

ORDINANCE NO. 551, SECOND SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
CHAPTER 10, SECTIONS 10.09 AND 10.29 OF THE HASTINGS CITY CODE
PERTAINING TO:

LANDSCAPE STANDARDS

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Section 10.09, Subd. 4 – *Setback\Buffers* and Subd. 5 – *Setback Landscaping for Parking Lots Not Subject to Site Plan Review of the Hastings City Code* are hereby modified as follows:

SECTION 10.09 – PARKING AND LOADING REQUIREMENTS

SUBD. 4. Setbacks/Buffers.

- A. Access drives, driveways and aisles shall not be allowed to intrude into a required parking setback except at the access point or where a joint drive serving more than one property will provide better/safer traffic circulation.
- B. ~~Parking areas shall have minimum setbacks/buffers as outlined in Table 10.09-1 and as follows:~~
 - 1. ~~For parking areas with six spaces or more along the front property line or within ten feet of an interior property line, an opaque fence or hedge not over three feet in Height shall be erected or planted between the parking area and property line so that no part of a parked vehicle can extend over the fenced/landscaped area.~~
 - 2. ~~For parking areas abutting a residential "R" district with six spaces or more, an opaque fence or hedge of adequate design as approved by the city, less than three feet in height shall be constructed or planted along the residential "R" district property line.~~
 - 3. Except residential structures, no parking space shall be within five feet of any building.
- C. Parking structures/ramps shall be subject to Site Plan Review including the following criteria for establishing setbacks:

1. A parking structure shall be deemed an underground garage for the level(s) of parking which are below grade and are unexposed except entrance and exit points. Where the roof or any portion of the roof of such a qualifying structure is used as surface parking, such parking shall meet the applicable zoning district and other ordinance requirements regarding surface parking location, setbacks, and screening.
2. A parking structure with one or more parking levels that is completely or partially below grade and does not qualify as an underground garage shall meet the applicable zoning district and other ordinance requirements regarding surface parking location, setbacks and screening.
3. Any parking structure or portion thereof which is partially or completely above grade shall be deemed a structure for meeting the applicable zoning district and other ordinance requirements regarding building setbacks/screening.

SUBD. 5. ~~Landscaping for Parking Lots Not Subject to Site Plan Review.~~

- A. ~~For all parking and maneuvering areas with six or more spaces, a minimum of 15 square feet of landscaping shall be provided for each parking space.~~
- B. ~~The minimum landscaping requirements shall be as follows:~~
 1. ~~Landscaping shall consist of elements, each with a minimum area of 30 square feet and a minimum width of three feet.~~
 2. ~~Landscaping elements must be next to or within the parking lot.~~
 3. ~~Each element must have a major tree with a minimum height of five feet and diameter of two inches at time of planting, and at least 20 feet at maturity and also surrounding ornamental landscape plantings.~~

**TABLE 10.09-1
MINIMUM STANDARD BY DISTRICT**

| <u>District</u> | <u>Front</u> | <u>Rear</u> | <u>Side Interior</u> | <u>Side Corner</u> |
|---|----------------------------------|-------------|----------------------|--------------------|
| R-1 & R-2-a | 10' b | 5' b | 5' b | 10' b |
| R-3, R-4, R-5-a | 10' | 5' c | 5' c | 10' |
| R-6-a | See Section 10.17, Subdivision 2 | | | |
| C-1, C-2, C-3, C-4, C-5, O-1, I-1 & I-2 | 10' | 5' d | 5' d | 10' |

- ~~a. A garage stall and/or open parking space with asphalt or other impervious surface shall be on the same lot as the residence.~~
- ~~b. Single family and duplex developments may have a zero foot driveway/open parking space setback.~~
- ~~c. Off street parking setback shall not be less than 10 feet when abutting an R-1 or R-2 district.~~
- ~~b. Off street parking setback shall not be less than 10 feet when abutting a residential district.~~

BE IT FURTHER ORDAINED AS FOLLOWS:

Section 10.29 - Landscape Standards of the Hastings City code is hereby deleted in their entirety and replaced with the following language:

