

City of Fernan Lake Village

Landscaping Design Ordinance Number 146

AN ORDINANCE OF FERNAN LAKE VILLAGE, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, ESTABLISHING REQUIREMENTS FOR LANDSCAPING STANDARDS FOR THE COMMERCIAL DISTRICTS IN FERNAN LAKE VILLAGE, IDAHO.

BE IT ORDAINED by the Mayor and City Council of Fernan Lake Village, Idaho:

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Section 4	Applicability
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TITLE:

The Title of this Ordinance shall be The Fernan Lake Village Landscape Design Ordinance.

AUTHORITY

PURPOSE

The purpose of this ordinance is to provide standards and minimum regulations for landscaping, screening and fencing, parking and circulation to promote public health, safety and general welfare. In addition, it is the purpose of these standards to promote traffic safety and improve the appearance of the city.

APPLICABILITY

This ordinance shall apply to all uses within the commercial district. This ordinance shall also apply to community uses including, but not limited to, schools, libraries, churches, meeting halls, hospitals, etc. These standards may also be required as a condition of approval for conditional use permits.

MINIMUM STANDARDS

The standards provided in this ordinance are the minimum standards required. A combined site plan addressing landscaping, parking and lighting is acceptable,

provided it can be easily reviewed and implemented. If the site plan becomes too cluttered or difficult to review for compliance with the requirements, separate site plans may be required by the city.

A. Prior to the issuance of a building or site disturbance permit for uses to which this ordinance applies, a landscape plan shall be submitted to the City for review and approval. The City shall review the plan and approve, conditionally approve or deny the landscape plan. The landscape plan shall be a drawing to scale, prepared by a landscape designer, including the following information:

1. Boundaries and dimensions of the site.
2. Identification of all species and locations of existing trees that are to be retained.
3. Location and identification of species of all proposed plantings.
4. Location and design of areas to be landscaped, buffered and maintained.
5. Type, location and design of proposed irrigation.
6. Plant lists or schedules with common name, quantity, spacing and size of all proposed landscape material at the time of planting.
7. Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights and paved areas.
8. Methods and details for protecting existing vegetation during construction.

B. For purposes of this article, a "landscape designer" is defined as an individual skilled in the trade of nursery operation or landscape design to include the drafting of landscape plans and construction details, development of plant material lists and construction material selection, but need not have completed the state of Idaho qualifications necessary to be classified as a landscape architect.

C. As part of the landscape plan submittal, the plan designer shall determine whether the site contains noxious weeds. If it is determined that there are noxious weeds on site, then the certificate of occupancy shall not be issued until a weed mitigation plan is developed and approved by city.

A. General Requirements:

1. Existing on site trees and shrubs may be included in the application of these standards, provided they are depicted on the plan and retained.

2. All landscaped areas, including trees, shrubs and ground cover, shall be permanently maintained in a healthy growing condition. Irrigation shall be available to maintain healthy growing condition. To maintain the integrity of the original design, any dead tree or shrub shall be replaced with the same or similar species originally planted unless a substitute is approved by the city.

3. No landscape area shall include artificial trees, plants or any carpeting designed as a vegetative substitute.

4. Unless otherwise specified, landscaping shall consist of, but not be limited to, a mix of deciduous and evergreen trees, shrubs and planted ground cover. The use of native vegetation is encouraged. There shall be at least one tree and three (3) shrubs for every three hundred (300) square feet of landscaped area. At the time of planting, deciduous trees shall be a minimum of two inch (2") caliper (as measured 6 inches above grade), and evergreen trees shall be at least five feet (5') tall. At the time of maturity, all trees shall be at least twenty feet (20') tall. Where shrubs are required, they shall be a minimum of a three (3) gallon tub.

5. All required landscape areas shall be planted so as to achieve one hundred percent (100%) ground coverage by under story plant materials within five (5) years. If this amount of ground coverage is not achieved, the area shall be planted with mature plant material immediately or as soon as the planting season permits.

6. All areas within twenty five feet (25') of a primary structure, excluding sidewalks, driveways and parking lots shall be landscaped.

