

AGENDA

Clallam County Planning Commission

Planning Commission Meeting of Wednesday, February 15, 2023 6:00 p.m.

The Planning Commission will conduct a regularly scheduled meeting in Room 160 of the Clallam County Courthouse, 223 East Fourth Street, Port Angeles, WA 98362 and by Zoom, meeting number 857 7304 5582 with passcode 12345. Materials regarding past and upcoming meetings are available at: <https://wa-clallamcounty.civicplus.com/669/Live-Archived-Meetings-Online>

- A. **CALL TO ORDER**
- B. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**
- D. **WELCOME**
- E. **APPROVAL OF MINUTES:** February 1, 2023
- F. **ANNOUNCEMENTS –**
- G. **PUBLIC COMMENT –** Please Limit Comments to Three Minutes
- H. **UNFINISHED BUSINESS:** none
- I. **PUBLIC HEARING:** none
- J. **WORK SESSION ITEMS:** Discussion of Draft Landscaping Ordinance
- K. **PUBLIC COMMENT –** Please Limit Comments to Three Minutes
- L. **ADJOURNMENT**

Members:

Chair, Steve Gale & Vice-Chair, Ron Long
Robert Miller; N. Bonnie Booth; Jeff Carter; Thomas Butler; Kenneth Reandeau; Jane Hielman
Vacancy District 2

Department of Community Development Staff:

Donella Clark, Principal Planner; Bruce Emery, DCD Director

MINUTES

Clallam County Planning Commission

Meeting of February 1, 2023, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Steve Gale, Vice-Chair Ron Long, Jeff Carter, Tom Butler, Ken Reandeau, and Jane Hielman. Donella Clark, Principal Planner and Bruce Emery, Director, represented staff from the Department of Community Development.
- D. WELCOME: Chair Gale welcomed all in attendance.
- E. APPROVAL OF MINUTES: January 18, 2022
- F. ANNOUNCEMENTS: Amendment to the Bylaws requested, adding a section "Good of the Order" before Adjournment. As required the change was presented in writing and a vote will be taken at the next meeting. Staff informed the Commissioners that the Board Meeting room is being remodeled next week to allow Boards to utilize the bench once again, so the room may be different at the February 15th meeting.
- G. PUBLIC COMMENT PERIOD: None
- H. UNFINISHED BUSINESS: None
- I. PUBLIC HEARING ITEM: None
- J. WORK SESSION ITEMS: Staff invited stakeholders to attend this meeting for an opportunity to provide input regarding the proposed Sign Ordinance. Staff attended the Board of Commissioners work session on January 30, 2023 about the work occurring in the Planning Commission regarding the Sign Ordinance and the proposed Stakeholder Workshop. None of the Stakeholders attended the meeting. The Commission provided changes to the ordinance in anticipation of a March 1, 2023 public hearing. A discussion regarding electronic signs was had and staff recommended changing the wording to prohibit new electronic signs and see if comments are generated for the public hearing.
- K. PUBLIC COMMENT PERIOD: None.
- L. ADJOURNMENT: The meeting adjourned at __6:45__ p.m.

Clark, Donella

From: Jeff Carter <jeff988carter@gmail.com>
Sent: Thursday, January 19, 2023 1:30 PM
To: Clark, Donella
Subject: Re: amending bylaws

Hi Donella,

Thanks for following up. Since our commission has adopted Robert's Rules in our Bylaws , the proper term per any edition of Robert's Rules Revised (again the Bylaws specification) would be "Good of the Order:"

According to Robert's Rules explanation of Good of the Order, this agenda item would be for "The general good and welfare (of the Commission) and/or an Open Forum ".

This agenda item is best at the end of the approved agenda, I would suggest it be placed between "K" - Public Comment and "L" - Adjournment.

Jeff

On Thu, Jan 19, 2023 at 9:45 AM Clark, Donella <donella.clark@clallamcountywa.gov> wrote:

Jeff,

According to the bylaws Article VI -Amendments: These bylaws may be amended at any regular meeting by the affirmative vote of a majority of the members of the Planning Commission provided that the proposed amendments have been submitted in writing at a previous meeting.

So if you would simply email me your suggested changes I will include your "written" request in the February 1st packet and then the Commission can vote on February 15th.

-Donella

Donella Clark

Principal Planner

Clallam County Department of Community Development

223 E 4th St, Suite 5

Port Angeles, WA 98362

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

BYLAWS OF THE CLALLAM COUNTY PLANNING COMMISSION

ARTICLE I - NAME

Section 1. Name

The official name of the organization shall be "Clallam County Planning Commission".

ARTICLE II - OFFICIAL SEAT

Section 1. Official Seat

The official seat of the Planning Commission shall be in the Clallam County Courthouse, 223 East 4th Street, Port Angeles, Washington, and meetings shall be held there except on such occasions and at such times as the Planning Commission may, by a majority vote of those present at any regular, recessed or special meeting, otherwise direct.

ARTICLE III - OFFICERS

Section 1. Officers

The elective officers of the Planning Commission shall consist of a Chair and Vice-Chair. The Executive Secretary of the Planning Commission shall be the Planning Division Manager or designee.

Section 2. Nomination and Election of Officers

Nomination of elective officers shall be made from the floor at the annual election meeting, which shall be held on the first regular meeting of January of each year. The election shall follow immediately thereafter. Officers shall be nominated and elected from the appointed members only. A nominee receiving a majority vote of those present at the election meeting shall be declared elected.

Section 3. Terms of Officers

The elective officers shall take office at the first regular meeting in February and shall serve for a term of one year.

Section 4. Vacancies in Offices

Vacancies in elective offices shall be filled immediately by regular election procedure for the unexpired portion of the term.

Section 5. Duties of Officers

- a. Chair. The Chair shall preside at all meetings and public hearings of the Planning Commission and shall call special meetings when necessary or required. The Chair shall appoint all committees, shall be an ex-officio member of each, without power to vote. The Chair shall sign all official papers and plans involving the authority of the Planning Commission which are transmitted to the County Commissioners. The Chair shall have the privilege of discussing all matters before the Planning Commission and voting thereon. The Chair shall have all the duties normally conferred by parliamentary usage on such officers and shall perform such other duties

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

as may be conferred by the Planning Commission except as otherwise provided in these Bylaws, in other Planning Commission regulations, or in County ordinances.

- b. Vice-Chair. The Vice-Chair shall assume the duties and powers of the Chair in the Chair's absence. If the Chair and Vice-Chair are both absent, the Planning Commission members may elect a temporary chair by a majority vote of those present at the regular, recessed or special meeting, who shall assume the duties and powers of the Chair and Vice-Chair during their absence.
- c. Executive Secretary. The Executive Secretary or designee shall keep the minutes of all regular, recessed, and special meetings of the Planning Commission; such minutes shall be approved by the Planning Commission. The Executive Secretary or designee shall give notice of all regular and special meetings to Planning Commission members, shall prepare the agenda of regular and special meetings, shall serve proper and legal notice of all public hearings, and shall draft and sign the routine correspondence of the Planning Commission. The Executive Secretary or designee shall maintain a file of all studies, plans, reports, recommendations, and official records of the Planning Commission, and perform such other duties as the Planning Commission may request.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings; Time and Place

The regular meetings of the Planning Commission shall be held on the first and third Wednesday of each month commencing at 6:00 p.m. in the Commissioners' Meeting Room #160, Clallam County Courthouse, 223 East 4th Street, Port Angeles, except as otherwise designated by the Planning Commission. The meeting will adjourn no later than 8:30 p.m., unless extended by majority vote of the Planning Commission. Any change in the hour, date and place of regular meetings shall be given wide publicity for the convenience of persons having business before the Planning Commission. When the regular meeting day falls on a legal holiday, the meeting shall be held the next day unless otherwise determined.

Section 2. Recessed Meetings

Any regular meeting may be recessed to a definite time and place by a majority vote of the Planning Commission members present at the meeting.

Section 3. Special Meetings

Special meetings may be called by the Chair. Special meetings may also be called upon the written request of any three members of the Planning Commission, or by majority vote of the Planning Commission at a regular, special, or recessed meeting.

Section 4. Notice of Meetings

Notice of all regular and special meetings shall be given by the Executive Secretary to each local newspaper of general circulation in Clallam County and to each radio station and television located in Clallam County. Notice of meeting cancellations shall be provided to the media as soon as possible after a meeting is canceled.

Section 5. Order of Business - Regular and Special Meetings

- A. Call to order by Chair
- B. Pledge of Allegiance
- C. Roll Call

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

- D. Welcome
- E. Approval of minutes of preceding meeting
- F. Announcements
- G. Public Comment on Agenda Items (Not subject of Public Hearing)
- H. Unfinished Business
- I. Public Hearing
- J. Work session items
- K. Public Comment
- K.L. Good of the Order
- L.M. Adjournment

See Attachment 1 for standard welcome format.