SECTION 10.29 LANDSCAPE STANDARDS

SUBD. 1. INTENT AND PURPOSE. The City of Hastings places a high value on landscaping and greenery in both the natural and the built environments. Landscaping and screening provide many aesthetic, ecological, economic and health safety benefits. The provisions of this section are intended to:

- A. Enhance the overall aesthetic conditions within the City.
- B. Provide screening and mitigation of potential conflicts between different land uses.
- C. Improve air quality and provide a buffer from air and noise pollution.
- D. Ensure significant tree canopy shading to reduce glare and heat build-up.
- E. Add visual interest to open spaces and blank facades, and
- F. Provide definition for public walkways and open space areas.
- G. Serve the following ecological functions:
 - 1. Interception and filtration of precipitation and stormwater through maximizing multiple-layered vegetative cover, rainwater gardens, and vegetative swales.
 - 2. Reduction of reflectance and urban heat islands through increasing canopy cover.
 - 3. Conservation of energy through strategic shading and the use of windbreaks.
 - 4. Conservation of water through xeriscaping design strategies including using decorative rock as ground cover, limiting turf areas, selecting low-water-use plants and designing efficient irrigation systems.
 - 5. Selection and placement of plant materials to limit required maintenance of landscaped areas.
- H. Preservation or restoration of natural amenities.

SUBD. 2. APPLICABILITY. A detailed landscape plan must be submitted to the Planning Department in the following cases:

- A. With any application for new development requiring site plan review;
- B. When changes are made to an existing landscape plan on file with the City; or
- C. Redevelopment or Large Addition. When either substantial redevelopment of a site is proposed or an addition that would increase total floor area on a site by twenty-five (25) percent or more, a landscape plan for the entire site, demonstrating compliance with the requirements of this Section, must be submitted for approval.
- D. Small Addition. When an addition is proposed that would increase total floor area of a site by less than twenty-five (25) percent, but would physically impact the existing landscape, a modified landscape plan for the portion of the site affected by the addition, demonstrating compliance with the requirements of this Section, must be submitted for approval.
- E. Constrained Sites. The City of Hastings recognizes that highly constrained redevelopment sites may have difficulty meeting the requirements of Section 10.29. Given that the City would like to encourage redevelopment rather than interfere with redevelopment, highly constrained redevelopment sites may seek relief from the landscape standards. In considering planned development flexibility to landscape standards, the City shall:
 - 1. Balance the public interest in promoting redevelopment with the public interest in providing landscaping, and
 - 2. Consider whether reduced landscaping levels are balanced by alternative methods of providing visual interest to the site including but not limited to sculpture, public art or higher quality landscaping materials.

SUBD. 3. LANDSCAPE PLAN COMPONENTS. Landscape plans shall be prepared consistent with the general site plan requirements in Section 10.27. The applicant shall submit a landscape plan prepared by a landscape architect, nursery designer or other qualified person. Landscape plans shall be reviewed and approved by the Planning Department.

A. When a landscape plan is required, the following information shall be included:

- 1. General Information:
 - a) Name of project, owner and developer and street address of project.
 - b) Name, address, phone number of plan preparer and, if applicable, Minnesota license / certification number of the Landscape Architect or Certified Nursery and Landscape Professional (CNLP).

2. Landscape Plan Features:

- a) Scale and North arrow.
 - b) Locations of existing and proposed buildings and all other structures.
 - c) Location, height and materials of any existing and proposed screening.
 - d) Location, approximate size and common name of existing trees, shrubs and other vegetation that are to be retained as part of the new landscaping and description of how they will be protected during construction.
 - e) Location and details of irrigation systems.
 - f) Location, width and height of all proposed earth berms and retaining walls.
 - g) Planting details illustrating proposed locations of all new plant material.
 - h) Planting schedule containing:
 - 1) Plant key
 - 2) Common and botanical plant names
 - 3) Quantity of plants for each species
 - 4) Size of plant material at time of planting and at maturity
 - 5) Root condition (balled and burlapped, bare root, container, etc...)
 - 6) Special planting instructions
3. Any other existing or proposed features that relate to or affect site finish and landscaping.

