

**Matrix of proposed amendments to BMC 20.50 Landscaping (Draft Chapter follows this matrix):**

Zoning Code Chapter/Section (Bremerton Municipal Code)	Proposed Amendments Summary	Further Information
<b>20.50 Landscaping</b>	Minor revision to chapter to reflect the additional residential designations that require screening.	
BMC 20.50.030 Exceptions	(a) Revise section (b)(3) to state that if the Director reduces required landscaping so a site can accommodate required off-street parking spaces, the Director may require pervious pavement (or other Low Impact Development technologies) address the loss of stormwater function that would have been provided by landscaping. (b) Revise section (c) as there is a parking lot exception that parking lots with less than 30 spaces are exempt from internal landscaping requirements. Staff is proposing to revise this section to include that only one parking lot can be located on site.	(a) The City is required to comply with the NPDES Permit (National Pollutant Discharge Elimination System) required about Department of Ecology to address Stormwater functions throughout the City. This amendment will help provide clarification and support the NPDES Permit. (b) This exception could encourage the development of multiple separate parking lots and does would not mitigate the impact of small/medium parking area.
20.50.050 Performance Standards	(a) Revised subsection (c) to require unique provisions to all centers instead of specific zones within the Centers; (b) In the same section clarification was added to include process for approving trees with the public right-of-way (such as in the sidewalk planter area). (c) Revised section (a)(7) so instead of every 20 parking stalls require 1 tree to be installed onsite the new amendments would require 1 tree every 10 parking stall.	(a) This section was appropriate prior to the Downtown Subarea Plan (DSAP), however since the DSAP additional zones have been added, thus this clarification addresses that change. (b) Clarification was provided to any applicant who considered placing street trees within the right-of-way is required to get Public Works approval (potentially Tree Committee approval). (c) To help mitigate stormwater infiltration (NPDES permit) and encourage tree planting, this revision would require more trees to be located on site (2 trees for every 20 parking stalls instead of 1).



## Chapter 20.50 LANDSCAPING

Sections:

- 20.50.010 INTENT.**
- 20.50.020 APPLICABILITY.**
- 20.50.030 EXCEPTIONS.**
- 20.50.040 GENERAL PROVISIONS.**
- 20.50.050 PERFORMANCE STANDARDS.**
- 20.50.060 LANDSCAPING PLAN SUBMITTAL.**

### **20.50.010 INTENT.**

The intent of this chapter is to establish landscaping standards that contribute to a quality urban environment by connecting open spaces, maintaining native, drought-resistant vegetation, replacing nonnative and invasive species, increasing privacy for residential areas, providing visual relief of parking lots, providing habitat for fish and wildlife, retaining significant trees, and reducing erosion and storm water runoff while providing on-site filtration to protect groundwater resources from pollutants and flooding.

### **20.50.020 APPLICABILITY.**

All new development, including expansion of existing structures and/or uses, shall be subject to the requirements of this chapter.

### **20.50.030 EXCEPTIONS.**

- (a) Landscaping standards do not apply to residential short subdivisions or developments of single-family units on individual lots, except that all undeveloped areas of the property shall be landscaped and continually maintained or retained in a natural undisturbed state.
- (b) The Director may waive or reduce any requirement(s) of this chapter in the following cases:
  - (1) The remodel of an existing building results in the expansion of floor area that is ten (10) percent or less of the existing floor area;
  - (2) An expansion of a use that results in no modifications (except normal maintenance and repair of the structure) to the outdoor area of the site;
  - (3) To accommodate required off-street parking spaces. Pervious pavement or other landscaping mitigation may be required for accommodate for the loss of stormwater function.
- (c) Parking lots with less than thirty (30) spaces, are exempt from internal landscaping requirements if they provide at least a five (5) foot width of landscaping across the frontage and along at least one (1) other property line and only one parking lot is located on site.

### **20.50.040 GENERAL PROVISIONS.**

- (a) Front Yards. All front yard setback areas shall be landscaped pursuant to the performance standards per BMC [20.50.050](#);
- (b) Street Trees. Street trees shall be planted along public and private streets per performance standards in BMC [20.50.050](#)(a) unless otherwise required by BMC [20.50.050](#)(c). Trees shall be located within the front yard setback area, or within a public right-of-way if approved by the City and the property owner arranges the planting and maintenance of said street trees;
- (c) Visual Screening. When any nonresidential development, as defined by the International Building Code (which includes three (3) or more units), is proposed on a site that is adjoining the low or medium density residential (~~R-10~~) zones (R-10 and R10M), visual screening shall be provided according to the performance standards in BMC [20.50.050](#)(b);

