



**AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, JUNE 1, 2009 - 7:00 P.M.
BELTON CITY HALL ANNEX, 520 MAIN STREET**

- I. CALL MEETING TO ORDER**

- II. ROLL CALL**

- III. APPROVAL OF THE MINUTES OF THE MAY 18, 2009 PLANNING COMMISSION MEETING**

- IV. CASES**
 - A. DISCUSSION: UNIFIED DEVELOPMENT ORDINANCE (UDO)**

- V. DIRECTOR'S REPORT**

- VI. NEXT MEETING: June 15, 2009**

- VII. ADJOURNMENT**

MEETING MINUTES

MAY 18, 2009

Minutes of Meeting
Belton Planning Commission
City Hall Annex – 520 Main
May 18, 2009

CALL TO ORDER: Chairman Paul Myers called the meeting to order at 7 p.m.

ATTENDANCE:

Commission: Chairman Myers, Commissioners Sally Davila, Tim McDonough, Scott VonBehren, Roger Horne, and Larry Thompson.
Staff: Jay Leipzig, Director of Community Planning & Development; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
Absent: Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, and Commissioner Holly Girgin.

Chairman Myers stated that Commissioner Girgin has been ill, and Mayor Pro Tem Lathrop and Councilman Davidson were attending a Park Board meeting.

MINUTES: Chairman Myers pointed out there is an error in a case number on the Commission agenda. Commissioner Horne moved to approve the minutes of the May 4, 2009, Commission meeting. Commissioner VonBehren seconded the motion. All present voted in favor and the motion carried.

CASES: Mr. Leipzig reported that Case RP09-12 which was consideration of an amendment to the Final Plat of Fairway Ridge Estates subdivision has been withdrawn by the applicant, and a different final plat proposal will be resubmitted at a meeting in June. Commissioner VonBehren moved to continue Case RP09-12 to a future meeting. Commissioner Horne seconded the motion. All members present voted in favor and the motion carried.

PUBLIC HEARINGS:

Case SUP09-10: Consideration of a Special Use Permit (SUP) to allow a shaved-ice stand to be operated on property located at the corner of Chestnut Street and North Avenue. Chairman Myers called the public hearing to order at 7:06 p.m.

Staff Report: Mr. Cooper gave a description of the proposed location on North Avenue and the past location in Apple Valley Shops, of the shaved ice stand that has operated seasonally in the City. The applicant would like to operate the stand from May to October at the site on North Avenue. An explanation of the applicant's perceived benefits of the new location was presented by Mr. Cooper and those included the central location and accessibility to neighborhood children. The applicant would like the Commission to consider a five-year extension of the SUP, if approved (May 2009 to May 2014). According to Mr. Cooper, the five-year extension is being requested to save the City time and the costs associated with the yearly SUP process.

Celia Holman, Lake Winnebago, spoke in favor of the SUP. She stated the stand has been operated in the City several years. Her husband, Kevin Holman, is the applicant. The stated reasons for approval of the request were:

- Mr. Holman actively participates in teaching the staff responsibility
- Teaches staff customer service
- Useful for City
- Works with local school districts
- Encourages staff to keep property clean
- Hires Belton and Raymore teen staff

Ms. Holman stated the shaved ice stand was not open in 2008, but has operated several years at either the property on North Avenue or the Apple Valley shopping center.

Chairman Myers pointed out that in the past the Commission preferred to review the shaved ice stand SUP each year to safeguard against problems that might arise in the operation of the business. Issues that might result from the sale of the property during the requested five-year period were talked about.

Mr. Cooper reported that City staff has never received any complaints from citizens about the operation of the shaved ice business. He went on to state the business has always been a clean operation. Mr. Leipzig recommended the Commission stipulate as a condition of the SUP that there be no other uses on the property. Additionally, it was stated that the portable building must be removed after the business closes in October.

There was no further input and Chairman Myers closed the public hearing at 7:16 p.m.

Commission Discussion: During discussion, the requested five-year extension for the SUP was debated. It was explained by Ms. Holman there is a verbal five-year lease on the property, but if the Commission does not approve a five-year SUP extension, the Holman's will not accept the five-year lease and will negotiate the lease yearly. Favorable comments about the history of the business and its operation were made by Commissioners Thompson and McDonough. Ms. Holman stated she understands the verbal lease is for the whole property, not just one piece of the property. It was emphasized that the Commission would like the shaved ice business to be the only occupant of the property. Mr. Cooper suggested the SUP could be approved with a five-year extension on the condition that it is brought back to the Commission for review if any problems arise during the operation of the business.

Commissioner Horne brought up a BBQ SUP application that was submitted a few years ago which was not approved by the Commission. Mr. Cooper explained the differences between the BBQ stand application and the shaved ice stand application. One reason given by Mr. Cooper was the difference in appearance of the proposed portable stands. Chairman Myers stated he would not be opposed to a five-year extension if the Commission has the option to review the SUP if problems arise. Commissioner Horne stated that since the business has operated in the City for at least three years, **he moved to recommend approval of the SUP application with a five-year extension for the Tropical Sno business on property located at Chestnut Street and North Avenue with the following conditions: 1) There is to be no other use permitted on the property, 2) The portable building is to be removed from the property after the business closes in October, and 3) The SUP can be reviewed by the Commission during the**

five-year period if problems develop. Commissioner Thompson seconded the motion. When a vote was taken, the following was recorded, Ayes: 6 – Chairman Myers, Commissioners Davila, McDonough, Thompson, Horne, and VonBehren. Noes: none. Absent: 3 – Mayor Pro Tem Lathrop, Councilman Davidson, and Commissioner Girgin. The motion carried.

Case #TA09-08: Consideration of a text amendment to require a Special Use Permit for all new and used car lots in C-2 zoning districts.

Chairman Myers opened the public hearing at 7:25 p.m.

Mr. Cooper reported the Commission had discussed at an earlier meeting allowing automobile sales in C-2 zone with a SUP. He identified the changes made to the proposed definition of "Automobile Sales Lot." The amended proposed definition reads: "Premises on which new or used passenger automobiles; trailers; mobile homes; motorcycles; RV's; ATV's; or trucks in operating condition are displayed in the open for sale or trade." Appendix A will also be amended to show that new and used car dealers will require a SUP according to Mr. Cooper.

There was no one present to speak in favor or against the SUP so Chairman Myers closed the public hearing at 7:26 p.m.

Commission Discussion: Commissioner VonBehren initiated a discussion about the penalty for violating the SUP requirement, specifically those persons that sell a few cars from business parking lots, not approved car lots. Commissioner Thompson reported that within a one block area on North Avenue, there are three business properties with approximately 12+ cars for sale, and the businesses are not approved car lots. Staff stated that code enforcement can monitor those businesses and check for an occupation license approved for used car sales and a car dealer's license. If the business does not produce these documents, then the owner can be ticketed. Concerning the enforcement of cars being displayed / sold in a parking lot, Mr. Cooper stated that the property owner would be notified and code enforcement would contact the car owners about removal from the property. Mr. Leipzig reiterated the property owners would be notified and the car owners would be contacted. Commissioner Thompson said he believes warning notices on cars will discourage the owners from displaying their cars on lots, but he cautioned that some cars are for sale by wholesale dealers. Mr. Leipzig informed Commissioners that noncompliance will result in tickets, summons, fines, and the vehicles will be towed. He went on to explain the City will initially have the expense of towing the vehicles, but the car owner will be billed for the cost of the tow. It was stated a warning will be issued to car owners to make them aware of the violation and they will be given time to resolve the issue before further action is taken. **Commissioner Horne moved to recommend approval of amendments to the zoning ordinance to accept the definition of "Automobile Sales Lot," and Appendix A requiring a Special Use Permit for new or used car sales lots in a C-2 (General Commercial) district.** Commissioner Davila seconded the motion. When a vote was taken, the following was recorded, Ayes: 6 – Chairman Myers, Commissioners Davila, McDonough, Thompson, Horne, and VonBehren. Noes: none. Absent: 3 – Mayor Pro Tem Lathrop, Councilman Davidson, and Commissioner Girgin. The motion carried.

Case #TA09-09: Consideration of a text amendment to prohibit electrified fences in residential and commercial zoning districts. Chairman Myers opened the public hearing at 7:33 p.m.

Staff Report: Mr. Leipzig reported that electrical fences would be allowed in Agricultural zoning districts, and allowed in Industrial zoning districts with a SUP and review by staff. He presented recommendations regarding staff review of SUP applications for electrical fences in Industrial districts which included: fence dimensions, intended use, voltage, watt and height restrictions, signage, and emergency access and shut off procedures. The proposed amendment is: "Electric Fencing: The installation of aboveground electric fences shall be prohibited in all residential and commercial zoning districts. Electric fences shall be permitted in the A (Agricultural) district only when used for agricultural purposes. Electric fences utilized in an industrial zoning district will require an approved special use permit. Exemption: underground electrical fences located in residential zoning districts used to fence in family pets.

As there was no public input, Chairman Myers closed the public hearing at 7:35 p.m.

Commission Discussion: **Commissioner Thompson moved to recommend approval of the proposed amendment to the zoning ordinance regarding electric fences.** Commissioner McDonough seconded the motion. When a vote was taken, the following was recorded, Ayes: 6 – Chairman Myers, Commissioners Davila, McDonough, Thompson, Horne, and VonBehren. Noes: none. Absent: 3 – Mayor Pro Tem Lathrop, Councilman Davidson, and Commissioner Girgin. The motion carried.

Case #TA09-04: Consideration of a text amendment requiring registration of properties in foreclosure. Chairman Myers opened the public hearing at 7:36 p.m.

Staff Report: Mr. Cooper reported the proposed amendment was discussed at a previous meeting where the Commission recommended the addition of language to the "registration" section of the proposed amendment requiring the contracted property management company to pay all fines and fees associated with the requirements of the article being met.

Being no public input, Chairman Myers closed the public hearing at 7:38 p.m.

Commission Discussion: Commissioner Horne presented a hypothetical example of a property in foreclosure and the bank enlists a real estate company to sell the property which results in the property being sold without the fines being paid. Mr. Leipzig answered that any fines placed on the property would appear in the chain of title that would have to be cleared before the final sale. Liens would be placed on the property according to Mr. Leipzig. **Commissioner Horne moved to recommend approval of the proposed foreclosure registry ordinance.** Commissioner VonBehren seconded the motion. When a vote was taken, the following was recorded, Ayes: 6 – Chairman Myers, Commissioners Davila, McDonough, Thompson, Horne, and VonBehren. Noes: none. Absent: 3 – Mayor Pro Tem Lathrop, Councilman Davidson, and Commissioner Girgin. The motion carried.

