

## Chapter 17.35

## Landscape Regulations

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**17.35.100 Purpose:** The following landscape regulations enable the protection and enhancement of the ecological and aesthetic environments of the City of Burlington. These regulations also further implement the goals contained in the City's Comprehensive Plan. Landscaping can also effectively enhance the attractiveness of the City of Burlington and improve the quality of life for its citizens and visitors.

Goals: The enforcement of this chapter will enable the following goals to be met:

1. Hold a collective regard for health, safety, and general welfare of the public.
2. Increase appeal, safety, and character of development within the City; improving the overall image of the City.
3. Enhance ecological and aesthetic environment of the City.
4. Reduce negative environmental impacts of development, including heat islands, erosion, runoff, noise, and other offensive conditions within the City limits.
5. Ensure the preservation of land values by improving the environmental quality of developed lots and properties.
6. Encourage preservation of trees and vegetation within the City limits.
7. Break up the negative visual effect of large, stark parking lots and developments.
8. Improve the visual appeal of developments and parking areas for customers and those who are passing by.
9. Establish minimum landscaping criteria for designated areas.

**17.35.101 Definitions:** For use with this regulation, the following terms are defined:

1. **Berm:** An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.
2. **Buffer:** A combination of physical space and vertical elements, such as plants, berms, fences, or walls, designed to set apart or screen one use area from another.
3. **Evergreen Tree:** A plant species with foliage that persists and remains green year round (does not include arborvitae or similar screening trees).
4. **Ground Cover:** The area of land or ground that is completely covered with vegetation and/or landscape material. This area shall not include ground where vegetation is growing over the land, but is not planted upon such land (such as a tree growing over a parking lot). Grass shall only count as ground cover when planted in conjunction with other landscape material.
5. **Landscape Area:** An area that is permanently devoted to and maintained with landscaping materials. Such areas can include, but are not limited to traffic aisles, traffic islands, buffers, entrances, exits, etc.
6. **Landscape Material:** Living trees, shrubs, and ground cover (including tall grasses, decorative rocks, mulch or tree bark, and similar materials), fences and other similar natural and decorative materials.
7. **Landscape Plan:** Plan drawn to scale showing the location and amount of landscape material and vegetation on a property. Plan should provide details and/or examples of type of material and plantings that will occur.
8. **Landscaping:** The modification of the landscape for an aesthetic or functional purpose; including, but not limited to bringing the soil surface to a smooth finished grade, installing

trees, shrubs, ground cover, and other vegetation and landscaping material to produce a pleasing visual effect on the area, and improving the overall physical environment.

9. **Ornamental Tree:** A tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree (does not include evergreen or shade trees).
10. **Parking Island (Directional Aisle):** A raised area located within or on the perimeter of a parking lot utilized to delineate, separate, or direct traffic and/or parking areas.
11. **Parking Lot:** An off-street, surfaced, open area used for the temporary storage of five (5) or more motor vehicles. Such lot is available to the public, whether residents, visitors or employees, for compensation or for free.
12. **Shade Tree:** A woody plant, usually deciduous, that normally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively (does not include flowering, fruit, or other short-growth trees).
13. **Vegetation:** All trees, shrubs, grasses, flowers, vegetative ground cover, and other plants that are living.

**17.35.102 Application:** All development and construction shall comply with the provisions in this regulation as applicable. In the event of any conflict between two or more requirements in this chapter or in the Municipal Code relating to landscaping, buffering, or screening, the more strict provision shall apply.

Landscape plans shall be required in the following instances:

1. **C-1, C-2, M-1, M-2 and PUD Zoning Districts**
  - a. Any new development or construction on a lot that is ten thousand (10,000) square feet in size or greater.
  - b. Any alteration to an existing building or development as described in (a) above, which increases or decreases the floor area of a structure or building on a lot by twenty-five percent (25%) or more.
  - c. Any redevelopment, renovation, or alteration of an existing building or development site as described in (a) above, which constitutes twenty-five percent (25%) or more of the assessed value of the redeveloped building.
  - d. Any parking lot that is constructed to contain ten (10) or more total parking spaces.
2. **R-1, R-2, R-3, and R-4 Zoning Districts**
  - a. Any new development or construction in a R-4 zoning district where more than one multi-family housing unit will be constructed on one lot and the lot is ten thousand (10,000) square feet in size or greater.
  - b. Any alteration to an existing multi-family building or development site as described in (a) above, which increases or decreases the floor area of a structure or building by more than fifty percent (50%).
  - c. Any parking lot that is constructed or altered to contain five (5) or more total parking spaces.

**17.35.103 Landscape Plans:** Landscape plans shall be submitted as described below:

1. Landscape plans shall be submitted at the time of application for building permits with all other construction plans.
2. The location, amount, and type of all vegetation and landscaping material to be utilized shall be identified on the landscape plan.