7. No landscaping shall be placed so as to obstruct a motorist's clear view of a street, highway or public right of way within a fifty foot (50') vision obstruction triangle. Trunks of deciduous trees are acceptable within the fifty foot (50') vision obstruction triangle.

8. All outside storage shall be completely screened from public view.

B. Parking Lots: Landscaping shall be required for all parking lots based on a percentage of the gross parking area used for parking spaces. Traffic aisles and driveways are excluded from this calculation. The area calculations are as follows:

1 to 50 spaces	10 percent of the area
51 to 99 spaces	12 percent of the area
100 or more spaces	15 percent of the area

Example: 8 parking spaces, each space is 10 feet wide and 20 feet long (200 square feet per space) 8 spaces x 200 square feet = 1,600 square feet. 1,600 x 10% = 160 square feet of landscaped area.

In addition, parking lots and the accompanying landscaping shall be configured so that no parking space is more than seventy five feet (75') from a landscaped area.

C. Areas Adjacent To Residential Zones: A fifteen foot (15') wide minimum planting strip buffer in conjunction with a fifty percent (50%) site obscuring fence not less than six feet (6') in height shall also be required where the development abuts an existing residential zone or existing residential use.

Planting strip buffers shall consist of sight obscuring vegetative screening, and shall attain fifty percent (50%) sight obscurity along the entire strip within three (3) years. (Only 50 percent of the site is visible from the street or from an adjacent residential property after 3 years of plant growth.) Buffering shall provide a year round visual screen in order to minimize adverse impacts on adjacent property. No buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted in the buffer area.

D. Pedestrian Walkways: Pedestrian walkways shall be required and landscaped for their entire length. Trees shall be sized large enough so that, at maturity, a minimum vertical clearance of seven feet (7') between the sidewalk and the lowest branch is attained. Trees shall be at least two feet (2') from sidewalks and curbs at the time of planting. Root control barriers between the proposed tree planting location and the curb and sidewalks may be required to maintain the health of the tree.

E. Public Road Frontage: Frontage buffer areas shall be provided for all nonresidential uses adjacent to all public roads. The minimum depth of said buffer shall be fifteen feet (15'). Frontage buffers shall be planted with grasses, deciduous trees, evergreens or constructed of berms, boulder accents, mounds or combinations. Frontage buffers shall require a minimum of three (3) trees and three (3) shrubs for every thirty feet (30') of street frontage. If a landscaped berm is provided, the berm shall be at least two and one-half feet (2.5') higher than the finished elevation of the parking lot and planting requirements may be reduced to two (2) trees and three (3) shrubs for every thirty feet (30') of public road frontage. If planted berms are used, the minimum top width shall be four feet (4'), and the maximum side slope shall be two to one (2:1). No buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted in the buffer area.

A. All existing trees that are to be saved shall be unmistakably delineated in the field so that it is obvious to construction personnel and equipment operators.

- B. All field construction personnel and equipment operators shall use appropriate construction practices to prevent damage to existing and new landscaping.
- C. Prior to issuance of the certificate of occupancy, the designer shall submit a completion report attesting to the correct installation of healthy trees, shrubs, ground cover and other landscape treatments as shown on the landscape site plan, and that the installation is a correct representation of the plan.
- D. The city may authorize a delay in the completion of planting during the months of November, December, January, February and up to March 15 (or adverse weather conditions which threaten survivability of plants). Should a delay occur, a guarantee of financial surety equal to one hundred fifty percent (150%) of the costs of landscaping will be provided by the owner/developer and held by the city until the landscaping is complete. No certificate of occupancy shall be issued until the required landscape development is complete, or a financial guarantee has been approved.

SECTION 6 SEVERABILITY AND REPEALER

- (A) If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- (B) All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

SECTION 7 EFFECTIVE DATE

This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the Coeur d'Alene Press.

ADOPTED this 4TH DAY of APRIL, 2005

FERNAN LAKE VILLAGE

ATTEST:
CLERK



