

# Article 7: Landscaping

## Chapter 7.1. – Standards

### SECTION 7.1-1. REQUIRED LANDSCAPING

#### **A. Purpose**

The purpose of this Section is to clearly express the city's intent for all properties to be landscaped and maintained with great care. Properties shall be landscaped to express sensitivity to environmental conditions and provide functional value in urban ecosystems as well as adding an emphasis on aesthetic quality for the community.

1. The requirements of this section are intended to guide landscaping within commercial, industrial and residential zoning districts in a consistent and equitable manner using simple formulas to calculate required plant quantities.
2. All landscaping must be designed to add visual beauty to the property, provide a high level of aesthetic value, buffer potentially incompatible land uses from one another, and conserve the value of properties within the City and the extra-territorial jurisdiction. The quantity and quality of the design should be compatible with each zoning district and the intended use of the property.
3. All new development, additions, and enlargements or redevelopment of a site shall comply with the landscape requirements of this chapter and incorporate sustainable landscape elements in the planting design to include, but not be limited to, use of native species, rain gardens/bioretenion systems, green rooftops, and xeriscaping are encouraged for water conservation.
4. Aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas, courtyards, and front yard/entrance statements are also encouraged to complete the transformation of outdoor spaces.

#### **B. Applicability**

This chapter shall apply to new development within all zoning districts other than R1, R2 districts, and the CBD District, unless the new development consists of a multifamily dwelling containing three (3) dwelling units or more, in which case this section shall apply without regard to the district in which such multifamily new development occurs. Additional exceptions are noted below.

1. This section applies to improvements on private property and does not require or allow for improvements on right of way owned and maintained by any public agency. Note that these regulations also applies to public uses in any zoning district, subject to the City's zoning authority.
2. New public zoned uses shall follow the same provisions as required for C2 zoned properties. Requirements for MH districts are contained in Chapter 2.12.

3. Requirements for landscaping in I1 and I2 districts are contained in Chapters 2.20 and Chapter 2.21.
4. "R1" Single Family Residential District and "R2" Two-Family Residential District shall comply with the provisions of Section 7.1-1 F.

### **C. *Change in Use***

Changes in use of an existing property shall require compliance with this chapter as follows:

1. A change in use that involves existing or proposed outdoor storage shall comply with Section 7.1-4 of this chapter to provide screening for all outdoor storage areas.
2. A change in use as the result of a rezoning shall cause the landscaping requirements for the newly adopted zoning district to be met as set forth in this chapter.

### **D. *Additions and Enlargements***

#### **1. Building Area**

- a. Minor building additions or enlargements that increase the floor area of the building by less than twenty-five percent (25%) shall not require additional landscaping.
- b. An addition or enlargement that increases the floor area by greater than twenty-five (25%) but less than seventy-five (75%) shall require compliance with this chapter only in the area where the addition is constructed.
- c. Additions and enlargements that increase the floor area by seventy- five percent (75%) or more shall require compliance with this chapter for the entire development site.
- d. Credit may be given to existing landscaping.
- e. New secondary and accessory structures shall count toward the addition or enlargement thresholds as provided in 7.1-1 D. 1. a.-c.

#### **Parking and Loading Area**

- a. Minor parking and loading area additions that increase the total parking and loading area by less than twenty-five percent (25%) shall not require additional landscaping.
- b. An addition that increases the total parking and loading area by greater than twenty-five (25%) but less than seventy-five (75%) shall require compliance with this chapter only in the area where the addition is constructed.
- c. Additions that increase the parking and loading area by seventy-five percent (75%) or more shall require compliance with this chapter for the entire development site.
- d. Credit may be given to existing landscaping.
- e. New secondary and accessory structures shall count toward the addition or enlargement thresholds as provided in 7.1-1 D. 2. a.-c.

### **E. *Administrative Approval for Practical Landscaping Improvements***

The Planning Division has the authority to allow flexibility to the requirements of this Chapter to enable the following:

1. Flexibility concerning the location of required landscaping to allow for landscaping to be focused adjacent to right of way, around main building entrances, garages, and other areas with increased visibility.
2. Flexibility concerning the location of required landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land use.
3. To ensure that landscaping is consistent with other requirements of this Ordinance, such as the Design Guidelines.
4. To reduce landscaping requirements commensurate with native vegetation to be preserved and maintained onsite.

### **F. *Single Family and Two-Family Lots***

1. Single-family and two-family lots shall have primarily turf (seeding, sod), or alternative plant or other landscaping material approved by the Planning Division, established within the front yard within 120 days of the City issuing a Certificate of Occupancy (excluding time between October 1st and May 1st in which the turf shall be established within the next growing season).
2. All silt fence or erosion controls required by NPDES must be maintained until turf is established.
3. Any required sidewalk installation must be established for all portions of a yard within one (1) year of the issuance of a Certificate of Occupancy.
4. The public right-of-way from the curb to the property line is required to be seeded or sodded or planted to an approved alternative plant material and maintained by the property owner.
5. To ensure continuity in streetscape design and to reduce costs associated with transportation projects, no landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and this area shall not be paved with concrete or asphalt, other than a driveway apron as permitted per Section 6.1-5 C. Conventional Paving. Exceptions to this requirement may be granted in-writing by the City Engineer or their designee. Verbal authorization shall not constitute an exception to this requirement. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.

### **G. *Time of Performance***

1. All required trees, plants, ground cover, screening materials, landscape materials, hardscape materials, and irrigation improvements (if any) must be in place prior to issuance of final Certificate of Occupancy unless an extension is approved by the Planning Director. If weather conditions prevent the timely installation of required landscaping the Building Permit holder must provide financial surety as follows: Landscape installation must be secured either by the posting

of full cash bond, or the posting of an irrevocable letter of credit, or funds held in escrow from a licensed and accredited financial institution as a financial security.

2. The amount of financial security shall be based on an opinion of cost prepared by the landscape architect, landscape designer, landscape contractor or civil engineer submitting the landscape plan in the amount sufficient to guarantee the installation of all the required landscaping elements and materials, including trees, shrubs, perennials, ornamental grasses, ground cover, rock mulch, wood mulch, top soil, edging material, or any other materials necessary to install the required landscape materials, as well as all labor costs to implement the landscape plan, plus ten percent (10%).
3. The opinion of cost shall not be expressed as solely a lump sum amount but shall include an itemized list with cost break down sufficient to verify the validity of the estimate of cost.
4. After winter season, if the required landscaping is not installed as agreed by the owner, by July 1 of the year following the occupancy or use of the property, the City may call and cash the financial security and order the installation of the landscaping according to the approved landscape plan by a contractor of the City's' choosing. When selecting a contractor, the City shall comply with all federal, state, and local procurement requirements and the City of Minot's latest Purchasing Policy.

