



**Planning Advisory Board/Zoning
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
January 28, 2020
3:00 PM**

OPENING MEETING

1. Call to Order 3:00 P.M.
2. **Peter Fontan-Chair**
Charles Pankratz-Vice Chair
Dave Bertelsen
Kelly Buschmeyer
Tory Mills
Samantha Shinaberger
Laura Vukasin
3. Recognition of Staff
4. Approval of Meeting Minutes - January 14, 2020

BOARD ACTIONS REQUIRING PUBLIC HEARING

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

5. Ordinance 3211, “An Ordinance Amending Title 17 of the Official Code of the City of Great Falls (OCCGF): Reserving Chapters 41 through 43; and, repealing and replacing Chapter 44 Pertaining to Landscaping” and Ordinance 3212, “An Ordinance Amending Title 17 of the OCCGF: Repealing Appendix B Pertaining to the List of Required Boulevard Areas and Street Medians.”

COMMUNICATIONS

6. Next Meeting Agenda - February 11, 2020

PUBLIC COMMENT

Public Comment on any matter and that is within the jurisdiction of the Planning Advisory Board/Zoning Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk’s Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Planning Advisory Board/Zoning Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Thursday at 7 p.m.

**MINUTES OF THE MEETING
OF THE
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
JANUARY 14, 2020**

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Pete Fontana at 3:00 p.m. in the Commission Chambers of the Civic Center.

ROLL CALL & ATTENDANCE

Planning Board Members present:

Peter Fontana, Chair
Charles Pankratz, Vice Chair
Dave Bertelsen
Kelly Buschmeyer
Tory Mills
Samantha Shinaberger
Laura Vukasin

Planning Board Members absent:

None

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development
Thomas Micuda, Deputy Director, Planning and Community Development
Erin Borland, Planner III
Andrew Finch, Sr. Transportation Planner
Lonnie Hill, Planner I
Alaina Mattimiro, Planner I
Jamie Nygard, Sr. Admin Assistant

Other Staff present:

Joseph Cik, Assistant City Attorney

Mr. Raymond affirmed a quorum of the Board was present.

MINUTES

Chair Peter Fontana asked if there were any comments or corrections to the minutes of the meeting held on December 10, 2019. Seeing none, Mr. Bertelsen moved to approve the minutes. Ms. Vukasin seconded, and all being in favor, the minutes were approved.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

OCCGF Title 17, Chapter 36 Parking Code Amendments (Ordinance 3200)

Erin Borland, Planner III, explained that about a year ago the City Manager's office had tasked the Planning office with looking at the development process. The City Commission was looking for a way to be a little more flexible for developers, so the Parking chapter and the Landscaping chapter were identified by the Planning staff for review. Ms. Borland explained that the Planning office not discussed the regulations at the staff level for historical data, but brought in stakeholders, engineers, landscapers, and architects to find out historically what has been the biggest challenge in the usage of the Parking and Landscaping chapters. Planning took that list and looked at these two chapters to develop the proposed code changes.

Alaina Mattimiro, Planner I, presented the parking code changes to the Board. There were four categories that Andrew Finch and herself put the changes under. One being Simplification (Eliminated redundant or unused Code provisions), the second being Flexibility (Increased flexibility to allow for more developer-driven decision-making), and the third being Reduced Requirements (Reduced parking requirements to assist development of tighter sites) and the last being Safety (Enhanced safety for motorists and pedestrians through clarification of design requirements).

Under the simplification category, the "suggested bike parking" table was eliminated as well as the accessible parking provisions they are redundant and already covered under the City's building code. The simplified parking design table has been modified to only reference parking space width/depth and aisle widths. The unused provisions for loading areas and the parking table for shared uses will also be eliminated.

The flexibility options are being revised because the context of a development sometimes calls for different design solutions. Revisions that allow for more flexibility and developer-driven decision-making have been proposed. Some of the flexibility options are to increase the number of spaces that can be provided over the maximum allowance up to 20% or 10 additional spaces, whichever is greater. Also, applicants will be allowed to receive a reduction in the amount of required parking spaces through the preparation and approval of a use specific study that shows why a reduced number is appropriate. Also, staff revised the code to change the parking calculations to round down to the next whole number. Downtown parking was also looked at, and it is recommended that the C-4 and C-5 zoning districts would be parking-optional at the discretion of the Planning and Community Development Director.

The bike parking incentive/reduction was also increased. Providing bicycle parking can reduce the number of required vehicular spaces. Ms. Mattimiro explained that it would also help achieve the City's long term transportation goals as well. Additionally, the flexibility of developments to provide off-site parking is proposed to be increased from 400 feet to 1000 feet to allow developers to find space for the parking spots at the discretion of the Planning and Community Development Director.

Ms. Mattimiro further explained that the Parking Stall Dimensions chart in the current code was pretty rigid, and a lot of design waivers are done for them, so a range was developed to provide flexibility for fitting into tighter construction sites. Permeable pavers were also added as a surfacing option. Gravel is also a proposed surfacing option for I-2 Heavy Industrial Zoning.

Too much required parking can inhibit redevelopment, increase storm water management needs and increase development cost. To better accommodate tight site constraints and to reduce environmental impacts, it is important to find reductions in parking minimums. Ms. Mattimiro stated that they did look at different cities that have the same makeup as Great Falls and compared their requirements to Great Falls. There were several categories where changes could be made.

The final category for revisions would be to improve safety. Improper designs can lead to crashes in parking lots, driver frustration and conflict between pedestrians and motorists. Clarification has been made on a lot of safety design requirements, prioritizing pedestrian connections between the right of way and the land use.

Chair Fontana asked about the elimination of accessible ADA parking space requirements and how it was redundant and creates flexibility for the developer. Ms. Mattimiro clarified that the ADA parking is part of the building code.

Chair Fontana also asked about the loading docks and if that has been an issue in the past. Mr. Finch responded that staff have never mandated loading docks, so it was eliminated from the code. It will be up to the developer if they want a loading dock or not and the code will still have general guidelines if a developer decides to build a loading dock.

Mr. Finch did also address that the changes to the code for to waive downtown parking would not be at the discretion of the Planning and Community Development Director, which is a huge deviation from the current code. Chair Fontana stated that in a lot of other cities that is what they are doing because of limited room to provide parking lots. Mr. Raymond said that in a lot of those other cities they are building parking structures to accommodate these needs.

Mr. Pankratz did ask about the back out parking into the public street and wanted to know if spots would be grandfathered in, if it is their only means of getting out. Mr. Finch responded that yes, this would only be for new development.

Chair Fontana did ask about a dance studio project that was allowed a couple of years ago to keep their gravel parking lot, because it was cost prohibitive to pave and wanted to know if there would still be that flexibility in the code. Mr. Micuda responded that this option would always exist to an applicant to petition for a different surface, but the changes in the code would only apply to Industrial zoning districts. It would be on a case by case basis.

PETITIONER'S PRESENTATION

There were no Petitioners present

PUBLIC QUESTION AND ANSWER SESSION

There were no questions from the public

PUBLIC COMMENT

Brett Doney, Great Falls Development Authority, 405 3rd St NW Suite 203, stated that the staff did an excellent job. They have looked at other communities. Flexibility is important if Great Falls is going to get more commercial property development. He gave an example about how many parking spaces would be reduced under the proposed code change for a retail building over 60,000 and stated that he only had good things to say about the Ordinance. He encouraged the board to support it.

Chair Fontana stated that he concurred with Mr. Doney and especially with the parking in the downtown area.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board and Zoning Commission recommend the City Commission approve to adopt Ordinance 3200.

Made by: Mr. Pankratz

Second: Mr. Mills

VOTE: All in favor, the motion carried 7-0

Ordinance 3211, “An Ordinance Amending Title 17 of the Official Code of the City of Great Falls (OCCGF): Reserving Chapters 41 through 43; and, repealing and replacing Chapter 44 Pertaining to Landscaping” and Ordinance 3212, “An Ordinance Amending Title 17 of the OCCGF: Repealing Appendix B Pertaining to the List of required Boulevard Areas and Street Medians.”.

Lonnie Hill, Planner I, presented to the Board that for this ordinance change, Planning did the same thing as they did for the parking ordinance, in that they gathered input from stakeholders, designers, and developers. The main points that were tackled were re-organization, single/two family requirements reduced, non-residential boulevard tree requirements reduced, planting rates reduced, multi-family changes, and design flexibility. For reorganization the Parking Chapter was previously organized by types of buildings and it is being proposed to be organized by land use types and all requirements will be found under each land use. The chapter was divided into 5 Articles, and is being proposed to be down to 3 Articles.

The proposed change for Single and Two family requirements is that landscaping will be reduced to at least one interior tree in addition to the required boulevard trees, rather than one tree per 1500 square feet. For non-residential boulevard tree requirements staff proposes to have 1 tree per 50 lineal feet and exclude driveways, sidewalks or other approved hard surface instead of the existing code which is 1 tree for every 35 lineal feet. Staff also proposes to reduce planting rates for projects under two acres to 1 tree and 4 shrubs for every 400 square feet of required landscaping instead of the existing rate of 1 tree and 7 shrubs for every 400 square feet of required landscaping. For projects two acres and over, the existing rate is 1 tree and 7 shrubs for every

400 square feet of required landscaping and the proposed rate is for 1 tree and 4 shrubs for every 500 square feet of required landscaping.

Mr. Hill did state that these are just the minimum requirements. Multi-family development was previously included with single and two-family homes. Large projects don't fit the residential requirements and it is challenging to meet tree and shrub bed requirements. The proposed change would now include multi-family with commercial uses. This will aid developers in compliance and allow for more site design flexibility. One thing that Planning had heard a lot about from the designers was about wanting more flexibility. The proposed changes would allow 2 perennials or 1 ornamental grass to substitute for 1 shrub with a maximum of 30% of required shrubs. It would also allow for 9 cubic feet of sculpture that may substitute for 1 shrub with a maximum of 10% of required shrubs. Finally each 2 foot boulder or larger may substitute for 1 shrub with a maximum of 10% of required shrubs.

The second part of the motion is the repeal of Appendix B which is a list of required trees for boulevard areas and street medians. It is currently in the code and an ordinance is needed to make changes to the list. The proposal is to remove the list from City Code to allow adjustments when needed without code amendments. There will be a list at the Park Department and Planning and Community Development., Changes can then be made without going to the City Commission.

Chair Fontana asked where you can put the trees on the boulevard and if they need to be spaced out or could be clustered closer together. Mr. Hill responded that it would not meet the intent of the code to cluster boulevard trees. Chair Fontana also asked how boulevard trees are addressed for development of a cul-de-sac and driveways that take up most of the frontage of the property. Ms. Borland responded that for developments using narrow lots and cul-de-sacs, that Planning has used PUD zoning and have had specific standards for those different lots. If the driveway in such situations took up too much space that only made the frontage 30 feet then just one tree would be required.

Ms. Shinaberger did ask staff if current developers will be notified of the changes being proposed. Mr. Micuda responded that there are some projects that are in the queue where developers have been notified, so that they could potentially be prepared if the new code is adopted. Mr. Raymond stated that Planning has been aggressive with notification to the development community that these changes are being proposed.

Mr. Hill did state that Industrial landscaping requirements are being moved into the Commercial chapter, but the requirements are not being changed.

BOARD DISCUSSION AND ACTION

MOTION: That the Planning Advisory Board and Zoning Commission recommend the City Commission to adopt Ordinance 3211

Made by: Mr. Bertelsen
Second by: Ms. Vukasin

PETITIONERS PRESENTATION

There were no Petitioner's present

PUBLIC QUESTION AND ANSWER SESSION

There were no questions from the public

PUBLIC COMMENT

Brett Doney, Great Falls Development Authority, 405 3rd St NW Suite 203, thinks that the overall proposal is fantastic, but that the proposed changes need clarification. There are several places that the literal meaning could cause significant issues. Reading from the meeting packet, Mr. Doney identified concerns in the following sections: 1) Applicability provisions where certain terms are not defined, 2) requirements that could affect homeowners if they removed vegetation, and 3) requirements that could impact development of downtown properties. Chair Fontana asked Mr. Doney if he would be supplying some written recommendations and he replied that he would be happy to.

