

City of Scottsbluff, Nebraska

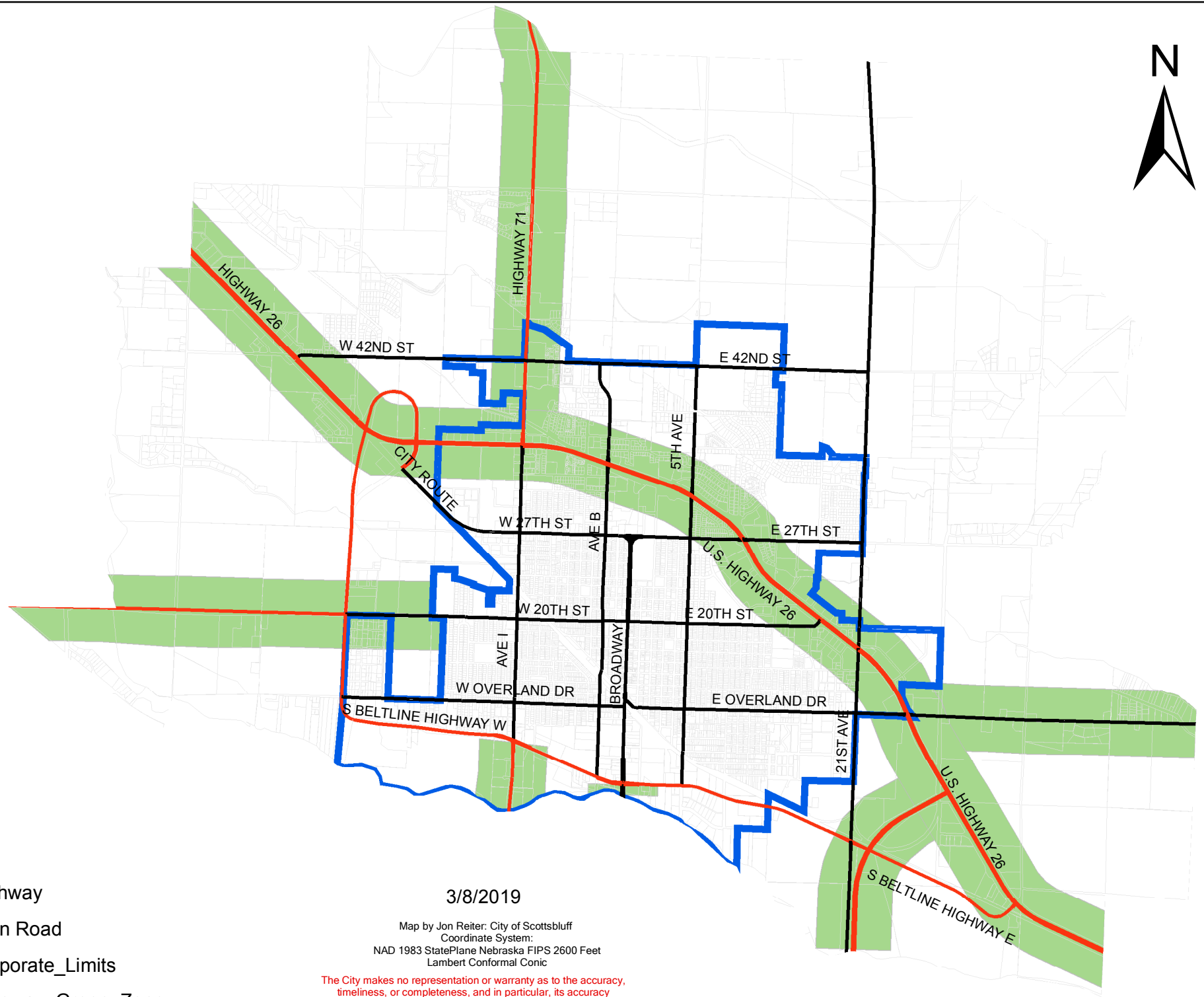
Monday, April 8, 2019

Regular Meeting

Item GGO1

Discussion on GGO Zone and Landscaping Ordinance.

Staff Contact: Gary Batt



Legend

- Highway
- Main Road
- Corporate_Limits
- Gateway_Green_Zone

3/8/2019

Map by Jon Reiter: City of Scottsbluff
Coordinate System:
NAD 1983 StatePlane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

ARTICLE 22

LANDSCAPING

Section

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25-22-1. Definitions.

Wherever used in this Article, the following terms shall have the meanings stated in this Section unless the context clearly indicates otherwise:

Bufferyard: A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one (1) another.

Impervious coverage area: The total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.

Landscape: To change the natural features of a plot of ground so as to make it more attractive by adding lawns, trees, bushes or other decorative items.

Landscaped Area: The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.

1. *Interior Landscaped Area:* Any landscaped area within a site exclusive of required perimeter landscaping.
2. *Perimeter Landscaped Area:* Any required landscaped area that adjoins the exterior boundary of a lot, site or common development.