Discussion of the Unified Development Ordinance (UDO): Mr. Leipzig reported the first meeting in June will be devoted to discussion of the UDO and a staff member from the city attorney's office will be present at that meeting.

He told Commissioners one benefit of the UDO is that essentially there are no changes to particular zoning code items, but the changes are the way information is organized for the use

table, the zoning classifications and permitted uses. He went on to report there will be two additional zoning classifications which are an R-3A (Apartment Community Residential District) and a PR (Parks, Recreation and Public Use) district. This will assist with long-term planning for parks and recreation including trails. Chairman Myers gave a brief overview of the UDO implementation schedule. It was reported that on June 1, the Business, Commercial, Industrial, Overlay and Special Purpose districts are topics that will be discussed at the meeting.

It was announced that the City Code of Ordinances is currently going through the recodification process since Belton is now a Charter City. Any reference to land use is being removed from the Code of Ordinance book and will be covered in the Land Use Code book.

DIRECTOR'S REPORT:

Mr. Leipzig informed Commission members the text amendments approved at tonight's meeting will go to the City Council for approval. There will not be any amendment cases in the near future which will allow the Commission time to work on the UDO.

A tree ordinance is being developed in conjunction with the Park Department staff and will eventually be incorporated in the UDO.

Staff is developing an Enhanced Enterprise Zone application. The City can offer tax incentives to businesses if they locate in certain areas of the City. The state has identified tracts of land along North Scott that would qualify as a distressed area. The Enterprise Zone application will be submitted to the state by June 26, 2009. A Board of Directors would be created to review Enhanced Enterprise Zone applications. Mr. Leipzig gave examples of tax incentives that could be given to businesses in the Enterprise Zone.

To standardize code enforcement, staff is creating a schedule for adoption of the 2006 International Property Maintenance Code.

ADJOURNMENT:

Commissioner VonBehren moved to adjourn the meeting. Commissioner Horne seconded the motion. All members present voted in favor and the meeting adjourned at 7:54 p.m.

Mr. Ed Fleetwood requested permission to speak to the Commission. He spoke of the City of Belton becoming a finalist in the All American City award, and he commended the Commission for the job they are doing for the City. Mr. Fleetwood addressed the topic of the used car lots that was discussed earlier in the meeting.

Ann Keeton
Community Development Secretary

**UNIFIED
DEVELOPMENT
ORDINANCE**

DATE: June 1, 2009

TO: Planning Commission

FROM: Robert G. Cooper, City Planner
Jay Leipzig, Planning & Community Development Director

RE: **DISCUSSION: UNIFIED DEVELOPMENT CODE / Business, Commercial, and Industrial Zoning Districts. General Use Regulations; Parking, Loading & Access. Landscaping and Screening.**

Purpose of Meeting:

The purpose of the meeting is: 1) to discuss and establish a comprehensive development code as a Unified Development Ordinance. This meeting will be dedicated to discussing the different zoning classifications and associated use standards.

STAFF REPORT

Business, Commercial and Industrial Districts

A. PO, Professional Office District

The PO, Professional Office District is intended to accommodate professional office uses in individual buildings, not in large campus-like settings. Site design within this district must ensure that adequate access, parking and screening is provided so as not to negatively impact adjoining residential neighborhoods, and to protect the office uses from higher-intensity commercial and industrial uses.

B. C-1, Neighborhood Commercial District

The C-1, Neighborhood Commercial District is intended to accommodate small-scale professional office, service and retail uses primarily located within buildings with a design and scale that is compatible with surrounding residential development. This district is intended to provide goods and services primarily for residents in the surrounding neighborhoods. Site design within this district must ensure that adequate access, parking and screening is provided so as not to negatively impact adjoining residential neighborhoods.

C. C-2, General Commercial District

The C-2; General Commercial District is intended to accommodate mid-size retail and commercial businesses along commercial corridors. Uses in the C-2 district have the potential to generate significant automobile traffic. Therefore, care must be taken to ensure that traffic and other related impacts are minimized. Since this district is located along major arterials and collectors that serve as gateways into Belton, quality building architecture, landscaping and other site improvements will be required to ensure development enhances Belton's image.

D. C-3, Regional Commercial District

The C-3, Regional Commercial District is intended to provide locations along major arterials for shopping centers and business uses that draw patrons from Belton, surrounding communities and the broader region. The C-3 district

consists primarily of large-scale development that has the potential to generate significant automobile traffic. Development in this district must be designed in a coordinated manner with an interconnected street network that is consistent with the City's Growth Management Plan. Uncoordinated, piecemeal development of small parcels that do not fit into the larger context is strongly discouraged in the C-3 district. Because this district is primarily located at high-visibility locations, the building architecture, landscaping and other site improvements must be of superior aesthetic and functional quality.

E. BP, Business Park District

The BP, Business Park District is intended to accommodate office, research and development, and limited service, manufacturing and warehousing uses that are located within a campus-like setting. Site design will include larger setbacks and increased landscaping and buffering from non-related uses and public rights-of-way.

F. M-1, Light Industrial District

The M-1, Light Industrial District is intended to accommodate light manufacturing, warehousing and wholesaling operations that are compatible with more intensive commercial uses. Uses within this district require good accessibility to highways. The M-1 district should be used as a buffer or transition between industrial development and commercial or multi-family residential development.

G. M-2, General Industrial District

The M-2, General Industrial District is intended to accommodate industrial uses not otherwise permitted in other districts. The intensity of the uses in this district makes it necessary to separate it from all residential districts and most commercial districts.

H. PR, Parks, Recreation and Public Use District

The PR, Parks, Recreation and Public Use District is a special purpose district that is intended to accommodate land uses that offer a variety of active and passive recreational opportunities and other public uses.

Use Table

I. Use Groups

The use table classifies land uses into five major groupings: Residential, Public and Civic, Commercial, Industrial and Other. These are referred to as "Use Groups."

J. Use Categories

Each Use Group is further divided into "Use Categories." These categories classify land uses based on common characteristics, such as the type of products sold, site conditions or the amount of activity on the site. Some use categories are further divided into specific use types, which are described in Determination of Land Use Category

When a land use cannot be classified into a Use Category or appears to fit into multiple categories, the Community Development Director is authorized to determine the most appropriate Use Category.

K. Permitted Uses

Uses identified with a "P" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all other applicable provisions of this Code.

L. Uses Subject to Special Conditions

Uses identified with an "S" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all conditions of this chapter and with all other applicable provisions of this Code.

M. Conditional Uses

Uses identified with a "C" in the use table may be allowed in the designated zoning districts if approved in accordance with the conditional use procedure. Approved conditional uses are subject to compliance with all other applicable provisions of this code.

N. Prohibited Uses

Uses identified with a "-" in the use table are expressly prohibited. Uses not listed in the use table are also prohibited unless the Community Development Director determines that the use fits into an existing use category.

O. Use Standards

The "Use Standard" column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special conditions or conditional use.

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
RESIDENTIAL USES									
Household Living									
Single-family Dwelling, Attached	-	-	-	-	-	-	-	-	
Multi-family Dwelling (3+ units)	-	-	-	-	-	-	-	-	
Cluster Residential Development	-	-	-	-	-	-	-	-	
Manufactured Home Park	-	-	-	-	-	-	-	-	
Dwelling Units Located Above the Ground Floor	-	P	P	P	-	-	-	-	
Group Living									
Assisted Living	-	C	P	P	-	-	-	-	
Group Home	-	-	-	-	-	-	-	-	
Nursing Care Facility	-	C	P	P	-	-	-	-	
Transitional Living	-	C	C	-	-	-	-	-	
PUBLIC AND CIVIC USES									
College or University	C	-	C	C	C	C	-	C	
Cultural Exhibit or Library	C	C	C	C	C	C	-	C	
Government Buildings and Properties	C	C	C	C	C	C	C	C	
Hospital	P	C	P	P	P	P	-	C	
Place of Public Assembly	P	P	P	P	P	P	-	C	
Public Safety Services	P	P	P	P	P	P	P	C	
Religious Assembly	P	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	P	
Social Club or Lodge	P	P	P	P	P	P	P	-	
Utilities									

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
Major	C	C	C	C	C	C	C	C	
Minor	P	P	P	P	P	P	P	P	
COMMERCIAL USES									
Adult Business	-	-	S	S	S	S	S	-	
Animal Services									
Kennel	-	-	-	-	-	C	C	-	
Veterinary Services	-	P	P	P	-	-	-	-	
Art Gallery	-	P	P	P	-	-	-	-	
Banks and Financial Services									
Banks	-	P	P	P	P	-	-	-	
Payday Loan Store	-	-	C	C	C	-	-	-	
Consumer Loan Establishment	-	-	C	C	C	-	-	-	
Pawn Shop	-	-	C	C	-	-	-	-	
Body Art Services	-	-	C	C	-	-	-	-	
Business Support Service	P	P	P	P	P	P	P	-	
Construction Sales and Service	-	-	-	-	P	P	P	-	
Day Care									
Day Care Center	S	S	S	S	S	S	-	-	Error! Reference source not found.
Eating and Drinking Establishment									
Restaurant	-	S	S	S	S	-	-	-	
Tavern	-	C	C	C	-	-	-	-	
Entertainment and Spectator Sports									
Indoor	-	-	P	P	P	P	-	P	
Outdoor	-	-	C	C	C	C	-	P	
Funeral and Interment Services									
Cremating	-	-	C	C	C	C	C	-	
Funeral Home	-	C	P	P	P	C	-	-	
Lodging									
Bed and Breakfast	-	S	S	S	-	-	-	-	
Hotel or Motel	-	-	P	P	P	-	-	-	
Medical or Dental Clinic	P	P	P	P	P	C	-	-	
Mini Warehouse	-	-	-	-	-	P	P	-	
Office	P	P	P	P	P	P	-	-	
Personal & Consumer Service	P	P	P	P	P	P	-	-	
Retail Sales									
Large (100,000+gfa)	-	-	-	S	-	C	-	-	
Small (up to 100,000 gfa)	-	S	S	S	S	C	-	-	
Sports & Recreation, Participant									
Outdoor	-	C	P	P	C	C	-	P	
Indoor	-	-	P	P	P	P	-	P	
Vehicle Sales and Service									
Car Wash	-	-	S	S	S	S	S	-	
Gas Station	-	-	C	C	C	C	C	-	
Motor Vehicle Repair	-	-	C	C	C	C	C	-	
Light Equipment Sales or Rental	-	-	-	P	P	P	-	-	
Heavy Equipment Sales or Rental	-	-	-	C	P	P	P	-	
Vehicle, Recreational Vehicle or Boat Storage/Towing	-	-	-	-	-	P	P	-	
INDUSTRIAL USES									

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
Manufacturing, Production & Industrial Services									
Limited	-	-	-	-	P	P	P	-	
General	-	-	-	-	-	C	P	-	
Intensive	-	-	-	-	-	-	C	-	
Research Laboratory	-	-	-	-	P	P	P	-	
Trucking/Freight Terminal	-	-	-	-	C	P	P	-	
Warehousing & Wholesaling	-	-	-	-	C	P	P	-	
Waste-Related Use									
Junkyard	-	-	-	-	-	C	C	-	
Recycling Facility	-	-	-	-	C	C	C	-	
Sanitary Landfill	-	-	-	-	-	C	C	-	
OTHER USES									
Accessory Uses	S	S	S	S	S	S	S	S	
Drive-thru Facilities	-	-	S	S	S	S	-	-	
Parking									
Accessory Parking	P	P	P	P	P	P	P	P	
Non-Accessory Parking	C	C	C	C	C	C	C	C	
Wireless Communication Facility									
Freestanding	-	-	S	S	S	S	S	S	
Co-located	S	S	S	S	S	S	S	S	

Bulk and Dimensional Standards

P. Bulk and Dimensional Standards Table

The following bulk and dimensional standards apply to the **business, commercial and industrial** districts unless otherwise specifically allowed by this code.

