

First Reading:

Second Reading:

Bill No:

Ordinance No:

AN ORDINANCE REVISING ARTICLE VIII LANDSCAPING, SCREENING & BUFFERING OF THE CITY CODE.

WHEREAS, the city is considered to be a tree city,

WHEREAS, the landscaping is necessary as required by the codes

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

SECTION 1. REVISE ARTICLE VIII LANDSCAPING, SCREENING & BUFFERING

Article VIII is hereby repealed in its entirety

SECTION 2. REPLACEMENT OF ARTICLE VIII

Article VIII is hereby replaced with the following:

Section 400.680. Purpose. [Ord. No. 020227 §1(8.1), 2-27-2002]

The screening, buffering and landscaping requirements contained in this Article are intended to

1. Enhance the visual and environmental image of the City of Willard through landscaping.
2. Protect and enhance property values by promoting quality living and working environments which integrate landscaping as part of the development design.
3. Reduce or mitigate the negative effects of air and noise pollution through natural plantings which absorb dust, carbon monoxide and which screen the glare of lighting.
4. Provide for the use of green buffers and/or structural buffers to reduce the negative impacts of potentially incompatible land uses.
5. Providing for vegetation to reduce stormwater runoff and the potential damage it may create.
6. Achieving a meaningful urban landscape while permitting economically feasible urban development to occur.
7. Discouraging the new installation of identified invasive plant species and encouraging the removal of existing invasive plant species. and
8. Promote energy conservation

Section 400.690. Applicability. [Ord. No. 020227 §1(8.2), 2-27-2002]

- A. The requirements of this Article shall apply to all public, private and institutional developments approved after the effective date of this Chapter with the following exceptions:
 1. Developments that have been issued a building permit or have received final plat approval prior to the effective date of this Chapter shall not be subject to the landscaping, screening or buffering requirements.
 2. Individual single-family homes built on existing lots of record or lots platted after the effective date of this Chapter shall not be subject to the landscaping, buffering or

screening requirements.

3. Single-family subdivisions platted after the effective date of this Chapter shall ~~not~~ be subject to the landscaping, **buffering and screening** requirements. ~~However, such subdivisions may be subject to the screening and buffering requirements herein.~~

Section 400.700. Approval Process. [Ord. No. 020227 §1(8.3), 2-27-2002]

- A. **No final plat shall be approved without the installation and approval of all landscaping, tree mitigation, and buffering.**
- B. No building permit shall be issued for the improvement of any site, the construction of any building or the establishment of any use for which a landscaping plan is required until such plan has been submitted and approved by the City.
- C. A certificate of occupancy shall not be issued for any building or structure until all screening, buffering and/or landscaping is in place in accordance with the approved landscape plan.
- D. In any case in which a certificate of occupancy is sought during a season of the year which the City determines that weather conditions make it impractical to plant trees, shrubs or other required landscaping, a temporary certificate of occupancy may be issued, provided that the applicant deposits cash in an escrow account in the amount of **double** the estimated cost of such landscaping. Such escrow deposit shall contain the following conditions:
 1. The installation of all landscaping required by the landscape plan shall be completed within six (6) months of the date of the application for the temporary certificate of occupancy.
 2. The City shall have the right to draw upon the escrow account to complete said landscaping if the applicant fails to do so.

Section 400.705. Enforcement. [Ord. No. 120409D §1, 4-9-2012]

- A. The provisions of this Section shall be administered and enforced by the Director of Planning and Development or his designee.
- B. If, at any time after the issuance of a Certificate of Occupancy, the Director of Planning and Development determines that the approved landscaping does not conform to the standards and criteria in this Section, the Director shall issue a notice to the owner and to any known tenant or agent citing the violation and describing what action is required to comply with this Section. The owner, tenant, or agent shall have **Sixty (60)** ~~thirty (30)~~ days from the date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time or if arrangements have not been made in conformance with **Section 400.700**, such person shall be in violation of this Article. It is the responsibility of the owner of the property to comply with these requirements.

Section 400.706 Mitigation of Existing Trees

All trees on the project shall be inventoried and defined as one of the following:

- **High Priority** is defined as containing significant trees, native woodlands, riparian buffers and canopied slopes. **High Priority designated trees have a Base Density of 200**
- **Medium Priority** is defined as containing contiguous woodlands, non native woodlands and used as buffers. **Medium Density Trees have a Base Density of 300.**

- **Low Priority** is defined as containing invasive species, relic orchards, and less desirable species. **Low Density trees have a Base Density of 400**

Mitigation of existing trees shall be based on the following formula:

Canopy square footage of trees removed-Divided by Priority Base Density = Number of Mitigation trees required to be reintroduced into the project.

All density numbers shall be rounded up to the next tree.

Example: 3845 square feet of canopy of high priority trees. $3845/200=19.225$. 20 trees shall be added for tree mitigation.

Section 400.710. Landscape Plans. [Ord. No. 020227 §1(8.4), 2-27-2002]

- A. *General.* The landscape plan required for subdivisions and large scale developments shall be prepared and sealed by a registered landscape architect. The landscape plan required for building permits and parking lots may be prepared by a landscape designer.
- . *Submittal of Plans.* The following information shall be included with a landscape plan submittal:
 - i. The date, scale, north arrow, project name, name of landscape architect/designer and name of the owner/developer.
 - ii. The location of property lines and the dimensions of the tract.
 - iii. *Proposed Landscaping.* The landscape plan shall indicate the number and species of all plants, the size of each species at the time of planting, the spacing requirements for each plant, and the type of edging and mulch to be used for the planting areas.
 - iv. *Combined Plan.* The Planting Plan may be incorporated with the Site or Grading/Tree Preservation Plan.

