

City of Scottsbluff, Nebraska

Monday, June 9, 2014

Regular Meeting

Item NewBiz3

Ordinance Text Change

Ordinance Text Change: GGO Zone

Applicant(s): n/a

Owner(s): n/a

Location: City corridors

Staff Contact: Annie Folck

SCOTTSBLUFF CITY
PLANNING COMMISSION STAFF REPORT

To: Planning Commission
From: Development Services Department
Date: June 9, 2014
Subject: Proposed Ordinance Text Changes to Gateway
Greenway Overlay zone (25-3-22.1)

Procedure

1. Open Public Hearing
2. Overview of petition by city staff
3. Presentation by applicant
4. Solicitation of public comments
5. Questions from the Planning Commission
6. Close the Public Hearing
7. Render a decision (recommendation to the City Council)
8. Public Process: City Council determine final approval

Public Notice: This item was noticed in the paper

Background

City Staff has been reviewing the Gateway Greenway Overlay zoning district. A few things looked at were changes in language regarding signage regulations for commercial development in the GGO area and the requirements for trees and grouping of plants/trees in the district. Annie Folck has met with legal on the proposed changes and a draft ordinance is attached for your review.

RECOMMENDATION

Approve

Make the motion to give a POSITIVE recommendation for the requested zone text change of Gateway Greenway Overlay Zone, code section 25-3-22.1 to the City Council subject to the following condition(s):

Deny

Make the motion to give a NEGATIVE recommendation for the requested zone text change of the Gateway Greenway Overlay Zone, code section 25-3-22.1 to the City Council for the following reason(s):

Table

Make the motion to TABLE the request for zone text change of the Gateway Greenway Overlay Zone, code section 25-3-22.1 for the following reason(s):

Request, Page 1

Gateway Greenway additions and suggestions

Ordinance 25-3-22.1

Sections to amend:

D. Parking Lot Design

- Reference our requirement in landscaping ordinance of interior landscaped area equal to no less than five percent of the total paving area
- Require each island to have a minimum of 100 square feet of open ground and at least 300 cubic feet of good soil rooting volume per tree.
- Landscaped islands shall be evenly distributed to the maximum extent feasible
- One half of all required islands must include a large canopy tree

E.4.b

- 10' landscape strip is currently required- change to *minimum* of 10' landscape strip required
- Shade trees to be planted *at a rate of* one per 40' of linear frontage or evergreen trees at a rate of one per 20' of linear frontage rather than requiring that they be spaced exactly 40' or 20' apart. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Trees shall be spaced a minimum of 15' apart for large shade trees and evergreens, and a minimum of 10' apart for small ornamentals (list is provided). Groupings of trees may be no more than 150' apart.
- Currently requires intermittent hedge not less than 4' in height- change to reference screening requirements in landscaping ordinance- 25-22-7 and 25-22-8
- Add requirement: The space between the trees should be planted and maintained to aid the health/growth of the trees. Thus there must be a maintained, non-turfgrass landscape bed under and around the trees, to be a minimum of 40 sq ft per large canopy tree or evergreen and 30 sq.ft per small/medium tree. The landscape zone must be planted to appropriate and compatible shrubs or herbaceous grasses/perennials to cover at least 50% of the bed. The remainder may be mulch. Organic mulch should be used if possible.

Sections to add:

Water conservation

To the extent reasonably feasible, all landscape plans shall be designed to incorporate water conservation materials and techniques in order to comply with each of the Xeriscape landscaping principles listed below. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or infested surfaces or any landscaping that does not comply with the standards of this section.

(a) Xeriscape landscaping principles are as follows:

1. Design. Identify zones of different water requirements and group plants together that have similar water needs;

2. Appropriate Use of Turf. Limit high-irrigation turf and plantings to appropriate high-use areas with high visibility and functional needs;
3. Low-Water-Using Plants. Choose low-water-demanding plants and turf where practicable;
4. Irrigation. Design, operate and maintain an efficient irrigation system;
5. Soil Preparation. Incorporate soil amendments before planting;
6. Mulch. Add mulch to planting beds to a minimum depth of three (3) inches around trees and shrubs and 1" around perennials and ornamental grasses;
7. Maintenance. Provide regular and attentive maintenance.

