

ORDINANCE 785

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE CHAPTER 17.20.890, "LANDSCAPING REQUIREMENTS."

WHEREAS, the City of Stayton recognizes the aesthetic and economic value of landscaping ; and

WHEREAS, the City of Stayton encourages the use of landscaping to establish a pleasant community character, unify developments, and buffer or screen unsightly features; and

WHEREAS, landscaping aids in energy conservation by providing shade from the sun and shelter from the wind; and

WHEREAS, the City of Stayton recognizes that landscaping prevents erosion and dust problems generated as a product of development, aids in preventing excessive runoff due to increased impervious surfaces, and protects and promotes tree growth.

NOW, THEREFORE the Stayton City Council hereby ordains as follows:

CHAPTER 17.20.890 "LANDSCAPING REQUIREMENTS" shall be replaced with the following:

17.20.890 LANDSCAPING AND SCREENING GENERAL STANDARDS

1. **PURPOSE.** It is the intent and purpose of this chapter to provide a process and definable standards for landscaping, buffering, and screening of land use within the City of Stayton. The City of Stayton recognizes the aesthetic and economic value of landscaping and encourages its use to establish a pleasant community character, unify developments, and buffer or screen unsightly features; to soften and buffer large scale structures and parking lots; and to aid in energy conservation by providing shade from the sun and shelter from the wind; to prevent erosion and dust problems generated as a product of development; to aid in preventing excessive runoff due to increased impervious surfaces, and to protect and promote tree growth.
2. **BASIC PROVISIONS.**
  - a. Landscaping and screening standards apply to all zones except Low Density (LD) Residential. The minimum area of a site to be retained in landscaping shall be as follows:

Zoning District or Use	Minimum Improvement Per Lot
Medium Density (MD) Residential	25%
High Density (HD) Residential	20%
Commercial Retail (CR)	10%
Commercial General (CG)	20%
Interchange District (ID)	10%
Industrial Commercial (IC)	10%
Light Industrial (IL)	20%
Public, Semi-Public (P)	15%

NOTE: The percentage of minimum landscaping applies to the current use of the lot, not the zone. Therefore, if an area is zoned MD, but is currently utilized as HD, the minimum landscaping required is 20 percent.

- b. In order to achieve continuity in the landscaping of the City of Stayton, all zones, EXCEPT Low Density Residential, shall achieve compliance with this Chapter within, but not after 25 years from the date of adoption.

- c. Where landscaping is required by this Code, detailed planting plans shall be submitted for review with development applications (Includes all applications EXCEPT: zone changes, partitioning and comprehensive plan amendments). Should the land use not require a development application, then the landscape plan will accompany the building permit application. No development may commence until the decision-maker has determined the plans comply with the purposes clause and specific standards in this chapter. Once the landscape plan has been approved by the decision-maker, the applicant shall follow the landscape plan to assure installed landscaping adheres to approved plan.
- d. Where landscaping is required by this Code, irrigation plans shall be submitted for review with development applications and/or building permits when applicable. No development may commence until the decision-maker has determined the irrigation plans comply with the purposes clause and specific standards in this Chapter.

3. AUTHORITY.

- a. The decision-maker is the City Planner. The City Planner will review the plans for approval. If the City Planner is not available, the decision maker will be the City Administrator. (See 17.04.100 for further description of "decision-maker".)
- b. The decision-maker has the right to waive specific requirements of this landscape Chapter on a case-by-case basis.
- c. The applicant may appeal the decision of the decision-maker to the City Council. See Appeal Process 17.12.400 of SMC.
- d. The decision-maker shall review and approve or deny the landscape plan in conjunction with the development application process or building permit process, whichever application accompanies the landscape plan.

4. SUBMITTAL REQUIREMENTS FOR LANDSCAPE PLAN. The following information should be included on (a) landscape plans:

- a. Lot dimensions and footprint of structure(s), drawn to scale.
- b. A legend indicating linear footage of perimeter yards adjacent to public streets or right-of-way; the linear footage of perimeter yards not adjacent to public streets or right-of way; the total square

footage of the interior area of the parking lot; total building square footage; and total number of parking spaces.

