

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EAGLE GROVE, IOWA, BY ADDING A NEW SECTION INCREASING THE REGULATIONS FOR LANDSCAPING REGULATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF EAGLE GROVE

BE IT ENACTED by the City Council of the City of Eagle Grove, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Eagle Grove, Iowa, is amended by adding a new Section 165.53, entitled Landscape Regulations, which is hereby adopted to read as follows:

165.53. LANDSCAPE REGULATIONS. The following landscape regulations enable the protection and enhancement of the ecological and aesthetic environments of the City of Eagle Grove. 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 Eagle Grove and improve the quality of life for its citizens and visitors.

1. **Definitions:**

- a. **Berm:** An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.
- b. **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.
- c. **Evergreen Tree:** A plant with foliage that persists and remains green year-round (does not include arborvitae or similar screening trees).
- d. **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.
- e. **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.
- f. **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.
- g. **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.
- h. **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.

- i. Ornamental Tree: A tree 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).
 - j. 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.
 - k. 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.
 - l. 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 a flowering, fruit, or other short-growth trees).
 - m. Vegetation: All trees, shrubs, grasses, flowers, vegetative ground cover, and other plants that are living.
2. Applicability: The following standards apply to all exterior construction and development activity which requires a Building Permit. The entire development site must be brought up to compliance with this Section unless ALL of the following conditions apply, in which case only the affected areas need to be brought up to compliance:
- a. The area of site disturbance is less than ten percent (10%) of the entire site.
 - b. Gross floor area is only increased by less than ten percent (10%).
 - c. No demolition of a principal building is involved.
 - d. Any displaced landscaping elements must be replaced on the site and shown on the landscaping plan.

Existing landscaping elements on the site shall count towards the total Landscaping Points required under this Section.

3. Landscaping Elements: The following shall be a list of elements that may be added to the landscape plan to achieve the Landscape Points.
- i. Plant Selection. Plant materials provided in conformance with the provisions of this section shall be nursery quality and tolerant of individual site microclimates.
 - ii. Mulch shall consist of shredded bark, chipped wood or other organic material installed at a minimum depth of two (2) inches.
 - iii. Foundation plantings shall be installed along building facades, except where building facades directly abut the sidewalk or other hardscape features. Foundation plantings shall consist primarily of shrubs, perennials, and native grasses.
- b. Plant list, size and root condition (i.e. container or ball & burlap).
 - c. Site amenities, including bike racks, benches, trash receptacles, etc.

- 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 Section.
 - b. All Parking Lots in excess of twenty (20) parking spaces shall be required to have a Parking Island/Directional Aisles used for vegetation, delineation, and/or storm water management.
 - c. All landscaping required by this Section shall be located within the Parking Lot or directly adjacent to the Parking Lot.
7. Additional Requirements: All landscape material and vegetation required by the provisions of this Section shall adhere to the following provisions:
 - a. Only landscaped areas on private property shall count towards the landscape area required by this Section. Landscaping in the dedicated City right-of-way shall not count towards the required area.
 - b. 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 by June 1 of the following year.
 - c. All vegetation shall be suitable for Iowa climate and site characteristics as identified and approved by the City of Eagle Grove Zoning Official.
 - d. All landscaping shall include a combination of vegetative and landscape material.
 - e. Grass shall not qualify as landscaping unless planted as part of a landscape area that includes shrubs, trees, flowers, and/or other landscape material that meets or exceeds the point requirement.
 - f. No bare ground shall be left exposed. Grass and other appropriate groundcover or vegetation shall cover all non-paved and non-built areas.
 - g. Landscaping shall not reduce or impair automobile vision, site lines, or safety.
 - h. All vegetation or landscaping that could cause harm to another property's landscape or vegetation material through disease transfer or other means or impacts the general public's welfare and safety shall be removed at the Property Owner's expense within seven (7) days of notice by the City of Eagle Grove Zoning Official.
8. Variance: If the Property Owner can not follow these Landscape Regulations due to site characteristics, the Property Owner may request a variance through the Board of Adjustment. The Board of Adjustment may vote to allow the owner to place a monetary amount equivalent to what would be required to follow this Section in the Eagle Grove Parks and Recreation Fund.
9. Screening Along District Boundaries: Screening shall be provided alongside and rear property boundaries between different Zoning districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height. Height of screening shall be measured from natural or approved grade.