#### **H. *Plan Required***

1. A building permit for new development shall not be issued unless the application for such permit includes a Landscape Plan as set forth in Section 7.1-3 that addresses all the applicable requirements as set forth in this chapter and said Landscape Plan is approved by the Planning Division.
2. Likewise, Landscape Plans are required with submittals for Conditional Use Permits and Planned Unit Developments. The approved plan shall be considered the "plan of record" for the property, which plan shall be kept in the Planning Division files.
3. Said plan shall be the guiding document for ongoing maintenance and timely replacement of dead, diseased, damaged or otherwise missing plant material. The plan of record shall be the source of reference for all future inquiries and decisions regarding landscaping for the site.

#### **I. *Landscaping Within Boulevard or Right-of-Way Limited***

To ensure continuity in streetscape design and to reduce costs associated with transportation projects, no landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and this area shall not be paved with concrete or asphalt. Exceptions to this requirement may be granted in-writing by the City Engineer or their designee. Verbal authorization shall not constitute an exception to this requirement. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.

#### **SECTION 7.1-2. GENERAL REQUIREMENTS**

General landscape requirements that shall apply in all multiple-family residential, business, mixed use, public and industrial districts include the following:

### **A. Landscape Plan and Plant List Required**

All developments subject to the landscaping requirements of this chapter shall follow the submittal requirements as established and maintained by the Planning Division.

### **B. Plant Diversity**

1. Native, climate sensitive vegetation is encouraged to the maximum extent possible. NDSU Extension provides detailed plant lists [here](#) for more information.
2. The landscape plan design shall include a variety of trees, shrubs, perennials, and groundcovers including deciduous canopy, ornamental, and evergreen trees to provide year-round interest and variety and to avoid total loss from disease or pests associated with a monoculture. No single variety of plants shall be allowed to constitute more than twenty-five percent (25%) of the required plant material.

### **C. Restricted Species / Cultivars**

Some plants may be deemed undesirable to meet City requirements. The Planning Division will review all Landscape Plans and alternative species, or cultivars may be required to be substituted for undesirable plants.

### **D. Sizes**

All plant material must meet the minimum size requirements per functional category as follows:

Table 7.1-2(a). Plant Size Requirements	
Plant Type	Size Requirement
Deciduous canopy trees	Minimum one and one-half (1½) inch caliper
Ornamental trees	Minimum one and one-half (1½) inch caliper
Evergreen (conifer) trees	Minimum height, five feet (5') as measured from the top of the root ball to the top of the central leader
Shrubs (deciduous and evergreen)	Minimum two/three (2 to 3) gallon container
Ornamental grasses	Minimum two/three (2 to 3) gallon container. No one (1) gallon.
Perennials and groundcovers	Minimum one (1) gallon container.
<b>Notes:</b>	
1. Measurements in caliper inches shall mean the diameter of the trunk measured six (6) inches above the root flare.	
2. Plant material that does not meet the above listed minimum size requirements must be removed and replaced with suitable sizes before a Final Certificate of Occupancy will be issued.	

### **E. Substitutions**

All plant species and cultivars of the quantities and sizes set forth on the approved Landscape Plan shall be installed in the appropriate location as depicted on the approved Landscape Plan. Substitutions may be allowed if the substitute plant is of the same size and function as the original plant. Substitutions must be submitted to the Planning Division prior to planting and approved in writing by the Planning Division.

## **F. Inorganic Landscaping Materials**

1. No artificial trees, shrubs, plants, or turf shall be used to fulfill the minimum requirements for landscaping.
2. Inorganic materials, such as stone, boulders, loose rock, and decorative pavers, may be used as follows:
  - a. Loose landscape rock with supplemental landscaping is allowed in the ten foot (10') wide landscape strip reserved for street trees, however, loose rock is not allowed in the public right-of-way between the sidewalk and the street curb. Decorative pavers may be installed between the sidewalk and street curb if approved by the Engineering Department, however, this area shall not be paved with concrete or asphalt.
  - b. Loose landscape rock may be used in parking lot medians and islands intending to meet the interior parking lot landscape requirements on private property as long as one (1) deciduous canopy tree at least one and one-half inches (1 ½") in caliper is provided in each such island with Supplemental Landscaping as set forth in Section 7.1-2.
  - c. Loose landscape rock may be used in the four-foot (4') wide (or wider) landscape strip required along the perimeter of the building on all street facing facades, however additional plant material shall be planted in addition to the rock. Supplemental Landscaping shall be required as set forth in Section 7.1-4(E).
  - d. Automatic underground sprinkler systems or drip irrigation systems are not required but recommended for plantings surrounded by loose landscape rock.
3. Other concrete and/or asphalt pavement surfaces may not be used within the minimum required landscape area, except for driveway crossings and sidewalks.
4. Organic mulch is allowed and encouraged around the base of trees and plants to conserve moisture and control weeds. Mulch ring three feet (3') in diameter composed of hardwood mulch at least three inches (3") in depth is recommended.

## **G. Artificial Turf Standards**

The use of artificial turf in the City of Minot and its jurisdiction is subject to the following regulations:

1. Artificial Turf is allowed as follows per zoning district:

<b>Table 7.1-2(b). Artificial Turf and Zoning Districts</b>	
<b>Zoning District</b>	<b>Requirements</b>
R1, R1S, R2, RM, R3C, RH, MH	Allowed, provided that provisions of the Landscape Chapter are met, and minimum required pervious cover is maintained.
P, C1, C2	Allowed, except as groundcover in the side or rear within any required twenty-foot (20') wide buffer yard screening a more intensive use from adjacent property used or zoned for residential purposes.
CBD	Allowed.
M1, M2, OP, I1, I2	Allowed to the maximum extent of impervious coverage in that district

**Table 7.1-2(b). Artificial Turf and Zoning Districts**

Zoning District	Requirements
GMU, AG	Allowed.

2. Artificial turf can be installed on an athletic field located in any zoning district to the maximum extent allowed by an approved landscaping and storm water management plan.
3. Artificial turf shall be considered an impervious ground cover unless the applicant demonstrates an acceptable level of permeability in the method and design of installation, subgrade and drainage ability as approved by the Engineering Department.
4. Artificial turf may be used on areas of impervious coverage of a property in any zoning district so long as it is included in and is approved as part of an overall site Plan, Landscaping Plan, and Storm Water Management Plan, and meets the other requirements listed in this section.
5. Artificial turf shall not be installed in the public right-of-way or across recorded city and private utility easements unless the property owner first obtains an encroachment permit as provided for in [Chapter 28, Article VII, Division 1](#) of the City of Minot Code of Ordinances and permission is granted in writing by the Planning Division or the Engineering Department.

