



*Aaron Nelson, AICP Director of Planning and Zoning
Lisa Sankey, Planner
Breanna Siegler, Office Manager*

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West Fargo Planning & Zoning Commission Agenda
Tuesday, September 9th, 2025 - 5:30 p.m.

- A. Call to Order
- B. Approval of Order of Agenda
- C. Approval of Minutes- August 12th, 2025
- D. Regular Agenda
 - 1. Public Hearing- A25-20 McMahon Estates 3rd Addition a request for Conditional Use Permit to allow an accessory structure larger than 1,000sq ft in an R1-E Zoning District located at 214 51st Ave E (Lot 2, Block 3 McMahon Estates 3rd Addition)- Sankey
 - 2. Public Hearing- A25-21 Zoning Ordinance Amendment to Title IV regarding landscaping- Nelson
- E. Non-Agenda Items
- F. Adjourn from Regular Agenda



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West Fargo Planning & Zoning Commission Meeting Minutes
Tuesday, August 12th, 2025 - 5:30 p.m.

Members Present: Mike Thorstad, Matt Kopp, Kathi Schwan, Morgan Forness, Alyssa Ommen, Eric Dodds-virtual

Members Absent: Dave Gust

Others Present: Aaron Nelson, Lisa Sankey, Katie Schmidt, Breanna Siegler

Minutes Submitted by: Breanna Siegler, Office Coordinator

The meeting was called to order by Chair Dodds at 5:30pm. Chair Dodds asked for approval of the order of the agenda. Commissioner Kopp motioned to approve; Commissioner Schwan seconded. No opposition. Motion passed.

Chair Dodds asked for a motion to approve the meeting minutes from June 10, 2025. Commissioner Schwan moved and Commissioner Ommen seconded a motion to approve the meeting minutes from June 10, 2025. No opposition. Motion passed.

Planning Director Nelson introduced our new Extraterritorial Planning & Zoning Commission member, Morgan Forness.

Chair Dodds opened a public hearing for A25-8 Greenworks 1st Addition, a request for subdivision and planned unit development at the SE corner of 40th Ave W and 15th St W for a retail nursey and landscaping services (a portion of Section 31, T139N, R49N). This item was continued at the June 10, 2025, meeting. This item has been withdrawn by the applicant. Vice-Chair Thorstad opened the floor for public comment. No public comment was brought forth. Vice-Chair Thorstad closed the public hearing. No action was taken since the applicant had withdrawn from consideration.

Chair Dodds opened a public hearing for A25-17 Sheyenne 2nd Addition, a request for zoning change from R-2 to P for South Elementary School located at 117 6th Ave W and adjacent Southside playground (Block 35 Sheyenne 2nd Addition and Lot 1, Block 9 Southdale Addition). Vice-Chair Thorstad took over chairing the meeting on behalf of Chair Dodds attending virtually. Vice-Chair Thorstad asked for public comments. No public comment was brought forth. Vice-Chair Thorstad closed the public hearing. Commissioner Kopp motioned to approve the request with the conditions listed by staff. Commissioner Schwan seconded. Motion passed 6-0. No opposition.



Vice-Chair Thorstad opened a public hearing for A25-19 Galvanizers Addition, a request for subdivision at 1001 12th Ave NE (a portion of the SE Quarter of the NW Quarter and portion of Government Lot 3, all in Section 4, T139N, R49W). Vice-Chair Thorstad opened the floor for public comment. No public comment was brought forth. Vice-Chair Thorstad closed the public hearing. Commissioner Schwan motioned to approve the request. Commissioner Kopp seconded. Motion passed 6-0. No opposition.

Vice-Chair Thorstad introduced A25-18 Sterling Industrial Park 8th Addition, a request for retracement plat at 632 13th St NE (Lot 4, Block 2 Sterling Industrial Park 1st Addition and Lot 5, Block 1 Sterling Park Industrial 2nd Addition). Discussion held. Commissioner Ommen motioned to approve the request. Commissioner Kopp seconded. Motion passed 6-0. No opposition.

Vice-Chair Thorstad introduced A25-16 Bogey 4th Addition, a request for right-of-way access at 475 12th Ave NE (Lot 1, Block 1 Bogey 4th Addition). Discussion held. Commissioner Kopp motioned to approve the request with stated conditions. Commissioner Ommen seconded. Motion passed 6-0. No opposition.

Vice-Chair Thorstad opened the floor for non-agenda items. Director Nelson brought forth an update regarding a public comment policy being implemented for the Planning & Zoning Commission. Since the topic was introduced at our last meeting, the North Dakota League of Cities has clarified that that stipulation is for elected officials and not those appointed. Staff will not be pursuing making a public comment policy.

Vice-Chair Thorstad asked for a motion to adjourn from the regular agenda. Commissioner Schwan moved to adjourn. Commissioner Kopp seconded. No opposition. Motion passed. Vice-Chair Thorstad adjourned from the regular agenda at 5:51pm.

Vice-Chair Thorstad opened the discussion agenda. Director Nelson discussed proposed revisions to Title IV regarding landscaping. Vice-Chair Thorstad initiated discussion.

Vice-Chair Thorstad adjourned from the discussion agenda.

CITY OF WEST FARGO PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

A25-20		CONDITIONAL USE PERMIT	
McMahon Estates 3 rd Subdivision			
214 51st Ave E (Lot 2, Block 3 McMahon Estates 3rd)			
Owner/Applicant: Shane & Jennifer Brandvold		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Public Hearing:		09-09-2025	
City Commission:			

PURPOSE:

Conditional Use Permit to allow an accessory structure greater than 1,000 square feet in an R-1E (Rural Estate) Zoning District.

STATEMENTS OF FACT:

Land Use Classification:	G-2: Sub-Urban – Growth Sector
Existing Land Use:	Single Family Dwelling
Current Zoning District:	R-1E: Rural Estate District
Zoning Overlay District(s):	None
Proposed Lot size(s) or range:	1.30 Acres (57,000 ft ²)
Adjacent Zoning Districts:	North, East, and West – R-1E: Rural Estate District; South – Agricultural (City of Fargo City Limits)
Adjacent street(s):	51 st Avenue East (Local); 52 nd Avenue East (Arterial)
Adjacent Bike/Pedestrian Facilities:	n/a
Available Parks/Trail Facilities:	The Wilds Park within a mile

DISCUSSION AND OBSERVATIONS:

- The R-1E: Rural Estate zoning district allows for accessory structures greater than 1,000 ft² as a conditional use provided they are in character with the development pattern of the subdivision they are in.
- The applicant has provided a site plan showing a new accessory structure in the rear yard. The total square footage for the proposed structure would be 1,344 (32x42) square feet. Earlier this year an 1,800 square foot structure was approved to the northwest, across the river. Other structures approved previously in the McMahon Estates development have been 1,600 to 2,172 square feet.
- The applicant has indicated the structure would be built with similar siding to match the exterior of the existing house on the property. A narrative of the proposed structure was provided and attached.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

STAFF REPORT

1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access, and the improvements will not affect the current access.
2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - No concerns noted
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted
5. Screening and buffering with reference to type, dimensions, and character.
 - No concerns noted
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - No concerns noted
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other property in the district.
 - The land adjacent to this area is R-1E: Rural Estate District and similar style and sized accessory buildings have been previously approved within the subdivision.

NOTICES:

Sent to: Property Owners within 350' and Applicable agencies and departments

- A call was received from a neighboring property owner asking for more information.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposal is consistent with the city's comprehensive plan and other applicable city plans, as the proposed structure is accessory to an existing residential use and does not conflict with the Comprehensive Plan.

RECOMMENDATIONS:

It is recommended that the City approve the proposed conditional use permit application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows

1. The accessory building is constructed of the same color and materials as the primary residential structure.
2. A Signed Conditional Use Permit Agreement is received.



STAFF REPORT

Attachments

1. Aerial map
2. Zoning map
3. Site Plan
4. Narrative/Description of structure



Features

-  Agenda Zone
-  Lots



West Fargo Zoning

- A: Agricultural
- C: Light Commercial
- C-OP: Commercial Office Park
- DMU: Downtown Mixed Use
- EMU: Entertainment Mixed Use
- HC: Heavy Commercial

- LI: Light Industrial
- M: Heavy Industrial
- P: Public
- PUD: Planned Unit Development
- R-L1A: Large Lot Single Family Dwelling
- R-1A: Single Family Dwelling
- R-1: One and Two Family Dwelling

- R-1SM: Mixed One and Two Family Dwelling
- R-2: Limited Multiple Dwelling
- R-3: Multiple Dwelling
- R-4: Mobile Home
- R-5: Manufactured Home Subdivision
- R-1E: Rural Estate
- R-R: Rural Residential





0
150
300


US Feet

Detached Garage

Garage will be 32' wide x 42' Long, with a side wall of 14'.

Roof will be a 4/12 Pitch.