	PO	C-1	C-2	C-3	BP	M-1	M-2
Minimum Lot Area							
per lot	-	-	-	-	1 acre	None	2 acres
per dwelling unit	-	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	-	-	-
Minimum Lot Width (feet)	100	100	100	100	100	100	200
Minimum Lot Depth (feet)	100	100	100	100	100	100	200
Yards, Minimum (feet)							
front	30	30	30	30	30	30	30
rear	20	20	20	20	20	20	20
side	10	10	10	10	10	10	10
side, abutting residential district	20	15	20	20	20	20	20
Maximum Building Height (feet)	35	35	80	80	80	80	80
Maximum Building Coverage (%)	30	30	40	50	50	50	50

Exceptions to Dimensional Standards Table

Projections into Required Yards

Required yards must be unobstructed and unoccupied from the ground to the sky except that certain building features and structures are allowed to project into required yards to the extent expressly indicated in the following table:

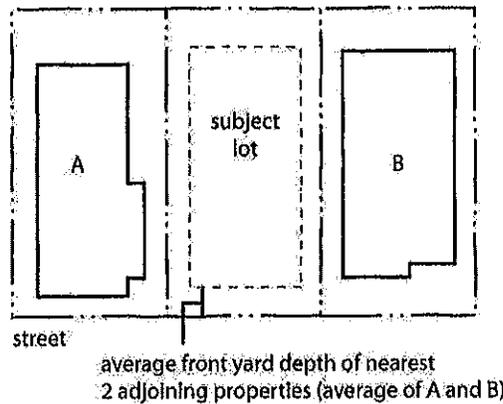
Obstruction/Projection into Required Yards	Front	Side	Rear
Accessory detached garages, sheds, and carports, set back at least 5 feet from side and rear property lines.	No	No	Yes
Air conditioning and other mechanical units projecting a distance of not more than 30% of the required yard dimension	No	Yes	Yes
Arbors, trellises, and similar customary landscape and yard improvements, set back at least 5 feet from any side or rear property line	No	Yes	Yes
Balconies, awnings and canopies projecting a distance of no more than 30% of the required yard dimension	Yes	Yes	Yes
Bay windows and dormers projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Breezeways	No	Yes	Yes
Chimneys projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Eaves and gutters projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Fences and walls	Yes	Yes	Yes
Flagpoles	Yes	Yes	Yes
Gazebos, setback at least 5 feet from any side or rear property line	No	Yes	Yes
Laundry drying equipment	No	No	Yes
Ornamental and security lighting	Yes	Yes	Yes
Parking spaces, unenclosed	Yes	Yes	Yes
Patios and terraces, setback at least 5 feet from any property line	Yes	Yes	Yes
Porches and decks less than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required front yard dimension and set back at least 5 feet from side and rear property lines.	Yes	Yes	Yes
Porches and decks greater than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required yard dimension.	No	Yes	Yes
Recreation equipment including playground equipment, play houses, and sandboxes, setback at least 5 feet from any side or rear property line	No	Yes	Yes
Satellite dish antennas, not exceeding 1 meter in diameter	Yes	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters in diameter	No	No	Yes
Sheds or other accessory storage structures, setback at least 5 feet from side and rear property lines	No	No	Yes
Sills, belt courses, cornices, buttresses and other architectural features projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Swimming pools and bathhouses, setback at least 5 feet from side or rear property line	No	Yes	Yes
Steps, stairs, stoops, landings and fire escapes (uncovered), projecting a distance of not more than 30% of the required yard	Yes	Yes	Yes

Obstruction/Projection into Required Yards dimension	Front	Side	Rear
Amateur radio antenna towers,	No	Yes	Yes
Utility poles and wires	Yes	Yes	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

1. Exception for Lots that Utilize Average Front Yard

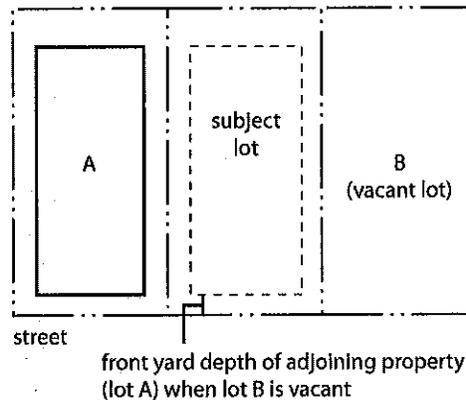
Where 50 percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have a front yard with less depth than required by this code, then:

- a. **Where a building is to be constructed on a parcel of land that is within 100 feet of the existing buildings on both sides, the minimum front yard may be an average of the front yards as measured from the two closest front corners of the adjacent buildings on the two sides; or**



- b. **Where a building is to be erected on a parcel of land that is within 100 feet of an existing building of one side only, such building may be erected as close to the street as the existing adjacent building.**

2.



Additional Regulations

Q. Operational Performance Standards

All uses in the business, commercial and industrial districts must comply with the operational performance standards.

R. Outdoor Display or Storage of Merchandise

Outdoor display or storage of merchandise is permitted in business, commercial and industrial districts subject to the following:

1. **No display or storage of merchandise shall occur within:**
 - a. **required parking spaces;**
 - b. **landscaped areas;**
 - c. **fire lanes;**
 - d. **on sidewalks if handicapped accessibility is blocked; or**
 - e. **building setback areas.**
 2. **If a property has an excess of parking spaces, the excess spaces may be utilized for display or storage of merchandise.**
- S. All business, servicing, manufacturing or processing of materials normally allowed in commercial districts shall be conducted within a fully enclosed building.**

Overlay and Special Purpose Districts

General

T. Special Purpose Districts

Special purpose districts are established to address land uses that are not easily addressed by the agricultural, residential, business, commercial and industrial district regulations. Special purpose districts are base zoning districts, not overlays.

U. Overlay Districts

1. **Overlay districts deal with special situations or accomplish specific City goals that cannot be easily or efficiently addressed through the use of "base" or regular zoning districts. As the name implies, overlay districts "overlay" applicable base district classifications to alter some or all of the zoning regulations that apply to particular sites.**
2. **Overlay district regulations supplement the zoning regulations of the applicable base district. When overlay district standards conflict with the applicable base district standards or other regulations of this Code, the regulations of the overlay district always govern. When no special overlay district standards are specified, the base**

district standards and all other applicable regulations of the Code will govern.

OTB, Old Town Belton Overlay District

V. Purpose and Description

The purpose of the OTB, Old Town Belton Overlay District is to develop an identifiable center of the City of Belton with City Hall as its nucleus. Its intent is to further define a sense of community and to promote a centrally located, high-quality civic environment deemed important in the City's Growth Management Plan. A fully realized Old Town Belton concept will incorporate elements of public/quasi-public, commercial, vehicular and pedestrian environments into an integrated design which reflects the community focus of the City. The Old Town Belton concept is implemented by use of an overlay district that imposes additional criteria on the underlying zoning districts.

W. Objectives

In order to achieve the city center concept, the following objectives will be realized:

1. The pedestrian environment in the Old Town Belton Overlay District is essential for developing the sense of community desired by the City. Amenities will be provided to promote pedestrian usage.
2. Vehicular circulation and parking should be accommodated without impacting the pedestrian experience. Adequate measures will be provided to reduce vehicular and pedestrian circulation conflicts.
3. The architectural character of buildings should be harmonious with the architectural style of the municipal complex.
4. The size and scale of buildings in the Old Town Belton Overlay District should be complementary to a pedestrian environment. Buildings located near the perimeter of the Old Town Belton Overlay District should be designed to provide a harmonious transition between the commercial development and surrounding residential areas.
5. Signs will be of a scale, height, material and illumination that reflect the architectural concepts being promoted in the Old Town Belton Overlay District.

X. Permitted uses

All uses allowed in the underlying zoning district shall be allowed in the OTB district as specified in the Use Table with the exceptions listed below. Those uses identified as requiring a conditional use permit shall do so in accordance with the regulations of this code. In order to promote the pedestrian intent of the OTB district, the following uses are prohibited:

1. motor vehicle repair;
2. gas stations;

3. vehicle sales;
4. accessory outdoor storage; and
5. drive-thru facilities.

Y. Dimensional Standards

All dimensional requirements of the base zoning district will apply with the exception that the following front yard requirements apply:

1. Minimum front yard: 10 feet
2. Maximum front yard: 20 feet

Z. District-Specific Design Standards

All uses in the Old Town Belton Overlay District must meet the development criteria contained in the City of Belton Municipal Development Criteria and the following design standards. If the provisions of the guidebook conflict with the following design standards, the more restrictive provision will control.

1. Screening and Landscaping

Properties within the OTB district that are adjacent to residentially-used or zoned lots are exempt from the loading area screening requirements and instead must comply with the screening requirements as outlined in Commercial zoning district. In addition, new development within the OTB district must include four to six foot high berms placed along the outside perimeter of the site where it is adjacent to residential uses or districts.

2. Building Orientation

All buildings must be oriented toward the public street or common access drive adjacent to each lot.

3. Building Character

Buildings must have four-sided architecture with the same quality of materials applied to all sides.

4. Sidewalks

A five foot wide sidewalk along with a two foot wide planting strip shall be provided adjacent to the right-of-way line. Sidewalk connectivity shall be provided between this sidewalk and the principal entrance door to the building.

