noise and glare, and establish~~ a healthier environment ~~by using plants and trees to mitigate the ill effects of pollution;~~

~~(1) Ensure quality development standards;~~

~~6. Encourage citizens, owners of business~~ Provide transitions between various land uses;

~~3-7. Improve~~ and industrial developments to participate in rejuvenating ~~soften~~ the city's appearance; of parking areas;

~~(2) Buffer impacts of commercial, light industrial and multifamily residential uses to adjacent single-family~~

~~residential uses. (Ord. 22-08-§ 1 (Exh. A), 2008).~~

- ~~8. Ensure plant establishment and survival;~~
- ~~9. Increase privacy and protection from visual or physical intrusion;~~
- ~~10. Maintain and protect property values, and generally enhance the overall image and appearance of the City and quality of life for its citizens; and~~
- ~~11. Avoid untimely and haphazard removal or destruction of significant trees and vegetation while preserving important landscape characteristics.~~

~~It is not the intent of these requirements to impose rigid and inflexible design standards, but rather to set minimum standards. It is expected that accepted horticultural practices and landscape architectural principles will be applied by design professionals.~~

### **19.29.020- Definitions.**

Unless noted otherwise in this chapter, the words or phrases defined in this section shall have the indicated meanings as follows:

~~(1) "Barrier buffer" means a space, either landscaped or in a protected state, intended to reduce the impact of development, traffic, and undesirable sights, sounds, and odors.~~

~~“Caliper”~~

~~(1) “Congruous,” for the purpose of determining buffer requirements, means:~~

- ~~a) Two adjacent parcels in the same zone or like zones (e.g. adjacent zones that are primarily industrial, commercial, or residential); or~~
- ~~b) A proposed use adjacent to a zone where that use is also permitted.~~

~~(2). “Adjacent” means two properties that abut or are across an alley from one another.~~

~~(3). “Diameter at breast height” (DBH) means the diameter of a tree trunk measured at four and one-half feet above grade.~~

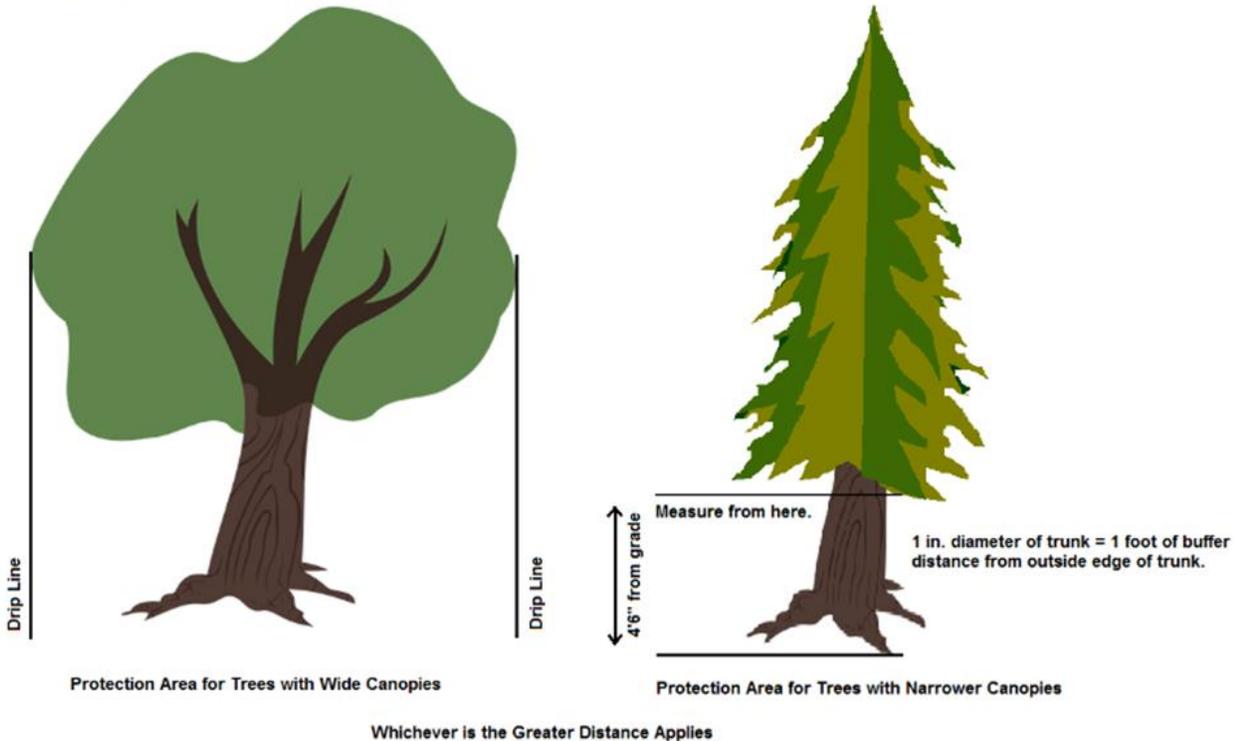
~~(4). “Drip line boundary” meansthecirclethatcanbedrawnis measured in two ways, depending on the ground belowatree directlyunderits-outermost branch tips.growth habit of the tree. The drip line that applies is whichever of the following results in a greater distance.~~

~~(2)“Facade buffer” means a space around storefronts intended to create a softening effect by reducing the amount of visual, straight-line architecture.~~

~~For Wide Canopies: The drip line is measured as a line extending from the extreme reach of a tree’s branches down to the ground.~~

For Narrow Canopies: The drip line is a buffer distance extending in a circle measuring one foot in distance from the trunk for every one inch in diameter of DBH.