6. Minimum Quality Standards for Artificial Turf:

Artificial turf installed on property in Permitted Zones must meet the following minimum quality standards:

- a. Subject to approval by the Planning Division, artificial turf containing synthetic infill materials must show that the infill product was produced expressly for that purpose and approved with an ASTM certification.
- b. Artificial turf containing organic infill materials is permitted.
- c. Artificial turf must imitate a natural turf-like appearance and must include the following:
  - i. A minimum blend of at least three (3) colors, predominately green.
  - ii. A minimum blade length of one and one half inches (1.5”), with spines and uneven tops.
  - iii. The artificial turf must meet the minimum industry weight standard of sixty (60) ounces pile weight, or greater.
- d. Exceptions:
  - i. Alternative blade length and color variations may be approved by the Planning Division.

7. Minimum Installation Standards for Artificial Turf:

Artificial turf can be installed on property in Permitted Zones as follows:

- a. Artificial turf shall be clearly marked and described on all plans required by this Ordinance.
- b. Except for single-family residential lots, property owners shall conduct an adequate storm water system analysis as set forth in Article 12 of this Code before installing any artificial turf



on their property. Any installation and maintenance of artificial turf must comply with the storm water management program set forth in Article 12 of this Code and the property owner must comply with any required and approved storm water management plans or permits when installing and maintaining artificial turf on their property.

- c. The subgrade beneath artificial turf shall be formed and compacted to meet the design requirements of the approved grading and/or drainage plan.
  - d. Artificial turf beneath a tree canopy shall include a minimum area measuring six feet (6') in diameter around the tree trunk that is free from artificial turf and covered with hardwood mulch or decorative rock. In some cases, the Planning Division may require a larger area left open around the tree trunk based on the subject tree species.
  - e. Artificial turf shall be installed to meet all manufacturers installation requirements.
  - f. All required base and sub-base material shall be graded to achieve a uniform appearance.
  - g. In areas where the artificial turf is installed adjacent to back of curb, sidewalks or other concrete/asphalt surfaces, the height of the turf backing shall be at least one (1) inch below the height of the adjacent concrete/asphalt.
8. Minimum Maintenance Standards for Artificial Turf:
- a. Artificial turf shall be maintained in a clean and orderly condition.
  - b. Artificial turf shall not contain holes, tears, stains, discoloration, seam separations, uplifted surfaces, heat degradation or excessive wear. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn.
  - c. If artificial turf is located in an area where public or private agencies perform utility installation, maintenance or repair, or street maintenance or repair, the property owner shall be responsible for all costs attributed to damage of the turf as a result of aforementioned utility or street work as set forth in the encroachment agreement.

#### **H. *Installation Conflicts***

Landscape contractor shall notify the Planning Division prior to planting of any conflicts that arise in the field that prohibit plant material from being installed in accordance with the approved plan. Planning staff will meet with the contractor in the field to resolve such conflicts prior to planting. Any changes to the approved plan will be noted and kept on file.

#### **I. *Visibility Clearance at Intersections***

The landscaping requirements in this section shall be modified in their application as necessary to leave visibility clearance triangles unobstructed, as defined in [Section 28-13 of the Municipal Code of Ordinances](#).

#### **J. *Maintenance***

- 1. Upon installation of required landscape materials, each owner shall take appropriate actions to insure their continued health and maintenance. Required landscaping that does not remain



healthy shall be replaced consistent with this section and the approved Landscape Plan for the project.

2. Maintenance of plant materials and planting areas may consist of, but is not limited to, the following seasonal tasks; mulching and re-mulching, pruning, weed control, fertilizing, pest control, litter control, and watering.

### **K. Watering**

Automatic, underground sprinkler systems with water saving heads and drip style irrigation are encouraged to promote plant survivability and growth. Other watering methods may be used, however any plants that perish as a result of inadequate watering shall be replaced.

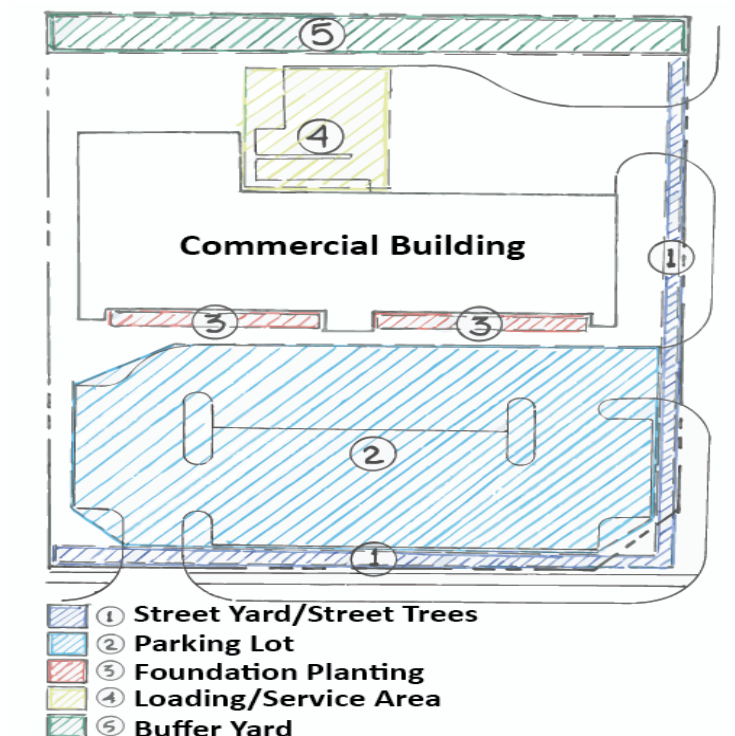
### **L. On-going Timing and Enforcement**

Landscaping that is not installed, maintained, or replaced as needed to comply with this chapter shall be considered a violation of this section and shall be subject to the penalty as described in Section 13.2-2 of the Zoning Ordinance.

### **SECTION 7.1-3. MINIMUM LANDSCAPING REQUIRED**

General components that must be addressed on a Landscape Plan including Street Landscaping, Parking Lots, Foundation Plantings, Loading and Service Areas, Buffer yards, Supplemental Landscaping (See Diagram 7.1-3(a) for illustration of general components on a typical commercial development site). For Supplemental Landscaping requirements see Section 7.1-4(E).