*Site Features:*Existing vegetation

- B. The location of all trees currently on site shall be defined per priority as per **Section 400.706**
- . Show preserved trees as applicable use these letters for each proposed tree
 - **S-** for Street Trees
 - **M-** for Mitigation Trees
 - **P-** for Parking Trees
 - **E-** for Existing Trees
 - i. The approximate center line of all existing water courses.
 - ii. The location and size of existing and proposed drive aisles, streets and alleys, parking areas and other improvements to the site.
 - iii. Existing and proposed utility easements and overhead utility lines on or adjacent to the lot.

- iv. Existing and proposed sidewalks on or adjacent to the lot.
- v. Location of all existing and proposed points of access.
- vi. Existing and proposed structures on the property.
- vii. Existing topography and proposed grading.
- viii. Location and description of other landscaping improvements, such as berms, walls, fences, screens, paved area, street furniture, etc.

C. Planting Details and/or Specifications. Planting and installation details are to insure compliance with all required landscaping standards.

- . *All landscaping shall be planted within areas that minimize maintenance and jeopardy of plant damage: this includes such areas as tree lawns, tree islands, urban tree wells, foundation plantings and free-standing beds.*
- i. *Planting beds shall have amended soil to insure the health of the plant materials.*
- ii. *All new plantings shall be mulched in accordance with the guidelines established for landscape installation in the Landscape Manual.*
- iii. *All sod shall be removed within the planting bed and mulch shall cover the bare soil to ease maintenance.*
- iv. *Sod or organic mulch will be allowed in tree lawns and tree islands if no other plant material is included within these areas.*
- v. *A planting bed shall be contained by edging material other than vegetation.*
- vi. *Planting Details/Specifications shall be included on the landscape plan*

D. Size and Type of Plant Material.

- . *All plant material shall meet the requirements established by the American Standard for Nursery Stock.*
- i. *Deciduous trees shall have a minimum of 1-inch caliper and evergreen trees shall have a minimum height of 4 feet at the time of installation*
- ii. *Shrub size at the time of planting shall be a minimum of 3-gallon containers with an expected height of 3 feet or more within two (2) years of installation.*
- iii. *Plant species installed in vehicular use areas are to be approved by the City*
- iv. *Acceptable species of trees are listed within the [City Willard Missouri Landscaping Guide](#).*
- v. *Protective fencing shall be provided for preserved trees and other vegetation during construction, as required by **Section 400.720.B.1***
- vi. *A description of the type of irrigation system used for each required landscape area shall be included.*

- vii. *An automated irrigation system is encouraged to ensure adequate moisture to plant material.*
- viii. *In landscaped areas without an automated irrigation system, hose bibs (water spigots) shall be installed at a ratio of one (1) for every 100 feet.*
- ix. *Plants listed in Section ... **Invasive Plant Species** shall not be installed in developments requiring a landscape plan review.*

E. Where a site plan is required, the landscape plan may be submitted concurrently with the site plan. The City inspector shall review the landscape plan and shall approve it if the plan is in accordance with the requirements of this Article. If the plan is not in accord, a written statement shall be provided to the applicant setting forth the changes necessary to bring the plan into compliance.

~~Landscape plans shall include the following information:~~

- ~~a. The location of all plant and landscaping materials to be used, including plants, paving or other landscape features.~~
- ~~b. The types of all plant material (canopy, understory, ornamental, evergreen, **groundcover**, shrub, etc.) to be used.~~
- ~~c. Common names, quantity, spacing and size of all proposed material at the time of planting.~~
- ~~d. The name and address of the person responsible for preparation of the landscape plan.~~

F. Wherever possible, the landscape plan shall provide for the preservation of existing trees. A landscape plan which includes the clear cutting of existing trees shall be approved only if the developer establishes through convincing evidence that the prohibition of clear cutting would substantially and unreasonably restrict his/her ability to develop the property and the development will not be economically viable unless clear cutting is permitted. **See Section 400.706**

Section 400.720. Landscape Planting Standards. [Ord. No. 020227 §1(8.5), 2-27-2002; Ord. No. 120409C §1, 4-9-2012]

- A. The following standards and criteria shall apply to landscape materials and installation.
- B. *Quality.* All trees and shrubs installed in compliance with this Article shall have well-developed leaders and tops, roots characteristic of the species, shall be fully branched and shall show evidence of proper pruning. Trees installed shall be number one (1) grade. All plant materials shall be free of insects, diseases or mechanical injury. **Unless otherwise stated in this section, all size specifications for plant materials shall be based upon the time of planting.**
- C. **When a caliper is specified for tree planting, the caliper of the tree trunk shall be measured at six inches above the soil level. Any plant materials used to meet the requirements of this section shall not include any plant material identified as an invasive plant by the Missouri Department of Conservation.**
- D. *Coverage.* Grass, ground cover or other living landscape material shall be used to cover all open ground. Mulch, bark or other landscaping materials may be incorporated in the landscape plan where appropriate.