5. Street

Due to the pedestrian oriented environment and the desired character of the development within the OTB district, street design may be narrower than conventional commercial streets. Alternative street designs must be approved by the Director of Public Works, provided that no street right-of-way may be less than 40 feet in width.

6. Parking

Off-street parking should be designed to minimize traffic and utilize space through combined access. Off-street parking must be located, when possible, behind building facades. A reduction of up to 20 percent of the

total parking requirement may be approved by the Planning and Zoning Commission where shared parking among business uses is provided.

- 7. Parking Lot Landscaping**
Landscaping shall be installed in accordance with this code.
 - 8. Pedestrian and Streetscape Amenities**
A minimum of two amenities shall be required and included on the site plan to be reviewed as part of the site plan review. Examples of amenities include, but are not limited to, benches, bike racks and trash receptacles. These amenities are to be provided on the private portion of the site plan and will be privately owned and maintained.
 - 9. Signs**
Signs shall be installed in accordance with this code.
- AA. Review Procedure**
The review procedure for applications within the OTB district will be as set forth for site plan review.
- BB. Action on Application**
The Planning and Zoning Commission may, upon showing of undue hardship by the applicant, waive one or more of the specific requirements of the design standards of this section. The Commission shall approve the minimum waiver necessary to allow the application to be approved. The applicant for any such waiver shall have the burden of showing that the proposed project with such waiver shall have minimum negative effect on aesthetics and compatibility within the OTB district.
- GCO, Gateway Commercial Overlay District**
- CC. General Purpose and Description**
The purpose of the GCO, Gateway Commercial Overlay District is to provide for quality design and development near interstate highway interchanges in order to create a cohesive and attractive entrance to the City of Belton.
- DD. Applicability**
The GCO district is appropriate for parcels located within the general vicinity of an interstate highway interchange.
- EE. Review Procedure**
The review procedure for applications within the GCO district will be as set forth for site plan review.
- FF. Permitted Uses**
All uses allowed in the underlying zoning district shall be allowed in the GCO district as specified in the Use Table.
- GG. Dimensional Standards**
All dimensional requirements of the base zoning district will apply

District-Specific Design Standards

1. Building Design Features

All building facades visible from adjoining streets or properties must include at least two of the following features:

- a. variations in roof form and parapet heights;
- b. canopies or porticos;
- c. outdoor patios;
- d. architectural details such as tile work and moldings that are integrated into the building structure and design; or
- e. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

2. Façade Materials

- a. All buildings and other structures must be clad with brick, wood, natural stone, architectural cast stone, architectural precast concrete panels, glass or other comparable, durable materials approved during the plan review process.
- b. Concrete masonry units and similar materials may be allowed in service areas and on exterior walls that are not generally visible to the public.

3. Site Design Features

All developments within the GCO district shall incorporate the following site design features:

- a. A unified pedestrian access system that allows pedestrians to easily move between buildings within the development.
- b. Parking areas shall be interconnected to allow the movement of vehicles from one site to another without having to drive on to a public street or access road.
- c. Access to any outparcel shall be provided by frontage roads. Direct access to the outparcel from the public street providing access to the development should be avoided.
- d. Lots within the development should not be isolated from the development. Vehicular and pedestrian access must be provided from any lot to the development.
- e. The development shall be designed as a unified district instead of a "strip" commercial center.
- f. Landscaping shall be used to help define pedestrian walks throughout the site.
- g. Outdoor patios and terraces shall contain benches or seating areas.
- h. The use of fountains and art sculptures are encouraged.

HH. Action on Application

The Planning and Zoning Commission may, upon showing of undue hardship by the applicant, waive one or more of the specific requirements of the design standards of this section. The Commission shall approve the minimum waiver necessary to allow the application to be approved. The applicant for any such waiver shall have the burden of showing that the proposed project with such waiver shall have minimum negative effect on aesthetics and compatibility within the CCO district.

P, Planned District Overlay

II. General Purpose and Description

1. The purpose of the P, Planned District is as an overlay district that will provide latitude and flexibility in the location of buildings, structures, open spaces, play areas and roads. The Planning and Zoning Commission and City Council will use the requirements and standards for the base zoning district as a guide in approving a "P" district and may permit deviations from these requirements where it is deemed that amenities or conditions in accordance with this section will be gained to the extent that a higher quality development is produced.
2. All R, C, BP and M districts may be designated as "planned districts," (e.g. "RE-P or "M1-P"), as applicable, under this section. Upon approval, a planned district designation functions as an overlay zone in which standards and requirements specifically approved for the "planned district" rezoning and applicable approved site plan govern over conflicting requirements and standards of the base zoning district. Otherwise, requirements of the base zoning district remain in force.

JJ. Review Procedure

The procedure for review of applications for designation of a planned district will be the same as for amendments to the Unified Development Code as set forth in this section. Applications for C, BP and M planned districts must also be accompanied by a conceptual site plan.

KK. Permitted Uses

Uses allowed in a planned district are those permitted in the applicable base zoning district.

LL. Dimensional Standards

Dimensional standards will be the same as those for the base zoning districts unless deviations are granted pursuant to this section.

MM. District-Specific Design Standards

In exchange for the flexibility provided under planned district zoning, applicants are required to provide high-quality design elements and amenities. Each residential and nonresidential development must provide amenities in accordance with the following menu:

Menu of Planned District Design Elements and Amenities

Housing Diversity.

Developments that include a residential component must provide ALL of the following:

Multiple Elevations	Front	At least one distinct front building elevation per 10 dwelling units for each housing type (detached single-family, attached single-family, two-family, and/or multi-family dwellings). The required number of distinct front elevations shall be rounded up to the nearest whole number (e.g. developments with 21-29 dwelling units must offer a minimum of 3 different front elevations). The maximum number of required front elevations for each housing type within a development need not exceed six.
Variety in Materials	Building	More than one exterior building material must be offered for at least one housing model for single and two-family homes (e.g. vinyl siding, brick, stone, stucco, etc.)
Variety in Design	Garage	Where more than one front elevation is required for developments that include detached single-family, attached single-family, and/or two-family dwelling units, a minimum of one floor plan designed with at least one of the following garage designs: <ul style="list-style-type: none"> • Recessed, front-loaded (a minimum 8-foot setback from front façade) • Rear-loaded • Side-loaded, or • Detached garages

Residential Amenities.

Developments that include a residential component must provide at least one amenity from each group installed at the same time as the public improvements:

Group 1 Recreation Amenities	Active	Golf course
		Athletic fields, basketball court or tennis courts
		Swimming pool that is at least 1000 square feet in surface area
		Club house or community building that includes exercise rooms, meeting rooms, and/or sheltered picnic facilities
Group 2 Recreation Amenities	Passive	Playground/tot lot
		Historically significant buildings, structures or other historic resource
		Bike or pedestrian pathways in addition to required public sidewalks and bike paths, in compliance with the City's Transportation Plan and Park Master Plan. Credit will be given for trails required by the Growth Management Plan.
		Nature trails, boardwalks or piers that provide access to preserved natural areas and features or historically significant resources
Group 3 Features and Open Space Amenities	Natural	Preservation of natural features that exceed the size of those that would be required to be preserved by other local, County, State or Federal ordinances or requirements, by at least 25 percent. Examples include wetlands, floodplains, stream corridors, steep slopes, grasslands and woodlands
	Open	Open space in excess of one acre in area that preserves native plant communities or wildlife habitat
		Natural stormwater detention design that utilizes native plant materials
		Widened landscape buffer widths of at least 30 feet and a minimum of 50 percent increase in plant materials required by Section 445.0301.4
		Public art such as sculptures located within common open space

Menu of Planned District Design Elements and Amenities

Nonresidential Amenities.

Developments that include a nonresidential component must provide at least 3 of the following amenities:

Public plaza that includes seating areas and is at least 3,000 square feet in area

Public art such as sculptures or fountains

Clock tower

Bike pathways in addition to required public sidewalks and bike paths in compliance with the City's Transportation Plan and Park Master Plan

Bike parking facilities

Ornamental parking lot lighting

Decorative pavers for pedestrian crosswalks Street trees

1. The planned district must include such provisions for the ownership and maintenance of the common open space and amenities as are reasonably necessary to insure its continuity, care, conservation and maintenance. In a residential planned district, such common open space and amenities that are for the use of the residents of the planned district will be owned and maintained in common by them, generally through a property owners' association. Such provisions will insure that remedial measures will be available to the entity responsible for maintaining the common open space so that it is not permitted to deteriorate and is maintained in a condition consistent with the best interests of the planned district and of the entire community.
2. The Planning and Zoning Commission may, upon showing of undue hardship by the applicant, waive one or more of the specific requirements of the design standards of this section. The Commission shall approve the minimum waiver necessary to allow the application to be approved. The applicant for any such waiver shall have the burden of showing that the proposed project with such waiver shall have minimum negative effect on aesthetics and compatibility within the P district.

NN. Additional Requirements

1. Operational Performance Standards

All uses in the P District must comply with the operational performance standards.

2. Outdoor Storage, Display and Work Areas

- a. All allowed uses in the Residential districts must comply with the requirements outlined in residential zoning district regulations.
- b. All allowed uses in the Business, Commercial and Industrial districts must comply with the requirements.

PUD, Planned Unit Development District

General Purpose and Description

The PUD, Planned Unit Development District is a special purpose district that is intended to encourage the unified design of residential, commercial, office,

professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved comprehensive development plan. This district provides for flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and design excellence.

Review Procedure

The procedure for review of applications for planned unit developments will be as set forth.

OO. Allowable Uses

The Planned Unit Development District may be established exclusively for residential, commercial or industrial development or any combination of these uses. Each use category must be listed on the PUD plans and approved by the Planning and Zoning Commission and the City Council.

PP.District-Specific Design Standards

1. Maintenance of Overall Density

The Planning and Zoning Commission and City Council may designate divisible geographic sections of the entire parcel to be developed as a unit, and may, in such a case, specify reasonable periods within which developments of such unit must be commenced. In the case of residential planned unit developments, the Planning and Zoning Commission may permit in each unit deviations from the number of dwelling units per acre established for the entire planned development, provided such deviation will be adjusted for in other sections of the development so that the number of dwelling units per acre authorized for the entire planned development is not increased.

2. Adequate Circulation System

- a. The site must be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development must be adequate to serve the residents or occupants of the proposed development.
- b. A traffic study shall be submitted with the rezoning application in order to determine impacts of the proposed development and necessary improvements to the transportation system. The traffic study shall take into consideration the Transportation Plan of the City of Belton. The Director of Public Works shall review the traffic study and make a recommendation to the Planning and Zoning Commission and City Council regarding necessary improvements to the transportation system.

