



CITY OF PORT ORCHARD
Planning Commission

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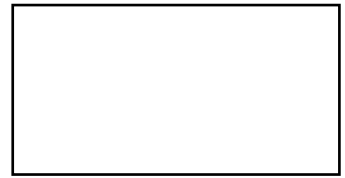
PLANNING COMMISSION MEETING AGENDA

**** Special Study Session ****

Thursday, July 12, 2018

- 1. Call to Order: 6:00 p.m.**
- 2. Discussion:** Zoning Code Update Draft Chapters (continued from June meeting)
- 3. Discussion:** Draft Building Types Code (20.32) Draft Landscaping Code (20.128) and Draft Significant Trees Code (20.129)
- 4. Adjourn**

The public is invited to speak and give testimony on any item under discussion by the Planning Commission. Please sign in prior to speaking, walk to the podium, and after receiving recognition by the Chairman, state your name, address and purpose for appearing. Please use the microphone for all of your testimony or comments.



Planning Commission Meeting Minutes
June 5, 2018

COMMISSIONERS:

Present: Stephanie Bailey (acting chair), David Bernstein, Marcus Lane, Suanne Martin Smith, Trish Tierney, Kathleen Wilson

Absent: Annette Stewart, Mark Trenary

STAFF PRESENT:

Community Development Director Nick Bond, Long Range Planner Keri Sallee

1. CALL TO ORDER:

Acting Chair Bailey called the meeting to order at 6:03 p.m. and led the pledge of allegiance.

2. AUDIENCE COMMENTS: None.

3. BUSINESS ITEMS:

A. Public Hearing: 2018 Comprehensive Plan Amendments Long Range Planner Sallee and Community Development Director Bond gave an overview of the 2018 Comprehensive Plan amendment package. The amendments include:

- Change the comprehensive plan designation and zoning of 15 lots and one tract (private access road) along Crawford Rd E totaling approximately 2.64 acres, from Commercial/Commercial to Residential Low/R4.5.
- Change the comprehensive plan designation and zoning of 8 parcels along Old Clifton Rd totaling approximately 12.49 acres, from Urban Industrial/Employment Industrial & Office to Residential High/R20.
- Change the comprehensive plan designation and zoning of 7 undeveloped parcels at SE Orlando St and Wendell Ave SE totaling 3.51 acres, from Residential Medium/R12 to Residential High/R20.
- The Public Works Department has updated the City's 6-Year Transportation Improvement Program (TIP) for 2019-2024. The updated TIP will replace the 2018-2023 TIP in Appendix B (Plans Adopted by Reference) of the Comprehensive Plan.
- The City's Bethel and Sedgwick Corridor Right of Way Acquisition Plan will be added to Appendix B of the Comprehensive Plan.
- Rockwell Pocket Park and the Waterfront Park Expansion will be added to the City's inventory of parks in Chapter 4.4 of the Comprehensive Plan's Parks Element.

Chair Bailey opened the public hearing.

Crawford Road Amendment: Mike and Donna Williams said that they own three lots on Crawford Road, and would like a better understanding of how the proposed land use designation change for the lots along Crawford from Commercial to Residential Low would benefit them and the City. Long Range Planner Sallee said that it is unlikely that any of the individual lots on Crawford will be developed commercially, since the lots are very small and Crawford is a dead-end private access road which is substandard and owned by multiple landowners. A commercial

developer would have to buy all of the lots and upgrade the road and utilities to have a successful development, and so far no one has proposed to do this. Under the Commercial land use designation, the single-family houses on Crawford are considered nonconforming to the City's zoning code and cannot be enlarged, torn down and rebuilt, or have any additional structures placed on them, and new residences cannot be built on the vacant lots on Crawford. Lenders often are wary of nonconforming properties, and may be reluctant to finance mortgages or home equity loans. The neighborhood has experienced a lot of problems with lack of maintenance, squatters and criminal activity, and the City hopes that the change to Residential Low will enable and encourage homeowners to repair and improve their properties and assist in neighborhood recovery. If in future the Crawford Road property owners decide that commercial zoning is appropriate, they can petition the City Council to rezone the area again. Ms. Williams asked if any of the property owners had expressed support for the amendment. Sallee said that she had not heard from any of them, although they were sent notices of the proposed land use change and the public hearing.

Roger Minor, a Crawford Road property owner, said that he supports the amendment. He would like the Crawford Road properties to be bought up and developed commercially, but the time is not right for it. His house was condemned, and he would like to be able to fix it up and sell it, but the nonconforming status prevents him from doing so. He believes that allowing people to fix their houses and build new ones, or to sell to people who want to fix up the houses, will help improve the neighborhood. When it becomes economically feasible to sell the Crawford Road properties, the neighborhood can request a rezone back to Commercial.

Overlook Apartments Amendment: Susan Daniel said that she has property on Wendell Avenue, next to the Overlook properties that are proposed to be redesignated from Residential Medium to Residential High. She would like more information on whether increased traffic will result from the change, and how traffic will access the redesignated properties from Wendell. Community Development Director Bond said that the developer is requesting the change to allow them to move some of the approved development density to the redesignated properties in order to build more apartment units in this location than would be allowed under the existing Residential Medium designation. The overall density and approved number of residential units for the Overlook project will not be changed. However, the developer will also need to submit a new development plan for City permit approvals, which will be reviewed against the City's requirements for traffic impacts and infrastructure improvements. Approval of the land use redesignation does not constitute approval of a redesign for the project.

Chair Bailey closed the public hearing.

B. Discussion and Recommendation: 2018 Comprehensive Plan Amendments Commissioner Tierney moved to recommend that the City Council adopt the 2018 Comprehensive Plan amendments as presented. Commissioner Martin Smith seconded the motion. The motion passed unanimously.

C. Public Hearing: Self-Storage Facilities Ordinance. Chair Bailey opened the public hearing. No comments were received. Chair Bailey closed the public hearing.

D. Discussion and Recommendation: Self-Storage Facilities Ordinance Sallee gave an overview of the self-storage facilities ordinance. On April 24, 2018, the Council adopted an interim self-storage facilities ordinance and overlay map that designates limited areas in which new self-storage facilities can be developed, effective for a period of twelve months. Corresponding changes to the land use table in POMC 20.46.030 were made to distinguish between indoor and outdoor storage, with the latter being restricted to the Employment Industrial and Office zone for the duration of the interim ordinance. The interim ordinance also amended provisions related to self-storage as an accessory use to residential uses, by only allowing self-storage as an accessory use to larger residential project and by limiting the size of self-storage facilities as an accessory use. The Council now wishes to adopt a revised interim self-storage ordinance which corrects Exhibit A by indicating that self-storage is a permitted use instead of a conditional use in the Employment Industrial & Office zone. The Planning Commission has been

requested to hold a public hearing on the interim ordinance, and provide a recommendation on the proposed revision.

Commissioner Bernstein asked about recent self-storage restrictions in Poulsbo and Bainbridge Island. Sallee said that Poulsbo had recently adopted new regulations that limit self-storage locations within the City's commercial zoning districts, subsequent to enacting a moratorium on new self-storage developments. Bainbridge Island recently adopted a partial citywide building moratorium, which is causing developers to look elsewhere for available property. Bond noted that Council was concerned about the number of inquiries and preapplications for new self-storage developments, which have the potential to take up valuable commercial property in high-visibility corridors without producing much return for the City. Permanent regulations for self-storage facilities will be addressed in the Zoning Code update which is underway.

Commissioner Tierney said that some of the demand for self-storage units results from an increasing homeless population in Kitsap County. People who have lost their homes, and who may be living in shelters or in their cars, are looking for places to store their belongings until they can get back on their feet. This issue should be remembered when considering limits on self-storage facilities.

Commissioner Tierney moved to recommend that the City Council approve the interim self-storage regulations with the revision to Exhibit A as shown. Commissioner Bernstein seconded the motion. The motion passed unanimously.

The Planning Commission then took a short recess while the meeting was relocated from City Hall to the Department of Community Development building (720 Prospect Ave), for an on-screen interactive discussion of the next item.

E. Discussion: Zoning Code Update Draft Chapters

Bond presented the first draft of several chapters of the proposed Zoning Code update to the Commissioners. These chapters included the Introduction, Zones and Zoning Map, the Greenbelt and Residential zoning districts, and several of the proposed Commercial and Mixed-Use Districts. Significant issues which were discussed include building types, lot sizes and width, hard surface coverage, building setbacks, the change to a "form-based" code (i.e., regulating building types instead of uses or densities), building height, the "build to zone" façade requirements, parking locations, and a potential transfer of development rights program. The discussion will continue at the Commission's next meeting.

4. APPROVAL OF MINUTES: Commissioner Bernstein made a motion to approve the minutes from May 1, 2018. Commissioner Martin Smith seconded the motion. The motion passed unanimously. A quorum of Planning Commissioners who were present at the March 2018 meeting was not available; therefore, approval of the March minutes was tabled again until the next meeting.

ADJOURN: Chair Bailey adjourned the meeting at 7:58 pm.

Annette Stewart, Chair

Nick Bond, City Development Director

POMC 20.32 Building Types

POMC 20.32.005 Purpose

POMC 20.32.010 Building Type Descriptions

POMC 20.32.020 Detached House

POMC 20.32.030 Backyard Cottage

POMC 20.32.040 Cottage Court

POMC 20.32.050 Duplex: Side by Side

POMC 20.32.060 Duplex: back to Back

POMC 20.32.070 Attached House

POMC 20.32.080 Four Plex

POMC 20.32.090 Townhouse

POMC 20.32.100 Apartment

POMC 20.32.110 Live Work

POMC 20.32.120 Shopfront House

POMC 20.32.130 Single Story Shopfront

POMC 20.32.140 Mixed Use Shopfront

POMC 20.32.150 General Building

20.32.005 Purpose

The purpose of this chapter is to differentiate building types and provide standards for the construction of different building types to ensure a high quality public realm.

20.32.010 Building Type Descriptions **[Format this Section as Table]**

(1) Detached House.

- a. A building type that accommodates one dwelling unit on an individual lot with yards on all sides. A new manufactured home shall be considered a detached house for the purposes of this Title. "New manufactured home" means any manufactured home required to be titled under Title [46](#) RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW [82.45.032](#)(2). A new Manufactured Home shall be treated as a Detached House for the purposes of this Title.



- b. Zones where permitted: R1, R2, R3, R6, RMU, NMU, BPMU

(2) Backyard Cottage.

- a. A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated.



b. Zones where permitted:

(3) Cottage Court.

- a. A building type that accommodates 5 to 9 detached dwelling units organized around an internal shared courtyard.



b. Zones where permitted:

(4) Duplex: Side by Side.

- a. A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.



b. Zones where permitted:

(5) Duplex: Back to back.

- a. A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.



b. Zones where permitted:

(6) Attached House.

- a. A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.



- b. Zones where permitted:

(7) Four-plex.

- a. A building type that accommodates 3 to 4 dwelling units vertically or horizontally integrated.



- b. Zones where permitted:

(8) Townhouse.

- a. A building type that accommodates 3 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.



- b. Zones where permitted.

(9) Apartment.

- a. A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.



- b. Zones where permitted.

(10) Live Work.

- a. A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.



- b. Zones where permitted:

(11) Shopfront House.

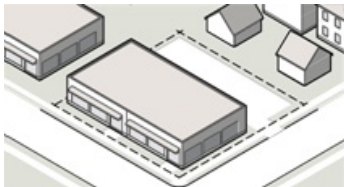
- a. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.



- b. Zones where permitted:

(12) Single-Story Shopfront

- a. A single-story building type that typically accommodates retail or commercial uses.



- b. Zones where permitted:

(13) Mixed Use Shopfront.

- a. A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses



b. Zones where permitted:

(14) General Building.

- a. A building type that typically accommodates ground floor retail, office, or commercial uses with upper-story residential or office uses.



b. Zones where permitted:

(15) Manufactured or Mobile Home Park.

- a. A cluster of manufactured or mobile homes configured such that more than one mobile home is located on a lot, parcel, or tract. A Manufactured Home Park typically features land or un-subdivided lots leased or rented by the manufactured home owner.
- b. Zones where permitted: None. New mobile home parks are not permitted. Existing legal nonconforming mobile home parks may be maintained.

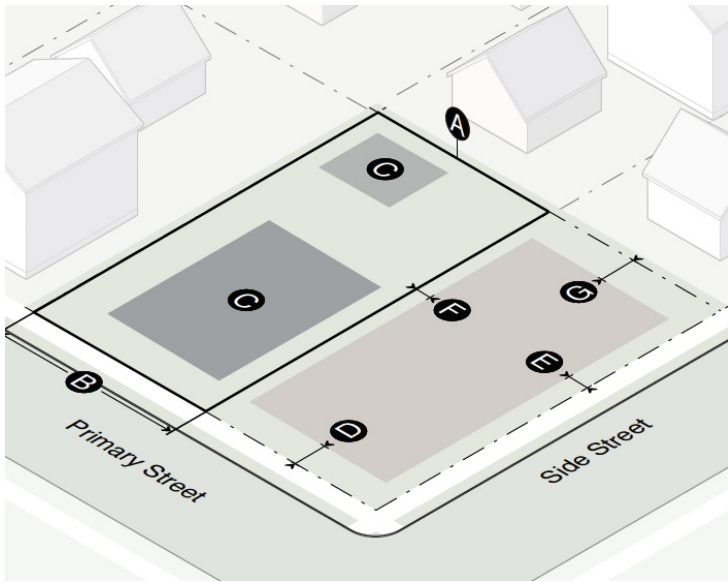
(16) Accessory Building:

- a. An accessory building is any building of which the form and use are subordinate in both purpose and size, incidental to and customarily associated with a permitted principal building and use located on the same lot.

