

165.47: Landscaping and Shading Regulations: The purpose of this section is to promote and protect the safety and welfare of the public through requirements for landscaping and shading which prevent soil erosion, improve air and water quality and enhance and preserve the beauty and appearance of the environment.

1. **Applicability:** The provisions of this section shall apply to all new landscaping and trees planted or installed within the City in conjunction with new construction, reconstruction or structural alteration projects of a building, parking area, or subdivision after the effective date of this section.
2. **Conformance Required:** It is unlawful, after the effective date of this section, within all projects or developments in R-7, Commercial and Industrial districts requiring a building permit, site plan approval, or subdivision approval by the City, to install, construct or plant any landscaping except in conformance with the provisions hereof.
3. **Goals and Objectives:** The Planning and Zoning Commission shall take into consideration the following goals and objectives, as well as the specific criteria enumerated. When reviewing a landscape plan, the Commission shall approve the plan if it finds and determines that:
 - A. The plan provides visual, noise and access screening between conflicting land uses.
 - B. The plan takes into account and does not inhibit the exercise of solar access rights of neighboring properties.
 - C. The plan tends to decrease soil erosion.
 - D. The plan does not interfere with any line of sight for vehicular drivers entering or leaving the site.
 - E. The plan enhances the architecture of the property, e.g., the landscaping tends to break up large expanses of wall or other structure(s).
 - F. The plan facilitates the movement of pedestrians and vehicles on the site and integrates with and helps to conceal parking facilities on the site.
 - G. The plan utilizes and preserves existing and native vegetation to the greatest degree possible.
 - H. The plan does not place an unreasonable burden on the City water system and supply.
 - I. The plan retains all existing trees 18 inches in diameter or more unless the retention of such trees would unreasonably burden the development.
4. **Landscaping and Shading Requirements:** All landscape plans submitted shall meet the following requirements prior to approval:
 - A. All disturbed areas on the site shall be revegetated or landscaped in a manner as approved by the Planning and Zoning Commission.
 - B. All on-site areas prone to soil erosion shall be defined on the landscape plan and shall be controlled through landscaping.
 - C. If requested by the City, details must be submitted which show that no proposed landscaping plan shall cause interference with adjacent property owners' solar access rights.

- D. The landscape plan shall only propose plantings or construction which do not interfere with the sight line of drivers entering or leaving the site.
 - E. Where deemed necessary by the Planning and Zoning Commission, the plan must provide for visual and noise screening between lots or parcels and abutting streets or thoroughfares. In making their decision, the Planning and Zoning Commission will take into consideration the types of land uses on the abutting lots or parcels.
 - F. The plan must provide for transitional yards where required. See Section 165.23:6.
 - G. Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City Engineer.
 - H. Maintenance: It shall be the responsibility of the owner of a lot to maintain and replace, if necessary, trees required by these provisions after their planting. Any trees on private property which overhang the public right-of-way shall be maintained in accordance with City provisions. Maintenance of trees within street rights-of-way shall be the responsibility of the property owner.
 - I. Each tree planted shall be deemed to cover two hundred (200) square feet for purposes of this ordinance. Each tree shall be at least eight (8) feet tall and have a diameter at breast height of at least two (2) inches.
 - J. Where fractional numbers of trees result, the number of trees required shall be rounded up to the closest whole number.
 - K. Evergreen trees, required for screening purposes in accordance with the provisions of 165.23:6 Transitional yards and 165.30 to 165.36 Off-street Parking Requirements, may be used to satisfy the requirements of the tree regulations provided they are of a variety suitable for screening purposes, as listed in Appendix A, and are allowed to grow to their mature height.
 - L. References to "large" or "small" trees in subsequent paragraphs refer to the mature height as suggested in the "Suggested Tree Planting List" in Appendix A.
 - M. Existing on-site trees may be used to comply with the requirements of the tree regulations.
5. **Subdivision Landscape and Shade Requirements:**
- A. In R-1, R-3, and R-5 zone districts there are no landscape nor shade requirements. Landscaping shall be done on a lot by lot basis in accordance with site plan requirements in R-7, C-ORS, C-2, C-3, C-4, C-R, C-WH, I-1 and I-2 zone districts. In the R-MH zone district, refer to Section 147.09, Soil and Ground Cover Requirements.
 - B. Screening: When undeveloped land is subdivided and undeveloped lots only are sold, the subdivider shall not be required to install any screening. Screening shall be required, if at all, only when the lots are developed, and shall be the responsibility of the developer of the lot.
 - C. Shading:

- (1) Along both sides of all newly created streets in all R-7, C-ORS, C-2 and C-R zone districts that are constructed in accordance with the public street standards set forth in Section 165.58:1 and the Cedar Rapids Metropolitan Area Engineering Design Standards there shall either be planted or retained sufficient trees so that between the paved portion of the street and a line running parallel to and 50 feet from the centerline of the street, there is for every 40 feet of street frontage at least an average of one deciduous tree that has or will have when fully mature a trunk at least 12 inches in diameter. When trees are planted pursuant to this section, the developer shall choose trees that meet the standards set forth in Appendix A.
- (2) At street intersections, trees shall not be located within 70 feet of the intersection of curb lines along arterial streets, within 50 feet along collector streets, or within 30 feet of the intersection of curb lines along local streets. In cases where two different types of streets intersect, the location of the tree shall be determined by the type of street adjacent to the proposed tree.