Significant Vegetation = healthy trees with a trunk diameter of at least six inches (6") as measured 54 inches (4'6") above the existing grade.



(5). "Height of tree" means the distance from growth stem at ~~tree to~~tree top to top of root ball.

(6). "Landscaping" means the placement, preservation, and/or replacement of trees, shrubs, plants, and other living vegetative materials installed to meet the provisions of this chapter. Bark, mulch and ornamental rock are not considered to be substitutes for living landscape plants or ground cover.

(7). "Landscaping area" means any portion of a site not used for building, parking, driveway or accessory storage area. A landscape area may include patios, plazas, walkways, walls and fences, fountains or pools, and planting areas. Ponds, streams, natural areas, or areas for the detention of stormwater runoff are not considered part of the landscaped area of a site unless they are integrated with required landscaping as a water feature.

(8). "Maintenance" means the continual maintenance of planting areas and landscape plants in a healthy, living condition; the replacement of dead, diseased, or damaged plant material; and the repair of irrigation systems.

~~(3) Repealed by Ord. 10-13.~~

(9). "Parking Lot" means an area devoted to vehicular parking for three or more dwelling units or any commercial or industrial building."

(10). "Significant Trees" means native trees having a DBH of at least twelve inches. A tree growing with multiple stems shall be considered significant if at least one of the stems, measured at a point six inches from the point where the stems digress from the main trunk, is at least four inches in diameter. Alders (alnus rubra), Cottonwood (Populus algeiros), and trees in the Poplar species shall not be considered a significant tree. A dead tree or a tree that has been identified by a qualified arborist as substantially diseased or damaged shall not be considered a significant tree.

(11). "Stand" means a homogenous grouping of tree species or a group of trees that contains a large proportion of the same species.

~~(4) "Visual relief" means a transparent buffer that softens and breaks up sites within compatible use areas and parking lots. (Ord. 10-13 § 1, 2013; Ord. 22-08 § 1 (Exh. A), 2008).~~

### **19.29.030 Application of chapter.**

~~This~~(1) The standards required by this chapter ~~will~~shall apply ~~to~~in any of the following cases, unless otherwise noted in this chapter:

- a) All uses of land which are subject to site plan review, or permits:a shoreline permit;
- b) ~~Any~~All final plats or short plats;
- c) All new buildings subject to building permit to construct a multifamily dwelling containing morereview;
- ~~b)d)~~ Additions to existing buildings that increase the gross square footage of the building by greater than two units;one third;

~~(1) Site plans and subdivisions, both short and long;~~

~~(2) All shoreline permits;~~

- e) Conversion of vacant land (e.g., to parking or storage lots);
- f) Conversion of a residential use to a non-residential use;
- ~~e)g)~~ Manufactured home parks and subdivisions, and recreational vehicle parks;

~~(3) All commercial parking lots, storage yards or containment facilities;~~

~~(4) All new commercial construction;~~

~~(5) All new manufacturing construction;~~

~~e)h) \_\_\_\_\_~~ New streets and street rehabilitation projects;

~~e)i) A change of occupancy of commercial and/or manufacturing use property as defined by the International Building Code, and/or improvement which exceeds 30 percent of the appraised value of the existing structure(s) within any 12-month period. (Ord. 22-08-5-1 (Exh. A), 2008).~~

#### **19.29.040 Exemptions.**

(1) The following uses are exempt from all but the maintenance and street tree requirements of this chapter:

- a) Single family residential building permits, when not a part of a new subdivision;
- b) Duplex residential building permits, when not part of another permit process;
- c) Those yards in residential subdivisions not abutting a public street or private street, or shared driveway;
- d) Non-perimeter portions of vehicle sales display areas;
- e) Non-perimeter portions of storage lots; and
- f) Those alterations or small additions determined by the Planning Director not to warrant improvements to the entire site.

#### **19.29.050 Objectives.**

(1) Provide building facade buffers ~~in the commercial zone~~ to produce a softening effect to ~~the new building buildings~~ or ~~related development developments~~ as well as encourage landscaping by current merchants.

(2) Provide sight and noise barrier buffers between ~~incompatible incongruous~~ land uses, e.g., between residential and commercial uses.

~~(1) Provide visual relief buffers between similar land use areas and within parking lots.~~

(3) Provide and maintain natural riparian corridors along streams, wetlands and drainage areas.

(4) Provide visual screening around dumpster areas and utility boxes.

(5) Ensure that the following landscaping maintenance done by the city of Buckley is minimized:

(a) Cleaning of drains from leaves and other yard waste clutter.

(b) Pruning required allowing emergency vehicles easy access along streets.

(c) Pruning required maintaining sight triangles at intersections. (Ord. 22-08-5-1 (Exh. A), 2008).  
**The Buckley Municipal Code is current through Ordinance 28-19, passed November 26, 2019.**

**19.29.050 ~~060~~ 060 Overlapping Requirements.**

In the event of a conflict between the standards for individual uses and other requirements of this chapter, the more stringent shall apply. Determination of the appropriate standards shall be made by the Planning Director. In the event of a conflict between the standards for individual uses and other general requirements of this chapter with the requirements of Shoreline Master Program (SMP), the requirements of the SMP shall apply. Landscaping regulations shall not be construed as conflicting with SMP regulations where they supplement SMP standards rather than replace them. For example, if zoning code imposes a wider landscape buffer than the SMP buffer, the wider zoning code buffer shall apply. However, if the SMP requires specific vegetation within the buffer, then SMP requirements shall apply.