20.32.020 Detached House



- (1) Definition: A building type that accommodates one dwelling unit on an individual lot with yards on all sides.
- (2) Districts where allowed: GB, R1, R2, R3, R6, NMU, BPMU
- (3) Lot and Placement:



- a. Minimum/Maximum Lot Area: Set by District.
 - b. Minimum Lot Width. Set by District.
 - c. Maximum Lot Coverage: Set by District.
 - d. Building and Structure Setback from Primary Street lot line: Set by District.
 - e. Building and Structure Setback from Side Street lot line: Set by District.
 - f. Building and Structure Setback from Side Interior lot line: Set by District.
 - g. Building and Structure Setback from Rear lot line: Set by District
- (4) Maximum dwelling units per lot: 1 Primary, 1 Accessory
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.

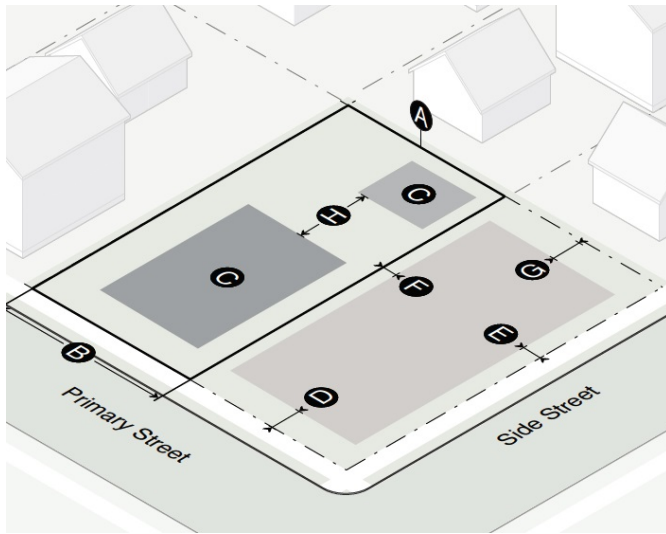


- a. Maximum Principal Building Height: 3 stories / 35 feet max
- b. Accessory Structure: 24 feet max
- c. Minimum Ground Floor Elevation: 2 Feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.122.070
 - ii. Garage door restrictions: See 20.122.070

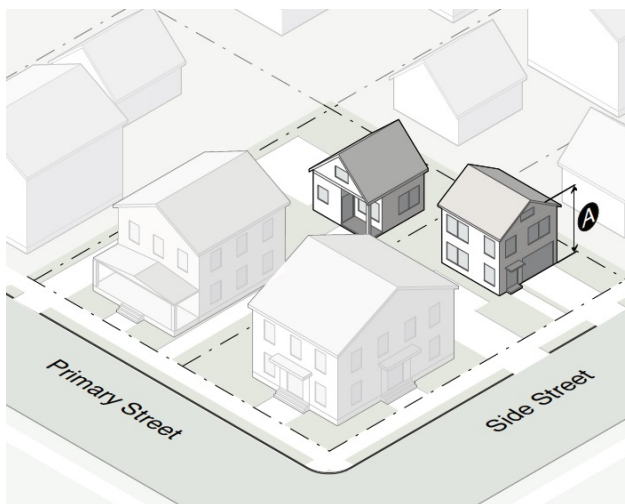
20.32.030 Backyard Cottage



- (1) Definition: A small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.
- (2) Districts where allowed: R1, R2, R3, R6, NMU, RMU, BPMU
- (3) Lot and Placement:



- a. Minimum/Maximum Lot Area: Set by District.
 - b. Minimum Lot Width: Set by District.
 - c. Maximum Lot Coverage: Set by District.
 - d. Building and Structure Setback from Primary Street lot line: Set by District.
 - e. Building and Structure Setback from Side Street lot line: Set by District.
 - f. Building and Structure Setback from Side Interior lot line: Set by District.
 - g. Building and Structure Setback from Rear lot line: Set by District
 - h. Minimum Building separation: 10'
 - i. Maximum Heated floor area: **See section 20.32.080.**
- (4) Max dwelling units per lot: 1 Backyard Cottage may be permitted as an accessory use to 1 detached house or New Manufactured Home on a lot.
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.



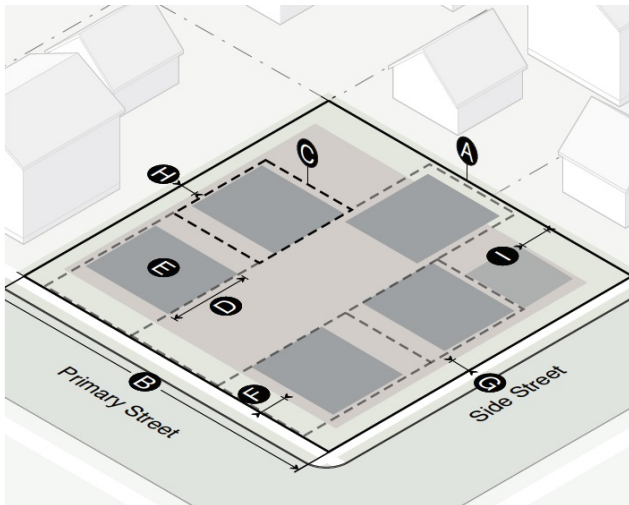
- a. Maximum Accessory Structure Height: 24 Feet

- b. Minimum Ground Floor Elevation: 2 Feet Minimum
- c. Pedestrian Access.
 - i. Entrance facing primary street: Does not apply.
- d. Building Elements Allowed:
 - i. Balcony. Does not apply.
 - ii. Porch. Does not apply.
 - iii. Stoop. Does not apply.
- e. Parking Location
 - i. Front/corner yard restrictions: Does not apply.
 - ii. Garage door restrictions: See Section 20.32.170.
 - iii. Additional on-site parking required: See section XXXX.

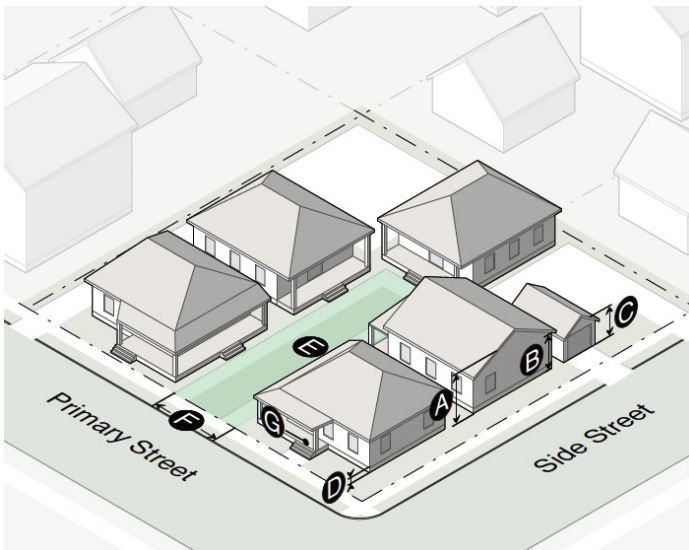
20.32.040 Cottage Court



- (1) Definition: A building type that accommodates 5 to 12 detached dwelling units on individual lots organized around an internal shared courtyard.
- (2) Districts where allowed: R2, R3, R6, RMU, NMU
- (3) Lot and Placement



- a. Minimum Site Area: 22,500 square feet
 - b. Minimum Site Width and Depth: 150'
 - c. Minimum Lot Area: 1,200 square feet
 - d. Minimum Lot Width: 20'
 - e. Maximum Principal Building Footprint: 1,200 square feet
 - f. Building and Structure Setback from Primary Street lot line: Set by District.
 - g. Building and Structure Setback from Side Street lot line: Set by District.
 - h. Building and Structure Setback from Side Interior lot line: Set by District.
 - i. Building and Structure Setback from Rear lot line: Set by District
- (4) Maximum Dwelling Units allowed per site: 5-12
- (5) Additional site area required per dwelling unit beyond 5: 4,500 square feet
- (6) Maximum Lot Coverage: Does not apply
- (7) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (8) Height and Form.

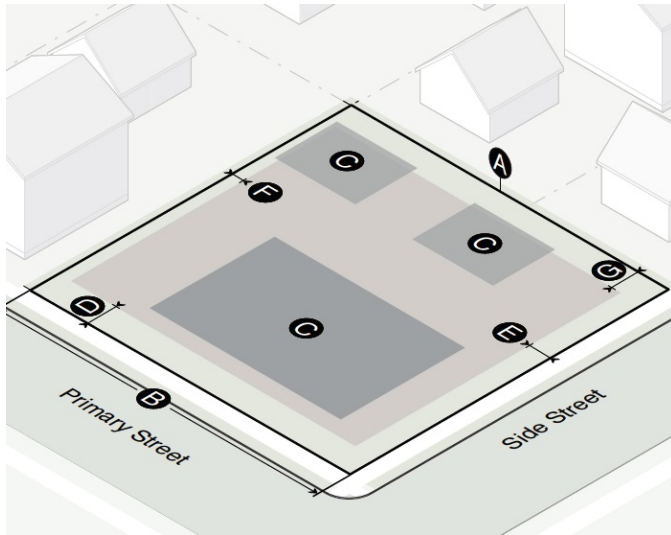


- a. Maximum Principal Building Height: 1.5 stories / 24 feet Max
- b. Maximum Building Wall Plate Height: 18 feet
- c. Maximum Accessory Structure Height: 18 feet
- d. Minimum Ground Floor Elevation: 2 feet
- e. Courtyard Area:
 - a. Minimum Area: 3,000 square feet
 - b. Additional Minimum Courtyard Area per dwelling unit beyond 5 units: 600 square foot minimum.
 - c. Courtyard cannot be parked or driven on, except for emergency access and as permitted for temporary events.
- f. Minimum Courtyard Width
 - a. 40 feet
- g. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- h. Parking Location
 - i. Front/corner yard restrictions: Not allowed.
 - ii. Garage door restrictions: See 20.32.070

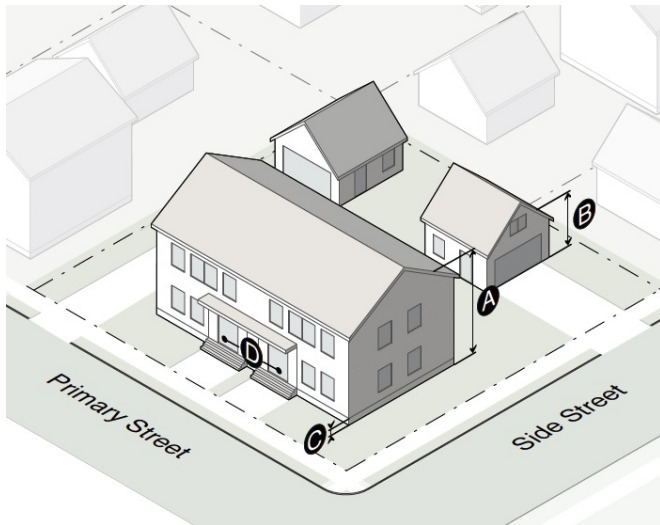
20.32.050 Duplex: Side by Side.



- (1) Definition: A building type that accommodates two dwelling units on an individual lot separated vertically side by side that share a common wall.
- (2) Districts where allowed: R2, R3, RMU, NMU, BPMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by district.
 - b. Minimum Lot Width: Set by district.
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 2 min, 2 max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Does not apply.
 - b. Building façade in secondary street BTZ: Does not apply.
- (6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24' feet

- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.122.030
 - ii. Porch. See section 20.122.060
 - iii. Stoop. See section 20.122.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070
- g. Maximum Garage Door Width for garage bays facing primary street: 10 feet.

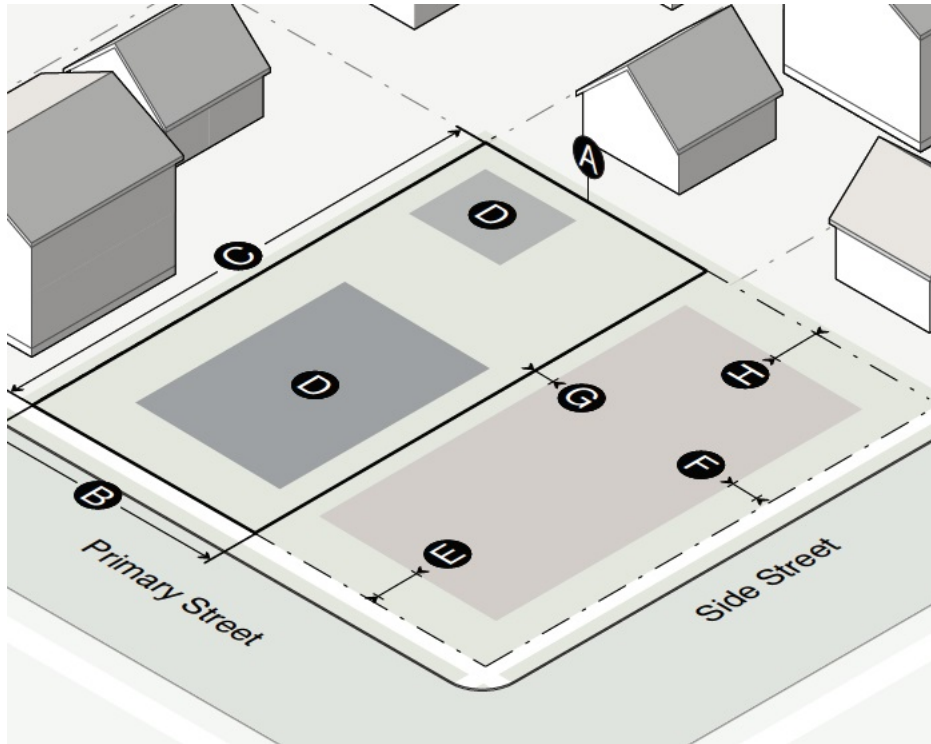
20.32.060 Duplex: Back to Back



- (1) Definition: A building type that accommodates two dwelling units on an individual lot separated vertically with one unit located directly behind the other unit that share a common wall.