Less Intensive Zoning District: Any zoning district which appears above another zoning district in the following list is less intensive than the other district. For example, AR Agricultural Residential is less intensive than C-1 Central Business District.

A Agricultural.
AR Agricultural Residential.
R-1 Single Family.
R-1a Single Family.
R-1b Rural Residential Estate Zone.
R-4 Heavy Density Multiple Family.
R-6 Mobile Home.
O-P Office and Professional.
PBC Planned Business Center.
C-1 Central Business District.
C-2 Neighborhood Commercial.
C-3 Heavy Commercial.
M-1 Light Manufacturing and Industrial.
M-2 Heavy Manufacturing and Industrial

More Intensive Zoning District: Any zoning district which appears below another zoning district in the list which appears in the definition of “Less Intensive Zoning District” in this Section is more intensive than the other district. For example, C-1 Central Business District is more intensive than AR Agricultural Residential. (Ord. 3951, 2007)

25-22-2. Purpose.

The provisions of this Article provide additional guidance on the development of sites within Scottsbluff by addressing landscaping and screening requirements. The provisions in this Article are designed to improve the appearance of the community, buffer potentially incompatible land uses from one another, and conserve the value of properties within the City of Scottsbluff and its extra-territorial jurisdiction. The provisions in this Article are further intended to expedite development approval by including predictable, uniform standards for landscaping.

25-22-3. Applicability.

The provisions of this section shall apply to all new development on each lot or site upon application for a Preliminary or Final Plat, Planned Unit Development, or building permit, except for the following:

- A. Reconstruction or replacement of a lawfully existing use or structure following a casualty loss.
- B. Remodeling, rehabilitation, or improvements to existing uses or structures which do

not substantially change the location of structures, parking, or other site improvements.

C. Additions or enlargements of existing uses or structures which increase floor area or impervious coverage area by less than twenty percent of the building established on the site on the effective date of this Ordinance. Where such cumulative additions or enlargements are twenty percent or greater, these provisions shall apply only to that portion where the new development occurs.

D. Lots unable to meet minimum requirements established for depth of landscaping, buffer zones, and parking requirements will be reviewed and approved by Development Services staff on a case-by-case basis as they are submitted for review of the new development. (Ord. 4072, 2012)

25-22-4. Landscaping Requirements.

(A) Depth of Landscaping. Landscaping shall be required adjacent to each street property line and shall extend from the right-of-way to a minimum depth inward of ten feet on private property for all land uses and zoning classifications. Provided however, that this requirement shall not be applicable to land in the C-1 zone and to land which is in a Planned Unit Development and which is used for single family detached or attached (duplexes or townhouses) residential uses.

(B) Obstructions. Landscape areas required by this ordinance shall not be obstructed by any type or size of fence.

(C) Inconsistent setback provision. In the event that the provisions of this section are inconsistent with any setback requirement applicable to a particular parcel, the provisions of this section shall control.

25-22-5. Materials and Installation Standards.

A. Official List of Recommended and Prohibited Plant Materials. Plantings shall be used in required landscaped areas consistent with the Official List of Recommended and Prohibited Plant Materials, provided through the office of the City Planner. All plant materials shall conform in size, species and spacing with this section of the ordinance.

B. Minimum Tree and Shrub Sizes.

1. Evergreens shall be a minimum of five to six feet in height, measured from the top of the root ball to the top of the tree.
2. Streetscape, or large, deciduous trees shall be a two inches caliper or larger, measured twelve inches above the root ball.
3. Small, or ornamental, deciduous trees shall be a one and one-half inch caliper or larger, measured twelve inches above the root ball.
4. Shrubs, if used, shall be two gallon size or greater, or eighteen to twenty four inches in height if balled and burlapped.

C. Use of Inorganic Landscaping Materials

1. No artificial trees, shrubs, plants or turf shall be used to fulfill the minimum requirements for landscaping. Inorganic materials, such as stone or decorative pavers, may be used provided that such material does not comprise more than twenty-five percent of the minimum required landscaped area. When calculating the area to determine how much inorganic material may be used, the area of driveways and walkways shall not be counted.
2. Loose rock shall not be permitted within any required landscaped area which is

within 10 feet of a traveled street surface.

25-22-6. Bufferyard Provisions.

A. Applications. These provisions apply when use is established in a more intensive zoning district which is adjacent to a less intensive zoning district. The owner, developer, or operator of the property in the more intensive zoning district shall install and maintain a twenty-foot deep landscaped bufferyard on his/her lot or site. Bufferyards are not required on single-family, duplex or townhouse use types in the more intensive zoning district.

B. Landscaping in the Bufferyard. Each required bufferyard shall be landscaped. Each bufferyard shall be landscaped with a minimum of one tree for each five hundred square feet of bufferyard area. The majority of trees shall be evergreens. Each bufferyard shall be free of paved areas, access ways, and storage sites. Required trees must be planted in a manner to form a screen.

25-22-7. Screening Standards.

