

ORDINANCE NO. 1293

AN ORDINANCE AMENDING NO. 1060
KNOWN AS THE WILLMAR ZONING ORDINANCE
BY AMENDING SECTION 3.P LANDSCAPING

The City Council of City of Willmar does ordain as follows:

SECTION 3. Ordinance 1060 is hereby amended by amending SECTION 3.P.1. & 2. so as to read as follows:

P. LANDSCAPING.

1. General. Landscaping of the premises shall be required for commercial, industrial, and multi-family residential development projects (new or significant expansion). The required landscaping may include berms, sodding or seeding, and shrub/tree/flower plantings. Plans for project landscaping shall require approval by ~~City Staff~~ the *Zoning Administrator*, or by the Planning Commission when made a condition of Commission approval. *The following general requirements shall be applicable in all districts:*
 - a. *All exposed ground areas surrounding or within a principal or accessory use, including street boulevards, which are not devoted to drives, sidewalks, patios, or other such uses shall be landscaped with grass, shrubs, trees, or other living ornamental landscape materials.*
 - b. *All landscaped areas shall be kept neat, clean and uncluttered.*
 - c. *No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.*
 - d. *Undisturbed areas of existing natural vegetation maintained free of noxious weeds need not be altered.*
 - e. *A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the proposed development plan.*
2. *A landscape plan indicating location, numbers, and types of landscape materials, and design of areas to be landscaped shall be submitted to the Zoning Administrator for review, revision as necessary, and approval. Said plan shall be drawn to scale and shall require approval prior to the issuance of a building permit.*

3. *Landscape Design Requirements.*

<u>District</u>	<u>Minimum % of total net area to be landscaped</u>
<i>LB, GB, I-1, I-2, R-3, R-4, R-5, G/I</i>	<i>10%</i>

4. *Screening/Buffering*

- a. *All non-residential principal and accessory uses, including off-street parking, except business signs, which are situated within 50 feet of a residential district*

- shall be fully screened from such district by a fence and/or landscaping meeting the minimum seventy-five (75%) percent opacity (as defined in Section 3.O.3.)*
- b. In all commercial and industrial districts, mechanical equipment and other similar features shall be screened from adjacent properties and public streets with the application of landscaping designed to be compatible with the architectural treatment of the principal structure.*
 - c. All external loading and service areas accessory to buildings shall be screened from the ground level view when facing a residential district or public street, except at access points, with architectural enhancements, walls and/or landscaping.*
 - d. Landscaped buffer areas shall be located along the outer perimeter of any lot where two land uses of differing intensity abut one another. A buffer area may be provided within required yards, but not within any portion of the public right-of-way. Buffer areas shall meet the fully screened opacity level already mentioned in Section 3.P.4.a.*
5. Parking areas. Off-street parking areas accessory to the aforementioned land uses shall also require landscaping. This landscaping shall serve to break up the barren effect of the hard-surface parking area and improve the visual aesthetics of the associated land use. Such landscaping may include landscape islands (which also serve to direct vehicle flow and parking alignment), sodding or seeding, and shrub/tree/flower plantings. Plan approval for parking area landscaping shall be as set forth in #1. above. *Parking Islands: All commercial parking lots containing 50 (fifty) or more parking stalls shall have curbed/landscaped islands to break up areas of pavement, to guide traffic movement, and to aid in stormwater control. Each island shall include plantings of trees and/or shrubs.*
6. *Landscaping Around Stormwater Retention Ponds. Landscape plans for stormwater retention ponds shall be required as per the Stormwater Management Ordinance No. 1227 Section 6.*
7. *Installation Maintenance, and Substitutions/Reductions.*
- a. All landscape materials and required screening shall be installed prior to issuance of a final certificate of occupancy. A temporary certificate of occupancy may be issued without the installation provided a financial security Performance Bond or other security shall be submitted to ensure the remaining improvements are completed.*
 - b. All landscaping shall be subject to periodic inspection by the Zoning Administrator. Landscaping that is not installed, maintained, or replaced as needed to comply with the approved landscape plan shall be considered in violation of the terms of the site plan or building permit.*
 - c. The Zoning Administrator may approve the substitution or reduction of planting requirements where one or more of the following conditions are shown to exist:*
 - 1. The proposal will allow site development that is more consistent with the historic nature of the area.*
 - 2. Existing plan materials, walls, fences, or the topography of the site and its surroundings make the required landscaping or buffering less necessary.*

3. *The required landscaping or buffering would hinder truck access and service necessary to the operation of the use or create a hazard by obstructing a motorist's view of traffic.*
 4. *The required landscaping would reduce necessary surveillance of the site for security purposes.*
8. *Tree Preservation Plan. In order to retain, as far as practicable, substantial tree stands as part of urban development, a tree preservation plan should be submitted to the city prior to removing trees or commencing construction.*

EFFECTIVE DATE. This Ordinance shall be effective from and after its adoption and second publication.

This Ordinance introduced by Council Member: Anderson

This Ordinance introduced on: March 16, 2009

This Ordinance published on: March 27, 2009

This Ordinance given a hearing on: April 6, 2009

This Ordinance adopted on: April 6, 2009

This Ordinance published on: April 11, 2009