

ORDINANCE NO. 536

AN ORDINANCE REVISING WILSONVILLE CODE CHAPTER 4, PLANNING AND LAND DEVELOPMENT, SECTION 4.155: GENERAL REGULATIONS: PARKING, LOADING AND BICYCLE PARKING, AND SECTION 4.176: LANDSCAPING; AMENDING ORDINANCE NO. 509; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wilsonville Planning Commission conducted public meetings, including workshops, work sessions, and public hearings on proposed changes to the parking lot landscaping requirements of Wilsonville Code Chapter 4, Planning and Land Development; and

WHEREAS, the Planning Commission conducted public hearings and received exhibits and testimony on August 8, 2001, September 12, 2001, October 10, 2001, November 14, 2001, and December 12, 2001; and

WHEREAS, city staff additionally met with members of the development and business communities to discuss issues, ideas, and proposals concerning landscaping of parking lots, which discussions were helpful in crafting a responsive ordinance; and

WHEREAS, on December 12, 2001, the Planning Commission adopted Resolution No. 01PC03, a recommendation to approve revisions to Wilsonville Code 4.155 and 4.176, including additional changes and revisions proposed by the Planning Commission, attached as Exhibit A; and

WHEREAS, staff has included all the proposed revisions that the Planning Commission recommended, as noted in the staff report; and

WHEREAS, as the amount of impervious surface increases, the quantity of rainwater that replenishes groundwater decreases; and

WHEREAS, as the area of impervious surface in a watershed exceeds 10%, sharp declines in water and habitat quality have been observed; and

WHEREAS, the Department of Environmental Quality ("DEQ") regulates non-point source pollution such as storm water under the Clean Water Act ("CWA"); and

WHEREAS, under the guidance of the Environmental Protection Agency, DEQ must set numeric limits for pollutants into the Willamette River, known as "total maximum daily limits" or TMDL's, under § 303(d) of the CWA by the year 2003; and

WHEREAS, the Willamette River is identified by DEQ as a waterbody for which effluent limitations are not stringent enough to attain water quality standards and therefore the state must

reduce wasteload allocation (from point sources) and load allocation reductions (from nonpoint sources); and

WHEREAS, the City of Wilsonville is constructing a plant to treat Willamette River water and has an interest in protecting the water source from pollution; and

WHEREAS, in 50 C.F.R. § 223 the National Marine Fisheries Service (NMFS) has adopted rules to implement section 4(d) of the Endangered Species Act (ESA), 16 U.S.C. 1361 et seq., and 16 U.S.C. 1531-1543; and

WHEREAS, subsection (12) of the 4(d) rule requires local jurisdictions, including the City of Wilsonville, to ensure that all municipal, residential, commercial, and industrial development does not impact critical habitat for salmon and steelhead species listed by NMFS as threatened in the Upper Willamette River; and

WHEREAS, under 50 C.F.R. 223.203(a)(12)(i)(B), the city is required to ensure that its ordinances and plans are adequately protective of listed species, including that an ordinance or plan "adequately avoids storm water discharge impacts to water quality and quantity"; and

WHEREAS, under 50 C.F.R. 223.203(a)(12)(i)(H) a development ordinance or plan must include adequate provisions for landscaping with native vegetation to reduce need for watering and application of herbicides, pesticides, and fertilizer; and

WHEREAS, in the warm months it is desirable to cool what are known as heat islands by means of shading impervious surface and vehicles in parking lots, which can be accomplished in part through the establishment of tree canopy; and

WHEREAS, trees aid in intercepting rainfall and preventing it from entering the storm water system; and

WHEREAS, trees also absorb air pollutants, including particulates, ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide; and

WHEREAS, trees release oxygen and sequester carbon dioxide, a major greenhouse gas and contributor to global warming; and

WHEREAS, the City of Wilsonville is located in the Willamette River valley, which has not achieved air-quality standards set by DEQ under the Clean Air Act; and

WHEREAS, it is likely that development applications for significant developments with large parking lots will be submitted to the City's Planning Division in the immediate future; and

WHEREAS, the visual appearance of large parking areas is of concern where such areas are not screened from public view; and

WHEREAS, community values include the value of trees and green space in the urban core; and

WHEREAS, retail and commercial areas with more green space have been shown to appeal to consumers, who rate business quality and shopping convenience 13-20 % higher in communities with more green space and vegetation; and

WHEREAS, the presence of trees is consistently associated with high visual quality in a study that evaluated what drivers prefer to see; and

WHEREAS, the Wilsonville Comprehensive Plan addresses the areas of the city that are undeveloped, such as Area A (Environmental Resource and Community Design Objectives, 3. Future development shall be designed and located so as to soften the intense appearance of large buildings or expanses of asphalt), and recognizes the concern that the public view from the right-of-way is critical and should be addressed; and

WHEREAS, in furtherance of the general health, safety, and welfare of its citizens, the livability of the City was considered in addressing the view of large parking lots from the public right-of-way.

NOW, THEREFORE, THE WILSONVILLE CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. The recitals above are incorporated by reference as if fully set forth herein as determination and findings.

Section 2. Additional determinations and findings:

Wilsonville Planning and Land Development Ordinance

Section 4.009: Who May Initiate Applications

(.02) Applications involving large areas of the community or proposed amendments to the text of this Chapter or the Comprehensive Plan may be initiated by any property owner, business proprietor, or resident of the City, as well as by the City Council, Planning Commission, or Development Review Board acting by motion.

Finding: The Planning Commission initiated the proposed amendments to the Parking Lot landscaping standards in June 2001.

Section 4.032. Authority of the Planning Commission:

(.01) As specified in Chapter 2 of the Wilsonville Code, the Planning Commission sits as an advisory body, making recommendations to the City Council on a variety of land use and transportation policy issues. The Commission also serves as the City's official Committee for Citizen Involvement and shall have the authority to review and make recommendations on the following types of applications or procedures:

A. Legislative zone changes and changes to the text of Chapter 4 of this Code;

Finding: This action is a legislative change to the text of Chapter 4 of this Code. The Planning Commission has reviewed the proposal and recommends its approval to the City Council.