Ms. Borland stated that there are going to be some inconsistencies throughout this process as we are only doing one chapter at a time. Planning is keeping track of all the definitions and then they will all be put into Chapter 8. Chair Fontana did ask staff what would be the best approach for the motion that was made. Mr. Cik did give him a couple different options including tabling the ordinance so staff could address the items raised by Mr. Doney.

BOARD DISCUSSION AND ACTION

AMDENDED MOTION: That the Planning Advisory Board and Zoning Commission Amend the motion to table Ordinance 3211.

Made by: Mr. Bertelsen
Second: Ms. Shinaberger
VOTE: All in favor, the motion carried 7-0

MOTION: That the Planning Advisory Board and Zoning Commission table Ordinance 3212

Made by: Ms. Vukasin
Second: Ms. Shinaberger
VOTE: All in favor, the motion carried 7-0

COMMUNICATIONS

Election of a New Vice Chair

Mr. Bertelsen wanted to address staff in regards to Mr. Wedekind being taken off of the board. He was marked absent from the September 24, 2019 meeting on the attendance sheet but he was in attendance. Chair Fontana stated that Mr. Wedekind was a half an hour late to that meeting so was not there for roll call. Mr. Bertelsen stated that Mr. Wedekind dedicated three years of his time to this board and was only notified by a letter that he was no longer on the board and he thinks that he should have been treated better than that. Mr. Cik responded that staff does not have any control what the City Commission does. Mr. Raymond did also state

that it happened very quickly and the Planning Board packet had to be put together and the timing was just off. The development process can be frustrating to people and not having a quorum for the Planning Board meetings adds to the problem. Mr. Raymond responded to Mr. Bertelsen that we will do better in the future.

MOTION: That the Planning Advisory Board and Zoning Commission appoint Charles Pankratz as the Vice Chair for the year 2020

Made by: Chair Fontana

Second: Mr. Bertelsen

VOTE: All in Favor, the motion carried 7-0

Next Meeting Agenda – Tuesday, January 28, 2019

Staff noted that the landscaping code amendments would be presented to the Board at this meeting.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business, Chair Pete Fontana adjourned the meeting at 4:16 p.m.

CHAIRMAN

SECRETARY



Agenda #: 5
Meeting Date: Jan. 28, 2020

CITY OF GREAT FALLS
PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT

Item: Ordinance 3211, “An Ordinance Amending Title 17 of the Official Code of the City of Great Falls (OCCGF): Reserving Chapters 41 through 43; and, repealing and replacing Chapter 44 Pertaining to Landscaping” and Ordinance 3212, “An Ordinance Amending Title 17 of the OCCGF: Repealing Appendix B Pertaining to the List of Required Boulevard Areas and Street Medians.”

From: Planning and Community Development Department

Initiated By: Planning & Community Development/Legal Departments

Presented By: Planning Staff

Action Requested: Recommendation to the City Commission.

Suggested Motion:

Board Member moves:

- I. “I move that the Planning Advisory Board recommend the City Commission (adopt/deny) Ordinance 3211.”

Chairperson calls for a second, public comment, board discussion, and calls for the vote.

Board Member moves:

- II. “I move that the Planning Advisory Board recommend the City Commission (adopt/deny) Ordinance 3212.”

Chairperson calls for a second, public comment, board discussion, and calls for the vote.

Background: First adopted in 2005 as the City’s first comprehensive compilation of code provisions relating to development, Title 17 to the Official Code of the City of Great Falls (OCCGF) has been modified a number of times to keep the Code relevant. Members of the City Commission and Staff have examined numerous sections of the OCCGF and have identified various types of revisions throughout different chapters of the Code. These deficiencies range from typographical errors, needed content updates, and conflicts with State and Federal law.

As part of the current comprehensive review of the City’s development process, Title 17, referred to as the “Land Development Code,” contains various development provisions and is the largest and most complex of all OCCGF Titles. In 2019, the City Commission asked Staff to look at the Code to see if

there were opportunities for streamlining and improvements to provide better service and flexibility for the development community.

In late 2019, Staff undertook a review of two Chapters of the Land Development Code: Chapter 36 Parking and Chapter 44 Landscaping. Based on this review, input from focus groups, and comparison with codes from other similar communities, Staff has recommended revisions to both Chapters. The Planning Advisory Board is being asked to review and make recommendation regarding Chapter 44 Landscaping, attached to this report as Ordinance 3211, and Ordinance 3212.

Revisions to Ordinance 3211: Based on Public Comment

At the conclusion of the scheduled meeting on January 14, 2020, the Planning Advisory Board passed a motion to table the recommendation to the City Commission on Ordinance 3211 and Ordinance 3212. This motion was based on the public comment taken at the meeting. Several questions were brought up to the Board concerning a small number proposed code changes to the Landscape Chapter. In response, Staff has reviewed each comment and developed revisions to address the particular concern raised. These changes are outlined below and more specifically noted in highlighted yellow text in the Summary Chart attached to this agenda report.

§17.44.1.030C (Applicability) – It was brought to the Board’s attention that two terms used in the proposed code language, “modification” and “building façade area” were not defined in Chapter 8 – Definitions. Due to the schedule of code changes for Title 17, the Definitions Chapter will be the last Chapter to be revised so that all of the possible revisions can be addressed at once. Therefore, this section has been revised to utilize the term “substantial improvement” which is currently defined in Chapter 8.

§17.44.1.030D (Applicability) – The question was asked what does the term “reconstructed” mean as it applied to required landscaping for parking lot areas? Staff has revised this applicability provision to clearly state when removal of parking lot pavement would trigger landscape compliance.

§17.44.1.030F (Applicability) – This provision was added to the applicability section for code enforcement purposes. The intent is to keep owners from removing all of their landscaped areas and leaving just dirt or rock mulch. In response to the concern of how this provision will be applied in the future, staff changed the word “nonconformity” to “noncompliance” to better relate the regulation to owners removing required landscaping to comply with city code.

§17.44.1.040C4 (Landscaping Maintenance) – The **current** code links all parties (tenants, owners, and agents) to maintaining required landscaping. The concern raised in the public comment period is that this current code language could be misused to make tenants responsible for the maintenance of the landscaping. In response, staff simply revised the code language to link maintenance responsibility to the property owner.

§17.44.1.050 (Specifications) – During public comment it was brought up about how the specifications are applied, especially to homeowners, whether there were options to use native turf mixes, and why a bare root perennial provision was taken out of the existing code. In response, Staff has clarified the code language. First, plant material is to be installed per the minimum requirements for each land use. This requirement is enforced through the execution of landscape plans for projects rather than enforced for homeowners who simply choose to improve their properties. Second, Staff has clarified the requirements for trees to create two categories: boulevard and interior. Additionally, Staff notes that the code already allows for seeding options outside the boulevard area so there is already flexibility to use

different seed mixes subject to City Staff review. Finally, Staff has clarified that the lawn edging requirement would not be applied to single family and two family land uses.

§17.44.3.030 (Landscape Requirements) – Based on public comment, Staff has added a provision to the landscape requirements under Article 3 was added to exempt the C-4 Central business core zoning district from typical landscaping requirements.

As Staff reviewed the proposed code regarding the comments noted above, a few minor changes addressing formatting and wording issues were made for the code to be consistent throughout the Chapter.

Ordinance 3211: Repealing and Replacing Chapter 44

As Staff has reviewed projects over the past few years, concerns have been brought to the attention of Staff on the regulations and requirements of the landscape chapter of the Code. These concerns came not only through comments during plan review, but through the process of the Design Review Board and through requests for Design Waivers submitted by applicants.

In response to these concerns as well as a request from City Commissioners to reevaluate the flexibility of the code and the requirements, Staff has reviewed the landscaping requirements and have proposed to repeal and replace the chapter with various revisions. An overview of these changes have been illustrated in the chart attached to this agenda report.

There are several substantive changes that Staff is proposing not only based on the comments received from the development community, but from research of codes from other Montana cities. The first is the reorganization of the chapter. Previously, the chapter was separated by the type of requirements and organized based on the types of buildings. The proposed chapter is now organized by land use types and all of the requirements for the particular land use are laid out in one section. Another key revision is that Multi-family and Industrial landscaping requirements are now combined with Commercial landscaping requirements. Additionally, sections of the Code that are covered in other Titles or no longer needed have been removed.

The second substantive change is the revision to the single-family and two-family landscaping requirements. Currently, the code reads as follows:

1. A canopy tree or evergreen tree shall be planted and maintained for each one thousand five hundred (1,500) square feet of net lot area. Up to two (2) shade trees located in the boulevard area may be applied to this requirement, provided that at least one (1) canopy tree or evergreen tree shall be planted within the interior.
2. Turf grass or ground cover plants shall cover at least fifty (50) percent of the net lot area.

Staff has determined that the requirement for the interior trees was asking too much from the homeowner and was difficult for Staff to inspect. Therefore, Staff proposes that the requirement be reduced to one interior tree for single-family and two-family building lots.

Another substantive change that will affect several requirements of the landscape code and will help address several of the comments and concerns of the development community, are proposed revisions to provide design flexibility. This will be done in several ways including the reduction of non-residential boulevard tree requirements and planting rates.

Currently, for non-residential developments, a boulevard tree is required to be planted every thirty-five (35) lineal feet. This does not take into account driveways and sidewalks which can reduce the amount of space to plant trees and make it very difficult to meet the requirements without planting trees very close together. This can affect the health of the tree and does not provide a boulevard that the Code envisioned. Therefore, Staff proposes that the requirement be reduced to one tree per fifty (50) lineal feet of street frontage not encumbered by driveways, sidewalks, or other approved hard surfaces.

Additionally, when Staff evaluated the planting rates that currently exist in the Code, several concerns were identified including; fitting all the required plants on site, whether the rates work for sites of different sizes and what flexibility could be added. As a result, Staff proposes that the rate of plantings be categorized by size. This results in the proposal to create different requirements for sites under two (2) acres as opposed to projects two (2) acres and larger. Concerns arise with large sites based on the amount of plants that are required as well as leaving open space for possible expansion. Having separate requirements based on project size will help alleviate these concerns.

For sites under two (2) acres the existing and proposed rates are as follows:

1. Existing Planting Rate: 1 Tree and 7 Shrubs for every 400 square feet of required landscaping; and
2. Proposed Planting Rate: 1 Tree and **4 Shrubs** for every 400 square feet of required landscaping.

The chart below shows an example of how this reduction would affect a site that is a third of an acre.

1/3 Acre Site						
Gross Lot Area	14,505					2,176 square feet of interior landscaping
TREES						
Existing Code	2,176	<i>divided by</i>	400	5.44	6 trees	
Proposed Code amendment	2,176	<i>divided by</i>	400	5.44	5 trees	17% reduction
SHRUBS						
Existing Code equivalent	2,176	<i>divided by</i>	400	5.44		
	5.44	<i>multiplied by</i>	7	38.08	39 shrubs	
Proposed Code amendment	2,176	<i>divided by</i>	400	5.44		
	5.44	<i>multiplied by</i>	4	21.76	22 shrubs	43% reduction

Staff has additionally proposed that conventional rounding be used instead of always rounding up. This would actually reduce the amount trees in example noted above, and the reduction to the shrub count would give a project this size a 43% reduction on plant counts. This will result in planting beds not being over planted, crowded, and the minimum requirements easier to accomplish.