A. Application. Screening is required when one or more of the following conditions is visible from a street right-of-way, or faces toward the boundary of a less intensive zoning district:

1. Outdoor storage areas, cargo containers or storage tanks, unless otherwise screened.
2. Loading docks, refuse collection points, and other service areas.
3. Major machinery or areas housing a manufacturing process.
4. Major on-site traffic circulation areas or car, truck and/or trailer parking, including vehicle sales lots.
5. Sources of glare, noise, or other environmental effects.
6. Bailing or stockpiling of cardboard or other shipping or packaging materials.
7. Surface parking lots with one hundred fifty or more stalls directly adjacent to less intensive districts.

B. Opaque Barrier

A six foot opaque barrier shall be provided which visually screens the conditions listed in the immediately preceding paragraph from less intensive uses as follows:

1. A solid wood, PVC, and/or masonry fence or wall at least six feet in height. Construction materials and type should match building exteriors or planned on-site fencing materials.
2. A landscaping screen, using evergreen or deciduous materials, capable of providing a substantially opaque, hedge-like barrier and attaining a minimum height of six feet within three years of planting.
3. A landscaped earth berm with a maximum slope of three to one, rising no less than six feet above the existing grade of the lot line separating the zoning districts.
4. Any combination of these methods that achieves a cumulative height of six feet.

C. Screening: Effect on Drainage

Screening shall not adversely affect surface water drainage.

D. Permitted Interruptions of Screening

Screening may be interrupted to provide access drives to service areas or for loading purposes to buildings. Such breaks or interruptions shall not exceed twenty percent (20%) of the length of the required screened area.

25-22-8. Parking Lot Landscaping.

A. Landscape and Screening Requirements. Unless otherwise noted, each off-street parking facility of over six thousand square feet shall comply with the following regulations:

1. Each off-street parking facility shall provide a minimum landscaped buffer along any street property line as set forth in 25-22-4.
2. Each parking facility that abuts a residential district shall provide a twenty-foot landscaped buffer along its common property line with the residential district.
3. Any parking facility which abuts property in a residential district shall provide a fence, wall, landscape screen, or earth berm not less than four feet in height for the length of the common boundary. A grade change, terrace, or other site feature which blocks the sight line of headlights into a residential property may satisfy this requirement, subject to the determination of the City Planner.
4. Each parking facility of over six thousand square feet shall provide interior landscaped area equal to no less than five percent of the total paved area of the parking facility. Parking facilities within the M-1 and M-2 Districts shall be exempt from this requirement.
5. Landscaping or screening installed in any required landscaped area shall not obstruct the view from the off-street parking facility to any driveway approach, street, alley, or sidewalk. Landscaping shall further not obstruct any views among parking spaces and circulation ways, or visibility between vehicles and pedestrians.

25-22-9. Tree Plantings.

A. Quantity. A required landscaped area shall be landscaped with a minimum of one tree for each five hundred square feet of required landscaped area. Trees do not need to be equally spaced. Existing trees approved for preservation shall be counted toward satisfaction of this requirement.

B. Trees in Parking Lots. Any landscaped islands required to meet the interior landscaping requirements for parking lots shall include one two-inch caliper or larger deciduous tree, or one one and one-half-inch caliper or larger ornamental tree, unless a light pole is located within the island. Additional shrubs and/or ground cover shall be planted in each island.

C. Bonus. Any tree of an approved species planted or maintained with a caliper of three inches or above shall count as one and one-quarter trees toward the satisfaction of the requirements of this section. An approved existing tree with a caliper of eight inches or above preserved on a site shall count as two trees toward the satisfaction of the requirements of this section.

25-22-10. General Provisions

A. Time of Application. The provisions contained in this Section shall be applied for each individual lot or site when an application for a Preliminary or Final Plat, Planned Unit Development or a building permit is made. A Landscape Plan shall be submitted with each application and shall include a drawing and a written Landscape Management Plan. The plan shall be reviewed by the City Planner for compliance with the provisions of this section.

B. Maintenance of Required Landscaping

1. Upon installation of required landscape materials, each owner shall take appropriate actions to ensure their continued health and maintenance. Required landscaping that does not remain healthy shall be replaced consistently with this section and the approved landscaping plan for the project.
2. Underground irrigation shall be provided for all required landscaped areas. Areas of

low water use landscaping may be included but must be indicated on plans. Irrigation water must be available for the initial two years after planting to establish low-water use landscaping. //

- C. Obstruction of View. Landscaping or screening installed in any landscaped area shall not obstruct the view from or to any driveway approach, street alley or sidewalk.
- D. Earth Berm Locations. Location of earth berms shall not impede drainage patterns. Earth berms should not be located over underground public utilities.
- E. Exceptions. A development may continue to comply with the bufferyard and screening requirements in effect at the time of issuance of its original permit, regardless of whether an adjacent lot or site is subsequently rezoned to a less intensive district which would otherwise require compliance with bufferyard or screening provisions.
- F. Performance Guarantee. A performance guarantee will be required in the event a Certificate of Occupancy is issued prior to installation of all required landscaping.