Section 4.033. Authority of City Council

(.01) Upon appeal, the City Council shall have final authority to act on all applications filed pursuant to Chapter 4 of the Wilsonville Code, with the exception of applications for expedited land divisions, as specified in Section 4.232. Additionally, the Council shall have final authority to interpret and enforce the procedures and standards set forth in this Chapter and shall have final decision-making authority on the following:

A. Applications for zone changes and changes to the text of Chapter 4, as authorized in Section 4.197.

Finding: This action is a legislative change to the text of Chapter 4 of this Code. The City Council has reviewed the proposal and finds that it meets all criteria for approval.

Wilsonville Comprehensive Plan

Wilsonville Comprehensive Plan GOAL 1.1: To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.

Policy 1.1.1: The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Implementation Measure 1.1.1.a: Provide for early public involvement to address neighborhood or community concerns regarding Comprehensive Plan and Development Code changes. Whenever practical to do so, City staff will provide information for public review while it is still in "draft" form, thereby allowing for community involvement before decisions have been made.

Finding: A public hearing was held by the Planning Commission that extended over four meetings and incorporated extensive testimony from the public. City staff also met several times both before and during the hearing with members of the Chamber of

Commerce and members of the business community to discuss their issues and input. The City Council held a public hearing on the proposed ordinance.

Implementation Measure 3.1.7.p: In the course of site development, developers may be required to retain or improve native vegetation in identified riparian zones and landslide prone areas to decrease the amount of surface water run-off, to shade areas of surface water, to preserve areas of natural percolation, help stabilize landslide-prone areas, and reduce erosion. Replacement, enhancement, and/or restoration of vegetation, including the removal of invasive plants, may also be required depending on the type, scale, and location of development.

Finding: The proposed changes allow and encourage retention of native vegetation and replacement of removed trees.

GOAL 4.1: To have an attractive, functional, economically vital community with a balance of different types of land uses.

Implementation Measure 4.1.1.c: The City will continue to support a cooperative and active working relationship with the business community through the Chamber of Commerce as well as those businesses that are not members of the Chamber of Commerce and will seek their input when making decisions having economic impacts on the business community.

Finding: The Chamber of Commerce was very involved in the development of the ordinance. Chamber leadership and members participated in several meetings with Staff to discuss the proposals and the Chamber was actively involved in the hearing process.

Implementation Measure 4.1.1.d: In the process of administering the City's Comprehensive Plan, careful consideration will be given to the economic impacts of proposed policies, programs and regulations. Efforts will be made to simplify and streamline the planning and zoning review process while maintaining the quality of development.

Finding: The parking lot landscape standards revisions allow more design flexibility than the prior ordinance. The stricter standards apply only to larger parking lots recognizing potential impacts on small businesses.

Implementation Measure 4.1.1.k: A minimum of 15% of the total gross area of all developments shall be landscaped and, where possible, integrated with the open space system. Areas identified as having significant natural resources may require enhancement in order to be considered part of the required open space for a given development. Additional landscaping may be required by the Development Review Board depending on the scale of the proposed development and its compatibility with abutting properties and their respective uses.

Finding: The proposed language change is consistent with the provisions of Implementation Measure 4.1.1.k.

Commercial Development Policy 4.1.2: The City of Wilsonville shall encourage commercial growth primarily to serve local needs as well as adjacent rural and agricultural lands.

Implementation Measure 4.1.2.g: The location and development of commercial areas within the community should be given very careful consideration. Although they may occupy a relatively small percentage of the total land area, commercial developments customarily occur at points of maximum traffic movement and, therefore, have a tremendous impact on people's impressions of the visual quality of the community. If Wilsonville is to retain an image as a desirable place to live, its commercial areas must reflect that quality.

Finding: The purpose of the revisions to the parking lot landscape standards is to address the negative visual and environmental impacts of large parking lots by requiring a higher ratio of trees to parking spaces than previously required and by setting better standards for design and planting of trees. These new standards will positively impact the public impression of the visual quality of the community. The standards will help commercial areas reflect that quality.

Industrial Development Policy 4.1.3: City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

Implementation Measure 4.1.3.a: Develop an attractive and economically sound community.

Finding: The proposed parking lot landscaping standards apply to large industrial parking lots. The improved standards will help make the proposed lots more compatible with the residential and urban nature of the City, and will help to make the community more attractive.

Environmental Resources and Community Design Policy 4.1.5: Protect valuable resource lands from incompatible development and protect people and property from natural hazards.

Implementation Measure 4.1.5.h: Develop an attractive and economically sound community.

Finding: The increase in trees required with larger parking lots will help to develop an attractive community, with trees serving to provide visual relief and screening from large expanses of parking lot and large buildings. Maintaining an attractive community will help to encourage its economic vitality.

Implementation Measure 4.1.5.ff: Where possible, on-site drainage should be designed to preserve natural drainage channels and to allow for ground water infiltration. Man-made structures should be designed to complement the natural system. It is not the intent of this Measure to encourage unsightly and unsafe open ditches. Rather, open drainage systems should be designed to accent natural creeks and drainage channels and provide an attractive natural area-like appearance.

Finding: Providing for additional trees within a site will also provide more pervious land for ground water infiltration.

Implementation Measure 4.1.5.jj: Minimum open space and landscaping standards have been established, emphasizing the incorporation of native vegetation and unique topographic features in site design. Additional landscaping may be required based on the scale and type of development and its compatibility with abutting land uses.

Finding: Requiring more trees in larger parking lots reflects the scale and type of development and the potential incompatibility with abutting land uses.

Implementation Measure 4.1.5.kk: Landscaping and/or open space may be used to buffer non-compatible uses. It is intended to soften the visual impact and provide a sense of openness and should be used to complement good building designs and may be used to screen certain types of development.

Finding: The Planning Commission finds that large parking lots create negative visual impacts due to the size and expanse of hard surfaced area. Increasing the number of trees that are to be placed around and within large parking lots will soften the visual impact of the lots and will help to screen large commercial and industrial buildings.

Oregon's Statewide Planning Goals

1. Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: The development and processing of the Parking Lot Landscaping Revisions was performed in accordance with the applicable provisions of the Development Code and Comprehensive Plan for citizen involvement.

2. Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: The development and processing of the Parking Lot Landscaping Revisions was processed in accordance with the applicable provisions of the Development Code and Comprehensive Plan.

3. Agricultural Lands: To preserve and maintain agricultural lands.

Finding: Not applicable.

4. Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding: Not applicable.

5. Natural Resources, Scenic and Historic Areas, and Open Spaces: To conserve open space and protect natural and scenic resources.

Finding: The proposed changes will increase the number of trees planted in and around large parking lots thereby helping to increase the number and presence of trees as a natural resource in the community.

6. Air, Water, and Land Resources Quality: To maintain and improve the quality of the air, water, and land resources of the state.

Finding: The proposed changes will increase the number of trees planted in and around large parking lots thereby helping to reduce and break-up the impervious surface so that more natural filtering of surface water may occur. The changes will also aid in intercepting rainfall and preventing it from reaching the storm water system and absorbing air pollutants.

7. Areas Subject to Natural Disasters and Hazards: To protect life and property from natural disasters and hazards.

Finding: Not applicable.

8. Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding: Not applicable.

9. Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: Maintaining an attractive community will help to encourage and maintain the City's economic vitality.

10. Housing: To provide for the housing needs of the citizens of the state.

Finding: Not applicable.

11. Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding: The landscape parking lot ordinance will enhance efficient and effective storm water systems management.

12. Transportation: To provide and encourage a safe, convenient and economic transportation system.

Finding: Not applicable.

13. Energy Conservation: To conserve energy.

Finding: Not applicable, except as noted above in conjunction with the Land, Air, Water and Resource Quality.

14. Urbanization: To provide for the orderly and efficient transition from rural to urban land use.

Finding: Not applicable.


15. Willamette River Greenway: To protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding: The landscape parking lot standards will aid in maintaining and improving the quality and quantity of surface water run-off through natural channels which drain through the Willamette River Greenway.

Section 3. The City Council hereby adopts Planning Commission Resolution 01PC03, Exhibit A, and authorizes and directs the City Recorder to make any conforming changes necessary to amend Wilsonville Code in keeping with the adoption of these revisions.

Section 4. The Wilsonville City Council finds that the likelihood of imminent development applications with significant public impacts justifies an immediate need for the adoption of Chapter 4 code revisions. As such, an "emergency" exists that justifies enactment of an emergency ordinance. This ordinance shall be effective immediately upon its passage.

SUBMITTED to the Wilsonville City Council and read for the first and second time at a regular meeting thereof on the 7th day of January, 2002, commencing at the hour of 7:00 p.m. at the Wilsonville Community Center.

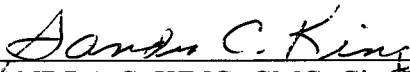


SANDRA C. KING, CMC, City Recorder

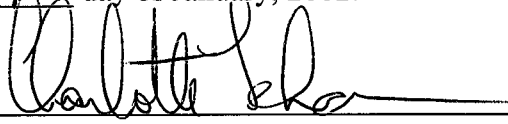
ENACTED by the Wilsonville City Council at a regular meeting thereof this 7th day of January, 2002, by the following votes:

YEAS: -5-

NAYS: -0-


SANDRA C. KING, CMC, City Recorder

DATED and signed by the Mayor this 9th day of January, 2002.


CHARLOTTE LEHAN, Mayor

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>

Attachments:

Exhibit A--Wilsonville Development Code Section 4.155 General Regulations Parking, Loading and Bicycle Parking; and Section 4.176 Landscaping, Screening and Buffering

EXHIBIT A

Section 4.155. General Regulations - Parking, Loading and Bicycle Parking.

(.01) Purpose:

A. The design of parking areas is intended to enhance the use of the parking area as it relates to the site development as a whole, while providing efficient parking, vehicle circulation and attractive, safe pedestrian access.

B. As much as possible, site design of impervious surface parking and loading areas shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.

C. The view from the public right of way and adjoining properties is critical to meet the aesthetic concerns of the community and to ensure that private property rights are met. Where developments are located in key locations such as near or adjacent to the I-5 interchanges, or involve large expanses of asphalt, they deserve community concern and attention.

(02) General Provisions:

A. The provision and maintenance of off-street parking spaces is a continuing obligation of the property owner. The standards set forth herein shall be considered by the Development Review Board as minimum criteria.

1. The Board shall have the authority to grant variances or planned development waivers to these standards in keeping with the purposes and objectives set forth in the Comprehensive Plan and this Code.
2. Waivers to the parking, loading, or bicycle parking standards shall only be issued upon a findings that the resulting development will have no significant adverse impact on the surrounding neighborhood, and the community, and that the development considered as a whole meets the purposes of this section.

B. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for the vehicles, as determined by the Planning Director.

C. In cases of enlargement of a building or a change of use from that existing on the effective date of this Code, the number of parking spaces required shall be based on the additional floor area of the enlarged or additional building, or changed use, as set forth in this Section. Current development standards, including parking area landscaping and screening, shall apply only to the additional approved parking area.

D. In the event several uses occupy a single structure or parcel of land, the total requirement for off-street parking shall be the sum of the requirements of the several uses computed separately, except as modified by subsection "E," below.

E. Owners of two (2) or more uses, structures, or parcels of land may utilize jointly the same parking area when the peak hours of operation do not overlap, provided

satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full access to such parking areas for all the parties jointly using them.

