

Chapter 18.745
LANDSCAPING AND SCREENING

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18.745.010 Purpose

The purpose of this chapter is to establish standards for landscaping, buffering, and screening of land use within Tigard in order to enhance the aesthetic environmental quality of the City:

- A. By requiring the planting of street trees in new developments;
- B. By using plant materials as a unifying element;
- C. By using planting materials to define spaces and articulate the uses of specific areas; and
- D. By using trees and other landscaping materials to mitigate the effects of the sun, wind, noise and lack of privacy by the provision of buffering and screening. (Ord. 12-09 §1)

18.745.020 Applicability

- A. Applicability. The provisions of this chapter shall apply to all development that requires a Type I conditional use minor modification, a Type I site development review minor modification, any Type II land use review or any Type III land use review unless otherwise specified in any of the sections below.
- B. When urban forestry plan requirements concurrently apply. When the provisions of Chapter 18.790, Urban Forestry Plan, concurrently apply, any trees required by this chapter shall be included in the urban forestry plan and subject to all of the requirements in Chapter 18.790.
- C. Site plan requirements. The applicant shall submit a site plan. The director shall provide the applicant with detailed information about this submission requirement. (Ord. 12-09 §1)

18.745.030 General Provisions

- A. Maintenance responsibility. Unless otherwise provided by the lease agreement, the owner, tenant and his or her agent, if any, shall be jointly and severally responsible for the ongoing maintenance of all landscaping and screening used to meet the requirements of this chapter according to applicable industry standards.
- B. Installation requirements. The installation of all landscaping and screening required by this chapter shall be as follows:
 - 1. All landscaping and screening shall be installed according to applicable industry standards;

2. All plants shall be of high grade, and shall meet the size and grading standards of the American Standards for Nursery Stock (ANSI Z60, 1-2004, and any future revisions); and
 3. All landscaping and screening shall be installed in accordance with the provisions of this title.
- C. Certificate of occupancy. Certificates of occupancy shall not be issued unless the requirements of this chapter have been met or other arrangements have been made and approved by the city such as the posting of a bond.
- D. Protection of existing plants. Existing plants on a site shall be protected as follows:
1. The developer shall provide methods for the protection of existing plants to remain during the construction process;
 2. The plants to remain shall be noted on the landscape plans (i.e., plants to remain can be shown as protected with fencing); and
 3. The tree protection provisions outlined in Chapter 18.790 and the Urban Forestry Manual shall apply to the land use review types identified in Section 18.790.020.A.
- E. Ongoing tree-related rules and regulations. Any trees used to meet the requirements of this chapter shall be subject to all applicable tree-related rules and regulations in other chapters and titles of the Tigard Municipal Code and Tigard Development Code. (Ord. 12-09 §1)

18.745.040 Street Tree Standards

- A. Street trees shall be required as part of the approval process for conditional use (Type III), downtown design review (Type II and III), minor land partition (Type II), planned development (Type III), site development review (Type II) and subdivision (Type II and III) permits.
- B. The minimum number of required street trees shall be determined by dividing the linear amount of street frontage within or adjacent to the site (in feet) by 40 feet. When the result is a fraction, the minimum number of required street trees shall be determined by rounding to the nearest whole number.
- C. Street trees required by this section shall be planted according to the street tree planting standards in the Urban Forestry Manual.
- D. Street trees required by this section shall be provided adequate soil volumes according to the street tree soil volume standards in the Urban Forestry Manual.
- E. Street trees required by this section shall be planted within the right-of-way whenever practicable according to the street tree planting standards in the Urban Forestry Manual. Street trees may be planted no more than six feet from the right-of-way according to the street tree planting standards in the Urban Forestry Manual when planting within the right-of-way is not practicable.
- F. An existing tree may be used to meet the street tree standards provided that:
 1. The largest percentage of the tree trunk immediately above the trunk flare or root buttresses is either within the subject site or within the right-of-way immediately adjacent to the subject site;

2. The tree would be permitted as a street tree according to the street tree planting and soil volume standards in the Urban Forestry Manual if it were newly planted; and
3. The tree is shown as preserved in the tree preservation and removal site plan (per 18.790.030.A.2), tree canopy cover site plan (per 18.790.030.A.3) and supplemental report (per 18.790.030.A.4) of a concurrent urban forestry plan and is eligible for credit towards the effective tree canopy cover of the site.