For sites two (2) acres and larger the existing and proposed rates are as follows:

1. Existing Planting Rate: 1 Tree and 7 Shrubs for every 400 square feet of required landscaping; and
2. Proposed Planting Rate: 1 Tree and **4 Shrubs** for every **500** square feet of required landscaping.

The chart below shows an example of how this reduction would affect a site that is two acres.

2 Acre Site						
Gross Lot Area	87,120					13,038 square feet of interior landscaping
TREES						
Existing Code	13,068	<i>divided by</i>	400	32.67	33 trees	
Proposed Code amendment	13,068	<i>divided by</i>	500	26.14	26 trees	21% reduction
SHRUBS						
Existing Code	13,068	<i>divided by</i>	400	32.67		
	32.67	<i>multiplied by</i>	7	228.69	229 shrubs	
Proposed Code amendment	13,068	<i>divided by</i>	500	26.14		
	26.14	<i>multiplied by</i>	4	104.544	105 shrubs	54% reduction

The proposed changes would give a 21% reduction to the tree count and a 54% reduction to the shrub count. This will ultimately give flexibility in the placement of the plants which could result in more turf area and also leave more area for building expansion on larger sites.

In addition to the reduction in the planting rates, Staff has proposed ways for more flexibilities in the types of plants that are used such as ornamental grasses and perennials instead of shrubs. Additionally, staff is proposing substitution options for the use of large boulders and sculptures in the landscape. The following are the proposed changes to the code:

1. Two (2) perennials or one (1) ornamental grass can substitute for one (1) shrub. Maximum of 30% of total required shrubs;
2. Nine (9) cubic feet of sculpture integrated into the landscaping can substitute for one (1) shrub. Maximum of 10% of total required shrubs; and
3. Each two (2) feet boulder or larger integrated into the landscaping can substitute for one (1) shrub. Maximum of 10% of total required shrubs

Finally, as mentioned previously, Multi-family residential land uses will now have the same requirements as a commercial land use. The previous requirements of having one (1) tree be planted every 1,500 square feet as well as needing 50 percent of the net lot area being landscaped made it quite a challenge to meet the requirements, especially for large apartment complexes. Staff feels the new classification will aid in compliance and create more flexibility on the design of multi-family development proposals.

Ordinance 3211 will reserve Chapters 41 through 43 and repeal and replace Chapter 44. Ordinance 3211 Exhibit “A” is a document illustrating the provisions that will replace the current OCCGF Title 17 Chapter 44 with added language in **bold** and deleted language in ~~strike through~~. Exhibit “B”, attached to this agenda report, illustrates the proposed Code in clean format.

Ordinance 3212: Repealing Appendix B

As Staff evaluated Chapter 44 and its requirements, staff also reviewed Appendix B which contains the “List of Required Boulevard Areas and Street Medians”. Throughout the years, the discussion has arose with Staff and the City Forester about the types of trees on this list. Several trees on the current codified list are prohibited by the City Forester because of threat of disease and insect infestation. Other trees have been added to the list to help give variety for developers and homeowners, and at times

substitutions have been approved based on availability from local suppliers. Therefore, Staff proposes to repeal the Appendix so that these decisions to amend the list can be made at any time, and codification of a new list does not have to be accomplished every six months to a year if needed.

Ordinance 3212 Exhibit “A” is a document illustrating the provisions that will repeal Appendix B of Title 17 of the OCCGF with deleted language in ~~strike through~~. The “Trees for Boulevard Areas in Great Falls” has been attached for reference.

Concurrences: The proposed changes to Chapter 44 Landscaping and Appendix B of Title 17 have been reviewed by the various City departments for input and revisions.

Staff Recommendation: Staff recommends that the Planning Advisory Board recommend that the City Commission adopt Ordinances 3211 and 3212 with the revisions that have been proposed.

Alternatives: The Planning Advisory Board may choose not to recommend that the City Commission adopt Ordinance 3211 and 3212. The Planning Advisory Board may also table action on the item to a date certain to provide additional suggested revisions.

Attachments/Exhibits:

- Summary Chart of Code Changes to the Chapter
- Ordinance 3211
- Ordinance 3211 Exhibit A
- Ordinance 3211 Exhibit B
- Ordinance 3212
- Ordinance 3212 Exhibit A
- List of Required Boulevard Areas and Street Medians

17.44.1.010 Legislative findings.	
2. Landscaping is a means of making City living more pleasant.	Removed due to subjectivity
17.44.1.020 Purpose.	
1. Make the City more attractive and aesthetically pleasing.	Removed due to subjectivity
G. Enhance ambient environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, storm water runoff retardation mitigation , and noise, glare and heat abatement; and	“Mitigation” matches typical industry language Noise and glare repeated from B.
17.44.1.030 Applicability.	
<p>The landscaping requirements set forth in Articles 2 and 3 apply to:</p> <p>A. New buildings constructed after the effective date of this Chapter;</p> <p>B. All buildings being increased in size by at least twenty (20) percent;</p> <p>C. All buildings undergoing a substantial improvement;</p> <p>D. New vehicular use areas or vehicular use areas undergoing replacement of at least fifty percent (50%) of the pavement area, this does not apply to:</p> <ol style="list-style-type: none"> 1. Overlay; 2. Restriping; and 3. Seal coat. <p>E. An expansion of a vehicular use area by twenty (20) percent or more, if it equates to five (5) or more additional parking spaces; and</p> <p>F. All existing properties may not be altered to cause or increase noncompliance with the provisions of this Chapter.</p>	<p>New Applicability section combines all provisions that were previously separated throughout the Chapter into one section.</p> <p>Language reworded to “substantial improvement” which is defined in Chapter 8.</p> <p>Language revised from reconstruction to specify which vehicular use areas projects trigger applicability and 3 exceptions that do not.</p> <p>Noncompliance provision prevents existing landscapes to be reduced/removed beyond the requirements of this chapter. In other words, if a property owner were to remove landscaping 5 years after construction, we can utilize this provision for code enforcement</p>
17.44.1.040 Installation and maintenance.	

<p>A. Standards. All landscaping shall be installed with standard practices in accordance with the American National Standard Institute (ANSI) A300 and shall be live vegetation.</p>	<p>References industry standards</p>
<p>B. Landscaping and certificate of occupancy. Prior to the issuance of a certificate of occupancy, all landscaping required in this chapter Chapter shall be installed or the following must be completed:</p> <ol style="list-style-type: none"> For all uses except single family and two-family residential land uses; an improvement guarantee shall be filed and accepted by the City consistent with Chapter 68 of this Title. Interior landscaping for single family dwellings shall be installed within one (1) year from the date of the certificate of occupancy. B. For single-family and two-family residential land uses; landscaping shall be installed within one (1) year from the date of the certificate of occupancy in association with the completion of a Landscape and screening Letter of Commitment on file in the Planning and Community Development Department. 	<p>Clarifies by separating into two sections to match existing policy</p> <p>Reference to Letter of Commitment matches existing Department policy</p>
<p>C. Landscape maintenance and replacement. The property owner shall:</p> <ol style="list-style-type: none"> Maintain landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse, weeds, and debris in accordance with the landscaping plan as originally approved.; Replace plant materials within six (6) months that have died or have otherwise been damaged or removed.; Maintain all non-live living landscaping materials. ; and The owner responsible for the maintenance of all All landscaping shall be installed in accordance with "Arboricultural Standards and Specifications" and 	<p>Relocated</p> <p>Timeframe added for clarity</p> <p>Removed "tenant, or agent, if any" to be consistent with language in other titles. Responsibility of landscape maintenance is on the owner</p>
<p>D. Boulevards. Any property owner wishing to construct a principal building on a vacant lot shall be live vegetation responsible for installing and maintaining the boulevard landscaping consistent with this Article.</p> <ol style="list-style-type: none"> Removal of a boulevard tree shall be consistent with OCCGF Title 12, Chapter 15. Trees shall be pruned to provide vertical clearance of eight (8) feet over sidewalks and fourteen (14) feet over streets. Trees required in the boulevard areas shall be selected from the list of "Trees for Boulevard Areas in Great Falls" on file in the Planning and Community Development Department. Mulch must be contained so as to not spill into the street and/or onto the sidewalk. Property owners are required to remove any spillage. D. 	<p>Relocated</p> <p>Added Reference to Chapter 15 - TREE REMOVAL</p> <p>Document removed from Appendix B to allow for easier modification as urban forest issues evolve requiring an update to the list</p>

<p>5. Existing significant boulevard trees that are alive and in healthy condition shall be preserved unless approval is given pursuant to OCCGF Title 12, Chapter 15.</p>	<p>Added to preserve existing healthy trees</p>
<p>E. Street Medians. When a median is incorporated into a subdivision, the developer shall be responsible for installing the landscaping as part of the project and a homeowners' association shall be responsible for perpetual maintenance, or the City, at its discretion, may accept responsibility. Designs shall be approved by the City.</p>	<p>Relocated</p>
<p>F. Mature tree credit. Mature coverage of existing canopy trees will be computed and applied directly to the required landscaping– as follows:</p> <ol style="list-style-type: none"> 1. Every existing mature tree of at least six (6) inches of diameter will be applied as the equivalent of two (2) required interior trees. 2. The diameter of the mature tree will be measured pursuant to the requirements of this Article. 3. Health and placement of the mature tree will be taken into consideration by the City when applying the mature tree credit. 	<p>Mature tree credit re-written to be more concise and less confusing</p>
<p>17.44.1.030(G) Tree protection and replacement.</p>	<p>Existing mature tree credit section replaced above</p>
<p>17.44.1.050 Specifications for landscaping materials.</p>	
<p>Generally. All plant material shall be healthy, vigorous, and free of disease and insects. Plant material shall conform to the specifications of the American Association of Nurserymen (AAN) for Grade No. 1 grade.</p> <p>A.— Generally. All plant materials shall be installed pursuant to the minimum requirements as provided by this Chapter. All plant material shall be healthy, vigorous, and free of disease and insects. Plant material shall conform to the specifications of the American Association of Nurserymen (AAN) for Grade No. 1-grade.</p> <p>B. Trees. Trees shall meet the following standards:</p> <ol style="list-style-type: none"> 1. Shade Boulevard trees shall be at least one and one-half (1½) inches trunk caliper, measured one (1) foot above six (6) inches from the ground-soil line or root flare; 2. Interior deciduous trees shall be at least one and one-quarter (1¼) inches trunk caliper measured one (1) foot above six (6) inches from the ground-soil line or root flare; and 3. Interior evergreen trees shall have a minimum planting height of five (5) feet. <p>C. Shrubs. Shrubs shall be at least two-gallon container-grown material or of equivalent size if bare-root- of eighteen (18) inches of height or greater.</p>	<p>“pursuant to minimum requirements” added to state as long as you meet minimum requirements you are in compliance</p> <p>Now separating sizing requirements into 2 categories for clarity – Boulevard & Interior</p> <p>Nursery industry standard for measuring tree caliper</p>

