

CURRENT CODE:

153.212 LANDSCAPING AND SCREENING.

This section sets out the minimum landscaping and screening requirements for new development in the city.

(A) *Applicability exemptions.* The following shall be exempt from the standards of this section:

(1) *Residential.* The A, R-E, R-1, R-2, R-3, R-3-L, R-MF and R-MH districts shall be exempt from all standards of this section; provided such standards shall apply to manufacturing home parks.

(2) *Existing development.; changes in use.* Improvements or repairs to existing developments that do not result in an increase in floor area, and changes in use that do not result in an increase in intensity, shall also be exempt from all standards of this section.

(B) *General landscaping requirements.* In the absence of a landscape plan approved by the Planning Commission, the following general landscaping requirements shall apply to all development:

(1) *Landscaping required.* All multi-family development of five units or more, and all commercial development shall be required to provide at least one tree or three, five-gallon shrubs per unit within the development.

(2) *Location.* Landscaping required pursuant to this section shall be installed between the property line and the required street setback areas.

(3) *Parking lot landscaping.* In the absence of a landscape plan approved by the Planning Commission, the parking lot landscaping standards of this section shall apply to the interior of all off-street parking areas containing more than ten off-street parking spaces. They shall not apply to vehicle and equipment sales lots or storage areas, multi level parking structures, or areas devoted to drive-thru lanes.

(a) *Relationship to other landscaping standards.* Trees provided to meet the above general landscaping requirements may be used to meet a development's parking lot landscaping requirements.

(b) *Required landscaping.* In the absence of a landscape plan approved by the Planning Commission, at least one tree or three, five-gallon shrubs shall be provided for each ten parking spaces and fraction thereof within an off-street parking area.

(C) *Location.* Required landscaping shall be reasonably dispersed throughout off-street parking areas.

(D) *Planting areas.* Planting areas that contain trees shall be at least seven feet wide and protected by raised curbs to prevent damage by vehicles.

(E) *Dumpster screening.* Dumpsters located in any district shall be completely screened from view on three sides by a fence or wall with a minimum height of six feet, or one foot taller than the dumpster, whichever is greater. The fence or wall shall provide complete visual screening of the dumpster from three sides, and be compatible in material and color with the principal structure on the lot. All dumpsters shall have a secured top to prevent materials from blowing out.

(F) *Landscape material standards.* The following standards shall be considered the minimum required planting standards for all trees and landscape material:

(1) *Plant quality.* Plants installed to satisfy the requirements of this section shall conform to or exceed plant quality standards employed by nurseries. All plants shall be nursery grown and adapted to the local area.

(2) *Artificial plants.* No artificial plants or vegetation shall be used to meet any standards of this section, unless expressly approved by the Planning Commission.

(3) *Trees.*

(a) *Types.*

1. *Required.* Where required or permitted, trees shall be of ornamental, evergreen, or of the large deciduous types.

2. *Prohibited.* The following trees shall be prohibited and shall not be used to satisfy the landscaping or buffering standards of this section unless approved by the Planning Commission: box elder, soft maple, hackberry, or American elm.

3. *Species mix.* When more than ten trees are required to be planted to meet the standards of this section, a mix of species shall be provided. For each ten, or fractions thereof, another differing species shall be used.

(b) *Size.*

1. *Medium and large deciduous trees.* Medium and large deciduous trees planted to satisfy the standards of this section shall have a minimum height of eight feet, and a minimum diameter of three inches, measured at a point that is at least four feet above existing grade level.

2. *Small deciduous or ornamental trees.* Small deciduous and ornamental trees planted to satisfy the standards of this section shall have a minimum height of four feet.

3. *Conifers or evergreens.* Conifers or upright evergreen trees planted to satisfy the standards of this section shall have a minimum height, after planting, of five feet.

4. *Use of existing plant material.* Trees that exist on a site, prior to its development, may be used to satisfy the landscaping standards of this section provided they meet the size, variety, and location requirements of this section.

(G) *Installation, maintenance and replacement.*

(1) *Installation.* All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth. All landscape material, both living and nonliving, shall be in place prior to issuance of a final certificate of occupancy. A temporary certificate of occupancy may be issued prior to installation of required landscaping if binding, written assurances are submitted, insuring that planting will take place when planting season arrives.

(2) *Maintenance and replacement.* Trees, shrubs, fences, walls and other landscape features (which includes screening) depicted on plans approved by the city shall be considered as elements of the project in the same manner as parking, building materials, and other details of the plan are considered elements. The landowner, or successors in interest, or agents, if any, shall be jointly and severally responsible for the following:

(a) Regular maintenance of all landscaping in good condition, and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices;

(b) The repair or replacement of required landscape structures (e.g. fences and walls) to a structurally sound condition;

(c) The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this section; and

(d) Continuous maintenance of the site.

(H) *Alternative compliance.* Applicants shall be entitled to demonstrate that the intent of this section can be more effectively met, in whole or in part, through alternative means. If approved by the Planning Commission, an alternative compliance landscape plan may be substituted, in whole or in part, for landscaping requirements of this section.

(1) *Procedure.* Alternative compliance landscape plans shall be considered through the site plan review process.

(a) *Review criteria.* In reviewing proposed alternative compliance landscape plans, favorable consideration shall be given to exceptional landscape designs that attempt to preserve and incorporate existing vegetation in excess of minimum standards, and plans that demonstrate innovative design and use of plant materials. Alternative compliance landscape plans may be approved upon a finding that any of the following circumstances exist on the proposed building site or surrounding properties:

1. Natural land characteristics or existing vegetation on the proposed development site would achieve the intent of this section;

2. Innovative landscaping or architectural design is employed on the proposed development site to achieve a buffering effect that is equivalent to the buffering or screening standards of this section;

3. The required landscaping or buffering would be ineffective at maturity due to topography, or the location of improvements on the site; or

4. The proposed alternative represents a plan that is as good or better than a plan prepared in strict compliance with the other standards of this section.

(2) *Storage buildings and containers.* Prior approval required by Planning Commission to place accessory storage building(s)/container(s) on any site with code requirements and completely screened from view. Minimum height of six feet or one foot higher than storage unit whichever is greater.

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