- E. *Maintenance.* The owner of the property shall be responsible for maintaining, in a neat and orderly manner at all times, all required screening materials. Plant materials which die shall be replaced with healthy plant material of similar variety and meeting the size requirement of this Section
- F. *Shrubs and hedges.* Shrubs shall be a minimum of twelve (12) inches in height when measured immediately upon planting. ~~Where installed, hedges shall be planted so as to form a continuous, solid visual screen that will be at least two (2) feet high within one year of planting.~~
- G. *Trees.* Trees referred to in this Article shall be of a species common to or adapted to the climate and soil conditions of this area. The selection of trees should take into consideration the ease of maintenance, tolerance of City conditions and availability from area nurseries. Caliper measurements shall be taken six (6) inches above grade. Trees shall meet the following minimum standards:
 - Canopy trees shall be deciduous trees that have a minimum height of thirty (30) feet at maturity. All canopy trees shall have a caliper width of one and one-half (1½) inches at time of planting.
- H. Understory trees shall be deciduous trees that have a maximum height of less than twenty (20) feet at maturity. All understory trees shall have a caliper width of one (1) inch at time of planting and shall be a minimum of five (5) feet in height above the root ball.
- I. Ornamental trees may be flowering or non-flowering trees. All ornamental trees shall have a caliper width of one (1) inch at time of planting or shall be a minimum of four (4) feet in height above the root ball.
- J. Evergreen or conifer trees shall have a minimum height of twenty (20) feet at maturity. All evergreen trees shall be at least four (4) feet high at time of planting
- K. *Credit for existing trees.*
- L. Any existing trees preserved on a site **for use in required** buffer yards and interior or perimeter landscaped areas shall conform to this section.. and meeting the specifications in this Section may, at the determination of the City inspector, be credited towards meeting the tree requirement of this Article. Any tree for which credit is given shall be in a condition that allows for long-term survival and shall be in a location that conforms to the intent and standards of this Article. The following conditions shall apply: **This Article shall apply to all real property (including all agricultural, commercial, industrial, office, multi-family and residential property) located within the City of Willard**
- M. Any existing trees preserved on a site in required buffer yards, interior or perimeter landscaped areas and meeting the specifications **of in this Section 400.106** may, at the determination of the City inspector, be credited towards meeting the tree requirement of this Article. Any tree for which credit is given shall be in a condition that allows for long-term survival and shall be in a location that conforms to the intent and standards of this Article. The following conditions shall apply:
 - 1. Existing trees for which credit is given shall be protected during construction. A temporary fence shall be constructed around the root zone and no heavy equipment or building materials shall be used or stored within the temporary fence area.
 - 2. Existing trees for which credit is given, but which subsequently die within one (1) year of

issuance of certificate of occupancy, shall be replaced with the required number of living trees in accordance with the standards of this Article.

3. All plantings required under this section shall be maintained perpetually and replaced if they die or are substantially weakened or damaged. If plantings succumb due to cultural conditions, they shall be replaced with more culturally suitable species of the same type (e.g. tree, shrub, groundcover) within 60 days.
 - a. Where approved landscaping is needing to be adjusted or replanted. A landscaping plan shall be submitted for review. Upon approval of the submitted plan, landscaping may be adjusted to the new design.
4. All disturbed areas shall be seeded with a grass seed mix consisting of 70% turf type fescue, 20% perennial rye, and 10% Bermuda grass at 5 pounds per 1,000 square feet.
 - a. All areas to be seeded shall receive 4" of topsoil and be graded per the grading plan

Section 400.730. Residential Landscaping Requirements.

Except where exempt in accordance with Section 400.690, landscaping requirements for residential uses shall be in conformance with the following table:

Residential Type	Minimum Number Canopy Or Understory Trees *	Minimum Number Ornamental Or Evergreen Trees *
Town house, two-family, three-family	1 per dwelling	1 per dwelling
Multi-family dwellings	0.5 per dwelling	1 per dwelling

* Total number of trees to be located on lots and in common open space.

Section 400.740. Buffer Yard Requirements. [Ord. No. 020227 §1(8.8), 2-27-2002]

- A. ~~This Section establishes requirements for screening in order to minimize the negative impacts of incompatible land uses on adjoining properties.~~ **Buffer area landscape shall be required along interior property lines of all development per this section. It is not expected that the buffer area will totally screen such uses but rather will minimize land use conflicts and enhance aesthetics. Landscape required by this section shall be in addition to landscape required under other sections of this article. Whenever the installation of a buffer area is required, the screening buffer requirement shall be in addition to any other applicable landscaping requirements in conformance with this Article.**

- B. **Screening A buffer zone** shall be provided between uses in accordance with the following table: [Ord. No. 170911A § 4, 9-25-2017]

Table B-Buffer Requirements

Proposed Use & Canopy Requirement	Single Family R-1	Town House R-2	Multi Family R-3	C-1 & C-2	M-1 & M-2	MU
C-1 & C-2 20%*	B	B	B	A	A	B
M-1 & M-2 15%*	C	C	C	A	A	A
MU 30%*	B	B	B	B	C	A
Multi Family 20%*	B	A	A	A	C	B
Roadway ** N/A*	A	A	A	A	B	A
Single Family 20%*	A	A	A	B	C	B
Town Houses 20%*	B	A	A	B	C	B