<p>D. Groundcover. Groundcover Perennials. Perennials shall be at least one-gallon container-grown material or of equivalent size if bare-root.</p> <p>E. Turf. Turf areas may be sodded or seeded. In areas subject to erosion, sod shall be used. Sod shall be commercially grown and clean and free of weeds, noxious pests, and diseases. If seeded, temporary watering is required, and a vegetative cover shall be established with a density of at least 70% of the seeded area in order for a certificate of occupancy to be issued.</p> <p>F. Mulch. Acceptable mulches include organic materials (wood chips and shredded bark), and inert inorganic materials (decomposed granite, cobble and gravel). Where mulch is used as a ground treatment, it shall be applied to a depth of four three (3) inches. A suitable landscape fabric shall be placed between the soil and mulch to impede weed growth for inert organic materials.</p> <p>G. Lawn edging. It is recommended required that lawn edging be installed around all shrub beds except for single-family and two-family land uses. Acceptable lawn edging is includes steel, aluminum, polyethylene, and concrete curbing.</p>	<p>Changed all references from groundcovers to the industry standard term “perennials”. The minimum size requirement applies to “all other land uses”, not single and two-family residences</p> <p>70% establishment required per EPA standards for stabilization</p> <p>Clarifies what mulch materials are acceptable</p> <p>3 inches is industry standard</p> <p>More specific language for clarification that provision applies to “all other land uses”, not single and two-family residences</p>
<p>17.44.1.050 Retaining wall standards.</p>	<p>Section removed Covered in International Building Code (IBC)</p>
<p>17.44.1.060 Calculations.</p>	
<p>When a calculation is used to determine the number of required trees, or the like, and results in a fraction, the requirement shall be considered the whole number (rounded up) to the nearest whole number.</p>	<p>Changed to traditional rounding which will slightly drop plant counts (Previously 1.05 would round up to 2)</p>
<p>Article 2 – DESIGN STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY RESIDENCE LAND USES</p>	
<p>Sections:</p> <p>17.44.2.010 General provisions.</p> <p>17.44.2.020 Responsibility for installation of street trees.</p> <p>17.44.2.030 Landscaping for street medians.</p> <p>17.44.2.040 Landscaping for boulevard areas.</p> <p>17.44.2.010 Boulevards.</p> <p>17.44.2.020 Landscaping requirements.</p>	<p>Sections consolidated and simplified</p>

17.44.2.010 General provisions.	
<p>A. Permit required. A permit is required to:</p> <ol style="list-style-type: none"> 1. plant trees in the boulevard area 2. remove or prune existing trees in the boulevard area <p>B. Vertical clearance.</p> <p>C. Supplemental uses. Street medians and boulevard areas may contain sidewalks, utility installations, signs, benches, and other structures installed by a public agency.</p> <p>D. Tree selection. Trees required in this article shall be selected from the list contained in Appendix B.</p> <p>E. Required removal. Any landscaping in the boulevard area or street median that impedes pedestrian travel or is deemed detrimental to public safety shall be removed immediately by the property owner or agent upon written notification by the City.</p> <p>F. Mulch.</p>	<p>Moved to Article 1 – General Provisions</p>
17.44.2.020 Responsibility for installation of street trees.	
<p>The property owner wishing to construct a principal building on a vacant lot shall be responsible for installing the street trees consistent with this article.</p>	<p>Moved to Article 1 – General Provisions</p>
17.44.2.030 Landscaping for street medians.	
<p>A. Applicability. When a median is incorporated into a subdivision, the provisions of this section apply.</p> <p>B. Installation and maintenance responsibility. The developer shall be responsible for installing the landscaping as part of the project and a homeowners association shall be responsible for perpetual maintenance or the City, at its discretion, may accept responsibility.</p> <p>C. Number of trees required. At least two (2) ornamental trees or one (1) for each twenty-five (25) feet of length of the median, whichever is more, shall be planted and maintained within the median. By way of example, a median four hundred forty (440) feet long will require eighteen (18) ornamental trees and a forty-foot median requires two (2) trees.</p> <p>D. Placement of trees. Ornamental trees shall be planted at least three (3) feet from any curb or other pavement.</p> <p>E. Spacing of trees. Trees shall be spaced more or less evenly along the length of the median taking into account the location of light poles, fire hydrants, and the like and the mature canopy width of existing trees and those being planted.</p> <p>F. Shrubs, flowers and turf grass. Shrubs, ground cover, and flower beds may be planted in the median to supplement the trees. Turf grass shall be installed within the median except in those areas occupied planting beds for shrubs, ground cover, and/or flowers.</p>	<p>Moved applicability to Article 1</p> <p>Removed specific requirements of street medians and stated designs must be approved by the City in Article 1 - allows for design flexibility</p>
17.44.2.010 Boulevards.	

<p>A. Boulevards shall contain sod and trees (with three (3) foot diameter organic mulched reservoirs) and may include shrubs, flowers perennials, and/or ornamental plants (with organic mulched reservoirs within a landscaping bed).</p> <p>B. Materials and vegetation prohibited in a residential boulevard include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Artificial vegetation including, but not limited to, trees, shrubs, perennials, and grass; 2. All non-living material except as specifically allowed by this Chapter; 3. Fences and/or walls (unless approved via a Boulevard Encroachment Permit by the City Engineer); 4. Gravel, decomposed granite, or cobble; and 5. Sand. 	<p>Added mulching requirement for clarification</p> <p>Relocated</p>
<p>17.44.2.020 Landscaping requirements.</p>	
<p>A. Single-family and two-family dwellings shall contain at least one (1) interior tree in addition to the required boulevard trees.</p> <p>B. Turf grass or ground cover plants shall cover at least fifty (50) percent of the lot area not covered by a structure</p>	<p>Provision changed to address site constraints</p> <p>For Example: Typical Skyline lot is 11,000 sq ft 1 tree per 1,500 sq ft = 8 trees</p>
<p>Article 3 – DESIGN STANDARDS FOR ALL OTHER LAND USES</p>	
<p>Sections:</p> <p>17.44.3.010 Submittals.</p> <p>17.44.3.020 Boulevards.</p> <p>17.44.3.030 Landscaping requirements.</p>	<p>All new sections</p>
<p>17.44.3.010 Submittals.</p>	
<p>All landscape specifications, plans, etc. shall be submitted to the City Planning and Community Development Department for review and approval. Plans shall be replaced with approved plantings within three (3) months to scale, and shall include at a minimum:</p> <p>A. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, visibility triangles, easements, utilities and otherwise;</p>	<p>Relocated</p> <p>Added visibility triangles onto landscape plan to confirm clearance</p>

<p>C. An analysis of the requirements found in this Chapter including the calculation of required interior landscaping, rate of plantings, and boulevard tree requirements.</p>	<p>Added code analysis requirement to provide breakdown of calculations</p>
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<p>17.44.3.020 Boulevards.</p>	
<p>C. Boulevards in non-residential areas. Boulevards in non-residential areas shall conform to the following standards: At least one (1) canopy type tree shall be planted and maintained in the boulevard section for each fifty (50) lineal feet of street and avenue frontage or portion thereof not covered by driveway, sidewalks, or other approved hard surface.</p> <p>Boulevards shall contain grass and trees, and may contain shrubs, flowers, and/or ornamental plants.</p> <p>4. At least one (1) canopy type tree shall be planted and maintained in the boulevard section for each thirty-five (35) lineal feet of street and avenue frontage or portion thereof.</p> <p>5. Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like and the mature canopy width of existing trees and those being planted.</p> <p>6. No shrub shall be planted within five (5) feet of a fire hydrant or within a clear visibility triangle (as defined in Chapter 32, Section 17.32.160 of this Title) if its mature height will exceed two and one-half (2½) feet. 7. Any landscaping in the boulevard area that impedes pedestrian travel or is deemed detrimental to public safety shall be removed immediately by the property owner, tenant, or agency upon written notification of the City.</p> <p>8. Landscaping shall be maintained and those plantings which fail to survive shall be replaced with approved plantings within three (3) months.</p> <p>9. An automatic irrigation system shall be required of all commercial projects and multi-family projects with four (4) or more dwelling units.</p> <p>11. Materials and vegetation prohibited in a non-residential boulevard include, but are not limited to, the following:</p> <p>a. Artificial vegetation including, but not limited to, trees, shrubs, vines, bushes, flowers, and grass.</p> <p>b. Fences/walls (unless approved via a Boulevard Encroachment Permit by the City Engineer).</p> <p>c. Sand.</p> <p>I. An automatic irrigation system shall be required.</p>	<p>Increased from 35 lineal feet to 50 lineal feet to decrease tree count</p> <p>Includes “Not covered by...” provision to increase design flexibility with site constraints</p> <p>Relocated</p> <p>Relocated</p>

17.44.3.010 Applicability	
<p>A. General applicability. The landscaping requirements set forth in this article apply to:</p> <ol style="list-style-type: none"> 1. New buildings constructed after the effective date of this chapter. 2. All buildings being increased in size by at least twenty (20) percent. 3. All buildings greater than twenty thousand (20,000) square feet changing occupancy or undergoing interior or exterior remodeling. 4. New vehicular use areas constructed after the effective date of this chapter. 5. An expansion of a vehicular use area by twenty (20) percent, if it equates to five (5) or more parking spaces. 6. All buildings and vehicular use areas which have been cumulatively increased in size by twenty-five (25) percent over a ten-year period. <p>B. Exemption. The following are exempt:</p> <ol style="list-style-type: none"> 1. Vehicle use areas located within a parking garage or within a building. 	<p>Moved to Article 1</p>
17.44.3.020 Submittals	
<p>Three (3) copies of all landscape specifications, plans, etc. shall be submitted to the City for review and approval. Plans shall be at a scale of one (1) inch equals twenty (20) feet (for sites one (1) acre or less in size) or one (1) inch equals fifty (50) feet (for sites larger than one (1) acre), and shall include at a minimum:</p> <ol style="list-style-type: none"> 1. A plant list containing botanical names, common name, plant size, number and variety of each plant used and mature area of coverage of canopy trees. 2. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, easements, utilities and otherwise, and adjacent land uses. 3. A plan showing location and construction details for all irrigation systems to be installed. 	<p>Moved to beginning of Chapter 3</p>
17.44.3.030 Landscaping requirements.	
<p>A. Minimum requirements for interior landscaping. Minimum Minimum requirements for interior landscaping. The minimum square footage of interior landscaping, inclusive of landscaping in vehicular use areas and foundation planting areas, shall be fifteen (15) percent of the gross property area to be developed or redeveloped for property located in a commercial zone, and seventeen (17) percent of the gross area to be developed for non-residential all uses in residential zones. except industrial.</p>	<p>Requirement remains the same</p> <p>This exception is consistent with previous industrial requirements</p>

<p>B.— Vehicular use area requirements. A portion of the required landscaping, equal to at least A minimum of ten (10) percent of the off-street vehicular use areas, must be located within the vehicular use areas, landscaped. This requirement can be a part of the required interior landscaping pursuant to § 17.44.3.030(A). The following specific standards shall apply:</p> <ol style="list-style-type: none"> 1. Each row of parking spaces in interior parking areas shall be terminated by a landscaped island-; 2. There shall be no more than twenty (20) parking spaces in a row without a landscaped island-; 3. Landscaped islands shall have a minimum island dimension (inside curb face to inside curb face) of six (6) feet and shall extend the length of the parking space-. <p>(Ord. 2950, 2007);</p> <ol style="list-style-type: none"> 4. Landscaped areas within a vehicle vehicular use area shall be bounded by a continuous concrete curb or other curbs or similar barrier approved by the City Engineer-; 5. Landscaped islands shall must contain canopy shade trees, a tree with either shrubs and/or turf grass. If light poles are located within a landscape island, the island tree may be planted in another location within the interior area to be landscaped; and <p>(Ord. 2950, 2007)</p> <ol style="list-style-type: none"> 6. Where a vehicular use area abuts a public-use roadway, a minimum six (6) feet of landscaping shall be provided between the vehicular use area and the sidewalk with at least seventy five (75) percent of the area in turf grass. property line. 	<p>Clarifies requirement</p> <p>Now requiring a tree in each island unless there is a light pole to encourage more canopy coverage within parking lots to mitigate heat island effect</p> <p>Property line is more appropriate than sidewalk for this requirement</p>
<p>C. Irrigation of Landscaping. An automatic irrigation system shall be mounded—required. Mounding requirement adjacent to vehicular use areas.</p>	<p>Clarifies previous provision</p>
<p>D. Rate of plantings.</p> <ol style="list-style-type: none"> 1. For sites less than two (2) acres: There shall be a minimum of six (6) inches above the height of adjacent vehicular use areas, but not exceeding 3:one (1 slope,) tree and shall be protected from vehicular traffic four (4) shrubs planted and maintained per four hundred (400) square feet, or fraction thereof, of required interior landscaping. 2. For sites two (2) acres and greater: There shall be a minimum of one (1) tree and four (4) shrubs planted and maintained per five hundred (500) square feet, or fraction thereof, of required interior landscaping. 	<p>Separated planting rates into small and large sites to address feedback that large site plant counts are difficult to implement</p> <p>On small sites, dropped planting rate from 7 shrubs to 4 shrubs per 400 square feet which decreases shrub counts dramatically - around 43%</p> <p>On large sites, dropped planting rate from 7 shrubs per 400 square feet to 4 shrubs per 500 square feet to decrease shrub counts dramatically on large sites - around 54%</p> <p>Codifying perennial substitution which has become standard policy</p>