- d. Storage areas including trash and loading.
 - e. Lighting (landscape, pedestrian or parking area).
 - f. Irrigation.
 - g. Hard surface materials.
 - h. Labeling of mulching, edging and curbing.
 - i. Areas of seeding or sodding.
 - j. Areas to remain undisturbed and limits of land disturbance.
 - k. Plants shall be depicted at their size at sixty percent (60%) of growth.
 - l. Existing trees and other planting material.
 - m. Site grading plan, including storm water management, if applicable.
4. Application: All development and construction shall comply with the provisions in Chapter 165: Zoning Regulations as applicable. This Section 165.53 shall apply to all zones. In the event of any conflict between two or more requirements in this Chapter or in the City of Eagle Grove Code of Ordinances relating to landscaping, buffering, or screening, the stricter provision shall apply.
- a. Landscaping plans shall be required in the following instances:
 - i. Any new development or construction, which requires a Building Permit or Use Permit.
 - ii. Any alteration to an existing building or development, which requires a Building or Use Permit.
 - iii. Any Parking Lot that is constructed that requires a Building Permit.
 - iv. A landscaped berm or buffer in a back yard or side yard shall only be applied toward the landscape requirement for developments or construction projects, which requires a Building Permit or Use Permit, that are directly adjacent to a different zoning district.
5. Lot Coverage Requirements: Landscaping shall be calculated based upon the total developed area of the property. Developed area is defined as that area within a single contiguous boundary which is made up of structures, parking, driveways, and docking/loading facilities, or other non-natural elements. There are two methods for calculating Landscape Points depending on the Zoning District.
- i. For all lots except those described in (b) below, five (5) landscape points shall be provided for each three hundred (300) square feet of developed area.
 - ii. For the Industrial Zoning District, one (1) point shall be provided per one hundred (100) square feet of developed area.
- a. The City Council for the City of Eagle Grove shall approve the Tabulation of Points and Credits via Resolution to define the value of each landscape element for application purposes with prior consideration from the Eagle Grove Parks and Recreation Board.
6. Parking Lot Coverage Requirements

EXAMPLE OF POINTS FOR CONSIDERATION

Tabulation of Points

| Plant Type/Element | Points | Existing Landscaping | | New/Proposed Landscaping | |
|--|---------------------|----------------------|-----------------|--------------------------|-----------------|
| | | Quantity | Points Achieved | Quantity | Points Achieved |
| Overstory deciduous Tree | 15 | | | | |
| Tall Evergreen Tree (Pine, Spruce, etc.) | 15 | | | | |
| Ornamental Tree | 10 | | | | |
| Upright Evergreen Shrub | 10 | | | | |
| Shrub, deciduous | 3 | | | | |
| Shrub, evergreen | 4 | | | | |
| Ornamental grasses/perennials | 2 | | | | |
| Ornamental/decorative fencing or wall | 4 per 10 linear ft. | | | | |
| Landscape furniture, sculptures, art, etc. | 5 points per item | | | | |
| Sub Totals | | | | | |

Total Points _____

Points Needed _____

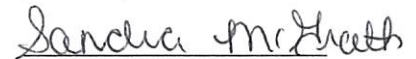
10. Screening of Other Site Elements: The following site elements shall be screened in compatibility with the design elements, materials and colors used elsewhere on the site, as follows:
 - a. Refuse Disposal Areas: All developments, except single family and two-family developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than seven (7) feet unless the refuse disposal area is not visible
11. Maintenance: The Property Owner of the premises is responsible for the watering, maintenance, repair and replacement of all landscaping, fences, and other landscape architectural features on the site. All planting beds shall be kept weed free. Plant material that has died shall be replaced no later than the upcoming June 1.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

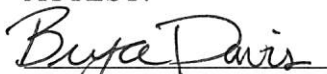
SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 2nd day of July, 2018, and approved this 2nd day of July, 2018.



Sandra McGrath
Mayor

ATTEST:



Bryce Davis
City Administrator/Clerk

First Reading: May 7th 2018
Second Reading: June 18th 2018
Third Reading: July 2nd 2018

I certify that the foregoing was published as Ordinance No. 2018-06 on the 12th day of July, 2018.



City Clerk

PUBLIC NOTICE
CITY OF EAGLE GROVE
A SUMMARY OF ORDINANCE
NO. 2018-06

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SECTION 1. NEW SECTION. Section 165.53 of the Code of Ordinances of the City of Eagle Grove, Iowa is added, entitled Landscape Regulations and the aforementioned Ordinance details the definitions, applicability, landscaping elements, application, lot coverage requirements for residential, commercial, and industrial properties, parking lot coverage requirements, additional requirements, variance, screening along district boundaries, screening of other site elements, maintenance, and the time that property in the City of Eagle Grove shall need to be brought into compliance under this section.

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 Bryce Davis, City Clerk

Wk.28

PROOF OF PUBLICATION

STATE OF IOWA }
 Wright County } ss.

I, the undersigned, being duly sworn, depose and say, that I am Ryan Harvey, President of the Eagle Grove Eagle, a weekly newspaper printed in the English language, published at Eagle Grove in Wright County, State of Iowa, and that the annexed City of Eagle Grove - Ordinance no. 2018-06-landscaping

notice was published in said paper once each week for 1 consecutive weeks, the first publication thereof was on the 12th day of July, 2018, the second on the ___ day of ___, 20___, the third on the ___ day of ___, 20___, the fourth on the ___ day of ___, 20___.

[Handwritten Signature]

Ryan Harvey, President

Subscribed and sworn to before me and in my presence the 12th day of July, 2018,
Lynnette M Richardson
 Notary Public: In and for the State of Iowa



LYNNETTE RICHARDSON
 Commission Number 771667
 My Commission Exp FEB. 14, 2021

Printer's Fees, \$ 16.83

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City of Eagle Grove

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Bryce Davis, City Clerk