**19.29.070 Landscaping plan and submittal.**

~~(1) Compliance. This chapter does not intend to stifle creative problem solving, but is rather a guideline for landscape requirements. Where strict interpretation of requirements is impractical, variances may be approved by the designated official subject to the provisions of BMC Title 20.~~

**(1) Submittal Requirements.**

- a) Preliminary Plans. ~~Three copies of the~~ The conceptual preliminary landscaping plan, drawn to scale, shall be submitted with the development application for all projects specified in BMC ~~19.29.030, Application of chapter.~~ 19.29.030, Application of chapter. The preliminary plan shall indicate existing and proposed plant material. The preliminary landscaping plan shall be submitted in a digital format. The Planning Director may request hard copies; the number of copies shall be prescribed by the planning department.

~~preliminary plan shall indicate existing and proposed plant material.~~

- b) Final Plans. ~~Three copies of the~~The final landscape plan drawn to scale shall be submitted with the building permit application and site plan for any project referenced under BMC\_19.29.030, Application of chapter. No clearing, grading or building permit will be issued before the submittal of this final plan. The final landscaping plan should encourage a low maintenance, quality design. Design with drought-resistant plants and minimal grass area is encouraged to promote water conservation. Design shall include utilization of native vegetation.~~The final plan submission must include:~~

The final plan submission must include:

- i. Location. Provide legal description of site or parcel as well as name and address of owner and/or developer when different from the owner.
  - ii. Planting Schedule. The planting schedule shall indicate common names, quantities, sizes at planting, and spacing for all plants. The final site plan will show individual trees and shrubs. Ground cover may be expressed as on-center (o.c.) placement.
  - iii. Cost Estimate. If a performance assurance is proposed as an alternative, the applicant must submit a current estimate of the cost to install the required landscaping. The ~~planning director~~Planning Director may approve the submitted cost estimate or require that written bids be obtained.
  - iv. Elevation Drawing. An elevation and/or cross-section drawing is required for steep slopes that exceed five feet in height and are steeper than one unit vertical in one and one-half units horizontal (1:1.5). The scale should be appropriate to show structures and plantings at time of installation.
  - v. Grading Details. If land contours are to be altered, existing and proposed grading contours with spot elevations shall be drawn to scale on the preliminary and final site or landscape plan. All landscaped mounds, ditches, and gullies are to be shown.
  - vi. Existing Tree Survey. Applicants shall submit a tree survey indicating the name, caliper, and location of any existing tree greater than six inches in caliper at four and one-half feet above grade. The boundaries and species of any stands of trees shall be detailed. The plan shall note which trees shall be retained, using the drip line boundary delineation to locate retained trees on the grading plan. An effort shall be made to preserve existing trees, especially conifers, on site and incorporate them into overall design.
- c) Revisions. A revised landscaping plan may be approved by the ~~planning director~~Planning Director in the event there are significant physical elements which are discovered during or after plan review which may prevent installation of the required landscaping. Revisions to the approved landscaping plan may be required if the installed landscaping has failed to perform as intended during the maintenance warranty period.

(2) Performance Assurance. Before the issuance of a certificate of occupancy for any project is issued, the approved landscaping must be installed, unless the developer provides a performance security to guarantee the installation of the landscaping. The amount of the security will be based on 150 percent of

**The Buckley Municipal Code is current through Ordinance 28-19, passed November 26, 2019.**

the projected cost to install the approved landscaping. (~~Ord. 13-19 § 3, 2019; Ord. 15-17 § 9, 2017; Ord. 27-16 § 11, 2016; Ord. 22-08~~

~~§ 1 (Exh. A), 2008).~~

### ~~19.29.060 Design standards.~~ **19.29.080 General Provisions.**

- 1) ~~Property owners are encouraged to retain the existing trees, especially conifers, and other native vegetation on a site to the maximum extent possible. The following design standards should be followed and implemented in the creation of a final landscaping plan. The plan~~ **Compliance:** ~~The landscaping standards are minimums; higher standards can be substituted as authorized by permit review criteria so long as fencing and vegetation do not exceed applicable height limits. The Planning Director may also increase, reduce or otherwise modify landscaping standards to the extent reasonably necessary for public safety, including traffic safety and crime prevention. In circumstances where the Planning Director reduces landscaping requirements due to public safety, the Planning Director may require enhanced landscaping in other parts of the project site to mitigate for the lost landscaping.~~
- 2) **Flexibility.** ~~This chapter does not intend to stifle creative problem solving but is rather a guideline for landscape requirements. Where strict interpretation of requirements is impractical, variances or administrative variances, as applicable, may be approved by the designated official as authorized by Chapter 19.40 BMC and Title 20. Variances are not required where the Planning Director is given direct authority to waive a landscaping standard, such as in BMC 19.29.100(8).~~
- 3) **Minimum Landscaped Areas:** ~~For all projects to which this landscaping code is applicable, in no case shall the total amount of landscaping be less than 10 percent of the total site area.~~
- 4) **Protection of Street Trees:** ~~It shall be unlawful for any person without prior written approval of the City to remove, destroy, cut, break, or injure any street tree that is planted or growing in or upon any right-of-way.~~
- 5) **Retention of Existing Landscaping and Existing Trees Encouraged:** ~~Where possible, existing native trees and shrubs, rock outcroppings, and mature ornamental landscaping shall be preserved and incorporated in the landscape layout and can be counted towards required landscaping. Development or redevelopment of properties shall retain existing trees when possible and minimize the impact of tree loss during development. Landscape plans are subject to requirements specified in this chapter to protect significant trees and vegetation with habitat value.~~
- 6) **Calculation of Required Plantings:** ~~Some required landscaping areas require a minimum amount of plantings per square feet of area. If the calculation of the number of plantings results in a fraction of 0.5 or greater, the applicant shall round up to the next whole number. If the calculation of the number of plantings results in a fraction of less than 0.5, the applicant shall round down to the next whole number.~~
- 7) **Avoidance of Hazards:** ~~All landscaping shall be planned in consideration of public health, safety, and welfare.~~
  - a. ~~Landscaping shall not intrude within the clear vision areas at driveways and street intersections;~~
  - b. ~~Trees planted near overhead power lines shall be species that will comply with utility purveyor clearance requirements;~~
  - c. ~~Landscaping shall not obscure fire hydrants or access for emergency response vehicles;~~
  - d. ~~Crime prevention and safety should be considered in landscape design;~~
  - e. ~~Landscaping in a parking lot shall not conflict with the safety of those using a parking lot, abutting sidewalks, or with traffic safety.~~
- 8) **Vegetation Preference:** ~~Vegetation within required setbacks or screening areas shall be retained or planted in this order of preference: (a) native coniferous trees; (b) native deciduous trees; (c)~~