<p>3. Perennial substitution: Two (2) perennials or one (1) ornamental grass may be substituted for one (1) shrub for a maximum of thirty (30) percent of total required shrubs.</p> <p>4. Non-vegetative special features:</p> <p>i. Nine (9) cubic feet of freestanding permanent sculpture which is integrated with curbing or other similar barrier landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs. Requirements shall be approved by the City Engineer.</p> <p>ii. Stone boulders not smaller than two (2) feet in diameter which are integrated with other landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs.</p>	<p>There two new items allow for artistic design flexibility with boulders and art</p>
<p>E. Boulevard landscaping credit. Twenty-five (25) percent of the boulevard landscaping area, excluding sidewalks and driveways, may be credited to the interior landscaping area requirement specified in (A). In addition, up to two (2) shade trees planted in the boulevard area may be credited toward interior tree requirements.</p>	<p>Clarifies previous credit</p>
<p>F. Buffer between uses. Where a non-residential use abuts a residential use, a minimum fifteen-foot landscape buffer shall be provided along the full length of the shared property line. The landscape buffer shall contain sod, trees, and shrubs. The plantings required for the landscape buffer may be counted towards the interior rate of plantings requirement.</p>	<p>Clarifies previous buffer requirement</p>
<p>G. Screening between uses. Where a vehicular use area abuts an adjacent residential use one of the following shall be installed to screen the residential use from the lights of the vehicles:</p> <p>1. Fence or wall. Provide a six-foot tall, 100% percent opaque wall or fence along the screening area shared property line; or</p> <p>2. Landscape Berm. Provide a landscape berm at least three (3) feet in height with landscaping at the top of the berm. If the berm is less than five (5) feet in height, it must include at least one shrub or tree per three (3) linear feet along the top of the berm.</p>	<p>Re-worded for clarification</p> <p>Increased from 4 ft to provide a taller buffer</p> <p>Provides planting specifications for clarity</p>
<p>J. Landscaping in Central Business Core. All properties located in the C-4 central business core zoning district are exempt from the above listed requirements except for Subsections (B.) and (C.) of this Section.</p>	<p>Only requires vehicular use and irrigation requirements for C-4 zoning.</p>
<p>F. Rate of plantings. There shall be a minimum of one (1) tree and seven (7) shrubs planted and maintained per four hundred (400) square feet, or fraction thereof, of required interior landscaping.</p> <p>G. Buffer and screening between uses. Where a commercial or non-residential use abuts a residential use, a minimum fifteen-foot landscape buffer shall be provided along the shared property line. Where vehicular use areas abut adjacent residential property, the lot shall be screened with a decorative masonry or concrete wall at least four (4) feet in height, or with evergreen and deciduous trees and shrubs in combination with low soil berms that will provide ample screening within three (3) growing seasons to protect the residential property.</p>	<p>These items are re-worded above</p>

<p>H. Boulevard landscaping credit. Twenty five (25) percent of the boulevard landscaping, excluding sidewalks and driveways, may be credited to the interior landscaping requirement specified in item A above.</p>	
<p>I. Foundation planting requirements. For commercial, institutional and civic-use buildings in all commercial zoning districts, except the C-4 Central Business Core district, at least fifty (50) percent of the frontage of the building face shall be occupied by a foundation planting bed(s) and at least twenty (20) percent of the frontage of the side of the building shall be occupied by a foundation planting bed(s). The planting beds shall be at least four (4) feet wide, mulched, and contain a mix of vegetation types (annual flowers, perennial flowers, ground cover and shrubs). For example, if a building measures one hundred twenty (120) feet on its face (length) by fifty (50) feet (depth), there would be sixty (60) feet of foundation plantings on the face and ten (10) feet on each of the sides.</p>	<p>Foundation requirements have been removed due to requests from engineers to relocate shrubs away from foundations due to soil conditions</p>

Article 4 – DESIGN STANDARDS FOR INDUSTRIAL BUILDINGS

<p>Sections: 17.44.4.010 Applicability. 17.44.4.020 Submittals. 17.44.4.030 Landscaping requirements.</p>	<p>Industrial moved to Article 3</p>
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Article 5 – DESIGN STANDARDS FOR SINGLE FAMILY, DUPLEX AND MULTI-FAMILY DWELLINGS

<p>Sections: 17.44.4.010 Applicability. 17.44.4.020 Submittals. 17.44.4.030 Landscaping requirements.</p>	<p>Residential moved to Article 2</p>
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ORDINANCE 3211

AN ORDINANCE AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): RESERVING CHAPTERS 41 THROUGH 43; AND, REPEALING AND REPLACING CHAPTER 44 PERTAINING TO LANDSCAPING.

* * * * *

WHEREAS, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to, and known as, the Land Development Code; and

WHEREAS, the City Commission wishes to establish and reserve Chapters 41 through 43 of OCCGF Title 17; and

WHEREAS, the City Commission has recognized deficiencies throughout OCCGF Title 17, Chapter 44, including but not limited to, typographical, grammatical, formatting, and referencing deficiencies; and

WHEREAS, the City Commission wishes to cure the deficiencies and make substantive amendments to OCCGF Title 17, Chapter 44, as well as to establish consistency within the OCCGF and, where applicable, the Montana Code Annotated; and

WHEREAS, at its regularly scheduled January 14, 2020, meeting, the Great Falls Planning Advisory Board voted to recommend that the City Commission adopt Ordinance 3211; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. OCCGF Title 17, Chapters 41-43 are hereby established and reserved;

Section 2. OCCGF Title 17, Chapter 44 is hereby repealed and replaced as depicted in Exhibit "A" attached hereto and by reference incorporated herein, with deleted language identified by ~~strike through~~ and inserted language **bolded**; and

Section 3. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading February 18, 2020.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading and public hearing March 17, 2020.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3211 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 44 LANDSCAPING

Chapter 41 RESERVED

Chapter 42 RESERVED

Chapter 43 RESERVED

Chapter 44 LANDSCAPING

Articles:

Article 1 - GENERAL PROVISIONS

Article 2 - ~~BOULEVARD AREAS AND STREET MEDIANS~~

Article 3 - ~~DESIGN STANDARDS FOR COMMERCIAL, INSTITUTIONAL AND CIVIC USE BUILDINGS~~

Article 4 - ~~DESIGN STANDARDS FOR INDUSTRIAL BUILDINGS~~

Article 5 - ~~DESIGN STANDARDS FOR SINGLE FAMILY, DUPLEX AND MULTIFAMILY DWELLINGS~~
RESIDENTIAL LAND USES

Article 3 - DESIGN STANDARDS FOR ALL OTHER LAND USES

Article 1 GENERAL PROVISIONS

Sections:

~~17.44.1.010 Legislative findings.~~

~~17.44.1.020 Purpose.~~

~~17.44.1.030 Installation and maintenance.~~

~~17.44.1.040 Specifications for landscaping materials.~~

~~17.44.1.050 Retaining wall standards.~~

~~17.44.1.060 Calculations.~~

17.44.1.010 Legislative findings.

17.44.1.020 Purpose.

17.44.1.030 Applicability.

17.44.1.040 Installation and maintenance.

17.44.1.050 Specifications for landscaping materials.

Exhibit "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 44 LANDSCAPING

17.44.1.060 Calculations.

17.44.1.010 Legislative findings.

The City Commission makes the following findings:

- 1.—~~A.~~ A healthy environment is an indication of a healthy community-;
- 2.—~~Landscaping is a means of making City living more pleasant.~~
- 3.—~~B.~~ Landscaping helps to maintain and increase property values-;
- 4.—~~C.~~ Trees and landscaping provide lasting social, economic, environmental, and aesthetic benefits to the community-;
- 5.—~~D.~~ Flexible standards allow alternative design options that may better fit the needs of the landowner and that may be needed to address unique site characteristics-; **and**
- 6.—~~E.~~ Landscaped buffers are needed between parcels of incompatible land uses, and as the degree of incompatibility increases, the amount of buffering (width and landscaping) should increase, ~~and vice versa.~~

17.44.1.020 Purpose.

This ~~chapter~~ **Chapter** is established to promote the public health, safety, and welfare and is intended to accomplish the following purposes:

- 1.—~~Make the City more attractive and aesthetically pleasing.~~
- 2.—~~A.~~ Provide flexible standards where possible, rather than rigid requirements-;
- 3.—~~B.~~ Promote and improve public health and safety through the abatement of noise, glare of lights, dust, and air pollution-;
- 4.—~~C.~~ Improve the aesthetic appearance of the built environment-;
- 5.—~~D.~~ Ensure that land uses of different intensity have sufficient buffering between them to minimize negative effects-;
- 6.—~~E.~~ Create ~~beautiful~~ tree-lined streetscapes-;
- 7.—~~F.~~ Promote economic development by providing a high quality of life-;
- 8.—~~G.~~ Enhance ambient environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, storm water runoff ~~retardation~~ **mitigation**, and ~~noise, glare and~~ heat abatement-; **and**
- 9.—~~H.~~ Encourage the preservation, expansion, protection, and proper maintenance of the community forest.

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17.44.1.030 ~~Installation and maintenance~~ Applicability.

The landscaping requirements set forth in Articles 2 and 3 apply to:

- A. **New buildings constructed after the effective date of this Chapter;**
- B. **All buildings being increased in size by at least twenty (20) percent;**
- C. **All buildings undergoing a substantial improvement;**
- D. **New vehicular use areas or vehicular use areas undergoing replacement of at least fifty percent (50%) of the pavement area, this does not apply to:**
 - 1. **Overlay;**
 - 2. **Restriping; and**
 - 3. **Seal coat.**
- E. **An expansion of a vehicular use area by twenty (20) percent or more, if it equates to five (5) or more additional parking spaces; and**
- F. **All existing properties may not be altered to cause or increase noncompliance with the provisions of this Chapter.**

17.44.1.040 Installation and maintenance.

- A. **Standards. All landscaping shall be installed with standard practices in accordance with the American National Standard Institute (ANSI) A300 and shall be live vegetation.**
- B. **Landscaping and certificate of occupancy.** Prior to the issuance of a certificate of occupancy, all landscaping required in this ~~chapter~~ **Chapter** shall be installed or **the following must be completed:**
 - 1. **For all uses except single-family and two-family residential land uses,** an improvement guarantee shall be filed and accepted by the City consistent with Chapter 68 of this Title. ~~Interior landscaping for single-family dwellings shall be installed within one (1) year from the date of the certificate of occupancy.~~
 - 2. **B.—For single-family and two-family residential land uses, landscaping shall be installed within one (1) year from the date of the certificate of occupancy in association with the completion of a Landscape and screening Letter of Commitment on file in the Planning and Community Development Department.**
- C. **Landscape maintenance and replacement.** The property owner shall:
 - 1.— **Maintain landscaping in good condition so as to present a healthy, neat, and orderly appearance free from refuse, weeds, and debris in accordance with the landscaping plan as originally approved;**
 - 2.— **Replace ~~plant materials~~ within six (6) months plant materials that have died or have otherwise been damaged or removed;**