Siding will match the existing house.

Will have a 12' Tall, and 12' wide overhead door, Facing North.

Will have a 36" walk-in door, Facing east on the North East corner of the garage.

3 2' x 4' windows on the East, West and South walls.

Shingles to match house.

Thickened edge concrete slab, per West Fargo regulations.



HOME OFFICE
 FARGO, NORTH DAKOTA
 4000 12th Avenue N.W.
 58108-2846
 Phone: 701-277-1225
 Fax: 701-277-1516

OFFICE AT
 BISMARCK, NORTH DAKOTA
 58502-1254
 P.O. Box 1254
 Phone: 701-223-6695
 Fax: 701-224-0937

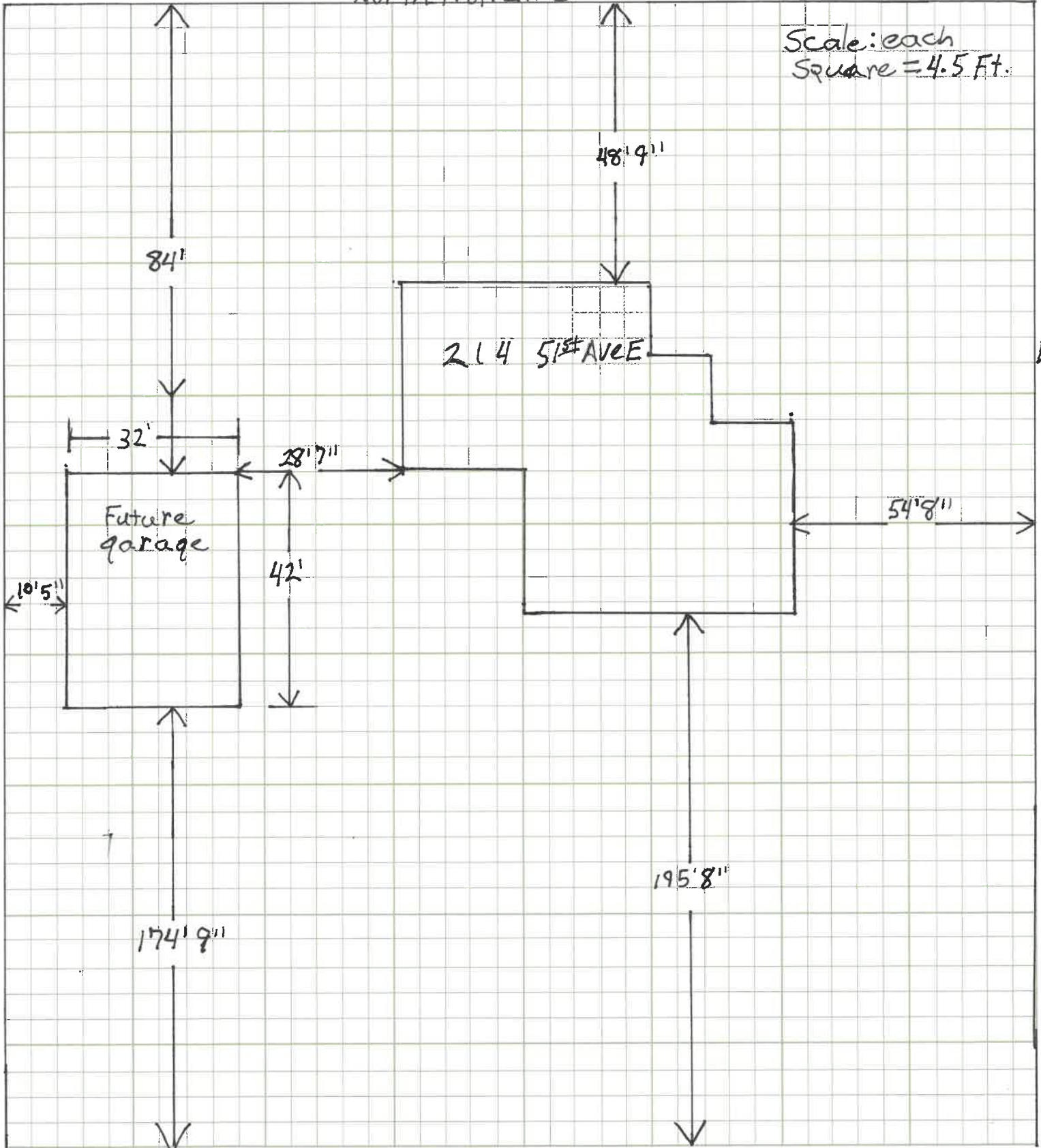
OFFICE AT
 DICKINSON, NORTH DAKOTA
 58602-1035
 P.O. Box 1035
 Phone: 701-225-5197
 Fax: 701-225-0207

IMPROVEMENT COMPANY

Project _____ Project No. _____ Client _____ Date _____

North Prop. Line

Scale: each
 Square = 4.5 Ft.



South Prop. Line

STAFF REPORT

A25-21	Zoning Ordinance Amendments
Zoning Ordinance Amendment to Title IV of the City Ordinance regarding Landscaping Standards	
Applicant: City of West Fargo	Staff Contact: Aaron Nelson
Planning & Zoning Commission Introduction	August 12, 2024 – (discussion only)
Planning & Zoning Commission Public Hearing	September 9, 2025
City Commission Public Hearing & 1 st Reading	
City Commission 2 nd Reading	

PURPOSE:

Amendments to Title IV of the City Ordinances (zoning code) intended to address concerns and to improve clarity and flexibility of the City’s landscaping standards.

DISCUSSION AND OBSERVATIONS:

- The proposed modifications to the City’s landscaping requirements are primarily intended to address concerns raised regarding required landscaping for industrial properties located within the Interstate Corridor overlay district. Additional code improvements are also proposed to further improve clarity and to relax some of the more ridged aspects of the landscaping standards.

Background

- The City recently approved several new additions to the Sandhills industrial development located along the north side of Interstate 94, west of 26th St NW. The owner of several of these lots adjacent to the interstate has raised concerns regarding the amount of landscaping vegetation required for new development.
- The City’s landscaping ordinance requires new development to install trees, shrubs, and/or perennials (vegetation) at the time of development. The amount of vegetation required is calculated based on 1) the zoning district and 2) the total area of the lot. Properties within corridor overlay districts, such as the CO-I (Interstate Corridor Overlay) district, are required to have the most vegetation. While such required vegetation is common within commercial or office park developments, highly landscaped yards are not typical within industrial areas which often require larger buildings and more surface area for outdoor storage and large-vehicle circulation.
- Staff concurs with the concerns raised. While the intent of the landscaping regulations and corridor overlay districts are to promote attractive and desirable development patterns, staff also recognizes the need to prevent such regulations from creating an excessive burden on commercial activity and economic development.
- The proposed edits primarily seek to ease required vegetation for industrial development. Staff is also proposing additional minor refinements to the overall landscaping standards, with the overarching goal of increasing development flexibility while continuing to promote attractive and desirable development.
- A copy of the ordinance, as well as a redline version of the amendments, are attached for additional detail.

STAFF REPORT

Summary of Proposed Modifications

- The “Open Space Landscaping” subsection has been amended to reduce the required number of plants required to be installed for industrial developments that are located within Corridor Overlay zoning districts and to provide property owners with greater flexibility for the location of vegetation within their site design.
- The “Parking Lot Perimeter Landscaping” subsection has been amended to allow property owners to design their own perimeter landscaping as opposed to restricting owners to a limited set of pre-defined options.
- The “Parking Lot Island Landscaping” subsection has been amended to allow shrubs and perennials in lieu of trees within parking lot islands in situations where trees cannot be planted due to encumbrances.
- The “Buffer Yards” subsection has been amended to clarify and fine-tune when and where buffer yards are required to create a separation between land-uses. The focus is on protecting residential homes from more intensive land-uses.
- Graphics have been added to the ordinance to help the reader visualize and better understand how the landscaping standards apply to a physical site.

NOTICES:

Sent to: Notice in the newspaper

Comments Received:

- None Received

RECOMMENDATION:

It is recommended that the City approve the proposed amendments to Title IV as presented on the basis that the proposed amendments are consistent with the comprehensive plan.

Attachments:

- Draft Landscaping Ordinance with Proposed Amendments
- Redlines of Proposed Amendments
- Current Landscaping Ordinance

DRAFT AMENDMENTS

4-449-A. LANDSCAPING STANDARDS. Source: Ord. 1249, Sec. 13 (2024)

1. Purpose. The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:
 - a. Help reduce the city's impact on the environment.
 - b. Enhance green space within the city.
 - c. Provide shade and wind breaks to reduce extreme weather.
 - d. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.
 - e. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
 - f. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
 - g. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
 - h. Help aid in energy conservation.
2. Applicability.
 - a. New Development
 - (1) All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
 - (2) When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.
 - b. Exceptions
 - (1) Single- and Two-Family Residential. Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.

