

## CHAPTER 162: LANDSCAPING AND SCREENING

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### **§ 162.01 PURPOSE.**

(A) This purpose of this chapter is to improve and maintain a high quality aesthetic appearance in the city and to meet the city's sustainability objectives.

(B) Specifically, this chapter is intended to:

(1) Enhance the aesthetic appearance of development in all areas of the city by providing standards relating to quality, quantity and functional aspects of landscaping, fencing and screening;

(2) Between residential and abutting commercial and industrial land uses;

(3) Increase compatibility and mitigate negative impacts of non-residential land uses on abutting and surrounding residential areas;

(4) Provide shade to reduce the heat and glare generated by pavement and building surfaces;

(5) Protect public health, safety and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, preserving the integrity of neighborhoods and improving pedestrian and vehicular safety;

(6) Implement the city's sustainability goals and framework contained in plans and ordinances; and

(7) Provide for and promote a sustainable built and natural environment that protects, maintains and where possible restores the essential and irreplaceable natural systems that operate with respect to land, air and water in the city.

(Prior Code, § 163.01) (Ord. 12-172, passed 3-27-2012)

### **§ 162.02 APPLICABILITY.**

The standards of this section apply to the following, except where noted in the list of exemptions:

(A) Multi-family, commercial, office, institutional or industrial development where site plans, preliminary or final plats that are submitted after the effective date of this chapter;

(B) Existing uses or structures wherein either the gross floor area or gross lot area is expanded by 1,500 square feet or 25% whichever is less;

(C) Construction or installation of any surface parking area containing five or more parking spaces;

(D) Repair, rehabilitation or expansion of a surface parking area that would increase the number of existing parking spaces by more than 25% or five spaces, whichever is more;

(E) Any existing parking lot that is accessory to an existing principal building if such building or any portion thereof is repaired or rehabilitated (including interior alteration and remodeling) and the cost of such repair or rehabilitation exceeds 150% of the property's assessed value or \$10,000, whichever is greater; and

(F) Any residential lot that is occupied by a non-conforming commercial or industrial use.

(Prior Code, § 163.02) (Ord. 12-172, passed 3-27-2012)

### **§ 162.03 GENERAL REQUIREMENTS.**

(A) Each project must provide and maintain landscaping in compliance with the provisions of this chapter.

(B) The provisions of this chapter are minimum requirements.

(C) Landscaping that is installed and maintained in excess of these requirements is encouraged and may be required by the Community Development Director when necessary to achieve the purpose of these regulations.

(Prior Code, § 163.03) (Ord. 12-172, passed 3-27-2012)

### **§ 162.04 EXEMPTIONS.**

The requirements of this chapter do not apply to the following actions:

(A) Construction, repair or rehabilitation of or upon any detached house, two-flat or three-flat (i.e., multi-unit buildings containing two or three dwelling units, respectively);

(B) Restoration of any building or portion thereof damaged by fire, explosion, flood, casualty or other calamity of any kind; and

(C) Automobile sales lots are exempt from this interior parking lot landscaping requirement.

(Prior Code, § 163.04) (Ord. 12-172, passed 3-27-2012)

### **§ 162.05 PLANT MATERIALS.**

(A) All plant material must comply with the provisions set forth by the American Standard for Nursery Stock, ANSI Z60.1 (most recent edition) and be healthy and free of insects and diseases.

(B) All plant material must be in a balled and burlapped or container grown at the time of installation. No bare root material will be allowed.

(C) Plant material must be healthy, free of insects, disease and physical damage such as bark bruises, scrapes or cracked branches.

(D) Plant material used in conformance with the provisions of this chapter must be selected to provide:

(1) Climate hardiness of plant material;

(2) Disease and pest resistance and stress tolerance;

(3) Drought tolerance of trees and shrubs;

(4) Adaptability of proposed plant material to the particular microclimate (sun, shade, dry or wet soils and the like) in which it is to be located;

(5) Inclusion of native plant material wherever possible;

(6) Inclusion of plant materials that will have a mature appearance and fill in its location on the landscape plan within six years of planting; and

(7) Overall year-round ornamental effect.