other native vegetation. Vegetated low impact development stormwater facilities may be incorporated as part of landscaped setbacks or screening requirement.

- 9) **Plant Compatibility.** All new plantings must be of a type which will thrive amid existing vegetation without killing or overtaking it. Incompatible plants which require different planting environments or microclimates shall not be mixed. Haphazard mixture of textures, colors and plant types should be avoided. Invasive, nuisance plants on the noxious weed list (state and Pierce County) are prohibited.
- 10) **Irrigation.** Planting areas with nursery stock or transplanted vegetation shall include an automatic mechanical irrigation system designed for full coverage of the planting area. Exceptions may be granted for native planting plans that provide temporary irrigation for at least three growing seasons.
- 11) **Preservation of Significant Views.** Applicants are encouraged to consider and preserve views and vistas from public rights-of-way when determining placement of vegetation. While it is not the intent to avoid all trees in the foreground of a view, consideration should be given to the expected height of tree and how they might be located to “frame” the view. Notwithstanding any other provision of this chapter, trees and shrubs planted pursuant to the provisions of this chapter should be types and ultimate sizes at maturity that will not impair scenic vistas.

**19.29.090 Area and Situation-Specific Landscaping Requirements**

Right-of-way strips: Between the property line and the edge of the curb or street paving, street trees, in compliance with BMC 19.29.100, shall be planted along arterial and collector streets. These street tree requirements pertain ~~should encourage a low maintenance, quality design. Design with drought resistant plants and minimal grass area is encouraged to promote water conservation. Design shall include utilization of native vegetation.~~

1) Facade Buffers. This design pertains to new commercial and manufacturing buildings or ~~uses~~ change of occupancy, as defined by the International Building Code, within the following zones: CC, GC, HC, HDR, LI, ~~NMU~~ and NMU; to new multifamily structures containing more than two units; and to improvements which exceed 30 percent of the appraised value of the existing structure(s) within any 12-month period.

**2) Perimeter Landscaping Buffers**

- a) Perimeter landscaping buffers are defined in BMC 19.29.100, and include:
  - Barrier Buffers:** Required along the common side and rear property lines of properties where the proposed use is abutting an incongruous zone.
  - Visual relief buffers:** Required along the common side and rear property lines of properties where visual relief buffers are required.
- b) Perimeter buffer requirements are based on the congruity of zones and uses. Congruous zones include:
  - i. Light industrial (LI) adjacent to other LI zones
  - ii. General commercial (GC) and Central Commercial (CC) adjacent each other
  - iii. High Density Residential (HDR), R-6000, R-8000 or R-20,000 adjacent to each other
- c) Perimeter buffers shall be required as detailed in **Table 1** below.

	<u>Adjacent Property is zoned LI</u>	<u>Adjacent Property is zoned GC or CC</u>	<u>Adjacent Property is zoned NMU, HC, or P</u>	<u>Adjacent Property is zoned HDR, R-6000, R-8000, or R-20,000</u>
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<u>Proposed Use in an LI Zone</u>	<u>No buffer</u>	<u>Barrier buffer or no buffer<sup>1</sup></u>	<u>Barrier buffer or no buffer<sup>1</sup></u>	<u>Barrier buffer<sup>2</sup></u>
<u>Proposed Use in an GC or CC Zone</u>	<u>Barrier buffer or no buffer<sup>1</sup></u>	<u>No buffer</u>	<u>Barrier buffer or no buffer<sup>1</sup></u>	<u>Barrier buffer<sup>2</sup></u>
<u>Proposed Use in an NMU, HC, P Zone</u>	<u>Barrier buffer or no buffer<sup>1</sup></u>			
<u>Proposed Use in HDR, R6000, R8000, or R20000 Zone</u>	<u>Barrier buffer<sup>2</sup></u>	<u>Barrier buffer<sup>2</sup></u>	<u>Barrier buffer<sup>2</sup></u>	<u>No buffer</u>

Table 1 Exceptions:

- i. When an existing non-conforming use is located on a parcel adjacent to a proposed use, and when that non-conforming use is incongruous with the proposed use, a barrier buffer shall be required along the common property line of the non-conforming use. A visual relief buffer may be considered as an alternative, if approved by the Planning Director, when the non-conforming use is not a residential use.
- ii. Visual relief buffers may be an acceptable alternative to barrier buffers, if approved by the Planning Director, when an adjacent incongruous use is not permitted outright but may be permitted as a conditional use.
- iii. When the proposed use is a residential use, perimeter buffers are not required.