- F. Off-street parking spaces existing prior to the effective date of this Code may be included in the amount necessary to meet the requirements in case of subsequent enlargement of the building or use to which such spaces are necessary.
- G. The nearest portion of a parking area may be separated from the use or containing structure it serves by a distance not exceeding one hundred (100) feet.
- H. The conducting of any business activity shall not be permitted on the required parking spaces, unless a temporary use permit is approved pursuant to Section 4.163.
- I. Where the boundary of a parking lot adjoins or is within a residential district, such parking lot shall be screened by a sight-obscuring fence or planting. The screening shall be continuous along that boundary and shall be at least six (6) feet in height.
- J. Parking spaces along the boundaries of a parking lot shall be provided with a sturdy bumper guard or curb at least six (6) inches high and located far enough within the boundary to prevent any portion of a car within the lot from extending over the property line or interfering with required screening or sidewalks.
- K. All areas used for parking and maneuvering of cars shall be surfaced with asphalt, concrete, or other surface, such as "grasscrete" in lightly-used areas, that is found by the City Engineer to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City Engineer, shall be provided.
- L. Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.
- M. Off-street parking requirements for types of uses and structures not specifically listed in this Code shall be determined by the Development Review Board if an application is pending before the Board. Otherwise, the requirements shall be specified by the Planning Director, based upon consideration of comparable uses.
- N. Up to forty percent (40%) of the off-street spaces may be compact car spaces as identified in Section 4.001 - "Definitions," and shall be appropriately identified.
- O. Where off-street parking areas are designed for motor vehicles to overhang beyond curbs, planting areas adjacent to said curbs shall be increased to a minimum of seven (7) feet in depth. This standard shall apply to a double row of parking, the net effect of which shall be to create a planted area that is a minimum of seven (7) feet in depth.

(.03) Minimum and Maximum Off-Street Parking Requirements:

- A. Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:
 - 1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.

2. To the greatest extent possible, separate vehicle and pedestrian traffic.
- B. Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:
1. Landscaping of at least ten percent (10%) of the parking area designed to be screened from view from the public right-of-way and adjacent properties. This landscaping shall be considered to be part of the fifteen percent (15%) total landscaping required in Section 4.176.03 for the site development.
 2. Landscape tree planting areas shall be a minimum of eight (8) feet in width and length and spaced every eight (8) parking spaces or an equivalent aggregated amount.
 - a. Trees shall be planted in a ratio of one (1) tree per eight (8) parking spaces or fraction thereof, except in parking areas of more than two hundred (200) spaces where a ratio of one (1) tree per six (six) spaces shall be applied as noted in subsection (.03)(B.)(3.). A landscape design that includes trees planted in areas based on an aggregated number of parking spaces must provide all area calculations.
 - b. Except for trees planted for screening, all deciduous interior parking lot trees must be suitably sized, located, and maintained to provide a branching minimum of seven (7) feet clearance at maturity.
 3. Due to their large amount of impervious surface, new development with parking areas of more than two hundred (200) spaces that are located in any zone, and that may be viewed from the public right of way, shall be landscaped to the following additional standards:
 - a. One (1) trees shall be planted per six (6) parking spaces or fraction thereof. At least twenty-five percent (25%) of the required trees must be planted in the interior of the parking area.
 - b. Required trees may be planted within the parking area or the perimeter; provided that a minimum of forty percent (40%) of the canopy dripline of mature perimeter trees can be expected to shade or overlap the parking area. Shading shall be determined based on shadows cast on the summer solstice.
 - c. All parking lots in excess of two hundred (200) parking spaces shall provide an internal pedestrian walkway for every six (6) parking aisles. Minimum walkway clearance shall be at least six (6) feet in width. Walkways shall be designed to provide pedestrian access to parking areas in order to minimize pedestrian travel among vehicles. Walkways shall be designed to channel pedestrians to the front entrance of the building.
 - d. All parking lots viewed from the public right of way shall have a minimum twelve (12) foot landscaped buffer extending from the edge of the property line at the right of way to the edge of the parking area. Buffer landscaping shall meet the low screen standard of 4.176(.02)(D) except that trees, groundcovers and shrubs shall be grouped to provide visual interest and to create view-openings no more than ten (10) feet in length and provided every forty (40) feet. Notwithstanding this requirement,

view of parking area that is unscreened from the right of way due to slope or topography shall require an increased landscaping standard under 4.176(.02) in order to buffer and soften the view of vehicles as much as possible. For purposes of this section, "view from the public right of way" is intended to mean the view from the sidewalk directly across the street from the site, or if no sidewalk, from the opposite side of the adjacent street or road.

- e. Where topography and slope condition permit, the landscape buffer shall integrate parking lot storm water treatment in bioswales and related plantings. Use of berms or drainage swales are allowed provided that planting areas with lower grade are constructed so that they are protected from vehicle maneuvers. Drainage swales shall be constructed to Public Works Standards.
 - f. In addition to the application requirements of section 4.035(.04)(6)(d), where view of signs is pertinent to landscape design, any approved or planned sign plan shall accompany the application for landscape design approval.
4. Be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces, provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000.
 5. Where possible, parking areas shall be designed to connect with parking areas on adjacent sites so as to eliminate the necessity of utilizing the public street for multiple accesses or cross movements. In addition, on-site parking shall be designed for efficient on-site circulation and parking.
 6. In all multi-family dwelling developments, there shall be sufficient areas established to provide for parking and storage of motorcycles, mopeds and bicycles. Such areas shall be clearly defined and reserved for the exclusive use of these vehicles.
 7. On-street parking spaces, directly adjoining and on the same side of the street as the subject property, may be counted towards meeting the minimum off-street parking standards.
 8. Tables 2 and 3, below, shall be used to determine the minimum and maximum parking standards for various land uses. The minimum number of required parking spaces shown on Tables 2 and 3 shall be determined by rounding to the nearest whole parking space. For example, a use containing 500 square feet, in an area where the standard is one space for each 400 square feet of floor area, is required to provide one off-street parking space. If the same use contained more than 600 square feet, a second parking space would be required.

NOTE: In considering proposed waivers to the following standards, the City will consider the potential uses of the site and not just the use that is currently proposed. For waivers to exceed the maximum standards, applicants shall bear the burden of proving that Metro, State, and federal clean air standards will not be violated.

