

## **ARTICLE VII**

### **Landscaping and Illumination Standards**

#### **Sec. 16-7-10. Purpose.**

(a) The purpose of this Article is to provide standards for landscaping and illumination of all development within the City so as to maintain the character of residential neighborhoods, commercial centers and industrial areas. This is accomplished by requiring minimum planting, buffering and screening around and within residential and nonresidential development and their associated parking areas, and by requiring long-term maintenance of landscaped areas.

(b) This Section also establishes standards for controlling light and glare. Outdoor illumination levels should provide for safety, security and energy efficiency. Illumination standards should prevent excessive lighting which would create a glare, detract from the use or enjoyment of adjoining property or cause traffic hazards to motorists. Neighbors, motorists and the night sky should be protected from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources. (Ord. 03, 2002 §9-9-1; Ord. 2005-07 §1)

#### **Sec. 16-7-20. Applicability.**

The standards of this Article shall apply to all development within the City, except as follows.

(1) Central Business District (C-2). Development in the Central Business District (C-2) zone district shall be exempt from the landscaping standards of this Article if the primary structure on the lot has a zero-foot setback from the property line. If a property does not utilize the zero-foot setback allowance, the minimum landscape area shall be ten percent (10%) and shall be located in both the front and side yard, where applicable.

(2) Single-Family or Duplex Dwelling. The construction, reconstruction, modification, conversion, structural alteration, relocation or enlargement of a single-family or duplex dwelling on a lot of record shall not require compliance with Sections 16-7-30 and 16-7-40 below, except for Paragraphs 16-7-40(a)(4) and 16-7-40(a)(6) and Section 16-7-50 below, but shall meet all other applicable standards of this Article.

(3) Alteration or Repair. An alteration or repair which does not change the existing use of the property or does not expand the use of the property shall be exempt from the landscaping standards of this Article. (Ord. 03, 2002 §9-9-2; Ord. 01, 2005 §1)

#### **Sec. 16-7-30. Landscape plan.**

A landscape plan shall be submitted for review as part of an application for any development within the City, except that development specifically exempted in Section 16-7-20 above. The landscape plan shall contain the following materials:

(1) Drawing. A drawing identifying all existing deciduous trees and coniferous trees of four (4) inches in caliper or greater and illustrating the location, size and type of all proposed landscaping. The drawing shall identify all existing vegetation which is to be

preserved and demonstrate how irrigation is to be provided. The drawing shall be to scale and shall contain a legend.

(2) Calculations. A written summary of all calculations used to determine the landscaping required for the site.

(3) Cost Estimate. An estimate of the cost of supplying and installing the materials depicted in the landscape plan.

(4) Erosion Control. A description of how erosion will be controlled on-site, during construction and following completion of development.

(5) Maintenance Program. A description of the proposed program to maintain the landscaping after it has been installed. (Ord. 03, 2002 §9-9-3; Ord. 01, 2005 §1; Ord. 2005-07 §1)

#### **Sec. 16-7-40. Landscaping standards.**

(a) Landscaping Standards Applicable to All Development:

(1) Plants Compatible With Local Conditions. All plants depicted on the landscape plan shall be of a variety which is compatible with local climate and the soils, drainage and water conditions of the site.

(2) Save Existing Vegetation. The landscape plan shall be designed to save all existing healthy trees and shrubs whenever possible. Existing trees and shrubs which are preserved shall count toward the landscaping standards of this Article.

(3) Living Cover. A minimum of sixty percent (60%) of the required landscape area shall be live ground cover. Expected mature shrub coverage will count towards this requirement; a tree's canopy shall not.

(4) Obstructions Prohibited.

a. Fire hydrants and utilities. Landscaping shall be located so as not to obstruct fire hydrants or utility boxes and so it will not grow into any overhead utility lines.

b. Curb cuts and intersections. No plant material greater than two (2) feet in height shall be located within the *clear sight triangle* as defined by this Chapter, or so as to otherwise cause visibility obstructions or blind corners at intersections.

(5) Minimum Size. Trees and shrubs depicted on the landscape plan shall be of the following minimum size at the time of their planting:

a. Deciduous trees. Deciduous trees shall be a minimum of one and one-half (1½) inches in caliper, measured six (6) inches above the ground.

b. Coniferous trees. Coniferous trees shall be a minimum of six (6) feet in height.

c. Shrubs. Shrubs shall be a minimum two-gallon container.