6. **Site Plan Landscape and Shade Requirements:**

A. Landscaping:

- (1) In R-1, R-3 and R-5 zone districts there are no landscape nor site plan requirements.
- (2) The following minimum percentages of lot or site area shall be placed in approved landscaping:
 - a. In R-7 or PUD zone districts with a multiple family dwelling of three or more units, a minimum of fifteen percent of the area of the lot shall be provided as open space. Such open space shall be provided on the ground and shall not include any of the required yard areas, nor any area provided for off-street parking or loading, nor any area in streets or drives. One-third (1/3) of the total landscaped area shall be planted with trees.
 - b. In C-ORS, C-2, C-3, C-4, C-R, C-WH, I-1 and I-2 districts: ten percent (10%). One third (1/3) of the total landscaped area shall be planted with trees. The landscaped area shall be any area that is not covered by buildings, parking areas or driveways.

B. Screening:

- (1) Transitional yards when required shall be provided in accordance with Section 165.23:6.
- (2) Any plan containing an outdoor storage area will provide visual and noise screening between adjacent lots or parcels and streets or thoroughfares.

C. Shading:

- (1) Trees are required to be planted along the streets in all R-7, C-ORS, C-2 and C-R zone districts in accordance with the provisions of Section 165.47:5C above.
- (2) Trees are required to be planted in all parking facilities with a capacity larger than forty (40) vehicles with more than two (2) aisles. The landscape plan must provide for interior plantings in order to provide shade and break up the expanse of hard-

surfaced area. Interior landscaping shall be a minimum of five percent (5%) of the total parking area. This subsection does not abrogate the parking requirements as stated in any other part of this Code.

APPENDIX A

PLANTING GUIDELINES AND SUGGESTED TREE PLANTING LIST

I. Planting Guidelines

- A. Large trees shall be placed no closer than 30 feet apart or located closer than 14 feet to a building. Small trees shall be located no closer than 16 feet apart but may be located to within eight (8) feet of a building.
- B. Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City.
- C. Any tree planted within the street right-of-way shall have a single trunk, with a minimum of four (4) feet from grade to the first branch at the time of planting.
- D. Trees shall not be located within four (4) feet of a public sidewalk or the anticipated location of a future public sidewalk where one does not exist. Trees shall not be located within five (5) feet of the curb. No trees shall be planted in the area between a curb and a sidewalk where the width of the area is less than nine (9) feet.

II. Protection of Existing Trees 18 inches in Diameter or Greater

- A. No excavation or other subsurface disturbance may be undertaken within the drip line of any tree 18 inches in diameter or more, and no impervious surface (including, but not limited to, paving or buildings) may be located within 14 feet of any tree 18 inches in diameter or more unless compliance with this subsection would unreasonably burden the development. For purposes of this subsection, a drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

III. Suggested Tree Planting List

DECIDUOUS VARIETIES (large)	STREET	PARKING AREAS	OTHER USES	WITHSTANDS CITY COND.	APPROXIMATE HEIGHT IN FEET	REMARKS
BEECH American Blue		X	X		90'	Some problems with city conditions
BIRCHES European and varieties		X	X		60'	Pest problems - not recommended for streets
ELM American (D.E.D. resistant varieties)			X	X	120'	