Each speaker will be limited to 3 minutes at the Chair's discretion.

The Chair may change the order of the agenda if deemed necessary.

Section 6. Operational Guidelines

- a. Any application may be tabled by majority vote of the Commission if the applicant or an authorized representative is not present at the public hearing.
- b. Action on any application or request may be tabled by majority vote of the Commission if all essential information is not provided to the Planning Commission, or if the volume of information provided is significant.
- c. Action on any request or application may be tabled to request a legal opinion or interpretation by a majority vote of the Commission.
- d. The Commission shall act as a body in (1) making its decisions and in announcing them; and, (2) officially representing itself or making public disclosures to entities outside the Commission or the County Planning staff.
- e. Willful misrepresentation of information provided by an applicant pertaining to a request or application will void that request or application upon discovery of the misrepresentation.
- f. The Planning Commission will not commence a new public hearing after 8:00 p.m., at the discretion of the Chair.

Section 7. Public Hearing Procedure

- 1. General. Public hearings provide an opportunity for citizens to give direct input to the Planning Commission on matters being considered. It is the policy of the Planning Commission to conduct hearings in a manner that allows input from the maximum number of citizens possible and respects the opinion of all those wishing to testify.
- 2. Conducting the Hearing. Public hearings are conducted as regular items on the Planning Commission's Board's published agenda. In order to ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Planning Commission will generally adhere to the following rules:

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

- a. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
- b. The Chair will open the public hearing and accept any written testimony. All written testimony received prior to the close of the public hearing will be considered.
- c. The Chair will request planning staff to provide a staff report and recommendation on the matters being considered. Planning Commission members are permitted to ask staff any relevant questions regarding the matter being considered.
- d. In order to maintain an accurate public record, all citizens testifying will be required to state their name, address, and nature of interest in the matter for the permanent record.
- e. For any application before the Planning Commission, the applicant will be given the opportunity to testify first with a limit of 20 minutes divided among as many of the speakers as determined by the applicant. The applicant will also be given an opportunity, at the end of the testimony period, to have one rebuttal, limited to 10 minutes. Rebuttal comments shall be limited to factual statements relating to previous testimony. The Chair has the discretion to allow more time to speak and/or additional opportunities to comment with the objective of ensuring adequate time for all present to have an opportunity to comment and in consideration of meeting time and other agenda items.
- f. The Chair, at its discretion, may limit the comment period for each speaker so that all can be heard. As a general rule, testimony will be limited to three minutes per person, except for a group spokesperson, who will be allowed up to 10 minutes.
- g. Public hearings are intended to provide information and opinions from citizens to the Planning Commission. They are not intended to be a debate between those on opposing sides of an issue, nor to weigh how many on each side of an issue attend. The Chair, at its discretion, may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Planning Commission.
- h. The public hearing is closed. Planning Commission members may voice other significant considerations and pose any relevant questions through the Chair. The Chair will question the proper party for answers.
- i. The Chair with majority vote may extend the written comment period at their discretion.
- j. Motion for disposition.

Section 8. Quorum

Five members of the Planning Commission shall constitute a quorum to conduct business and make recommendations.

Section 9. Motions

When requested, motions shall be restated by the Executive Secretary before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

Section 10. Voting

Any action taken by a majority of the quorum, at any regular, recessed or special meeting of the Planning Commission shall be deemed and taken as the final action of the Planning Commission; except that any changes to the Comprehensive Plan, as referenced in RCW 36.70.500, or development regulations involving Clallam County ordinances must be approved by a majority of the total membership of the Planning Commission. Voting on all matters requiring a public hearing before the Planning Commission, and all matters referred to the Planning Commission by the Board of Clallam County Commissioners shall be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting.

Section 11. Staff Reports

On all matters considered by the Planning Commission, the report and recommendations of the Planning Division shall be presented to the Planning Commission and shall be recorded in the minutes of the meeting.

Section 12. Conflict of Interest/Appearance of Fairness

- a. Any member of the Planning Commission who has an interest in any matter before the Planning Commission that would or could tend to prejudice his/her actions thereon, shall so publicly indicate this fact to the Planning Commission prior to the opening of the Public Hearing and shall abstain from voting or participating in any way in the Planning Commission members' action on that matter. The member shall excuse him/herself from the Planning Commission and shall leave the meeting room until the conclusion of the subject matter.
- b. During Planning Commission deliberation on any quasi-judicial matter, no member should engage in ex parte communications with opponents or proponents unless the member:
 1. Places on the record the substance of any written or oral ex parte communications concerning the application; and
 2. Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the matter. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are part of the record. Anyone seeking to rely on the appearance of fairness doctrine to disqualify a member of the Planning Commission from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the individual.

In the event of a challenge to a member or members of the Planning Commission which would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any challenged member or members shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision.

Section 13. Attendance

- a. Attendance at all regular meetings and executive sessions is expected of each Planning Commission member.
- b. Any members anticipating absence from any meeting shall notify the Chair or Executive Secretary in advance.

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

- c Any absence may be excused by the Planning Commission, even for an extended period, provided the absence is requested at least 48 hours in advance, unless the absence is necessitated by an emergency.

Section 14. Parliamentary Procedure

Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Bylaws, in other Planning Commission resolutions or in the County Code.

Section 15. Public Nature of Meetings and Records

All regular, recessed and special meetings, hearings, records, and accounts shall be open to the public; provided, however, executive sessions may be held by the Planning Commission as provided in RCW 42.30.110.

ARTICLE V - COMMITTEES

Section 1. Establishment of Committees

The Planning Commission may establish such standing or special sub-committees as it deems advisable and assign each sub-committee specific duties or functions. Each standing sub-committee shall consist of 3 members. No standing or special sub-committee shall have the power to commit the Planning Commission to the endorsement of any plan or program without its submission to the body of the Planning Commission.

Section 2. Appointment and Terms of Committee Members

The Chair of the Planning Commission shall appoint the members of each standing or special sub-committee and shall name the chair of each sub-committee. The members of each standing sub-committee shall be appointed as needed for a term of one year. Special sub-committees may be appointed at such times and for such purposes and terms as the Planning Commission approves.

Section 3. Committee Vacancies

Vacancies on sub-committees shall be filled immediately by the Chair of the Planning Commission for the unexpired portion of the term.

Section 4. Meetings of Committees

The sub-committees shall meet at the call of the sub-committee chair, provided that the Chair of the Planning Commission shall also have the authority to call a special meeting of any sub-committee at any time and upon such notice as the Chair may specify.

The Planning Staff shall issue notice of sub-committee meetings at the request of a sub-committee chair or the Planning Commission Chair.

Section 5. Quorum and Voting

A majority of the members appointed shall constitute a quorum of all sub-committees. The affirmative vote of a majority of the sub-committee membership shall be required for the adoption of a matter before the sub-committee.

Bylaws of the Clallam County Planning Commission
Adopted February 7, 1996
Revised July 7, 1999
Revised March 7, 2012
Revised February 5, 2014
Revised January 17, 2018
Revised February 7, 2018
Revised February 15, 2023

ARTICLE VI - AMENDMENTS

Section 1. Amendments

THESE BYLAWS MAY BE AMENDED AT ANY REGULAR MEETING BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE PLANNING COMMISSION PROVIDED THAT THE PROPOSED AMENDMENTS HAVE BEEN SUBMITTED IN WRITING AT A PREVIOUS MEETING.

ADOPTION

Adopted January 17, 2018 by an affirmative vote of the members of the Clallam County Planning Commission.

Attachment 1 - Welcome

Welcome to the regular meeting of the Clallam County Planning Commission. The Commission is a nine-member, volunteer advisory panel appointed by the Board of Clallam County Commissioners. The Commission makes recommendations to the Board on legislative changes to the Clallam County Comprehensive Plan and implementing development regulations; the Six Year Transportation Improvement Program; applications for amendments to the Comprehensive Plan and Zoning Code, and applications for open space tax reductions. The Commission's actions are advisory to the Board of Clallam County Commissioners.

If you have any questions, please let me know at this time.