G. In cases where it is not practicable to provide the minimum number of required street trees, the director may allow the applicant to remit payment into the urban forestry fund for tree planting and early establishment in an amount equivalent to the city's cost to plant and maintain a street tree for three years (per the street tree planting standards in the Urban Forestry Manual) for each tree below the minimum required. (Ord. 12-09 §1; Ord. 09-13)

18.745.050 Buffering and Screening

A. General provisions.

1. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.
2. Buffering and screening is required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrices in this chapter (Tables 18.745.1 and 18.745.2). The owner of each proposed development is responsible for the installation and effective maintenance of buffering and screening. When different uses would be abutting one another except for separation by a right-of-way, buffering, but not screening, shall be required as specified in the matrix.
3. In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code.

B. Buffering and screening requirements.

1. A buffer consists of an area within a required setback adjacent to a property line and having a depth equal to the amount specified in the buffering and screening matrix and containing a length equal to the length of the property line of the abutting use or uses.
2. A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No buildings, accessways or parking areas shall be allowed in a buffer area except where an accessway has been approved by the city.
3. A fence, hedge or wall, or any combination of such elements, which are located in any yard is subject to the conditions and requirements of paragraph B.8 and subsection D of this section.
4. The minimum improvements within a buffer area shall consist of combinations for landscaping and screening as specified in Table 18.745.1. In addition, improvements shall meet the following specifications:

- a. At least one row of trees shall be planted. Trees shall be chosen from any of the tree lists in the Urban Forestry Manual (except the nuisance tree list) unless otherwise approved by the director and have a minimum caliper of 1-1/2 inches for deciduous trees and a minimum height of six feet for evergreen trees at the time of planting. Spacing for trees shall be as follows:
 - i. Small stature or columnar trees shall be spaced no less than 15 feet on center and no greater than 20 feet on center.
 - ii. Medium stature trees shall be spaced no less than 20 feet on center and no greater than 30 feet on center.
 - iii. Large stature trees shall be spaced no less than 30 feet on center and no greater than 40 feet on center.
 - b. In addition, at least 10 five-gallon shrubs or 20 one-gallon shrubs shall be planted for each 1,000 square feet of required buffer area.
 - c. The remaining area shall be planted in lawn or other living ground cover.
5. Where screening is required the following standards shall apply in addition to those required for buffering:
- a. A hedge of narrow or broad leaf evergreen shrubs shall be planted which will form a four-foot continuous screen of the height specified in Table 18.745.2 within two years of planting; or
 - b. An earthen berm planted with evergreen plant materials shall be provided which will form a continuous screen of the height specified in Table 18.745.2 within two years. The unplanted portion of the berm shall be planted in lawn or other living ground cover; or
 - c. A fence or wall of the height specified in Table 18.745.2 shall be constructed to provide a continuous sight obscuring screen.
6. Buffering and screening provisions shall be superseded by the vision clearance requirements as set forth in Chapter 18.795.
7. When the use to be screened is downhill from the adjoining zone or use, the prescribed heights of required fences, walls, or landscape screening shall be measured from the actual grade of the adjoining property. In this case, fences and walls may exceed the permitted six-foot height at the discretion of the director as a condition of approval. When the grades are so steep so as to make the installation of walls, fences or landscaping to the required height impractical, a detailed landscape/screening plan shall be submitted for approval.
8. Fences and walls.
- a. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock or brick, or otherwise acceptable by the director;
 - b. Such fence or wall construction shall be in compliance with other city regulations;

- c. Walls shall be a minimum of six inches thick; and
- d. Chain link fences with slats shall qualify for screening; however, chain link fences without slats shall require the planting of a continuous evergreen hedge to be considered screening.