*Diagram 7.1-3(a) – General Landscaping Components*



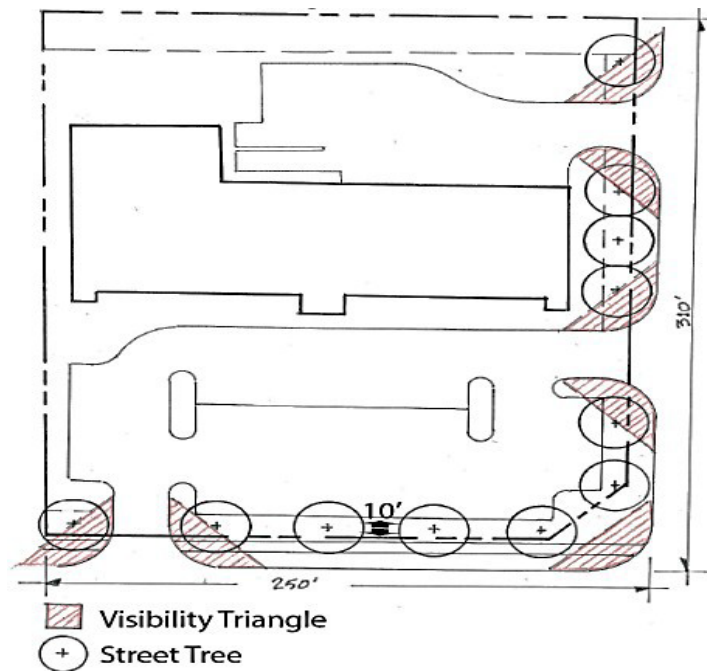
## **A. Street Landscaping**

Landscaping shall be required adjacent to all public streets abutting the property.

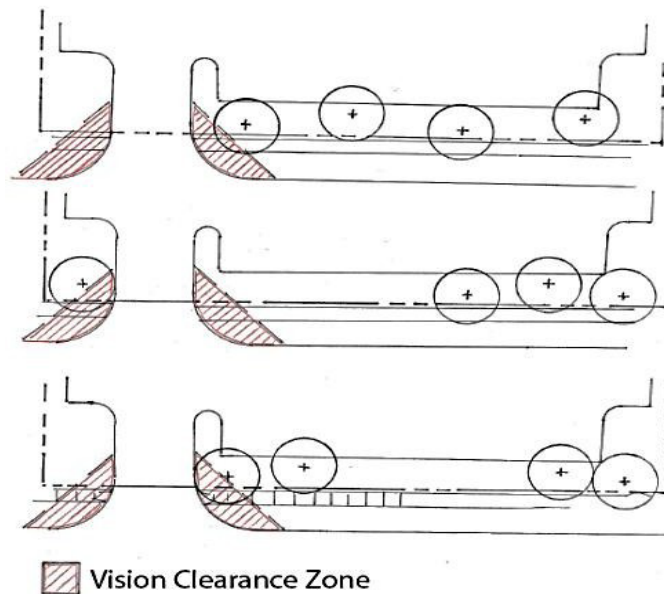
1. **Depth of Landscaping.** A strip of land reserved for landscaping shall be provided along each street and shall extend to a minimum depth inward from the right-of-way line on private property the entire length along all street frontage(s) as follows:
  - a. RM, RH, C1, C2, GMU, Public, M1, M2, and OP Districts – Ten feet (10')
  - b. Planned Unit Development (PUD) – Varies (established by PUD approval)
2. **Street Trees.** Street trees are required along all street frontages of the property as set forth below:
  - a. One (1) deciduous canopy tree, at least one and one half (1½) inch caliper size, shall be required for each fifty gross lineal feet (50') of street frontage along each street within the street yard landscaping strip. The 1 in 50 formula is used to establish the total quantity required along any stretch of street frontage however, the required trees can be placed in groupings, staggered, or evenly spaced across the frontage depending on the preference of the owner and/or designer (See Diagram 7.1-3(b)).
  - b. When a street is located such that a landscaped bufferyard is required in Section 7.1-4(C), the bufferyard requirement shall take precedence over the street trees (the streetscape cannot be required to meet both standards).
  - c. When a street is located such that fenced screening of outdoor storage is required, the street tree requirement still applies.
3. **Limitations to Landscape Rock.** No landscape rock shall be allowed between the public sidewalk and the street curb (street right-of-way) and this area shall not be paved with concrete or asphalt. Decorative pavers of a complimentary color may be installed between the public sidewalk and the street curb in lieu of grass if approved by the Engineering Department. Stamped concrete may only be installed between the public sidewalk and the street curb by the City, who will then maintain the stamped concrete.
4. **Exemptions.**
  - a. **Outdoor Display Lots.** Street tree quantities may be reduced to a maximum of one-half the number otherwise required for areas used for display of vehicles for sale, lease, or rent including; passenger cars and trucks, boats, ag implements, trailers, ATV's/UTV's, and recreational vehicles if approved by the Planning Director. In such cases, the ten-foot (10') wide landscape strip shall be landscaped for the entire length of the street frontage as set forth in Section 7.1-4(E), Supplemental Landscaping" of this Chapter to offset the reduction in street trees. Any lesser reduction in street trees shall require a proportional adjustment of Supplemental Landscaping.
  - b. Alternative design options to offset the reduction in street trees may be considered by the Planning Division.

- c. Industrial zoned sites in zoning districts M1 and M2 offering large equipment and machinery, tractor trailer trucks, track vehicles, etc. are not exempt from the street tree requirement.