- c. The location and size of the plant species, identified by common and botanical names, and expected growing coverage within five (5) growing seasons.
- d. The type and location of landscaping features other than plant materials, including, but not limited to, wetlands, creeks, ponds, sculptures, benches, and trash receptacles.
- e. Fence or wall materials, when required as screening. See 17.21.130 of this Code.
- f. Adjacent land-uses (e.g., whether vacant or occupied). For any residence within 50 feet of the subject site, indicate the building location and its distance from the subject property boundary.
- g. Location and classification of existing trees greater than 4 inches caliper at 4 feet above ground. Where the site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remaining trees may be shown on the plan in the general area of their distribution.

5. SUBMITTAL REQUIREMENTS FOR IRRIGATION PLAN. The following information should be included on an irrigation plan:

- a. The irrigation plan shall indicate the source of water and show the materials, size and location of all components, including back flow or anti-siphon devices, valves, and irrigation heads.

6. MINIMUM LANDSCAPE STANDARDS.

- a. Appropriate care and maintenance of landscaping on-site and landscaping in the adjacent public right-of-way is the right and responsibility of the property owner, unless the City Code specifies otherwise for general public and safety reasons. If street trees or other plant materials do not survive or are removed, materials shall be replaced in kind within one (1) year.
- b. Significant plant and tree specimens should be preserved to the greatest extent practicable and integrated into the design of the development. Trees of 25-inches or greater in circumference measured at a height of 4 ft above grade are considered significant. Plants to be saved and methods of protection shall be indicated on

the detailed planting plan submitted for approval. Existing trees may be considered preserved if no cutting, filling, or compacting of the soil takes place between the trunk of the tree and the area 5 feet outside of the tree's drip line. Trees to be retained shall be protected from damage during construction by a construction fence located 5 feet outside the drip line.

- c. Planter and boundary areas used for required plantings shall have a minimum diameter of 5 feet ( 2 ½ ft. radius, inside dimensions). Where the curb or the edge of these areas are used as a tire stop for parking, the planter or boundary plantings shall be a minimum width of 7 ½ feet.
  - d. In no case shall shrubs, conifer trees, or other screening be permitted within vision clearance areas of street, alley, or driveway intersections, or where the City Engineer otherwise deems such plantings would endanger pedestrians and vehicles.
  - e. Landscaped planters and other landscaped features shall be used to define, soften or screen the appearance of off street parking areas and other activity from the public street. Up to 25 percent of the total required landscaped area may be developed into pedestrian amenities, including, but not limited to sidewalk cafes, seating, water features, and plazas, as approved by the decision-maker.
  - f. All areas not occupied by parking lots, paved roadways, walkways, patios, or buildings shall be landscaped.
  - g. All landscaping shall be continually maintained, including necessary watering, pruning, weeding and replacing.
  - h. Landscaping shall not be removed and replaced with non-landscaped materials once the land use has been determined and a structure is built.
7. **REQUIRED TREE PLANTINGS:** Planting of trees is required for all parking lots with 4 or more parking spaces, along public street frontages, and along private drives more than 150 feet long. Trees shall be planted outside the street right-of-way except where there is a designated planting strip or City adopted street tree plan.
- a. The following is a list of appropriate trees for street tree and parking lot planting situations. Other varieties may be used only with approval by the decision-maker. Selection of species may be made from the city approved list. Alternate selections must be approved by the decision maker following written request.

Approved Street Trees:

- Red maple ( varieties: Armstrong, Bowhall, Karpic, Scarlet, Sentinel)
- Norway maple (varieties: Columnar, Crimson, Sentry, Cleveland, Olmstead)
- Japanese Selkova
- Flowering pear (varieties: Aristocrat, Capital, Autumn Blaze, Cleveland Select, Redspire)
- Red Oak
- Skyrocket Oak
- A selection of the listed varieties.

- b. Frequency of trees in planting shall be determined by the type of tree used.
- c. Trees in parking areas shall be dispersed throughout the lot to provide a canopy for shade and visual relief.
- d. Trees shall be pruned to provide a minimum clearance of 7 ft. above sidewalks and 12 ft. above street and roadway surfaces.