Table 5: PARKING STANDARDS

USE	PARKING MINIMUMS	<u>PARKING MAXIMUMS</u>	BICYCLE MINIMUMS
a. Residential			
1. Single and attached units and any apartments (9 or fewer units)	1 per D.U., except accessory dwelling units, which have no minimum.	No Limit	0
2. Apartments of ten (10) or more units	1 per D.U. (less than 500 Sq.Ft.) 1.25 per D.U. (1 Bdrm) 1.5 per D.U. (2 Bdrm) 1.75 per D.U. (3 Bdrm)	<u>No Limit</u>	1 per D.U.
3. Manufactured or mobile home park	2 spaces/unit	No Limit	1 per D.U.
4. Manufactured or mobile home subdivision	1 per D.U.	No Limit	1 per D.U.
b. Commercial Residential			
1. Hotel	1 per 1000 Sq.Ft.	No Limit	1 per 5 units Min. of 2
2. Motel	1 per 1000 Sq.Ft.	No Limit	1 per 5 units Min. of 2
3. Clubs, Lodges	Spaces to meet the combined requirements of the uses being conducted such as hotel, restaurant, auditorium, etc.	No Limit	1 per 20 parking spaces Min. of 2
c. Institutions			
1. Welfare or correctional institution	1 space/3 beds for patients or inmates	No Limit	1 per 50 beds Min. of 2
2. Convalescent hospital, nursing	1 space/2 beds for patients or residents	No Limit	1 per 6000 Sq.Ft.

USE	PARKING MINIMUMS	<u>PARKING MAXIMUMS</u>	BICYCLE MINIMUMS
home, sanitarium, rest home, home for the aged			Min. of 2
3. Hospital	2 spaces/bed	No Limit	1 per 20 parking spaces Min. of 2
d. Places of Public Assembly			
1. Church	1 space/4 seats, or 8 ft. of bench length in the main auditorium	.8 per seat	1 per 50 seats Min. of 2
2. Library, reading room, museum, art gallery	2.5 per 1000 Sq.Ft.	No limit	1 per 1000 Sq.Ft. Min. of 6
3. Preschool nursery, kindergarten	.2 per student and staff	.3 per student and staff	1 per 3500 Sq. Ft. Min. of 2
4. Elementary or Middle School	.2 per student and staff	.3 per student and staff	8 per class (above 2nd grade) K - 2nd grade: 1 per 3500 Sq.Ft.
5. High School	.2 per student and staff	.3 per student and staff	4 per class
6. College, commercial school for adults	.2 per student and staff	.3 per student and staff	1 per class Min. of 4
7. Other auditorium, meeting rooms	.3 per seat	.5 per seat	1 per 50 seats Min. of 4
8. Stadium, arena, theater	.3 per seat	.5 per seat	1 per 40 seats Min. of 4
9. Bowling alley	4 spaces/lane	No limit	1 per 10 lanes Min. of 2
10. Dance hall, skating rink, gym, swim or fitness center	4.3 per 1000 Sq. Ft.	6.5 per 1000 Sq.Ft.	1 per 4000 Sq.Ft. Min. of 2
11. Tennis or racquetball facility	1 per 1000 Sq. Ft.	1.5 per 1000 Sq.Ft.	1 per court Min. of 2

USE	PARKING MINIMUMS	<u>PARKING MAXIMUMS</u>	BICYCLE MINIMUMS
e. Commercial			
1. Retail store except supermarkets and stores selling bulky merchandise and grocery stores 1,500 sq. ft. gross floor area or less	4.1 per 1000 Sq.Ft.	6.2 per 1000 Sq.Ft.	1 per 4000 Sq.Ft. Min. of 2
2. Commercial retail, 1,501 sq. ft. or more	4.1 per 1000 Sq.Ft.	6.2 per 1000 Sq.Ft.	1 per 4000 Sq.Ft. Min. of 2
3. Service or repair shops	4.1 per 1000 Sq.Ft.	6.2 per 1000 Sq.Ft.	1 per 4000 Sq.Ft. Min. of 2
4. Retail stores and outlets selling furniture, automobiles or other bulky merchandise where the operator can show the bulky merchandise occupies the major areas of the building	1.67 per 1000 Sq.Ft.	6.2 per 1000 Sq.Ft.	1 per 8000 Sq.Ft. Min. of 2
5. -, Office or flex space (except medical and dental) Bank with drive-thru	2.7 4 per 1000 Sq.Ft. 4.3 per 1000 Sq.Ft.	4.1 per 1000 Sq.Ft. 6.5 per 1000 Sq.Ft.	1 per 5000 Sq.Ft. Min. of 2
6. Medical and dental office or clinic area	3.9 per 1000 Sq.Ft.	5.9 per 1000 Sq.Ft.	1 per 5000 Sq.Ft. Min. of 2
7. Eating or drinking establishments Fast food (with drive-thru) Other	15.3 per 1000 Sq.Ft. 9.9 per 1000 Sq.Ft.	23 -per 1000 Sq.Ft. 14.9 per 1000 Sq.Ft.	1 per 4000 Sq.Ft. Min. of 4
8. Mortuaries	1 space/4 seats, or 8 ft. of bench length in chapels	<u>No limit</u>	Min. of 2
f. Industrial			

USE	PARKING MINIMUMS	<u>PARKING MAXIMUMS</u>	BICYCLE MINIMUMS
1. Manufacturing establishment	1.6 per 1000 Sq.Ft.	No Limit	1 per 10,000 Sq.Ft. Min. of 6
2. Storage warehouse, wholesale establishment, rail or trucking freight terminal	.3 per 1000 Sq.Ft.	.5 per 1000 Sq.Ft.	1 per 20,000 Sq.Ft. Min. of 2
g. Park & Ride or Transit Parking	As needed	No limit	10 per acre, with 50% in lockable enclosures

(.03) Minimum Off-Street Loading Requirements:

A. Every building that is erected or structurally altered to increase the floor area, and which will require the receipt or distribution of materials or merchandise by truck or similar vehicle, shall provide off-street loading berths on the basis of minimum requirements as follows:

1. Commercial, industrial, and public utility uses which have a gross floor area of 5,000 square feet or more, shall provide truck loading or unloading berths in accordance with the following tables:

Square feet of Floor Area	Number of Berths Required
Less than 5,000	0
5,000 - 30,000	1
30,000 - 100,000	2
100,000 and over	3

2. Restaurants, office buildings, hotels, motels, hospitals and institutions, schools and colleges, public buildings, recreation or entertainment facilities, and any similar use which has a gross floor area of 30,000 square feet or more, shall provide off-street truck loading or unloading berths in accordance with the following table:

Square feet of Floor Area	Number of Berths Required
Less than 30,000	0
30,000 - 100,000	1
100,000 and over	2

3. A loading berth shall contain space twelve (12) feet wide, thirty-five (35) feet long, and have a height clearance of fourteen (14) feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased to accommodate the larger vehicles.
4. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use.
5. Off-street parking areas used to fulfill the requirements of this Ordinance shall not be used for loading and unloading operations except during periods of the day when not required to meet parking needs.