3. Adequate Public Services

The development must not impose an undue burden upon public services and facilities, such as fire and police protection and public infrastructure. The development must make adequate provisions for resulting additional system demands imposed by the development upon roads and streets,

water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment. The developer must make arrangements and will furnish such performance bonds, escrow deposits or other guarantees as may be determined by the City to be reasonably required to assure consistency of the development with the City's Growth Management Plan and with this subsection.

4. Additional Buffering

When a commercial or industrial use within a Planned Unit Development district abuts a residential zoning district, a landscape buffer in compliance with O1 shall be provided. If the residential zoning district and the commercial or industrial use are separated by a street right-of-way, a 10 foot wide landscaped buffer containing trees, shrubs and evergreens must be provided along the residential side of the right-of-way line. The applicant must provide for perpetual maintenance of the landscape buffer containing trees, shrubs and evergreens.

QQ. Additional Requirements

1. Operational Performance Standards

All uses in the planned unit development district must comply with the operational performance standards.

2. Outdoor Storage, Display and Work Areas

- a. All residential uses allowed in the PUD must comply with the requirements.
- b. All business, commercial or industrial uses allowed in the PUD must comply with the requirements.

3. Bulk and Dimensional Standards

Bulk and dimensional standards shall be established by the Planning and Zoning Commission and City Council as part of the zoning map amendment process.

PR, Parks, Recreation and Public Use District

RR. Purpose

The PR, Parks, Recreation and Public Use District is a special purpose district that is intended to accommodate land uses that offer a variety of active and passive recreational opportunities and other public uses.

SS. Permitted Uses

The following uses are permitted in the PR district:

- 1. Public active and/or passive recreation areas and parks;
- 2. Activities for conservation of natural resources and the environment, such as for soil, water, vegetation and wildlife;
- 3. Indoor or outdoor health, recreation and exercise facilities;

4. Community centers and similar facilities; and
5. Minor utility uses as defined by this code.

TT. Conditional Uses

Government buildings and properties may be allowed if approved in accordance with the conditional use procedure.

UU. Dimensional Requirements

1. Minimum lot size: none
2. Minimum lot width: 70 feet
3. All buildings and structures must be at least 30 feet from any property line.
4. Buildings shall not exceed 35 feet in height. The Planning and Zoning Commission may allow a maximum building height of 45 feet when necessary to accommodate special recreation needs and when the following criteria are met:
 - a. That substantial architectural relief is provided to relieve the feeling of mass; and
 - b. That the additional height allowance provides a recreational amenity that is unique and desired in the City of Belton, and is supported in the Growth Management Plan.

VV. Review Procedure

The review procedure for applications within the PR district will be as set forth for site plan review.

1. Parking, Loading and Access

Applicability

WW. New Development

The requirements of this chapter apply to all new buildings, structures and uses established in all zoning districts.

Expansion of Residential Development

The requirements of this chapter apply whenever additional dwelling units are added to an existing building or use.

Expansion of Non-Residential Development

If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this chapter.

Change of Use

The requirements of this chapter apply to a change of use of an existing building or lot.

Existing Parking and Loading Areas

Existing required parking and loading areas may not be used to satisfy required off-street parking or loading areas for new or expanded buildings, structures or uses. Existing parking and loading spaces must be maintained and may not be reduced as long as the main building, structure or use remains, unless an equivalent number of spaces are provided elsewhere as permitted by this chapter.

Off-Street Parking Requirements

Parking Spaces Required

Off-street parking spaces are required as specified in the table below:

Use	Minimum Parking Spaces Required
RESIDENTIAL USES	
Household Living	
Single-family Dwelling, Detached (conventional)	2 per dwelling unit
Single-family Dwelling, Attached	2 per dwelling unit
Two-family Dwelling (Duplex)	2 per dwelling unit
Multi-family Dwelling (3+ units)	1.5 per dwelling unit
Cluster Residential Development	2 per dwelling unit
Manufactured Home Park	2 per manufactured home
Dwelling Units Located Above the Ground Floor	1.5 per dwelling unit
Employee Living Quarters	2 per dwelling unit
Group Living	
Assisted Living	1 per dwelling unit
Community Residence, Small	1 per 2 residents
Community Residence, Large	1 per 3 residents
Nursing Care Facility	1 per 1,000 square feet
Transitional Living	1 per dwelling unit
Group Living Not Otherwise Classified	1 per 1.5 beds or 1 per 1,000 square feet, whichever is greater
PUBLIC AND CIVIC USES	
College or University	1 per 4 students or 1 per 4 seats in main auditorium, whichever is greater
Cultural Exhibit or Library	1 per 500 square feet
Hospital	To be determined by the Community Development Director
Parks and Recreation	To be determined by the Community Development director
Place of Public Assembly	1 per 4 seats in the largest auditorium or 1 per 800 square feet, whichever is greater.
Post Office	1 per 1,000 square feet
Public Safety Services	1 per 1,000 square feet
Religious Assembly	1 per 4 seats
School	Elementary/Middle: 3 per classroom or 1 per 4 seats in auditorium, whichever is greater, + 15 vehicle stacking spaces for drop-off/pickup High School: 8 spaces per classroom + 15 vehicle stacking spaces for drop-off/pickup

Use	Minimum Parking Spaces Required
Social Club or Lodge	1 per 200 square feet
Utilities	1 per 5,000 square feet of lot area
COMMERCIAL USES	
Adult Business	1 per 300 square feet
Animal Services	
Kennel	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office area
Veterinary Services	1 per 200 square feet
Art Gallery	1 per 500 square feet
Banks and Financial Services	1 per 200 square feet
Day Care	1 per 600 square feet; there must be a minimum of 2 spaces.+ 2 spaces for drop-off/pick-up.
Body Art Services	1 per 500 square feet
Business Support Service	1 per 600 square feet
Construction Sales and Service	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office floor area
Eating and Drinking Establishment	1 per 4 seats or 1 per 50 square feet of customer service area, whichever is greater
Entertainment and Spectator Sports	
Indoor	1 per 4 seats in the largest auditorium or 1 per 800 square feet, whichever is greater
Outdoor	Outdoor To be determined by the Community Development Director
Funeral and Interment Services	
Cemetery	1 per 5,000 square feet
Cremating	1 per 200 square feet
Funeral Home	1 per 4 seats
Gas Station	1 per bay plus 1 per pump island, minimum 6 spaces
Lodging	1 per 1.5 beds
Medical or Dental Clinic	1 per 600 square feet
Mini Warehouse	1 per 1,000 square feet of non-office area + 1 per 300 square feet of office/administrative area
Office	1 per 300 square feet
Personal and Consumer Service	1 space per 300 square feet
Retail Sales	1 space per 300 square feet

Sports and Recreation, Participant	
Outdoor	1 per 2,000 square feet of lot area
Indoor	1 per 200 square feet
Vehicle Sales and Service	
Car Wash	1 per bay
Motor Vehicle Repair	1 per bay plus 1 per pump island; minimum 6 spaces
Light Equipment and Vehicle Sales or Rental	1 per 1,000 square feet of non-office area plus 1 per 300 square feet of office area
Heavy Equipment Sales or Rental	1 per 600 square feet, minimum 2 spaces
Vehicle, Recreational Vehicle or Boat Storage/Towing	1 per 2,000 square feet of non-office area plus 1 per 300 square feet of office area
INDUSTRIAL USES	
Manufacturing, Production and Industrial Service	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office area
Research Laboratory	1 per 500 square feet
Trucking/Freight Terminal	1 per 1,000 square feet
Warehousing and Wholesaling	1 per 1,000 square feet
Waste-related Use	1 per 2,000 square feet of lot area

Rules for Computing Requirements

1. Multiple Uses

When a building or development contains multiple uses, the off-street parking requirement shall be calculated for each individual use and the total parking requirement shall be the sum of the individual parking requirements unless shared parking is provided.

2. Fractions

When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, the fraction of less than one-half may be disregarded, and a fraction of one-half or more shall be counted as one parking space.

3. Area Measurements

All square-footage-based parking requirements are based on gross floor area.

4. Occupancy- or Capacity-based Standards

All occupancy- or capacity-based parking requirements are based on the largest number of individuals working on a single shift, the maximum enrollment or the maximum occupancy based on the building code, whichever is applicable and whichever results in the greater number of spaces. For uses with benches or similar seating, one seat consists of 22 linear inches of bench length.

5. Uses Not Listed

In the case of buildings or uses not mentioned in this chapter, the Community Development Director must determine which standard is most appropriate. The Community Development Director may require the applicant to submit a parking study or other evidence to help determine the most appropriate parking standard for the proposed use.