- (2) Agricultural District. Agricultural uses within the “A” zoning district shall not be required to provide landscaping.
- (3) Parking Lots.
 - (a) The requirements of this section do not apply to parking lot re-stripping and repaving where there is no expansion of the parking area.
 - (b) When a parking lot is being expanded to an extent 50 percent or more of the lot’s surface area prior to expansion, or at least 50 percent more parking spaces are being added, whichever is less, landscaping as described in this section shall be required.
 - (c) For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
 - (d) Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.
- (4) DMU District. Development within the “DMU” zoning district shall not be required to provide landscaping in accordance with this section.
- (5) Improvements & Repairs
 - (a) Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
 - (b) Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.
- (6) Change in Use. Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

3. Landscape Plan Required.

- a. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
- b. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.
- c. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
- d. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

4. General Standards.

a. Plant Material & Installation

- (1) All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- (2) Artificial plants are prohibited.
- (3) All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- (4) Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	>3 feet tall
Perennial Plants ^[2]	1 gallon container size	>2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- (5) Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in

swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.

- (6) Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.
- (7) The maximum slope of any landscaped berm shall be 2:1.

b. Maintenance.

- (1) The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- (2) Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- (3) The Tree Topping of trees is prohibited. However, selective pruning is permitted when necessary to protect utility lines.

c. Administrative approval for practical landscaping improvements.

- (1) The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - (a) Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - (b) Flexibility concerning irregular, narrow, or shallow lots.
 - (c) Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas,

courtyards, and front yard/entrance statements.

- (2) The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:
 - (a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - (b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - (c) The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- (3) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
- (4) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

5. Open Space Landscaping.

- a. Relationship to Other Landscaping Standards. Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.
- b. Plant Units Required.
 - (1) Commercial, Office, & Residential Districts. Within commercial, office, and residential zoning districts (C, C-OP, HC, R), at least three (3) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.
 - (2) Mixed-Use, and Public Districts. Within mixed-use, and public zoning districts (EMU, P), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

- (3) Industrial Districts. Within industrial zoning districts (LI, M), at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.
- (4) Corridor Overlay Districts. Within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), one (1) additional plant unit shall be provided for each 1,000 square feet of lot area or fraction thereof, in addition to the plant units required by Subsections 1-3, above. Where multiple overlay districts overlap, only one (1) additional plant unit is required.

c. Plant Unit Equivalency. The following table provides a breakdown of plant unit equivalencies.

<i>Type of Plant Material</i>	<i>Equivalent Plant Units</i>
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

d. Plant Unit Calculation. On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

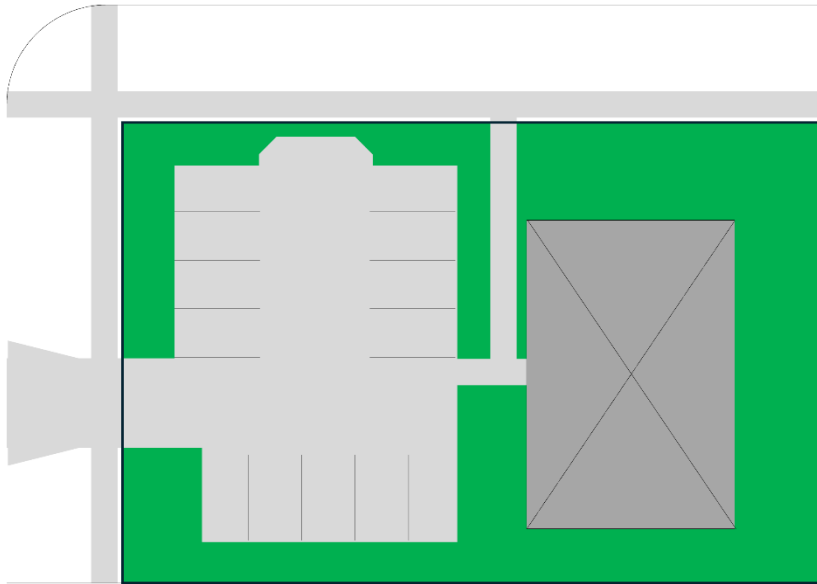


Figure 1: Location of Open Space Landscaping

6. Parking Lot Perimeter Landscaping.

- a. **Applicability.** Parking Lot Perimeter Landscaping is required along all off-street parking and vehicle circulation areas that are located within 30 feet of public street rights-of-way.
- b. **Location.** The required landscaping must be installed within the strip of land between the edge of the parking/circulation area and the adjacent public street right-of-way (as illustrated in Figure 2, below).
- c. **Parking Lot Perimeter Landscaping:**
 - (1) A minimum of 15 Plant Units per 50 linear feet of parking lot perimeter frontage shall be provided.
 - (2) Trees and any other vegetation used for parking lot perimeter landscaping may also be counted towards Open Space plant unit minimum standards. In no case shall parking lot perimeter landscaping be required to exceed the required number of Open Space plant units.
 - (3) Parking lot screening elements such as berms, masonry pony walls, or decorative metal fencing may be used in lieu of required parking lot perimeter vegetation, if approved by the City Planner in accordance with Section 4-449-A-4.c.

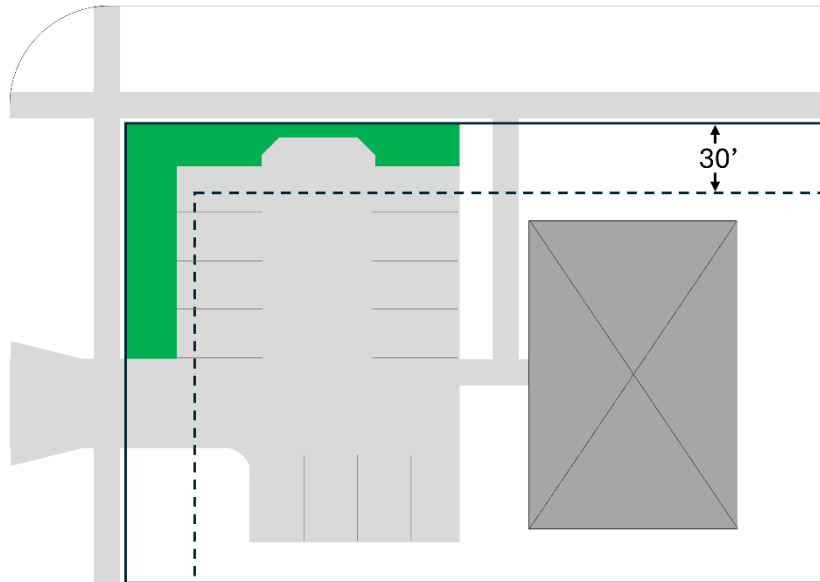


Figure 2: Location of Parking Lot Perimeter Landscaping

7. Parking Lot Island Landscaping.

- a. Applicability. All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.
- b. Landscape Islands.
 - (1) One interior landscape island shall be provided for every twenty (20) continuous parking spaces, and a terminal island shall be provided at both ends of each row of parking. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping. See Figure 1.
 - (2) Interior and terminal landscape islands shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).
 - (3) Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
 - (4) Each double-length landscape islands adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
 - (5) Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.

- (6) Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.
- (7) In cases where light poles, stormwater retention, or similar infrastructure hinders the placement of a tree within the landscape island, shrubs and/or perennials may be planted in lieu of a tree.

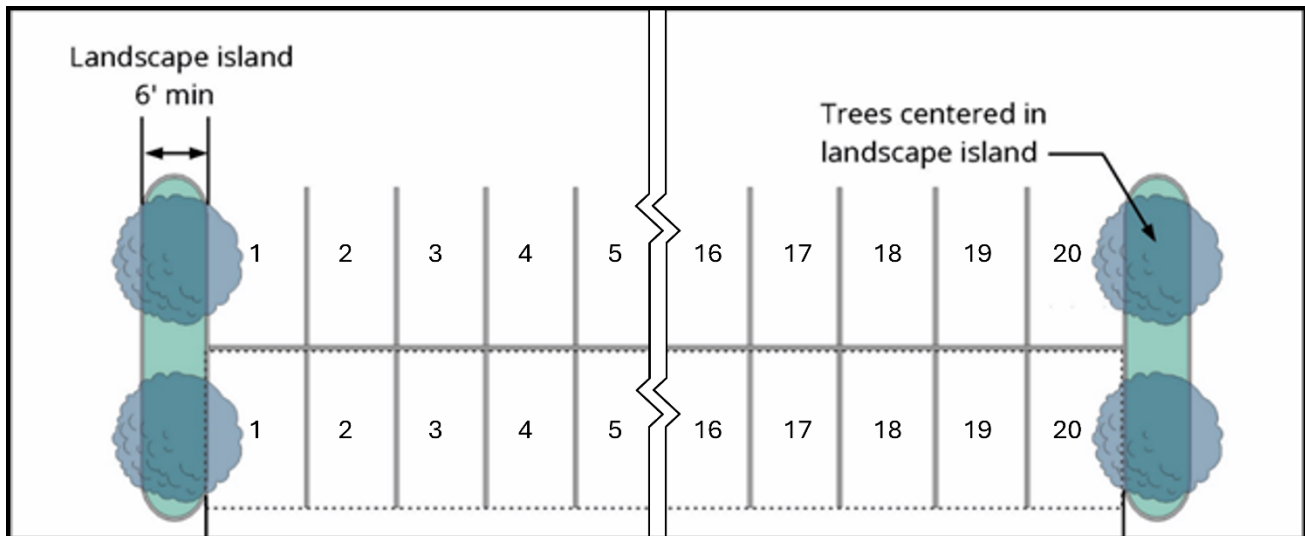


Figure 3: Parking Lot Island Landscaping

8. Boulevard Trees.
 - a. Coordination with Other Plans. Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.
 - b. Permit Required. The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.
 - c. Minimum Requirements. The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

(1) Species of Trees.