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- 3.— Maintain all non-~~live~~**living** landscaping materials-; **and**

~~(Ord. 2950, 2007)~~

- ~~C.—~~ 4. **The owner responsible for the maintenance of all**—All landscaping shall be installed in accordance with "Arboricultural Standards and Specifications" and

- D. Boulevards. Any property owner wishing to construct a principal building on a vacant lot shall be live-vegetation-responsible for installing and maintaining the boulevard landscaping consistent with this Article.**

1. **Removal of a boulevard tree shall be consistent with OCCGF Title 12, Chapter 15.**
2. **Trees shall be pruned to provide vertical clearance of eight (8) feet over sidewalks and fourteen (14) feet over streets.**
3. **Trees required in the boulevard areas shall be selected from the list of "Trees for Boulevard Areas in Great Falls" on file in the Planning and Community Development Department.**
4. **Mulch must be contained so as not to spill into the street and/or onto the sidewalk. Property owners are required to remove any spillage. ~~D.~~**
5. **Existing significant boulevard trees that are alive and in healthy condition shall be preserved unless approval is given pursuant to OCCGF Title 12, Chapter 15.**

- E. Street Medians. When a median is incorporated into a subdivision, the developer shall be responsible for installing the landscaping as part of the project and a homeowners' association shall be responsible for perpetual maintenance, or the City, at its discretion, may accept responsibility. Designs shall be approved by the City.**

- F. Mature tree credit. Mature coverage of existing canopy trees will be computed and applied directly to the required landscaping— as follows:**

~~E.— **General maintenance and appearance.** Landscaping shall be maintained in good condition so as to present a healthy, neat and orderly appearance, free from refuse, weeds and debris.~~

~~F.— **Joint maintenance responsibility.**~~

1. **Every existing mature tree of at least six (6) inches of diameter will be applied as the equivalent of two (2) required interior trees.**
2. **The owner, tenant or agent, if any, shall be jointly responsible for diameter of the maintenance of all landscaping.**

~~G.— **Tree protection and replacement.** Existing significant trees that are alive and in healthy condition shall be preserved—mature tree will be measured pursuant to the extent reasonably feasible during development or redevelopment, and may help satisfy the landscaping requirements of this chapter. Such trees shall be considered "protected" trees within the meaning of this chapter subject to the exceptions contained in item 3. below. Streets, buildings and lot layouts shall be designed to minimize the disturbance to existing significant trees. All required landscape plans shall accurately identify the locations, species, size and condition~~

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of all existing significant trees, each labeled showing the applicant's intent to either remove, transplant or protect. Where it is not feasible to protect and retain existing

Article.

- 1. ~~All existing street trees that are located on City rights-of-way abutting the development or redevelopment shall be accurately identified by species, size, location and condition on required landscape plans, and shall be preserved and protected in accordance with the City of Great Falls, "Arboricultural Standards and Specifications." Unauthorized removal or destruction of such trees shall require the following:~~
 - a. ~~Payment to the City of Great Falls of the value of the trees removed or damaged. The party responsible for the removal or destruction shall select either the City Forester or a qualified landscape appraiser to determine such loss based upon an appraisal of the tree to be removed by using the most recent published methods established by the Council of Tree and Landscape Appraisers; or,~~
 - b. ~~Replacement of lost or damaged trees, as directed by the City, with a sum of total trunk diameters equal to one hundred (100) percent of the trunk diameters of the trees removed. Replacement shall conform to the requirements in Article 2 to this chapter.~~
- 2. ~~Replacement trees shall meet the following minimum size requirements:~~
 - a. ~~Canopy Shade Trees~~
2.0" caliper balled and burlap or equivalent
 - b. ~~Ornamental Trees~~
2.0" caliper balled and burlap or equivalent
 - c. ~~Evergreen Trees~~
6' height balled and burlap or equivalent
- 3. ~~Trees that meet one (1) or more of the following removal criteria shall be exempt from the requirements of this subsection.~~
 - a. ~~Dead, dying or naturally fallen trees, or trees found to be a threat to public health, safety or welfare;~~
 - b. ~~Trees that are determined by the City to substantially obstruct clear visibility at driveways and intersections;~~
 - c. ~~Tree species that constitute a nuisance to the public such as cotton-bearing cottonwood, Siberian Elm and Russian Olive. However, native cotton-bearing cottonwood trees, when located in a natural area buffer zone or riparian area, are not nuisance tree species.~~

(Ord. 2950, 2007)

- 3. **Health and placement of the mature tree will be taken into consideration by the City when applying the mature tree credit.**

17.44.1.049050 Specifications for landscaping materials.

- A.— **Generally. All plant materials shall be installed pursuant to the minimum requirements as provided by this Chapter.** All plant material shall be healthy, vigorous, and free of disease and insects. Plant material shall conform to the specifications of the American Association of Nurserymen (AAN) for **Grade No. 1-grade.**

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- B.— **Trees.** Trees shall meet the following standards:
- 1.— ~~Shade~~ **Boulevard** trees shall be at least one and one-half (1½) inches trunk caliper, measured ~~one (1) foot above~~ **six (6) inches from the ground-soil line or root flare; and**
 - 2.— ~~Ornamental~~ **Interior deciduous** trees shall be at least one and one-quarter (1¼) inches trunk caliper measured ~~one (1) foot above~~ **six (6) inches from the ground-soil line or root flare**; and 3., ~~and Evergreen~~ **interior evergreen** trees shall have a minimum planting height of five (5) feet.
- C.— **Shrubs.** Shrubs shall be at least two-gallon container-grown material or ~~of equivalent size if bare-root.~~ **of eighteen (18) inches of height or greater.**
- D.— ~~Groundcover.~~ ~~Groundcover~~ **Perennials. Perennials** shall be at least one-gallon container-grown material or ~~of equivalent size if bare-root.~~
- E.— **Turf.** Turf areas may be sodded or seeded. In areas subject to erosion, sod shall be used. Sod shall be commercially grown and clean and free of weeds, noxious pests, and diseases. **If seeded, temporary watering is required, and a vegetative cover shall be established with a density of at least 70% of the seeded area in order for a certificate of occupancy to be issued.**
- F.— ~~Mulch.~~ **Mulch. Acceptable mulches include organic materials (wood chips and shredded bark), and inert inorganic materials (decomposed granite, cobble and gravel).** Where mulch is used as a ground treatment, it shall be applied to a depth of ~~four~~ **three (3) inches.** A suitable landscape fabric shall be placed between the soil and mulch to impede weed growth **for inert organic materials.**

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G.— Lawn edging. ~~recommended-required~~ **Lawn edging shall be installed around all shrub beds except for single-family and two-family land uses.** Acceptable lawn edging ~~is~~ **includes** steel, aluminum, polyethylene, and concrete curbing.

17.44.1.050 — Retaining wall standards.

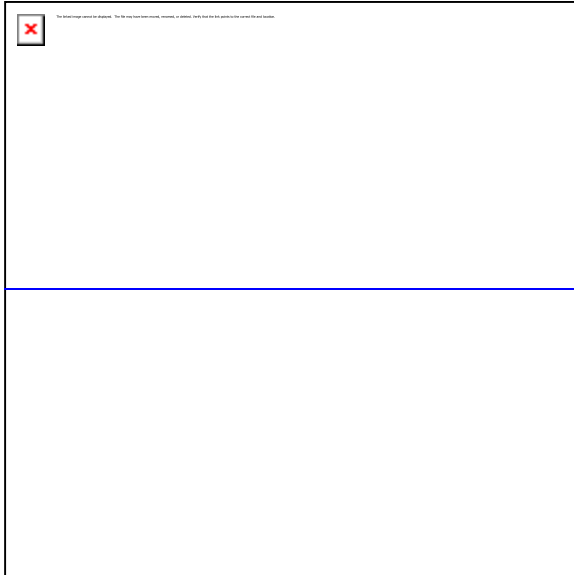
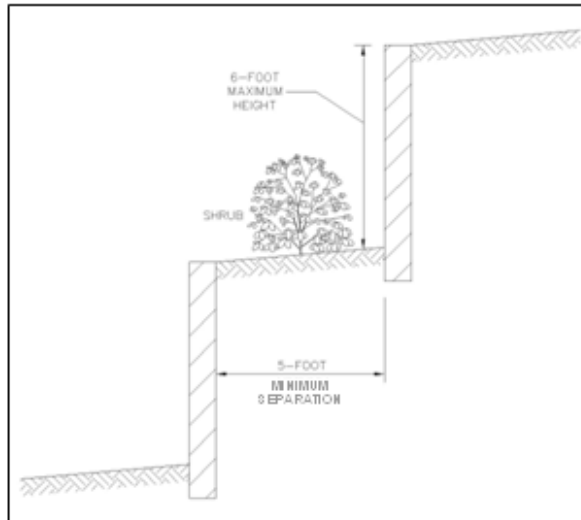


Exhibit 44-1. Dimensional standards for retaining walls



Retaining walls shall not be taller than six (6) feet. A series of more or less parallel retaining walls may be used provided there is at least a five-foot horizontal separation between the two (2) walls and the area is landscaped with shrubs at a rate of at least ten (10) shrubs per one hundred (100) feet (Exhibit 44-1).

(Ord. 2950, 2007)

17.44.1.060 Calculations.

When a calculation is used to determine the number of required trees, or the like, and results in a fraction, the requirement shall be ~~considered the whole number (rounded up)~~ **to the nearest whole number.**

Article 2 BOULEVARD AREAS DESIGN STANDARDS FOR SINGLE-FAMILY AND STREET MEDIUM TWO-FAMILY RESIDENCE LAND USES

Sections:

~~17.44.2.010 General provisions.~~

~~17.44.2.020 Responsibility for installation of street trees.~~

~~17.44.2.030 Landscaping for street medians.~~

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~~17.44.2.040 Landscaping for boulevard areas.~~

17.44.2.010 Boulevards.

17.44.2.020 Landscaping requirements.

17.44.2.010 — General provisions.

A. ~~**Permit required.** A permit is required to:~~

- ~~1. plant trees in the boulevard area~~
- ~~2. remove or prune existing trees in the boulevard area~~

B. ~~**Vertical clearance.**~~

C. ~~**Supplemental uses.** Street medians and boulevard areas may contain sidewalks, utility installations, signs, benches, and other structures installed by a public agency.~~

D. ~~**Tree selection.** Trees required in this article shall be selected from the list contained in Appendix B.~~

E. ~~**Required removal.** Any landscaping in the boulevard area or street median that impedes pedestrian travel or is deemed detrimental to public safety shall be removed immediately by the property owner or agent upon written notification by the City.~~

F. ~~**Mulch.**~~

17.44.2.020 — Responsibility for installation of street trees.

~~The property owner wishing to construct a principal building on a vacant lot shall be responsible for installing the street trees consistent with this article.~~

17.44.2.030 — Landscaping for street medians.