Parking Area Design and Construction

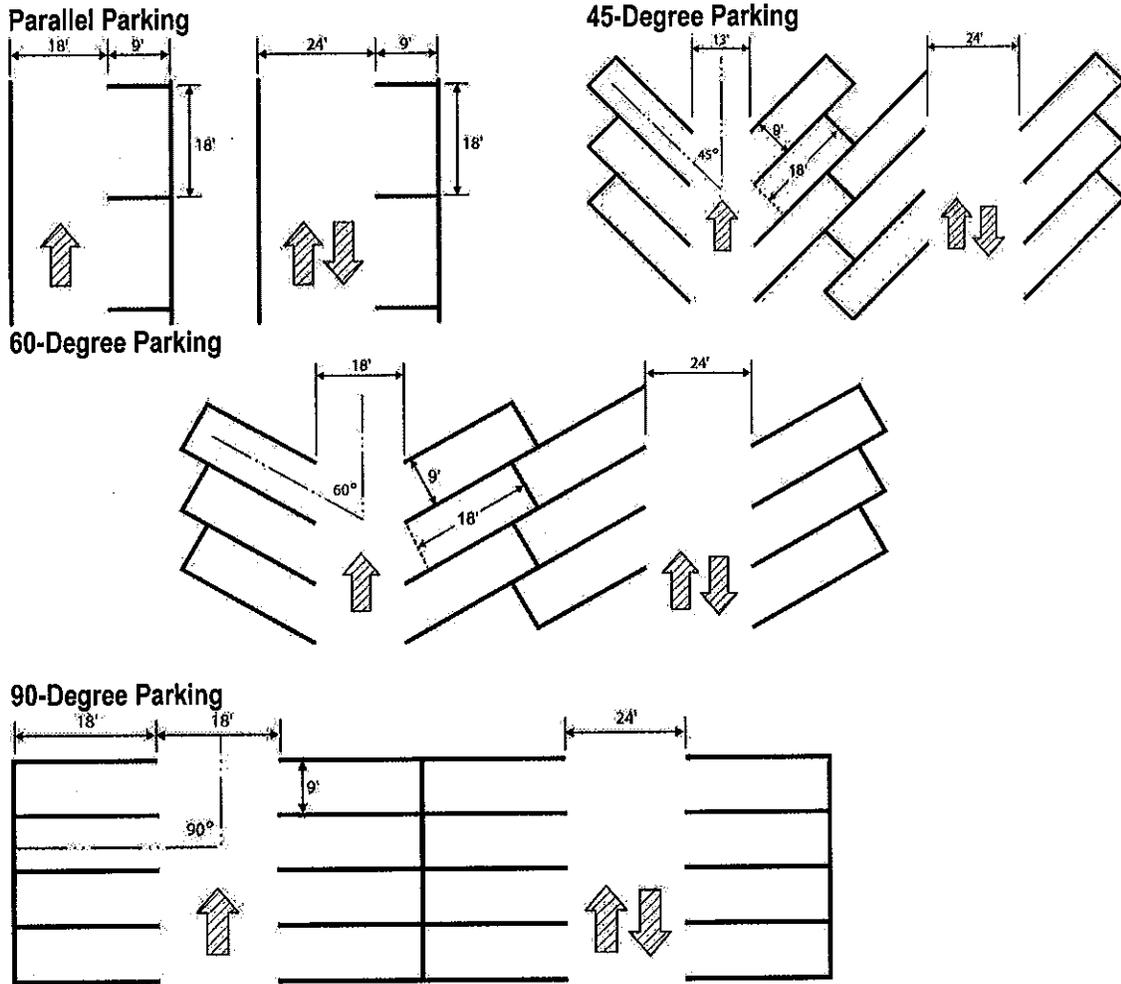
6. Parking Area Location

- a. Off-street parking is considered an accessory use to the use for which the parking is provided. Parking not located on the same tract as the principal use shall not be located within a residential zoning district.
- b. Off-street parking required by this chapter must be located within 600 feet of the use it serves, measured along lines of public access. Parking for non-residential uses may not be located in a residential zoning district.

7. Dimensions

Off-street parking areas must comply with the following standards:

Dimensions (in feet)	Parking Angle			
	0° (parallel)	45°	60°	90°
Minimum space width	9	9	9	9
Minimum space length	18	18	18	18
Minimum one-way aisle width	18	13	18	18
Minimum two-way aisle width	24	24	24	24



8. Parking Space Access

- Each off-street parking space must open directly onto an aisle that complies with the aisle width standards of this chapter.
- Direct access to parking spaces from a primary access drive is prohibited.
- Direct access to off-street parking spaces from the street is prohibited.
- No parking spaces shall be accessible from an access driveway within 20 feet of the street right-of-way line.

9. Wheel Stops

- Parking spaces abutting an adjoining property line or street right-of-way shall be provided with wheel guards or bumper guards located so that no part of a normally parked vehicle will extend beyond the property line. When wheel guards are used, they must be centered two and one-half feet from the property line for 90-degree parking; 2.3 feet for 60-degree parking, and two feet for 45-degree and 30-degree parking.

- b. Plant material, fences, walls and berms must be protected from damage by motor vehicles through the use of concrete curbing or wheel stops. Plant material must be installed in a manner that is not intrusive to utilities or pavement.

10. Curb and Gutter

- a. All off-street parking areas are required to have concrete curbs and gutter.
- b. Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the site plan.

11. Use of Off-Street Parking Areas

- a. Off-street parking areas required by this chapter must be used solely for the parking of operable motor vehicles for patrons, occupants or employees of the use.
- b. No motor vehicle repair work, storage, sales or service of any kind may take place in any off-street parking area.
- c. No person shall park a vehicle to include, but not be limited to, motor vehicles, motor homes, trucks, trailers, boats and recreational vehicles upon any roadway or private or public parking lot with the exception of private residential driveways, commercial vehicle dealerships or by the owner of the property, if not in conflict with any other Section of this Code, for the principal purpose of:
 - (1) displaying such vehicle for sale.
- d. greasing or repairing such vehicle except repairs necessitated by an emergency

12. Surfacing

All required off-street parking and loading areas shall be surfaced with a permanent material such as asphalt, concrete, paving blocks, or other approved material meeting the standards of the City.

13. Maintenance

Vehicle parking and loading areas including drives and drive aisles shall be maintained in proper repair, with the required surfacing and curbing. Pot holes and surface cracks shall be filled and sealed in a timely manner.

14. Parking Lot Striping

- a. Every parking space shall be clearly demarcated by lines painted on or otherwise applied to the parking lot surface.
- b. One-way access aisles shall be clearly marked with arrows painted or otherwise applied to the parking lot surface.
- c. If right-turn or left-turn lanes are provided for vehicles exiting the parking area, arrows shall be painted or otherwise applied to the parking lot surface to demarcate appropriate turn lanes.

- d. No wording, markings, pictures or other means of advertisement shall be painted on or otherwise applied to the parking lot stripes or surface.
- e. Striping shall be maintained in a manner that the lines remain clearly demarcated on the parking lot surface.

15. Pedestrian Access

- a. Pedestrian access to buildings shall be provided from rights-of-way and parking areas by means of a pathway leading to the principal public entrance. The pathway must be clear of all obstructions related to construction activity prior to the opening of the building to the general public.
- b. Parking areas must be distributed around large retail uses on not less than two sides in order to shorten the distance to other buildings and public sidewalks and to reduce the perceived scale of parking areas and paved surfaces.
- c. Walkways, no less than eight feet in width, must be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas.
- d. Where curbs exist along the pathway, approaches or curb cuts a minimum of four feet wide and not exceeding a slope of 1:12 must be provided for access by wheelchairs.

16. Drive-thru Facilities

Permitted drive-thru facilities shall be designed in accordance with standards.

Residential Driveways

The following standards apply to all residential driveways providing ingress or egress to a public or private street.

- 17. One driveway opening is permitted to a parcel from any abutting street provided that access is not otherwise controlled or restricted.
- 18. A second driveway opening is permitted on corner lots, provided that no off-street parking areas are located in the sight triangle area as described by this code.
- 19. A second driveway opening is permitted in the A, and R-1B districts, provided that the lot area is one acre or greater.
- 20. All residential driveways except those in the A and R-1B districts must be paved. In the A and R-1B districts, gravel may be used for driveway surfacing.
- 21. All multi-family dwellings and apartment communities abutting arterial or collector streets as identified in the Growth Management Plan must comply with the commercial and industrial driveway standards.

22. The minimum width of a single car driveway shall be 10 feet and the minimum width of a two-car driveway shall be 18 feet, measured at the property line.
23. Attached single-family and multiple-family dwellings should be served by a common access drive whenever possible and curb cuts must be minimized.
24. Individual driveways leading from a street to an attached garage must be of sufficient depth to ensure that parked vehicles do not overhang the sidewalk or public-street. The distance between the sidewalk and the garage must be at least 20 feet.

Commercial and Industrial Driveways

The following standards apply to all commercial and industrial driveways providing ingress or egress to a public or private street.

XX.General Performance Standards

1. Off-street parking spaces must be arranged so that no vehicle will back directly onto a street or primary access aisle in a shopping center. All private parking areas and circulation drives must be located off of the street right-of-way. Divisional islands and curbs must be constructed where necessary to provide such protection.
2. Access to property is allowed only across such driveways, and all other frontage on the property shall not be used for egress, ingress or parking on the right-of-way.
3. All driveway designs must allow an entering vehicle turning speed of 15 miles per hour to help reduce interference with through street traffic. Radii of driveways must be sufficient to achieve this standard.
4. Sufficient space must be provided so that vehicles waiting to park or exit do not interfere with street traffic.
5. Provisions for circulation between adjacent parcels shall be provided through coordinated or joint parking systems.
6. Driveway placement shall be such that loading and unloading activities will in no way hinder vehicle ingress or egress.
7. Direct-access driveway placement shall provide exiting vehicles an unobstructed sight distance according to the following schedule.

Design (MPH)	Speed	Sight (Feet)	Distance
30		200	
35		225	
40		275	
45		325	
50		350	

8. Driveways shall be designed so that vehicles entering the driveway from the street will not encroach upon the exit lane of a two-way driveway.

Also, a right-turning exiting vehicle must be able to use only the first through traffic lane available without encroaching into the adjacent through lane.

YY. Standards for Right Turn Lanes and Tapers

Right turn lanes and tapers are required when:

1. expected right-turn ingress movements meet or exceed 50 vehicles per hour during a typical weekday peak traffic period;
2. driveway volumes are expected to meet or exceed 1,000 vehicles per day calculated using Institute of Transportation Engineers site generated traffic standards for the closest matching land use category as set forth in the Trip Generation Manual;
3. the Director of Public Works can document through traffic analysis that such treatment is necessary to avoid congestion and /or unsafe conditions on the public street; or
4. identified as necessary by a submitted traffic study.

ZZ. Driveway Profiles

Driveway profiles must be determined based upon the grade of a two-way, one-way or divided commercial driveway and shall not exceed two percent for a minimum distance of 25 feet from the edge of the pavement.

AAA. Driveway Spacing

Driveways must be spaced at least 125 feet apart, whether they are on a single lot or adjoining lots. Spacing is to be measured from the center of the driveway throat to the center of the adjoining driveway throat.

BBB. Number of Driveways per Parcel

1. One driveway opening is permitted to a parcel from any abutting street provided that access is not otherwise controlled or restricted.
2. Additional driveways may be permitted as part of site plan review.
3. Parcels with 200 feet of frontage or less may apply for a second driveway if it will be shared with an adjoining parcel, provided that minimum driveway spacing required by this chapter is maintained, and subject to the approval of the Director of Public Works.
4. For purposes of this provision, a "parcel" is defined as a piece of land that contains one business or is owned by one owner even though the land may have been subdivided into smaller lots.

CCC. Corner Clearance

All direct-access driveways must be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the curb face of the intersecting street. Using a 15-foot driveway radius, the edge of the driveway throat must be 135 feet from the curb

face of the intersecting street. The driveway radius may not compound with the intersection corner radius.

DDD. Driveway Width

Except for dual driveways approved by the Director of Public Works, the width of the driveway throat may not exceed 35 feet in width.

EEE. Failure to Comply

Failure to comply with any of the requirements of this chapter will be grounds for disapproval of the proposed plan or application for a building permit.

Accessible Parking for People with Disabilities

FFF. Applicability

The accessible parking standards of this section apply to all new parking lots for nonresidential uses and multi-family dwellings.

GGG. Spaces Required

Accessible parking spaces are required as specified in Chapter 11 of the International Building Code.

