

1-Gateway Landscaping Overlay District

This ordinance establishes a Landscaping Overlay District and landscaping standards for the parcels adjacent to SR410 and within the zoning districts of CC (Central Commercial) and GC (General Commercial) within the City Limits of Buckley, WA.

2-Purpose, Intent and Definitions

A-Purpose. The purpose of the Landscaping Requirements for the Gateway Landscaping Overlay District is to define and enhance the entrance corridors to the City of Buckley, which will:

1. Establish an entrance corridor that heralds the approach to the City;
2. Define the arrival to a destination;
3. Define and frame views of Mt Rainier,
4. Screen undesirable views of parking lots and structures,
5. To encourage designs which produce a desirable relationship between individual buildings, the circulation systems and adjacent areas;
6. To control signage and driveway visibility obstructions and clutter and to permit a flexible response of development to the market as well as to provide incentives for the development of a variety of landscaping options,
7. Link common elements together; and
8. Provide consistent landscaping.

B-Intent. The intent for these landscaping requirements is to create an attractive corridor by utilizing ornamental plantings - combined with native plants – to make a low-maintenance vegetative corridor. The landscaping will be multi-functional: attractiveness, screening, and low-maintenance are the goals for this ordinance.

C-Definitions.

Usage: For the purpose of these regulations, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth below.

- 1) Unless the context clearly indicates to the contrary, words used in the present tense include the future tense.
- 2) Words used in the plural number include the singular.
- 3) The word “herein” means “in these regulations”.
- 4) The phrase “these regulations” mean “Buckley Municipal Code (BMC)”.
- 5) The word “person” includes a corporation, a partnership, and an incorporated association of persons such as a club, or any other legal entity.

- 6) The word “subsection” refers to, for example, Section 19.35 (9), *et seq.*
- 7) The word “shall” is always mandatory.
- 8) A “building” or “structure” includes any part thereof.
- 9) The words “used” or “occupied” as applied to any land or building shall be construed to include the word “intended, arranged, or designed to be used or occupied.”
- 10) That which is “adjacent” may be separated by some intervening object.
- 11) That which is “adjoining” must touch in some part.
- 12) That which is “contiguous” must touch entirely on one side.

Terms:

Berm: A planted or landscaped elevated ground area between two other areas, generally designed to restrict view and to deflect or absorb noise. Berms with ground cover that necessitate mowing shall have a slope not greater than one (1) foot of rise per three (3) feet of run.

Caliper: Trunk diameter of a tree used in landscaping, measured six (6) inches above ground for trees up to four (4) inch caliper and twelve (12) inches above ground for larger trees.

Crown: The branches and leaves of a tree or shrub together with the associated upper trunk.

Deciduous Plants: Those that shed their leaves during their dormant season and produce new leaves the following growing season.

Evergreen Plants: Those that retain their leaves during their dormant season.

Foundation Landscaping: Treatment of grade with ground cover, vegetation, ornamentation, etc., against the front of the primary structure.

Frontage Landscaping: Treatment of grade with ground cover, vegetation, ornamentation, etc., between parking area or building and adjacent street rights-of-way.

Gabion. A galvanized wire box filled with stones used to form retaining walls along a stream or bridge.

Ground Cover. Plants, other than turfgrass, annual flowers and vegetables normally reaching an average maximum height of not more than twenty-four (24) inches at maturity. Ground cover is not gravel, bark, or other such mulch.

Hardscape. Non-planted areas outside the building footprint, such as patios, decks, pools, driveways, walkways and the like.

Interior Landscaping: Treatment of grade with ground cover, vegetation, ornamentation, etc., within an off-street parking area.

Irrigation System. A permanent, supplemental electrically operated watering system designed to transport and distribute water to plants.

Island: An interior landscaping feature surrounded on all sides by driving and/or parking surfaces.

Landscaped Area. The entire parcel less the building footprint, driveways, non-irrigated portions of parking lots, hardscapes such as decks and patios, and other non-planted areas. Water features and surface stormwater detention facilities are included in the calculation of the landscaped area.