**Table 1: Guide for Applying Perimeter Buffer Requirements**

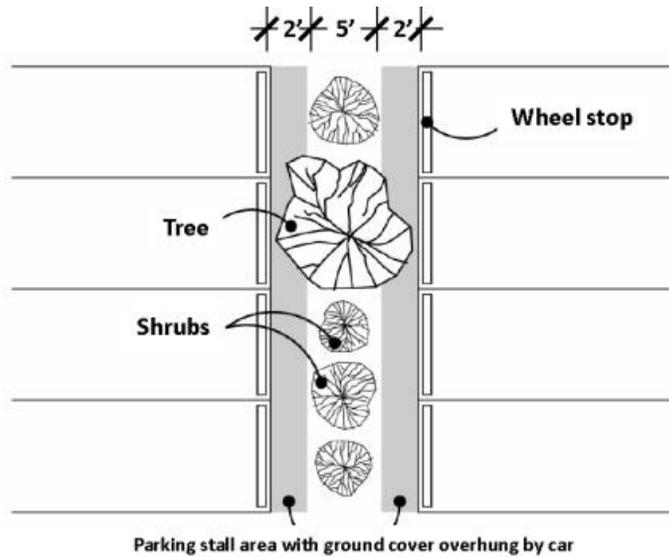
4)3) **Building facades:** Facade buffers, as defined in BMC 19.29.100, shall be required for new commercial and manufacturing buildings or uses within the CC, GC, HC, HDR, LI and NMU zones; to new multifamily buildings containing more than two units; and to existing commercial, manufacturing or multifamily residential improvements which exceed 30 percent of the appraised value of the structure(s).

<sup>1</sup> Depends on use congruous. See definition of "congruous."

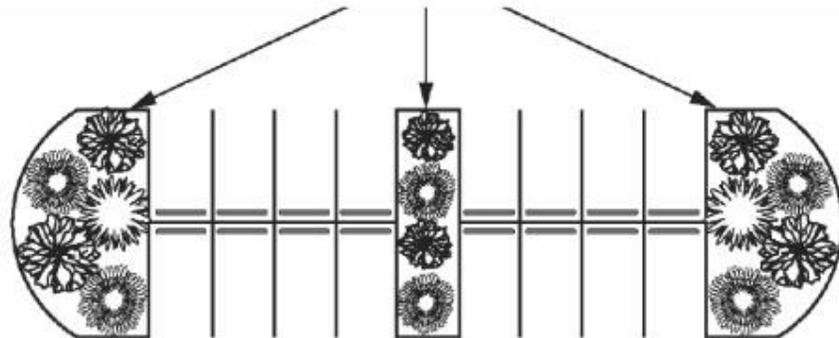
<sup>2</sup> Except when proposed use is permitted outright in both zones.

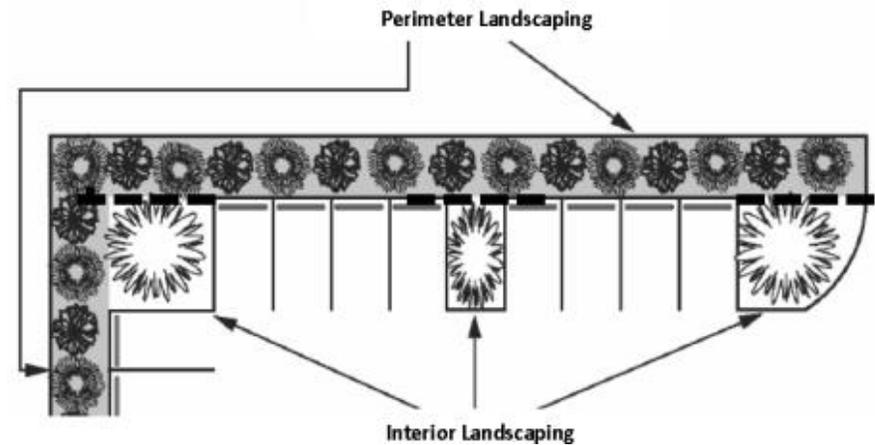
- 4) **Parking Lots:** Vehicle parking lots shall meet minimum landscape standards in this Section.
  - a. **Perimeter Landscaping:** All parking lots shall meet parking lot perimeter buffer requirements as described in BMC 19.29.100.
  - b. **Minimum Amounts of Interior Parking Lot Landscaping:** Surface parking lots with fifteen (15) or more stalls shall be landscaped with at least 20 square feet per parking space of Parking Lot Canopy Buffer plantings and trees as identified in BMC 19.29.100.
  - c. **Shading:** Parking lots shall be designed to provide a minimum of 50 percent canopy shading within 10 years of planting. All required landscaping area widths shall be measured from back of curb to back of curb.
  - d. **Perimeter vs. Interior Landscaping:** Perimeter landscaping may not substitute for interior landscaping.
  - e. **Optional layouts:** The following graphics are optional yet recommended layouts for meeting interior and perimeter landscaping requirements.

**Parking Lot Landscaping Examples:**



Landscape islands interior to the parking area





### **19.29.100 Description of required landscaping types.**

The following are descriptions of individual landscaping types and buffers described in BMC 19.29.090.