(2) Districts where allowed: R2, R3, RMU, NMU, BPMU

(3) Lot and Placement:



- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District

(4) Dwellings allowed per lot: 2 min, 2 max

(5) Build to Zone (BTZ)

- a. Building Façade in primary street BTZ: Does not apply.
- b. Building façade in secondary street BTZ: Does not apply.

(6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet Max
- b. Maximum Accessory Structure Height: 24 feet Max
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.32.070
 - ii. Porch. See section 20.32.070
 - iii. Stoop. See section 20.32.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070

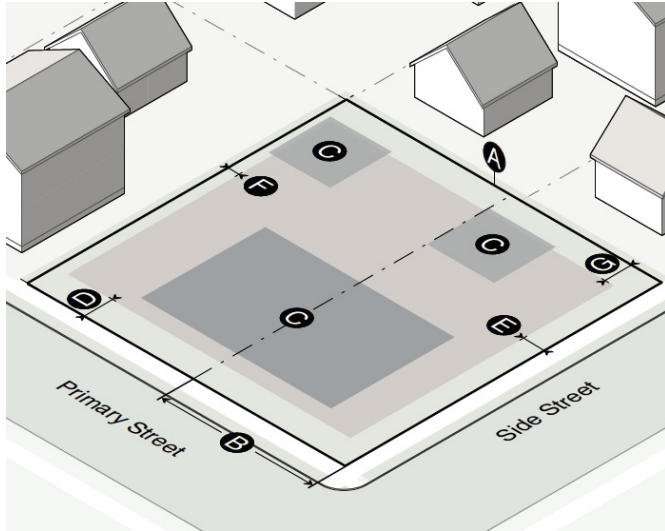
POMC 20.32.070 Attached House



- (1) Definition: A building type that accommodates two attached dwelling units located on two separate lots that share a common wall along a lot line.

(2) Districts where allowed: R2, R3, RMU, NMU, BPMU

(3) Lot and Placement



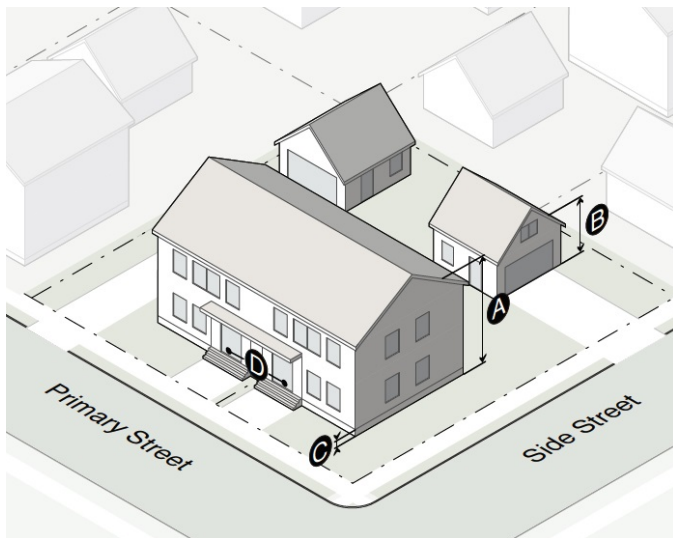
- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District

(4) Dwellings allowed per lot: 1 min, 1 max

(5) Build to Zone (BTZ)

- a. Building Façade in primary street BTZ: Does not apply.
- b. Building façade in secondary street BTZ: Does not apply.

(6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24 feet
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- e. Building Elements Allowed:
 - i. Balcony. See section 20.32.070
 - ii. Porch. See section 20.32.070
 - iii. Stoop. See section 20.32.070
- f. Parking Location
 - i. Front/corner yard restrictions: See 20.32.070
 - ii. Garage door restrictions: See 20.32.070

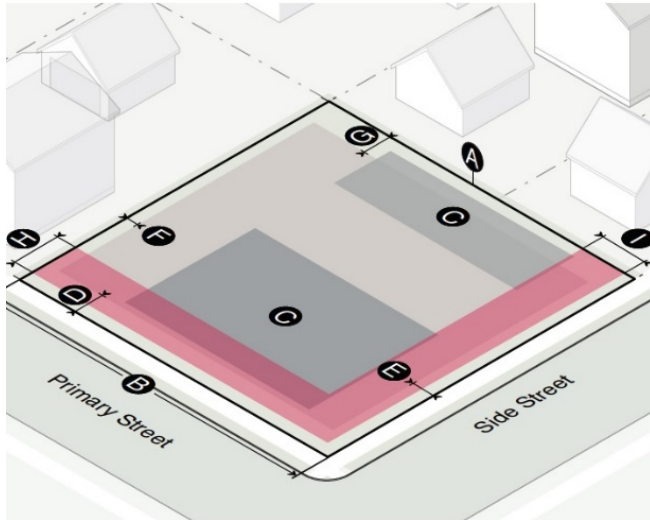
20.32.080 Four-Plex



(1) Definition: A building type that accommodates 3-4 dwelling units vertically or horizontally integrated.

(2) Districts where allowed: R3, R4, R5, RMU, NMU

(3) Lot and Placement



- a. Minimum Lot Area: 7,000 square feet
 - b. Minimum Lot Width: 65'
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: Minimum 3, Maximum 4
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Set by District.
 - b. Building façade in secondary street BTZ: Set by District.
- (6) Height and Form.



- a. Maximum Principal Building Height: 3 stories / 35 feet
- b. Maximum Accessory Structure Height: 24 feet
- c. Minimum Ground Floor Elevation: 2 feet
- d. Minimum Ground Floor Transparency: 20%
- e. Minimum Upper Floor Transparency: 20%
- f. Maximum Blank Wall Area: 35'
- g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- h. Building Elements Allowed:
 - i. Awning/canopy. See Section 20.32.160
 - ii. Balcony. See section 20.32.070
 - iii. Porch. See section 20.32.070
 - iv. Stoop. See section 20.32.070
- i. Parking Location
 - i. Front/corner yard restrictions: Parking Not allowed in front/corner yards.
 - ii. Garage Door Restrictions: See section 20.32.170.

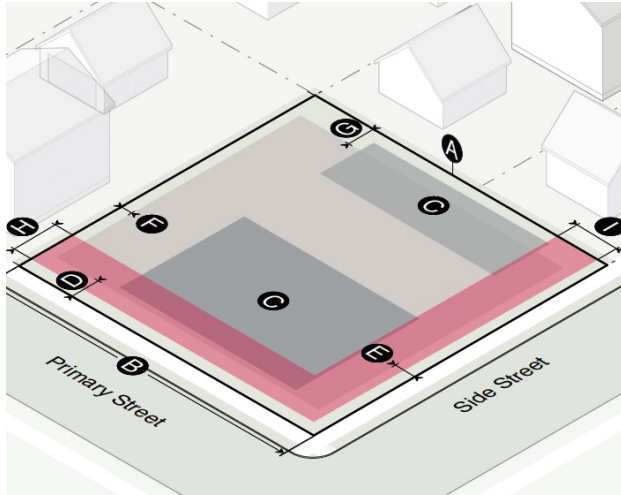
20.32.090 Townhouse



- (1) Definition: A building type that accommodates 3 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed.

(2) Districts where allowed: R3, R4, R5, RMU, CMU, GMU, BPMU

(3) Lot and Placement



- a. Minimum Site Area: 5,000 SF Min
 - b. Minimum Site Width: 70'
 - c. Minimum Lot Area: 1,500 square feet
 - d. Minimum Lot Width (Set by district):
 - e. Maximum Lot Coverage: Set by District
 - f. Primary Street Setback: Set by District.
 - g. Side Street Setback: Set by District.
 - h. Side Interior Setback: Set by District.
 - i. Rear Setback: Set by District
- (4) Dwellings allowed per site/lot: 1 min, no max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Set by District
 - b. Building façade in secondary street BTZ: Set by District
- (6) Height and Form.



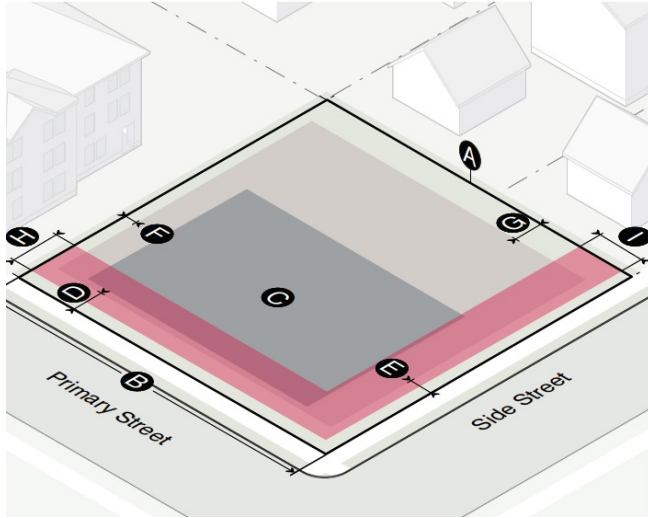
- a. Maximum Principal Building Height: 3 stories / 35 feet Max
- b. Accessory Structure: 24 feet Max
- c. Minimum Ground Floor Elevation: 2 feet Minimum
- d. Unit Width: 20 foot Min
- e. Number of Units Permitted in a row: 6 max
- f. Transparency ground story: 20% minimum
- g. Transparency upper story: 20% minimum
- h. Blank wall area: 35 feet max.
- i. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- j. Building Elements Allowed:
 - i. Awning/canopy: See section 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
- k. Parking Location
 - i. Front/corner yard restrictions: Not allowed in front/corner yards.
 - ii. Garage door restrictions: See section 20.32.170.

20.32.100 Apartment



(1) Definition: A building type that accommodates 5 or more dwelling units vertically and horizontally integrated.

- (2) Districts where allowed: R3, R4, R5, RMU, NMU, GMU, CC
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 5 min, no max
 - (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by district.
 - b. Building façade in secondary street BTZ: Set by district.
 - (6) Height and Form.



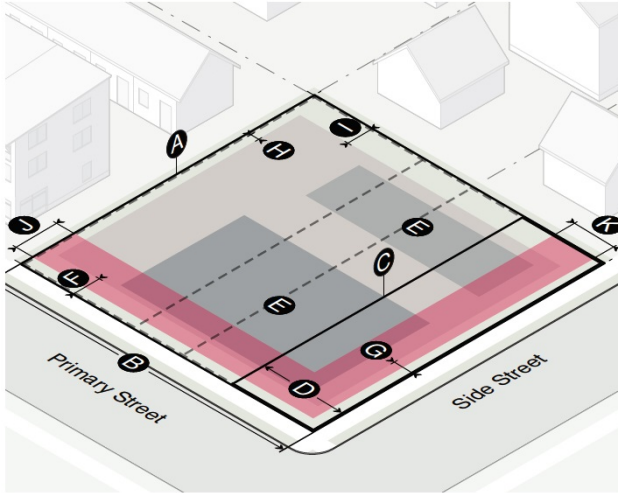
- a. Maximum building and structure height: Set by district
- b. Minimum Ground Floor Elevation: 2 feet Minimum
- c. Maximum building length:
- d. Minimum ground story transparency: 20%
- e. Minimum upper story transparency: 20%
- f. Maximum blank wall area: 35'
- g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
 - ii. Entrance spacing along primary street: 100' max.
- h. Building Elements Allowed:
 - i. Awning/canopy: See section 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Forecourt: See section 20.32.170
 - iv. Porch. See section 20.32.170
 - v. Stoop. See section 20.32.170
- i. Parking Location
 - i. Front/corner yard restrictions: Not allowed.

20.32.110 Live Work

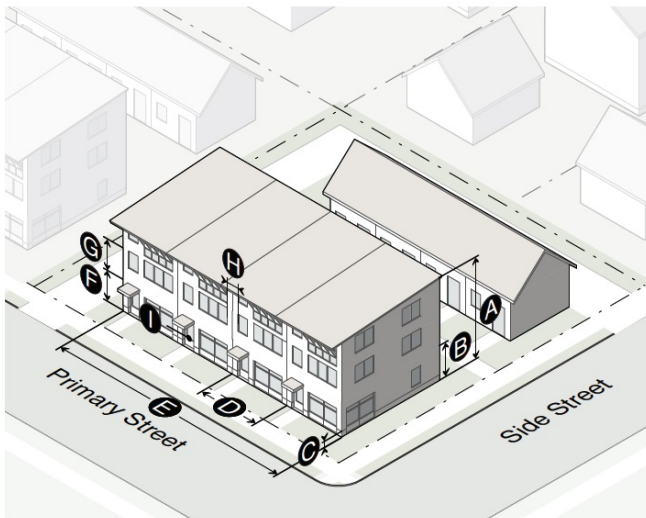


- (1) Definition: A building type that accommodates 3 or more units. Units allow for residential and nonresidential uses in the same physical space. Units may be vertically or horizontally mixed.