- (a) Boulevard trees shall be chosen from the City's Approved Plant List, as maintained by the City Forester.
- (b) Boulevard trees shall be single-stem trunks with a straight vertical line.
- (c) Evergreen trees shall not be planted as boulevard trees.
- (d) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.

(2) Number of Trees.

- (a) In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
- (b) If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.

(3) Spacing of Trees.

- (a) New trees shall be planted at least twenty-five (25) feet from existing trees.
- (b) On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
- (c) Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.

(4) Size Requirements.

- (a) At time of planting, boulevard trees must be at least 1 inch in diameter.

- (b) The lowest branch on the tree cannot be over 9 ½ feet above the ground.

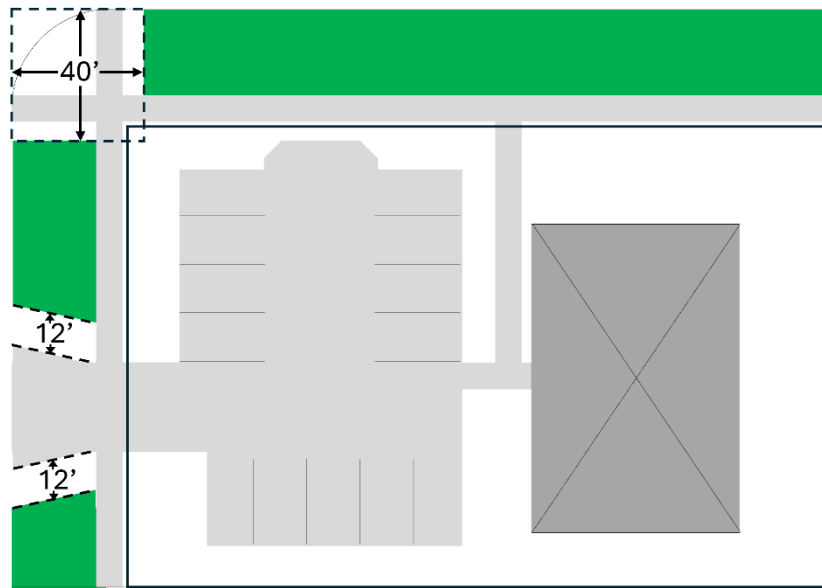


Figure 4: Location of Boulevard Trees

9. Buffer Yards.

a. Applicability. The requirement for Buffer Yards shall apply when:

- (1) Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with either 1) a residential zoning district other than R-2 or R-3 or 2) an existing single- or two-family residential development.
- (2) Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R), or existing residential development, including multi-family development.

b. Exceptions.

- (1) These buffer yard requirements do not apply to development adjacent to residential uses that are located within a commercial or industrial zoning district. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-residential development shall not be required to do so.
- (2) These buffer yard requirements do not apply to public infrastructure

and utilities.

- (3) These buffer yard requirements do not apply to non-residential development within a residential zoning district (R) or Public Facilities (P) district.
- (4) The area of required buffer yard shall not be required to exceed ten percent (10%) of the site area or ten percent (10%) of the width of the site.

c. Screening and Buffering Along Shared Property Lines.

(Table on following page)

DRAFT

Buffering and Screening Requirements		
Type of Development:	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Residential zoning districts other than R-2/R-3 or single-/two-family residential use ^[2]	Six-foot tall opaque screening fence ^[1] OR Ten-foot wide landscape buffer ^[3]
Non-Residential (other than Industrial) or Mixed-Use	Any residential district or residential use ^[2]	Six-foot tall opaque screening fence ^[1] within a ten-foot wide landscape buffer ^[3] OR Fifteen-foot wide landscape buffer ^[3]
Industrial	Any residential district or residential use ^[2]	Minimum eight-foot tall opaque screening fence ^[1] within a fifteen-foot wide landscape buffer ^[3] OR Thirty-foot wide landscape buffer ^[3]
NOTES [1]: See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. [2]: See above—requirements do not apply when the residential development is in a commercial or industrial zoning district. [3]: See landscape buffer requirements, below.		

d. **Buffer Planting Requirements.** In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:

- (1) **Ten-Foot Wide Buffer.** Two (2) large evergreen trees shall be planted at least twelve (12) feet apart, interspersed with four (4) shrubs, plus ground cover.
- (2) **Fifteen-Foot Wide Buffer.** Three (3) large evergreen trees at least ten (10) feet apart, plus ground cover.
- (3) **Thirty-Foot Wide Buffer.** Five (5) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least ten (10) feet apart, plus ground cover.