HHH. Layout and Design

1. Location

Accessible parking spaces must be located on the shortest possible route of travel between the parking area and an accessible building entrance.

2. Access Aisles

a. Access aisles must be included to provide space adjacent to vehicles for passenger loading and unloading. All access aisles must:

- (1) be at least five feet wide;
- (2) be located on the passenger side of the parking space;
- (3) extend the full length of the parking space; and be marked to indicate that parking in the access aisle is prohibited.

b. One in every eight accessible spaces, but not less than one, must be served by an access aisle that is a minimum of eight feet wide and must be designated "van accessible."

3. Slope

Accessible spaces and access aisles may not have a slope greater than two percent. Access aisles must be at the same level as the parking space.

4. Vertical Clearance

Accessible parking spaces must have a vertical clearance of eight feet two inches.

5. Signs and Identification

- (1) All accessible parking spaces must be identified by signs complying with the Manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR Part 36, ADA Standards for Accessible Design. The sign must be vertically mounted on a post or wall no more than five feet from the space and centered on the width of the space.

Shared Parking

Within a C-2 or C-3 district, the Planning Commission may approve a reduction of up to 20 percent of the total parking required when a shared parking agreement between two or more lots is provided.

Off-Street Loading Requirements

III. Applicability

Off-street loading spaces must be provided on the same lot as any new or expanded use, building, structure or part thereof that is involved in the receipt or distribution of materials, merchandise or other items by motor vehicle. Off-street loading spaces must be located and configured to avoid undue interference with public use of streets, alleys and walkways. No part of any vehicle may extend into a public right-of-way while being loaded or unloaded.

Spaces Required

For all commercial uses except office uses in all Commercial Districts (PO, C-1, C-2 and C-3), off-street loading spaces must be provided as specified in the following table:

Gross Floor Area of Establishments (Square Feet)	Required Number and Size of Loading Berths
1,000-10,000	1 - (10 feet x 25 feet)
10,000-25,000	1 - (10 feet x 60 feet)
25,000-40,000	2 - (10 feet x 70 feet each)
40,000-100,000	3 - (10 feet x 70 feet each)
Over 100,000	3 + 1 per additional 100,000 square feet or fraction thereof (10 feet x 70 feet each)

For all uses in the Business Park and Industrial Districts (BP, M-1 and M-2), off-street loading spaces must be provided as specified in the following table:

Gross Floor Area of Establishments (Square Feet)	Required Number and Size of Loading Berths
1,000-10,000	1 - (10 feet x 25 feet)
10,000-40,000	1 - (10 feet x 70 feet)
40,000-100,000	2 - (10 feet x 70 feet each)
Over 100,000	3 + 1 per additional 100,000 square feet or fraction thereof (10 feet x 70 feet each)

Landscaping and Screening

Applicability

1. All new structures, buildings and parking lots must comply with the landscaping and screening standards of this chapter.
2. If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this chapter.

Landscaped Area Requirements

Where Required

All uses must provide and maintain a landscaped area as provided in this section. Landscaped areas may not include rights-of-way and accessory uses, and must be maintained as a permeable and uncovered surface that contains living material. No more than 20 percent of the required landscaped area may consist of porous non-living materials.

Use Type		Required Landscaped Area (% of Lot Area)
Detached dwellings	single-family	50%
Attached dwellings	single-family	30%
Two-family dwellings		30%
Multi-family dwellings		30%
Commercial and industrial uses		20%

JJJ. Placement of Landscaped Areas

Landscaping in the following areas shall be provided:

1. landscaped area a minimum of six feet in width along street frontages; and
2. landscaped area a minimum of six feet in width along all perimeter property lines.

This required landscape area may be utilized in conjunction with the screening requirements of this chapter. This requirement does not apply to single-family detached dwellings.

KKK. Foundation Landscaping

A landscaped area a minimum of five feet wide must be provided along the foundation of all commercial and industrial buildings, excluding building entrances, loading areas and areas where an eight foot sidewalk is required adjacent to the building. This landscaped area may count toward the required landscape area for the lot.

Parking Area Landscaping

LLL. Interior Parking Lot Landscaping

1. Landscape islands with at least one shade tree and three shrubs must be provided at a minimum of one for every 10 parking spaces in all off-street parking areas. Flexibility in placement of landscape islands may be allowed for creative parking lot design and preservation of existing trees and vegetation. Landscape islands that include a light pole may eliminate the required shade tree provided the shade tree is included elsewhere in the required landscaped area.
2. Landscape islands include those areas that are a minimum of eight feet wide and 128 square feet in area, and are open to the parking area on at least three sides. "Bump-out" landscape areas will be considered landscape islands if they meet these criteria.

MMM. Perimeter Parking Lot Landscaping

1. Applicability

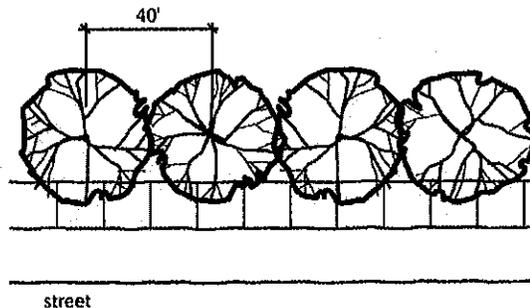
All new off-street parking areas must install perimeter parking lot landscaping. Areas counted toward interior parking lot landscaping requirements (such as bump-outs) may not be counted as perimeter parking lot landscaping.

2. Parking Areas Abutting Residential Districts

When a parking area abuts a residential district, a Type A opaque landscape screen must be provided to shield the parking area from view at any point within the residential district.

3. Parking Areas Abutting Public Streets

- a. When an off-street parking area abuts a public street, a minimum landscape strip at least six feet wide must be provided along the length of the right-of-way, excluding driveways. One shade tree must also be provided per 40 linear feet along the portion of the parking area that abuts a public street. These trees may be clustered or spaced linearly.



- b. When a parking area is separated from a residential district by a public street right-of-way, screening to shield vehicle headlights shall be provided along the length of the right-of-way.

Loading Areas

All loading areas abutting a residential district must be permanently screened from view along the abutting property line(s) by a Type A opaque landscape screen.

Monument Signs

- c. Landscape material must be installed around the base of the monument signs consisting of shrubs, perennial/annual flowers, and/or ground cover. The required landscaping area must be a minimum of three feet wide on all sides of the sign base. Where the area around the base of the sign is insufficient in size for all of the required landscaping, the Community Development Director may permit installation of a portion of the required landscaping at an alternate location on the site.

Street Trees

NNN. Applicability

Street trees are required on any street designated as a greenway on the Transportation Plan. Where street trees are provided on other streets, they must comply with this section.

OOO. Planting Requirements

1. Where required, street trees must be planted at a rate of one tree for every 50 linear feet. Driveway widths may be excluded from the calculation of the required number of street trees. Flexibility in locating trees is provided where it is not possible to locate trees every 50 feet due to the location of driveways.
2. To reduce the risk of disease and/or insect infestation, no more than 25 percent of the street trees in any individual development or subdivision may be of one species.
3. Species of street trees to be utilized shall comply with this section and be chosen from the list of allowable species for street trees referenced in O and shall be approved by the City prior to installation.
4. Required street trees must be installed within the street right-of-way or within 10 feet of the street right-of-way. If street trees are to be located outside of the right-of-way, the City is authorized to require the establishment of a 15-foot landscape maintenance easement.

Screening Requirements

Applicability

All uses must provide and maintain screening as required by this section. In cases where a use would be required to provide both landscaping and screening at the same location, the two requirements may overlap; however, the most restrictive requirement applies. Additionally, screening requirements may be counted toward the percent of landscaped area.

PPP. Screening Table

The following table establishes which type of screen is required. To determine the type required, first identify the zoning of the subject lot (the new or expanded use). Then identify the zoning of each adjacent lot.

Zoning of Subject Lot	A	R1A	R1	R1B	R-2	R-3	R-3A	PO	C-1	C-2	C-3	BP	M-1	M-2	PUD
A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
R-1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
R-1A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
R-1B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
R-2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a						
R-3	B	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-3A	B	A	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-3B	B	A	A	A	A	A	A	n/a							
PO	B	A	A	A	A	A	A	n/a							
C-1	B	A	A	A	A	A	A	C	+	n/a	n/a	n/a	n/a	n/a	n/a
C-2	B	A	A	A	A	A	A	C	C	+	n/a	n/a	n/a	n/a	n/a
C-3	B	A	A	A	A	A	A	B	C	+	+	+	n/a	n/a	n/a
BP	B	A	A	A	A	A	A	B	B	C	C	+	n/a	n/a	n/a
M-1	B	A	A	A	A	A	A	B	B	B	C	C	+	n/a	n/a
M-2	B	A	A	A	A	A	A	A	A	A	A	B	C	+	n/a
PUD	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

NOTE: Where two requirements overlap, the most restrictive shall apply.

Types of Screens

1. Opaque Screen, Type A

An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of special separation.

a. Height

Type A screens must be opaque from the ground to a height of at least six feet, with intermittent visual obstructions to a height of at least 12 feet.

b. Materials and Installation

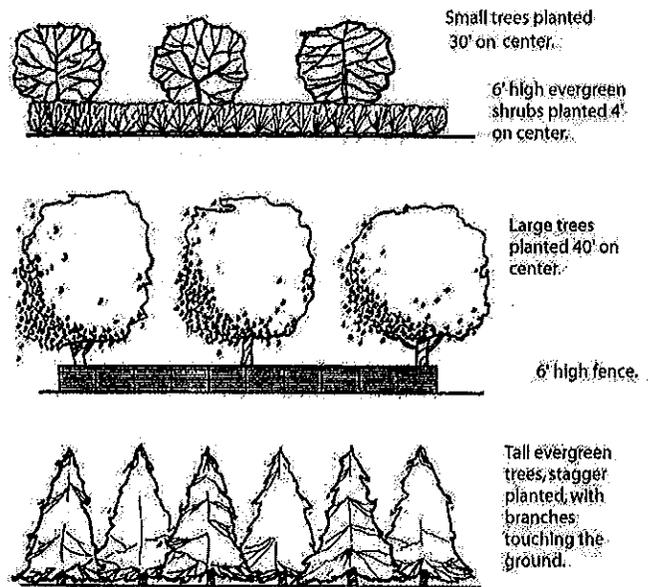
- (1) The opaque screen may be composed of wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation. When a wall or fence is used, it must be articulated every 50 feet.
- (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.
- (3) The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed

openings more than 10 feet wide. The portion of intermittent visual obstructions may contain deciduous plants.

- (4) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. **Example**

Suggested planting patterns that will achieve this standard are included in the following diagram.