Landscape Elements: A plant material (living or non-living) or an ornamental material (river rock, brick, tile, statuary, etc.) differentiated from surrounding off-street parking area surfacing materials.

Luminaire: A complete lighting unit that consists of one or more lamps and ballast, if needed, together with other parts designed to distribute light, position and protect lamps, and connect lamps to the power source.

Landscaping. Any combination of living plants (such as grass, ground cover, flowers, shrubs, vines, hedges, or trees) and non-living landscape material (such as walkways, rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

Mulch. Non-living, organic or synthetic materials (pine straw, bark chips, wood chips, etc.) placed on the ground to cover the ground surface, retard erosion, retain moisture, stabilize soil, protect roots, limit weed growth and otherwise promote tree and shrub growth by simulating the role of natural forest leaf-litter.

Ornamentation: Decorative features of a non-living material used to enhance a landscaped area.

Peninsula: An interior landscaping feature attached on only one side to perimeter landscaping, buildings, etc., and surrounded on all other sides by off-street parking areas.

Perimeter Landscaping: Treatment of grade with ground cover vegetation and ornamentation, etc., between an off-street parking area and adjoining properties. Perimeter landscaping shall exclude landscaping between an off-street parking area and buildings on the same legal lot.

Pervious Paving Materials. A porous asphaltic, concrete or brick surface.

Plant Bed. A grouping of trees, shrubs, and or ground covers growing together in a defined area devoid of turfgrass, normally using mulch around the plants.

Runoff. Water that is not absorbed by the soil or landscape to which it is applied and therefore flows from the area.

Shrub: A woody plant, generally multi-stemmed, of smaller stature than a tree.

Tree: A woody plant, generally with no more than one or two principal stems.

Turf /Turfgrass. Continuous plant coverage consisting of grass species that is mowed to maintain an established height.

Visibility Triangle: An area of critical visibility between the heights of two and one half (2.5) feet and eight (8) feet above the street grade at an intersection in which landscaping is restricted in the interest of vehicular traffic safety. The visibility triangle will be determined by points twenty-five (25) feet from intersection right-of-way lines with a straight line connecting such points.

Section 3-Applicability Of Landscape Ordinance

The Gateway Landscaping Overlay District shall include all parcels in the GC and CC zoning districts that have frontage adjacent to SR410, as specified on the excerpt of the official zoning map included at the end of this section.

Section 4-Land Clearing and Modification

It is the intent of this section to protect and enhance the natural resources of the Buckley community. When performing new construction, redevelopment or a land-clearing permit requiring a permit and/or a site plan review, landscaping improvements shall be made to the parcel and shall comply with the requirements set forth.

It is presumed, due to the nature of native soils in Buckley, that imported fill will be used to stabilize the construction site for compaction. Native soil shall be retained for use in landscaping, including but not limited to the construction of berms and the filling of tree wells, peninsulas, cutouts, islands etc for the purposes of providing adequate soil for tree and shrub growth.

Section 5-Site and Landscape Design Standards

A. Parcels on the north or northwest side of SR410 shall have different tree species than parcels on the south or southeast side of SR410 in order to preserve views of Mt Rainier from the roadway for automobile passengers. Parcels on the south or southeast side of SR410 shall plant only small-statured trees, but exceptions to this provision will be considered on a case-by-case basis, provided the trees do not screen views and instead frame views of Mt Rainier.

B. At minimum, a continuous twenty-five (25) foot deep streetscape and screening planting strip, exclusive of easements or drainage ways, shall be located in the required front setback located adjacent to the public right-of-way designated in the Gateway Corridor Overlay District, in accordance with the Landscaping Standards of this Ordinance, provided that:

1. Existing drainage ways adjacent to SR410 are not required to be landscaped and landscaping will not impede drainage way maintenance.
2. Required frontage improvements, such as sidewalks, shall not be impeded by landscaping. If an existing sidewalk lies within the gateway easement, a portion of the required landscaping shall be between the sidewalk and the designated right-of-way.
3. The required landscaping area does not occupy more than 20% of a parcel's depth; in these few instances, the required (lesser) area to be landscaped will be considered on a case-by-case basis by City planning staff.
4. Drainage facilities are not allowed within the gateway landscape buffer except those that are necessary to convey drainage in the shortest possible route to or from the street right-of-way. Drainage facilities include all detention ponds, water quality ponds, outlet structures, drainage berms, improved channels, or other improvements associated with the drainage improvements. Existing drainage ways or facilities constructed under prior permit approval are grandfathered into this ordinance and are exempt from these provisions, except for appropriate vegetation installation.
5. All detention ponds and water quality ponds within the gateway overlay district buffer shall be designed to the greatest extent possible to conform to the natural terrain of the land and if possible as curvilinear, nonrectangular shapes. Detention ponds and water quality ponds within the gateway buffer shall be designed so that the facilities do not require chain link fencing or concrete walls (or similar material). Outlet structures may be concrete. Native stone is allowed for detention ponds and water quality ponds if the ponds are located behind the gateway landscape buffer and the stone is mortared in place or dry stacked. Gabions are not allowed.
6. Separate ponds for each lot may be utilized if they are designed with a curvilinear contoured shape, are designed not to require fencing, are able to utilize vegetative slope stabilization with a slope not exceeding 3:1, and no structural retaining walls are used.
7. Fencing is allowed around detention ponds only if the fencing is constructed of wrought iron, tubular steel, vinyl rail fence or other similar product. The fence shall be buffered from the street view by planting shrubs that will, at maturity, screen at least 40 percent of the view of the detention pond and fence.

C. Required design elements

1. The landscape buffer area shall be landscaped and maintained with at least 80% live vegetative coverage per species list, excluding the area required for driveways, sidewalks, bicycle paths, or drainage features. The remainder may be semipervious landscaping such as landscape rock, wood chips, native rock walls, fountains, statuary, and signs in compliance with BMC Title 19.34.
2. The vegetative screening shall consist of 1/3 native material per species list or pre-approved other plant. The 1/3 native material shall be sited together in a single area.
3. The vegetative screening shall be in at least 3 distinct canopy layers: ground cover, at least one shrub screening layer and tree layer. All plants shall be from the preferred species list unless pre-approved by the Planning Director.
4. Vegetation must provide year-round opaque screening of the site at maturity.
 - a. Sight lines through the screen are allowed if approved in writing by City staff and shall consist of no more than 10% of width of proposed area.

- b. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a passing automobile on SR410 (approximately 3.5 - 4.5 feet).
- 5. Berms of native soil are preferred, and shall be not less than 1 foot high and not more than 2.5 feet high and slope of 2:1. The frontage may consist of more than one berm for aesthetic or drainage purposes.
- 6. Turf is discouraged and shall not be approved except when acting as a vegetative filter alongside surface stormwater detention or conveyance.

Section 6- Landscape Maintenance

The vegetative buffer area shall be maintained so as to present a neat appearance. The plant material shall not be pruned into geometric shapes. The plant material shall not be pruned into a hedge.

Section 7-Landscape Plan Required

Before the issuance of a new building permit or remodel permit application, a landscape plan shall be presented for approval by City staff. The plan shall consist of, at a minimum:

- a. A scale drawing of the landscape depicting plant placement.
- b. A plant list.
- c. Section and detail drawings for landscape islands or peninsulas (if any) detailing depth and type of soil material (see also Section 11 below).
- d. Section and detail drawings

Section 8- Alternative Compliance And Landscape Credit

For parcels in the Overlay District that, due to future Right-of-Way requirements or due to lack of sufficient depth, alternative designs may be proposed. Such designs require approval by City staff.

Section 9- Permit Application Procedures

For parcels with existing landscaping at the time of the passage of this Title, installation of vegetative screening shall be required as a condition of approval of building permit – such as for rebuilding, remodeling, land disturbing. No permit is required for the vegetative screening area *per se*. Approval of landscape designs shall be through the regular permit process.

Section10- Enforcement, Penalties and Appeals

Enforcement shall be in accordance with BMC Title 19.56.