(Prior Code, § 163.05) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

### **§ 162.06 DESIGN AND COMPOSITION OF LANDSCAPED AREAS.**

(A) Landscaping and open spaces must be designed as an integral part of the overall site design. These elements should enhance the building appearance, enhance public views and spaces, and provide buffers, transitions and screening.

(B) Tree and shrub plantings should be grouped together in order to create strong unified character.

(C) Groundcover should be planted to achieve 100% coverage within three years.

(D) Inorganic groundcover or bark may be used in combination with live plants and must be limited to an accent feature

or mulch.

(E) All trees installed should survive for a minimum of one year and all shrubs installed should survive for a minimum of three years from the date of final approval of the building permit of the last unit of a development. All dead plants must be replaced with like species at regular intervals.

(F) Trees and shrubs should be planted so that at maturity they do not interfere with service lines, aqueducts or conduits.

(Prior Code, § 163.06) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.07 LANDSCAPE PLAN REQUIRED.**

A landscape plan prepared and stamped by a landscape architect is required to be submitted to the Community Development Director as part of any development project that contains:

(A) North point and scale;

(B) Topographic information and proposed grades;

(C) Proposed structures and pavements;

(D) Existing and proposed utilities, above and below ground;

(E) Location, type, size, quantity and planting condition (balled and burlapped or container) of all proposed landscape materials;

(F) Common and botanical names of all proposed plant material;

(G) Location, size and common/botanical name of existing vegetation to remain;

(H) Standard notes as they relate to mulch, site lines, plant location, planting depths and the like;

(I) All math calculations as they relate to plant units and number of plants to be provided in each specific area required as per this chapter; and

(J) Symbols representing proposed plant material must be drawn to scale showing two-thirds to full mature size and labeled as to quantity and type.

(Prior Code, § 163.07) (Ord. 12-172, passed 3-27-2012)

#### **§ 162.08 STREET TREES AND PARKWAY PLANTING.**

(A) Existing parkways (the planting strip between a public street and sidewalk) adjacent to a site, or one that will be created as part of a development plan, must be planted with at least one street tree per 40 lineal feet. Trees are not required to be planted in precise 40-foot intervals, however they should be installed as close to 40 feet as possible along the street frontage, allowing for utilities and intersection visibility requirements.

(B) Parkway adjacent to parking lots of five or more spaces are required to have one street tree per 25 linear feet. The flexible spacing standard of division (A) above applies to street trees required in this division (B).

(C) Street trees are not required where such installation would reduce the width of any sidewalk clearance to less than five feet in a manner inconsistent with federal and state requirements for access for persons with disabilities.

(D) The tree species planted must be canopy trees to provide shade and visual relief with a clearance of nine feet over sidewalk. Ornamental trees may also be planted where the use of canopy trees would conflict with the visibility of traffic signals. The final design of street tree plantings involving ornamental trees is subject to site plan review.

(E) All existing parkways within the dedicated right-of-way or other public use areas that is disturbed due to construction must be restored with salt-tolerant sod and any required trees that have been damaged or destroyed.

(F) Existing trees may be counted as fulfilling the requirements of this section upon approval of the Community Development Director.

(Prior Code, § 163.08) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.09 PARKING LOT LANDSCAPING.**

(A) *Parking lot perimeter landscaping.* All parking lots containing five or more parking spaces must be screened from public streets and sidewalks, public open space and adjacent properties by complying with one of the following perimeter landscaping options:

(1) A perimeter-landscaped area at least seven feet wide as measured from the property line, and encircled by a six-inch concrete curb with no ornamental fencing, masonry wall or wheel stops in the parking lot;

(2) A five- to seven-foot wide, landscaped perimeter area with ornamental fencing or masonry wall and a maximum two-foot car overhang area or no parking spaces adjacent to landscaping;

(3) A perimeter-landscaped area less than five feet wide; provided, ornamental fencing or masonry wall and wheel

stops or curbing in the parking lot is installed to prevent car overhang into the landscaped area; or

(4) An ornamental fence or masonry wall without landscaping; provided that, a parkway exists adjacent to the site and is already planted to the minimum specifications of this section or is planted to such specifications by the applicant with the approval of the Community Development Director.