Ordinance _____

Amending Title 33, Zoning, Chapter 33.53, Landscape and Lighting Requirements, of the Clallam County Code, to repeal all section of Chapter 33.53, Landscape Requirements and replace

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section 33.53.010, Purpose, is created to read as follows:

The landscaping and lighting requirements specified in this chapter are intended to foster aesthetically pleasing development which will protect and preserve the appearance and character of the county. These regulations are intended to increase the compatibility of adjacent land uses due to development and, in doing so, minimize the potential of noise, light, odor, visual, and stormwater impacts created from such uses. In addition, landscaping and lighting requirements are intended assist with issues of climate change. Plants sequester carbon out of the atmosphere and prevent against the heat-island effect by providing shade, while regulating lighting will lower overall energy emissions

Section 2. Section 33.53.020, Applicability, is created to read as follows:

The standards set forth in this chapter shall apply to the following:

- (1) Commercial
- (2) Industrial development or use;
- (3) Multi-family development;
- (4) Subdivisions and binding site plans (including RV and MH Parks) within urban growth areas, and Limited Areas of More Intensive Rural Development (LAMIRD) per Sections 33.22.300(2)&(3) CCC
- (5) Public and institutional uses;
- (6) Public buildings and facilities;
- (7) Above ground utility buildings or facilities;
- (8) Expansion of an existing building footprint or use greater than 50% for above listed development;
- (9) Uses requiring landscaping as a condition of a conditional use permit under Chapter 33.27 of this Title, and
- (10) Uses requiring landscaping in other sections of this Title.

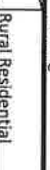
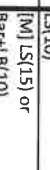
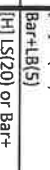
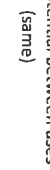
Table 33.53.020 below provides the standard buffer requirements between existing and proposed use (see attached).

Section 3. Section 33.53.030, Landscape Plans, is created to read as follows:

Landscape plans shall contain the following information:

- (1) Proposed retention of existing vegetation and plant types to comply with landscaping requirements of this chapter.
- (2) Proposed location of plants meeting the standards of this code and how all disturbed areas are to be replanted.
- (3) Spacing between individual plants.
- (4) Location, quantity, size and name, both botanical and common names, of all proposed plants.
- (5) Location of impervious surfaces and hardscape features.

Table 33.53.020 Perimeter Landscaping Between Existing and Proposed Uses¹

Existing Uses ->		Rural Residential	Urban Residential	Multi-Family	Civic, Public, or Recreational Use	Utility	Office	Commercial Use	Industrial Use
	Rural Residential		[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[H] LS(25) or Bar+LS(10)
Rural Residential	[L] LS(10) or Bar+LB(5)		[M] LS(15) or Bar+LB(10)	[M] LS(15) or Bar+LB(10)	[M] LS(15) or Bar+LB(5)	[L] LS(10) or Bar+LB(10)	[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[H] LS(25) or Bar+LS(10)
Urban residential	[H] LS(20) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)			[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)	[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[H] LS(25) or Bar+LS(15)
Multi family	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)		[M] LS(15) or Bar+LB(5)	[L] LS(10) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[H] LS(25) or Bar+LS(15)
Civic, Public or Recreational Use	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)		[M] LS(15) or Bar+LB(5)	[L] LS(10) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)
Utility	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(10)		[L] LS(10) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)
Office	[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)		[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(10)
Commercial/Light Industrial ²	[H] LS(20) or Bar+LS(15)	[M] LS(15) or Bar+LB(10)	[M] LS(15) or Bar+LB(10)	[M] LS(15) or Bar+LB(10)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)	[L] LS(10) or Bar+LB(5)		[M] LS(15) or Bar+LB(10)
Industrial ³ & outdoor processing	[H] LS(25) or Bar+LS(15)	[H] LS(25) or Bar+LS(15)	[H] LS(25) or Bar+LS(15)	[H] LS(25) or Bar+LS(15)	[H] LS(20) or Bar+LS(10)	[L] LS(10) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	[M] LS(15) or Bar+LB(5)	

Proposed Uses ->

Potential Nuisance potential between uses

None [X] (same)

Low [L]

Moderate [M]

High [H]

Footnotes

1. Landscaping Requirement for Zoning CUP based on most similar use and determined by the Hearing Examiner

2 Light Industrial is defined in Section 33.03.010(5)(CCC) and occurring within a fully enclosed structure

3 Industrial Use is defined in Section 33.03.010(47) CCC, and includes manufacturing and processing activities not entirely in a fully enclosed structure that generates noise, odors, vibrations etc.

Standard Width (number of feet) and type landscaping

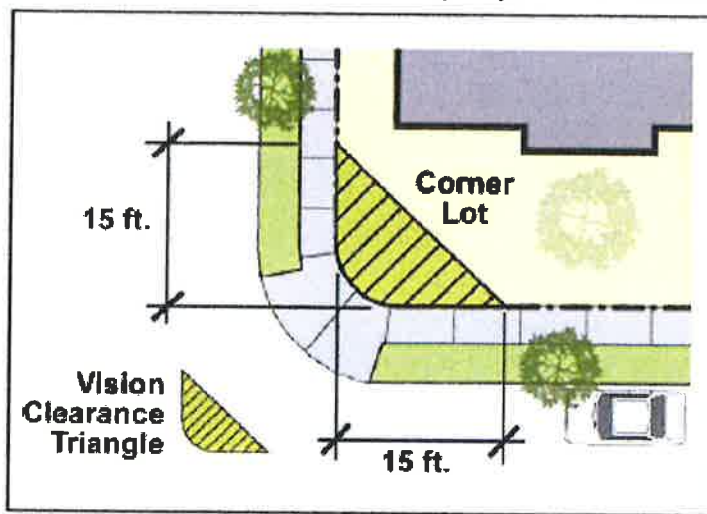
LB= Landscaping Buffer

LS= Landscape Screen

Bar= fence, wall, berm, or hedge

(#)=Required Standard Landscaping Width in Feet

- (6) Location and dimensions of all existing or proposed structures, property lines, easements, parking lots and driveways, roadways and rights-of-way, sidewalks, monument/freestanding signs, refuse dumpsters, fences, walls, freestanding electrical equipment, and stormwater facilities.
- (7) Outdoor and security lighting consistent with Section 33.53.090.
- (8) The proposed location of fencing, decorative block wall, berms, and/or hedges.
- (9) Corner lots shall maintain a vision clearance triangle consisting of an area in which no visual obstruction, such as a structure, fence, tree or shrub higher than 24 inches above grade shall be permitted. Such triangular area shall have one angle formed by the front lot line and the side lot line separating the lot from the side street, extending 15 feet along both street frontages. The third side of the triangle shall be a straight line connecting the two lot lines at the 15-foot point on each (Section 33.20.050(4) CCC). Larger vision triangles may be required, based on the road classifications, as specified by city, state or federal transportation agencies or departments.

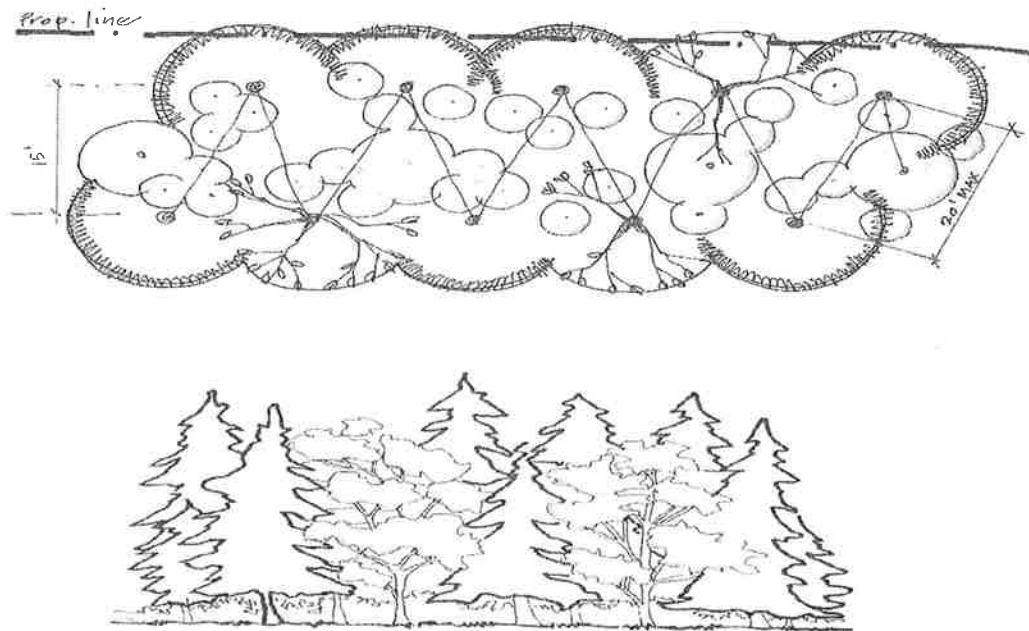


- (10) Assurance that required landscaping/lighting is installed as designed and is successful throughout the lifetime of the proposal, as outline in Section 33.53.110. This shall include assurances that the required landscaping/lighting will be successful as determined by DCD or the Hearing Examiner when the success of landscaping/lighting is needed to ensure compatibility with existing and/or potential adjacent land uses.