A. ~~**Applicability.** When a median is incorporated into a subdivision, the provisions of this section apply.~~

B. ~~**Installation and maintenance responsibility.** The developer shall be responsible for installing the landscaping as part of the project and a homeowners association shall be responsible for perpetual maintenance or the City, at its discretion, may accept responsibility.~~

C. ~~**Number of trees required.** At least two (2) ornamental trees or one (1) for each twenty-five (25) feet of length of the median, whichever is more, shall be planted and maintained within the median. By way of example, a median four hundred forty (440) feet long will require eighteen (18) ornamental trees and a forty-foot median requires two (2) trees.~~

D. ~~**Placement of trees.** Ornamental trees shall be planted at least three (3) feet from any curb or other pavement.~~

E. ~~**Spacing of trees.** Trees shall be spaced more or less evenly along the length of the median taking into account the location of light poles, fire hydrants, and the like and the mature canopy width of existing trees and those being planted.~~

F. ~~**Shrubs, flowers and turf grass.** Shrubs, ground cover, and flower beds may be planted in the median to supplement the trees. Turf grass shall be installed within the median except in those areas occupied planting beds for shrubs, ground cover, and/or flowers.~~

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~~17.44.2.040 Landscaping for boulevard areas.~~

~~A. **Responsibility.** The property owner shall maintain landscaping within the boulevard area not occupied by roadways, curb and gutter, driveways, sidewalks, or crosswalks according to the standards in this article.~~

~~B. **Boulevards in residential areas.** in residential areas shall conform to the following standards:~~

17.44.2.010 Boulevards.

- ~~1. A.~~ Boulevards shall contain ~~grass sod~~ and trees (with **three (3) foot diameter** organic mulched reservoirs) and may include shrubs, ~~flowers~~ **perennials**, and/or ornamental plants (~~with organic mulched reservoirs within a landscaping bed~~).
- ~~2. B.~~ **Materials and vegetation prohibited in a residential boulevard include, but are not limited to, the following:**
 - 1. Artificial vegetation including, but not limited to, trees, shrubs, perennials, and grass;**
 - 2. All non-living material except as specifically allowed by this Chapter;**
 - 3. Fences and/or walls (unless approved via a Boulevard Encroachment Permit by the City Engineer);**
 - 4. Gravel, decomposed granite, or cobble; and**
 - 5. Sand.**
- ~~C.~~ At least one (1) canopy-type tree shall be planted and maintained in a boulevard section for each thirty-five (35) lineal feet of street and avenue frontage or portion thereof, not covered by driveway, sidewalks, or other approved hard surface.

~~(Ord. 2950, 2007)~~

- ~~3. D.~~ Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like, and the mature canopy width of existing trees and those being planted.
- ~~4. E.~~ No shrub shall be planted within five (5) feet of a fire hydrant or within a clear ~~visibility~~ **vision** triangle (as defined in ~~Chapter 32, Section OCCGF § 17.32.160 of this Title~~), if its mature height will exceed two and one-half (2½) feet. The height shall be measured from the adjoining street centerline surface elevation.

17.44.52.020 Landscaping shall be maintained, requirements.

- ~~A.~~ **Single-family** and ~~those plantings which fail~~ **two-family dwellings shall contain at least one (1) interior tree in addition to the required boulevard trees.**

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- B. Turf grass or ground cover plants shall cover at least fifty (50) percent of the lot area not covered by a structure.
- C. Regional stormwater facilities shall be landscaped pursuant to OCCGF Title 13.

Article 3 DESIGN STANDARDS FOR ALL OTHER LAND USES

Sections:

17.44.3.010 Submittals.

17.44.3.020 Boulevards.

17.44.3.030 Landscaping requirements.

17.44.3.010 ~~survive~~ Submittals.

All landscape specifications, plans, etc., shall be submitted to the City Planning and Community Development Department for review and approval. Plans shall be replaced with approved plantings within three (3) months to scale and shall include at a minimum:

- ~~6.~~—A. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, visibility triangles, easements, utilities and otherwise;
- B. A plant list containing botanical names, common name, plant size, number, and variety of each plant used and mature area of coverage of canopy trees; and
- C. An analysis of the requirements found in this Chapter including the calculation of required interior landscaping, rate of plantings, and boulevard tree requirements.

17.44.3.020 Boulevards.

- A. Boulevards shall contain sod and trees with three (3) foot diameter organic mulched reservoirs and may include shrubs, perennials, and/or ornamental plants (within a landscaping bed).
- B. Materials and vegetation prohibited in a residential boulevard include, but are not limited to, the following:
 - a.—1. Artificial vegetation including, but not limited to, trees, shrubs, vines, bushes, flowers, and grass-;
 - b.—All non-living material except as specifically allowed by this chapter.
 - e.—2. Fences/ and/ or walls (unless approved via through a Boulevard Encroachment Permit by the City Engineer-); and

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- ~~d. Gravel/decomposed granite/cobble.~~
- e. **3. Sand.**
- C. ~~**Boulevards in non-residential areas.** Boulevards in non-residential areas shall conform to the following standards: **At least one (1) canopy-type tree shall be planted and maintained in the boulevard section for each fifty (50) lineal feet of street and avenue frontage or portion thereof not covered by driveway, sidewalks, or other approved hard surface.**~~
- 1. ~~Boulevards shall contain grass and trees, and may contain shrubs, flowers, and/or ornamental plants.~~
- 2. **D. Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like, and the mature canopy width of existing trees and those being planted.**
- E. **Any landscaping in the boulevard area that impedes pedestrian travel or is deemed detrimental to public safety shall be pruned or removed, immediately by the property owner, tenant, or agency upon written notification from the City.**
- F. Limited amounts of non-living materials (mulches) are permitted when used in conjunction with shrub and tree plantings. Acceptable mulches include organic materials (wood chips and shredded bark), and inert inorganic materials (decomposed granite, ~~cobble~~ and gravel). ~~Where mulch is inert organic materials are used, a suitable landscape fabric shall be placed between the soil and mulch material to impede weed growth. However, the use of these substitute materials must be specifically approved by the City as part of a landscape plan.~~
- 3. ~~In no case shall the G. boulevard area include more than twenty-five (25) percent non-living material, excluding driveways.~~
- 4. ~~At least one (1) canopy type tree shall be planted and maintained in the boulevard section for each thirty-five (35) lineal feet of street and avenue frontage or portion thereof.~~
- 5. ~~Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like and the mature canopy width of existing trees and those being planted.~~
- 6. ~~No shrub shall be planted within five (5) feet of a fire hydrant or within a clear visibility triangle (as defined in Chapter 32, Section 17.32.160 of this Title) if its mature height will exceed two and one-half (2½) feet.~~
- 7. ~~Any landscaping in the boulevard area that impedes pedestrian travel or is deemed detrimental to public safety shall be removed immediately by the property owner, tenant, or agency upon written notification of the City.~~
- 8. ~~Landscaping shall be maintained and those plantings which fail to survive shall be replaced with approved plantings within three (3) months.~~
- 9. ~~An automatic irrigation system shall be required of all commercial projects and multi-family projects with four (4) or more dwelling units.~~
- 10.
- G. All non-living material must be contained and shall not spill into the street and/or onto the sidewalk. Owners are required to remove any spillage.
- H. **No shrub shall be planted within five (5) feet of a fire hydrant or within a clear vision triangle (as defined in OCCGF § 17.32.160) if its mature height will exceed two and**

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one-half (2½) feet. The height shall be measured from the adjoining street centerline surface elevation.

11. ~~Materials and vegetation prohibited in a non-residential boulevard include, but are not limited to, the following:~~
- a. ~~Artificial vegetation including, but not limited to, trees, shrubs, vines, bushes, flowers, and grass.~~
 - b. ~~Fences/walls (unless approved via a Boulevard Encroachment Permit by the City Engineer).~~
 - c. ~~Sand.~~

Article 3 — DESIGN STANDARDS FOR COMMERCIAL, INSTITUTIONAL AND CIVIC-USE BUILDINGS

~~17.44.3.010 Applicability.~~

~~17.44.3.020 Submittals.~~

~~17.44.3.030 Landscaping requirements.~~

I. An automatic irrigation system shall be required.

~~Applicability.~~

A. ~~**General applicability.** The landscaping requirements set forth in this article apply to:~~

- 1. ~~New buildings constructed after the effective date of this chapter.~~
- 2. ~~All buildings being increased in size by at least twenty (20) percent.~~
- 3. ~~All buildings greater than twenty thousand (20,000) square feet changing occupancy or undergoing interior or exterior remodeling.~~

~~(Ord. 2950, 2007)~~

- 4. ~~New vehicular use areas constructed after the effective date of this chapter.~~
- 5. ~~An expansion of a vehicular use area by twenty (20) percent, if it equates to five (5) or more parking spaces.~~
- 6. ~~All buildings and vehicular use areas which have been cumulatively increased in size by twenty-five (25) percent over a ten-year period.~~

B. ~~**Exemption.** The following are exempt:~~

- 1. ~~Vehicle use areas located within a parking garage or within a building.~~

17.44.3.020 — Submittals.

~~Three (3) copies of all landscape specifications, plans, etc. shall be submitted to the City for review and approval. Plans shall be at a scale of one (1) inch equals twenty (20) feet (for sites one (1) acre or less in size) or one (1) inch equals fifty (50) feet (for sites larger than one (1) acre), and shall include at a minimum:~~

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- ~~1. A plant list containing botanical names, common name, plant size, number and variety of each plant used and mature area of coverage of canopy trees.~~
- ~~2. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, easements, utilities and otherwise, and adjacent land uses.~~
- ~~3. A plan showing location and construction details for all irrigation systems to be installed.~~

17.44.3.030 Landscaping requirements.

A. — **Minimum requirements for interior landscaping.** ~~Minimum~~—**The minimum** square footage of interior landscaping, inclusive of landscaping in vehicular use areas ~~and foundation planting areas~~, shall be fifteen (15) percent of the gross property area to be developed or redeveloped for property located in a commercial zone, and ~~seventeen (17) percent of the gross area to be developed for non-residential~~ **all uses in residential zones except industrial.**

B. — **Vehicular use area requirements.** A portion of the required landscaping, equal to at least **A minimum of ten (10) percent of the off-street** vehicular use areas, must be located within the vehicular use areas ~~landscaped~~. **This requirement can be a part of the required interior landscaping pursuant to § 17.44.3.030(A).** The following specific standards shall apply:

1. — Each row of parking spaces in interior parking areas shall be terminated by a landscaped island;
2. — There shall be no more than twenty (20) parking spaces in a row without a landscaped island;
3. — Landscaped islands shall have a minimum island dimension (inside curb face to inside curb face) of six (6) feet and shall extend the length of the parking space-

~~(Ord. 2950, 2007);~~

4. — Landscaped areas within a ~~vehicle~~ **vehicular** use area shall be bounded by a continuous concrete ~~curb or other~~ **curbs or** similar barrier approved by the City Engineer;

5. — Landscaped islands ~~shall~~ **must** contain ~~canopy shade trees~~, **a tree with either shrubs and/or turf grass. If light poles are located within a landscape island, the island tree may be planted in another location within the interior area to be landscaped; and**

~~(Ord. 2950, 2007)~~

6. — Where a vehicular use area abuts a public-use roadway, a minimum six (6) feet of landscaping shall be provided between the vehicular use area and the sidewalk with at least ~~seventy-five (75) percent of the area in turf grass.~~ **property line.**

C. — **Irrigation of Landscaping.** ~~An automatic irrigation system shall be required.~~ **Mounding requirement adjacent to vehicular use areas.**

D. — **Rate of plantings.**

1. — **For sites less than two (2) acres: There shall be** a minimum of ~~six (6) inches above the height of adjacent vehicular use areas, but not exceeding 3:one (1 slope,)~~ **tree** and shall be protected from vehicular traffic ~~four (4) shrubs planted~~

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- and maintained per four hundred (400) square feet, or fraction thereof, of required interior landscaping.
2. For sites two (2) acres and greater: There shall be a minimum of one (1) tree and four (4) shrubs planted and maintained per five hundred (500) square feet, or fraction thereof, of required interior landscaping.
 3. Perennial substitution: Two (2) perennials or one (1) ornamental grass may be substituted for one (1) shrub for a maximum of thirty (30) percent of total required shrubs.
 4. Non-vegetative special features:
 - i. Nine (9) cubic feet of freestanding permanent sculpture which is integrated with curbing or other similar barrier landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs. Requirements shall be approved by the City Engineer.
 - ~~D.~~ ii. Stone boulders not smaller than two (2) feet in diameter which are integrated with other landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs.
- E. Boulevard landscaping credit. Twenty-five (25) percent of the boulevard landscaping area, excluding sidewalks and driveways, may be credited to the interior landscaping area requirement specified in (A). In addition, up to two (2) shade trees planted in the boulevard area may be credited toward interior tree requirements.
- F. Buffer between uses. Where a non-residential use abuts a residential use, a minimum fifteen-foot landscape buffer shall be provided along the full length of the shared property line. The landscape buffer shall contain sod, trees, and shrubs. The plantings required for the landscape buffer may be counted towards the interior rate of plantings requirement.
- G. Screening between uses. Where a vehicular use area abuts an adjacent residential use one of the following shall be installed to screen the residential use from the lights of the vehicles:
 1. Fence or wall. Provide a six-foot tall, 100% percent opaque wall or fence along the ~~screening area~~ shared property line; or
 2. Landscape Berm. Provide a landscape berm at least three (3) feet in height with landscaping at the top of the berm. If the berm is less than five (5) feet in height, it must include at least one shrub or tree per three (3) linear feet along the top of the berm.
- H. Natural amenities. When a site abuts a natural amenity such as a flood plain, canal, park or other open space, the landscape plan shall integrate with and respect the natural integrity of the amenity.
- ~~E.~~ I. ~~Detention and retention areas.~~ Stormwater facilities. By design, detention and retention areas stormwater facilities shall be physically, functionally, and visually integrated into adjacent landscape areas. Standing water is discouraged and shall be properly drained unless incorporated into re-circulating water features or irrigation systems.
- J. Landscaping in Central business core. All properties located in the C-4 central business core zoning district are exempt from the above listed requirements except for Subsections (B.) and (C.) of this Section.

