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Date: October 26, 2010
To: Planning Commission
City of Rapid City
300 Sixth Street
Rapid City, South Dakota 57701
From: Designworks, Inc.
Project: Landscape Ordinance Revision
Rapid City Municipal Code
Designworks No.: R07-296

RE: PROPOSED LANDSCAPE ORDINANCE OVERVIEW

EXISTING ORDINANCE:

The ordinance is based on a point system. Plant materials are assigned a point value; the square footage of the property minus the square footage of the building(s) equals the number of landscape points required. Generally plants may be placed anywhere on the property subject to the following stipulations:

1. Fifty percent of the required plant (points) must be located within twenty feet of the parking area(s).
2. Twenty-five percent of the plants (points) located in the property's adjacent right-of-way may be included in the required points calculation.
3. Parking areas require one planter island per fifty parking spaces.

However, a number of special requirements are unique to certain zoning districts and land uses. Some of the special requirements are found in the landscape ordinance and some requirements are found elsewhere in other sections of municipal code.

PROPOSED ORDINANCE:

The purpose of the proposed landscape ordinance is to establish minimum requirements for the design, installation, preservation, and maintenance of landscapes.

The regulations were developed to fulfill the following objectives:

1. Provide aesthetic enhancement reflective of community values and the natural environment.
2. Protect property values.
3. Conserve water resources.
4. Support storm water management ordinances.
5. Buffer conflicting land uses.
6. Strike balance among various interest groups.
7. Simplify the task of compliance, administration, and enforcement of the ordinance.

The ordinance includes graphics, tables, checklists, and definitions to clarify its requirements and attempts to limit ambiguous language, special requirements unique to certain zoning districts and land uses, and difficult-to-enforce requirements.

The ordinance consists of *General Requirements* applicable to all landscape areas plus *Site Category Requirements* applicable to certain landscape areas. It is organized into the following sections:

Scope of Application (§17.50.300 A.)

1. All zoning districts except for *Airport Zoning District*.
2. Redevelopment of non-conforming property that increases or cumulatively increases square footage or occupant loads by twenty percent or more.
3. All land uses except an individual, detached single-family, duplex, or two-unit townhouse residential structure on its own lot.

General Landscape Requirements (§17.50.300 B.)

A landscape area is defined as “Any portion of a site, including the adjacent boulevard, not utilized for buildings, structures, parking, driveways, walkways, plazas, service areas, or storage areas.”

General landscape requirements address:

1. Ground surface cover – types and coverage of plant materials and mulch.
2. Water conservation:
 - Limitations on irrigated turfgrass with regard to dimension, slope, and depth of topsoil.
 - Conservation devices such as rain sensors, soil moisture probes, or weather station control that are required components of permanent underground irrigation systems.
3. Coordination with stormwater and public safety / visibility ordinances.
4. Plant material specifications:
 - Minimum plants sizes at installation.
 - Diversity of trees species.

Site Category Requirements (§17.50.300 C.)

Site Category requirements address additional landscape requirements for the following three areas of a site:

1. **Frontage Landscape Setback:** A dedicated landscape area that separates the public-right-of-way from adjacent land use. Designed for flexibility, this setback provides an urban greenbelt area for street trees, on-site storm water management, and pedestrian amenities. The minimum depth of setback is based on a property’s adjacent street classification and ranges from eight to sixteen feet.
2. **Adjoining Landscape Setback:** A dedicated landscape area along rear and side property lines to provide for tree planting, buffering of conflicting land use, on-site storm water management, and the interruption of expanses of continuous development. The minimum depth is eight feet.
3. **Parking Areas:** General tree requirements for all parking lots and internal landscaping requirements for large parking areas containing more than 100 parking stalls. Flexibility is provided for on-site storm water management and safe vehicular and pedestrian circulation.

Installation, Verification, and Deferral (§17.50.300 D.)

1. Requirements for granting Certificate of Occupancy.
2. Circumstances when a temporary Certificate of Occupancy may be granted and required financial security for issuance of a temporary certificate.
3. Time limit for completing landscape work.

Maintenance and Enforcement (§17.50.300 E.)

1. Maintenance tasks delineated.
2. References to sections of municipal code governing enforcement authority.

Required Plans and Submittals (§17.50.300 F.)

1. Conditions and requirements for landscape and irrigation plan submittals.
2. Checklists for all required information on landscape and irrigation plans.

Variances (§17.50.300 G.)

1. Reference to section of municipal code governing the variance process and procedure(s).

Exceptions (§17.50.300 H.)

For use on redevelopment of non-conforming properties and other special cases where application of the landscape requirements may be difficult. This section provides a means of compliance without obtaining a variance. The director of Growth Management may consider and allow:

1. Reduction of frontage setback depths.
2. Reduction or elimination of adjoining landscape setbacks.
3. Reduction of up to ten percent of the number of required parking stalls.
4. Allowance for compact parking for up to ten percent of the required number of parking stalls.

Definitions (§17.50.300 I.)

1. An explanation of all special terms used in the ordinance.