3. The following shall be identified on the landscape plans:
  - a. The total area (square feet) that is required to be landscaped, based on these regulations.
  - b. The total amount of vegetation planted (in square feet of ground cover).
  - c. The total amount of landscape material used (in square feet of ground cover).

**17.35.104 Landscape Requirements:** Landscape material, screening, and buffering shall be provided, as required by this chapter, according to the following provisions for development and construction. Existing trees and vegetation that meet the requirements of this chapter may be incorporated into the site design and shall reduce the required new landscaping by an equal amount if approved by the City Forester and the Development Department.

1. **Location of Landscaping:** All landscaping that is required shall be located in areas that are directly visible from the parking lot area by customers or patrons entering and exiting the building and/or by those traveling on the adjacent right-of-way. Such landscaping shall be located in a required front yard or side yard on a property as follows:
  - a. Within a parking lot (landscaped island or aisle).
  - b. Directly adjacent to a parking lot.
  - c. Directly adjacent to or in front of the building.
  - d. Along front and side property lines.
  - e. A landscaped berm or buffer in a back yard or side yard shall only be applied toward the landscape requirement for developments that are directly adjacent to a separate or different land use:
    - i. Such that adjacent C-1 and C-2 areas may not apply a landscaped berm or buffer toward the landscape requirement.
    - ii. Such that adjacent C and R or M zoning districts may apply a landscape berm or buffer toward the landscape requirement.

### 2. Lot Coverage Requirements

- a. Landscaping shall be provided at a rate of fifty (50) square feet of landscape material for each ten thousand (10,000) square feet of lot area for the first 50,000 square feet of lot area and twenty-five (25) square feet of landscape material for each ten thousand (10,000) square feet of lot area thereafter.
- b. Non-living landscape material, such as decorative rocks, mulch, or tree bark shall not exceed twenty-five percent (25%) of the required landscape area.
- c. For each fifty (50) square feet of landscaping that is required by this regulation, one tree shall be required to be planted as follows:
  - i. A shade tree must be at least six (6) feet in height when planted and/or have a trunk diameter of at least two (2) inches.
  - ii. An evergreen tree or ornamental tree must be at least four (4) feet in height when planted and/or have a trunk diameter of at least one and one-half (1-½) inches.
  - iii. Required trees must be provided at a minimum rate of one shade or evergreen tree for every two ornamental trees.

### 3. Parking Lot Coverage Requirements

- a. Properties shall be required to provide a minimum of one (1) square foot of landscaping for each parking space provided in addition to any other landscaping required by this regulation.

- b. All parking spaces shall be located within one hundred (100) feet of landscaped parking islands or directional aisles. Such landscaped area shall be a minimum of fifty (50) square feet in size and include vegetation. This requirement does not apply to parking ramps.
- c. All landscaping required by this section shall be located within the parking lot or directly adjacent to the parking lot.

**17.35.105 Additional Requirements:** All landscape material and vegetation required by the provisions of this chapter shall adhere to the following provisions:

1. Only landscaped areas on private property shall count towards the landscape area required by this chapter. Landscaping in the dedicated City right-of-way shall not count towards the required area.
2. Landscape buffers shall be required for commercial (C-1, C-2) and industrial (M-1, M-2) properties that are located adjacent to residential (R-1, R-2, R-3, R-4) properties. Such buffer shall include a minimum of six-foot tall evergreen or ornamental evergreen trees placed ten-foot on center at the side and rear lot lines (not required to extend into front yard area along the side). Such requirement shall not count towards and is in addition to lot coverage and parking lot landscape requirements.
3. Landscaping that is required as part of the parking lot coverage requirement from section 17.35.104, shall be planted within or directly adjacent to the parking area (landscaping that is adjacent to the parking area must be within of five (5) lineal feet of the parking lot).
4. All landscape material and vegetation shall remain viable and in good condition at all times. Any material or vegetation that dies or becomes displaced shall be replaced with similar or like materials or vegetation.
5. All vegetation shall be suitable for Iowa climate and site characteristics as identified and approved by the City Forester and the Development Department.
6. All landscaping shall include a combination of vegetative and landscape material.
7. Grass shall not qualify as landscaping unless planted as part of a landscape area that includes shrubs, trees, flowers, and/or other landscape material.
8. No bare ground shall be left exposed. Grass and other appropriate groundcover or vegetation shall cover all non-paved and non-built areas.
9. Landscaping shall not reduce or impair automobile vision, site lines, or safety.
10. Landscaping that is arranged at traffic intersections, including parking lots entrances, shall not exceed a height of two and one-half (2 ½) feet above street grade, unless such landscaping is not visually obtrusive and is approved by the Development Department.