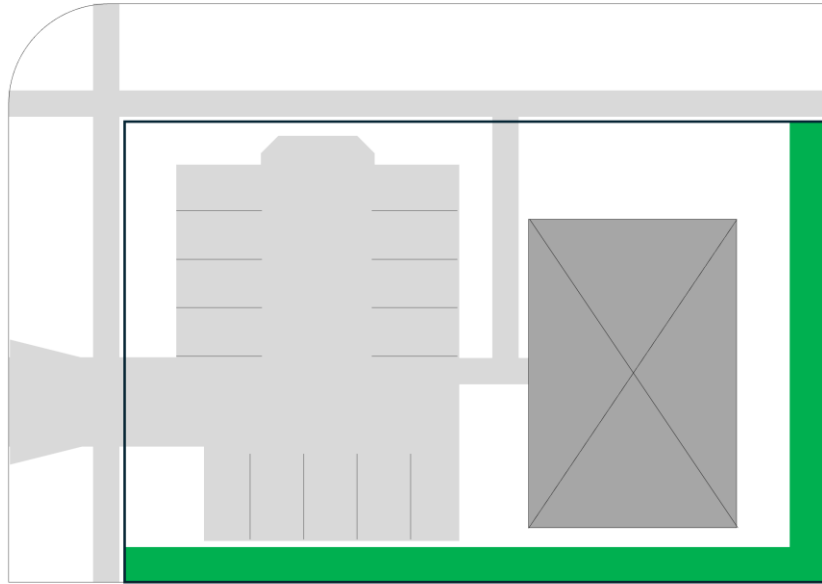


Figure 5: Location of Buffer Yards

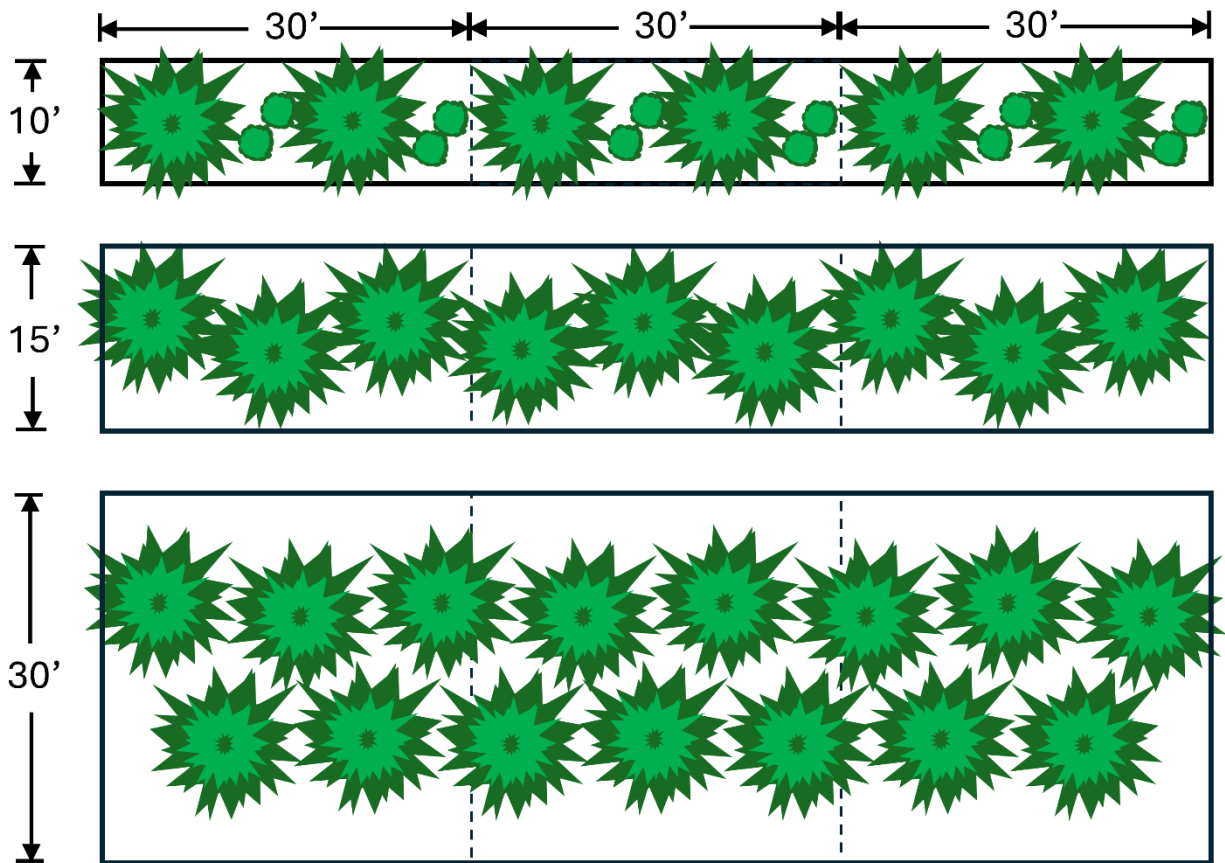


Figure 6: Landscape Buffers

REDLINES

4-449-A. LANDSCAPING STANDARDS. Source: Ord. 1249, Sec. 13 (2024)

1. Purpose. The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:
 - a. Help reduce the city's impact on the environment.
 - b. Enhance green space within the city.
 - c. Provide shade and wind breaks to reduce extreme weather.
 - d. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.
 - e. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
 - f. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
 - g. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
 - h. Help aid in energy conservation.
2. Applicability.
 - a. New Development
 - (1) All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
 - (2) When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.
 - b. Exceptions
 - (1) Single- and Two-Family Residential. Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.

- (2) Agricultural District. Agricultural uses within the “A” zoning district shall not be required to provide landscaping.
- (3) Parking Lots.
 - (a) The requirements of this section do not apply to parking lot re-stripping and repaving where there is no expansion of the parking area.
 - (b) When a parking lot is being expanded to an extent 50 percent or more of the lot’s surface area prior to expansion, or at least 50 percent more parking spaces are being added, whichever is less, landscaping as described in this section shall be required.
 - (c) For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
 - (d) Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.
- (4) DMU District. Development within the “DMU” zoning district shall not be required to provide landscaping in accordance with this section.
- (5) Improvements & Repairs
 - (a) Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
 - (b) Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.
- (6) Change in Use. Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

3. Landscape Plan Required.

- a. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
- b. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.
- c. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
- d. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

4. General Standards.

a. Plant Material & Installation

- (1) All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- (2) Artificial plants are prohibited.
- (3) All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- (4) Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	≥3 feet tall
Perennial Plants ^[2]	1 gallon container size	≥2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- (5) Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in

swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.

- (6) Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.
- (7) The maximum slope of any landscaped berm shall be 2:1.

b. Maintenance.

- (1) The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- (2) Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- (3) The Tree Topping of trees is prohibited. However, selective pruning is permitted when necessary to protect utility lines.

c. Administrative approval for practical landscaping improvements.

- (1) The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - (a) Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - (b) Flexibility concerning irregular, narrow, or shallow lots.
 - (c) Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas,

courtyards, and front yard/entrance statements.

- (2) The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:
 - (a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - (b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - (c) The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- (3) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
- (4) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

5. Open Space Landscaping.

- a. Relationship to Other Landscaping Standards. Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.
- b. Plant Units Required.
 - (1) Commercial, Office, ~~& Residential, & Corridor Overlay~~ Districts. Within commercial, office, ~~and residential, and corridor overlay~~ zoning districts (C, C-OP, HC, R, ~~CO, CO-I, CO-R~~), at least ~~threefour~~ (43) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.
 - ~~(2) —~~ Mixed-Use, and Public Districts. Within mixed-use, and public zoning districts (EMU, P) ~~that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning~~

~~(2)~~ districts (CO, CO-I, CO-R), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

~~(3)~~ Industrial Districts. Within industrial zoning districts (LI, M) ~~that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R)~~, at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

~~(3)~~(4) Corridor Overlay Districts. Within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), one (1) additional plant unit shall be provided for each 1,000 square feet of lot area or fraction thereof, in addition to the plant units required by Subsections 1-3, above. Where multiple overlay districts overlap, only one (1) additional plant unit is required.

c. Plant Unit Equivalency. The following table provides a breakdown of plant unit equivalencies.

<i>Type of Plant Material</i>	<i>Equivalent Plant Units</i>
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

~~d. Location of Plant Units. A minimum of seventy percent (70%) of the plant units required pursuant to this subsection shall be within front or street-side yards. In the EMU zoning district, said seventy percent (70%) requirement shall not apply.~~

~~e.d.~~ Plant Unit Calculation. On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

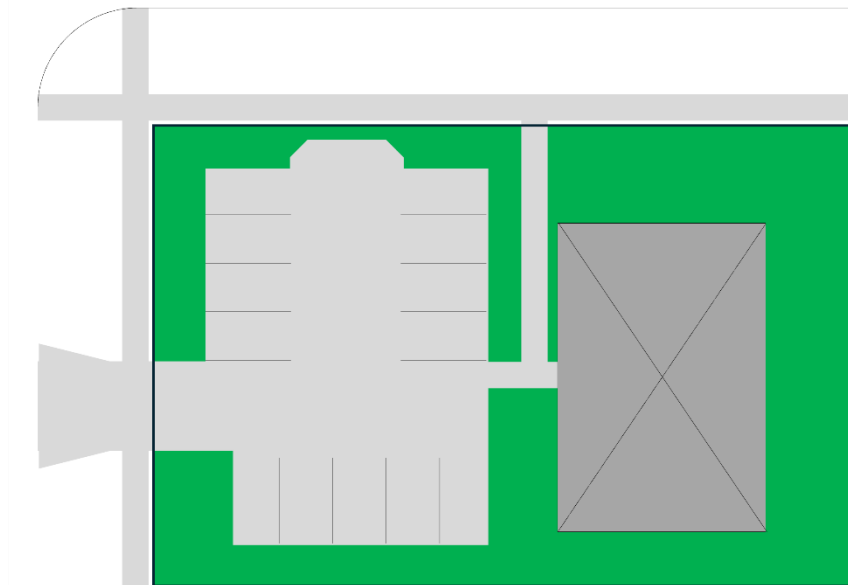


Figure 1: Location of Open Space Landscaping

6. Parking Lot Perimeter Landscaping.

- a. Applicability. Parking Lot Perimeter Landscaping is required along for all off-street parking and vehicle circulation areas that are located within 30 feet of public street rights-of-way.
- b. Location. The required landscaping must be installed within the strip of land between the edge of the parking/circulation area and the adjacent public street right-of-way (as illustrated in Figure 2, below). Parking lot perimeter landscaping shall be located between adjacent street rights-of way and off-street parking areas and all vehicular circulation⁽¹⁾ areas in accordance with the following table:
- c. Parking Lot Perimeter Landscaping:
 - (1) A minimum of 15 Plant Units per 50 linear feet of parking lot perimeter frontage shall be provided.
 - (2) Trees and any other vegetation used for parking lot perimeter landscaping may also be counted towards Open Space plant unit minimum standards. In no case shall parking lot perimeter landscaping be required to exceed the required number of Open Space plant units.
 - (1)(3) Parking lot screening elements such as berms, masonry pony walls, or decorative metal fencing may be used in lieu of required parking lot perimeter vegetation, if approved by the City Planner in accordance with Section 4-449-A-4.c.