SUBD. 4. RESIDENTIAL BUILDING REQUIREMENTS (1-8 UNITS PER BUILDING)

The Developer or Builder of any new residence (or substantial modification to an existing residence) between 1-8 housing units that is exclusively residential must adhere to the following requirements.

- A. Boulevard Tree Requirements. Boulevard Trees shall be planted every 50 feet along public right-of-ways. The tree must be planted within 10 feet of the curb and shall not encroach within the site visibility triangle.
- B. Front Yard Tree Requirements. One Front Yard Tree shall be planted for every unit in addition to Boulevard Tree requirements. The tree shall be planted outside of the city right-of-way.
- C. Vegetative Cover Requirement. Vegetative Cover including sod, shrubs, trees, and related landscaping materials must be established in all front yard areas, and within the first 20 feet from the primary structure of all side yard and rear yard areas. The vegetative cover requirement shall not preclude the construction of the following provided minimum zoning setback requirements are met: decks, patios, and placement of rock and

related landscape materials associated with foundation planting adjacent to a structure.

- D. Landscaping in Drainage and Utility Easements. Shallow root plantings including sod, turf, grass and shrubs shall be established in drainage and utility easement areas. The placement of landscaping or structures that significantly changes or impedes the designed drainage pattern shall be prohibited. The City reserves the right to review all landscaping plans subject to the provision of the City's Landscape Fence and Easement Policy, April 2005, as amended.

SUBD. 5. COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND MULTIPLE FAMILY (GREATER THAN 8 UNITS PER BUILDING) REQUIREMENTS

Landscaping for all commercial, industrial, institutional, or multiple family building greater than 8 units shall consist of a combination of deciduous, coniferous, and ornamental trees, shrubs, hedges, flowers, sod, ground cover and other natural materials. Landscaping shall cover all areas not used for structures, drives, sidewalks, or parking.

A. Interior Parking Lot

1. In any aisle in excess of 30 parking stalls, an interior landscaped island shall be provided
2. Landscaped islands shall be provided at each end of all rows of parking in parking lots in excess of 40 parking stalls.
3. One tree per 4,000 square feet of paved surface is required of which 75 percent must be deciduous, overstory trees. Trees shall be planted in medians or directly adjacent to the parking lot perimeter.
4. The following requirements apply to all parking lot islands:
 - a. Each island shall contain at least one (1) deciduous shade tree.
 - b. Each island shall not contain any shrub over 18 inches in height
 - c. Islands shall have a minimum inside width of ten (10) feet.

B. Streetscape and Open Space

1. One tree per 50 feet of lot perimeter is required. Trees shall be planted every 50 feet along public and private street frontages between the front lot line and back of curb. Remaining trees can be placed elsewhere on the site.
2. At least one shrub per 40 feet of lot perimeter must be planted.

3. An opaque landscaping feature a minimum of 30 inches in height is required between any parking lot or driveway and the adjacent street. Said feature shall be one or a combination of the following:
 - a. A ten foot wide landscaped strip which must screen at least 70 percent of the length of the lot frontage with an opaque barrier 30 inches high at initial planting.
 - b. Landscaped berms at least three (3) feet in height measured from the top of street curb adjacent to the berm at a slope no greater than 3:1.

C. Properties Adjacent to Residential Uses

1. All off-street parking, loading facilities, exterior storage areas, mechanical areas, and driveways shall be effectively screened from areas zoned or guided residential by one or a combination of the following:
 - a. A six (6) foot high opaque fence or wall. Chain link fences with slats are not acceptable.
 - b. Berming or landscaping measuring at least six (6) feet in height measured from the top of the parking lot or drive aisle curb. Landscaping must provide year-round screening opacity of 75 percent at initial planting.

- D. Landscaping in Drainage and Utility Easements. Shallow root plantings including sod, turf, grass and shrubs shall be established in drainage and utility easement areas. The placement of landscaping or structures that significantly changes or impedes the designed drainage pattern shall be prohibited. The City reserves the right to review all landscaping plans subject to the provision of the City's Landscape Fence and Easement Policy, April 2005, as amended.