- (2) Districts where allowed: RMU, NMU, BPMU, CMU, GMU, DMU, IF, CC
- (3) Lot and Placement



- a. Minimum Site Area: 4,000 square feet
 - b. Minimum Site Width: 55 feet
 - c. Minimum Lot size: 1,000 SF min
 - d. Minimum Lot Width: 16 feet Min
 - e. Maximum Lot Coverage: Set by District
 - f. Primary Street Setback: Set by District.
 - g. Side Street Setback: Set by District.
 - h. Side Interior Setback: Set by District.
 - i. Rear Setback: Set by District
- (4) Units per lot: 1 min / no max
 - (5) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by District.
 - b. Building façade in secondary street BTZ: Set by District.
 - (6) Height and Form.



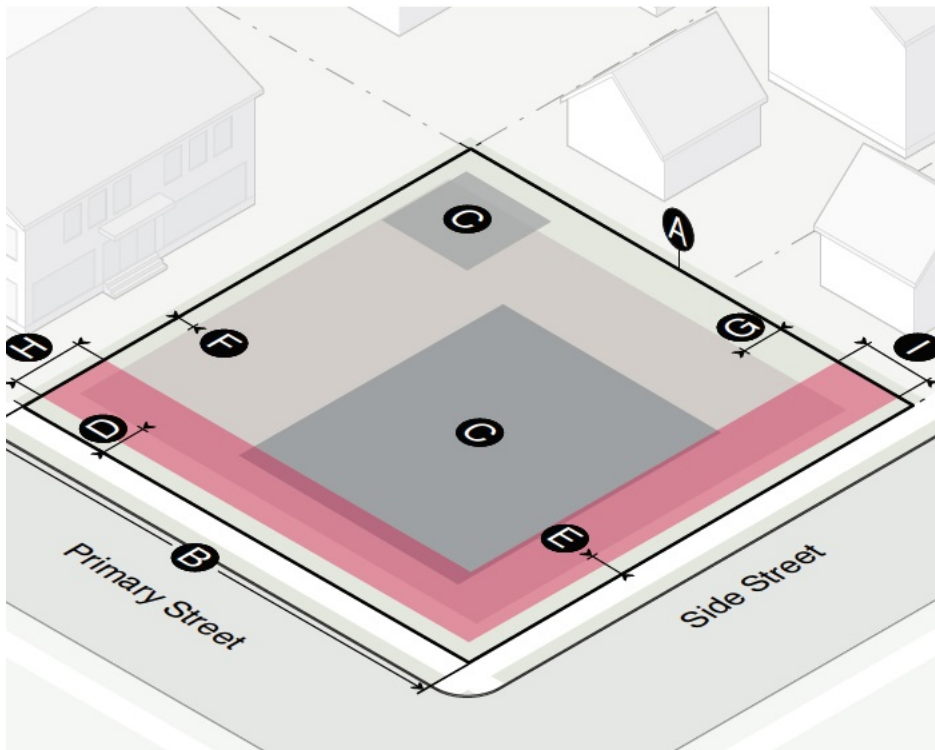
- a. Maximum Building and Structure Height: 3 stories / 35 feet
- b. Minimum Ground Story Height: 12 feet
- c. Minimum Ground Floor Elevation: 2 feet
- d. Unit Width: 15 feet Min / 30 feet Max
- e. Number of Units Permitted in a Row: 6
- f. Minimum ground story transparency: 20%
- g. Minimum upper story transparency: 20%
- h. Maximum blank wall area: 35 feet
- i. Pedestrian Access.
 - i. Entrance facing primary street: Required.
- j. Building Elements Allowed:
 - i. Awning/Canopy: See 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
- k. Parking Location
 - i. Front/corner yard restrictions: See 20.32.170
 - ii. Garage Door Restrictions: See section 20.32.170

20.32.120 Shopfront House



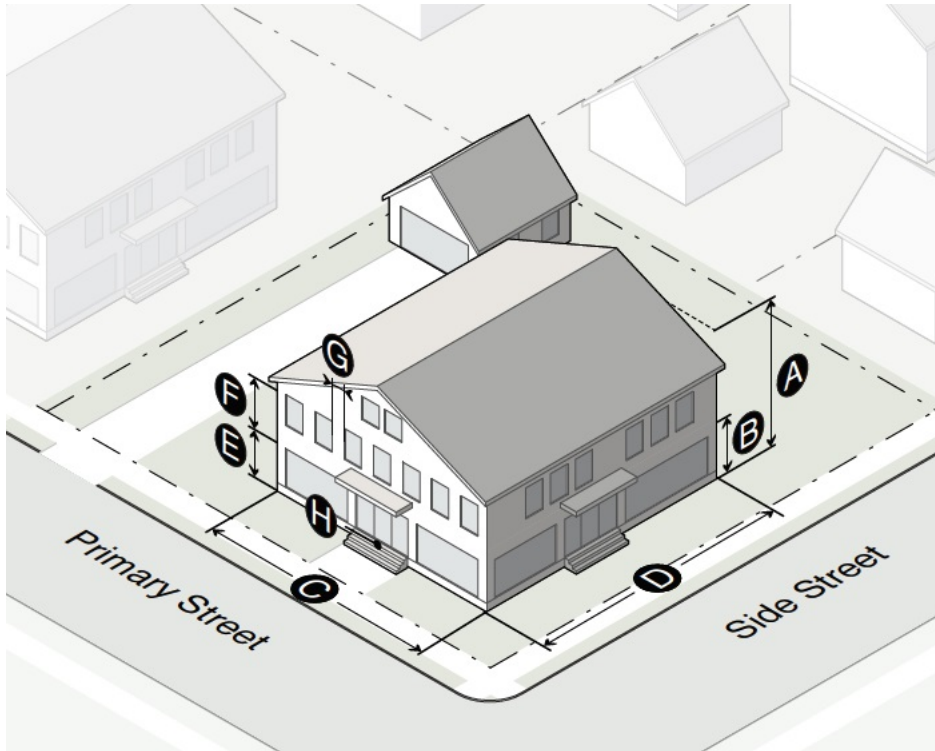


- (1) Definition: A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the existing residential character of the area.
- (2) Districts where allowed: NMU, CMU, RMU, GMU, CC, BPMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.

- e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Dwellings allowed per lot: 2 min, 2 max
- (5) Build to Zone (BTZ)
- a. Building Façade in primary street BTZ: Set by District
 - b. Building façade in secondary street BTZ: Set by District.



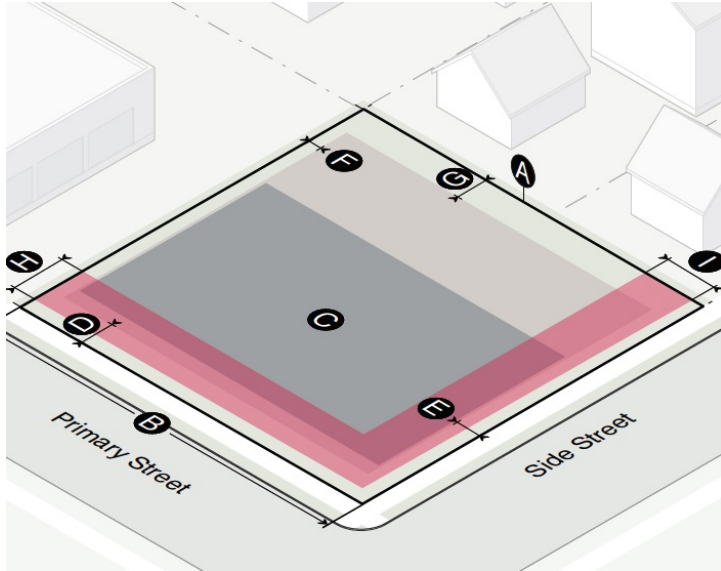
- (6) Height and Form.
- a. Maximum Principal Building Height: 3 stories / 35 feet
 - b. Minimum Ground Story Height: 10 feet
 - c. Maximum Building Length: 50 feet
 - d. Maximum Building depth: 75 feet
 - e. Minimum ground story transparency: 40%
 - f. Minimum upper story transparency: 20%
 - g. Pedestrian Access.
 - i. Entrance facing primary street: Required.
 - h. Building Elements Allowed:
 - i. Awning/canopy: See 20.32.170
 - ii. Balcony. See section 20.32.170
 - iii. Porch. See section 20.32.170
 - iv. Stoop. See section 20.32.170
 - i. Parking Location
 - i. Front/corner yard restrictions: Not allowed.
 - ii. Garage door restrictions: See 20.32.170.

20.32.130 Single Story Shopfront

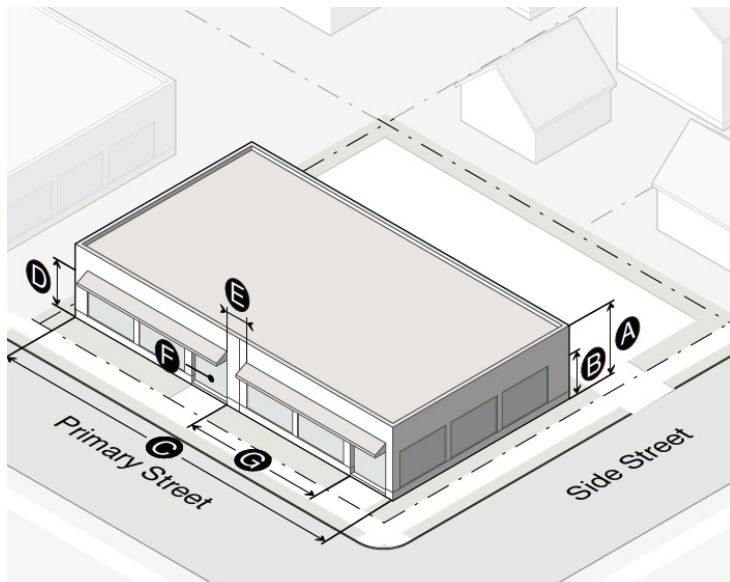


(1) Definition: A single story building type that typically accommodates retail or commercial uses.

- (2) Districts where allowed: CMU, CC, CH, DMU, GMU
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
- (4) Build to Zone (BTZ)
 - a. Building Façade in primary street BTZ: Set by district.
 - b. Building façade in secondary street BTZ: set by district.
 - (5) Height and Form.



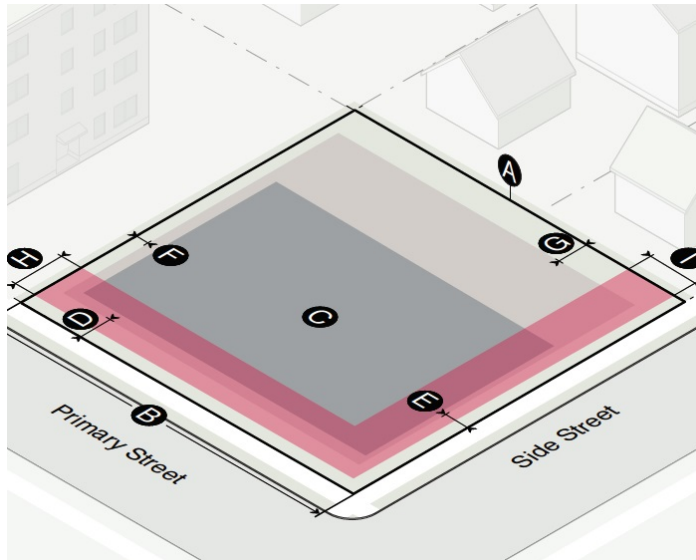
- a. Maximum Principal Building Height: 1 stories / 24 feet
- b. Minimum ground story height: 12 feet
- c. Maximum building length: 150 feet
- d. Ground story transparency:
 - i. Ground Story: 60% min
 - ii. Ground Story w/building footprint 20,000 square feet or more: 30% min
- e. Blank Wall Area:
 - i. 25 feet max
 - ii. Building footprint 20,000 square feet or more: 75 feet max
- f. Pedestrian Access - Entrance facing primary street: Required.
- g. Entrance spacing along primary street:
 - i. 75' max
 - ii. Building footprint of 20,000 sf or more: 125 feet max
- h. Building Elements Allowed:
 - i. Balcony. See section 20.32.170
 - ii. Forecourt. See section 20.32.170
 - iii. Gallery. See section 20.32.170
- i. Parking Location
 - i. Front/corner yard restrictions: Set by district.

20.32.140 Mixed Use Shopfront



- (1) Definition: A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses

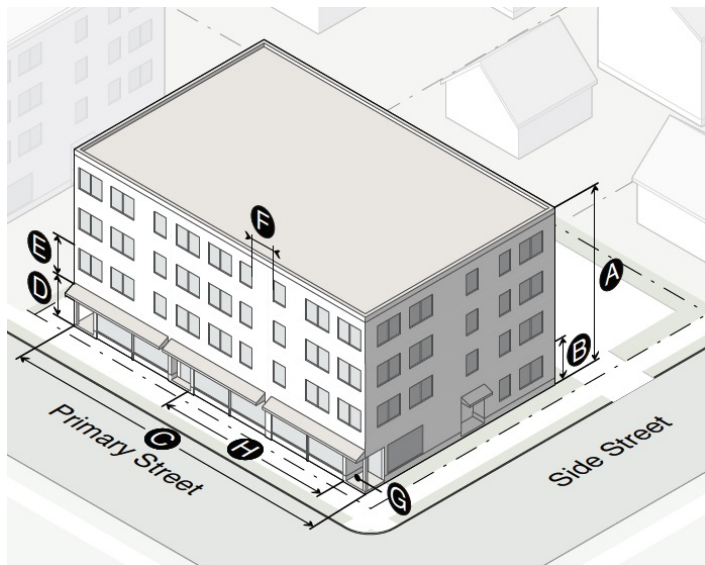
- (2) Districts where allowed: RMU, BPMU, CMU, DMU, GMU, CC
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
- b. Minimum Lot Width: Set by District
- c. Maximum Lot Coverage: Set by District
- d. Primary Street Setback: Set by District.
- e. Side Street Setback: Set by District.
- f. Side Interior Setback: Set by District.
- g. Rear Setback: Set by District
- h. Build to Zone (BTZ) - Building Façade in primary street BTZ: Set by district.
- i. Build to Zone (BTZ) - Building façade in secondary street BTZ: Set by district.