Minimum Species Diversity

To prevent uniform insect or disease susceptibility and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required and extensive monocultures are prohibited. The following minimum requirements shall apply to any development plan.

Number of trees on site

Maximum percentage of any one species

10-19: 33%

20-39: 25%

40 or more: 15%

Use of Approved Species

Regionally native plants should be used when possible to help aid biodiversity and convey a sense of place with the natural context of our community. Any required planting should include at least 50% regionally native plants suitable for the purpose (we will include a recommended list).

Redevelopment

Any properties located within the GGO overlay zone will be required to spend X% (still working with local landscapers and architects to determine what this number should be) of any remodel or redevelopment project on bringing their landscaping up to code. Once the landscaping meets the requirements of this ordinance, they no longer have to make improvements to it.

Use	Minimum Lot Size (sq. ft.)	Minimum Lot Width (ft.)	Maximum Coverage (%)	Maximum # Dwelling Units	Front (ft.)	Rear (ft.)	Setbacks		Side Street (sq. ft.)	Floor Area (ft.)	Maximum Height
none	none	-	A	none	A	A	A	A	SP	A	

- SP = special permit
- A. No height and area regulations are specified for a F Zone. Preliminary and final site plans must be submitted to the Commission for review and approval.
 2. Accessory building/garage; detached
 - A. A detached accessory building must be located at least ten (10) feet from the main building.
 - B. On an existing reversed corner lot, a detached accessory building or garage may project into the side yard nearest the rear lot line if it does not extend beyond the front yard setback of the main structure, and if entrance to the garage is from the side street the garage must be set back from the side street property line a distance of not less than twenty (20) feet.
 3. Accessory building, attached.
 - A. A building which if detached from the main building would constitute an accessory building may be connected to the main building by a breezeway or similar structure, and in such event shall meet all requirements for the main building. (Ord. 3951, 2007)

25-3-22.1. GG-O Gateway Green Overlay Zone (GG-O).

Purpose.

The Gateway Green Overlay (GGO) Zone is intended to:

- A. Promote the general health, safety and welfare of the community
- B. Create a sense of continuity throughout the corridor with harmonious design standards for public improvements and private property development.
- C. Preserve and enhance the historical attractions and landmarks of Scottsbluff and the surrounding area.

Design Guidelines

The GGO Zone is an overlay zone that supersedes those of any other zoning district to which a tract of land may be subject and shall be read together and incorporated with the Landscaping Article of this Chapter found at Section 25-22-1 through 25-22-10 of the Municipal Code, referred to as the "Landscaping Article". All new development and redevelopment must conform to the design guidelines. All plans shall be reviewed and approved for design, landscaping and architectural detail and compatibility. No design plans that have been approved by the Planning Commission may be altered without approval of the planning commission.

Boundaries

The GGO Zone shall consist of all land located within one thousand feet measured perpendicular from the right-of-way of the following transportation corridors:

- A. U.S. Highway 26, extending from the East Extraterritorial Boundary to the West Extraterritorial Boundary
- B. Highland Road, extending from the intersection with Airport Road to the intersection with U.S. Highway 26
- C. McClellan Expressway (East Bypass Highway 71) from the North Platte River to its intersection with U.S. Highway 26,

- D. Broadway Avenue from the North Platte River to its intersection with South Beltline Highway
- E. Avenue I from the North Platte River to its intersection with South Beltline Highway
- F. Highway 71 from the intersection with Highway 26 to the north Extraterritorial Boundary
- G. Highway L-79-G (West 20th Street extended) from the west Extraterritorial boundary to the West corporate limits of the city.

Development Action

There shall be no development action within the GGO Zone without permission of the Planning Commission. Any person or entity desiring a development action within the GGO Zone must submit plans to the Planning Commission for review and approval.