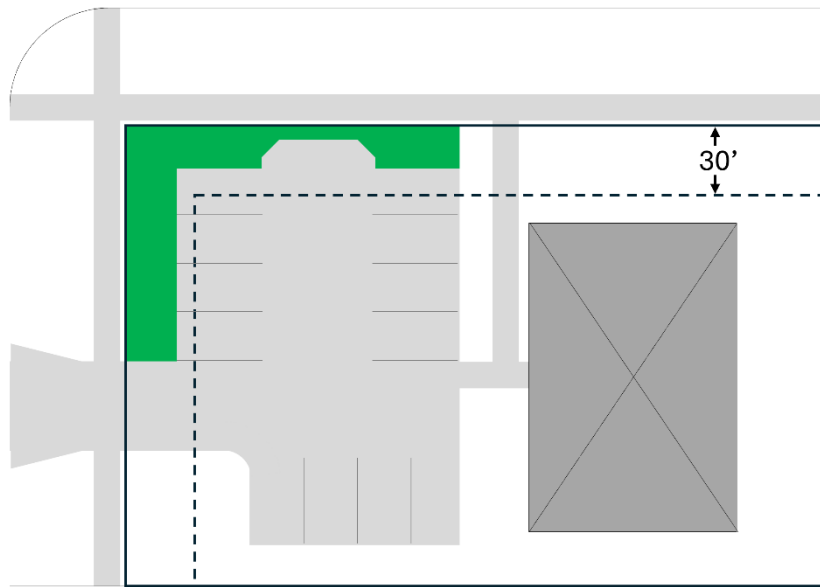


Figure 2: Location of Parking Lot Perimeter Landscaping

(Table on following page)

Parking Area Size Number of Spaces	Buffer- Width- Minimum (feet)	Minimum Planting/Screening Requirements ^[2]
1-50	4	Row of shrubs or perennial plants spaced no greater than 2-4 feet apart to create a continuous row at maturity.
	6	Masonry wall or decorative metal fence ^[3] (height between 2.5 and 3 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
	10	Berm (minimum height of 2.5 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
51-250	10	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	10	1 tree + 6 shrubs, per 25 linear feet
251+	15	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	15	1 tree + 6 shrubs, per 25 linear feet

Notes:

Vehicular circulation refers to any surfaces intended for motor vehicle use.

These are minimum standards. Use of additional planting/screening materials are encouraged to provide flexibility in design and visual interest.

Decorative metal fences must be wrought iron or similar in nature. Chain link fences are not considered a decorative metal fence.

7. Parking Lot Island Landscaping.

- a. Applicability. All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.
- b. Landscape Islands.
 - (1) One interior landscape island shall be provided for every twenty (20) continuous parking spaces, and a terminal island shall be provided at both ends of each row of parking. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping. See Figure 1.
 - (2) Interior and terminal landscapes islands shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).

(Illustration on following page)

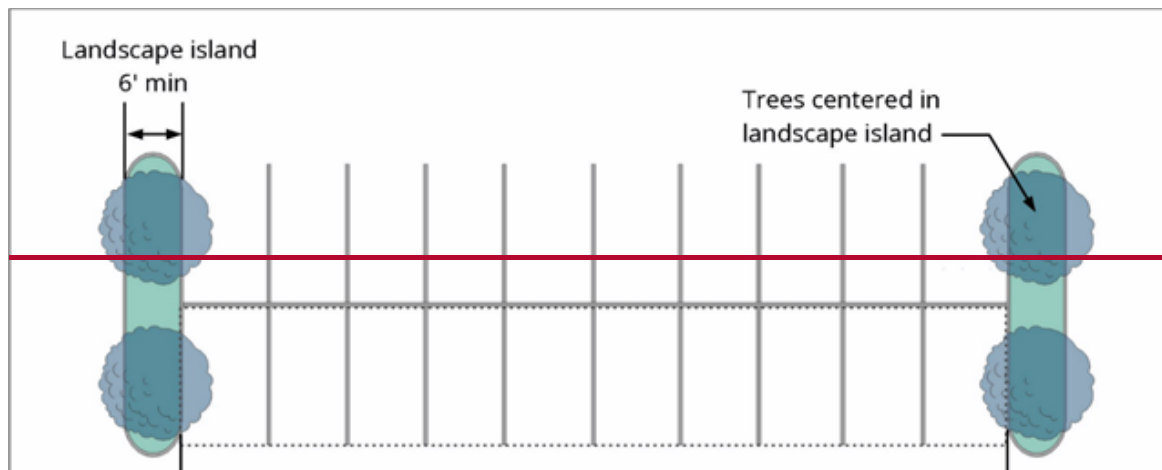


Figure 1: Double-Length Landscape Island

- (3) Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
- (4) Each double-length landscape islands adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
- (5) Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.
- (6) Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.
- (7) In cases where light poles, stormwater retention, or similar infrastructure hinders the placement of a tree within the landscape island, shrubs and/or perennials may be planted in lieu of a tree.

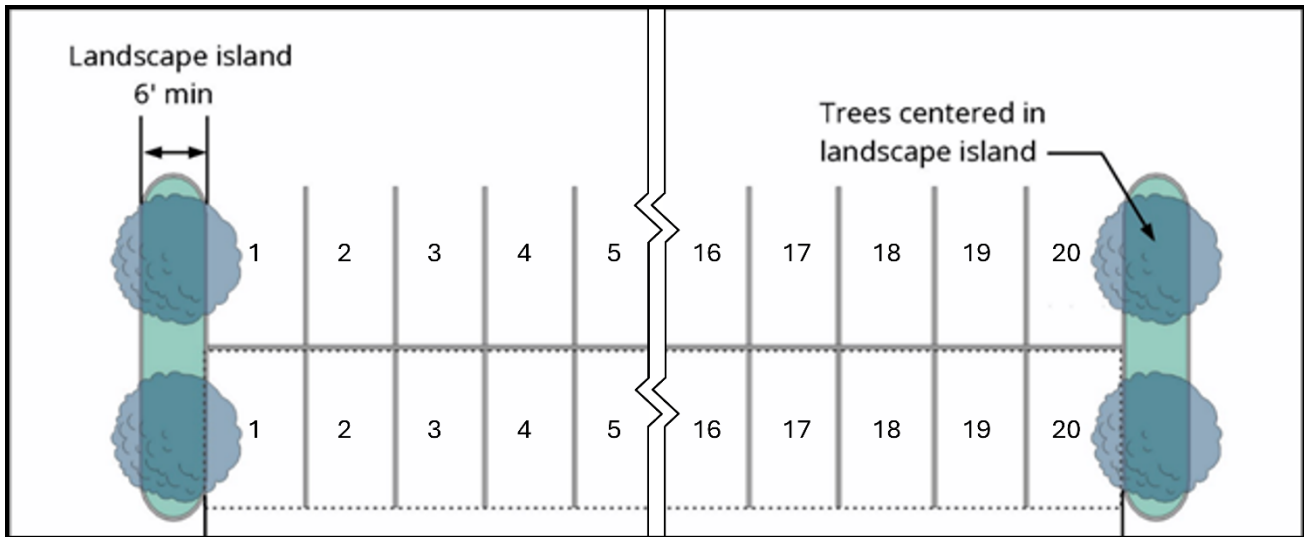


Figure 3: Parking Lot Island Landscaping

8. Boulevard Trees.

- a. **Coordination with Other Plans.** Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.
- b. **Permit Required.** The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.
- c. **Minimum Requirements.** The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

- (1) Species of Trees.
 - (a) Boulevard trees shall be chosen from the City's Approved Plant List, as maintained by the City Forester.
 - (b) Boulevard trees shall be single-stem trunks with a straight vertical line.
 - (c) Evergreen trees shall not be planted as boulevard trees.
 - (d) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.
- (2) Number of Trees.
 - (a) In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
 - (b) If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.
- (3) Spacing of Trees.
 - (a) New trees shall be planted at least twenty-five (25) feet from existing trees.
 - (b) On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
 - (c) Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.
- (4) Size Requirements.
 - (a) At time of planting, boulevard trees must be at least 1 inch in diameter.

- (b) The lowest branch on the tree cannot be over 9 ½ feet above the ground.

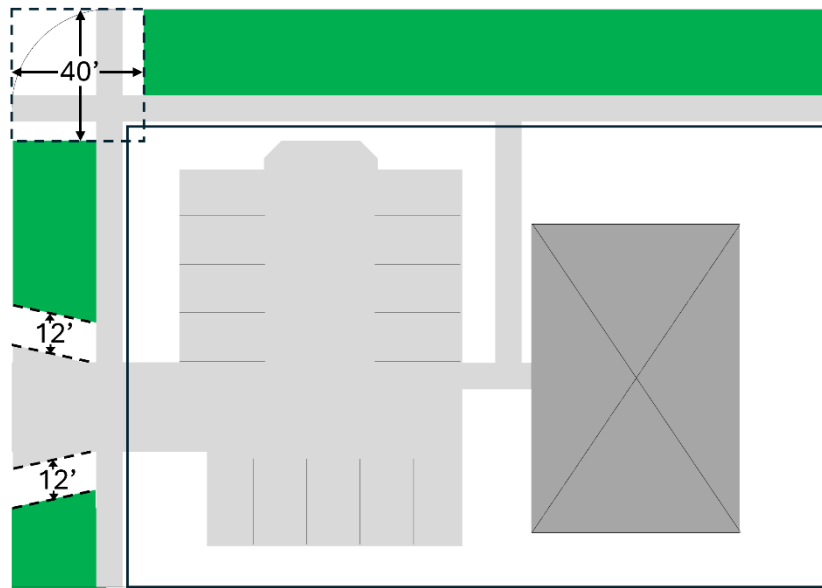


Figure 4: Location of Boulevard Trees

9. Buffer Yards.

a. Applicability. The requirement for Buffer Yards shall apply when:

- (1) Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with either 1) a ~~single- and two-family~~ residential zoning district other than R-2 or R-3(R-R, R-1E, R-L1A, R-1A, R-1B, R-1, R1-S, R-1SM), or 2) an existing single- or two-family residential development.
- (2) Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R), or existing residential development, including multi-family development.
- ~~(3) Industrial development is constructed on a parcel that shares a property line with any non-industrial zoning district.~~

b. Exceptions.