Section 4. Section 33.53.040, Landscape Requirements, is created to read as follows:

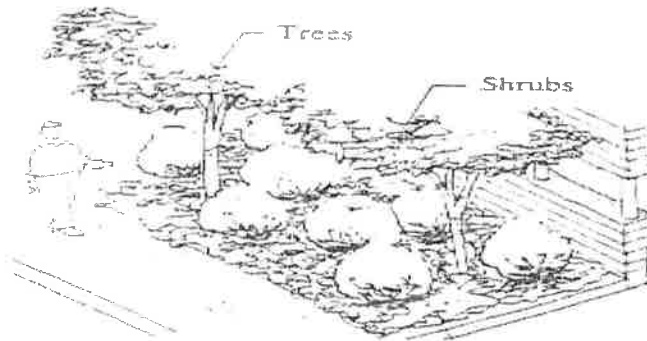
- (1) A landscape visual screen is required for the developed area of commercial, industrial public/industrial uses, above ground utilities/facilities, and zoning conditional uses along any property line adjacent to residentially zoned areas, or areas containing an existing use (i.e. schools, churches, daycares, residences, etc.) that requires protection from nuisances, as determined by DCD. New subdivisions and binding site plans located within an urban growth area or LAMIRD require a landscape visual screen along any property line adjacent to non-urban growth area lands to ensure compatibility with existing and potential land uses.
 - a. The standard visual screen planting shall be at least 15 feet in width and consist of staggered evergreen (minimum 75%) and deciduous or slowing growing trees (maximum 25%) planted at 15 feet on center, and planted no more than 20 feet apart, unless an alternative landscape plan is approved pursuant to Section 33.53.080 of this Chapter.

- b. The visual screen planting shall provide at least 1 understory tree interspersed between the larger trees, with at least 3 shrubs (no more than 25% deciduous) planted around each large tree.
- c. Planting patterns should promote tree and shrub spacing and clustering throughout the landscaped area versus a linear planting approach.
- d. For uses with minimal potential to impact adjacent land uses requiring visual screening per Section 35.53.010(1) above, DCD or Hearing Examiner may allow a modified visual screen width of 10 feet in width, or a 5 foot wide visual screen with the use of fencing, decorative block wall, berms, and/or solid hedges. DCD may allow the buffer width to be varied (minimum 5 foot width) provided that a comparable landscaped area is provided along the required landscaped area to achieve more visually appealing landscaped areas or larger trees that and meets the purpose and intent of this Chapter.
- e. For uses (i.e. heavy industrial or activity using machinery or equipment outside an enclosed structure) that create significant noise, odors, vibration, pollution, or other nuisances with a high likelihood of significantly impacting adjacent land uses (i.e. residential or other sensitive land uses), DCD or Hearing Examiner may require a visual screen up to 25 feet in width through the SEPA or public hearing process. In addition to the expanded visual screen width, DCD or Hearing Examiner may also require the use of fencing, decorative block wall, berms, and/or hedges, in addition to the standard visual screening requirements.
- f. Alternative visual screen landscaping designs and widths may be considered by DCD or the Hearing Examiner that provide for an effective, natural screen of the development site that is appropriate based on the existing conditions, zoning and existing and potential land uses to prevent nuisances and is aesthetically pleasing.



Example of Landscape Screen

- (2) A landscape buffer is intended to promote a natural buffer and visual enhancement of the development site. A landscape buffer is required within the front yard and road frontages for all uses requiring landscaping per Section 33.53.020 CCC.
- a. The standard landscape buffer shall be at least 10 feet in width and include an assortment of evergreen and deciduous trees planted 25 feet on center (no more than 50% deciduous or slow growing trees), shrubs and groundcover, unless an alternative landscape plan is approved pursuant to Section 33.53.080 of this Chapter. DCD may allow the buffer width to be varied (minimum 3 foot width) provided that a comparable landscaped area is provided along the required landscaped area to achieve more visually appealing landscaped areas or larger trees that and meets the purpose and intent of this Chapter.
 - b. When a standard landscape buffer is not necessary or feasible to promote aesthetically pleasing development for an area, or through the use of the fencing, decorative block wall, berms, and/or solid hedges, DCD or Hearing Examiner may allow a modified landscape buffer width of 5 feet in width.
 - c. Alternative landscape buffer designs and widths may be considered by DCD or Hearing Examiner that promotes effective visual buffering of the development site.



Example of Landscape Buffer

- (3) Required landscape visual screens and buffers may include sidewalks and stormwater management features that are integrated with the landscaping design.
- (4) DCD may consider landscape visual screens and buffers to be located around the perimeter of the development site where only a small part of the lot and/or street frontage are developed. For example, a small public utility building and related vehicle service access/parking and security fencing with a small footprint on a lot that is vacant or containing development not requiring landscaping subject to this chapter.
- (5) Vegetation shall not obscure line of sight at intersection of a public road or state highway.
- (6) Vegetation along state or county right-of-way shall not impact any roadway or sidewalk.
- (7) All landscaping shall be maintained in a healthy growing condition for the life of the development.
- (8) Soil amendments and mulch are required to help maintain a healthy landscape.
- (9) Drought tolerant and native vegetation is encouraged as a means of reducing water use.
- (10) Vegetation that does not survive shall be replaced within the next growing season.

native trees and shrubs are allowed (2-4 years old Container size #2 or #3). Native groundcover in 4 to 6 inch containers may also be utilized. Non-native ornamental trees and shrubs and slow growing trees are allowed under maximum percentages of deciduous trees and shrubs outline in the for landscape screens and buffers above. Invasive or noxious weed species shall not count toward the density or cover thresholds. Low growing species may be allowed for visual buffers.

- (6) DCD may allow alternatives to the size of plants, if a landscaping plan is provided that substantially meets the intent of this Chapter. The calculations would be based on 75 percent of the expected height and width of trees and shrubs. For a visual buffer this shall include installing landscaping that provides 50% aerial cover (from trees and shrubs) within 3 years of planting. For a visual screen 75% aerial cover (from trees and shrubs) shall be obtained within 3 years of planting. The vegetated areas shall comprise at least 80 percent of the landscape area for a visual buffer and 90 percent for a visual screen. The remaining area may be utilized for other uses (benches, sign, stormwater, etc.).
- (7) DCD may allow the use smaller sized trees, shrubs, and ground cover (e.g. 1 gallon trees/shrubs or seedlings and bare root plants) to promote long term survivorship if the following conditions are met: 1.5 times the landscape screen or buffer width is provided as outlined in Table 33.53.020; fencing, decorative block wall, or berms are provided for immediate screening; and adequate protection from nuisances from the proposed development to adjacent uses is provided.
- (8) The retention of existing vegetation in place of new plants is encouraged and allowed.
- (9) The planting of non-sidewalk friendly trees within 20 feet of sidewalks or parking areas may require root barriers (minimum 18 inches in depth) to mitigate for root heaving.
- (10) List of approved street trees and shrubs with expected height, width, ...

Table 33.53.070A
Approved Trees and Shrubs for Landscaping (see Attachment from Pierce County)

Common Name	Scientific Name	Type	Mature Height (ft)	Mature Width (ft)	Native to West Coast	Sidewalk Friendly	Overhead Utility Friendly
Douglas Fir	<i>Pseudotsuga menziesii</i>	Evergreen					
Red Alder	<i>Alnus rubra</i>	Deciduous					

Section 5. Section 33.53.050, Parking Lot Landscape, is created to read as follows:

DCD may require a 5 to 10 foot wide landscape buffer along the perimeter of any parking lot subject to Section 33.53.020 with more than 10 parking spaces to ensure compatibility with adjacent land uses, minimize the view from county or private roads (serving more than 4 parcels), and to foster aesthetically pleasing development. Landscape areas may be integrated with pedestrian and stormwater facilities to comply with both County landscape and stormwater standards. Stormwater bioretention facilities are encouraged to be integrated into the parking lot design.

- (1) The landscape buffer shall promote tree and shrub spacing and clustering throughout the landscape area versus a linear planting approach with an assortment of evergreen and deciduous trees planted 25 feet on center (no more than 50% deciduous or slow growing trees), shrubs and groundcover.
- (2) Surface parking lots, with more than 20 parking spaces shall provide landscaping islands at the end of every parking row with a maximum spacing of at least one island for every 12 parking spaces. Each island is an equivalent of a parking space shall contain at least 1 tree, shrubs and groundcover.
- (3) If the parking lot is located behind the building and is not adjacent to a residential zone or road frontage, the landscaping islands are not required.