*Diagram 7.1-3(b) – Street Tree Planting*



*Diagram 7.1-3(c) – Street Tree Design Options*

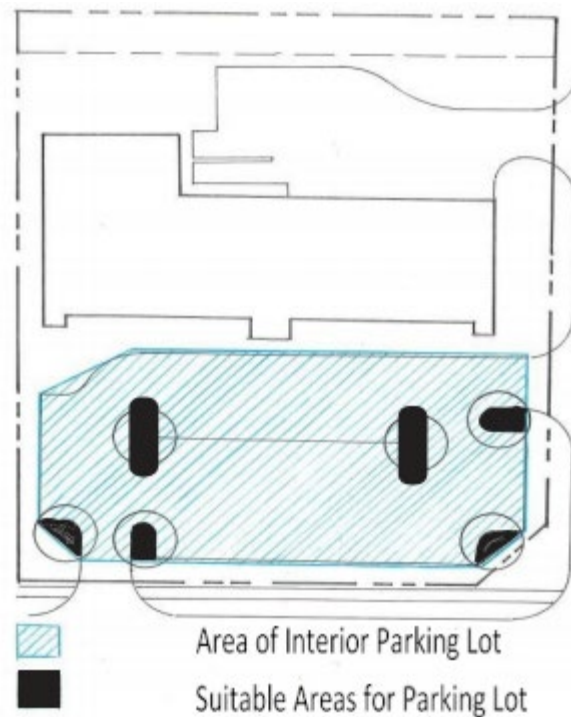


## **B. Parking Lot Landscaping**

Unless otherwise noted, each off-street parking lot shall comply with the following regulations:

1. **Interior Landscaping.** Parking lots shall provide interior landscaping in distinct islands at a minimum ratio of twenty (20) square feet of landscape area per each (1) parking space.
  - a. Parking lot islands, medians, bump-outs, and corners shall be constructed to provide planting areas for the proposed landscaping (See Diagram 7.1-3(d)).
  - b. Parking lot islands, medians, bump-outs, and corners must be surrounded by a six inch (6") high by eighteen inch (18") wide concrete curb and gutter, or by some other vehicular barrier as approved by the Planning Division, to minimize damage to plantings, except that moveable concrete wheel stops shall not be allowed.
  - c. Landscaped island should be placed at the end of the parking rows where applicable, however, for smaller parking lots the total amount of landscaping required can be contained in one large island or median as opposed to several small areas to facilitate snow removal.
  - d. Minimum width of landscape islands shall be eight feet (8') and minimum size shall be one hundred (100) sq. ft.
  - e. A minimum of one (1) deciduous canopy tree at least one and one-half inch (1.5") caliper plus mulch or landscape rock, along with Supplemental Landscaping as set forth in Section 7.1-4(E) of this Chapter is required in each such location to meet the interior landscape requirement. If islands are planted to turf grass with the required tree, no additional landscape is required. Islands containing light poles, flag poles, or other equipment do not count towards this requirement unless they also contain a canopy tree and landscaping as described herein.
  - f. If the interior parking lot landscaping requirement is met by consolidating all the required landscape area into one large island or median, one (1) deciduous canopy tree at least one and one-half inch (1.5") caliper shall be planted in the island for each three hundred (300) square feet of the total required landscape area. In addition, Supplemental Landscaping as set forth in Section 7.1-4(E) of this Chapter shall be required for each island.
  - g. Exemptions. Parking facilities within RM, RH, R3C, M1, and M2 Districts shall be exempt from this requirement unless the use developed on the property is a commercial retail use type.

Diagram 7.1-3(d) – Interior Parking Lot Landscaping

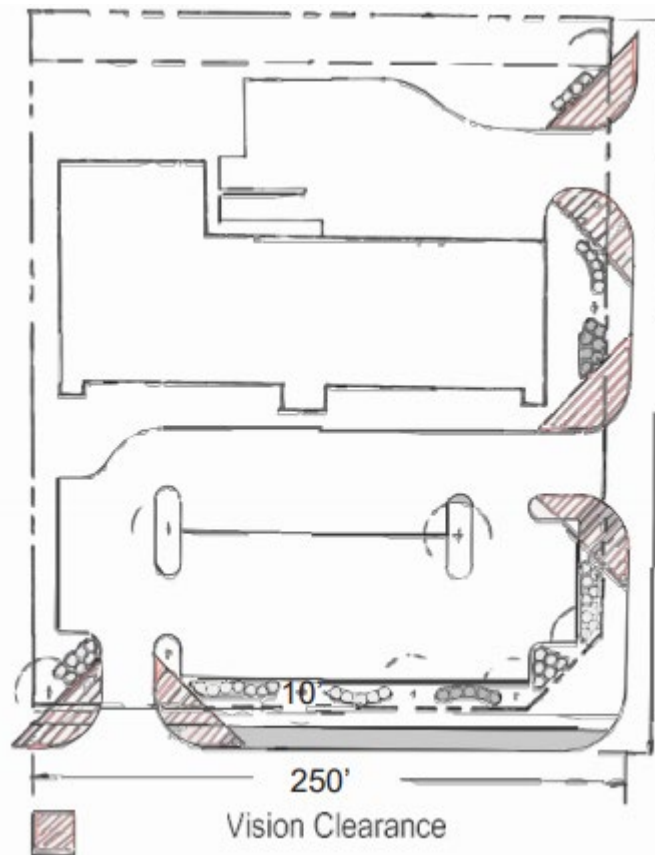


2. **Perimeter plantings.** All off-street parking areas shall be subject to the Parking Lot Perimeter Landscaping standards of this subsection as follows:
  - a. Street trees are required in the street yard landscaping strip along all parking lots with street frontage as previously set forth in the street tree requirements of this Section 7.1-3(A).
  - b. Parking facilities containing parking for more than one hundred (100) vehicles shall provide a minimum of one (1) deciduous or evergreen shrub for each ten lineal feet (10') of the landscape strip in the street yard for the entire length of all street frontages. Said shrubs shall be planted in groupings within a defined landscaping bed between the street trees (See Diagram 7.1-3(e)).
    - i. Exemptions. New and Used Vehicle Display Lots. Shrub perimeter plantings are not required for areas used for display of vehicles in conjunction with commercial vehicle sales or rental lots offering; passenger cars and trucks, boats, and recreational vehicles if approved by the Planning Division, however, Supplemental Landscaping as set forth in Section 7.1-4(E) of this Chapter is required.
  - c. Parking lots with a finished grade that is two feet (2') or more, higher in elevation than an abutting public street shall provide a barrier at least three feet (3') in height, but no higher than four feet (4') in height to shield headlight glare from the parking lot into the adjacent street traffic. Said barrier shall consist of a living shrub hedge pruned to meet the required

height parameters, or an earthen berm, or a solid decorative fence or wall, or any combination of these options for the entire length of the parking lot that is elevated. Chain link fencing with privacy slats does not meet this requirement and is not an allowable option to satisfy these requirements. The barrier shall meet sight visibility standards at driveway and street intersections and shall be setback from the parking lot curb at least three feet (3') to allow for vehicle bumper overhang. In no case shall the barrier encroach into the public right-of-way of adjacent streets.