- (1) These buffer yard requirements do not apply to development adjacent to when residential uses that are located within development is constructed in a commercial or industrial non-residential zoning districts. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-

residential development shall not be required to do so.

(2) These buffer yard requirements do not apply to public infrastructure and utilities.

(3) These buffer yard requirement do not apply to non-residential development within a residential zoning district (R) or Public Facilities (P) district.

(2)(4) The area of required buffer yard shall not be required to exceed ten percent (10%) of the site area or ten percent (10%) of the width of the site.

c. Screening and Buffering Along Shared Property Lines.

(Table on following page)

Buffering and Screening Requirements		
Type of Development:	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Single and two family residential zoning districts other than R-2/R-3 or single-/two-family residential development use ^[2] ^[2]	Six-foot tall opaque screening fence ^[1] + ^[1] OR Ten-foot wide landscape buffer ^[3]
Mixed-Use	Single and two family residential district or development ^[2] OR Multi family district	Six foot tall opaque screening fence + ^[1] AND ten foot wide landscape buffer OR Fifteen foot wide landscape buffer
Non-Residential	Any residential district	Six foot tall opaque screening fence + ^[1] AND fifteen foot wide landscape buffer
Non-Residential (other than Industrial) or Mixed-Use	Any residential district or residential use ^[2]	Six-foot tall opaque screening fence ^[1] within a ten-foot wide landscape buffer ^[3] OR Fifteen-foot wide landscape buffer ^[3]
Industrial	Any non industrial district residential district or residential use ^[2]	Residential or Mixed-Use district: Minimum eight-foot tall opaque screening fence ^[1] + ^[1] within a fifteen twenty-foot wide landscape buffer ^[3] OR Thirty-foot wide landscape buffer ^[3] Non-Residential district: Six foot tall opaque screening fence + ^[1] AND ten foot wide landscape buffer
NOTES [1]: See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. [2]: See above requirements requirements do not apply <u>when the residential development is in a commercial or industrial/non-residential zoning districts.</u> [2][3]: See <u>landscape buffer requirements, below.</u>		

d. Buffer Planting Requirements. In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:

- (1) Ten-Foot Wide Buffer. Two (2) large evergreen trees shall be planted at least ~~ten~~twelve (12) feet apart, interspersed with four (4) shrubs, plus ground cover.

- (2) Fifteen-Foot Wide Buffer. Three (3) large evergreen trees at least ten (810) feet apart, ~~interspersed with eight (8) shrubs~~, plus ground cover.
- (3) Thirty~~Twenty~~-Foot Wide Buffer. Five~~Six~~ (65) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least ten (810) feet apart, plus ground cover.

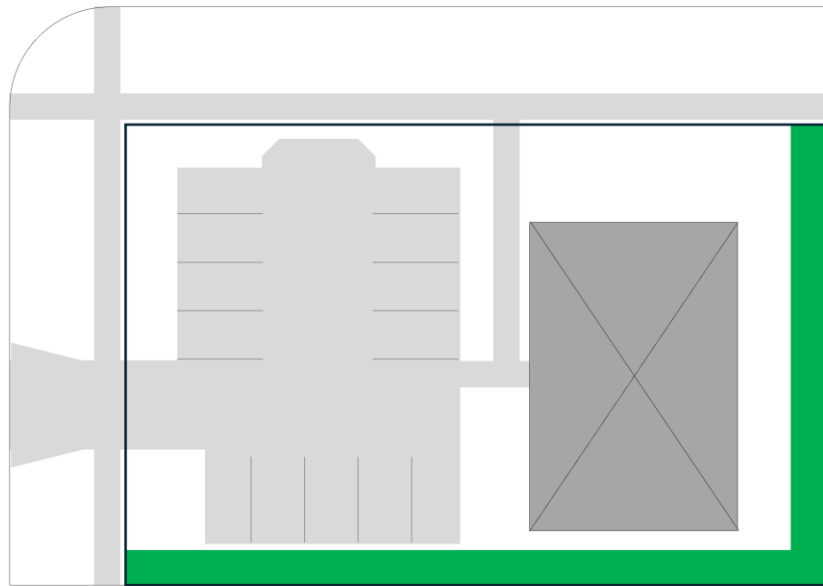


Figure 5: Location of Buffer Yards

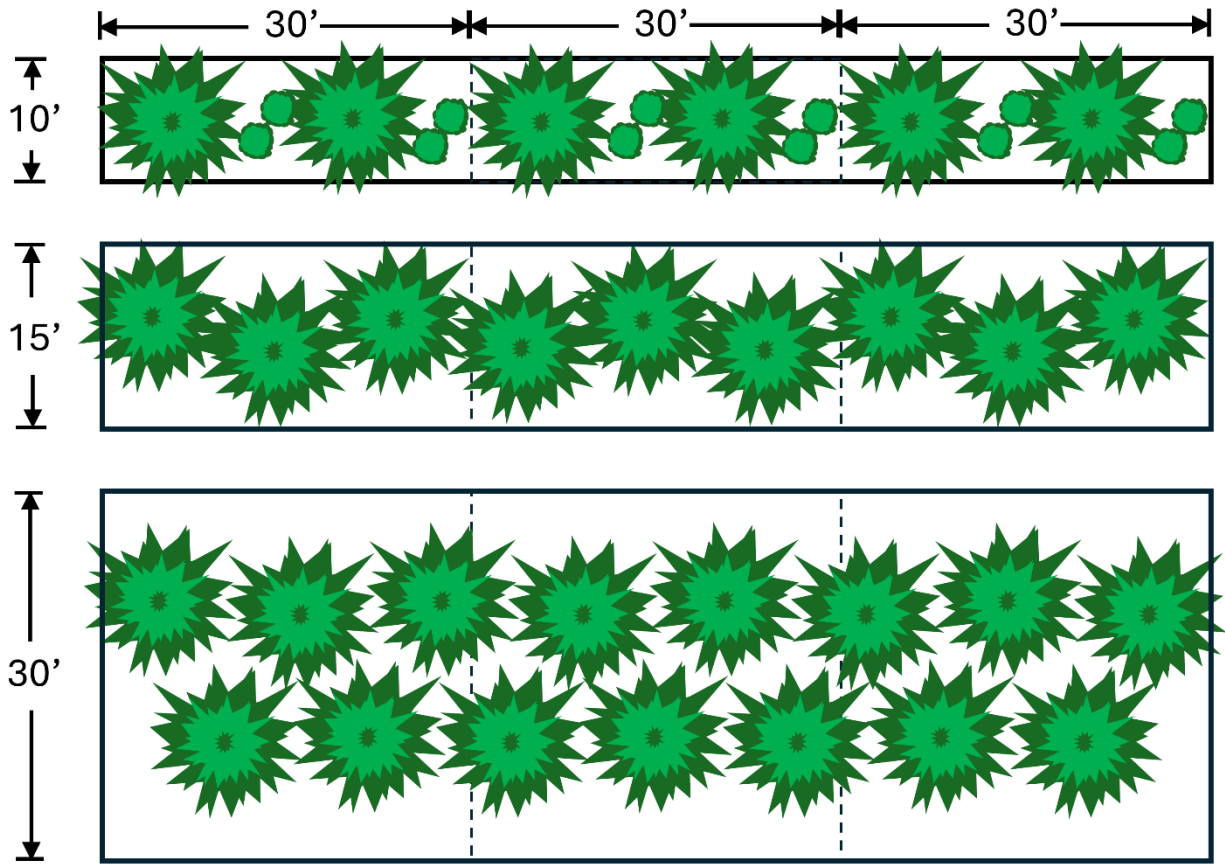


Figure 6: Landscape Buffers

CURRENT ORDINANCE

4-449-A. LANDSCAPING STANDARDS. Source: Ord. 1249, Sec. 13 (2024)

1. Purpose. The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:
 - a. Help reduce the city's impact on the environment.
 - b. Enhance green space within the city.
 - c. Provide shade and wind breaks to reduce extreme weather.
 - d. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.
 - e. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
 - f. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
 - g. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
 - h. Help aid in energy conservation.
2. Applicability.
 - a. New Development
 - (1) All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
 - (2) When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.
 - b. Exceptions
 - (1) Single- and Two-Family Residential. Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.