8. SPACING REQUIREMENTS FOR STREET TREES AND PARKING LOT TREES.

Area/Type of Planting	Canopy	Spacing
Street Tree	Medium	30 ft. on center spacing
Street Tree	Large	50 ft. on center spacing
Parking Lot Tree	Medium	1 per 8 spaces
Parking Lot Tree	Large	1 per 12 spaces

9. TREE PLANTING RESTRICTIONS.

- a. Within 5 feet of permanent hard surface paving or walkways, unless specific species, special planting techniques and specifications approved by the decision maker are used.
- b. Within 10 ft. of fire hydrants and utility poles, unless approved otherwise by the City Engineer.
- c. Where the decision-maker determines the trees may be a hazard to the public interest or general welfare.
- d. Under overhead power lines, if tree height at mature age exceeds height of power line.

10. IRRIGATION. Due to an increasing public demand for water and the diminishing supply, economic and efficient water use shall be required. Irrigation is required in all zones EXCEPT Low Density (LD) Residential. Specific means to achieve conservation of water resources shall be provided as follows:

- a. A permanent underground or drip irrigation system with an approved back flow prevention device shall be required for all landscaped areas; except, where existing healthy vegetation has been established for at least two years.
- b. Wherever feasible, sprinkler heads irrigating lawns or other high-water-demand landscape areas shall be circulated so that they are on a separate system from those irrigating trees, shrubbery or other reduced-water requirement areas.
- c. All developments, except Low Density Residential, are required to provide appropriate methods of irrigation for landscaping.
- d. Irrigation shall not be required in wooded areas, wetlands, along natural drainage channels, or stream banks.

11. REQUIREMENTS OF PLANT MATERIALS.

- a. At least 75% of the required landscaping area shall be planted with a suitable combination of trees, shrubs, evergreens and/or ground cover.
- b. Use of native plant materials or plants acclimated to the Pacific Northwest is encouraged to conserve water during irrigation.

- c. Trees shall be species having an average mature spread of crown greater than 15 feet and having trunks which can be maintained in a clear condition with over 5 feet of clear wood (without branches). Trees having a mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15 foot crown spread.
- d. Deciduous trees shall be balled and burlapped or in a container, be a minimum of 7 feet in overall height or 1 ½ inches in caliper measured 6 inches above ground, immediately after planting. Bare root trees will be acceptable to plant during their dormant season.
- e. Coniferous trees shall be a minimum 5 feet in height above ground at time of planting.
- f. Shrubs shall be a minimum of 1 gallon in size or 2 feet in height when measured immediately after planting.
- g. Hedges, where required to screen and buffer off-street parking from adjoining properties shall be planted with an evergreen species maintained so as to form a continuous, solid visual screen within 2 years after planting.
- h. Vines for screening purposes shall be a minimum of 1 gallon in size or 30 inches in height immediate after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.
- i. Ground covers shall be fully rooted and shall be well branched or leafed. If used in lieu of turf in whole or in part, ground covers shall be planted in such a manner as to provide complete coverage in two (2) years.
- j. Turf areas shall be planted in species normally grown as permanent lawns in western Oregon. Either sod or seed are acceptable. Acceptable varieties include improved perennial ryes and fescues used within the local landscape industry.
- k. Landscaped areas may include architectural features or artificial ground covers such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, decorative hard paving and gravel areas interspersed with planted areas. The exposed area developed with such features shall not exceed 25% of the required landscaped area. Artificial plants are prohibited in any required landscaped area.



12. RE-VEGETATION IN UN-LANDSCAPED OR NATURAL LANDSCAPED AREAS.

- a. Areas where natural vegetation has been removed or damaged through construction activity in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements, shall be replanted.
- b. Plant material shall be watered at intervals sufficient to assure survival and growth.
- c. The use of native plant materials or plants acclimated to the Pacific Northwest is encouraged to reduce irrigation and maintenance demands.

13. LANDSCAPING BETWEEN PUBLIC STREET RIGHT-OF-WAY AND PROPERTY LINES. Except for portions allowed for parking, loading, or traffic maneuvering, a required setback area abutting a public street and open area between the property line and the roadway in the public street shall be landscaped. That portion of the landscaping within the street right-of-way shall not count as part of the lot area percentage to be landscaped.