- d. For Multi-Family development in the RM and RH Districts containing 5 or more dwelling units, regardless of the zoning district in which it is located, when the design of the site is such that parking occurs in the front yard, a minimum of ten feet (10') landscaped area shall be provided between parking and building, in addition to the required setbacks.
3. **Screening of residential windows.** The light from automobile headlights and other sources shall be screened whenever it may be directed onto residential windows.

*Diagram 7.1-3(e) – Parking Lot Perimeter Shrubs*



### **C. Foundation Plantings**

1. Any street-facing façade of the building shall require a linear landscape strip at least four feet (4') in depth across the frontage of the façade. Said landscape strip shall be landscaped as set forth in Section 7.1-4(E), Supplemental Landscaping.
2. Exemptions. Industrial zoned sites in zoning districts M1 and M2 are exempt from foundation perimeter landscaping unless the use developed on the property is a commercial retail use type.

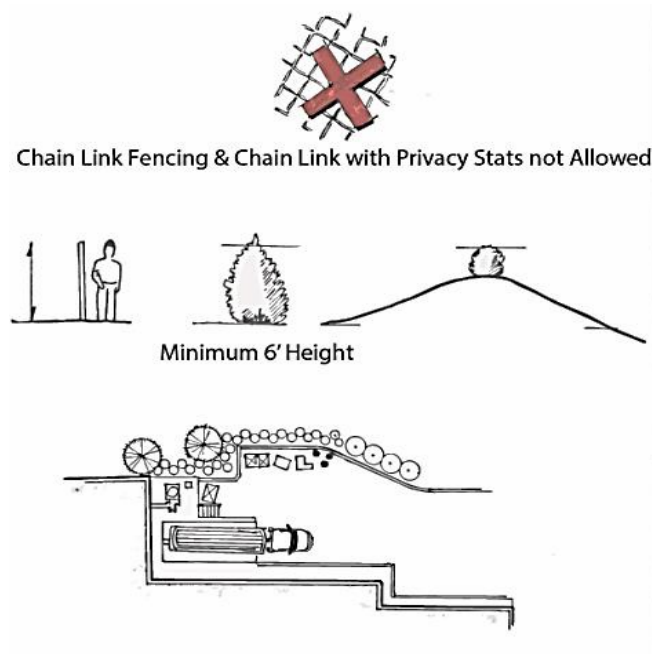
## **SECTION 7.1-4. SCREENING REQUIREMENTS**

### **A. Loading and Service Areas**

1. Except at access points, one hundred percent (100%) screening of service areas typically found at the rear or on the side of commercial and industrial use areas is required when visible from a public or private street and/or from adjacent residential properties.
2. In commercial zones outdoor storage of inventory, loading docks, cargo containers, trailers, storage tanks, cardboard bailers, stockpiles of cardboard, wooden pallets or other shipping and packing materials, and similar service and storage areas shall be screened from view with an opaque barrier not less than six feet (6') in height. Said screening must consist of one or more of the following alternatives:
  - a. A solid wood, PVC, or masonry fence that complements the colors of the primary building
  - b. A landscape screen consisting of a hedge or evergreen shrubs that will reach a height at maturity of at least six feet (6'), or evergreen conifer trees for taller screening, when appropriate.,
  - c. An earthen berm planted to turf grass with side slopes no steeper than one foot of fall to four feet of run (25% grade) to be mowable, or if steeper, a planting plan using groundcover plants other than turf grass shall be approved by the Planning Division.
  - d. A combination of these elements.
  - e. Screening may be interrupted to provide access drives to service areas or for loading purposes, however, such interruptions shall not exceed twenty percent (20%) of the length of the required screened area.
  - f. Chain link fencing and chain link fencing with privacy slats is not allowable in commercial zoning districts (See Diagram 7.1-4(a)).
3. In industrial zones M1 and M2 chain link fencing and chain link fencing with privacy slats is allowable.



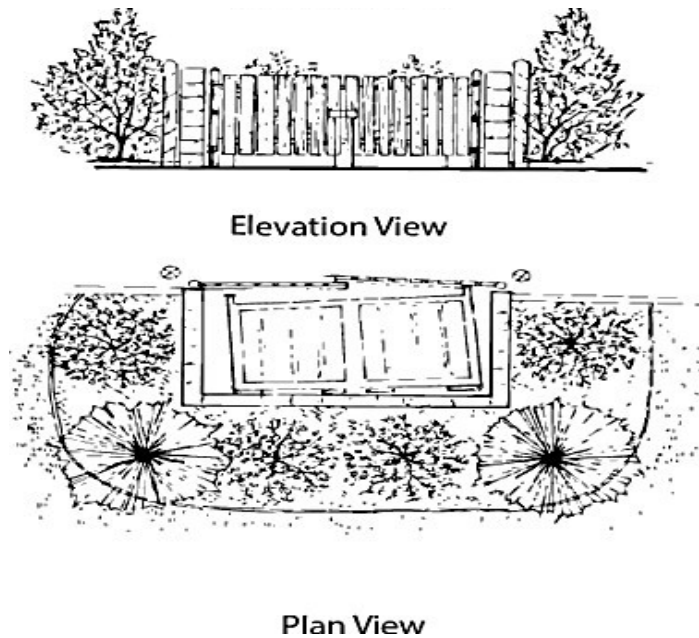
*Diagram 7.1-4(a) – Screening of Loading/Service Areas*



#### **B. Trash Handling and Recycling Screening Requirements**

1. The requirements of this section do not apply to the I1, I2, M1, and M2 Districts.
2. All trash and recyclable materials and handling equipment shall be completely screened from eye level view from a public street and adjacent properties by the principal building or enclosed within a solid fence made of wood or other approved material that is harmonious with the building materials and style of the principal structure.
3. Regardless of construction materials, the enclosure shall be screened by plant material with a minimum standard of shrubs that will attain at least six feet (6') in height at maturity planted in a defined landscape bed on all sides of the refuse enclosure available for planting.
4. Chain link fence materials (with or without slats) shall not be permitted, except for the trash and/or recycling enclosure gate, which may include chain link with slates.
5. The fence or wall shall be a minimum of six feet (6') in height.
6. Where in view from adjacent properties or a public street, a swinging door shall be installed and be at least six (6) feet in height. Any low-maintenance material may be used for the door/gate; however, the door/gate must completely block views from adjacent properties or a public street.
7. The enclosure cannot be in the front yard setback and shall be in the rear or side service area. The final location is subject to approval by the Planning Division and Public Works Department.
8. The area around the enclosure shall be designed to accommodate required planting beds.
9. Compactors that are attached to the principal structure shall be completely screened from eye level view from public streets and adjacent properties by means of landscaping or fencing.