Section 6. Section 33.53.060, Screening Of Refuse Disposal Dumpsters, is created to read as follows:

All refuse disposal dumpsters shall be screened on all sides by a solid wood fence, decorative block wall or an equivalent opaque material.

Section 7. Section 33.53.070, Plant Standards, is created to read as follows:

Type of Vegetation	Age of Plant in years	Size of plant containers
Groundcover	1 to 1.5 years	4 inch, 6 inch or 1 Quart
Trees and Shrubs	1.5 to 2.5 years	2 quarts or #1 (gallon)
Trees and Shrubs	2 to 4 years	#2 & #3
Trees and Shrubs	3 to 5 years	#5 or #7

- (1) Non-Native Evergreen trees shall be a minimum height of 4 feet in height at time of planting and may be either broadleaf or conifer (3-5 years old Container size #5 or #7). A range of heights is permissible and encouraged when trees are proposed in a grouping to allow for water efficiency.
- (2) Non-Native Deciduous trees shall be a minimum 1 inch diameter at 3 feet above grade and be a minimum height of 4 feet at time of planting (3-5 years old Container size #5 or #7).
- (3) Shrubs shall be a minimum size of 3 gallons at the time of planting (2-4 years old Container size #2 or #3).
- (4) Ground cover is low evergreen or deciduous plantings at 3 foot spacing in all directions (1 to 1.5 years old and container size 1 Quart).
- (5) Native trees and shrubs are preferred because they utilize less water, provides habitat, and require less maintenance compared to non-native plants. To encourage their use, younger and smaller

Section 8. Section 33.53.080, Alternative Landscape Plan, is created to read as follows:

Alternative landscape designs may be allowed if, upon review by DCD (for Type I & II Permits) or Hearing Examiner (for Type III Permits); the alternative design meets one or more of the following criteria:

- (1) Provides landscaping or fencing, decorative block wall, berms, and/or solid hedges that substantially meets the purpose and intent of this Chapter;
- (2) Results in retention and protection of existing native vegetation (especially trees greater than 12 inches in diameter) and meet the intent of the required visual screen and buffer requirements of this Chapter;
- (3) Addresses existing significant site constraints due to unusual lot size or shape, topography, soil conditions, existing development (buildings, utilities, power lines, irrigation lines, sidewalks, etc....), existing easement restrictions, or other unique circumstance are such that full compliance with the standards is impossible or impractical for such development or use; or
- (4) Addresses impacts to roads or other infrastructure (e.g., sidewalks) or safety concerns (e.g., line of site) along state highways and county roads.
- (5) DCD may consider approval of a landscape easement on adjacent properties to comply with the landscape visual screen and buffers of this Chapter.
- (6) The creation of an assurance bank account or maintenance agreements may be required to ensure that the landscaping is successful per Section 33.53.030(9) CCC.

DCD shall have the authority to attach conditions to any alternative landscape plan or modification from the standards of this Chapter necessary to protect the public health, safety or welfare, or to assure that the spirit of this chapter is maintained.

Section 9. Section 33.53.090, Outdoor and Security Lighting, is created to read as follows:

New outdoor, security, or light emitting from land uses shall be directed downward and shielded to prevent glare and light trespass onto neighboring properties and roads.

When outdoor lighting has the potential to significantly impact adjacent uses or roadways, DCD shall require a lighting plan as part of the review of new development proposals. The lighting plan shall note the location, type, and intensity of lighting. Energy efficient outdoor lighting should be utilized unless it is demonstrated to be infeasible to meet the intended objective. It shall also demonstrate how location, type, and mitigation measures (i.e. Shielding, downlighting, timers, motion sensors, etc.) will prevent glare and light trespass. For large or complex commercial, industrial, subdivisions, multi-family projects, Shoreline Permits, Zoning Conditional Use Permits, or projects requiring a public hearing, DCD may require the lighting plan to be prepared by a qualified professional. The approved plan shall be implemented as a condition of approval of required development permits. Any significant changes to the number of lighting fixtures, location, and intensity of exterior lighting will require an updated lighting plan to be approved by DCD.

Section 10. Section 33.53.100, Enforcement, is created to read as follows:

- (1) DCD is authorized to carry out inspection and enforcement actions pursuant to Clallam County Code (CCC) Chapter 33.59, Enforcement, and CCC Title 20, Code Compliance.

(2) If inspection or enforcement investigations by DCD or their designee determines that the approved landscaping plans or required landscaping per the issued development permit has is dead, altered, or not be successfully implemented, then required landscaping shall be replaced within 30 days of notification by DCD. Alternatively, DCD may require a revised landscaping plan to rectify the unsuccessful landscaping requirements. Failure to comply with the voluntary compliance provisions outline above to obtain or to implement the required Landscaping Plan will be subject to enforcement actions found below.

(3) Any person who fails to comply with the standards contained within this Chapter and/or any person who fails to comply with a final written order may be assessed a civil penalty as follows:

(a) The revoking of the development permit if significant impacts are not recertified within 60 days or timeframe outline by DCD in written notices.

(b) DCD may assess the violator a civil penalty not to exceed \$1,000 for each violation.

(c) Each violation or each day of continued unlawful activity shall constitute a separate violation. Each day that a person fails to comply with the terms of a final written order shall constitute a separate violation.

Section 11. Section 33.53.110, Assurance of Landscaping, is created to read as follows:

Trees, shrubs, and ground cover shall have a survivability of 100 percent after the first year, 75 percent after the second year, and 66% after the third year. The landowner shall replace any dead trees, shrubs, and groundcover within 30 days of notification by DCD or to achieve these thresholds.

Alternatively, for a visual buffer this shall include installing landscaping that provides 50% aerial cover (from trees and shrubs) within 3 years of planting. For a visual screen 75% aerial cover (from trees and shrubs) shall be obtained within 3 years of planting.

DCD may require as a condition to the granting of a development permit requiring landscaping or an approved Landscaping Plan, that the applicant furnish security in the form of a bond, cash escrow account, an irrevocable letter of credit or other security acceptable to the County in its sole discretion, in an amount determined by the DCD to be sufficient to complete the restoration and replanting of the property in accordance with the terms of the required landscaping or approved Landscaping Plan and within the duration thereof. The security shall be in an amount equal to the 110 percent of the estimated cost of such restoration and replanting and with surety and conditions satisfactory to DCD.

The creation of an account in the name of Clallam County DCD equal to 110 percent of the fair market value (i.e. bids or invoices) of the required landscaping may be required through a public hearing, or when DCD determines that the success of the landscaping is needed to ensure compatibility with the existing and/or potential adjacent land uses. The account shall be held by the Clallam County Treasurer for a minimum of three years and can be used by DCD to have the required landscaping installed as designed if the landscaping installed by the applicant is unsuccessful and if the applicant does not replace dead trees and shrubs within 30 days of notification by DCD.

Alternatively, DCD may also allow the landowner to sign a maintenance contract with a landscape company for up to 3 years to ensure that the landscaping installed is maintained, and that dead trees and shrubs are replaced within 30 days of notification by DCD. DCD may also require documentation with photos for up to 3 years to ensure that the landscaping is successful.

Section 12. Section 33.53.120, Authority, is created to read as follows:

DCD shall administer and enforce compliance with all terms in this Chapter. DCD may adopt and amend administrative policies and procedures for the purposes of implementing and enforcing the provisions of this Chapter. All such administrative policies and procedures shall be available to the public at DCD.

Section 13. Section 33.53.130, Compliance with Other Laws, is created to read as follows:

Approvals and permits granted under this Chapter and any policies and procedures promulgated hereunder do not constitute waivers of the requirements of any other laws or regulations nor do they indicate compliance with any other laws or regulations. Compliance is still required with all applicable federal, state, or local laws and regulations. In the event of any conflict between this Chapter and any other Chapter of the Clallam County Code, the provisions of this Chapter shall prevail.

Section 14. Section 33.53.140, Effectiveness/No Retroactivity, is created to read as follows:

- (1) This Chapter shall become effective on [__, 2023]
- (2) This Chapter shall be prospective in operation only.
- (3) The provisions of this Chapter shall not apply to existing required landscaping or approved landscaping plans for which all previously required permits were obtained and successfully implemented prior to the effective date.
- (4) The provisions of this Chapter shall not apply to a project or development not yet constructed provided that an appropriate residential or commercial building permit has been obtained and the permit bears a date prior to the effective date of this Chapter.