- (1) **Street Trees:** Such landscaping shall include a mixture of trees, shrubs, and groundcover as approved by the Planning Department.
  - a. Street trees shall be planted by the land owner or developer according to city Public Works Standards.
  - b. Where tree branches might interfere with pedestrians or vehicles in the right-of-way, trees should have a clear trunk area of seven feet above the ground for pedestrian paths, eight feet above bicycle lanes, 15 feet above arterial streets, and 14 feet above all other streets.
  - c. Spacing of street trees shall be a minimum of 40 feet apart on arterial streets and up to 30 feet on collector and local streets.
  - d. In the Historic Commercial zone, a combination of potted street trees, lamp posts, planter boxes, hanging baskets or other landscaping or street furniture may be substituted for street trees upon approval by the decision maker as recommended by the Planning Director and/or City Engineer.
  - e. Property owners on local access streets are encouraged to plant street trees in accordance with Public Works Standards and recommended species type as adopted by resolution.
  - f. Property owners are encouraged to plant or retain vegetation other than trees within the right-of-way strip between the property line and the edge of the curb or street paving. This shall include vegetation used within low impact development facilities and shall not obscure visibility.
- (2) **Barrier Buffer:** These buffers should create a sight-obscuring barrier, as follows:
  - a. Use either 20 feet of landscaping, or 10 feet of landscaping plus fencing that shall be, at minimum, six feet (6') high at planting and one hundred percent (100%) sight-obscuring within three years.
  - b. Specifically when the barrier buffer is required adjacent to a residential zone, a permanent, fully sight-obscuring fence shall be required.
  - c. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaping area within two years after planting.
- (3) **Visual Relief Buffer:** Such landscaping or landscape plus fencing shall be, at minimum, six feet (6') high at time of planting. Partially sight obscuring buffers provide a transparent buffer to soften the appearance of parking lots. The buffer shall be constructed around the site perimeter as follows:

- a. 85 percent of trees may be deciduous. One tree shall be provided for each 30 linear feet of landscaped area. The trees may be spaced irregularly or clustered.
- b. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaped area within two years after planting.
- c. Vegetation used within low impact development facilities shall be considered as part of these landscaping requirements as approved by the Public Works Director.
- d. Buffer shall be at least fifty percent (50%) sight-obscuring.

**(4) Façade Buffer.** Blank walls shall include a narrow planting area, where feasible, with shrubs or vines (espaliers) giving coverage to the wall.

Facade buffers should accent the character of the building. Street trees, window boxes, planters and hanging pots within the public right-of-way are acceptable, subject to approval by the ~~planning director~~Planning Director or ~~city engineer~~City Engineer. These items should not create a hazard by inhibiting pedestrian movement in the right-of-way and shall comply with required sight distances at intersections. The planting material should soften the transition between the pavement and the building. Blank building walls should be softened by landscaping. Plantings arranged formally or informally. Vegetation used within low impact development facilities shall be considered as part of these landscaping requirements as approved by the ~~public works director~~Public Works Director.

Within the historical commercial zone, potted street trees, planter boxes and street furniture within the public right-of-way may be substituted for the above facade landscaping upon approval by the design review committee or decision maker and recommended for approval by the city ~~planning director or city engineer~~Planning Director or City Engineer.

~~(1) Barrier Buffers. This design pertains to new commercial and manufacturing buildings or uses within the following zones: CC, GC, HDR, LI, NMU, and existing commercial and manufacturing improvements which exceed 30 percent of the appraised value of the structure(s) within any 12-month period, where the commercial and/or manufacturing use abuts or is across an alley from a residential zone or use. These requirements also apply to mobile home parks/subdivisions, recreational vehicle parks and storage containment facilities.~~

~~Barrier buffers are to be provided along interior side and rear property lines as a minimum unless otherwise noted. These buffers should create a sight-obscuring barrier between incompatible zones and/or uses. The barrier shall be constructed along rear and interior side perimeters of site as follows:~~

~~(a) A minimum of a 20-foot wide strip planted with evergreen trees or shrubs which provide a visual screen from the ground to the top. The trees must be at least six feet tall at time of planting and spaced to grow together within three years. An alternative consisting of a 10-foot wide planting strip with a sight-obscuring six-foot wooden fence and six-foot tall evergreens spaced to grow together within three years may be approved by the decision maker.~~

- ~~a. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaping area within two years after planting.~~

~~(2) Visual Relief Buffers. This design pertains to new commercial and manufacturing buildings and uses within the following zones: CC, GC, HDR, LI, NMU; to new multifamily structures containing more than two units; and to commercial, manufacturing or multifamily residential improvements which exceed 30 percent of the appraised value of the structure(s). A transparent buffer to provide visual relief between compatible land use areas or to soften the appearance of parking lots. The buffer shall be constructed around site perimeter as follows:~~

~~a. A minimum of a five-foot wide strip for all interior lots and a 10-foot wide strip for all lots abutting a road or street to be planted with trees of which 70 percent may be deciduous. One tree shall be provided for each 30 linear feet of landscaped area. The trees may be spaced irregularly or clustered.~~

~~b.a. Evergreen shrubs and ground cover to provide 75 percent coverage of landscaped area within two years after planting.~~

~~(a) Vegetation used within low impact development facilities shall be considered as part of these landscaping requirements as approved by the public works director.~~

