

CHAPTER 161

LANDSCAPE AND OPEN SPACE REQUIREMENTS

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161.01 PURPOSE AND SCOPE. The purpose of this chapter is to establish minimum standards for the preservation, installation, and maintenance of landscape plantings and landscaped open space in residential, commercial, and industrial districts, to utilize landscaping and landscaped open space as an effective means of energy conservation, to preserve open space, to improve property values, and to maintain the aesthetic quality of the City, thereby promoting the health and general welfare of the City.

161.02 LANDSCAPING REGULATIONS. All of the following standards shall apply to all required landscape plantings:

1. Interference with Site Drainage. Landscape plantings shall not be placed where they interfere with site drainage.
2. Plantings Shown on Approved Site Plan. Landscape plantings shall not be placed in any public utility easement unless specifically permitted on the approved site plan.
3. Interference with Public Utilities. Plantings shall not be placed where they may interfere with maintenance of sanitary and storm structures, fire hydrants, or water valves, or any other public utility.
4. Approved Plantings. Landscape plantings shall not be placed in any public street right-of-way unless previously approved by the City Council and shall not be counted toward fulfillment of the minimum site requirements set forth below.
5. Vision Clearance Triangle. Vision clearance triangle shall be maintained at all times.
6. Restoration with Sod. All disturbed land shall be restored with sod, unless specifically approved otherwise. In residential districts or uses, the entire front yard, side yard, and rear yard to the building setback line shall be sodded. In all cases, the adjacent right-of-way shall be sodded.
7. Survey of Larger Trees. A survey of trees larger than six-inch caliper in diameter is required for sites with such existing trees. The tree inventory shall include species, size, and a location map. Such plan shall be included in the initial development submittal.
8. Existing Landscaping Identified and Protected. All existing landscaping that is not to be removed pursuant to the grading, landscape or site plan, shall be clearly identified and, prior to issuance of a permit, shall be protected by fencing located around the drip line of the tree, maximizing the protection of the root zone area. The administrative official may waive this requirement if the landscaping to be saved is not located in the immediate area where construction is to occur.
9. Preservation of Existing Landscaping. Whenever practical, existing landscaping shall be preserved and incorporated into the overall design and layout of the site.
10. Quantity of Trees Required. In sites where landscaping existed and was retained during development, the minimum quantity of trees required may be reduced by the total amount of caliper

saved in the case of a deciduous tree or the total height in the case of an evergreen tree. No more than 50 percent of required plants may be waived in this manner.

11. Plantings Prohibited. Plant species to be used for landscaping shall be acceptable to the City if they are not considered a nuisance or undesirable species such as trees with thorns, cottonwood or cotton bearing poplars, elm trees prone to Dutch Elm Disease and box elder.

161.03 MINIMUM OPEN SPACE REQUIRED. It is recognized that the extensive use and excessive congestion of land may become hazardous to the general health and welfare of the community. Therefore, the intent of this chapter shall be to require not less than that open space that is necessary to preserve the basic qualities and beauty of nature. Open space shall be provided for each site in each district in accordance with the table below. Values are in percentage of total site unless specified herein:

R-3	R-3A	R-6	C-1	C-1A	C-1B	C-2	C-4	M-1	M-1A	M-2
20	20	250 square feet per lot devoted to recreational area	20	20	20	None	25	15	15	10

The calculation of required open space shall not include sidewalks in the minimum required open space.

161.04 MINIMUM PLANTING REQUIREMENTS. The provisions below represent the minimum standards required for compliance of this chapter. These regulations are not intended to suppress creative design concepts or the use of variety in the landscape plan.

1. Minimum Size. The minimum size for required plantings, other than those in required buffers, shall be as follows:
 - A. Deciduous overstory trees shall be a minimum of 8 feet in height.
 - B. Evergreen overstory trees shall be a minimum of 6 feet in height.
 - C. Deciduous ornamental trees shall be a minimum of 6 feet in height.
2. Minimum Quantity. The minimum number of plantings per site shall be as follows:
 - A. A minimum of 50 percent of all required trees shall be overstory shade trees.
 - B. For all uses except single-family attached and detached residential dwellings, a minimum of 25 percent of all required trees shall be evergreen trees.

3. Minimum Planting Quantities:

R-1, R-2, R-4, R-6	R-3, R-3A, Commercial, Industrial
2 trees per dwelling unit	1 tree per 1,000 square feet of required open space; 1 shrub per 1,000 square feet of required open space

4. Values expressed in the table above are in addition to plantings required in buffers and screening.

161.05 OFF-STREET PARKING AREAS. All of the following requirements shall apply to off-street parking areas except for single-family attached and detached parking in driveways as follows:

1. All rows of parking spaces shall be provided a terminal landscaped island, with a minimum width of ten feet and a minimum length of 17 feet for single parking rows and 34 feet for dual parking rows, to protect parked vehicles, provide visibility, confine moving traffic to driveways, and provide space for landscaping.
2. There shall be provided within each row of parking spaces, landscaped islands, with a minimum width of 6 feet and a minimum length of 17 feet for single parking rows and 34 feet for dual parking rows, located so as to prevent more than 15 vehicles from being parked side by side in an abutting configuration.
3. All landscaped islands required in subsections 1 and 2 of this section shall be planted with at least one ornamental or one deciduous overstory tree. A minimum of 50 percent of the landscaped islands shall be provided with a deciduous overstory tree. The entire landscaped island area shall be covered with plant materials, lawn, or mulches.
4. The setback between the parking area and the public right-of-way shall be landscaped with a minimum of one overstory deciduous tree per 40 linear feet of frontage. The frontage calculation shall be exclusive of the driveways. The plantings may be planted individually or in clusters. This requirement shall be included in the minimum number of trees required for the site and is not in addition to.

161.06 BUFFERS AND SCREENING REQUIREMENTS. It is recognized that the transition from one district to another district of contrasting and conflicting uses is across a line in theory, not in existence. Therefore, it is the intent of this chapter to require the actual provision of a physical barrier so as to reduce possible harmful or detrimental influence one zoning district's use may have to an abutting and contrasting or conflicting zoning district's use. The following are conditions for requiring a buffer:

1. Any lot for residential use, having both its front and rear lot lines abutting a public thoroughfare (a double frontage lot) shall require 25 feet adjoining the thoroughfare from which no access is planned or permitted.

2. Buffers shall be provided in accordance with the following table. Values are in feet:

	AR, R-1, R-2	R-3, R-3A, R-6	R-4	Commercial Except for C-2	Industrial
AR, R-1, R-2	--	25	25	30	40
R-3, R-3A, R-6	25	--	25	30	40
R-4	25	25	--	30	40
Commercial, except for C-2	30	30	30	--	40
Industrial	40	40	40	40	--

3. The more intense use shall provide the buffer required above. In an instance where adjacent property is down zoned, thereby requiring additional buffer, the newly zoned property shall provide the additional required buffer.

4. The following shall be the minimum requirement. All buffers shall provide the plantings as prescribed below.

Buffer Material Requirements (Per 50 Linear Feet of Buffer)

25 feet	1 overstory	2 evergreen	2 ornamental
30 feet	2 overstory	3 evergreen	2 ornamental
40 feet	2 overstory	4 evergreen	3 ornamental

5. Whenever practical, existing trees and shrubs should be preserved and incorporated into the overall design of the buffer and can be included to meet the total number of required trees. A continuous earthen berm, minimum of three feet in height, shall be provided in addition to the required plantings.

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7. In addition to the required permanent landscape buffer, the City Council may require a fence or a heavily landscaped earth berm to provide additional screening. Such fence shall be constructed of substantial support elements, including, but not limited to, brick, poured concrete, and stone. Steel posts shall not be considered appropriate.

8. Required yards shall be measured from the lot lines as prescribed in this chapter. Buffer may be included in yards required by this chapter. No building, parking, or structures shall be permitted within any buffer, unless authorized by the City Council.

9. In a residential subdivision, the developer of the subdivision shall be required to install the buffer improvements as required by this section. The owner of the adjacent private property shall maintain the buffer in perpetuity.

10. In a situation that has landscape requirements other than those stated in the buffering requirements, the buffer requirements shall be in addition to any other required landscaping.

11. The need to establish the buffer as an easement shall be reviewed and identified during the development review process. Easements shall generally be required between different zoning districts and for buffering requirements of residential districts. It shall be assumed that the buffer will be established by an easement unless noted otherwise during the development review process and approved by the City Council. Buffer easements shall be recorded with the County at the time of establishment, prior to, or concurrent with the recording of a final plat or the final approval of a site plan.

12. For single-family residential subdivisions, the landscape buffer shall be submitted for review and approval as a public improvement, at the same time as the preliminary plat. For any type of development that requires a site plan review, the buffer plans shall be submitted as a part of the site plan submittal.

161.07 REDUCTION IN REQUIRED BUFFER. The City Council may, at its discretion, reduce the required buffer under the following conditions:

1. In those areas where the boundary line abuts permanent natural features that function as a buffer, including, but not limited to, ponds, severe grades, or mature woodlands, requirements for a buffer area for that portion of the boundary may be reduced by the City Council in the proportions that the permanent natural features fulfill the buffer requirements.

2. In those areas where the property abuts an undeveloped property that is shown on the adopted land use plan as the same or a more intensive use.

3. The abutting property has provided a portion or the entire required buffer.

4. On lots that can present evidence that the above buffer provisions would render the property unbuildable, the City Council may grant a waiver of the buffer requirements and permit a fence of not less than six feet in height. Provisions for landscaping to soften the visual appearance of the fence and provide additional buffering may be required and will be reviewed on a case-by-case basis.

5. In those areas that abut a public park, the buffer area for that portion of the boundary may be reduced to 50 percent of the requirement.

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