Buffer Zone Size A - 15 Feet B- 25 Feet C- 40 Feet

*Percentage of land area to be covered with a tree canopy

**For roads larger than 55' of right of way, additional buffer requirements may be required



- C. The following specific uses will also be required to provide screening. Such developments shall be required to meet buffer yard "C" standards.
1. Kennels, stables, dairies and riding academies developed adjacent to residential uses; and
 2. Residential uses developed adjacent to kennels, stables, dairies and riding academies.
- D. When there is an intervening public street with a right-of-way width of at least fifty (50) feet or railroad rights-of-way between two (2) zoning districts, a buffer yard in accordance with Subsection B shall ~~not be required except where the backs of the buildings of the proposed use face the adjoining zoning district uses.~~
- E. The developer of the proposed use shall be responsible for providing the **screening buffering** when required in accordance with **Table B Subsection (B)** and the following standards:
1. **Buffer yard A.** This ~~screen~~ **buffer** is intended to partially block visual contact between adjacent uses and to create a strong impression of separation of spaces. ~~The following buffer area and plantings are required per one hundred (100) linear feet.~~ **Minimum width of buffer yard area shall be fifteen (15) feet.**
 - a. ~~One (1)~~ Canopy tree **every 50 feet.**
 - b. ~~One (1)~~ Understory trees **every 30 feet.**
 - c. ~~Six (6)~~ shrubs **every 10 feet.**
 - d. **Or Ground Cover & or Natural Grasses every 5 feet**
 2. **Buffer yard B.** This ~~screen~~ **buffer** is intended to provide more intensive visual block between adjacent uses and to create a stronger sense of separation of spaces. ~~The following buffer area, plantings and/or other structural screening are required per one hundred (100) linear feet.~~ **Minimum width of buffer yard area shall be twenty-five (25) feet.**
 - a. ~~Two (2)~~ canopy trees **every 40 feet.**
 - b. ~~Two (2)~~ understory trees **every 25 feet .**
 - c. ~~Fifteen (15)~~ shrubs **every 5 feet**

- d. **Or Ground Cover & or Natural Grasses every 5 feet**
 - e. Six (6) foot solid wood fence, solid masonry/brick wall ~~or solid evergreen hedge.~~
 - f. ~~As an option, the requirement for a six (6) foot fence, wall or evergreen hedge may be replaced with a three (3) foot earthen berm with required plantings and perennial ground cover sown on the berm.~~
3. **Buffer yard C.** This screen is intended to provide an opaque visual screen that excludes visual contact between adjacent uses and creates a very strong impression of separation. ~~The following buffer area, plantings and/or other structural screens are required per one hundred (100) linear feet.~~ **Minimum width of buffer yard area shall be forty (40) feet.**
- a. **Four (4) canopy trees every 30 feet**
 - b. **Four (4) understory trees every 20 feet.**
 - c. **Five (5) ornamental evergreen trees every 15 feet.**
 - d. **Twenty (20) shrubs every 2.5 feet.**
 - e. **Or Groundcover or native grasses every 2.0 feet**
 - f. Six (6) foot solid wood fence, solid masonry/brick wall ~~or solid evergreen hedge.~~
 - g. ~~As an option, the requirement for a six (6) foot fence, wall or evergreen hedge may be replaced with a three (3) foot earthen berm with required plantings and perennial ground cover sown on the berm.~~
- F. **Where a buffer is required for a new residential development an approved subdivision sign shall be required in addition to the required landscaping to identify the development.**
- G. Maintenance of the buffer yard/~~screening~~ shall be the responsibility of the following:
- 1. The owner of the property on which the **buffer screening** is located. If this option is chosen, it shall be so stated as a deed restriction placed on the property.
 - 2. A homeowners' association with the authority to collect dues in an amount sufficient to provide for such required maintenance. If this option is chosen, a copy of the homeowners' association bylaws ~~must~~ **shall** be filed with the Planning and Zoning Commission at the time of subdivision plat approval.

Section 400.750. Substitution of Smaller/Fewer Plantings. [Ord. No. 020227 §1(8.9), 2-27-2002]

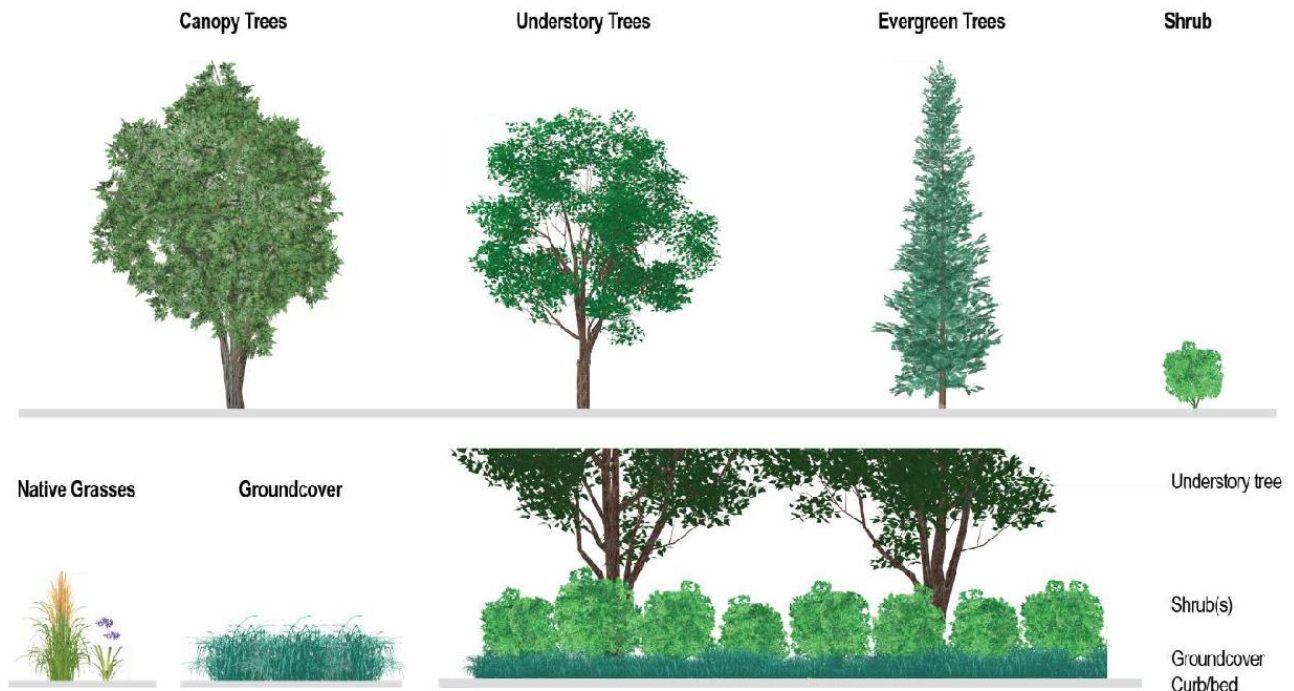
- A. The number and size of plantings required by this Article may be ~~reduced~~ **substituted** upon the approval of the Planning and Zoning Commission where the applicant establishes that the location of driveways or the physical characteristics of the property would not allow the plantings required.