- (d) Areas Adjacent to Trails and Open Spaces. All developments adjacent to publicly used or designated trails and open spaces in the Comprehensive Plan shall provide Type I visual screening along the site facing the trail or open space per the performance standards outlined in BMC [20.50.050\(b\)](#);
- (e) Undeveloped Areas. Undeveloped portions of property not devoted to landscaping shall remain with existing vegetation, including significant trees, as provided for in BMC [20.50.050\(c\)](#), but excluding plants that can be classified as noxious weeds or as invasive species;
- (f) Alternative Landscaping Plan. The requirements of this chapter may be modified to encourage better landscaping design as follows:
- (1) A request for approval of alternate landscaping shall be submitted and accompanied by a landscape plan as required above;
  - (2) An alternative landscaping plan may be approved, provided a finding by the City of public benefit and that the total area of landscaping shall be equal to or exceed that created by adherence to the standard landscaping and buffer requirements;
- (g) Guarantee. All landscaping shall be completed prior to the issuance of a certificate of occupancy (CO), except that in lieu of installing required landscaping, a performance assurance device may be provided prior to the issuance of a CO. The purpose of such a requirement is to ensure that a landscape plan is carried out when required by this chapter. The following conditions apply:
- (1) A bond or other acceptable assurance device shall be in the amount of one hundred twenty-five (125) percent of the estimated cost required to complete the approved landscaping, in order to guarantee its installation and the replacement of any plants that die within two (2) years of the posting of the bond;
  - (2) If a performance assurance device is provided, landscaping shall be installed within the next planting season and no later than one (1) year from the date of issuance of a CO. If the approved landscape plan is not carried out, the City shall use the performance assurance device to complete the landscaping;
  - (3) A performance assurance device will be released two (2) years after it is posted if the landscaping vegetation is in a healthy growing condition;
- (h) Maintenance Required. All plant material shall be maintained in a healthy growing condition free of weeds, trash or debris through the life and use of the development. Dead, damaged, diseased, or missing plant material shall be replanted or replaced as necessary to comply with the approved landscaping plan and the requirements of the chapter. Maintenance standards and assurances must be provided in the landscape plan as described in BMC [20.50.060](#).

#### **20.50.050 PERFORMANCE STANDARDS.**

Required landscaping shall be provided in the following manner:

- (a) General landscaping is intended to provide visual separation between compatible uses and to soften the appearance of parking lots and building facades. All required setback areas, parking lots, and interior landscaping areas shall comply with the following:
- (1) Street trees are required, one (1) tree for every twenty-five (25) linear feet of street frontage, and shall be spaced a maximum distance of thirty-five (35) feet on center; however, trees may be spaced irregularly in natural groupings rather than uniformly spaced except as noted elsewhere in this chapter;
  - (2) Planting shall include a mix of trees, shrubs, ground covers, turf grasses or combination thereof; non-living materials shall not exceed twenty (20) percent of the landscaped area within two (2) years of planting;
  - (3) Each separate landscaped area shall be a minimum of fifty (50) square feet and shall include at least one (1) tree in combination with shrubs, ground cover, or other landscape materials;

- (4) Bioswales and permeable pedestrian access ways connecting landscaped areas are encouraged and are included in the calculation of required landscaping square footage; Low Impact Development best management practices performed onsite may count towards required landscaping (tree for tree, and square footage for square footage).
  - (5) Interior landscaping shall be dispersed as equally as possible throughout the site particularly in parking areas;
  - (6) Parking lots shall have at least ten (10) square feet of interior landscaping for each parking space. Required peripheral trees and required landscaped setback areas shall not be included in the interior landscaping calculations;
  - (7) For every ~~twenty (20)~~ ten (10) parking stalls one (1) tree shall be installed within a landscaped area; and
  - (8) Landscaped areas shall consist of no more than fifty (50) percent deciduous species.
- (b) Visual screening is intended to function as a year-round full visual barrier between incompatible uses. Visual screening is required for all commercial projects adjacent to the low or medium density residential zones. Visual screening is required as follows:
- (1) Type I. Required along the property line(s) of all nonresidential development proposed on a site that is adjoining the low or medium density residential ~~(R-10)~~ zones (R-10 and R10M). For purposes of this subsection, nonresidential development is as defined in the International Building Code (which includes three (3) or more dwelling units) and not specifically identified in subsection (b)(2) of this section. A Type I visual screen shall include the following:
    - (i) A landscaped area of at least ten (10) feet wide;
    - (ii) A mix of evergreen and deciduous trees, no more than twenty (20) feet apart on center. Deciduous trees up to twenty-five (25) percent of the tree requirement are encouraged to add seasonal and textural variation;
    - (iii) Shrubs shall be planted between the trees to provide an effective visual barrier. Shrubs may be spaced irregularly in natural groupings rather than uniformly spaced, however grouped shrubs should be no more than five (5) feet apart from each other; and
    - (iv) A sight-obscuring fence, wall, earthen berm or combination thereof is required adjacent to parking areas to ensure headlights do not project into residential properties. Measures shall be taken to ensure quality in the visual character of the wall or fence on the side facing the residential lot.
  - (2) Type II. Required for all large retail, motion picture theatres, junk yards, heavy industrial/manufacturing, stadiums, and sports complexes proposed on a site that is adjoining the low or medium density residential ~~(R-10)~~ zones (R-10 and R-10M). Type II screening shall be provided along all property lines that adjoin the low or medium density residential ~~(R-10)~~ zones (R-10 and R-10M). A Type II visual screen shall include the following:
    - (i) Landscaped area of at least twenty (20) feet in width;
    - (ii) A double row of evergreen trees spaced no more than fifteen (15) feet apart on center (rows shall be offset and spacing triangulated); existing mature healthy trees on site are encouraged to be retained;
    - (iii) Shrubs shall be planted to enhance the visual barrier. Shrubs may be spaced irregularly in natural groupings rather than uniformly spaced; however, grouped shrubs should be no more than five (5) feet apart from each other; and
    - (iv) A sight-obscuring fence, wall, earthen berm or combination thereof is required adjacent to parking areas to ensure headlights do not project into residential properties. Measures shall be taken to ensure quality in the visual character of the wall or fence on the side facing the residential lot.