Section 4.176. Landscaping, Screening, and Buffering.

Note: the reader is encouraged to see Section 4.179, applying to screening and buffering of storage areas for solid waste and recyclables.

- (.01) Purpose. This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:
- A. Promote the re-establishment of vegetation for aesthetic, health, erosion control, flood control and wildlife habitat reasons;
 - B. Restore native plant communities and conserve irrigation water through establishment, or re-establishment, of native, drought-tolerant plants;
 - C. Mitigate for loss of native vegetation;
 - D. Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
 - E. Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting sites or uses;
 - F. Unify development and enhance and define public and private spaces;
 - G. Promote the retention and use of existing vegetation;
 - H. Aid in energy conservation by providing shade from the sun and shelter from the wind; and
 - I. Screen from public view the storage of materials that would otherwise be considered unsightly.
 - J. Support crime prevention, create proper sight distance clearance, and establish other safety factors by effective landscaping and screening.
 - K. Provide landscaping materials that minimize the need for excessive use of fertilizers, herbicides and pesticides, irrigation, pruning, and mowing to conserve and protect natural resources, wildlife habitats, and watersheds.

(.02) Landscaping and Screening Standards.

- A. Subsections “C” through “I,” below, state the different landscaping and screening standards to be applied throughout the City. The locations where the landscaping and screening are required and the depth of the landscaping and screening is stated in various places in the Code.
- B. All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-

height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length (e.g., a landscaped area of between 800 and 1600 square feet shall have two trees if the standard calls for one tree per 800 square feet).

C. General Landscaping Standard.

1. Intent. The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.
2. Required materials. Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:
 - a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.
 - b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.

D. Low Screen Landscaping Standard.

1. Intent. The Low Screen Landscaping Standard is a landscape treatment that uses a combination of distance and low screening to separate uses or developments. It is intended to be applied in situations where low screening is adequate to soften the impact of one use or development on another, or where visibility between areas is more important than a total visual screen. The Low Screen Landscaping Standard is usually applied along street lot lines or in the area separating parking lots from street rights-of-way.
2. Required materials. The Low Screen Landscaping Standard requires sufficient low shrubs to form a continuous screen three (3) feet high and 95% opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A three (3) foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 22: Low Screen Landscaping).

E. High Screen Landscaping Standard.

1. Intent. The High Screen Landscaping Standard is a landscape treatment that relies primarily on screening to separate uses or developments. It is intended to be applied in situations where visual separation is required.

2. Required materials. The High Screen Landscaping Standard requires sufficient high shrubs to form a continuous screen at least six (6) feet high and 95% opaque, year-round. In addition, one tree is required for every 30 linear feet of landscaped area, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area. A six (6) foot high masonry wall or a berm may be substituted for the shrubs, but the trees and ground cover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. (See Figure 23: High Screen Landscaping).

F. High Wall Standard.

1. Intent. The High Wall Standard is intended to be applied in situations where extensive screening to reduce both visual and noise impacts is needed to protect abutting uses or developments from one-another. This screening is most important where either, or both, of the abutting uses or developments can be expected to be particularly sensitive to noise or visual impacts, or where there is little space for physical separation.
2. Required materials. The High Wall Standard requires a masonry wall at least six (6) feet high along the interior side of the landscaped area (see Figure 24: High Wall Landscaping). In addition, one tree is required for every 30 linear feet of wall, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area.

G. High Berm Standard.

1. Intent. The High Berm Standard is intended to be applied in situations where extensive screening to reduce both visual and noise impacts is needed to protect abutting uses or developments from one-another, and where it is desirable and practical to provide separation by both distance and sight-obscuring materials. This screening is most important where either, or both, of the abutting uses or developments can be expected to be particularly sensitive to noise or visual impacts.
2. Required materials. The High Berm Standard requires a berm at least four (4) feet high along the interior side of the landscaped area (see Figure 25: High Berm Landscaping). If the berm is less than six (6) feet high, low shrubs meeting the Low Screen Landscaping Standard, above, are to be planted along the top of the berm, assuring that the screen is at least six (6) feet in height. In addition, one tree is required for every 30 linear feet of berm, or as otherwise required to provide a tree canopy over the landscaped area. Ground cover plants must fully cover the remainder of the landscaped area.

H. Partially Sight-Obscuring Fence Standard.

1. Intent. The Partially Sight-Obscuring Fence Standard is intended to provide a tall, but not totally blocked, visual separation. The standard is applied where a low level of screening is adequate to soften the impact of one use or development on another, and where some visibility between abutting areas is

preferred over a total visual screen. It can be applied in conjunction with landscape plantings or applied in areas where landscape plantings are not necessary and where nonresidential uses are involved.

2. Required materials. Partially Sight-Obscuring Fence Standard are to be at least six (6) feet high and at least 50% sight-obscuring. Fences may be made of wood (other than plywood or particle-board), metal, bricks, masonry or other permanent materials (see Figure 26: Partially Sight-Obscuring Fence).

I. Fully Sight-Obscuring Fence Standard.

1. Intent. The Fully Sight-Obscuring Fence Standard is intended to provide a totally blocked visual separation. The standard is applied where full visual screening is needed to reduce the impact of one use or development on another. It can be applied in conjunction with landscape plantings or applied in areas where landscape plantings are not necessary.
2. Required materials. Fully sight-obscuring fences are to be at least six (6) feet high and 100% sight-obscuring. Fences may be made of wood (other than plywood or particle-board), metal, bricks, masonry or other permanent materials (see Figure 27: Totally Sight-Obscuring Fence).

(.03) Landscape Area. Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable.

(.04) Buffering and Screening. Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

- A. All intensive or higher density developments shall be screened and buffered from less intense or lower density developments.
- B. Activity areas on commercial and industrial sites shall be buffered and screened from adjacent residential areas. Multi-family developments shall be screened and buffered from single-family areas.
- C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.
- D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.
- E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.

F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval.