Section 400.760. Street Trees and Park Trees Regulations. [Ord. No. 020227 §1(8.10), 2-27-2002]

A. Street trees are intended to be planted in a greenspace strip between the curb and sidewalk or in urban tree wells in accordance with the Master Street Plan. The intent of the street tree planting location is to shade the sidewalk, provide a barrier between vehicles on the street and pedestrians, increase motorized traffic and pedestrian safety, and spatially frame the street. Existing trees within the build-to-zone shall be counted towards the required number of street trees. When there is not adequate greenspace between the curb and sidewalk and urban tree wells are not appropriate, or there are utilities or other structural conflicts in the greenspace strip between the curb and sidewalk, the City may permit street trees in greenspace behind the sidewalk and on private property as defined with the approved project.

B. *Definitions.*

1. *"Street trees"* are herein defined as trees, shrubs, bushes and all other woody vegetation on land lying within right-of-way lines on either side of all City streets, avenues or ways within the City.
2. *"Park trees"* are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names and all areas owned by the City or to which the public have free access as a park.
3. *Mitigated Trees: Trees to be added to the project in place of existing trees that were removed see Section 400.710*
4. *Canopy trees: A woody plant (deciduous or evergreen) having not less than a two inch caliper with single central axis which typically reaches a mature height of not less than 40 feet and a mature spread of not less than 15 feet.*
5. *Understory trees: A woody plant having not less than a one and one-half-inch caliper, or six feet tall for multiple stem species, that normally attains a mature height of at least 15 feet.*
6. *Evergreen trees: A tree having foliage that persists and remains green throughout the year and has a height of not less than six feet at installation and maturing to a height of not less than 20 feet.*
7. *Shrub: A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two feet.*
8. *Native grasses: Grasses and flowering broadleaf plants that are native to, or adapted to, the State of Missouri, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.*
9. *Groundcover: Herbaceous plants, other than turf grass, or prostrate shrubs normally reaching an average maximum height of 18 inches at maturity.*



- C. *Planting Space Requirements For Street Trees.* Any tree planted within the right-of-way lines on either side of all City streets, avenues or ways within the City shall be spaced or planting in accordance with the following:
1. Spacing of street trees will be in accordance with the three (3) size classes as defined in Section 400.720(5) for canopy, understory and ornamental trees. No street trees shall be planted closer together than the following:
 - a. Canopy trees, forty-five (45) feet.
 - b. Understory trees, forty (40) feet.
 - c. Ornamental trees, thirty-five (35) feet.
 - d. Such trees may be spaced in special plantings designed or approved by the Tree Board or its designee.
 2. No tree may be planted closer to any curb or sidewalk than the following:
 - a. Canopy trees, four (4) feet.
 - b. Understory trees, three (3) feet.
 - c. Ornamental trees, two (2) feet.
 3. No street tree shall be planted closer than twenty-five (25) feet of any street corner, measured from the point of nearest intersecting curbs. No street tree shall be planted closer than ten (10) feet of any fireplug.
 4. No street trees, other than species listed as ornamental trees, may be planted under or within ten (10) lateral feet of any overhead utility wire.

5. Indicate the location of all points of access (driveways, sidewalks and public & private utilities) within the proposed development. The developer shall ensure that driveways, sidewalks, utilities, etc. will not endanger the livelihood of the proposed trees, and shall plan accordingly.
6. Plans shall indicate the spacing of trees along all newly created public and private streets within the development site. At the request of the developer, the city may exempt specific areas from required tree planting where the terrain or existing trees make the planting of new trees impracticable. Examples include, but are not limited to:
 - a. Where the finish grade slope in the planting area between the top back of the street curb and the property line is in excess of 30%.
 - b. Where bedrock is encountered within 30 inches of finish grade in the planting area between the top back of the curb and the property line.
 - c. Where existing healthy trees that are shown to be preserved within the right-of-way are in such close proximity they would prevent a new tree from establishing a full canopy when mature.