DECIDUOUS VARIETIES (large)	STREET	PARKING AREAS	OTHER USES	WITHSTANDS CITY COND.	APPROXIMATE HEIGHT IN FEET	REMARKS
GINKJO and varieties	X	X	X	X	100'	Slow growing, few pest problems; fruit can be a problem.
HACKBERRY	X	X	X	X	75'	Susceptible to Witches Broom, pest problems
HICKORY						Nut can be a problem
Shagbark		X	X		120'	Picturesque bark
Pignut		X	X		120'	Nuts
Mockernut		X	X		90'	Nuts
HYBRID LOCUST & varieties		X	X	X	70'	Pest problems, require extra maintenance
Shademaster						
sunburst						
Skyline						
HOP HORNBEAM	X	X	X		60'	Fairly free of disease and insect pests
HORNBEAM						
European & varieties		X	X		60'	Hardiness may be a factor
KATSURA		X	X		80'	Generally pest free, has clumping tendency
KENTUCKY COFFEE TREE		X	X		90'	Pods
LINDEN						
American Linden	X	X	X		80'	Large leaves
Redmond					70'	
Little leaf & varieties	X	X	X		50'	Slower growing
Greenspire					60'	
Big leaf & varieties		X	X		90'	Not a good street tree
LONDON PLANE		X	X	X	90'	Requires extra maintenance
MAPLE						
Norway & varieties	X	X	X	X	90'	Dense shade, generally good for most uses
Red		X	X		90'	Adapts to wet soils
Sugar & varieties		X	X			Girdling roots, have problems with city conditions
OAK						
White	X	X	X		100'	Slow growing, very large at maturity
Swamp White			X		60'	Adapts to wet soil
Shingle	X	X	X		75'	Ornamental bark
Pin Oak		X	X		75'	Requires extra maintenance
English & varieties	X	X	X		80'	Little fall color, hardiness may be a factor
Red	X		X	X	80'	Bright red fall color
Shumard			X	X	80'	Good substitute for Scarlet Oak
OHIO BUCKEYE		X	X	X	70'	Good fall color
PEAR						
Bradford Callery Pear	X	X	X	X	45'	Rarely bears fruit, somewhat resistant to Fire Blight
POPLARS						
Quaking Aspen			X		90'	Ornamental, short-lived

DECIDUOUS VARIETIES (large)	STREET	PARKING AREAS	OTHER USES	WITHSTANDS CITY COND.	APPROXIMATE HEIGHT IN FEET	REMARKS
PRUNUS Black Cherry & varieties Shubert Choke Cherry	X	X	X		75' 40'	Ornamental, drooping branches Attractive, hardy cultivar
SWEET GUM	X	X	X		90'	Hardiness may be a factor
SYCAMORE		X	X	X	80'	Requires extra maintenance
TULIP TREE (Liriodendron)			X		90'	Reasonably free of disease and insect pest
WALNUT Butternut Eastern Black			X X		80' 90'	Nuts can be a problem Nuts can be a problem
UPRIGHT EVERGREEN VARIETIES (large and medium)						
AMERICAN ARBOR VITAE Pyramidal Arbor Vitae		X X	X		60' 30'	Adapts to wet soil, bronze winter color Makes excellent screening
FIRS White (Concolor)		X	X	X	100'	Bluish-green color
HEMLOCK Canada & varieties Carolina		X X	X X		85' 75'	Excellent specimen tree Excellent specimen tree
JUNIPERS - upright Eastern Red Cedar & varieties		X	X		75'	Hardy, prefer alkaline soil, makes excellent screening
PINE Austrian & varieties Red Eastern White & varieties Scotts & varieties		X	X X X X		90' 75' 95' 75'	Rapid growth rate, pyramidal Pests controlled by spraying, reddish bark Good ornamental, transplants easily Unique form, not a good shade tree
SPRUCE Norway & varieties White & varieties Colorado & varieties		X X X	X X X		100' 90' 100"	Mature trees thin out at top, dark green Hardy, endures heat and drought Insect pest, doesn't grow old gracefully

DECIDUOUS VARIETIES (medium & small)	STREET	PARKING AREAS	OTHER USES	WITHSTANDS CITY COND.	APPROXIMATE HEIGHT IN FEET	REMARKS
DOGWOOD Flowering & varieties		X	X		35'	Doesn't always bloom in this tree zone
HORNBEAM American & varieties	X	X	X		36"	Slow growing
MALUS (Crabapple)						Adapts well to city conditions. Resistance to disease and insect pests varies from area to area.
Adams	X	X	X		24'	Red buds open to pink, annual bearing
Arnolds Crab	X	X	X	X	20'	Red buds open to pink-white, pest problems
Centurian	X	X	X	X	20'	Red buds open into rose-red blossoms
Radiant	X	X	X		25'	Hardy, red buds to pink flowers
Red Splendor	X	X	X		20'	Red buds open to showy deep pink flowers
Sargent		X	X	X	10'	White flowers, shrub form, some pest problems
Snowdrift	X	X	X	X	20'	Fast growing with upright branching habit
Van Eseltine			X		20'	Buds flower pink, pest problems
Zumi			X		20'	Deep red buds opening into white flowers
MAPLE Amur & varieties	X	X	X		20'	Good specimen, fragrant flowers
Norway varieties (small)						
Columnare	X	X	X	X	25'	Pyramidal
Crimson King			X	X	40'	Hardiness sometimes a problem, good color
RED BUD Eastern & varieties	X	X	X		35'	New rosy reds are interesting, susceptible to weed spray