(.05) Sight-Obscuring Fence or Planting. The use for which a sight-obscuring fence or planting is required shall not begin operation until the fence or planting is erected or in place and approved by the City. A temporary occupancy permit may be issued upon a posting of a bond or other security equal to one hundred ten percent (110%) of the cost of such fence or planting and its installation. (See Sections 4.400 to 4.470 for additional requirements.)

(.06) Plant Materials.

A. Shrubs and Ground Cover. All required ground cover plants and shrubs must be of sufficient size and number to meet these standards within three (3) years of planting. Non-horticultural plastic sheeting or other impermeable surface shall not be placed under mulch.. Surface mulch or bark dust are to be fully raked into soil of appropriate depth, sufficient to control erosion, - and are confined to areas around plantings. Areas exhibiting only surface mulch, compost or barkdust are not to be used as substitutes for plants areas.

1. Shrubs. All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.
2. Ground cover. Shall be equal to or better than the following depending on the type of plant materials used: Gallon containers spaced at 4 feet on center minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum. No bare root planting shall be permitted. Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. Where wildflower seeds are designated for use as a ground cover, the City may require annual re-seeding as necessary.
3. Turf or lawn in non-residential developments. Shall not be used to cover more than ten percent (10%) of the landscaped area, unless specifically approved based on a finding that, due to site conditions and availability of water, a larger percentage of turf or lawn area is appropriate. Use of lawn fertilizer shall be discouraged. Irrigation drainage runoff from lawns shall be retained within lawn areas.
4. Plant materials under trees or large shrubs. Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations.

B. Trees. All trees shall be well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards and shall be balled and burlapped. The trees shall be grouped as follows:

1. Primary trees which define, outline or enclose major spaces, such as Oak, Maple, Linden, and Seedless Ash, shall be a minimum of 2" caliper.

2. Secondary trees which define, outline or enclose interior areas, such as Columnar Red Maple, Flowering Pear, Flame Ash, and Honeylocust, shall be a minimum of 1-3/4" to 2" caliper.
 3. Accent trees which, are used to add color, variation and accent to architectural features, such as Flowering- Pear and Kousa Dogwood, shall be 1-3/4" minimum caliper.
 4. Large conifer trees such as Douglas-Fir or Deodar Cedar shall be installed at a minimum height of eight (8) feet.
 5. Medium-sized conifers such as Shore Pine, Western Red Cedar or Mountain Hemlock shall be installed at a minimum height of five to six (5 to 6) feet.
- C. Where a proposed development includes buildings larger than twenty-four (24) feet in height or greater than 50,000 square feet in footprint area, the Development Review Board may require larger or more mature plant materials:
1. At maturity, proposed trees shall be at least one-half the height of the building to which they are closest, and building walls longer than 50 feet shall require tree groups located no more than fifty (50) feet on center, to break up the length and height of the façade.
 2. Either fully branched deciduous or evergreen trees may be specified depending upon the desired results. Where solar access is to be preserved, only solar-friendly deciduous trees are to be used. Where year-round sight obscuring is the highest priority, evergreen trees are to be used.
 3. The following standards are to be applied:
 - a. Deciduous trees:
 - i. Minimum height of ten (10) feet; and
 - ii. Minimum trunk diameter (caliper) of 2 inches (measured at four and one-half [4 1/2] feet above grade).
 - b. Evergreen trees: Minimum height of twelve (12) feet.
- D. Street Trees. In order to provide a diversity of species, the Development Review Board may require a mix of street trees throughout a development. Unless the Board waives the requirement for reasons supported by a finding in the record, different types of street trees shall be required for adjoining blocks in a development.
1. All trees shall be standard base grafted, well branched and typical of their type as described in current AAN Standards and shall be balled and burlapped (b&b). Street trees shall be planted at sizes in accordance with the following standards:
 - a. Arterial streets - 3" minimum caliper
 - b. Collector streets - 2" minimum caliper.
 - c. Local streets - 1-3/4" minimum caliper.
 - d. Accent or median tree -1-3/4" minimum caliper.

2. The following trees and varieties thereof are considered satisfactory street trees in most circumstances; however, other varieties and species are encouraged and will be considered:
 - a. Trees over 50 feet mature height: *Quercus garryana* (Native Oregon White Oak), *Quercus rubra borealis* (Red Oak), *Acer Macrophyllum* (Native Big Leaf Maple), *Acer nigrum* (Green Column Black Maple), *Fraxinus americanus* (White Ash), *Fraxinus pennsylvannica* 'Marshall' (Marshall Seedless Green Ash), *Quercus coccinea* (Scarlet Oak), *Quercus pulustris* (Pin-Oak), *Tilia americana* (American Linden).
 - b. Trees under 50 feet mature height: *Acer rubrum* (Red Sunset Maple), *Cornus nuttallii* (Native Pacific Dogwood), *Gleditsia triacanthos* (Honey Locust), *Pyrus calleryana* 'Bradford' (Bradford Pear), *Tilia cordata* (Little Leaf Linden), *Fraxinus oxycarpa* (Flame Ash).
 - c. Other street tree species. Other species may be specified for use in certain situations. For instance, evergreen species may be specified where year-round color is desirable and no adverse effect on solar access is anticipated. Water-loving species may be specified in low locations where wet soil conditions are anticipated.

E. Types of Plant Species:

1. Existing landscaping or native vegetation may be used to meet these standards, if protected and maintained during the construction phase of the development and if the plant species do not include any that have been listed by the City as prohibited. The existing native and non-native vegetation to be incorporated into the landscaping shall be identified.
2. Selection of plant materials. Landscape materials shall be selected and sited to produce hardy and drought-tolerant landscaping. Selection shall be based on soil characteristics, maintenance requirements, exposure to sun and wind, slope and contours of the site, and compatibility with other vegetation that will remain on the site. Suggested species lists for street trees, shrubs and groundcovers shall be provided by the City of Wilsonville.
3. Prohibited plant materials. The City may establish a list of plants that are prohibited in landscaped areas. Plants may be prohibited because they are potentially damaging to sidewalks, roads, underground utilities, drainage improvements, or foundations, or because they are known to be invasive to native vegetation.