14. BUFFER PLANTING- PARKING, LOADING AND MANEUVERING AREAS: Buffer plantings are used to reduce building scale, provide transition between contrasting architectural styles, and generally mitigate incompatible or undesirable views. They are used to soften rather than block viewing. Where required, a variety of plants shall be used to achieve the desired buffering effect.

- a. Buffering is required in conjunction with the issuance of construction permits for parking areas containing 4 or more parking spaces, loading areas, and vehicle maneuvering areas. Buffering shall occur in the following manner:
  - 1. Boundary plantings shall be used to buffer these uses from adjacent properties and the public right-of-way.
  - 2. On site plantings shall be used between parking bays, as well as between parking bays and vehicle maneuvering areas.
  - 3. A balance of low-lying ground cover and shrubs, and vertical shrubs and trees shall be used to buffer the view of

these facilities.

4. Decorative walls and fences may be used in conjunction with plantings, but may not be used by themselves to comply with buffering requirements.
  5. Exception: semi-truck or trailer truck parking lots only require exterior landscaping surrounding lot, no internal parking bays are required due to truck maneuverability issues.
- b. Buffering between dissimilar adjoining uses will be required by the developing property when the abutting property is zoned or developed at a lesser intensity.

Buffering Requirements							
Zone of Property	Adjacent Use At Property Line				Adjacent Street		
	Single Family & Duplexes	Multi-family Dwellings	Commercial	Industrial	Local	Collector	Arterial
Multi-family Dwellings	5'	NO	NO	NO	5'	NO	NO
Commercial	10'	5'	NO	NO	15'	10'	5'
Industrial	15'	10'	5'	NO	15'	10'	5'

- c. Landscaping with buffer strips may be counted towards meeting minimum percentage landscaping requirements.
15. SCREENING (HEDGES, FENCES, WALLS, BERMS). Screening is used where unsightly views or visual conflicts must be obscured or blocked and where privacy and security are desired. Fences and walls used for screening may be constructed of wood, concrete, stone, brick, and wrought iron, or other commonly used fencing/wall materials. Acoustically designed fences and walls are also used where noise pollution requires mitigation.
- a. Height and Opacity. Where landscaping is used for required screening, it shall be at least 6ft. in height and be at least 80 percent opaque, as seen from a perpendicular line of sight, within two years following establishment of the primary use of the site.
  - b. Chain Link Fencing. A chain link fence with sight obscuring slats shall qualify for screening only if a landscape buffer is also


provided.

- c. Height Measurement. The height of fences, hedges, walls and berms shall be measured from the lowest adjoining finished grade, except where used to comply with screening requirements for parking, loading, storage, and similar areas. In these cases, height shall be measured from the finished grade of such improvements. Screening is prohibited within vision clearance areas.
- d. Berms. Earthen berms up to 6 ft. in height may be used to comply with screening requirements. Slope of berms may not exceed 2:1 and both faces of the slope shall be planted with ground cover, shrubs and trees.

16. SCREENING OF SERVICE FACILITIES. Site-obscuring shrubbery or a berm, wall or fence shall be placed around unsightly areas such as trash and recycling areas, gas meters, ground level air-conditioning units, disc antennas exceeding 36 inches in diameter and equipment storage or an industrial or commercial use with outside storage of equipment or materials. Landscaping shall not prohibit access to such site or create undue safety hazards. If applicant shows that required landscaping may cause significantly limited access or safety hazards, it is exempt from this requirement.

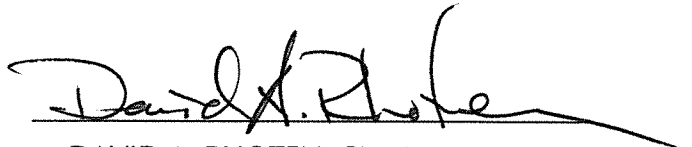
PASSED BY THE STAYTON CITY COUNCIL this  
6<sup>th</sup> day of July, 1998.

Date: July 8, 1998 By:   
DAPHNE E. GIROD, Mayor

Date: 7-8-98 By:   
THOMAS L. BARTHEL, City Administrator

APPROVED AS TO FORM:

Date: JUL 10 1998

  
DAVID A. RHOTEN, City Attorney