

## Chapter 20.50 LANDSCAPING

### 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 stormwater runoff while providing on-site filtration to protect groundwater resources from pollutants and flooding.~~

The intent of this chapter is to establish landscaping standards that contribute to a quality urban environment by encouraging the retention of existing vegetation, expansion of urban tree canopy through landscaping and street trees, usage of drought resistant vegetation, screening areas of low visual interests, buffering potentially incompatible developments, and to compliment development sites with landscaping.

(Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 4950 §8 (Exh. A) (part), 2005)

### 20.50.020 APPLICABILITY.

All new development, including expansion of existing structures and/or uses, shall be subject to the requirements of this chapter. (Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 4950 §8 (Exh. A) (part), 2005)

### 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) When a proposed remodel or change of use is valued at fifty (50) percent or less of the assessed value of onsite structures as determined by the Kitsap County Assessor. 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) For the remodel an existing development that results in no modifications except normal maintenance and repair; 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) When no new surface parking is proposed. To accommodate required off-street parking spaces. Pervious pavement or other landscaping mitigation may be required to accommodate for the loss of stormwater function.

(4) Improvements associated with damaged by fire or other casualty not intentionally caused by the owner or tenant, when a permit is applied for within one (1) year of such fire or casualty.

~~(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. (Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 4977 §6, 2006; Ord. 4950 §8 (Exh. A) (part), 2005)~~

### 20.50.040 GENERAL PROVISIONS.

Where existing trees and vegetation serve the same or similar function to the required landscaping, they may substitute for the required landscaping, provided the submitted plan is consistent with BMC 20.50.050(d) and BMC 15.04 Stormwater.

(a) Front Yards. All front yard setback areas shall be landscaped pursuant to the performance standards per BMC 20.50.050. For zones with a maximum front yard setback, the first ten (10) feet not occupied by a primary structure shall be landscaped;

(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, or similar area approved by the Director;

(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 zones, visual screening shall be provided according to the performance standards in BMC 20.50.050(b);

(d) ~~Tree Root Control Barrier. Trees planted within five (5) feet of a public street, sidewalk, or utility infrastructure may be required to install root control barrier to prevent physical damage to improvements. Root control barriers shall consist of galvanized metal or plastic sheets extending a minimum of two feet below the finished grade of the surrounding surface or as directed by the City Engineer within public road rights-of-way. 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(d), 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;

(4) Prior to certificate of occupancy, or release of a bond or other accepted assurance device, the Director may require a letter from the project landscape designer confirming that all landscaping, irrigation, and other features required per BMC 20.50 have been installed per submitted plans approved by the City of Bremerton. All such submitted letters shall include a copy of the landscape plan reviewed by the project landscape designer and/or arborist.

(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. (Ord. 5364 §5, 2018: Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 4950 §8 (Exh. A) (part), 2005)

#### **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; Alternatively, street trees may be provided one (1) for every fifty (50) linear feet of street frontage when tree varieties are:

(i) Listed in current Bremerton Approved Street & Row Tree List, and;

(ii) Have a growth rate of two (2) feet or more annually, and;

(iii) Have a mature height of at least thirty (30) feet, and;

(iv) Planting strip width requirements identified in the Bremerton Approved Street & Row Tree List are met, or ten (10) feet whichever is less, and;

(v) The applicant demonstrates measures taken to avoid conflicts with onsite utilities, overhead utilities, and neighboring properties.

(vi) The Director may allow street tree landscape planter areas to be limited to turf grasses when criteria per BMC 20.50.050(a)(1)(i) through BMC 20.50.050(a)(1)(v) are met.

(2) Planting shall include a mix of trees, shrubs, ground covers, turf grasses or combination thereof; nonliving 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 on site 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 ten (10) parking stalls one (1) tree shall be installed within ~~a landscaped~~ the internal parking lot area; and

(8) Landscaped areas shall consist of no more than fifty (50) percent deciduous species.