(6) Minimum Number. The following minimum number of trees shall be provided per required landscaped area in various zone districts:

<b>Table 16-H</b>	
<i>Zone District</i>	<i>Number of Trees Per Required Landscape Area</i>
Single-Family Residential (R-1)	1 per 800 s.f.
Medium Density Residential (R-2)	1 per 800 s.f.
High Density Residential (R-3)	1 per 800 s.f.
Manufactured Housing Residential (R-4)	1 per 800 s.f.
Residential Mixed Use (RMU)	1 per 500 s.f.
Commercial (C-1)	1 per 300 s.f.
Commercial (C-2)	1 per 600 s.f.
Industrial (I)	1 per 1,000 s.f.

(7) Parking and Storage Prohibited. The required landscape area shall not be used for parking or open storage.

(8) Trash Receptacles. Screening shall be provided for all trash receptacles of two (2) cubic yards in volume or greater, and shall consist of landscaping or a structural visual barrier, such as a fence, to block the view of the trash receptacle and to keep trash contained. One (1) side of the screening shall be designed for easy access for trash removal. Any landscaping so provided shall count toward the landscaping standards of this Article.

(b) Landscaping Standards Applicable to Parking Areas.

(1) Buffer Strip. A landscaped buffer strip composed of trees, shrubs, berms, hedges and/or planters shall be provided between the parking area and any adjoining public street right-of-way. This strip shall be of sufficient width to contain plant materials and be credited toward the landscaping required for the zone district.

(2) Outdoor Sales Lots. Sales lots for mobile home, recreational vehicle, heavy equipment and automobiles shall be landscaped along all lot lines. This landscaping shall be credited toward the landscaping required for the zone district.

(3) Interior Landscaping. Any parking area containing more than thirty (30) parking spaces or four thousand five hundred (4,500) square feet of area shall provide six (6) plants, which may be trees or shrubs, for each fifteen (15) parking spaces. A minimum of one (1) of the six (6) plants shall be a tree, which shall be located around the perimeter of the lot and in landscaped islands within the lot. These planted areas shall count toward the minimum landscape area standard of the underlying zone district.

a. Curbs for area definition. The landscaped islands shall have curbs which may be used to define parking lot entrances, the ends of parking aisles and the location and pattern of primary internal access ways or any combination thereof.

b. Dispersed. The landscaped islands shall be dispersed throughout the parking area and in the parking area in such a way as to provide visual relief, particularly of parking aisles, by using flowering ornamental plantings, and to provide physical relief by using seasonal shade trees.

c. Area. The area contained within the landscape islands shall be a minimum of seven (7) square feet for each required parking space. (Ord. 03, 2002 §9-9-4; Ord. 01, 2005 §1; Ord. 2005-07 §1)

**Sec. 16-7-50. Installation and maintenance requirements.**

(a) Security. Prior to the issuance of a development permit, the Administrator may require the applicant to submit to the City a surety or cash bond, letter of credit or other collateral found to be suitable by the City Attorney to guarantee the installation of the required landscaping. The security shall be in an amount equal to one hundred twenty-five percent (125%) of the cost of supplying and installing the materials depicted in the approved landscape plan, based on estimates provided by the applicant and approved by the City.

(b) Certification and Release. Following installation of the required landscaping, the applicant shall certify that the landscaping has been installed in conformance with the approved plan. One hundred percent (100%) of the performance guarantee shall be released within seven (7) calendar days following receipt of the certification and inspection by the City. The remaining twenty-five percent (25%) of the performance guarantee shall be released after two (2) growing seasons after required landscaping is installed and successfully maintained.

(c) City Use of Security. In the event the landscaping is not installed, or is installed in a manner which does not conform with the approved plan, the City may draw upon the security to bring the landscaping into conformance with the approved plan or, if development was initiated but never carried through to completion, to return the site to its predevelopment condition.

(d) Required Time for Completion – Date of Occupancy. Landscaping required for all uses shall be installed within six (6) months of its initial date of occupancy, excluding the months of October through April.

(e) Irrigation for Live Cover. That portion of the landscaped area which is live cover shall be provided with an adequate means of irrigation for the type of plants installed.

(f) Maintenance. All vegetation shall be healthy at the time of its installation and shall remain alive, or shall be replaced.

(1) Landowner responsible. Maintenance of landscaped areas shall be the responsibility of the landowner.

(2) Replacement. Landscaping which does not survive shall be replaced within three (3) months, or during the next planting season. The replacement vegetation shall be similar in size and type to the vegetation which did not survive, so the integrity of the approved landscape plan is preserved. (Ord. 03, 2002 §9-9-5; Ord. 01, 2005 §1; Ord. 2005-07 §1)

**Sec. 16-7-60. Illumination standards.**

(a) Standards. The following standards shall apply to all exterior lighting on private property within the City:

(1) Required Lighting. With the exception of subdivision lighting, lighting is not required. Unless otherwise approved through a planned development, this regulation shall apply to all lighting for subdivisions, land uses, developments, buildings and new or replaced fixtures. In addition, any site modification that requires a reuse application will necessitate compliance for all existing and proposed lighting on the site.