ADOPTED this _____ day of _____ 2023

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mark Ozias, Chair

ATTEST:

Randy Johnson

Loni Gores, Clerk of the Board

Mike French

New Table 18J.15.100-1 Preapproved Tree List (1)(2)(3)						
Tree Genus	Tree Species or Variety	Tree Common Name	Anticipated Mature Height (ft)	Anticipated Mature Width (ft)	West Coast Native	Characteristics
						 Evergreen  Deciduous  Ornamental  Overhead Utility  Friendly
<i>Abies</i>	<i>pinsapo</i>	Spanish Fir	50	20		
<i>Acer</i>	<i>ginnala</i>	Amur Maple	20	20		
<i>Acer</i>	<i>griseum</i>	Paperbark Maple	25	14		
<i>Amelanchier</i>	<i>alnifolia</i>	Standing Ovation Serviceberry	15	3	✓	
<i>Amelanchier</i>	<i>x grandiflora</i>	Apple Serviceberry	20	20	✓	
<i>Amelanchier</i>	<i>laevis</i>	Snowcloud Serviceberry	25	15	✓	
<i>Arbutus</i>	<i>unedo</i>	Strawberry Tree	20	25		
<i>Betula</i>	<i>utilis</i> var. <i>jaquemontii</i>	Jacquemonti Birch	40	30		
<i>Callitropsis</i>	<i>nootkatensis</i>	Weeping Alaska Yellow Cedar	35	8	✓	
<i>Callitropsis</i>	<i>nootkatensis</i>	Alaska Yellow Cedar	50	25	✓	
<i>Calocedrus</i>	<i>decurrens</i>	Incense Cedar	70	12	✓	
<i>Carpinus</i>	<i>betulus</i>	European Hornbeam	40	25		
<i>Carpinus</i>	<i>caroliniana</i>	American Hornbeam	25	20		
<i>Cercidiphyllum</i>	<i>japonicum</i>	Katsura Tree	50	25		
<i>Cercis</i>	<i>canadensis</i>	Eastern Redbud	25	30		
<i>Chamaecyparis</i>	<i>obstusa</i>	Hinoki Cypress	15	8		
<i>Chamaecyparis</i>	<i>pisifera</i>	Sawara Cypress	50	15		

<i>Chamaecyparis</i>	<i>lawsoniana</i>	Port Orford Cedar or Lawson Cypress	60	20	✓	
<i>Chionanthus</i>	<i>retusus</i>	Chinese Fringe Tree	15	15		
<i>Cladastria</i>	<i>kentukea</i>	American Yellowwood	30	40		
<i>Cornus</i>	<i>controversa</i>	June Snow Dogwood	30	40		
<i>Cornus</i>	<i>mas</i>	Cornelian Cherry	25	20		
<i>Cornus</i>	<i>kousa</i>	Kousa Dogwood	25	25		
<i>Cornus</i>	<i>kousa x nuttallii</i>	Starlight Dogwood	30	20	✓	
<i>Cotinus</i>	<i>coggygia</i> or <i>obovatus</i>	Smoke Tree	25	20		
<i>Crataegus</i>	<i>crusgalli</i> var. <i>inermis</i>	Thornless Cockspur Hawthorn	25	25		
<i>Crataegus</i>	<i>x lavalleyi</i>	Lavalle Hawthorn	25	20		
<i>Crataegus</i>	<i>viridis</i>	Winter King Hawthorn	25	25		
<i>Cryptomeria</i>	<i>japonica</i>	Black Dragon Japanese Cedar	15	10		
<i>Cryptomeria</i>	<i>japonica</i>	Japanese Plume Cedar	30	10		
<i>Cupressus</i>	<i>arizonica</i> var. <i>glabra</i>	Smooth Cypress	30	15		
<i>Davidia</i>	<i>involucrata</i>	Dove Tree	30	30		
<i>Eucalyptus</i>	<i>neglecta</i> or <i>parvula</i>	Hardy Silver Gum	40	15		
<i>Fagus</i>	<i>sylvatica</i>	Fastigate Beech	25	6		
<i>Franklinia</i>	<i>alatomaha</i>	Franklin Tree	25	20		
<i>Ginkgo</i>	<i>biloba</i>	Maidenhair Tree	45	35		
<i>Gleditsia</i>	<i>triacanthos</i>	Honey locust	40	30		
<i>Gymnocladus</i>	<i>dioicus</i>	Kentucky Coffee Tree	50	35		
<i>Halesia</i>	<i>tetraptera</i>	Carolina Silverbell	35	30		
<i>Hamamelis</i>	<i>x intermedia</i>	Witchhazel	20	15		
<i>Juniperus</i>	<i>scopulorum</i>	Rocky Mountain Juniper	15	6	✓	
<i>Koeleruteria</i>	<i>paniculata</i>	Golden Rain Tree	25	20		
<i>Laburnum</i>	<i>x watereri</i>	Golden Chain Tree	25	20		

<i>Lagerstroemia</i>	<i>indica</i>	Creepe Myrtle	20	10		
<i>Maackia</i>	<i>amurensis</i>	Amur Maackia	25	25		
<i>Magnolia</i>	<i>stellata</i>	Star Magnolia	20	15		
<i>Magnolia</i>	<i>acuminata x denudata</i>	Butterflies Magnolia	20	20		
<i>Magnolia</i>	<i>kobus</i>	Kobus Magnolia	25	15		
<i>Magnolia</i>	<i>x soulangeana</i>	Saucer Magnolia	30	30		
<i>Malus</i>	<i>sp.</i>	Crabapple	20	12		
<i>Malus</i>	<i>tschonoskii</i>	Tschonoskii Crabapple	35	22		
<i>Nyssa</i>	<i>sylvatica</i>	Tupelo	40	30		
<i>Ostrya</i>	<i>virginiana</i>	American Hophornbeam	40	25		
<i>Oxydendrum</i>	<i>arboreum</i>	Sourwood	25	20		
<i>Parrotia</i>	<i>persica</i>	Persian Ironwood	30	25		
<i>Picea</i>	<i>orientalis</i>	Oriental Spruce	50	20		
<i>Picea</i>	<i>omorika</i>	Serbian Spruce	50	25		
<i>Picea</i>	<i>abies</i>	Norway Spruce	60	20		
<i>Pinus</i>	<i>mugo</i>	Mugo Pine	20	20		
<i>Pinus</i>	<i>parviflora</i>	Japanese White Pine	25	15		
<i>Pinus</i>	<i>contorta</i> var. <i>contorta</i>	Shore Pine	30	15	✓	
<i>Pinus</i>	<i>flexilis</i>	Vanderwolf's Pyramid Pine	40	20	✓	
<i>Prunus</i>	<i>virginiana</i>	Chokecherry	25	20		
<i>Quercus</i>	<i>myrsinifolia</i>	Bamboolleaf Oak	30	25		
<i>Quercus</i>	<i>robur x bicolor</i>	Regal Prince Oak	45	18		
<i>Rhamnus</i>	<i>purshiana</i>	Cascara	25	20	✓	
<i>Sciadopitys</i>	<i>verticillata</i>	Japanese Umbrella Pine	25	20		
<i>Sequoiadendron</i>	<i>giganteum</i>	Blue Giant Sequoia	50	25	✓	
<i>Stewartia</i>	<i>pseudocamelia</i>	Japanese Stewartia	25	12		
<i>Styrax</i>	<i>japonicus</i>	Japanese Snowbell	25	20		
<i>Styrax</i>	<i>obassia</i>	Fragrant Snowbell	25	25		