~~(3) Parking Lot Canopy Buffers. This design pertains to the interior of all parking lots which have 20 or more spaces, to residential, commercial and manufacturing for new developments and to improvements which exceed 30 percent of the appraised value of the existing structure(s) within any 12-month period. **Buffer:** Parking lots shall be designed to provide a minimum of 50 percent canopy shading within 10 years of planting. These buffers will provide shade, cool spots and transparent buffers within the parking Any interior parking lot. All required landscaping area widths shall be measured from back sized to dimensions of curb to back of curb.~~

~~(5) A planting strip at least eight feet wide with trees spaced no more than 30 feet apart shall separate head-to-head parking stalls (8') by twelve feet (12'). Landscaping shall be dispersed throughout the parking area and shall include a mixture of trees, shrubs, and groundcover as follows:~~

~~a. Trees shall be two inches (2") in DBH for multi-family, commercial, and industrial uses. At least one tree for every six (7) parking spaces within the lot interior shall be planted. At least 30 percent of the required trees shall be evergreen. Planting strips and islands~~

~~b. Shrubs at the minimum rate of one per twenty (20) square feet of landscaped area shall be planted. Up to fifty percent (50%) of shrubs may be deciduous.~~

~~a.c. Ground cover shall be a minimum of eight feet wide in all CC, GC, LI, NMU and HDR zones planted in sufficient quantities to provide at least ninety percent (90%) coverage of the landscaped area within three (3) years of installation.~~

~~d. There shall be no more than fifty feet (50') between parking stalls and an interior parking lot landscape area.~~

~~b.e. Landscaped islands the same dimensions and alignment as the parking spaces shall be installed at the ends of each row of parking spaces and separating every 12 spaces within rows of parking spaces. Each landscaped island shall have at least one tree, and at least 30 15 percent of the trees shall be evergreens. The number of required parking spaces may be reduced by one space for each landscaped island provided.~~

~~(a) Evergreen shrubs and ground cover shall be planted within the planting strips and islands to provide 75 percent~~

~~coverage of these areas within two years of planting.~~

~~e.f. Planting strips and landscaped islands within parking lots shall be protected from vehicular access by a curb or landscaping timber border.~~

~~(4) Street Trees. This design pertains to new commercial and manufacturing buildings or change of occupancy, as defined by the International Building Code, within the following zones: CC, GC, HC, HDR, LI, and NMU; to new multifamily structures containing more than two units; and to improvements which exceed 30 percent of the appraised value of the existing structure(s) within any 12-month period.~~

~~(a) Street trees shall be planted by the landowner or developer in the right-of-way strip of arterial and collector streets between the property line and the edge of the curb or street paving according to city specifications.~~

~~a. Where tree branches might interfere with pedestrians or vehicles in the right-of-way, trees should have a clear trunk area of seven feet above the ground for pedestrian paths, eight feet above bicycle lanes, 15 feet above arterial streets, and 14 feet above all other streets.~~

~~b.a. Spacing of street trees shall be a minimum of 40 feet apart on arterial streets and up to 30 feet on collector and local streets.~~

~~(b) In the historical commercial zone, a combination of potted street trees, lamp posts, planter boxes, hanging baskets or other landscaping or street furniture may be substituted for street trees upon approval by the decision maker as recommended by the planning director and/or city engineer.~~

~~(c) Property owners on local access streets are encouraged to plant street trees in accordance with city specifications and recommended species type as adopted by resolution.~~

~~(d) Removal, pruning, or topping of any street tree is prohibited without approval by the designated city official. Where authorized, pruning and other maintenance will be to American National Standards Institute (ANSI) tree care standards.~~

~~e.a. Property owners are encouraged to plant or retain vegetation other than trees within the right-of-way strip between the property line and the edge of the curb or street paving. This shall include vegetation used within low impact development facilities and shall not obscure visibility.~~

**(6) Parking Lot Perimeter Buffer:** Such landscaping shall be at least ten feet (10') in width as measured from the street right-of-way. Standards for planting shall be as follows:

**a. Trees shall be two-inch (2") caliper for multi-family, commercial, and industrial uses at an average minimum rate of one tree per thirty (30) lineal feet of street frontage. Trees shall be one-and-one-half-inch (1.5") caliper for low impact development stormwater management facilities associated with any land use.**

**The Buckley Municipal Code is current through Ordinance 28-19, passed November 26, 2019.**

- b. Shrubs at the minimum rate of one per twenty (20) square feet of landscaped area. Up to fifty percent (50%) of shrubs may be deciduous.
- c. Ground cover in sufficient quantities to provide at least ninety percent (90%) coverage of the landscaped area within three (3) years of installation.

~~(2)~~(7) **Riparian Zone Buffer.** This design pertains to all parcels and sites within the ~~city~~City of Buckley. ~~Original~~Unless replaced as part of development mitigation, original vegetation along streams, wetlands, water sources and drainage channels must be maintained in order to continue natural erosion control and ground water recharge. Permits and procedures established in the city wetlands and critical areas ordinance must be followed in these areas. (~~Ord. 15-17 § 10, 2017; Ord. 01-12 § 17, 2012; Ord. 22-08 § 1 (Exh. A), 2008~~).

(8) Buffer Alteration. The Planning Director has the ability to allow modifications or deviations from landscaping buffer standards, without the need for a variance, when all of the following conditions exist:

- a) Another engineering solution is possible
- b) There is little visual impact to external properties.
- c) The applicant can demonstrate the end product will result in a higher quality or a demonstrably more desirable outcome.