(c) Centers. Intended to soften the streetscape and sidewalk areas in a dense urban environment. Projects within the NCC, DCC, BC, DC or DW zone centers must comply with the provisions set forth in adopted subarea plans, the provisions of this chapter, and the following:

- (1) Street trees shall be provided within the front yard setback or in the sidewalk along any facade facing a major arterial. Any trees located in the City right-of way may require additional approval through the Department of Public Works and Utilities. Trees shall be spaced no less than three (3) trees per one hundred (100) linear feet of frontage. Trees placed in the sidewalk should be provided with street grates at the sidewalk level providing a continuous walking surface to within six (6) inches of the tree base. Where existing areaways or vaults prevent this form of planting, trees shall be planted in planters equipped with irrigation. All trees shall be of a species which allows pruning of lower branches in a manner necessary to keep the sidewalk clear of obstruction to a height of at least eight (8) feet. Trees shall have a minimum caliper of two and one-half (2-1/2) inches at the time of planting;
- (2) Surface parking lots, if they abut public sidewalks, shall provide a perimeter landscaping strip containing a combination of trees (with no fewer than three (3) trees per one hundred (100) linear feet of frontage) and shrubs. Masonry walls no lower than fifteen (15) inches nor higher than thirty (30) inches may be substituted for shrubs; and
- (3) For parking lots containing more than twenty (20) stalls, at least fifteen (15) percent of the interior area shall be planted with trees and shrubs. All trees shall have a minimum caliper of two and one-half (2-1/2) inches at the time of planting. Pedestrian walkways from adjacent sidewalks shall be provided.

(d) Vegetation Preservation. The retention of existing and healthy trees and vegetation is important to help promote the utilization of natural systems, reduce the impacts of development on the storm drainage system and provide a better transition between various land uses within the City. The following provisions encourage vegetation preservation as follows:

- (1) To the greatest extent possible existing healthy significant trees defined below shall be retained on site. Should a proposal include the removal of all or portions of a significant tree(s) a qualified arborculturalist or urban forester shall be retained by the applicant to inventory the tree(s) and make recommendations regarding the protection, retention, preservation or removal of the tree(s). A copy of the report and recommendations shall be submitted to the City as part of the application process.
- (2) Existing healthy trees and vegetation may substitute for newly required landscaping. Credit shall be granted tree for tree and area for area. In order to promote the retention of existing significant trees during site development, each significant tree within the landscaped area shall count as three (3) newly required trees.
- (3) Credit may be given by the Director at the time of site plan review for the preservation of significant tree(s) in exchange for the loss of a parking space.
- (4) Significant trees are defined as follows:
  - (i) Evergreen Trees. Eight (8) inches in diameter or greater, measured four (4) feet above existing grade; and
  - (ii) Deciduous Trees. Twelve (12) inches in diameter or greater, measured four (4) feet above existing grade.