<i>Syringa</i>	<i>reticulata</i>	Japanese Tree Lilac	25	20					
<i>Trochodendron</i>	<i>aralioides</i>	Wheel Tree	20	20					
<i>Tsuga</i>	<i>merdensiana</i>	Mountain Hemlock	20	8		✓			
<i>Tsuga</i>	<i>diversifolia</i>	Northern Japanese Hemlock	40	20					
<i>Ulmus</i>	<i>caprifolia</i> x <i>parvifolia</i>	Frontier Elm	40	30					
<i>Zelkova</i>	<i>serrata</i>	Japanese Zelkova	24	30					
<i>Betula</i>	<i>papyrifera</i>	Paper Birch	50	30		✓			
<i>Betula</i>	<i>nigra</i>	River Birch	40	35		✓			
<i>Catalpa</i>	<i>bignonioides</i>	Eastern Catalpa	40	30					
<i>Catalpa</i>	<i>x erubescens</i>	Purple Catalpa	45	45					
<i>Catalpa</i>	<i>speciosa</i>	Northern Catalpa	50	30		✓			
<i>Cedrus</i>	<i>deodara</i>	Deodar Cedar	50	30					
<i>Celtis</i>	<i>occidentalis</i>	Hackberry	45	35					
<i>Cupressus</i>	<i>bakeri</i>	Baker Cypress	50	35		✓			
<i>Eucommia</i>	<i>ulmoides</i>	Hardy Rubber Tree	45	45					
<i>Juglans</i>	<i>regia</i>	English Walnut	50	50					
<i>Magnolia</i>	<i>acuminata</i>	Cucumber Magnolia	50	40					
<i>Phellodendron</i>	<i>amurense</i>	Eyestopper Cork Tree	40	35					
<i>Quercus</i>	<i>bicolor</i>	Swamp White Oak	50	50					
<i>Quercus</i>	<i>canby</i>	Sierra Red Oak	45	40		✓			
<i>Quercus</i>	<i>chrysolepis</i>	Canyon Live Oak	55	30		✓			
<i>Quercus</i>	<i>coccinea</i>	Scarlet Oak	50	40					
<i>Quercus</i>	<i>garryana</i>	Oregon White Oak	60	50		✓			
<i>Quercus</i>	<i>ilex</i>	Holm Oak	50	50					
<i>Quercus</i>	<i>imbricaria</i>	Shingle Oak	55	50					
<i>Quercus</i>	<i>kelloggii</i>	California Black oak	60	45		✓			
<i>Quercus</i>	<i>macrocarpa</i>	Bur Oak	50	50					

<i>Quercus</i>	<i>muenhlenbergii</i>	Chinquapine Oak	50	45		
<i>Quercus</i>	<i>phellos</i>	Willow Oak	50	50		
<i>Quercus</i>	<i>rubra</i>	Red Oak	50	40		
<i>Sophora</i>	<i>japonica</i>	Japanese Pagoda Tree	40	40		
<i>Tilia</i>	<i>tomentosa</i>	Silver Linden	60	50		
<i>Ulmus</i>	<i>parviflora</i>	Emerald Vase Elm	50	35		
<i>Zelkova</i>	<i>serrata</i>	Japanese Zelkova	60	50		
<i>Zelkova</i>	<i>carpinifolia</i>	Caucasian Elm	60	50		
<i>Aesculus</i>	<i>hippocastanum</i>	Horse Chestnut	75	70		
<i>Fagus</i>	<i>sylvatica</i>	European Beech	80	50		
<i>Liriodendron</i>	<i>tulipifera</i>	Tulip Tree*	60	25		
<i>Lithocarpus</i>	<i>densiflorus</i>	Tanoak	75	90	✓	
<i>Metasequoia</i>	<i>glyptostrobooides</i>	Dawn Redwood	70	25		
<i>Pinus</i>	<i>ponderosa</i>	Ponderosa Pine*	100	22	✓	
<i>Platanus</i>	<i>x acerifolia</i>	London Plane Tree	55	40		
<i>Platanus</i>	<i>orientalis</i>	America Sycamore	75	75		
<i>Psuedotsuga</i>	<i>menziesii</i>	Douglas-fir*	80	20	✓	
<i>Quercus</i>	<i>falcata</i>	Spanish Oak	80	50		
<i>Quercus</i>	<i>frainetto</i>	Italian Oak	80	60		
<i>Sequoia</i>	<i>sempervirens</i>	Coastal Redwood*	100	25	✓	
<i>Sequoiadendron</i>	<i>giganteum</i>	Giant Redwood	80	50	✓	
<i>huja</i>	<i>plicata</i>	Western Red-Cedar*	100	25	✓	
<i>Ulmus</i>	<i>americana</i>	American Elm	70	65		
<i>Ulmus</i>	<i>japonica x wilsoniana</i>	Accolade Elm	70	60		

(1) All trees included list in Table 181.15.100-1 are suitable for use as street trees and parking lot trees.

(2) Any tree species that is not listed in Table 181.15.100-1 may be administratively approved by the Planning and Public Works Department as an alternative to a listed tree as appropriate to the proposed use and planting location.

(3) Evergreen trees are not pre-approved street trees or parking lot trees and may only be approved by the Planning and Public Works Department on a case-by-case basis.

1

Table 18J.15.100-3.2. Recommended Shrubs Species Suitable for use in landscape areas; not all plants listed will be appropriate for areas that require only native plants.		
Serviceberry <i>Amelanchier alnifolia</i>	Labrador tea <i>Ledum groenlandicum</i>	Ramanas rose <i>Rosa rugosa</i>
Strawberry tree <i>Arbutus unedo</i>	Russian arborvitae <i>Microbiota decussate</i>	Rosemary <i>Rosmarinus officinalis</i>
Winter blooming camellia <i>Camellia sasanqua</i>	Oregon wax myrtle <i>Myrica californica</i>	Senecio <i>Senecio greyii</i>
Wild lilac <i>Caenothus species</i>	Persian parrotia <i>Parrotia persica</i>	Common lilac <i>Syringa vulgaris</i>
Rock rose <i>Cistus species</i>	Wild mock orange <i>Philadelphus lewisii</i>	Tamarisk <i>Tamarix species</i>
Smoke tree <i>Cotinus coggygria</i>	Ninebark <i>Phisocarpus species</i>	Evergreen huckleberry <i>Vaccinium ovatum</i>
Hardy ice plant <i>Delosperma nubigenum</i>	Portugal laurel <i>Prunus lusitanica</i>	Yew <i>Taxus species</i>
Broom <i>Genista species</i>	Firethorn <i>Pyracantha species</i>	Thyme <i>Thymus species</i>
Pacific rhododendron <i>Rhododendron macrophyllum</i>	Red huckleberry <i>Vaccinium parviflorum</i>	Juniper <i>Juniperus species</i>
Sumac <i>Rhus glabra or typhina</i>	Chaste tree <i>Vitex agnus-castus</i>	Kerria <i>Kerria japonica</i>
Nootka rose <i>Rosa nootka</i>	Yucca <i>Yucca species</i>	Crape myrtle <i>Lagerstroemia indica</i>

2

Table 18J.15.100-4.3. Recommended Groundcover Species Suitable for use in landscape areas; not all plants listed will be appropriate for areas that require only native plants.		
Manzanita, Kinnikinnick <i>Arctostaphylos species</i>	Bunchberry <i>Cornus canadensis</i>	Salal <i>Gaultheria shallon</i>
Wild ginger <i>Asarum caudatum</i>	Coastal strawberry <i>Fragraria chiloensis</i>	Oregon grape <i>Mahonia species</i>
Barberry <i>Berberis species</i>	Wild strawberry <i>Fragraria virginiana</i>	Western trillium <i>Trillium ovatum</i>
Cotoneaster <i>Contoneaster species</i>		

3

4



Table 18J.15.100-5-4. Recommended Vine Species Suitable for use in landscape areas; not all plants listed will be appropriate for areas that require only native plants.		
Evergreen clematis <i>Clematis armandii</i>	Honeysuckle <i>Lonicera species</i>	Wisteria <i>Wisteria species</i>

18J.15.120 Plant Installation.

The purpose of this Section is to ensure compliance of applicable plant-related design standards through installation concurrent with development of a project site.

C. Standards.

1. All applicable landscaping is to be installed prior to operation of commercial businesses and prior to the occupancy of dwelling units in residential projects.
2. The Department shall be contacted to perform an Accessory Element Inspection of installed landscaping, irrigation, and retained vegetation.
3. Except for short plat, large lot, and preliminary plat applications, all required landscaping shall be installed prior to issuance of occupancy permits unless performance bonds or other appropriate security (including letters of credit) are approved by the Department. Acceptance of performance bonds or other security in place of installation shall be at the discretion of the Department based on the scale of the project, phasing, etc.
4. Landscaping required per this Chapter for short plats, large lots, and preliminary plats, shall be installed or bonded, or otherwise financially guaranteed, prior to final approval.
5. Refer to PCC 18J.15.100, Plant Lists, for required plant selection standards.
6. Plants shall not be placed where they interfere with site drainage, obstruct traffic sight distance for ingress or egress of the site, or otherwise interfere with traffic safety, obstruct utilities or access to utilities, or where they shall require frequent pruning to control interference with overhead power lines. Trees planted in the vicinity of overhead power lines or under power lines shall not exceed a mature height of 25 feet to avoid conflict with utility lines and maintenance crews.



Chapter 33.53

LANDSCAPING REQUIREMENTS

Sections:

33.53.010 Landscaping definitions.

33.53.020 Plant standards.

33.53.030 Screening standards.

33.53.040 Alternative designs.

SOURCE: ADOPTED:

Ord. 581 12/19/95

AMENDED SOURCE: ADOPTED:

Ord. 601 07/23/96

33.53.010 Landscaping definitions.

(1) "Visual screen" means evergreen and deciduous trees (no more than fifty (50) percent deciduous) planted twenty (20) feet on center, two (2) shrubs planted between each pair of trees, groundcover, and a solid fence of new materials.