#### **19.29.070-110 Protection of significant trees and existing native vegetation.**

- (1) Areas of native vegetation which are designated as landscape or buffer areas, or which are otherwise retained under the provisions of the Buckley Design Guidelines, shall be subject to a 10' setback from any native tree larger than 6 inches DBH. Clearing, grading or contour alteration is not permitted within this no-construction area unless a qualified arborist provides written documentation that proposed construction activity within the 10-foot setback will not harm existing vegetation within the designated landscape or buffer area.
- (2) Encroachment into Drip Line. No construction activities shall take place within the drip line of a tree to be retained without extra precautions as recommended by a qualified arborist. The applicant may install impermeable or compactible surface within the area defined by the drip line if it is demonstrated by a qualified arborist that such activities will not endanger the tree or trees.
- (3) Grading. If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree beyond a no-construction zone or as approved by a qualified arborist.
- (4) Tree Protection Barricade. All significant trees to be retained must be protected during construction by installation of a protective barricade. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade before major excavation with heavy equipment begins. The barricade must be made of cylindrical steel posts or four-inch by four-inch wood posts with chain link fence attached. Fence posts shall be eight feet on center connected with two-inch by four-inch top rails or equivalent support system. Fence height must be a minimum of four feet high.

#### **19.29.120 Installation standards.**

(1) Soil Preparation. Before any plant material is installed, all soil shall be prepared to be conducive to the healthy growth of the new plants. The fill is to be rich in organic material; clay soils are not acceptable. All construction materials (concrete residue, rocks, etc.) shall be removed from the landscaping area prior to landscaping. The new topsoil should provide an adequate transition from new topsoil to original native soil and include compost to assist in proper soil composition.

(2) Irrigation. Automated or manual irrigation must be supplied as needed for the first two years to guarantee the survival of the new plants. Irrigation-free landscape schemes and drought-resistant trees and ground cover are encouraged.

(3) Installation. All plans shall indicate the method of planting and tree staking. For trees, soil preparation shall be at least 12 inches deep, or as deep as the root ball, and planting pits shall be three times the diameter of the root ball to be planted. When trees are staked, the staking procedure should not damage the bark, limbs or ball. All stakes and attachments shall be removed by the landscape contractor or property owner by the end of the second growing season. Root barriers shall

be provided for all trees and shrubs planted adjacent to planting strips, islands, streets and/or sidewalks.

(4) Minimum Plant Sizes at Installation.

- (a) One and one-half-inch minimum caliper for street trees and other deciduous trees.
- (b) Six-foot minimum height for evergreen trees.
- (c) Twelve-inch minimum height for small shrubs.
- (d) Eighteen-inch minimum height for medium and tall shrubs.

(5) Maximum Spacing for Shrubs and Ornamental Grasses.

- (a) Small shrubs: three feet on center.
- (b) Medium shrubs: four feet on center.

(6) Ground Cover. All planting bed areas shall provide 75 percent coverage within two years and 50 percent at the time of planting. Spacing is as follows:

- (a) One-gallon containers, 18 inches on-center (o.c.).
- (b) Four-inch pots, 15 inches o.c.
- (c) Two-and-one-quarter-inch pots, 12 inches o.c.
- (d) Grass sod areas to be 100 percent coverage.

(7) Mulching. All planting areas shall be mulched with a uniform two-inch layer of shredded bark mulch. Trees are not to be ringed with mulch. Mulch does not satisfy the requirement for ground cover; it is only used as a weed deterrent. Over-mulching, more than four inches deep, may cause plant health problems.

(8) Quality. Plant materials used shall be equivalent to available nursery-grown stock. All plants shall be compatible with the character and climate of the Pacific Northwest. In some cases exotics may be the preferred plant type depending on wind and moisture exposure. Street trees shall be of a variety suitable for the growing space above and below the ground, with special consideration given to utilities, sidewalks and proximity to the street and buildings.

(9) Grading. Graded slopes in landscaped areas should not exceed a two to one (2:1) slope. All graded landscaping areas should be planted as soon as possible after the disturbance. If landscaped areas are bonded and to be planted at a later date, graded areas shall be temporarily stabilized with erosion control devices.

(10) Sight Obstructions. No landscaping shall impair vision at a corner lot or driveway entrance/exit. (see BMC\_19.22.040). In these areas, all landscaping shall be planted and maintained at a height no greater than two and one-half feet above street grade. Tree trunks must be kept clear of branches below 10 feet above street grade.

(a) Corner Lot. A sight distance triangle shall be created when two or more public rights-of-way intersect. Two sides of the triangle should extend no less than 30 feet from the intersection point. The hypotenuse of the triangle is the connection points opposite the intersection point.

(b) Driveways. Private driveways entering a city street shall have a triangular sight area 10 feet perpendicular to the street right-of-way and 30 feet along the street right-of-way on each side of the driveway. ~~(Ord. 22-08 § 1 (Exh. A), 2008).~~

### **19.29.080-130 Maintenance requirements.**

- (1) ~~Whenever~~ landscaping is required ~~by~~ under the provisions of this chapter, shrubs and trees in the landscaping and planting areas shall be maintained in a healthy growing condition ~~by all property owners~~. Planting beds shall not be located over impermeable surfaces. Dead or dying trees or shrubs shall be replaced immediately, and the planting area shall be maintained. ~~(Ord. 22-08 § 1 (Exh. A), 2008).~~ reasonably free of noxious weeds and trash.
- (2) Similarly, if necessary, the trees or shrubs shall receive pruning or removal to avoid the creation of a safety hazard or nuisance through excessive shading, overhanging adjacent properties or to preserve a view.
- (3) Areas of natural vegetation shall be retained over time to maintain the health and fullness of natural vegetation and buffer areas.