(2) Fully Shielded. Lighting fixtures must be constructed in such a manner that all light emitted by the fixture, either directly from the lamp or diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.

(3) After Hours. Except for residential lights, subdivision lighting and security lighting, all lighting shall be turned off between 11:00 p.m. and 6:00 a.m. Exceptions shall be granted to those businesses which operate during these hours; such lighting may remain illuminated only while the establishment is actually open for business.

(4) Maximum foot-candles. All outdoor lighting shall be designed and located such that the maximum illumination measured in foot-candles at the property line shall not exceed 0.3 onto adjacent residential properties and 1.0 onto commercial properties and public rights-of-way.

(5) Facade Lighting. Floodlights, spotlights or any other similar lighting shall not be used to illuminate buildings or other site features with the exception of directional fixtures used to illuminate flagpoles (State, United States).

(6) Light Poles. Light poles shall be set back from adjacent property zoned for or used for residential purposes a distance equal to the height of the pole. The maximum height of any light pole (excluding road lights and traffic safety lights) shall be twenty-five (25) feet; however, poles of a lower height which are more compatible in scale with pedestrians are encouraged.

(7) Canopy Lighting. Lighting fixtures mounted under canopies used for vehicular shelter shall be aimed downward and installed such that the bottom of the light fixture or its lens, whichever is lower, is recessed or mounted flush with the bottom surface of the canopy. All light emitted by an under-canopy fixture shall be substantially confined to the ground surface directly beneath the perimeter of the canopy.

(8) Parking Lot Lighting. Parking lot lighting shall not exceed light levels necessary for safety and locating vehicles at night. The lighting plan shall be designed so that the parking lot is lit from the outside perimeter inward, and/or incorporate design features with the intent of reducing off-site light pollution. The average illumination on the surface of the lot shall not exceed three (3) foot-candles. Applications that include freestanding parking lot fixtures shall submit for approval a preliminary lighting plan which includes the following:

a. Site plan with location of all light fixtures and a numerical grid of lighting levels (in foot-candles) that the fixtures will produce on the ground (photometric report).

b. Calculation of average foot-candles in the subject area.

c. Area of illumination.

d. Lamp type and wattage.

e. Mounting height of all fixtures.

(b) Exemptions.

(1) Holiday Lighting. Seasonal lighting for holidays, which may use bare, low-watt bulbs (equivalent of a 10-watt incandescent bulb or less).

(2) Sports and Athletic Field Lighting. Lighting for sports and athletic fields may need to exceed illumination standards for general recreational needs in order to meet higher standards required for play. The Administrator may approve relaxations of these lighting standards, provided that the following minimum standards are met:

a. Fixture height shall be that necessary to provide adequate light while minimizing the number of poles in excess of fifty (50) feet in height.

b. If floodlights are used, they shall not be aimed above sixty-two (62) degrees and should use internal louvers and external shields to help minimize light pollution.

c. Fixtures shall be designed and aimed so that their beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted (spillover levels at the property line shall not exceed 0.3 foot-candles).

d. Lighting shall be extinguished no later than one (1) hour after the event ends.

(3) Historic City Lamps. Historic lamps located in the Central Business (C-2) zone district. (Ord. 03, 2002 §9-9-6; Ord. 01, 2005 §1; Ord. 2005-07 §1; Ord. 2006-08 §9)

**Sec. 16-7-70. Fences.**

(a) General Applicability. A fence, wall or any similar type of screen, including hedges, may be erected on any lot including within a setback, subject to the following standards.

(b) Standards.

(1) Fence Height. Fences or walls shall be no more than four (4) feet high between the face of a building or structure and the front property line. Fences shall not exceed six (6) feet along the side and rear yard. Fences shall not exceed the aforementioned heights when measured from the existing natural grade at the base to the highest point of fence or wall. No fence or wall may be artificially elevated by means of a berm or other method for

purposes of height calculation. A written request may be made to the Administrator for a fence of greater height for a demonstrated unique security purpose. If granted, the fence shall require a building permit and be subject to the adopted building code.

(2) Location. Fences may be allowed on the property line. Fences along alleys, when on the property line, shall contain an offset section or some provision for trash containers to be located on the property so as to be convenient for trash collection. It is the responsibility of the property owner to locate all property lines. No fence may extend beyond or across a property line.

(3) Obstruction of Visibility. When fences are on a corner lot, the height and material used along the streets shall be such that it will not impair visibility of intersecting traffic and/or pedestrians. Any fence located within the clear sight triangle shall have opacity of not more than fifty percent (50%) and shall not be higher than four (4) feet. (Ord. 03, 2002 §9-9-7; Ord. 01, 2005 §1; Ord. 2005-07 §1)