

AGREEMENT TO DELAY LANDSCAPING INSTALLATION

Lincoln City Municipal Code (LCMC) 17.55.050 Selection, preparation, and installation for all landscaping

A. Selection of Materials.

1. Noxious vegetation as defined in LCMC 8.12.010 or by the Oregon Department of Agriculture is prohibited. Noxious weeds as defined in LCMC 8.10.020 are prohibited.
2. All selections must be healthy and disease-free at the time of planting.
3. Sizes of Plantings.
 - a. Deciduous trees must be a minimum of one-half caliper inches at the time of planting.
 - b. Conifer trees must be a minimum of four feet in height at the time of planting.
 - c. Ground cover plants must be at least four-inch pot size.
 - d. Shrubs must be at least one-gallon size at the time of planting.
 - e. Plantings at their mature height shall not be higher than five feet if they would block the view of any shoreline of the Pacific Ocean, Siletz Bay or Devils Lake.
 - f. **All plantings must be one, or a combination of, the following: native to the Pacific Northwest; selected from the City of Lincoln City Guide to Landscape Selections; or suitable for the site conditions as certified by a written and signed statement from a landscape architect licensed in the state of Oregon, a licensed landscape contractor, or a landscape nursery person.**

B. Preparation.

1. The entire site must be cleared of noxious vegetation as defined in LCMC 8.12.010 and by the Oregon Department of Agriculture, as well as noxious weeds as defined in LCMC 8.10.020, prior to installation of landscaping.
2. The entire site must be cleared of weeds, as well as dead, dying, or diseased vegetation prior to installation of landscaping.

C. Installation.

1. Plant materials must be installed to current nursery industry standards.
2. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

3. All landscaping shall be installed prior to final inspection by the department or:

a. Agreement to Delay Installation. If all landscaping has not been satisfactorily completed prior to the final inspection by the department and the director determines that a delay in completion of the landscaping is appropriate because there has not been a reasonable amount of time for the completion of the landscaping or for other reasons, then the director may require, as a condition of use of the site, a landscaping agreement signed by the owner, in a form satisfactory to the director. A landscaping agreement shall:

i. Identify all landscaping to be completed and establish a time period, not to exceed 120 days, within which the owner shall complete the landscaping;

ii. If the identified landscaping is not completed within the established time period, then this shall be considered a Class B violation with a fine of up to \$1,000 per day for each day the identified landscaping remains incomplete.

SITE INFORMATION:

1. Site Address: _____
2. Building Permit or Site Development Permit Number: _____
3. Total Site Square Footage: _____
4. Total Lot Perimeter: _____
5. Total Number of Shrubs to be planted: _____
6. Total Number of Trees to be planted: _____
7. Type(s) of Living Ground Cover to be used: _____



8. Type(s) of Non-Living Ground Cover to be used: _____

AGREEMENT AND ACKNOWLEDGMENT OF FAILURE TO COMPLY:

I/We do hereby agree to install the landscaping required by LCMC Chapter 17.55, in accordance with all standards of LCMC Chapter 17.55, for the site addressed as _____, Lincoln City, Oregon, in a time period not to exceed 120 days. Accordingly, the required landscaping shall be installed by _____.

I/We understand that, if the landscaping required by LCMC Chapter 17.55, in accordance with all standards of LCMC Chapter 17.55, is not completed by _____, then **this shall be considered a Class B violation with a fine of up to \$1,000 per day for each day the identified landscaping remains incomplete.**

My/our signatures below indicate our full compliance and understanding of LCMC Chapter 17.55 and the consequences for failing to comply this agreement.

Property Owner (printed name and signature required)

Date

Property Owner (printed name and signature required)

Date

Contractor (printed name and signature required)

Date

**All property owners shown on the deed must sign this agreement for it to be considered valid.*

**All contract purchasers (if any) must sign this agreement for it to be considered valid and a copy of the contract must be attached with this agreement.*

**EMAIL THE COMPLETED FORM WITH ALL SIGNATURES TO:
PLANNING@LINCOLNCITY.ORG**