D. *City Authority.*

1. The City shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the right-of-way line of all City streets, alleys, avenues, lanes, squares and public grounds as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The Tree Board may remove or cause or order to be removed, from right-of-way, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to channels, sewers, electric power lines, gas lines, water lines or other improvements or is affected with any injurious fungus, insect or other pest.
 2. Required landscaping shall be installed prior to the issuance of a final certificate of occupancy or filing of the final plat, whichever development procedure is most applicable. A 90-day temporary certificate of occupancy may be issued or a final plat may be filed once the owner deposits, with the City, U.S. currency or an irrevocable letter of credit in an amount equal to 150% of the estimated cost of the uninstalled plant material. The letter of credit must be from a bank or banking institution doing business within the State of Missouri which is a member of the Federal Deposit Insurance Corporation. Tree planting may be delayed for optimal planting times, a deadline for delayed planting will be set and must be agreed upon with the City.
 3. The City shall have the right to cause the removal of any dead or disease trees, tree limbs or branches on public property within the City, when such trees constitute a hazard to health, safety, welfare or property or harbor insects or disease which constitutes a potential threat to other trees or plant life within the City.
 4. It shall be unlawful for any person to prevent, delay or interfere with the Tree Board or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees or park trees as authorized in this Chapter.
- E. *Tree Topping Prohibited.* It shall be unlawful as a normal practice for any person, firm or City department to top any street tree, park tree or other tree on public property. "*Topping*" is defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes or certain trees under utility wires or

other obstructions where other pruning practices are impractical may be exempted from this provision at the determination of the Tree Board.

Section 400.770- Parking and Vehicle Use Areas. Landscape Requirements — [Ord. No. 020227 §1(8.6), 2-27-2002]

A. Parking lot interior area.

- i. All parking lots shall include landscape and trees located within the parking lot as required by this section. Trees and landscape required by this section shall be in addition to trees and landscape required under other sections of this division. It is the objective of this section to provide shade within parking areas, break up large expanses of parking lot pavement, support stormwater management where appropriate, and provide a safe pedestrian environment*

B. Applicability. *The parking lot interior landscape regulations of this section apply to the following:*

- i. The construction or installation of any new surface parking lot; and*
- ii. The expansion of any existing surface parking lot, in which case the requirements of this section apply only to the expanded area.*

C. Interior Parking And Vehicle Use Area Landscaping.

- i. For developments containing parking and vehicular use areas totaling 15 or less all rows of parking shall be terminated by a parking lot median. ~~twenty (20) or more parking spaces, a minimum of five percent (5%) of the parking or vehicular use area shall be landscaped. Gross parking area shall be determined by calculating the total area used for parking, including circulation aisles. Landscaped areas outside of the parking lot may not be used to meet interior landscaping requirements.~~*

D. Parking lots with 16 to 100 spaces.

- i. In parking lots with 16 to 100 spaces, required parking lot interior landscape area shall be provided in the form of islands.*

E. Parking Lot islands

- i. **Parking lot island amount requirement.** Parking lot islands shall be located on all parking rows. Parking lot islands shall be spaced not more than 135 feet or more than 15 continuous spaces apart, and at the end of any row of parking bordered by a drive aisle, public or private street, or pedestrian walkway.*

F. Parking lots with 100 spaces or more. *In parking lots with 100 or more spaces, required parking lot interior landscape area shall be provided in the form of islands and medians.*



- G. Parking lot median standards (figure 1).**
 - i.** *Size.* Parking lot medians shall have a minimum width of nine feet and minimum soil depth of 36 inches.
 - ii.** *Planting.* A minimum of one (1) canopy tree and 15 shrubs or native grasses shall be planted for each **50 linear feet** of parking lot median.
 - iii.** *Design.* Parking lot medians shall be protected with concrete curbing, wheel stops, or other suitable barriers. Such medians shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials and proper stormwater management function.
- H. Parking lot median amount requirement.** Parking lot medians shall be placed between every third row of parking.
- I. Parking lot island amount requirement.** Parking lot islands shall be located on parking rows which are not required to have parking lot medians. Parking lot islands shall be spaced not more than 135 feet or more than 15 continuous spaces apart, and at the end of any row of parking bordered by a drive aisle, public or private street, or pedestrian walkway.

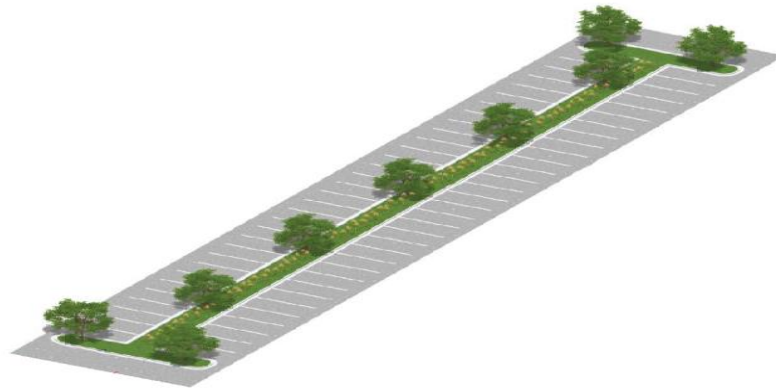


Figure 1 Parking Lot Median

- J. Pedestrian walkways.** Pedestrian walkways shall be located along parking lot medians. The planning commission may waive or modify this requirement on determining that locating pedestrian walkways along parking lot medians is impractical due to site conditions or is undesirable because it would create unsafe conditions.
- K. Type of landscape material.** Except where areas are designated as vegetated stormwater management areas, **canopy trees shall be the primary plant material used in parking lot islands and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking lot medians.** Understory trees, evergreen trees, shrubs, native grasses, groundcover, and other plant materials may be used to supplement the required plantings shall provide safe site distance where driveway curb cuts intersect public rights-of-way. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the planning commission.