(2) "Visual buffer" means evergreen and deciduous trees (no more than seventy-five (75) percent deciduous) planted thirty (30) feet on center, two (2) shrubs planted between each pair of trees, and groundcover.

33.53.020 Plant standards.

(1) Deciduous trees must be one and one-half (1-1/2) inches diameter at breast height (4.5 feet from ground level) and must have a survivability rate of 100 percent after one year and eighty (80) percent after two (2) years of planting.

(2) Evergreen trees must be four (4) feet in height and may be either broadleaf or conifer and must have a survivability rate of 100 percent after one year and eighty (80) percent after two (2) years of planting.

(3) Ground cover is low evergreen or deciduous plantings at three (3) foot spacing in all directions.

(4) Shrubs must be a minimum of thirty (30) inches in height or four (4) gallons and must have a survivability rate of 100 percent after one year and eighty (80) percent after two (2) years of planting.

(5) The retention of existing natural vegetation in place of new plants is encouraged and allowed.

33.53.030 Screening standards.

- (1) New or expanding commercial or industrial land uses within commercial or industrial zones shall provide a ten (10) foot visual buffer along all street frontages and a ten (10) foot visual screen along any property line abutting a residential zoning district.
- (2) New or expanding commercial or industrial land uses operating under a conditional use permit in a residential zoning district shall provide a five (5) foot visual screen along all street frontages and a five (5) foot visual buffer along all other property lines.
- (3) New multifamily dwellings over four (4) dwelling units shall provide a five (5) foot visual buffer along all street frontages.

33.53.040 Alternative designs.

Alternative designs may be allowed if, upon review by the Hearing Examiner, they are determined to provide landscaping substantially equivalent to the above standards.

7 [What's the Difference Between #1, #2, #3, #5, #7 Container Sizes?](#)

Dec

 December 07, 2018  [#ProPlantTips](#)



We get a lot of questions about what the different container sizes really mean for your landscape. On every product page, you'll see a tabbed navigation under the photos. This navigation will give you a lot more detail about the plant you are considering.

You'll also see a Plant Sizes tab with a helpful comparison video. Now, read on for a behind the scenes look at the trade secrets of the nursery industry.

Too long, didn't read? Just know that in general, container size is relative to the age of the plant with a few notable exceptions such as miniaturized Bonsai trees, or the galloping growth of Willow Hybrid trees.

The older the plant, the more developed the root system. That's what make a BIG difference in your landscape. Buy the biggest plant you can for immediate impact in your landscape.

Selecting the Best Container to Support Root Production

Our nursery production has changed over the years. Every industry is pushing innovation, and the nursery trade is no different. As more plants are being grown in pots, production innovations were being trialed.

At Nature Hills, making new roots that are healthy and branch well is our goal.

Nurseries and growers are always looking for new products that will make the best roots for their plants right from the start.

New container options were offered with improved designs with slits or ridges that might assist the plants in producing a better root system. The shape and size of the pots we use have changed due to ongoing research.

In addition, our nursery plant containers must be strong, flexible, label compatible and cost-effective. We protect our plants very well for shipping.

Market Evolution of Nursery Plant Container Production



Keep in mind that most container grown plants used to be grown in quart pots, 1 gallon, 2 gallon, 3 gallon, 5 gallon, and 7 gallon sizes.

However, with competition comes changes. More sizes and styles of plastic containers began to be offered by the container companies, which were soon patented.

Now, companies produce pots that span a range of volumes and have moved away from true gallon sizes to better suit the root production needs of specific plant genus and species.

Most nurseries then began labeling them by broad ranges, including #1, #2, #3, #5, #7 to communicate or help buyers visualize the size of plant being sold across this range of volumes by class.

Nitty Gritty on the NCWM Weights and Measures Law

With that change, consumers began to question the sizes of the containers. Plants might be listed as a 3 gallon plant but the volume of soil in these pots was not consistent.

The NCWM Uniform Weights and Measures Law was enacted to help eliminate some of these inconsistencies in container size across the industry. They were looking for uniform packaging and regulation on labeling. This law was put into place to bring some continuity to the industry.

The reason for this law is to help the consumer in comparing similar products by using uniform and consistent quantity information on the product package, or in advertising and signage. The regulation forces the container producers to list their volume in both U.S. and metric measures, the contents, and either the common or botanical names or both.

New signage and labeling practices in the nursery industry affected the business all along the supply chain – from container producers, growers, label manufacturers to plant branding firms and eventually the retailers. Now, within a compliant industry player, every potted plant you buy will have the volume of soil in that pot listed somewhere on it or it will be readily available from the grower.

So, How Big is the Plant Grown in These Different Containers?

So now you know about containers. But you still don't know the actual size of the plant growing in the pot! Well, that's a little bit harder to answer. Read on with us for the rest of the story.

Life Cycle of a Container Grown Perennial

As a nursery and grower, we know the many things that can affect the physical size of each plant that we offer. Some of the size differences are based upon the time of the year, pruning methods and timing, or variances from grower to grower or to different regions.

- Think about shipping a dormant Bleeding Heart perennial in a #1 container in a March shipment. That plant would not even be showing any growth above ground yet, but it would just be a pot full of soil and roots.
- Now ship that plant in May and it might be 18" tall and flowering.
- What about shipping a Bleeding Heart perennial in a #1 container in October? It may have gone dormant again and appear to be nothing more than a pot filled with soil and roots.

In all three shipments the size of the pot, and the volume of soil in it was exactly the same, but the size of the plant varied depending upon the time of year it was shipped. The weights and measures labeling is in place as a #1 pot, but the plant size is not consistent.

Pot Size Equals the Age of The Plant

The pot size dictates the volume of soil mix that was used to grow that plant.

When a grower is producing a new plant in a container, the size of the root system and age of the plant has to be matched to the container size that is being used to grow that plant.

Container size has more to do with the age of the plant, than the physical size of the plant growing in that pot.

Best Growth is Achieved in the Right Sized Container



In many cases, if a small plant is placed in a pot that is too large for it, the growth is negatively affected. If there is too much soil in the pot, it may not dry out quickly enough for the plant to use the water as it is needed. That excess water can cause the roots to rot, and the plant to die.

Conversely, in a pot too small, the roots become overcrowded. If roots are crowded, the soil may dry out too quickly. The plant may stress because the moisture is used up before receiving additional water.

At our nurseries, our production personnel are matching the age and size of the plants to the size of the container they are being grown in. The size of the pot is in correlation to the age of the plant. Do keep in mind the example of the Bleeding Heart perennial shipment, and how timing can affect what you see at delivery.

Our production facilities shift these plants to larger pots as needed. Nature Hills has a phenomenal group of growers that ensure we remain compliant with our labeling on container sizes and correct plant nomenclature. However, our concern goes deeper than mere compliance as we continue to grow and expand shipping across

the entire country.

Plant Sentry™ Keeps Nature Hills Compliant

Nature Hills is the leader in supplying healthy plants across the country to your doorstep, while remaining compliant for all state and local regulations. Why do we lead all other online plant suppliers in all categories? It is due to our commitment to excellence and dedication to plant health until it arrives safely to your home.

We use an online service called Plant Sentry™ which only allows for the purchase of the correct legal size plant, depending on where it originates from. This is important to ensure that the plant leaves from the best healthy growing environment. The program also insures that each plant is labeled entirely correctly as guided by legal weights and measures, so you know that you are getting exactly what you paid for.

Nature Hills has prepared a recent video that explains the plant age and the size of the pots they are being grown in. This should give you a better idea of the amount of work that we have into a plant.



[← Previous](#) [Next →](#)

Unlock our Guide to Gardening for Flower Arrangements

When you sign up for our FREE newsletter!

Email address

Sign Up

CONTACT INFO

ADDRESS
2336 S 156TH CIRCLE
OMAHA, NEBRASKA 68130

PHONE
(402) 934-8116

SUPPORT LINK
customer-support@naturehills.com

OUR POLICIES

[Accessibility Statement](#)
[Exclusions](#)
[Privacy Policies](#)
[Product Guarantee](#)
[Terms & Conditions](#)

OUR COMPANY

[About Us](#)
[Affiliate Program](#)
[Customer Reviews](#)
[FAQs](#)
[Gift Cards](#)
[Wholesale](#)

RESOURCES

[Growing Zone Map](#)
[Our Brands](#)
[Plants By State](#)
[Planting Guide](#)
[Plant Sentry™](#)
[#ProPlantTips](#)
[Shipping Calendar](#)
[Smart Plant & Tree Care](#)