Development Standards

The development standards were formulated to create a visually pleasing GGO Zone and to convey the values of the City of Scottsbluff.

- A. Signs
 - 1. Monument Signs - One ground sign, monument type with a maximum height of 6' shall be permitted on each lot. Total area of sign not to exceed 250 square feet. Sign structure materials shall be comparable with materials used on the facade of the principal building.
 - 2. Wall Signs and Marquee Signs – One wall sign or marquee sign shall be permitted for each building or tenant in multi-tenant building. Signs shall only be permitted on the side of building with main public entrance.
 - 3. One 25' pole sign will be allowed in the GGO zone per development.
- B. Lighting
 - 1. Lighting on private property shall be in harmony with poles and lanterns within specified corridors. Lights shall provide safe and efficient lighting and be without glare for pedestrians and motorists passing by. All lighting shall be designed to avoid intrusion on adjacent properties and adjacent roads.
- C. Overhead lines
 - 1. Eliminate the need for power cables by burying cables underground.
- D. Parking Lot Design
 - 1. All parking areas shall be paved to meet current ordinance requirements, including those in the Landscaping Article.
 - 2. All developments shall have off-street parking.
 - 3. Parking areas over 50 spaces shall include landscape islands. All landscape islands shall have a minimum of 10 square feet of open ground and at least 300 cubic foot of good soil rooting volume for each tree. One half of all landscape islands must include a large shade tree. Understory plantings of shrubs/perennials/groundcover shall be durable and able to withstand foot traffic and frequent breakage from pedestrian traffic. Landscape islands shall be evenly distributed to the maximum extent possible.
 - 4. Parking areas should be placed between or behind buildings unless lot layout does not allow. If layout does not allow for parking between or behind buildings then conceptual parking design may be approved by the Planning Commission.
 - 5. All parking areas visible from the transportation corridors shall have a complete visual buffer of 4' minimum height.

6. Where parking lots abut adjacent residential zoned areas a buffer yard of 20' minimum is required.

E. Landscaping and Screening Standards

Landscaping is critical in creating a visually pleasing appearance of the transportation corridors in the City of Scottsbluff. Landscape design and development shall be priority in the planning process. To the extent reasonably feasible, all landscape plans shall be designed to incorporate water conservation materials and techniques in order to comply with each of the xeriscape landscaping principles listed below. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched (including gravel) beds or areas without landscape plant material, paving of areas not required for walkways, plazas or parking lots, bare ground, weed covered or invested surfaces or any landscaping that does not comply with the standards of this section. See appendix A for recommended species.

1. Xeriscape landscaping principles are as follows:
 - a. Design. Identify zones of different water requirements and group plants together that have similar water needs;
 - b. Appropriate use of Turf. Limit high-irrigation turf and plantings to appropriate high-use areas with high visibility and functional needs;
 - c. Low-Water-Using Plants. Choose low-water-demanding plants and turf where practicable;
 - d. Irrigation. Design, operate and maintain an efficient irrigation system;
 - e. Soil Preparation. Incorporate soil amendments before planting;
 - f. Mulch. Add mulch to planting beds to a minimum depth of 3" around trees and shrubs and 1" around perennials and ornamental grasses;
 - g. Maintenance. Provide regular and attentive maintenance.
2. Screening
 - a. All loading and service areas that are within a 50' of a side or rear lot line abutting property that is residentially zoned shall be surrounded by a 6' high masonry wall or solid wood or PVC fence with opaque gate.
 - b. Waste receptacles, including dumpsters, garbage cans, or grease containers shall be located in the rear or side yard of lot and no more than 20' from residentially zoned areas. All waste receptacles shall be screened from view from all property lines and public areas of the site by a minimum 6' high evergreen planting, masonry wall, wood or PVC fence.
 - c. Rooftop mechanical equipment, including HVAC and utility equipment shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of parapet walls or an opaque enclosure around the equipment that is constructed of one of the materials used on the primary facade of the principal structure.
 - d. Ground or wall mounted mechanical equipment such as HVAC equipment, transformers, generators, and gangs of multiple utility meters shall be screened from adjacent streets, sidewalks, residential, public and institutional uses. Screening shall consist of evergreen planting masonry wall, wood or PVC fencing or other opaque enclosure around the equipment that is constructed of one of the permanent and durable materials used on the

primary facade of the building. The height of the planting or fence shall be sufficient to effectively screen the equipment from view.