(e) Planting Materials. Plants shall be selected based upon site-specific conditions which may affect plant growth such as sun exposure, soil types, shoreline conditions, adjacent site improvements, etc. New plant materials shall consist of drought-resistant species, or other species that are irrigated per the provisions of BMC 20.50.060(b)(4) or located in high moisture content soils. Plant material selection shall be consistent with the list maintained by the American Association of Nurserymen (AAN). Plant materials

shall also be coordinated with utility company requirements to avoid conflicts. Unless otherwise specified within this chapter all required landscaping shall at a minimum meet the following size requirements:

- (f) Plant Type and Size. Plants shall be sized according to the following:
  - (1) Standard deciduous trees: one and one-half (1-1/2) inch to two (2) inch caliper.
  - (2) Small ornamental and flowering trees: one and one-half (1-1/2) inch to one and three-fourths (1-3/4) inch caliper.
  - (3) Evergreen trees: five (5) feet to six (6) feet in height.
  - (4) Shrubs: minimum size one (1) gallon container.
  - (5) Ground cover: minimum four (4) inch container.
- (g) Interruptions. Screening and buffering may be interrupted where necessary for access consistent with the general provisions of this chapter.
- (h) Safety. All fire hydrants are to be free of fences, hedges, and other landscaping obstacles. Shrubs eighteen (18) inches in height and less must not be placed closer than five (5) feet to a hydrant, and shrubs or trees larger than eighteen (18) inches must not be planted closer than twenty (20) feet to a hydrant.
- (i) Freestanding Signs. An area around the base of each freestanding sign equal to the sign area must be landscaped to improve the overall appearance of the sign and to reduce the risk of automobiles hitting the sign or supports of the sign. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, pole covers, or decorative framing.
- (j) Outdoor Storage. In addition to any other requirements, storage yards and garbage dumpsters shall be surrounded by a six (6) foot high solid wall or sight-obscuring fence. The wall or fence shall be considered a structure and shall conform to setbacks which may be required for building on street frontage. Outdoor storage of materials shall not exceed six (6) feet in height when visible from a public right-of-way.
- (k) Clear-Vision Triangle. A clear-vision area shall be maintained at the intersections of streets, alleys and commercial driveways, or combinations thereof as determined by the City Engineer with the following requirements:
  - (1) A clear-vision area shall contain no plantings, fences, walls, other structures, or visual obstructions within a vertical area extending from three (3) feet to eight (8) feet above the ground, measured from the established centerline of the street, alley or driveway;
  - (2) The foregoing provision shall not apply to:
    - (i) A tree trimmed to the trunk within the three (3) to eight (8) foot clear area;
    - (ii) Other plant species that are so planted and trimmed as to leave a clear and unobstructed cross-view in all seasons;
    - (iii) A supporting member or appurtenance to a permanent building lawfully existing on the site;
  - (3) Where the maximum setback conflicts with the clear-vision triangle, relief from the maximum setback may be granted through a Type I Director decision.

#### **20.50.060 LANDSCAPING PLAN SUBMITTAL.**

A landscape plan shall accompany all land use applications, including permits for clearing, grading, and building.

- (a) A landscape plan shall be drawn to scale and shall indicate:
  - (1) Project name, owner's name, designer's name, north arrow, date and scale;
  - (2) Existing property lines, easements, rights-of-way, utilities, setbacks, trees, fences, and other screening and structures;
  - (3) Existing and proposed grades of at least five (5) foot intervals;

- (4) Proposed plantings, identified by scientific or common name, and caliper, size, and minimum height of specimens to be planted.
- (b) A landscape plan shall provide assurances for the following:
  - (1) Landscape areas consisting of drought-resistant vegetation will not require temporary or permanent irrigation systems;
  - (2) Areas where existing site conditions assure adequate soil moisture for growth within the required landscape area shall have temporary irrigation systems only as required to sustain new plantings;
  - (3) Except for areas of undisturbed existing vegetation, all landscape areas that do not have high soil moisture conditions shall have temporary or permanent irrigation systems. Temporary systems may be removed after twenty-four (24) months or two (2) growing seasons, whichever occurs first; provided, that the plantings are established;
  - (4) Permanent irrigation systems located within required landscape areas shall include the following features:
    - (i) Moisture or precipitation sensors;
    - (ii) Automatic timers set for operation to assure adequate moisture levels;
    - (iii) Head-to-head spacing, if sprinkler heads are proposed;
    - (iv) Pressure-regulating devices;
    - (v) Backflow prevention devices;
    - (vi) Separate irrigation zones for grass and planting beds;
    - (vii) Other provisions applicable to State and City codes;
  - (5) Irrigation water shall be applied with demonstrated consideration for avoiding runoff, low head drainage, overspray, or other similar conditions where water flows onto adjacent property, nonirrigated areas, and impervious surfaces;
  - (6) All landscaping shall be maintained in healthy growing condition for the life of the project;
  - (7) All plant material shall be managed by pruning so that plant growth does not conflict with public utilities, restrict pedestrian or vehicular access, or create a traffic hazard.