- (2) Agricultural District. Agricultural uses within the “A” zoning district shall not be required to provide landscaping.
- (3) Parking Lots.
 - (a) The requirements of this section do not apply to parking lot re-stripping and repaving where there is no expansion of the parking area.
 - (b) When a parking lot is being expanded to an extent 50 percent or more of the lot’s surface area prior to expansion, or at least 50 percent more parking spaces are being added, whichever is less, landscaping as described in this section shall be required.
 - (c) For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
 - (d) Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.
- (4) DMU District. Development within the “DMU” zoning district shall not be required to provide landscaping in accordance with this section.
- (5) Improvements & Repairs
 - (a) Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
 - (b) Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.
- (6) Change in Use. Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

3. Landscape Plan Required.

- a. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
- b. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.
- c. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
- d. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

4. General Standards.

a. Plant Material & Installation

- (1) All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- (2) Artificial plants are prohibited.
- (3) All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- (4) Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	3 feet tall
Perennial Plants ^[2]	1 gallon container size	2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- (5) Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in

swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.

- (6) Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.
- (7) The maximum slope of any landscaped berm shall be 2:1.

b. Maintenance.

- (1) The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- (2) Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- (3) The Tree Topping of trees is prohibited.

c. Administrative approval for practical landscaping improvements.

- (1) The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - (a) Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - (b) Flexibility concerning irregular, narrow, or shallow lots.
 - (c) Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas, courtyards, and front yard/entrance statements.

- (2) The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:
 - (a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - (b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - (c) The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- (3) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
- (4) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

5. Open Space Landscaping.

- a. Relationship to Other Landscaping Standards. Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.
- b. Plant Units Required.
 - (1) Commercial, Office, Residential, & Corridor Overlay Districts. Within commercial, office, residential, and corridor overlay zoning districts (C, C-OP, HC, R, CO, CO-I, CO-R), at least four (4) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.
 - (2) Mixed-Use, and Public Districts. Within mixed-use, and public zoning districts (EMU, P) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning

districts (CO, CO-I, CO-R), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

- (3) Industrial Districts. Within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

- c. Plant Unit Equivalency. The following table provides a breakdown of plant unit equivalencies.

<i>Type of Plant Material</i>	<i>Equivalent Plant Units</i>
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

- d. Location of Plant Units. A minimum of seventy percent (70%) of the plant units required pursuant to this subsection shall be within front or street-side yards. In the EMU zoning district, said seventy percent (70%) requirement shall not apply.
- e. Plant Unit Calculation. On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

6. Parking Lot Perimeter Landscaping.

- a. Applicability. Parking Lot Perimeter Landscaping is required for all off-street parking and vehicle circulation areas located within 30 feet of public street rights-of-way.
- b. Location. Parking lot perimeter landscaping shall be located between adjacent street rights-of-way and off-street parking areas and all vehicular circulation^[1] areas in accordance with the following table:

(Table on following page)

Parking Area Size Number of Spaces	Buffer Width Minimum (feet)	Minimum Planting/Screening Requirements ^[2]
1 - 50	4	Row of shrubs or perennial plants spaced no greater than 2-4 feet apart to create a continuous row at maturity.
	6	Masonry wall or decorative metal fence ^[3] (height between 2.5 and 3 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
	10	Berm (minimum height of 2.5 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
51 - 250	10	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	10	1 tree + 6 shrubs, per 25 linear feet
251+	15	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	15	1 tree + 6 shrubs, per 25 linear feet

Notes:

[1] Vehicular circulation refers to any surfaces intended for motor vehicle use.

[2] These are minimum standards. Use of additional planting/screening materials are encouraged to provide flexibility in design and visual interest.

[3] Decorative metal fences must be wrought iron or similar in nature. Chain link fences are not considered a decorative metal fence.

7. Parking Lot Island Landscaping.

a. **Applicability.** All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.

b. **Landscape Islands.**

(1) One interior landscape island shall be provided for every twenty (20) continuous parking spaces, and a terminal island shall be provided at both ends of each row of parking. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping. See Figure 1.

(2) Interior and terminal landscapes island shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).

(Illustration on following page)

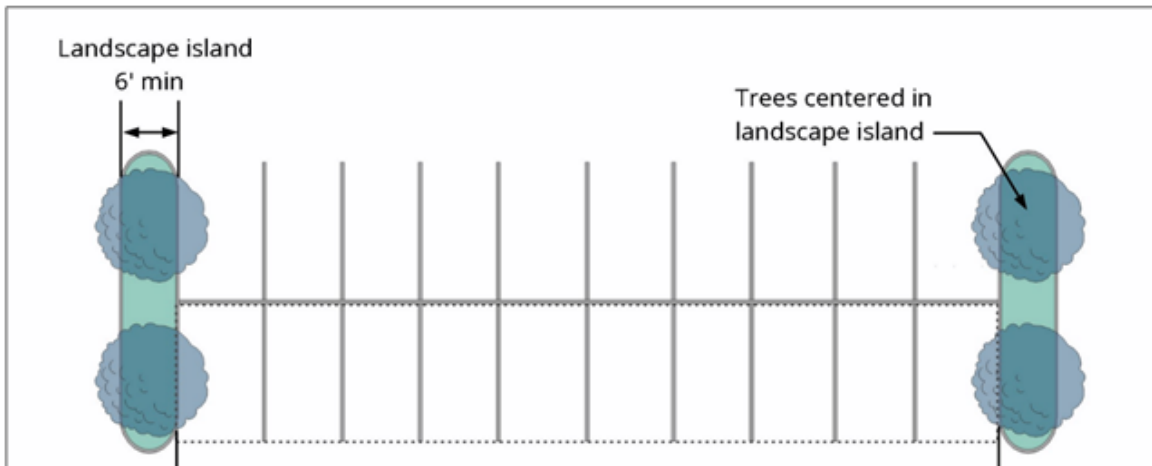


Figure 1: Double-Length Landscape Island

- (3) Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
- (4) Each double-length landscape island adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
- (5) Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.
- (6) Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.

8. Boulevard Trees.

- a. **Coordination with Other Plans.** Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.
- b. **Permit Required.** The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.
- c. **Minimum Requirements.** The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

- (1) Species of Trees.
 - (a) Boulevard trees shall be chosen from the City's Approved Plant List, as maintained by the City Forester.
 - (b) Boulevard trees shall be single-stem trunks with a straight vertical line.
 - (c) Evergreen trees shall not be planted as boulevard trees.
 - (d) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.
- (2) Number of Trees.
 - (a) In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
 - (b) If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.
- (3) Spacing of Trees.
 - (a) New trees shall be planted at least twenty-five (25) feet from existing trees.
 - (b) On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
 - (c) Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.
- (4) Size Requirements.
 - (a) At time of planting, boulevard trees must be at least 1 inch in diameter.

- (b) The lowest branch on the tree cannot be over 9 ½ feet above the ground.

9. Buffer Yards.

a. Applicability. The requirement for Buffer Yards shall apply when:

- (1) Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with a single- and two-family residential zoning district (R-R, R-1E, R-L1A, R-1A, R-1B, R-1, R1-S, R-1SM), or existing single- or two-family residential development.
- (2) Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R), or existing residential development, including multi-family development.
- (3) Industrial development is constructed on a parcel that shares a property line with any non-industrial zoning district.

b. Exceptions.

- (1) These buffer yard requirements do not apply when residential development is constructed in non-residential zoning districts. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-residential development shall not be required to do so.
- (2) These buffer yard requirements do not apply to non-residential development within a residential zoning district (R) or Public Facilities (P) district.

c. Screening and Buffering Along Shared Property Lines.

(Table on following page)

Buffering and Screening Requirements		
Type of Development	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Single and two-family residential district or development ^[2]	Six-foot tall opaque screening fence ^[1] OR Ten-foot wide landscape buffer
Mixed-Use	Single and two-family residential district or development ^[2] OR Multi-family district	Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer OR Fifteen-foot wide landscape buffer
Non-Residential	Any residential district	Six-foot tall opaque screening fence ^[1] AND fifteen-foot wide landscape buffer
Industrial	Any non-industrial district	Residential or Mixed-Use district: Minimum eight-foot tall opaque screening fence ^[1] AND twenty-foot wide landscape buffer Non-Residential district: Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer
NOTES [1]: See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. [2]: See above: requirements do not apply to residential development in non-residential zoning districts.		

d. **Buffer Planting Requirements.** In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:

- (1) **Ten-Foot Wide Buffer.** Two (2) large evergreen trees shall be planted at least ten (10) feet apart, interspersed with four (4) shrubs, plus ground cover.
- (2) **Fifteen-Foot Wide Buffer.** Three (3) large evergreen trees at least eight (8) feet apart, interspersed with eight (8) shrubs, plus ground cover.
- (3) **Twenty-Foot Wide Buffer.** Six (6) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least eight (8) feet apart, plus ground cover.