9. Hedges.

- a. An evergreen hedge or other dense evergreen landscaping may satisfy a requirement for a sight-obscuring fence where required subject to the height requirement in subparagraphs C.2.a and C.2.b of this section;
- b. Such hedge or other dense landscaping shall be properly maintained and shall be replaced with another hedge, other dense evergreen landscaping, or a fence when it ceases to serve the purpose of obscuring view; and
- c. No hedge shall be grown or maintained at a height greater than that permitted by these regulations for a fence or wall in a vision clearance area as set forth in Chapter 18.795.

C. Setbacks for fences or walls.

- 1. No fence or wall shall be constructed which exceeds the standards in paragraph 2 of this subsection C except when the approval authority, as a condition of approval, allows that a fence or wall be constructed to a height greater than otherwise permitted to mitigate against potential adverse effects.
- 2. Fences or walls.
 - a. May not exceed three feet in height in a required front yard along local streets or eight feet in all other locations and, in all other cases, shall meet vision clearance area requirements in Chapter 18.795;
 - b. Are permitted up to six feet in height in front yards adjacent to any designated arterial or collector street. For any fence over three feet in height in the required front yard area, permission shall be subject to administrative review of the location of the fence or wall.
- 3. All fences or walls shall meet vision clearance area requirements in Chapter 18.795.
- 4. All fences or walls greater than six feet in height shall be subject to building permit approval.

D. Height restrictions.

- 1. The prescribed heights of required fences, walls or landscaping shall be measured from the actual adjoining level of finished grade, except that where parking, loading, storage or similar areas are located above finished grade, the height of fences, walls or landscaping required to screen such areas or space shall be measured from the level of such improvements.
- 2. An earthen berm and fence or wall combination shall not exceed the six-foot height limitation for screening.

E. Screening: special provisions.

1. Screening and landscaping of parking and loading areas:
 - a. Screening of parking and loading areas is required. In no cases shall nonconforming screening of parking and loading areas (i.e., nonconforming situation) be permitted to become any less conforming. Nonconforming screening of parking and loading areas shall be brought into conformance with the provisions of this chapter as part of the approval process for conditional use (Type III), downtown design review (Type II and III), planned development (Type III), and site development review (Type II) permits only. The specifications for this screening are as follows:
 - i. Landscaped parking areas shall include special design features which effectively screen the parking lot areas from view. These design features may include the use of landscaped berms, decorative walls and raised planters;
 - ii. Landscape planters may be used to define or screen the appearance of off-street parking areas from the public right-of-way;
 - iii. Materials to be installed should achieve a balance between low lying and vertical shrubbery and trees;
 - iv. All parking areas, including parking spaces and aisles, shall be required to achieve at least 30% tree canopy cover at maturity directly above the parking area in accordance with the parking lot tree canopy standards in the Urban Forestry Manual.
2. Screening of service facilities. Except for one-family and two-family dwellings, any refuse container or disposal area and service facilities such as gas meters and air conditioners which would otherwise be visible from a public street, customer or resident parking area, any public facility or any residential area shall be screened from view by placement of a solid wood fence or masonry wall between five and eight feet in height. All refuse materials shall be contained within the screened area.
3. Screening of swimming pools. All swimming pools shall be enclosed as required by the state building code.
4. Screening of refuse containers. Except for one- and two-family dwellings, any refuse container or refuse collection area which would be visible from a public street, parking lot, residential or commercial area, or any public facility such as a school or park shall be screened or enclosed from view by placement of a solid wood fence, masonry wall or evergreen hedge. All refuse shall be contained within the screened area.