2. **Semi-Opaque Screen, Type B**

The semi-opaque screen is intended to partially block visual contact between uses and create a strong impression of the separation of spaces.

a. **Height**

Type B screens must be opaque from the ground to a height of three feet, with intermittent visual obstructions to a height of at least 12 feet.

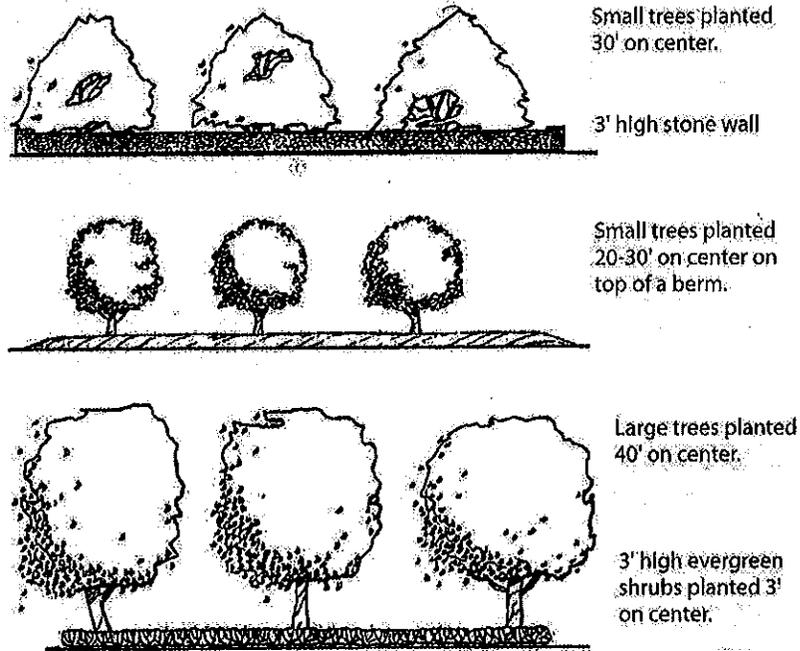
b. **Materials and Installation**

- (1) The semi-opaque screen may be composed of a wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation.
- (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.
- (3) At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed openings more than 10 feet wide. The zone of intermittent visual obstruction may contain deciduous plants.

- (4) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. **Example**

Suggested planting patterns that will achieve this standard are included in the following diagram.



3. **Broken Screen, Type C**

The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.

a. **Height**

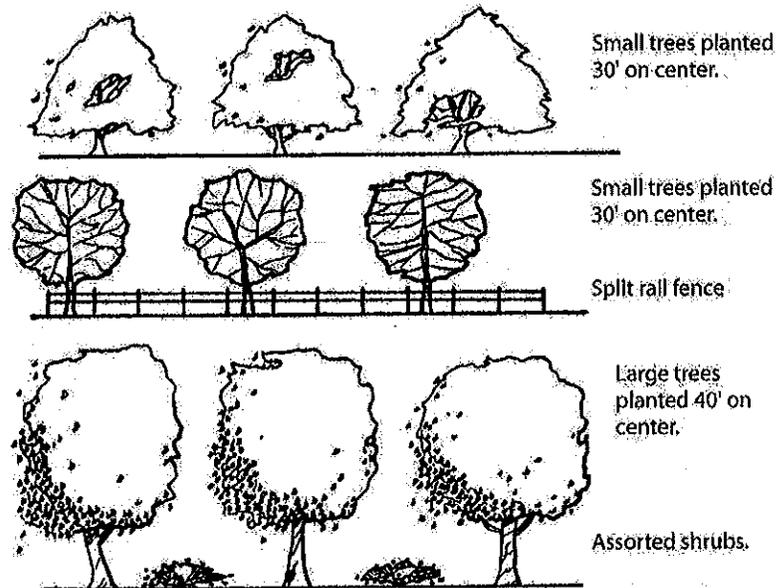
Type C screens must be composed of intermittent visual obstructions from the ground to a height of at least 12 feet.

b. **Materials**

- (1) The broken screen may be composed of a wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation.
- (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of the foliage of the subject species or field observation of existing vegetation. The screen may contain deciduous plants.
- (3) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. **Example**

Suggested planting patterns which will achieve this standard are included in the following diagrams.



4. Location of Screens

Screening required by this section must be located along the common lot line(s) of adjacent uses. Where uses are separated by an intervening right-of-way, screening is not required. In its review of a site plan, the Planning and Zoning Commission may require the location or dimensions to be modified to better achieve the desired level of screening on a particular site.

Planting List

QQQ. Required Species

All required trees and shrubs shall be of a species identified in the planting list. The planting list shall be maintained by the Community Development Director and made available to all applicants and to any other person who requests a copy.

RRR. Prohibited Plants

Plants listed as nuisance species or prohibited plants in the planting list are prohibited in required landscape areas. Prohibited plants include those that are invasive, potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.

Tree Preservation and Existing Vegetation

1. The City may require the preservation of existing trees and/or vegetation on a property as part of a rezoning, conditional use permit, preliminary plat, final plat or site plan application.
2. Existing vegetation may be used to satisfy the landscaping and screening requirements of this code if protected and maintained during site development and construction phases of work and if such trees or plants are not otherwise prohibited.
3. Preserved trees will be credited toward satisfying the tree planting requirements of this chapter if they meet the minimum size and species requirements of this chapter. Tree credits will be granted by the Community Development Director. Multiple credits may be given to encourage preservation of existing mature trees.

Trash Receptacle Screening

4. All outdoor trash receptacles, garbage areas, grease traps and trash compactors for multifamily residential and all nonresidential uses must be permanently screened from view on all sides by a fence of 100 percent opacity and a minimum height of six feet. The fence must be constructed to prevent accidental dispersal of material within the storage area.
5. Where commercial trash receptacles are used and where allowed by City codes, such receptacles must be screened as follows:
6. all screens for trash receptacles that are part of new construction projects must match the primary color and material of the structure served;
7. doors accessing storage areas must remain closed at all times when not being accessed;
8. existing trash receptacles of any size within 150 feet of an arterial street must be screened from view of the arterial street. The screen may not require full enclosure to accomplish screening; and
9. chain link and slat screening is only allowed in industrial zones. The screen must be opaque and include substantial masonry pillars every 30 feet.

10. No trash receptacle may be located in a required front or side yard unless located in an existing enclosure or if the existing developed site does not afford any other option; in such a case, the trash receptacle should be located in the side yard if possible and must comply with the screening requirements of this section. The Community Development Director will have the authority to grant an administrative variance where it is demonstrated that screening is impossible. After a request for such relief, the Community Development Director will notify the applicant of the determination in writing within 30 days.
11. Temporary trash receptacles are not required to comply with this section.

Screening of Mechanical Equipment

12. Rooftop equipment shall be screened from view from adjacent properties and any adjacent street, to be measured at a height of four feet above the ground. The equipment shall be screened with vertical extensions of the building walls or with parapets or other architectural design features of the same materials used on the walls of the building. Where the topography permits, it is desirable to screen such equipment from adjacent property, but it is not the intent of this requirement to increase the height of the screening significantly above that of the equipment in order to screen it from view from tall buildings or from higher ground.
13. Raised exterior walls or screen walls must be designed to enclose groups of equipment. Wall material should be compatible with or identical to the predominant opaque material on the exterior of the building.
14. All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Such screens and enclosures shall be treated as integral elements of the building's appearance.
15. Accessory utility facilities shall be screened.

Plant Materials

SSS. Plant Selection

All plant materials used to satisfy the requirements of this chapter must conform to the plant quality standards of the American Association of Nurserymen.

TTT. Minimum Planting Sizes

1. Trees

- a. Deciduous shade trees shall be two and one-half (2½) to three inch caliper as measured six inches above ground.
- b. Evergreen trees shall be six to eight (8) feet in height.

- c. Ornamental trees shall be one to one and one-half (1½) inch caliper as measured six inches above ground. The smallest trunk of multi-trunk clusters (three or more trunks) shall be three-quarters (¾) inch.

2. Shrubs and Hedges

- a. Deciduous and evergreen shrubs must have a minimum container size of three to five gallons depending upon species and spacing.
- b. Hedges, where required, must be planted and maintained to form a continuous, visual screen within a maximum of one year after time of planting.

3. Vines

Vines must be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.

4. Ground Covers

Ground covers used in lieu of grass in whole or in part must have a finished appearance and reasonably complete coverage within three months after planting.

5. Grass

a. Land Disturbance Activities

When a land disturbance permit has been issued, seeding may be utilized for erosion and sediment control when completed in accordance with this Chapter. Seeding is also an acceptable grass cover for any land awaiting development.

b. Building Permits

When a building permit has been issued for a principal structure upon a lot, the lot must either have sod or hydro-seeding installed wherever grass is required to be installed. The hydro-seeding or sod must be installed prior to the issuance of any permanent certificate of occupancy.

UUU. Installation

1. The Building Inspector will inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping is completely installed in compliance with the approved landscape plan and this chapter.
2. All landscaping materials must be installed according to current accepted good planting procedures and in compliance with all applicable ordinances and code requirements.
3. Plant materials must be free from disease and installed in a fashion that ensures the availability of sufficient soil and water to sustain healthy growth.

VVV. Maintenance

1. All landscaping materials must be maintained in good condition so as to present a healthy, neat and orderly appearance and must be kept free from refuse and debris.
2. All landscaping must be periodically trimmed so that it does not obstruct a public right-of-way.
3. Diseased and dead landscape material and damaged non-living materials must be replaced within 60 days of receipt of notice from the City by materials equal in size, density and appearance as originally required at the time of site plan approval.
4. The owner, tenant and their agent, if any, will be jointly and severally responsible for the maintenance of all landscaping.
5. Irrigation systems for all areas of turf, trees, shrubs, annual gardens or perennial gardens are required in the R-3A, C-1, C-2, C-3, PO, and BP districts and must be shown on the landscape plan. All irrigation systems must be maintained in proper working condition.

Right-of-way Ground Surface

No plant material or barrier, may be located in a public right-of-way. The ground surface within the public right-of-way must be planted with sod or hydro-seeded, with the exception of driveways, sidewalks and paths. Materials prohibited in the public right-of-way, unless required by this code or specifically approved by the City, include other groundcovers, shrubs, brick pavers, gravel, stone, asphalt and concrete; except those used for driveways, sidewalks and paths.

CONCLUSION / COMMENTS:

COMMISSION OPTIONS:

1. Discuss and accept the proposed Unified Development Code, Business, Commercial, and Industrial Districts.
2. Continue to the next regularly scheduled meeting for further discussion.