(9) In areas accessible by motor vehicles, provide permanent curbs to protect plantings areas. For the purposes of this section, curbs are stone, concrete, or asphalt barriers with a minimum of six (6) inches in height, of areas accessible by vehicles.

(10) The Director may waive or reduce criteria BMC 20.50.050(a)(2) through BMC 20.50.050(a)(8) and BMC 20.48.080(b)(2) when the following criteria are met for interior landscaping trees:

(i) Interior landscape trees meet criteria per BMC 20.50.050(a)(1)(i) through BMC 20.50.050(a)(1)(v).

(ii) Interior landscape tree densities are not less than one (1) per three thousand (3,000) square feet of total outdoor area utilized for driveways, loading, parking, and maneuvering motorized vehicles. The Director may reduce interior tree density when the applicant demonstrates that onsite mature tree canopy exceeds one third (1/3) of total outdoor area utilized for driveways, loading, parking, and maneuvering motorized vehicles.

(iii) Interior tree landscape planter areas may consist of decorative nonliving materials such as rock, bark, or similar.

(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 zones. 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 theaters, junk yards, heavy industrial/manufacturing, stadiums, and sports complexes proposed on a site that is adjoining the low or medium density residential zones. Type II screening shall be provided along all property lines that adjoin the low or medium density residential zones. 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 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; The Director may alter street tree standards of this subsection when criteria per BMC 20.50.050(a)(1)(i) through BMC 20.50.050(a)(1)(v) are met.

(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 The Director may alter surface parking lot standards of this subsection when criteria per BMC 20.50.050(a)(10)(i) are met.~~

~~(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~~ International Society of Arboriculture (ISA) Certified Arborist 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 where existing trees and vegetation serve the same or similar function to the required landscaping. ~~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.~~

~~(34)~~ 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.

(4) Critical root zones (tree protection zone) as defined by the International Society of Arboriculture shall be protected. No development, fill, excavation, construction materials, equipment staging, or traffic shall be allowed in the critical root zone of trees that are to be retained.

(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~~ most current edition of the American Standard for Nursery Stock 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. Minimum plant size shall be consistent with ~~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, or one-and-one-half (1-1/2) inch for drought-resistant species.~~

~~(2) Small ornamental and flowering trees: one and one-half (1 1/2) inch to one and three-fourths (1-3/4) inch caliper.~~

~~(23)~~ Evergreen trees: five (5) feet to six (6) feet in height, or four (4) feet for drought-resistant species.

(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. Unless provided for otherwise in this title, outdoor storage in all zones is prohibited, except for limited to the minimum number of refuse containers necessary to support approved on-site uses. Dumpsters, refuse containers for commercial uses, and outdoor storage permitted by the underlying zone shall comply with the following criteria:
- (1) 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.
  - (2) Outdoor storage and refuse containers requiring screening in the GC, R-40, NB, and land use centers shall be screened with materials which are architecturally similar to the primary structure.
  - (3) Outdoor storage and refuse containers should not be located between a street and the front of the building, except in industrial zones.
- (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 thorough a Type I Director decision. (Ord. 5364 §6, 2018: Ord. 5319 §8, 2017: Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 5008 §6, 2007: Ord. 4971 §11, 2006: Ord. 4950 §8 (Exh. A) (part), 2005)

#### **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;~~

(12) 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;

~~(23) 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, or temporary irrigation systems where drought-resistant vegetation is installed. Temporary systems may be removed after twenty-four (24) months or two (2) growing seasons, whichever occurs first; provided, that the plantings are established;~~

(34) 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;

~~(45) 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;~~

~~(56) All landscaping shall be maintained in healthy growing condition for the life of the project;~~

~~(67) 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. (Ord. 5301 §3 (Exh. B) (part), 2016: Ord. 5046 §4 (part), 2008: Ord. 4950 §8 (Exh. A) (part), 2005)~~