(4) Dwellings allowed per lot: No Limit

(5) Height and Form.

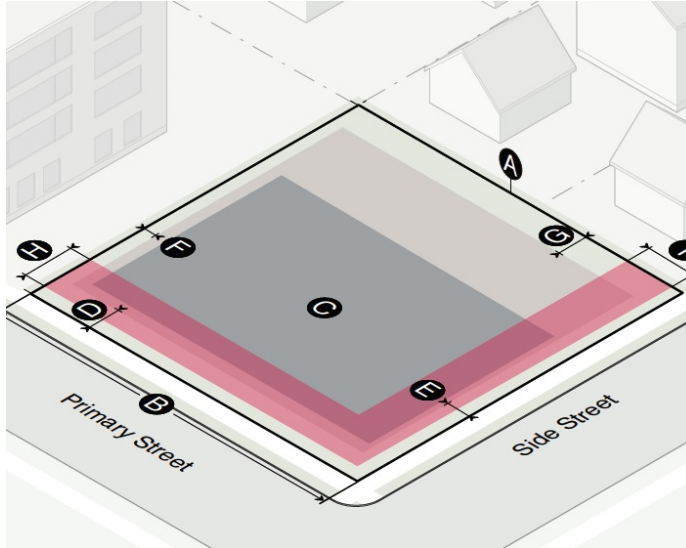


- a. Maximum Building and Structure Height: Set by District
- b. Minimum ground story height: 12 feet
- c. Maximum building length: 120 feet
- d. Minimum ground story transparency: 60%
- e. Minimum upper story transparency: 20%
- f. Blank wall area: 25 feet max
- g. Pedestrian Access - Entrance facing primary street: Required.
- h. Entrance spacing along primary street: 75 feet max
- i. Building Elements Allowed:
 - i. Awning/Canopy. See section 20.32.170
 - ii. Forecourt. See section 20.32.170
 - iii. Gallery. See section 20.32.170
- j. Parking Location: Set by District

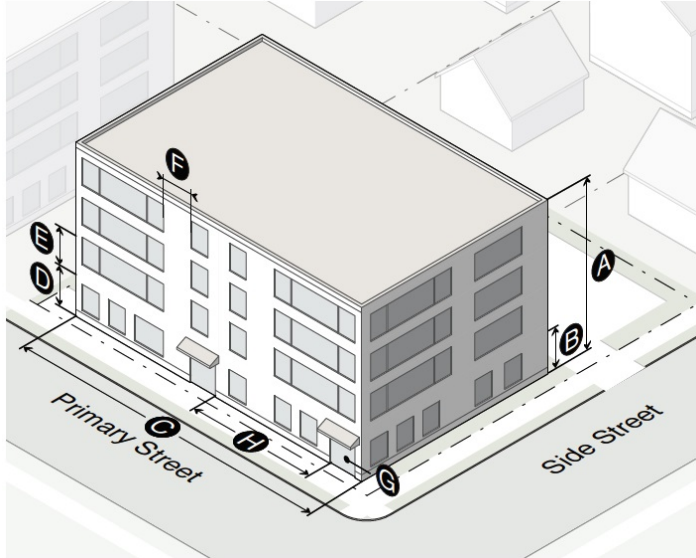
20.32.150 General Building



- (1) Definition: A building type that accommodates commercial, office, agricultural, or industrial uses.
- (2) Districts where allowed: RMU, BPMU, CMU, GMU, CC, CH, IF, IL, IH, CI, PR, PF
- (3) Lot and Placement



- a. Minimum Lot Area: Set by District
 - b. Minimum Lot Width: Set by District
 - c. Maximum Lot Coverage: Set by District
 - d. Primary Street Setback: Set by District.
 - e. Side Street Setback: Set by District.
 - f. Side Interior Setback: Set by District.
 - g. Rear Setback: Set by District
 - h. Build to Zone (BTZ) - Building Façade in primary street BTZ: set by district.
 - i. Build to Zone (BTZ) - Building façade in secondary street BTZ: set by district.
- (4) Dwellings allowed per lot: Not Permitted
- (5) Height and Form.



- a. Maximum Building and structure Height: Set by district
- b. Minimum Ground Story Height: 10 feet
- c. Maximum building length: 120 feet
- d. Minimum ground story transparency: 40%
- e. Minimum upper story transparency: 20%
- f. Maximum blank wall area: 50 feet
- g. Pedestrian Access - Entrance facing primary street: Required.
- h. Pedestrian Access – Entrance Spacing along Primary Street 125 feet max.
- k. Building Elements Allowed:
 - iv. Awning/Canopy. See section 20.32.170
 - v. Forecourt. See section 20.32.170
 - vi. Gallery. See section 20.32.170
- i. Parking Location: Set by district.

Chapter 20.128 – LANDSCAPING

20.128.010 - Purpose

20.128.020 - Applicability and compliance

20.128.030 - Landscape plans

20.128.040 - Integration with LID stormwater management facilities.

20.128.050 - Plant material and installation standards

20.128.060 - Landscaping types

20.128.070 - Landscape site design standards

20.128.080 - Development within required buffers

20.128.090 - Irrigation standards

20.128.100 - Maintenance of required buffers and landscaped areas

20.128.110 - Performance assurance/bonding

20.128.120 - Maintenance assurance/bonding

20.128.010 - Purpose.

It is the purpose of this chapter to:

- (1) Promote well-planned and attractive landscaping that enhances the visual and aesthetic appearance of the city.
- (2) Provide space definition and landscape continuity between the built environment and the natural environment.
- (3) Provide appropriate barriers and relief from traffic, noise, heat, glare, and the spread of dust and debris.
- (4) Reduce potential negative impacts between adjacent and neighboring uses.
- (5) Reduce flooding and reduce the impact of development on the city's storm drainage system.
- (6) Promote tree retention and the protection of existing native vegetation.
- (7) Provide for the long-term establishment and health of new landscape plantings.
- (8) Aid in the conservation of energy and replenish the atmosphere with oxygen.
- (9) Provide for a more pleasant and relaxing urban environment.
- (10) Ensure the long term maintenance and attractiveness of landscape plantings.

(11) Maintain and enhance property values.

20.128.020 - Applicability and compliance.

(1) Applicability. The provisions of this chapter shall apply to all new non-residential, single family attached (three or more units), and multifamily (three or more units) development within the city.

Also:

- (a) The provisions of this chapter shall apply to building additions, remodels and site improvements per the Level I-III improvement thresholds set forth in POMC 20.127.020(3)(a-c).
- (b) The maintenance provisions of this chapter apply to existing and previously approved landscape plans and required landscape areas.
- (c) Temporary deferral. A certificate of occupancy shall be contingent upon the screening and landscaping requirements of this chapter being met. This provision may be temporarily deferred by the director in cases where it is not reasonable for the developer to install certain species of plant material prior to occupancy due to the recommended planting season not occurring at an appropriate phase in construction. In such case, the time deadline for planting such materials shall be extended only to the nearest seasonal period suitable for planting such materials. Additionally, the director shall require that the applicant obtain a temporary deferral when water restrictions are in place preventing regular irrigation or watering of plant material. The director may authorize a temporary deferral through the issuance of a temporary certificate of occupancy or through the approval of a performance bond in accordance with this Title.
- (d) Review in conjunction with other permits. Landscape plan review shall be performed in conjunction with other permit applications (i.e. land disturbing activity, stormwater drainage, building permit, etc.). Appeals of decisions related to the application of this chapter shall be connected to the underlying permit application to which the landscape code has been applied.
- (e) The provisions of this chapter may also apply to subdivisions and short plats as specified in POMC 20.100, but shall not apply to the construction of an individual detached house, duplex, or backyard cottage.

(2) Exceptions.

The director may waive the provisions of this chapter for Light Industrial (LI) zoned properties which do not front Old Clifton Road or SR-160 depending on the type of use, number of anticipated employees and customers, and the site's physical relationship and anticipated impacts to adjacent and neighboring zones, uses and development.

20.128.030 - Landscape plans.

(1) In order to implement the requirements of this section, landscape plans for the entire site are required as part of the following permit application submittals:

- (a) Building permit applications.
- (b) Preliminary plat applications.
- (c) Short plat applications.
- (d) Binding site plan applications.

- (e) Conditional use permit applications (where new construction, or expansion of a building is proposed, or where landscaping is required to meet conditions for granting approval).
 - (f) Stormwater drainage permit applications.
 - (g) Land disturbing activity permit applications.
- (2) In order to implement the requirements of this section, landscape plans for the entire site shall be required as part of a Land Disturbing Activity Permit application submittal if the scope of the permit application does not include restoration to pre-disturbance conditions or if the landscape plan approval is not issued under another permit approval as listed in POMC 20.128.030(1)(a).
- (3) Plans shall be developed shall be developed by a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual.
- (4) Landscape plans shall include:
- (a) Boundaries and dimensions of the site.
 - (b) Location of existing and proposed easements, streets, curbs, utilities, sidewalks and any other hard surfaces.
 - (c) Location of buildings and structures, parking lots, driveways, loading areas, outdoor mechanical equipment, signs, refuse enclosures, overhead utilities, water meter location, swales, parking lot lighting, and any existing vegetation that is to remain on the site.
 - (d) The location and design of landscape areas to be preserved and planted, and plant list to include the location, number, height at maturity, and type of plant material by botanical and common name.
 - (e) Proposed irrigation system if a permanent or temporary system is proposed. All landscaped areas including adjacent right-of-way must be provided with an underground irrigation system.
 - (f) Specifications for soil amendments to provide suitable long term growing conditions.
 - (g) North arrow and scale.
 - (h) Planting detail section drawings.
 - (i) Name, address, and phone number of the person preparing the plan.
 - (j) Calculations demonstrating compliance with this chapter.
- (5) Applicants shall familiarize themselves with existing site conditions, and are encouraged to meet with staff to discuss appropriate design options and alternatives for accomplishing the screening and landscaping objectives of this chapter prior to preparing and submitting a landscape plan.
- (6) Applicants are encouraged to integrate landscape plans and stormwater system designs consistent with the City's adopted Stormwater Management Manual.

20.128.040 - Integration with LID stormwater management facilities. (20.128.035)

The required landscape design requirements in this chapter may be integrated with low impact development (LID) stormwater management facilities and best management practices (BMPs) unless site and soil conditions make LID infeasible, subject to the approval of the director and public works department. LID facilities shall not compromise the purpose or intent of required landscaping and

landscaping shall not result in the disruption of the LID facilities' functions. LID facilities shall be designed and constructed in accordance and the LID Technical Guidance Manual for Puget Sound (current edition).

20.128.050 - Plant material and installation standards.

(1) Native plant species. New landscaping materials shall include species native to the region or hardy, waterwise, and non-invasive species appropriate in the climatic conditions of the region (decorative annuals are an exception). Generally acceptable plant materials must be those identified as hardy in Zone 8b as described in United States Department of Agriculture's Plant Hardiness Zone Map. The selection of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.

(2) Tree standards and guidelines.

- (a) Tree heights may be called for within this chapter or elsewhere within this title:
 - (i) Large tree: Capable of growing 35 feet high or greater under normal growing conditions.
 - (ii) Medium tree: Capable of growing over 15 feet high and less than 35 feet high under normal growing conditions.
 - (iii) Small tree: Capable of growing up to 15 feet high under normal growing conditions.
- (b) Unless otherwise noted herein, required trees shall meet the following standards at the time of planting:
 - (i) Required deciduous trees shall be fully branched, have a dominant leader branch, have a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball), and a minimum height of six feet at the time of planting as measured from the top of the leader branch to the top of the root ball.
 - (ii) Required evergreen trees shall be fully branched and a minimum of six feet in height, measured from the treetop to the ground, at the time of planting.
 - (iii) Required trees of any species within parking areas shall be a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball) and a minimum height of ten feet at the time of planting.

(3) Shrub standard. Shrubs, except for ornamental grasses, shall be a minimum of one-gallon size at the time of planting.

(4) Ground cover standards and guidelines.

- (a) Ground covers shall be planted and spaced to result in total coverage of the required landscape area within three years as follows, or as per recommendations by Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual. Ground cover plants other than turf forming grasses must be planted in triangular spacing at the following rates:

- (i) Four-inch pots at 18-inches on-center.
 - (ii) One-gallon or greater sized containers at 24-inches on-center.
 - (iii) Alternative plant spacing may be appropriate depending on the specific plants. When applicable, plant spacing information must be included with permit application submittals from published sources, such as the *Sunset Western Garden Book*, from Internet sources, or from cut sheets provided by a nursery. Such sources must be identified for verification purposes.
- (b) Grass is acceptable as ground cover in landscaped areas, but generally not preferred for water conservation and maintenance purposes (lawn areas designed as play areas are an exception).
 - (c) Ground cover areas shall contain at least two inches of composted organic material at finished grade.

(5) Tree and plant diversity.

- (a) If there are more than eight required trees, no more than 40 percent of them may be of one species.
- (b) If there are more than 24 required trees, no more than 20 percent of them may be of one species.
- (c) If there are more than 24 required shrubs, no more than 75 percent of them may be of one species.

(6) Soil augmentation and mulching.