F. Buffer matrix.

1. The buffer matrices contained in Tables 18.745.1 and 18.745.2 shall be used in calculating widths of buffering/screening and required improvements to be installed between proposed uses and abutting uses or zoning districts.
2. An application for a variance to the standards required in Tables 18.745.1 and 18.745.2, shall be processed as a Type II procedure, as regulated by Section 18.390.040, using approval criteria in Section 18.370.010. (Ord. 12-09 §1; Ord. 09-13; Ord. 02-33)

18.745.060 Re-vegetation

- A. When re-vegetation is required. Where natural vegetation has been removed through grading in areas not affected by the landscaping and screening requirements and that are not to be occupied by structures, such areas are to be replanted as set forth in this section to prevent erosion after construction activities are completed.
- B. Preparation for re-vegetation. Topsoil removed from the surface in preparation for grading and construction is to be stored on or near the sites and protected from erosion while grading operations are underway; and
1. Such storage shall be located consistent with an approved urban forestry plan per Chapter 18.790 or outside the tree canopy driplines of trees intended to be preserved in cases when there is no approved urban forestry plan; and
 2. After completion of such grading, the topsoil is to be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting.
- C. Methods of re-vegetation. Acceptable methods of re-vegetation include hydro-mulching or the planting of rye grass, barley, or other seed with equivalent germination rates, and:
1. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than four pounds to each 1,000 square feet of land area;
 2. Other re-vegetation methods offering equivalent protection may be approved by the approval authority;
 3. Plant materials are to be watered at intervals sufficient to ensure survival and growth; and
 4. The use of native plant materials is encouraged to reduce irrigation and maintenance demands. (Ord. 12-09 §1)

Table 18.745.1: Buffer Matrix

Proposed Use Existing/Abutting Use	Single Units, Detached; Manufactured Units	Attached Single Units and Multifamily, 1-5 Units; Duplexes	Attached Single Units and Multifamily, 5+ Units	Mobile Home Parks	Commercial Zones (CC, CG, CP)	Neighborhood Commercial Zone (CN)	Mixed Use Employment	Light Industrial Zones (IP, IL)	Heavy Industrial Zones (IH)	Parking Lots	
										4 to 50 spaces	50+ spaces
Detached Single Units; Manufactured Units	--	A	C	C	D	C	C	E	F	C	D
Attached Single Units and Multifamily, 1-5 Units, Duplexes	A	--	B	C	D	C	C	E	F	C	D
Attached Single Units and Multifamily, 5+ Units	A	A	--	C	D	C	C	E	F	C	D
Mobile Home Parks	A	A	B	--	D	C	C	E	F	C	D
Commercial Zones (CC, CG, CP)	C	C	C	C	--	A	A	D	D	--	--
Neighborhood Commercial Zone (CN)	C	C	C	C	A	--	A	D	D	--	--
Mixed Use Employment Zone (MUE)	C	C	C	C	A	A	--	D	D	--	--
Light Industrial Zones (IP, IL)	D	D	D	D	A	A	A	--	D	--	--
Heavy Industrial Zone (IH)	D	D	D	D	D	D	D	D	--	--	--
Parking Lots	C	C	C	C	--	--	--	--	--	--	--
Arterial Streets	A	A	A	A	--	--	--	A	D	--	--

Note 1: See Table 18.745.2 for alternative combinations for meeting these screening requirements.