Diagram 7.1-4(b) – Screening of Dumpster Enclosures



### C. Buffer Yards

These provisions apply when a proposed use is developing in a more intensive zoning district which is adjacent to a less intensive zoning district or use, even if the less intensive property is undeveloped.

Table 7.1-4(a). Buffer Yard Requirements			
More Intensive District	Less Intensive District	Width (Depth) of Required Buffer Yard	Width (Depth) if separated by a Street or Alley*
RM, RH, R3C, MH	RR, R1, R1S, R2	20 feet	Reduction to 10 feet w/ written approval
C1, C2, P, M1, M2, GMU, OP	RR, R1, R1S, R2, RM, RH, R3C, MH	20 feet	Reduction to 10 feet w/ written approval
<u>Note:</u> *See Section 6.1-4(D) for requirements for reduced width buffer yards.			

1. The owner/developer of a commercial or industrial use adjacent to a residential zone or use shall install and maintain a twenty-foot (20') wide landscaped buffer yard on his/her site abutting the entire length of the boundary along the residential site.
2. All buffer yards must be reasonably free of paved areas, access ways, sidewalks, storage, or other disturbances, excluding intermittent drives. Each required buffer yard must be entirely landscaped with grass or other suitable plant material with a minimum of one (1) tree for each twenty lineal feet (20') of buffer yard. At least fifty percent (50%) of the required trees shall be evergreen conifers, five to six feet (5'-6') minimum in height. The remaining fifty percent (50%)

of trees can be ornamental trees, deciduous canopy trees, shrubs (five {5} shrubs equal one {1} tree), or a combination thereof (See Diagram 7.1-4(c) and Diagram 7.1-4(d)).

**Note:** The five to one substitution for trees to shrubs is only valid in satisfying the buffer yard requirement and is not a permitted option for other site landscaping requirements contained in this Chapter.

*Diagram 7.1-4(c) – Landscaped Buffer Yard*

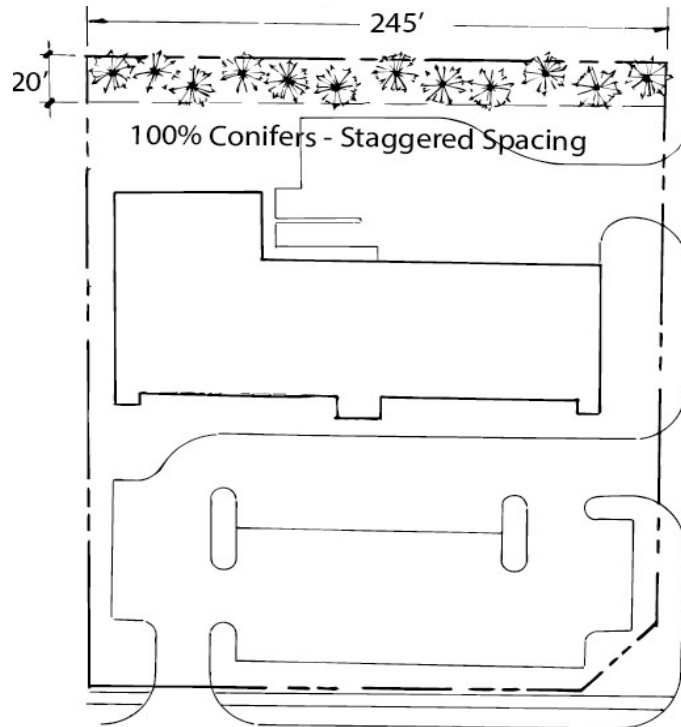
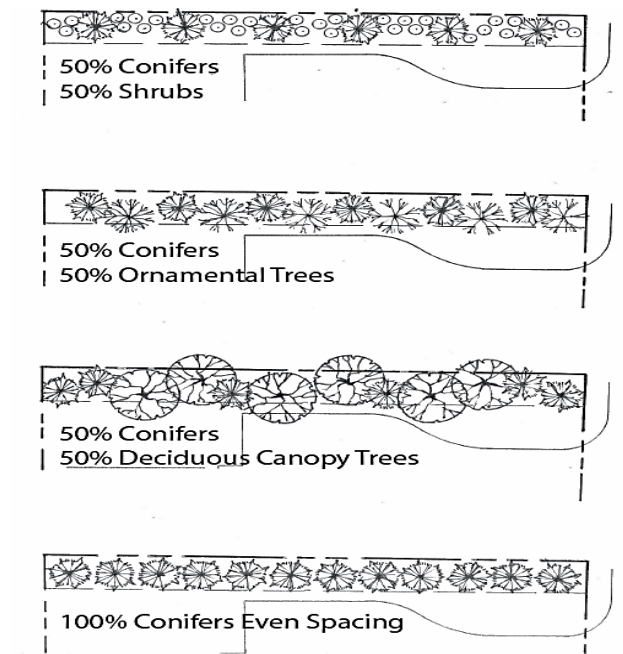