- (a) Existing soils shall be augmented with a two-inch layer of fully composted organic material tilled a minimum of six inches deep prior to initial planting.
- (b) Landscape areas shall be covered with at least two inches of mulch to minimize evaporation. Mulch shall consist of organic materials such as bark chips and wood grindings or yard waste, sawdust, and/or manure that is fully composted. Washed rock may also be used as a mulch.

(7) Landscape installation standards.

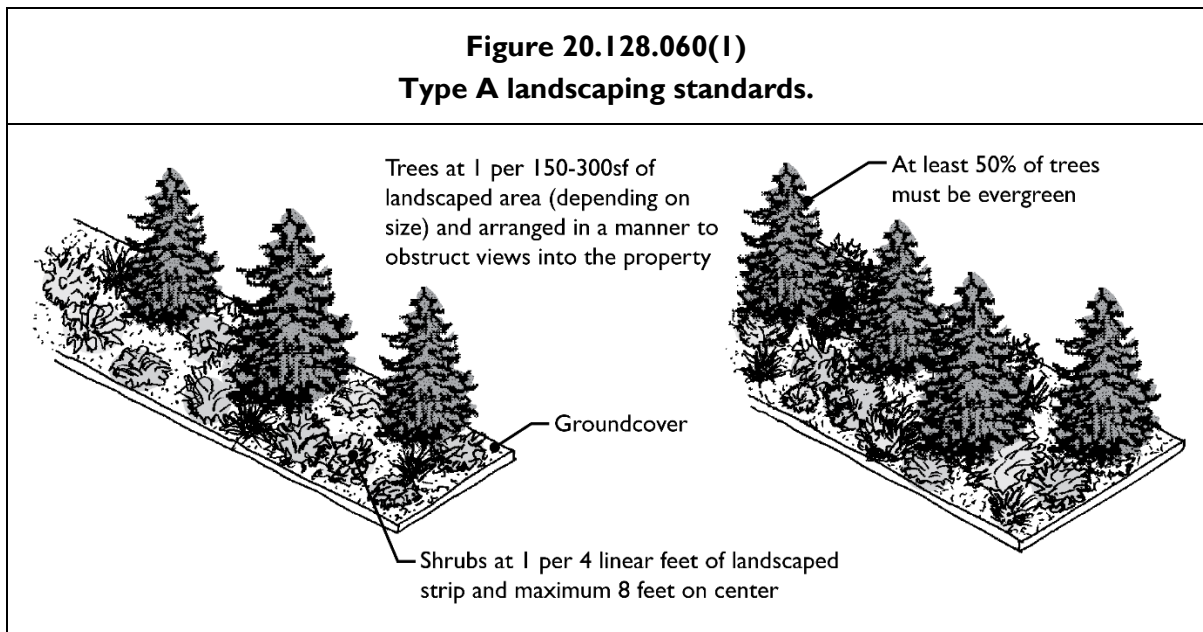
- (a) All required landscaping shall be in-ground, except when in raised planters. Plant materials shall be installed to current nursery industry standards.
- (b) Plant materials shall be properly supported to ensure survival. Support devices such as guy wires or stakes shall not interfere with vehicular or pedestrian movement. Where support is necessary, stakes, guy wires or other measures shall be removed as soon as the plant can support itself.
- (c) Existing trees and plant materials to be retained shall be protected during construction. Protection measures may include silt fencing, chain link fencing, or other sturdy fencing placed at the dripline of trees to be retained. Grading, topsoil storage, construction material storage, vehicles, and equipment shall not be allowed within the dripline of trees to be retained.
- (d) Installation of landscaping materials must take into consideration access to utility vaults, pedestals, and other public and private utility facilities.

- (e) Trees and major shrubs at mature size should avoid interference with windows, decks, pedestrian walkways or other travelled ways, or lighting.

20.128.060 - Landscaping types.

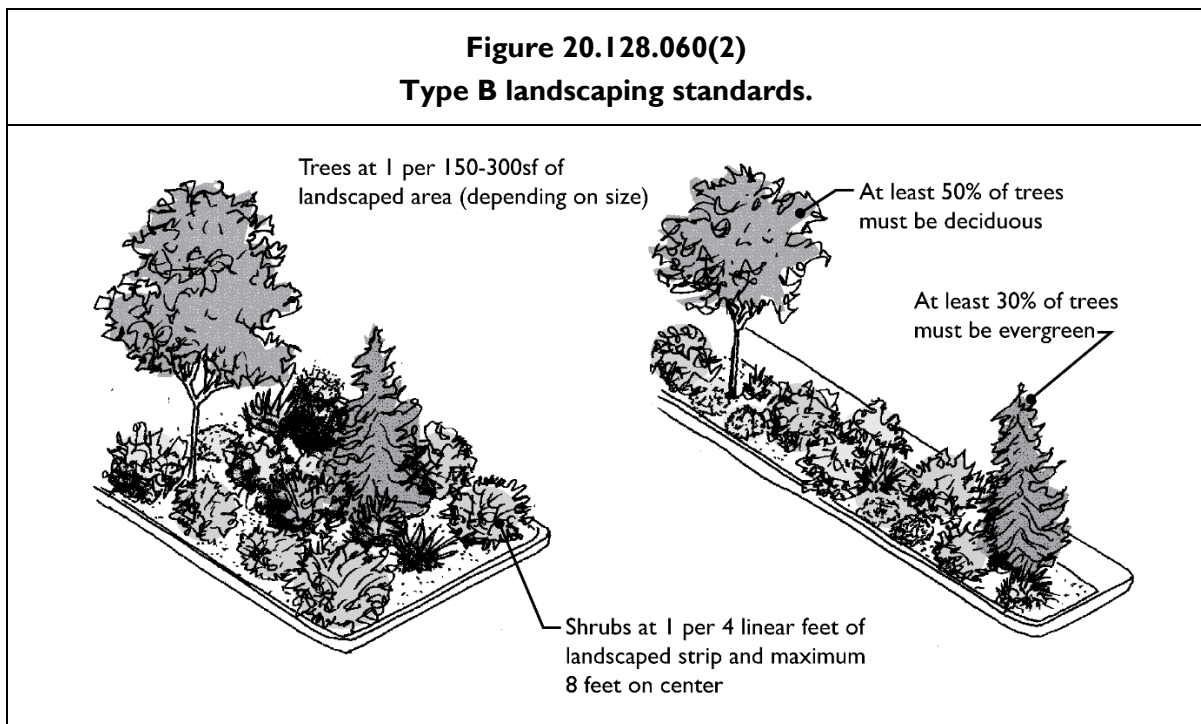
(I) Type A landscaping.

- (a) Type A landscaping shall function as a full screen and visual barrier. This landscaping is typically found between residential and nonresidential areas and used to screen unwanted views.
- (b) Type A landscaping shall minimally consist of:
 - (i) Trees: Predominately evergreen (more than 50 percent) at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feet.At least 70 percent of the trees shall be large.
 - (ii) Shrubs: Predominately evergreen provided at a rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (iv) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (v) The selected plant materials and configuration will be able to screen 70 percent of the unwanted views within five years of planting and fully screen the unwanted view within six years. This requirement will account for the size of materials planted and their typical growth rate.



(2) Type B landscaping.

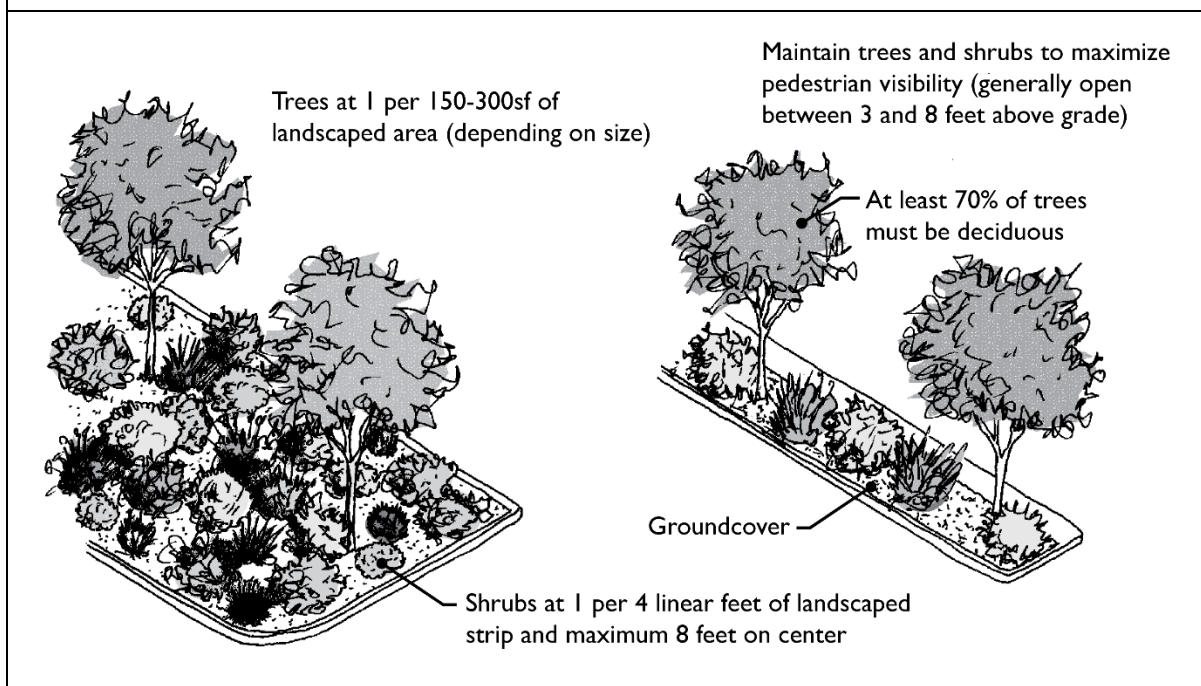
- (a) Type B landscaping is a “filtered screen” that functions as a visual separator. This landscaping is typically found between differing types of residential development and used to screen unwanted views from the pedestrian environment.
- (b) Type B landscaping shall minimally consist of:
 - (i) Trees: At least 50 percent deciduous trees and at least 30 percent evergreen trees at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feetAt least 70 percent of the trees shall be large.
 - (ii) Shrubs: Provided at the rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (iv) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (v) The selected plant materials and configuration will meet the purpose of the standards within five years of planting. This requirement will account for the size of materials and the growth rate.



(3) Type C landscaping.

- (a) Type C landscaping is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontages or between multifamily developments.
- (b) Type C landscaping shall minimally consist of:
 - (i) Trees: At least 70 percent deciduous trees at the following rates on landscape strips:
 - (A) One large tree per 300 square feet or 30 linear feet.
 - (B) One medium tree per 220 square feet or 22 linear feet.
 - (C) One small tree per 150 square feet or 15 linear feetAt least 70 percent of the trees shall be large.
 - (ii) Shrubs: Provided at the rate provided at a rate of one shrub per four linear feet of landscaped strip and spaced no more than eight feet on center.
 - (iii) Groundcover: Planted at a density to cover the landscape buffer per POMC 20.128.070 within three years.
 - (iv) Plant diversity. Trees and shrubs must comply with POMC 20.128.050(5).
 - (v) Tree and shrub placement shall be designed to maximize pedestrian visibility (generally between three and eight feet above grade once trees have matured).
 - (vi) The selected plant materials and configuration will meet the purpose of the standards within five years of planting. This requirement will account for the size of materials and the growth rate.
- (c) Where Type C landscaping is designed to also function as a rain garden, adjustments in the spacing of trees, shrubs, and ground cover will be allowed provided the rain garden meets the function requirements of subsection (6) below and the intended function of Type C landscaping as defined in subsection (a) above.

Figure 20.128.060(3)
Type C landscaping standards.



(4) Type D landscaping.

- (a) Type D landscaping refers to all other landscaped areas that do not qualify as Type A-C landscaping. While native and low maintenance trees and shrubs are encouraged in these areas, lawn areas may be used for recreational or design purposes. These areas may also include flower beds and perennial beds.
- (b) Type D landscaping may include any combination of plant materials provided they comply with POMC 20.128.050.

(5) Low hedge.

A low hedge is intended to function as an attractive visual divider of space rather than a visual buffer between uses and properties. To qualify as a hedge landscaping type, the planting must be at least 30 inches wide and 30 inches tall. The hedge include plant materials that typically grow no taller than five feet at maturity or are maintained between 30 inches and 48 inches tall. Additional limits on hedges may be imposed by the public works director within required sight triangles at intersections. Shrubs or other hedge plant materials must be placed at a rate of one per four linear feet of landscaped strip or otherwise recommended for shrub species (plant spacing information must be included with permit application submittals from published sources, such as the *Sunset Western Garden Book*, from Internet sources, or from cut sheets provided by the nursery.

Figure 20.128.060(5)
Low hedge examples.



(6) Rain garden.

A rain garden is a landscaped depression that collects, absorbs, and filters stormwater runoff from rooftops, driveways, patios, and other hard surfaces. They can also function as an attractive visual divider of space. To qualify as a rain garden, the following elements must be included:

- (a) Garden located and designed to capture impervious area runoff.
- (b) Six to 12 inches ponding depth.
- (c) Twelve to 24 inches rain garden soil depth with two to three inches surface mulch layer.
- (d) Gradual side slopes (maximum 2:1).
- (e) Overflow design elements with measures to protect erosion.
- (f) Generous plantings (capable of reaching 100 percent groundcover) of a variety of small trees, shrubs, ground covers, and grasses. Select plants suitable for the three planting zones within the garden and around the perimeter.

Figure 19.66.050(6)
Rain garden examples.