L. Groundcover. Except where areas are designed as vegetated stormwater management areas, a minimum of 75 percent of the surface area of every parking lot island and median shall be planted with live groundcover. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the planning commission

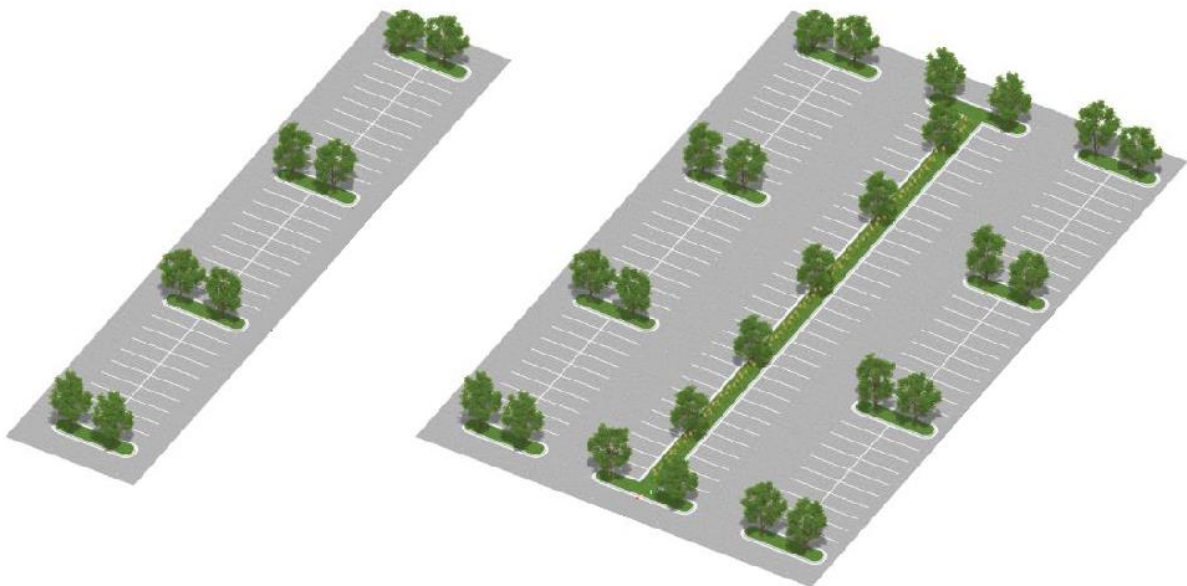
M. Interior landscaped areas shall be protected from damage by vehicles through appropriate wheel stops or curbs.

~~Interior landscaping shall contain one (1) canopy or understory, tree or two (2) ornamental trees for each twenty (20) parking spaces or fraction thereof.~~

~~Interior trees shall be planted within a planting island, with one (1) planting island required for every twenty (20) parking spaces. Planting islands shall be located so as to best relieve a continuous expanse of paving. Planting islands for canopy trees shall be at least one hundred (100) square feet for each understory, tree and at least two hundred (200) square feet for each canopy tree. Islands shall be dimensioned in such a way as to be suitable for planting and to prevent damage to plantings from opening car doors.~~

Parking Lot Interior Area (Amount)
(Parking Lots with 15 to 100 Spaces)

Parking Lot Interior Area (Amount)
(Parking Lots with 100 Spaces or More)



N. The perimeter and interior of parking lots and vehicular use areas shall be landscaped in accordance with the following requirements. Areas used for parking or vehicular storage which are located under or within buildings are exempt from these requirements.

O. Perimeter Landscaping.

- i.** Perimeter landscaping shall be provided where an off-street parking lot or vehicular use area is within fifty (50) feet of a public right-of-way and there is not an intervening building.
- ii.** Whenever an off-street parking lot or vehicular use area abuts a public right-of-way, a perimeter landscaped area at least ten (10) feet in depth shall be maintained between the abutting right-of-way and the parking lot or vehicular use area.

P. Parking Lot perimeter landscaping shall contain one (1) canopy tree, one (1) understory, ornamental or evergreen tree and four (4) shrubs per one hundred (100) linear feet of

frontage. Where a perimeter landscaped area is less than fifty (50) linear feet, four (4) shrubs and one (1) canopy tree or two (2) understory, ornamental or evergreen trees shall be required. Where utility lines, easements or other conditions not under the control of the developer limit the planting of canopy trees, each required canopy tree may be replaced by two (2) understory, ornamental or evergreen trees.

Q. Developments along Highway 160 that site buildings so that the back of the building(s) faces on Highway 160 shall be required to provide perimeter landscaping along the Highway 160 frontage in addition to any other perimeter landscaping required. Perimeter landscaping along the Highway 160 frontage shall include three (3) canopy trees, two (2) understory trees or ornamental trees, two (2) evergreen trees and fifteen (15) shrubs per one hundred (100) linear feet of frontage.

i. Where the frontage along Highway 160 is less than fifty (50) linear feet, perimeter landscaping shall include two (2) canopy trees, two (2) understory, ornamental or evergreen trees and fifteen (15) shrubs. Where utility lines, easements or other conditions not under the control of the developer limit the planting of canopy trees, each required canopy tree may be replaced by two (2) understory, ornamental or evergreen trees.

ii. Required trees and shrubs may be clustered to allow for the most effective use of landscaping. All other areas shall be landscaped with grass, ground cover or other appropriate landscape treatment.