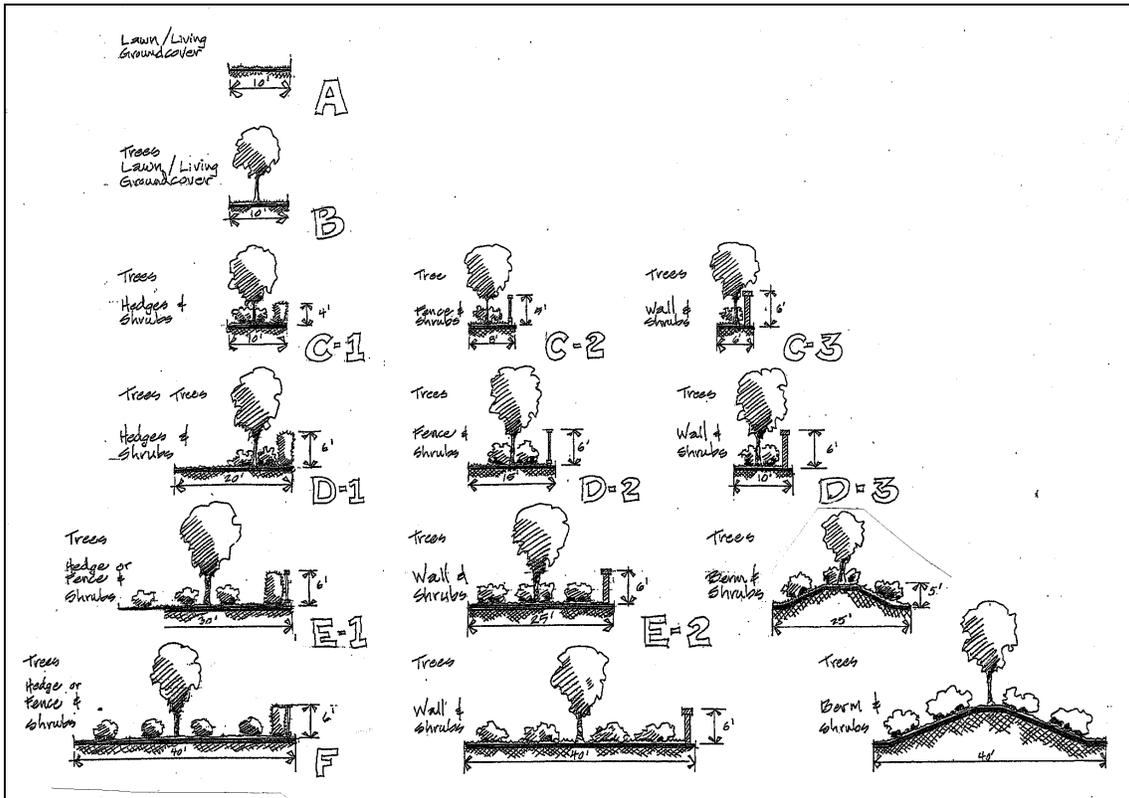
Note 2: For projects within the MU-CBD zone, the following buffering is required:

- A. Proposed parking lots must have a buffer to level "C" (parking lots abutting parking lots do not need a buffer).
- B. Proposed uses in the MU-CBD zone that abut a residential zone must have a buffer to level "C."

(Ord. 10-02 §2)

**Table 18.745.2
Buffer Combinations for Landscaping and Screening^{1,2}**

	Options	Width (feet)	Trees (per linear feet of buffer)	Shrubs or Groundcover	Screening
A	--	10	--	Lawn/living groundcover	--
B	--	10	15' min/40' max spacing	Lawn/living groundcover	--
C	1	10	15' min/40' max spacing	Shrubs	4' hedges
	2	8		Shrubs	5' fence
	3	6		Shrubs	6' wall
D	1	20	15' min/40' max spacing	Shrubs	6' hedge
	2	15		Shrubs	6' fence
	3	10		Shrubs	6' wall
E	1	30	15' min/40' max spacing	Shrubs	6' hedge or fence
	2	25		Shrubs	5' earthen berm or wall
F	--	40	15' min/40' max spacing	Shrubs	6' hedge, fence, wall or berm



¹ Buffers are not required between abutting uses that are of a different type when the uses are separated by a street as specified in 18.745.050.A.2.
² Spacing of trees depends on stature; see 18.745.050.B.4.

(Ord. 12-09 §1) ■