(B) *Interior parking lot landscaping.* The parking lot interior-landscaping requirements apply to new, private off-street parking lots of six spaces or more and to existing lots which are expanded by more than 25% of existing spaces to contain more than 15 spaces.

(1) *Minimum standards.*

(a) Parking lots with six to 100 spaces must have 5% of the total interior area landscaped.

(b) Parking lots with more than 100 spaces must have 10% of the interior area landscaped.

(2) *Landscape islands.* Landscaped islands must be spaced no more than 15 parking spaces apart. Internal landscaped diamonds must be at least 50 square feet in size and all other internal, landscaped islands must be at least 100 square feet in size with a minimum width of six feet.

(3) *Required plant mix.* Parking lots that contain six to 100 parking spaces must have internal plantings of at least two trees and five shrubs per ten spaces. Parking lots that contain more than 100 parking spaces must have at least two trees and five shrubs per 15 spaces.

(4) *Perimeter landscaping credit.* Perimeter landscaping in excess of the dimensions required in may be credited towards meeting the interior landscaping standards on a square-foot-per-square-foot basis.

(Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

(Prior Code, § 163.09)

#### **§ 162.10 BUILDING FOUNDATION PLANTINGS.**

(A) A landscaped strip must be planted at the base of any building facade that exceeds 50 lineal feet.

(B) The foundation landscaping must be located in a planting bed of at least five feet in width adjacent to the building. Depth measurement will be perpendicular to building foundation.

(C) Foundation landscaping must be provided at a quantity of 30 planted for every 1,000 square foot planting bed area which is within five feet of the foundation. Flowers, ornamental grasses and groundcover may also be used. Any planting area not occupied by trees, shrubs, flowers, groundcover, ornamental grasses or mulch must have sod.

(Prior Code, § 163.10) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.11 SCREENING OF TRASH DUMPSTERS AND BINS.**

(A) Trash containers, dumpsters, trash compactors and recycling bins associated with multi-unit residential and all non-residential uses must be screened from public view on all sides with a solid fence, wall or gate of six feet in height, constructed of cedar, redwood, masonry or other similar building material reflecting the overall design of the site. One side of the trash enclosure must contain of an opaque, lockable gate.

(B) Dumpsters and trash bins must be located behind the front building line and located at or near the rear property line. The opening of any trash enclosure may not be oriented toward an arterial street. On corner lots, dumpsters must be located behind the front building line and setback a minimum of 20 feet from any side street right-of-way.

(Prior Code, § 163.11) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.12 SCREENING OF RESIDENTIAL AREAS.**

All non-residential buildings and surface parking lots of five or more spaces, whichever is less, must provide a solid screen fence or wall not less than six feet in height along all rear and side property lines that abut residential zoning districts and uses. Such screening may not extend in front of the building line or in front of abutting dwellings. Such screening is not required when similar screening exists on the abutting residential property.

(Prior Code, § 163.12) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.13 SCREENING OF INSTITUTIONAL USES.**

The perimeter of all parking lots of 1,000 square feet or more must be effectively screened from all abutting residentially zoned property and from all institutional uses, including hospitals, nursing homes, places of worship, community centers, schools and colleges.

(Prior Code, § 163.13) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.14 APPLICATION PROCEDURES.**

(A) Any application for multi-family, commercial, industrial or public/civic uses must include a landscape plan including

each proposed plant being identified as to botanical and common name, size and installed condition (balled and burlapped or container).