F. Tree Credit.

Existing trees that are in good health as certified by an arborist and are not disturbed during construction may count for landscaping tree credit as follows (measured at four and one-half feet above grade and rounded to the nearest inch):

Existing trunk diameter

Number of Tree Credits

19 inches in diameter

3 tree credits

20 to 25 inches in diameter

4 tree credits

26 inches or greater

5 tree credits

1. It shall be the responsibility of the owner to use reasonable care to maintain preserved trees. Trees preserved under this section may only be removed if an application for removal permit under Section 4.610.10(01)(H) has been approved. Required mitigation for removal shall be replacement with the number of trees credited to the preserved and removed tree.

2. Within five years of occupancy and upon notice from the City, the property owner shall replace any preserved tree that cannot be maintained due to disease or damage, or hazard or nuisance as defined in Chapter 6 of this code. The notice shall be based on complete information provided by an arborist. Replacement with the number of trees credited shall occur within one (1) growing season of notice.

G. Exceeding Standards. Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met.

H. Compliance with Standards. The burden of proof is on the applicant to show that proposed landscaping materials will comply with the purposes and standards of this Section.

(.07) Installation and Maintenance.

A. Installation. Plant materials shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement.

B. Maintenance. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this Code, or any condition of approval established by a City decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. Failure to maintain landscaping as required in this Section shall constitute a violation of this Code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

C. Irrigation. The intent of this standard is to assure that plants will survive the critical establishment period when they are most vulnerable due to a lack of watering and also to assure that water is not wasted through unnecessary or inefficient irrigation. Approved irrigation system plans shall specify one of the following:

1. A permanent, built-in, irrigation system with an automatic controller. Either a spray or drip irrigation system, or a combination of the two, may be specified.

2. A permanent or temporary system designed by a landscape architect licensed to practice in the State of Oregon, sufficient to assure that the plants will become established and drought-tolerant.
 3. Other irrigation system specified by a licensed professional in the field of landscape architecture or irrigation system design.
 4. A temporary permit issued for a period of one year, after which an inspection shall be conducted to assure that the plants have become established. Any plants that have died, or that appear to the Planning Director to not be thriving, shall be appropriately replaced within one growing season. An inspection fee and a maintenance bond or other security sufficient to cover all costs of replacing the plant materials shall be provided, to the satisfaction of the Community Development Director. Additionally, the applicant shall provide the City with a written license or easement to enter the property and cause any failing plant materials to be replaced.
- D. Protection. All required landscape areas, including all trees and shrubs, shall be protected from potential damage by conflicting uses or activities including vehicle parking and the storage of materials.
- (.08) Landscaping on Corner Lots. All landscaping on corner lots shall meet the vision clearance standards of Section 4.177. If high screening would ordinarily be required by this Code, low screening shall be substituted within vision clearance areas. Taller screening may be required outside of the vision clearance area to mitigate for the reduced height within it.
- (.09) Landscape Plans. Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated. Landscape plans shall divide all landscape areas into the following categories based on projected water consumption for irrigation:
- A. High water usage areas (+/- two (2) inches per week): small convoluted lawns, lawns under existing trees, annual and perennial flower beds, and temperamental shrubs;
 - B. Moderate water usage areas (+/- one (1) inch per week): large lawn areas, average water-using shrubs, and trees;
 - C. Low water usage areas (Less than one (1) inch per week, or gallons per hour): seeded fieldgrass, swales, native plantings, drought-tolerant shrubs; , and ornamental grasses or drip irrigated areas.
 - D. Interim or unique water usage areas: areas with temporary seeding, aquatic plants, erosion control areas, areas with temporary irrigation systems, and areas with special water-saving features or water harvesting irrigation capabilities.

These categories shall be noted in general on the plan and on the plant material list.

- (.10) Completion of Landscaping. The installation of plant materials may be deferred for a period of time specified by the Board or Planning Director acting on an application, in order to avoid hot summer or cold winter periods, or in response to water shortages. In these cases, a temporary permit shall be issued, following the same procedures specified in subsection (.07)(C)(3), above, regarding temporary irrigation systems. No final Certificate of Occupancy shall be granted until an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property and install the required landscaping, in the event that the required landscaping has not been installed. The form of such written authorization shall be submitted to the City Attorney for review.
- (.11) Street Trees Not Typically Part of Site Landscaping. Street trees are not subject to the requirements of this Section and are not counted toward the required standards of this Section. Except, however, that the Development Review Board may, by granting a waiver or variance, allow for special landscaping within the right-of-way to compensate for a lack of appropriate on-site locations for landscaping. See subsection (.06), above, regarding street trees.
- (.12) Mitigation and Restoration Plantings. A mitigation plan is to be approved by the City's Development Review Board before the destruction, damage, or removal of any existing native plants. Plantings intended to mitigate the loss of native vegetation are subject to the following standards. Where these standards conflict with other requirements of this Code, the standards of this Section shall take precedence. The desired effect of this section is to preserve existing native vegetation.
- A. Plant Sources. Plant materials are to be native and are subject to approval by the City. They are to be non-clonal in origin; seed source is to be as local as possible, and plants must be nursery propagated or taken from a pre-approved transplantation area. All of these requirements are to be addressed in any proposed mitigation plan.
- B. Plant Materials. The mitigation plan shall specify the types and installation sizes of plant materials to be used for restoration. Practices such as the use of pesticides, fungicides, and fertilizers shall not be employed in mitigation areas unless specifically authorized and approved.
- C. Installation. Install native plants in-suitable soil conditions. Plant materials are to be supported only when necessary because of extreme winds at the site. Where support is necessary, all stakes, guy wires or other measures are to be removed as soon as the plants can support themselves. Protect from animal and fowl predation and foraging until establishment.
- D. Irrigation. Permanent irrigation systems are generally not appropriate in restoration situations, and manual or temporary watering of new plantings is often necessary. The mitigation plan shall specify the method and frequency of manual watering, including any that may be necessary after the first growing season.
- E. Monitoring and Reporting. Monitoring of native landscape areas is the on-going responsibility of the property owner. Plants that die are to be replaced in kind and quantity within one year. Written proof of the survival of all plants shall be

required to be submitted to the City's Planning Department one year after the planting is completed.