SUBD. 6. PERFORMANCE STANDARDS

- A. Rainwater Gardens – Rainwater gardens shall be encouraged to accommodate stormwater drainage and to meet landscape vegetation requirements. Rainwater gardens may be eligible for a reduction in the Open Space tree planting requirements upon approval of the Planning Director as follows:
1. One square foot of rain garden shall be equal to one square foot of tree coverage (based on mature growth).
 2. Tree planting requirements shall not be reduced greater than 50 percent.
 3. Rain gardens cannot be substituted for landscape screening.

- B. Site Triangle\Visual Clearance – No fence, wall, dense landscaping, or other visual obstruction above a height of 30 inches from the established street grade shall be permitted within the site triangle as formed by a straight line drawn between points on the property line at a distance of 30 feet in each direction from the intersection of any street, alley, parking lot entrance, or loading area.
- C. Utility Clearance – Access to utilities (manhole covers, fire hydrants, electrical transformers, etc.) must be maintained.
- D. Minimum Planting Sizes
1. Deciduous Trees – 1.5 inches trunk diameter, measured six (6) inches above ground.
 2. Ornamental Trees – 1.5 inches trunk diameter, measured six (6) inches above ground.
 3. Coniferous Trees – Six (6) feet tall.
 4. Shrubs – Minimum of 18 inches tall at planting.
- E. Spacing
1. Plant material centers shall not be located closer than three (3) feet from the fence line or property line and shall not be planted to conflict with public plantings, sidewalks, trails, fences, parking areas, and driveways based on the judgment of the Planning Department.
 2. Where plant materials are planted in two (2) or more rows, plantings shall be staggered in rows unless otherwise approved by the Planning Department.
 3. Where massing of plants or screening is intended, large deciduous shrubs shall be planted four (4) feet on center or closer, and/or, evergreen shrubs shall be planted three (3) feet on center or closer.
- F. Permitted Deciduous Trees – Deciduous tree plantings shall be reviewed by the City Forester. Please reference the *Hastings Tree Guide* for suggested planting varieties.
- G. Overhead Utility Lines – When trees are to be installed under overhead utility lines discretion must be used in the selection of the triple of species. The trees installed must not interfere with the utility lines at maximum growth.
- H. Certificate of Occupancy - All required landscaping must be installed prior to issuance of a Certificate of Occupancy. In cases where occupancy will occur between during winter months a temporary Certificate of Occupancy will be issued and planting will be required by the next July 1st. Prior to issuance of a Temporary Certificate of Occupancy, the Developer or Builder shall post a cash deposit\bond as established by the Building Department.

SUBD. 7. MAINTENANCE

- A. Surety. To ensure that landscaping and screening is installed as proposed and survives through at least one full growing season, a landscape performance surety must be submitted prior to issuance of building permits for new development where a landscape plan is required.
1. A landscape surety for providing, installing and warranting typical landscaping and screening materials must be submitted in the amount of 125% of the value of the proposed landscaping.
 2. Once the landscaping and screening has been in place for one year, Planning Department staff will review the landscaping on site. If site conditions match the approved landscape plan and all material is healthy, the surety will be released. If landscaping or screening is missing or incorrectly placed or some material is not in a healthy condition, the owner will be contacted and given an opportunity to correct these issues. Once the issues are resolved, the landscape surety will be released.
- B. Material Maintenance. The property owner must maintain all landscaping and screening materials shown on the approved landscape plan in a manner consistent with the intent and purpose of the plan. Approved landscaping and screening materials that die, become diseased or are significantly damaged must be replaced at the next appropriate planting period with new materials in conformance with the approved landscape plan.
- C. Structure Maintenance. Landscaping and screening structures such as fences and walls must be maintained in good condition, free of graffiti, peeling paint, decay or warping, must be repaired when needed and replaced periodically to maintain a structurally sound condition.

ALL OTHER SECTIONS SHALL REMAIN UNCHANGED

ADOPTED by the Hastings City Council on this 1st day of May, 2006.



Paul Hicks, Acting Mayor

ATTEST:



Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 1st day of May, 2006, as disclosed by the records of the City of Hastings on file and of record in the office.



Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JWH)
101 4th St.
Hastings, MN 55033