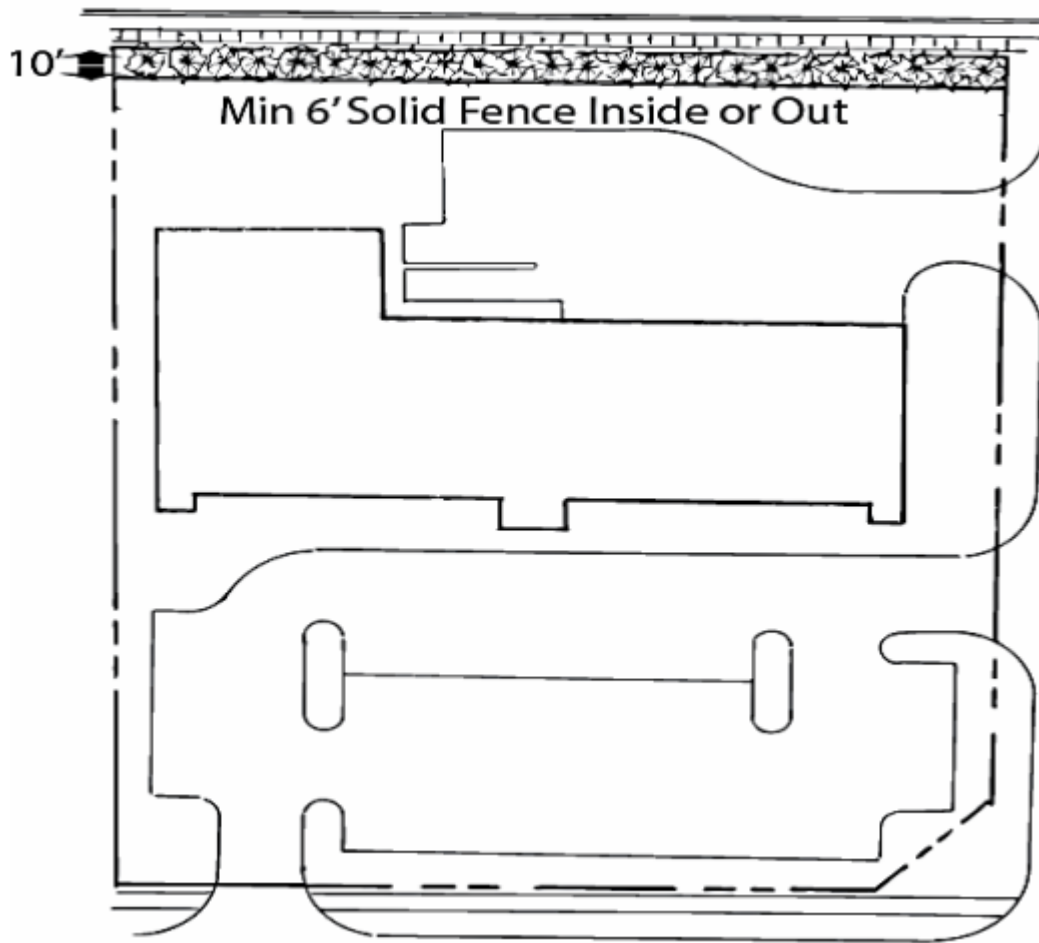
Diagram 7.1-4(d) – Landscape Buffer Design Options



#### D. Reduced Width Allowance

1. When a street or alley separates adjacent zoning districts requiring a buffer yard, the width of the buffer yard may be reduced to ten feet (10'). When an industrial use is adjacent to a less intensive commercial use, the owner/developer of the more intensive use shall install and maintain a 10' wide landscaped buffer yard on his/her site abutting the entire length of the less intensive common boundary.
2. In either case, given the reduced area, the developer must erect a solid fence or wall on the inside or outside line of the buffer yard, at least six feet (6') in height for the entire length of the required buffer yard (unless waived by the Planning Division), and plant one hundred percent (100%) evergreen trees of a compact, upright growth habit. The specific species and/or cultivar shall be called out on the Landscape Plan for approval by the Planning Division in meeting these special requirements. Required spacing shall be one (1) tree per each ten lineal feet (10') of buffer yard for the entire length of the buffer yard (See Diagram 7.1-4(e)). Chain link fencing with privacy slats shall not be used to meet the fencing requirement, except in industrial zones M1 and M2.

Diagram 7.1-4(e) – Reduced Width Buffer Yard



### E. Supplemental Landscaping

In addition to the landscaping requirements set forth in other Sections of this Chapter, Supplemental Landscaping is required as follows:

1. **Applicability.** Supplemental Landscaping is required for the following landscape areas:
  - a. Foundation perimeter plantings
  - b. Interior parking lot landscape islands
  - c. Street yard landscaping strip adjacent to the street(s) for premises with areas used for display of vehicles in conjunction with outdoor display as set forth in Section 7.1-3(A).
2. **Plant Unit Quantities.** For the purposes of this Section, the minimum amount of Supplemental Landscaping expressed as total plants required is calculated by multiplying the total area of the landscape bed or island in question by the number five (5) and dividing this total by the number one hundred (100).

$$\left( \frac{\text{Total SF of feature to be landscaped}}{100} \right) \times 5 = \text{Total Plants Required}$$

3. **Plant Categories.** To ensure diversity and promote design flexibility in the final landscape plants are divided into the following five (5) categories:
  - a. Large Shrubs. Exceeding six feet (6') in height at maturity. Can be deciduous or evergreen.
  - b. Shrubs (small to medium) Achieving four to six feet (4'-6') in height. Can be deciduous or evergreen.
  - c. Ornamental grasses.
  - d. Perennial plants.
  - e. Groundcover plants.
4. **Plant Percentages.** To ensure diversity in plant material a minimum percentage of the total requirement shall apply to each plant category. The percentages are assigned to each plant type in Table 7.1-4(b). Once the minimum number of plants required by plant type are determined, the remaining required plants can be of any of the five types (designer's choice).

Table 7.1-4(b). Percentage Multipliers	
More Intensive District	Less Intensive District
Shrub (large) – 5 gallon minimum	5 % required
Shrub – 2 gallon minimum	10% required
Ornamental Grasses – 2-gallon min.	10% required
Perennial plants – 1 gallon minimum	25% required
Groundcover – 1 gallon minimum	10% required
Shrub (large) – 5 gallon minimum	5 % required

**Example:** A landscape strip two hundred lineal feet (200') by ten lineal feet (10').

1. The amount of landscaped area in square feet is  $200 \times 10 = 2,000$  square feet
2. The total amount of plants required is  $200 \times \frac{5}{100} = 100$  total plants
3. Adjust the plant quantities by plant type using the Table 6.1-4(b) above.
 

Large shrubs	$100 \text{ plants} \times 5 \text{ percent} = 5 \text{ required}$
Shrubs	$100 \text{ plants} \times 10 \text{ percent} = 10 \text{ required}$
Ornamental grasses	$100 \text{ plants} \times 10 \text{ percent} = 10 \text{ required}$
Perennial plants	$100 \text{ plants} \times 25 \text{ percent} = 25 \text{ required}$
Groundcover plants	<u><math>100 \text{ plants} \times 10 \text{ percent} = 10 \text{ required}</math></u>
Total required by type	60

4. Determine remaining plants required.  $100 - 60 = 40$  plants that can be any of the five categories.

#### SECTION 7.1-5. LIST OF RECOMMENDED AND PROHIBITED PLANT MATERIAL

A list of trees may be available through the Planning Division and through the Minot Park District, Forestry Department. Contact these agencies for availability. The list contains species, varieties, and cultivars that have proven to be tolerant of the climatic conditions in a northern urban environment. Trees that are prohibited from being planted in certain locations, or totally banned, are also listed. Substitution of trees not included on the recommended list is possible. The Planning Division will review the plan and provide written notice if any of the proposed plant material is not acceptable along with recommended substitutions.

### **Chapter 7.2. – Definitions**

***Buffer Strip/Buffer Yard:*** Landscaped area used to visibly separate incompatible uses use or to shield or block noise, light, or other nuisances.