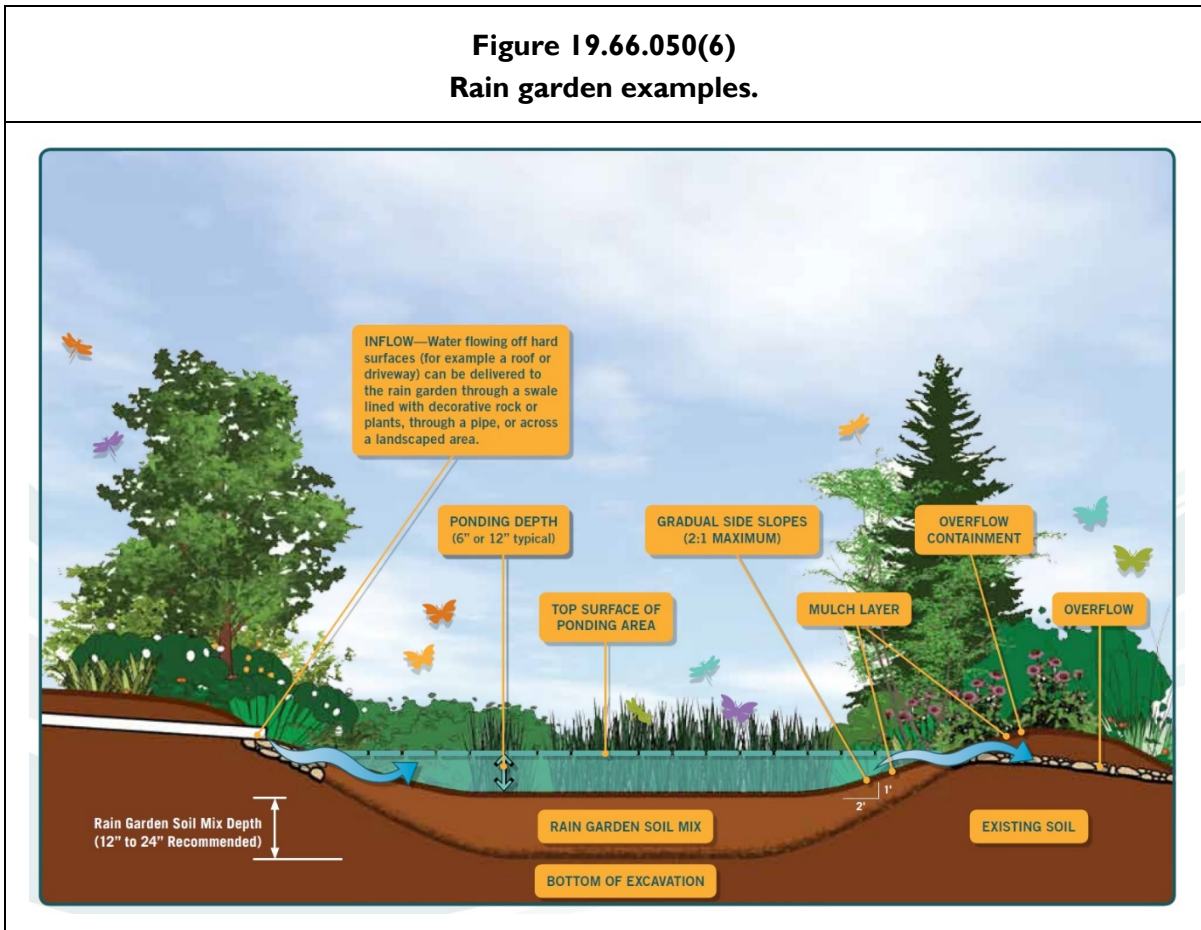


Figure 19.66.050(6)
Rain garden examples.



20.128.070 - Landscape site design standards.

(1) Required landscape buffer standards. Screening between certain uses may be called for in Table 20.128.070 below or elsewhere in this chapter:

- (a) The provisions of this section do not apply to, and landscape buffers are not required for, development with a designated storefront block frontage (POMC 20.127.090-260) unless required as a condition of a permit (such as a conditional use permit or subdivision) or SEPA.
- (b) Where mature trees and vegetation exists within the required buffer areas, the preservation of said mature trees and vegetation may be preferable to new plant materials. The director may require up to 50 percent additional buffer width and/or specific planting conditions to better ensure the survival of existing mature trees and/or augment existing plantings to meet the intent of the standards.
- (c) The letters A, B, and C refer to the required landscape buffer type(s), (described in POMC 20.128.060). Where more than one buffer type is referenced at the intersection of the column and the row, only one of the listed buffer types is required.
- (d) Where the cells at the intersection of the column and the row are empty, there are no landscaping buffer requirements for the particular situation.
- (e) The numbers 1, 2, or 3 after a letter refer to minimum buffer width intensity requirements set forth in subsection B below.
- (f) If a * appears after a use or term within the table, then the use or term is defined in POMC Chapter 20.12 or **20.39**.
- (g) Where superscript numbers are included in a cell, see the corresponding note matching the number below the table.

- (h) For the application of building additions, remodels and site improvements, the provisions of POMC 20.127.020(3) shall apply.

11 Depositions, administrative buffer treatments may be approved per POMC 20.127.020 for any of the buffer types required below, provided they meet the purpose of this chapter.

| Table 20.128.070 | | | | | | | | | |
|-----------------------------------------------------------------------------|-----------------------------------------|-----------------------------|-------------------------|--------------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|---------------------|
| Required buffer types for developing uses. | | | | | | | | | |
| Developing use | Existing abutting uses and zones | | | | | | | | |
| | Street, park or trail | R1, R2, R6, GB zones | R3, R4, R5 zones | RMU, NMU, GMU, DMU, CMU, BPMU zones | CC, CH zones | IF zone | IL zone | IH zone | CI, PF zones |
| Single Family attached* (3 or more units) or Multifamily* (3 or more units) | See subsection (2) below. | Fence plus BC-5' | Fence plus BC-5' | Fence or BC-5' or path | Fence or BC-5' or path | Fence plus AB-10' | Fence plus AB-10' | Fence plus AB-10' | Fence plus BC-5' |
| Low intensity non-residential use* | | Fence plus ABC-5' | Fence plus ABC-5' | Fence or BC-5' or path | Fence or BC-5' or path | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-5' |
| Moderate intensity non-residential use* | | Fence plus ABC-10' | Fence plus ABC-10' | Fence or BC-5' or path | Fence or BC-5' or path | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-10' |
| High intensity non-residential use* | | Fence plus ABC-15' | Fence plus ABC-15' | Fence or BC-5' or path | Fence or BC-5' or path | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-15' |
| Use featuring an open storage yard* | | Fence plus ABC-10' | Fence plus ABC-10' | Fence plus ABC-5' or A-10' | Fence plus ABC-5' or A-10' | Fence or A-5' or B-10' | Fence or A-5' or B-10' | Fence or A-5' or B-10' | Fence plus ABC-10' |
| Heavy industry* | | Fence plus ABC-20' | Fence plus ABC-20' | Fence plus ABC-5' or A-10' | Fence plus ABC-5' or A-10' | Fence plus ABC-5' or A-10' | Fence plus ABC-5' or A-10' | Fence plus ABC-5' or A-10' | Fence plus ABC-20' |

(2) Street, park, or trail buffers.

- (a) For landscaping between uses or structures and streets, also see the applicable block frontage standards in POMC 20.127.100-260. Plant materials, installation, and maintenance are subject to the standards of this chapter.
- (b) For non-residential, single family attached (three units or more), and multifamily development (three units or more), see POMC 20.127.220 for Trail/Park block frontage standards. Alternative designs will be considered based on the unique context of the site, the development, and the park/trail provided the designs promote safety for park/trail users, and mitigate any potential negative impacts of the proposed use on the park/trail.
- (c) For storage yards, a minimum ten-foot wide planting strip with Type A landscaping is required between any street and such storage yard.

(3) Surface parking lot landscaping.

- (a) Parking lot perimeters.

- (i) For parking lots abutting public right of way, use Type C landscaping at a width equal to or greater than the minimum building setback specified for the applicable block frontage type specified in POMC 20.127.100-260. For parking lots on sites without an applicable block frontage type, the parking lot landscape buffer shall be at least ten feet deep.
- (ii) For parking lots along internal private roadways in commercial areas, provide a planting strip at least six feet wide with Type C landscaping.
- (iii) For parking lots along internal lot lines, use Type A or B landscaping at least ten feet deep, except where a greater buffer width is required per the standards in Table 20.128.070.

Departures will be considered provided they meet the purpose of this chapter. Examples of acceptable departures may include decorative low walls with landscaping, decorative elevated planters, or landscaping with a trellis. In no case may landscaping buffers be less than five feet wide. The minimum height of planters or walls, where used, is three feet. The maximum height of walls where used shall be five (5) feet.

Figure 20.128.070(3)(a)
Parking lot perimeter landscaping departure examples.

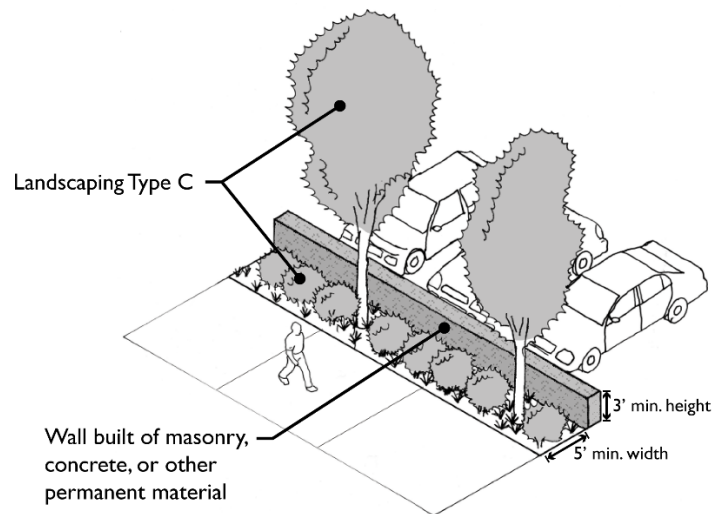
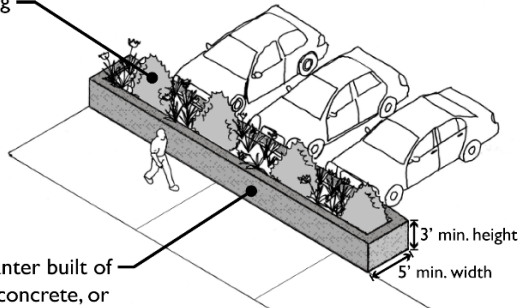


Figure 20.128.070(3)(a)
Parking lot perimeter landscaping departure examples.

Mixture of low level landscaping in a raised planter. Small trees may be included provided they are maintained to allow eye-level visibility between the sidewalk and the parking area.

Raised planter built of masonry, concrete, or other permanent material



Above are two possible departure parking lot landscaping buffer designs that may be acceptable in more urbanized areas, such as downtown.

(b) Internal parking lot landscaping.

(i) Trees and shrubs required.

- (A) For every 1,000 square feet of vehicular use area, at least one deciduous tree must be planted.
- (B) Trees and shrubs must be planted within 15 feet of the parking lot to count as parking lot landscaping.
- (C) When a development contains more than 20 or more parking spaces, 50 percent of the trees and shrubs must be planted in islands or medians located within the parking lot.

(ii) Landscaping type.

- (A) Type C landscaping shall be utilized for landscaping islands internal to parking lots.
- (B) At least 75 percent of the required deciduous trees must be large trees. Medium and small trees are acceptable where overhead electric lines would interfere with normal growth.
- (C) Rain gardens and swales may be integrated into required planting areas.

(iii) Landscaped island sizes. At a minimum, tree islands shall be a minimum of 256 square feet. Planting islands must be at least six feet deep and wide.

(iv) Landscaped island spacing. Parking bays shall be broken up with landscaped islands or medians to avoid long monotonous rows of parking. Tree islands shall be evenly distributed throughout the parking lot in order to provide an even tree canopy throughout the lot.

(v) Each parking space must be located within 75 feet of a tree measured from the closest point of the parking space to the tree trunk.

Departures will be considered provided they meet the purpose of this chapter.

(4) Foundation planting. All street-facing elevations must have landscaping along any exposed foundation. The landscaped area may be along the outer edge of a porch instead of the foundation. This landscaping requirement does not apply to portions of the building facade that provide access for pedestrians or vehicles to the building. The foundation landscaping must meet the following standards:

- (a) The landscaped area must be at least three feet wide.
- (b) There must be at least one three-gallon shrub for every three lineal feet of foundation.
- (c) Ground cover plants must fully cover the remainder of the landscaped area.

**Figure 20.128.070(4)
Foundation planting.**



Foundation plantings would be required along this exposed concrete foundation.

(5) Existing vegetation.

- (a) Existing healthy, native, and non-invasive vegetation may be used to fulfill the requirements of this chapter.
- (b) When existing vegetation is proposed to be used to fulfill the requirements of this chapter, that vegetation shall be shown on required landscape plans as “existing vegetation to be retained” and prior to land disturbing activities, these areas shall be flagged in the field and be protected by construction fencing. In the event that existing vegetation proposed to be used to fulfill the requirements of this chapter is altered, damaged, or removed during development or construction activity, this area shall be restored to its original state after the development or construction activity is complete, or, shall be replanted in accordance with a new revised landscaping plan developed and approved in accordance with this chapter.

(6) Stormwater facilities.

- (a) Plant-based stormwater treatment facilities such as rain gardens [see POMC 20.128.060(6)] and swales may be used to meet the requirements of this section as provided elsewhere in this chapter.

- (b) Stormwater detention facilities such as ponds and collection basins may not be used to meet the requirements of this section unless designed per subsection (a) above.

20.128.080 - Development within required buffers.