(B) When an application is made for a rezoning or a preliminary plat for a subdivision stage (if applicable), general locations and approximate quantities must be shown. A list of typical plants proposed to be used must be submitted, including common and botanical names, and approximate sizes.

(C) At the final plat stage, exact locations and specific quantities must be shown. These quantities may not be less than what was approved at the preliminary plat stage without written justification. Each proposed plant must be identified as to botanical and common name, size at time of installation and planting condition (balled and burlapped or container). The plants proposed for the final plat stage must, for the most part, reflect the typical plant list submitted at the preliminary plat stage. This list may be expanded upon; however, additions must be of equal or greater quality regarding hardiness, disease resistance and ornamental characteristics.

(Prior Code, § 163.14) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.15 PLANNING AND ZONING BOARD OF APPEALS MODIFICATION.**

(A) The Planning and Zoning Board of Appeals may modify this requirement to landscape all setbacks and open space areas.

(B) The modification may only be approved if the Planning and Zoning Board of Appeals finds that the project provides:

(1) For outdoor dining activities, special paving or other examples of exceptional architectural quality in the project's design;

(2) A higher overall quality of landscaping design than would normally be expected for a similar development project; and

(3) A superior landscape maintenance plan.

(Prior Code, § 163.15) (Ord. 12-172, passed 3-27-2012; Ord. 2021-024, passed 7-13-2021)

#### **§ 162.16 INSTALLATION AND MAINTENANCE.**

(A) All landscape materials required by this chapter must be installed in accordance with standard practices of horticultural professionals and in good and workmanlike manner and must be maintained by the property owner in good condition.

(B) All applicants for landscape plan approval must file a maintenance schedule and a scope of maintenance work with the Community Development Director.

(C) Any damaged or dead trees, shrubs or ground cover must be promptly replaced.

(D) Maintenance of landscaping must include continuous operations of removal of weeds; mowing; trimming; edging; cultivation; reseeding; plant replacement; appropriate fertilization; spraying; control of pests, insects and rodents by non-toxic methods whenever possible; watering and other operations necessary to assure normal plant growth.

(E) The obligation for continuous maintenance is binding on the applicant for landscape plan approval, to any subsequent property owners or any other parties having a controlling interest in the property.

(Prior Code, § 163.16) (Ord. 12-172, passed 3-27-2012) Penalty, see § 162.99

#### **§ 162.17 PERFORMANCE GUARANTEES.**

(A) *Requirement.* A letter of credit, escrow, performance bond or other surety in an amount equal to 125% of the value of the landscaping, or in an amount deemed adequate by the Community Development Director, must be approved by the City Attorney.

(B) *Applicability.* The financial guarantee authorizes the Community Development Director to use the funds to complete the landscaping installation and required maintenance practices if the responsible party defaults or does not properly install or maintain the landscaping.

(C) *Duration.* The financial guarantee must remain in place for one year after landscape installation to ensure proper maintenance of the landscaping in accordance with this section.

(D) *Conditions for release.* The Director of Public Works may release the portion of the financial guarantee established under this section, less any costs incurred by the Director of Public Works to complete installation of practices, upon submission of "as-built plans" by an appropriate licensed professional.

(E) *Pro-rate release.* The Director of Public Works may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages.

(Prior Code, § 163.17) (Ord. 12-172, passed 3-27-2012)

#### **§ 162.18 EFFECTIVE DATE.**

This chapter shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law. A full, true and complete copy of this chapter shall be published in pamphlet form, by authority of the City Council as corporate authorities.

(Prior Code, § 163.18) (Ord. 12-172, passed 3-27-2012)

**§ 162.99 PENALTY.**

Any person or entity violating or failing to comply with the provisions of this chapter shall, upon conviction thereof, be fined not less than \$50, nor more than \$750, for each offense. Each day shall constitute a separate offense. Nothing herein contained shall prevent the city from pursuing such other lawful action as is necessary for the restraint, correction and abatement of any violations.

(Prior Code, § 163.99) (Ord. 12-172, passed 3-27-2012)