R. *Building foundation area* All non-single-family development, with the exception of non-single-family development built with a zero-foot front yard setback, shall include landscape located at the building foundation as required by this section. Landscape required by this section shall be in addition to landscape required under other sections of this division. It is the objective of this section to provide a softening effect at the base of buildings.

i. A non-single-family development is required to maintain a building foundation area at front and exterior side yards with a minimum width of the building setback or seven feet, whichever is less.

ii. Foundation plantings shall be placed 18 inches on center from the foundation of the building.

iii. Foundation plantings shall be designed to frame architectural features and to visually soften long expanses of walls.

iv. Foundation plantings shall be installed across 80 percent of the length of the front and exterior side façade of the building.

v. Foundation plantings may include tree, shrubs, native grasses, and groundcover.

S. Where the area between the building and right-of-way is entirely paved as a public gathering space, plaza, or outdoor dining area, required building foundation area landscaping may be substituted by a minimum of two of the following elements:

i. Moveable tables and chairs,

ii. Fountain or other water features,

iii. Sculpture or other public art features,

iv. Benches, seat walls, or amphitheaters,

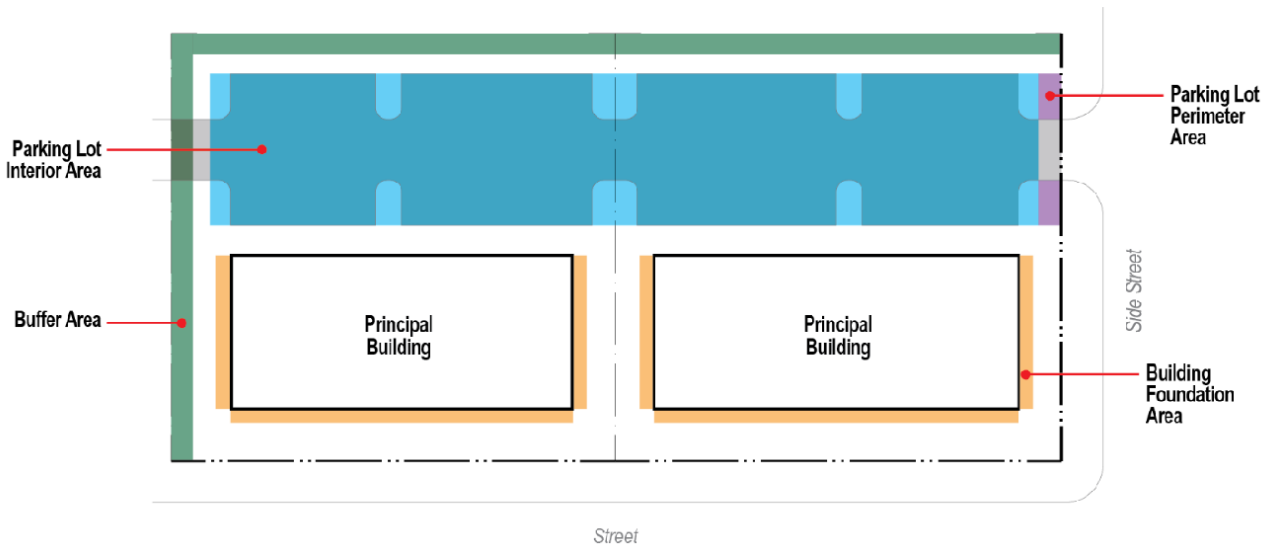
v. Raised landscape planters,

vi. Understory trees lining the area,

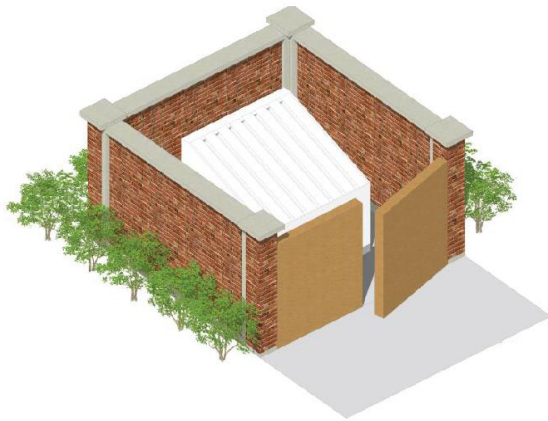
vii. Pedestrian scale and celebratory lighting,

viii. Other features as approved by the Planning Commission.

1. Above-ground stormwater planter boxes along building facades may be substituted for foundation plantings.



F. Section 400.772. Screening



Used frying oil, trash, and recycling receptacles

The following regulations shall apply to all non-single-family development.

- A. Used frying oil, trash, and recycling receptacles shall be screened on three sides with a solid, opaque material with a minimum height of six feet and a maximum height of eight feet.
- B. Materials used for screening shall complement the exterior building cladding materials of the primary building.
- C. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.

- D. If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
- E. Shrubs shall be installed every three feet along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
- F. Enclosure openings shall be gated with an opaque material.
- G. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
- H. Property owners shall be responsible for ensuring that used frying oil, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
- I. Access drives shall be constructed of materials and to a thickness which accommodates truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
- J. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
- K. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, or other similar means.
- L. Used frying oil, trash, and recycling receptacle enclosures shall not occupy areas used for required parking spaces.

Read two times and passed at a meeting of the Board of Aldermen of the City of Willard, Missouri on the 7th day of January, 2025

Approved as to Form: _____

Nate Dally, City Attorney

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen, City Clerk