This section applies to buffers that are required per Table 20.128.070.

(1) Pedestrian walkways are allowed within buffers, subject to the following standards:

1. Walkways shall not exceed five feet in width.
2. Walkways shall cross buffers at an angle between 60 and 90 degrees.
3. Walkways may only run along the length of a buffer if the buffer is at least 40 feet in width, and the walkway is located within the inner 25 percent of the buffer.

(2) Utilities are not permitted in buffers within a residential subdivision, unless no reasonable alternative exists. However, utilities may be installed in an easement that is located along street frontage and parallel to the street. If utilities are placed in a buffer, they shall be located and installed in a way that minimizes disturbance of the buffer area: not parallel, but crossing at an angle between 60 and 90 degrees. If storm water drainage channels are placed in a buffer at an angle less than 60 degrees, the buffer width shall be increased by the width of the utility easement or disturbance, or at least ten feet, whichever is greater.

20.128.090 - Irrigation standards.

The purpose of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable.

All required landscaped areas in the city must comply with at least one of the following:

- (1) A permanent built-in irrigation system with an automatic controller will serve the proposed landscape area, and the system will be installed and operational before the city grants an occupancy permit or final inspection for the development.
- (2) A temporary irrigation system will serve the proposed landscape area, provided the applicant can successfully demonstrate that the proposed temporary irrigation system will provide sufficient water to ensure that the plant materials to be planted will survive installation and, once established, will survive without watering other than natural rainfall.
- (3) A permanent or temporary irrigation system will not serve the proposed landscape area, provided:
 - (a) The director finds the landscape area otherwise fulfills the requirements of this section, and
 - (b) The applicant submits all of the following with the site plan application:
 - (i) A statement from a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual certifying that the materials to be planted will survive without watering other than natural rainfall.
 - (ii) A plan for monitoring the survival of required vegetation on the approved site plan for at least one year and for detection and replacement of required vegetation that does not survive with like-kind material or other material approved by the director.

- (iii) A statement from the applicant agreeing to install an irrigation system if the director finds one is needed to ensure survival of required vegetation, based on the results of the monitoring plan.

20.128.100 - Maintenance of required buffers and landscaped areas.

(1) Maintenance responsibility.

The owners of the property and their agents, heirs, or assigns shall be responsible for the installation, preservation, and maintenance of all planting and physical features (installed or vegetated natural areas) required under this section. Damage to these areas shall result in the revegetation requirements or fines per POMC 20.128.090.

(2) Inspections after second and fifth year.

The director shall inspect the site two and five years after the issuance of a permanent certificate of occupancy in order to ensure compliance with the approved landscape plan and to ensure that the landscaping is properly maintained. Failure to maintain required landscape areas on a permanent basis may result in fines according to POMC 20.02 and POMC 2.64.

(3) Maintenance responsibility, replacement of damaged vegetation, and associated fines.

- (a) The owners of the property and their agents, heirs, or assigns must be responsible for maintaining all required landscaping and screening areas in a healthy, growing condition.
- (b) All landscaping and screening areas must be maintained reasonably free of weeds and trash, must be treated for pest/diseases in accordance with the approved landscape plan, and must be maintained so as to prevent mulch, straw, dirt, or other materials from washing onto streets, sidewalks, and adjoining properties.
- (c) Limbing up trees and “topping” or shearing off trees is prohibited, unless required for public safety reasons approved by the director.
- (d) The property owner shall take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations.
- (e) Any dead, unhealthy, or missing vegetation, or vegetation disfigured by severe or excessive pruning, unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, must be replaced with equivalent vegetation that conforms to the plant materials and installation standards in POMC 20.128.050, other applicable standards of this title, and the approved site plan.
- (f) The owner shall have one growing season to replace or replant after receiving notice from the director. The director shall consider the type and location of the required vegetation area in making a determination on the extent of replanting requirements.
- (g) Failure to maintain all plantings in accordance with this section shall constitute a violation of the Port Orchard Municipal Code and may result in fines in accordance with POMC 20.02.

(4) Landscape maintenance plan.

The paragraph and list below regarding a landscape maintenance/management plan shall be placed on the landscape plan prior to plan approval, along with any other notes applicable to site landscaping. This statement may be individualized based on the specific characteristics of each site and its

landscaping plan requirements. The maintenance plan shall be prepared by a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or other qualified individual.

“The owners of the property and their agents, heirs, or assigns shall be responsible for the installation, preservation, and maintenance of all planting and physical features shown on this plan. The owners shall be responsible for maintenance of the vegetation, including but not limited to:

- (a) Fertilization.
- (b) Pruning.
- (c) Pest control.
- (d) Mulching.
- (e) Mowing (if any).
- (f) Protection of the root zones from equipment, construction and storage of materials.
- (g) Watering.
- (h) Other continuing maintenance operations.

Failure to maintain all plantings in accordance with this plan shall constitute a violation of the Port Orchard Municipal Code and may result in fines.”

20.128.110 - Performance assurance/bonding.

In the event that landscaping improvements cannot be installed prior to final plat, final short plat, final binding site plan or formal certificate of occupancy, a cash deposit, letter of credit or other assurance acceptable to the city equal to 150 percent of the estimated landscaping and installation costs must be required. Such deposit must be accompanied by a letter which stipulates completion of all landscape development no later than the next autumn planting season following issuance of the certificate of occupancy or date of final approval, whichever is later. If these conditions are not met, the city may use the deposit to install the landscaping.

20.128.120 - Maintenance assurance/bonding.

Prior to granting a (permanent) certificate of occupancy and/or granting final approval of site improvements, the owner of the subject property shall provide a two-year landscape maintenance bond, cash set-aside, or other assurance acceptable to the city (hereafter “assurance”) in an amount equal to 125 percent of the estimated landscaping and installation costs for the project. It shall be the owner’s responsibility to request a landscape maintenance inspection at least two years after city acceptance upon final landscaping installation inspection. The assurance shall not be released by the city unless the city finds upon inspection that the landscaping has been maintained and is in good health. If the city finds that the landscaping has not been maintained or is not in good health, the city may at its option require the owner to maintain and restore the required landscaping to healthy conditions prior to releasing the landscape maintenance assurance, or may itself perform work to correct the deficiencies using the provided assurance. In the event that a significant amount of the required landscaping requires replacement as determined by the director, the city may require an additional two-year landscape maintenance assurance on all or a portion of the required landscaping.

Chapter 20.129 - SIGNIFICANT TREES (NEW)

20.129.010 Purpose

20.129.020 Applicability

20.129.030 Definitions

20.129.040 Removal and Replacement of all Significant Trees

20.129.050 Retention and Protection of Significant Trees Associated with Development Proposals

20.129.010 - Purpose.

It is the purpose of this chapter is to:

- (1) Provide incentives for preserving significant trees and to require the replacement of significant trees at specified ratios when they are removed.
- (2) Mitigate the environmental and aesthetic consequences of tree removal in land development through tree replacement to achieve a goal of no net loss of trees throughout the City.
- (3) Provide measures to protect trees that may be impacted during construction activities.
- (4) Maintain and protect the public health, safety, and general welfare.
- (5) Preserve the aesthetic, ecological, and economic benefits of forests and tree-covered areas in Port Orchard including:
 - (a) Providing varied and rich habitats for wildlife;
 - (b) Absorbing carbon dioxide;
 - (c) Moderating the effects of winds and temperatures;
 - (d) Stabilizing and enriching the soil;
 - (e) Slowing runoff from precipitation and reducing soil erosion;
 - (f) Improving air quality;
 - (g) Improving water quality;
 - (h) Masking unwanted sound;
 - (i) Providing visual relief and screening;
 - (j) Providing recreational benefits;
 - (k) Enhancing the economic value of developments;
 - (l) providing a valuable asset to the community.

20.129.020 - Applicability.

- (1) This section applies to all significant trees in the city.
- (2) No significant tree may be removed unless the requirements of this chapter are met.

- (3) The following situations, activities, and projects are exempt from the significant tree protection requirements of this section unless the tree is located in a critical area as identified in POMC 20.162:
 - (a) Utility developments.
 - (b) Roadway or street (including sidewalks) construction.
 - (c) Parks projects.
 - (d) Trees that interfere with overhead utility lines.
 - (e) Trees that are causing damage to building foundations.
- (4) This chapter shall not be construed to authorize the removal of trees where tree removal is not otherwise permitted in the POMC.

20.129.030 - Definitions.

- (1) Significant trees are those trees with a DBH (diameter at breast height) of 18 inches or greater and which are not identified by a licensed arborist as damaged, diseased, or a safety hazard due to potential root, trunk or primary limb failure, or new exposure to wind after having grown in a closed, forested situation.
- (2) The root protection zone is equal to one-foot radius from the center of the tree for every one inch of tree DBH. A modified root protection zone may be established by a certified arborist’s individual tree evaluation.

20.129.040 - Removal and replacement of all significant trees.

- (1) Approval of the director is required for the removal of significant trees. The decision to authorize the removal of a significant tree shall be a Type I decision; however, an application that involves two or more procedures may be processed consistent with the procedures provided in POMC 20.25.020(2). Approval requires that the following condition and the replacement requirements of subsection (2) are met:
 - (a) All significant trees located within any required landscape buffer area or required landscape planting area shall be retained to the extent practical and feasible.
- (2) Significant trees that are removed shall be replaced with trees meeting the following requirements:
 - (a) Trees must be replaced at the rates described in Table 20.129.040(2).

| Table 20.129.040(2) | |
|-----------------------------------|---------------------------------------------|
| Replacement tree quantity. | |
| Significant Tree Diameter | Number of Replacement Trees Required |
| 18-22 inches diameter | 1 |
| 22-28 inches diameter | 2 |
| 28-36 inches diameter | 3 |
| Greater than 36 inches diameter | 4 |

- (b) Replacement deciduous trees shall be fully branched, have a dominant leader branch, have a minimum caliper of one-and-one-half inches (as measured 24 inches above the root ball), and a minimum height of six feet at the time of planting as measured from the top of the leader branch to the top of the root ball. Replacement evergreen trees shall be fully branched and a minimum of six feet in height, measured from the top of the leader branch to the top of the root ball, at the time of planting.
 - (c) Replacement trees shall primarily be those species native to the Pacific Northwest. In making a determination regarding the species of replacement trees, the director shall defer to the species selected by the property owner unless the director determines that the species selected is unlikely to survive for a period of at least ten years, represents a danger or nuisance, would threaten overhead or underground utilities
 - (d) The property owner shall maintain all replacement trees in a healthy condition. The property owner shall be obligated to replant any replacement tree that dies, becomes diseased, or is removed. Replacement trees shall not be removed except when they are replaced at another location in accordance with this chapter.
 - (e) The director may authorize the planting of fewer and smaller replacement trees if the property owner can demonstrate the reduction is suitable for the site conditions, neighborhood character, and the purposes of this section, and that such replacement trees will be planted in sufficient quantities to meet the intent of this section. The director may require a certifying statement from a Washington state licensed landscape architect, Washington-Certified Professional Horticulturalist (CPH), or certified arborist.
- (3) If the site does not allow for planting of replacement trees the trees may be planted on an alternative site within the city and not more than 500 feet away from the removed tree, or public property (such as in a city park) subject to the approval of the public works director, provided that guarantees exist (such as a conservation easement) to ensure that the replacement trees will not be removed prior to reaching 18 inches DBH (at which time they will be considered significant trees).
- (4) The director shall not authorize the planting of shrubs or bushes in lieu of required replacement trees.
- (5) For projects containing 5 or fewer significant trees, the required replacement trees planted shall be in addition to other required trees installed to satisfy street tree and landscaping buffer, parking lot, and other landscape area requirements. For projects containing more than 5 significant trees, up to seventy-five percent (75%) of the required replacement trees to be planted may be satisfied by planting trees within required landscaping buffers and parking lot islands as specified in POMC 20.128.
- (6) Guidelines for significant tree replacement. The following guidelines and requirements shall apply to significant tree replacement:
- (a) When individual trees or tree stands are protected, replacement trees should be planted to re-establish or enhance tree clusters where they previously existed.
 - (b) Replacement trees shall be planted in locations appropriate to the species' growth habit and horticultural requirements.

- (c) Replacement trees shall be planted in areas that connect or are adjacent to native growth protection areas or other open space, where appropriate.
- (d) Replacement trees shall be integrated into the required landscape plans, if any, for a development.
- (e) Replacement trees to be planted next to or under power lines shall be selected with consideration of the trees' maturation and maintenance requirements.

20.129.050 - Retention and protection of significant trees associated with development proposals.

- (1) Significant tree retention plan.** The applicant or property owner shall submit a tree retention plan prepared by a certified arborist, horticulturalist, landscape architect, forester or other qualified professional concurrent with the underlying development permit application (such as a land disturbing activity, short subdivision, binding site plan, conditional use, building, or preliminary subdivision permit application), whichever is reviewed and approved first. The tree retention plan shall consist of:
 - (a) A tree survey that identifies the location, size, and species of individual significant trees or the perimeter of stands of trees on a site.
 - (b) Identification of the significant trees that are proposed to be retained.
 - (c) The location and design of root protection during construction and development activities.
- (2) Exemption:** Significant tree retention plans shall not be required for the construction of a detached house or backyard cottage, but these projects shall comply with all other sections of this chapter.
- (3) Protection of significant trees.** To provide protection for significant trees that are to remain during and after development activity the following standards apply:
 - (a) Prior to construction, grading, or other land development, each root protection zone is identified with a temporary chain-link or orange mesh fence with a minimum height of five feet.
 - (b) No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the root protection zone.
 - (c) Alternative protection methods may be used if determined by the director to provide equal or greater significant tree protection.