- e. Outdoor storage shall be prohibited.
3. Buffer Yards
- a. Developed for the purpose of providing an effective visual screen between two dissimilar uses.
 - b. Buffer Yards shall be required along and inside the property line of commercial property abutting a residentially zoned property.
 - c. Buffer Yards shall be 20' minimum in depth and shall meet the following criteria:
Be planted with a staggered double row of evergreen trees at least 6' in height, or be planted with a single row of deciduous shade trees 2" caliper trunk minimum and two staggered rows of evergreen shrubs at least 3' in height, planted a maximum of 4' on center.
 - d. If a 6' high solid wood or PVC fence or masonry wall is incorporated into the design the buffer yard may be reduced by 10'. Finished side of fencing will face abutting property. A row of evergreen trees at least 6' in height, or a single row of deciduous shade trees 2" caliper trunk minimum and a staggered row of evergreen shrubs at least 3' in height, planted a maximum of 4' on center must accompany the fence.
4. Maintenance of Buffer Yard
- a. The buffer yard shall be maintained so as to provide an effective visual screen. If plant material shall die or be removed such that the buffer yard no longer functions, the plant material shall be replaced by the property owner.
5. Landscaping
- a. Building Perimeter Walls
 - 1. Shrubs shall be planted within 10' of the foundation of the primary structure along each building facade at the rate of at least 20 shrubs per 100 linear feet of building facade except for sides or rear of building used for loading or service area.
 - b. Along each street frontage there shall be, at a minimum, 10' wide landscape strip, continuous along the frontage except for the perpendicular crossings for driveways and utilities. The landscape strip shall be planted with shade trees at a rate of one per 40' of linear frontage or evergreen trees at a rate of one per 20' of linear frontage. Trees may be spread irregularly in informal grouping or be uniformly spaced, as consistent with large overall planting patterns and organization. Trees shall be spread a minimum of 15' apart for large shade trees and evergreens, and a minimum of 10' apart for small ornamentals (list provides). Grouping of trees may be no more than 150' apart. The space between the trees should be planted and maintained to aid the health and growth of the trees. There must be a maintained, non-turf grass landscape bed under and around trees, to be a minimum of 40 square feet per large shade tree or evergreen and 30 square feet per small or medium tree. The landscape zone must be planted to appropriate and compatible shrubs or herbaceous grasses or perennials to cover at least 50% of the bed. The remainder may be

mulch. Organic mulch should be used if possible. Screen standards shall comply with Sections 25-22-7 and 25-22-8 of this Code. Where overhead wires exist directly over tree planting area, ornamental trees shall be substituted for required shade trees at an equal number.

- c. Plant material, wall or fencing 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.
- d. Storm water retention ponds shall be landscaped and developed in such a way as to enhance or be in harmony with the surrounding site landscape.
 1. Retention basins should be “free form” following the natural contours of the land. If land lacks contour, the basins shall be created to look like a natural depression. Side slopes should vary to give the appearance of a natural condition.
 2. Trees and shrub groupings shall be planted intermittently along the ridge of the retention pond to create the appearance of the plants naturally occurring.
 3. Approved erosion control measures will be required on all slopes.
 - a. Use of Inorganic landscape materials is prohibited. 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 compromise more than 25% 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. Loose rock and cobblestones shall not be permitted within any required landscaped area which is within 10' of a traveled street surface.
 - b. 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 landscapes.
 - c. All landscaped beds are to mulched with a 4" layer of wood mulch or rock mulch.
 - d. Minimum Tree and Shrub Sizes
 1. All deciduous shade trees shall be a minimum 2" caliper measured 12" from above the root ball.
 2. All evergreen trees shall be a minimum 5' in height measured from the top of the root ball to the top of the tree.
 3. All ornamental deciduous trees shall be a minimum 1½" caliper measured 12" from above the root ball.

4. Shrubs shall be two gallon size or greater or 18"-24" in height if balled and burlapped.
 5. All perennials and ornamental grasses shall be 1 gallon size or greater.
 - e. 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.
5. Minimum Species Diversity.
To prevent uniform insect or disease susceptibility and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required and expensive monocultures are prohibited. The following minimum requirements shall apply to any development plan.
- | |
|-----------------------------------|
| Number of trees on site |
| Maximum percentage of one species |
| 10-19: 33% |
| 30-39: 25% |
| 40 or more: 15% |
6. Use of Approved Species.
Regionally native plants should be used when possible to help aid biodiversity and convey a sense of place with the natural context of our community. Any required planting should include at least 50% regionally native plants suitable for the purpose (we will include a recommended list).
7. Redevelopment.
Any properties located within the GGO overlay zone will be required to spend X% (still working with local landscapers and architects to determine what this number should be) of any remodel or redevelopment project on bringing their landscaping up to code. Once the landscaping meets the requirements of this ordinance, they no longer have to make improvements to it.

G. Definitions

1. Buffer Yard: A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another.
2. Gateway: An intersection designated as an entrance into the city or into the downtown area that is planned for additional design elements to "announce" the arrival to a special place.
3. 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.
4. Storm Water Retention Ponds: Ponds or basins designed to hold rain water that has run off the surrounding landscape of lawns, roads, and rooftops.
5. Evergreen Planting: Dense planting of evergreen plant material that creates an opaque barrier.

Appendix A

Approved Deciduous Shade Trees

<u>Botanical Name</u>	<u>Common Name</u>
Aesculus glabra	Ohio Buckeye
Celtis occidentalis	Common Hackberry
Ginkgo biloba	Ginkgo
Gleditsia triacanthos var. inermis	Shademaster Honeylocust
	Skyline Honeylocust (Additional varieties must be approved by Planning Commission)
Gymnocladus dioicus	Kentucky Coffeetree
Populus deltoieds	Eastern Cottonwood (only on very large sites, may not be used for parking lot plantings)
Quercus alba	White Oak
Quercus macrocarpa	Bur Oak
Quercus muehlenbergii	Chinkapin Oak
Quercus robur	English Oak
Tilia americana	American Linden
Tilia cordata	Littleleaf Linden

Due to the Emerald Ash Borer destroying large quantities of Ash trees in the Eastern United States and its progressive movement west, Ash trees will be prohibited in GGO Zones.

Approved Small Ornamental Trees

<u>Botanical Name</u>	<u>Common Name</u>
Amelanchier x grandiflora	Apple Serviceberry
Crataegus crusgalli x intermis	Thornless Cockspur Hawthorn
Malus spp.	Crabapple varieties: Bechtal Brandywine (prohibited in parking areas and around walkways) Indian Magic Indian Summer Pink Spire Red Barron Red Jade Spring Snow
Prunus virginiana 'Canada Red'	Canada Red Chokecherry
Syringa reticulata	Japanese Tree Lilac
Viburnum lentago	Nannyberry Viburnum

Approved Evergreen Trees

<u>Botanical Name</u>	<u>Common Name</u>
Picea pungens	Colorado Spruce
Pinus aristata	Bristle Cone Pine

Pinus cembroides
Pinus contorta
Pinus flexilis
Pinus nigra
Pinus ponderosa
Pinus sylvestris

Pinyon Pine
Lodgepole Pine
Limber Pine
Austrian Pine
Ponderosa Pine
Scotch Pine (Ord. 4072, 2012)

25-3-23 General requirements

(1) Accessory buildings. Accessory buildings, regardless of the direction they face, may not project beyond the rear of the main building. Accessory structures under two hundred square feet