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- ~~F. **Rate of plantings.** There shall be a minimum of one (1) tree and seven (7) shrubs planted and maintained per four hundred (400) square feet, or fraction thereof, of required interior landscaping.~~
- ~~G. **Buffer and screening between uses.** Where a commercial or non-residential use abuts a residential use, a minimum fifteen-foot landscape buffer shall be provided along the shared property line. Where vehicular use areas abut adjacent residential property, the lot shall be screened with a decorative masonry or concrete wall at least four (4) feet in height, or with evergreen and deciduous trees and shrubs in combination with low soil berms that will provide ample screening within three (3) growing seasons to protect the residential property.~~
- ~~H. **Boulevard landscaping credit.** Twenty five (25) percent of the boulevard landscaping, excluding sidewalks and driveways, may be credited to the interior landscaping requirement specified in item A above.~~

~~(Ord. 2950, 2007)~~

- ~~I. **Foundation planting requirements.** For commercial, institutional and civic use buildings in all commercial zoning districts, except the C-4 Central Business Core district, at least fifty (50) percent of the frontage of the building face shall be occupied by a foundation planting bed(s) and at least twenty (20) percent of the frontage of the side of the building shall be occupied by a foundation planting bed(s). The planting beds shall be at least four (4) feet wide, mulched, and contain a mix of vegetation types (annual flowers, perennial flowers, ground cover and shrubs). For example, if a building measures one hundred twenty (120) feet on its face (length) by fifty (50) feet (depth), there would be sixty (60) feet of foundation plantings on the face and ten (10) feet on each of the sides.~~

~~(Ord. 2950, 2007)~~

~~**Article 4 — DESIGN STANDARDS FOR INDUSTRIAL BUILDINGS**~~

~~**Sections:**~~

- ~~17.44.4.010 Applicability.~~
- ~~17.44.4.020 Submittals.~~
- ~~17.44.4.030 Landscaping requirements.~~

~~**17.44.4.010 — Applicability.**~~

- ~~A. **General applicability.** The landscaping requirements set forth in this article apply to:~~
- ~~1. New buildings constructed after the effective date of this chapter.~~
 - ~~2. New vehicular use areas constructed after the effective date of this chapter.~~
 - ~~3. All buildings and vehicular use areas which have been cumulatively increased in size by twenty-five (25) percent over a ten-year period.~~
- ~~B. **Exemption.** The following are exempt:~~

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- ~~1. Vehicle use areas located within a parking garage or within a building.~~

17.44.4.020 Submittals.

Three (3) copies of all landscape specifications, plans, etc. shall be submitted to the City for review and approval. Plans shall be at a scale of one (1) inch equals twenty (20) feet (for sites one (1) acre or less in size) or one (1) inch equals fifty (50) feet (for sites larger than one (1) acre), and shall include at a minimum:

- ~~1. A plant list containing botanical names, common name, plant size, number and variety of each plant used and mature area of coverage of canopy trees.~~
- ~~2. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, easements, utilities and otherwise, and adjacent land uses.~~
- ~~3. A plan showing location and construction details for all irrigation systems to be installed.~~

17.44.4.030 Landscaping requirements.

A. ~~A minimum of ten (10) percent of off-street vehicular use areas must be landscaped. The following specific standards shall apply:~~

- ~~1. Each row of parking spaces in interior parking areas shall be terminated by a landscaped island.~~
- ~~2. There shall be no more than twenty (20) parking spaces in a row without a landscaped island.~~
- ~~3. Landscaped islands shall have a minimum island dimension (inside curb face to inside curb face) of six (6) feet and shall extend the length of the parking space.~~
- ~~4. Landscaped areas within a vehicle use area shall be bounded by a continuous concrete curb or other similar barrier approved by the City Engineer.~~
- ~~5. Landscaped islands shall contain canopy shade trees, shrubs, and/or turf grass.~~
- ~~6. Where a vehicular use area abuts a public-use roadway, a minimum of eight (8) feet (in depth) of landscaping shall be provided between the vehicular use area and the sidewalk with at least seventy-five (75) percent of the area in turf grass.~~

B. **Boulevard Landscaping.** Landscaping for boulevards in the Industrial Use areas will conform to the standards listed in 17.44.2.040(C).

C. **Foundation planting requirements.** For buildings in all industrial zoning districts, at least fifty (50) percent of the frontage of the building face shall be occupied by a foundation planting bed(s). The planting beds shall be at least four (4) feet wide, mulched, and contain a mix of vegetation types (annual flowers, perennial flowers, ground cover and shrubs). For example, if a building measures one hundred twenty (120) feet on its face, there would be sixty (60) feet of foundation plantings.

D. **Buffer and screening between uses.** Where an industrial use abuts a non-industrial use, a minimum fifteen-foot landscape buffer shall be provided along the shared property line. Where vehicular use areas abut adjacent residential property, the lot shall be screened with a decorative masonry or concrete wall at least four (4) feet in height, or with evergreen and deciduous trees and shrubs in combination with low soil berms that will provide ample screening within three (3) growing seasons to protect the residential property.

E. **Natural amenities.** When a site abuts a natural amenity such as a flood plain, canal, park or other open space, the landscape plan shall integrate with and respect the natural integrity of the amenity.

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~~F. **Detention and retention areas.** By design, detention and retention areas shall be physically, functionally, and visually integrated into adjacent landscape areas. Standing water is discouraged and shall be properly drained unless incorporated into re-circulating water features or irrigation systems.~~

~~(Ord. 2950, 2007)~~

Article 5 — DESIGN STANDARDS FOR SINGLE FAMILY, DUPLEX AND MULTI-FAMILY DWELLINGS

Sections:

~~17.44.5.010 Applicability.~~

~~17.44.5.020 Submittals.~~

~~17.44.5.030 Landscaping requirements.~~

17.44.5.010 — Applicability.

The landscaping requirements set forth in this article apply to:

- ~~1. New residential dwellings constructed after the effective date of this chapter.~~
- ~~2. All residential dwellings being increased in size by at least fifty (50) percent.~~

17.44.5.020 — Submittals.

~~All landscape specifications, plans, etc. shall be submitted for review and approval to the City before a building permit will be issued.~~

17.44.5.030 — Landscaping requirements.

- ~~1. A canopy tree or evergreen tree shall be planted and maintained for each one thousand five hundred (1,500) square feet of net lot area. Up to two (2) shade trees located in the boulevard area may be applied to this requirement, provided that at least one (1) canopy tree or evergreen tree shall be planted within the interior.~~
- ~~2. Turf grass or ground cover plants shall cover at least fifty (50) percent of the net lot area.~~

~~(Ord. 3211, 2019; Ord. 2958, 2007; Ord. 2950, 2007; Ord. 2923, 2005; Ord. 2734, 1998; Ord. 2687, 1995; Ord. 2599, 1991; Ord. 2549, 1989; Ord. 2404, 1985; Ord. 2185, 1980)~~

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Chapter 41 RESERVED

Chapter 42 RESERVED

Chapter 43 RESERVED

Chapter 44 LANDSCAPING

Articles:

Article 1 - GENERAL PROVISIONS

Article 2 - DESIGN STANDARDS FOR SINGLE FAMILY AND TWO-FAMILY RESIDENTIAL LAND USES

Article 3 - DESIGN STANDARDS FOR ALL OTHER LAND USES

Article 1 GENERAL PROVISIONS

Sections:

17.44.1.010 Legislative findings.

17.44.1.020 Purpose.

17.44.1.030 Applicability.

17.44.1.040 Installation and maintenance.

17.44.1.050 Specifications for landscaping materials.

17.44.1.060 Calculations.

17.44.1.010 Legislative findings.

The City Commission makes the following findings:

- A. A healthy environment is an indication of a healthy community;
- B. Landscaping helps to maintain and increase property values;
- C. Trees and landscaping provide lasting social, economic, environmental, and aesthetic benefits to the community;
- D. Flexible standards allow alternative design options that may better fit the needs of the landowner and that may be needed to address unique site characteristics; and

Exhibit "B"

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- E. Landscaped buffers are needed between parcels of incompatible land uses, and as the degree of incompatibility increases, the amount of buffering (width and landscaping) should increase.

17.44.1.020 Purpose.

This Chapter is established to promote the public health, safety, and welfare and is intended to accomplish the following purposes:

- A. Provide flexible standards where possible, rather than rigid requirements;
- B. Promote and improve public health and safety through the abatement of noise, glare of lights, dust, and air pollution;
- C. Improve the aesthetic appearance of the built environment;
- D. Ensure that land uses of different intensity have sufficient buffering between them to minimize negative effects;
- E. Create tree-lined streetscapes;
- F. Promote economic development by providing a high quality of life;
- G. Enhance ambient environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, storm water runoff mitigation, and heat abatement; and
- H. Encourage the preservation, expansion, protection, and proper maintenance of the community forest.

17.44.1.030 Applicability.

The landscaping requirements set forth in Articles 2 and 3 apply to:

- A. New buildings constructed after the effective date of this Chapter;
- B. All buildings being increased in size by at least twenty (20) percent;
- C. All buildings undergoing a substantial improvement;
- D. New vehicular use areas or vehicular use areas undergoing replacement of at least fifty percent (50%) of the pavement area, this does not apply to:
 - 1. Overlay;
 - 2. Restriping; and
 - 3. Seal coat.
- E. An expansion of a vehicular use area by twenty (20) percent or more, if it equates to five (5) or more additional parking spaces; and
- F. All existing properties may not be altered to cause or increase noncompliance with the provisions of this Chapter.

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17.44.1.040 Installation and maintenance.

- A. **Standards.** All landscaping shall be installed with standard practices in accordance with the American National Standard Institute (ANSI) A300 and shall be live vegetation.
- B. **Landscaping and certificate of occupancy.** Prior to the issuance of a certificate of occupancy, all landscaping required in this Chapter shall be installed or the following must be completed:
 - 1. For all uses except single-family and two-family residential land uses, an improvement guarantee shall be filed and accepted by the City consistent with Chapter 68 of this Title.
 - 2. For single-family and two-family residential land uses, landscaping shall be installed within one (1) year from the date of the certificate of occupancy in association with the completion of a Landscape Letter of Commitment on file in the Planning and Community Development Department.
- C. **Landscape maintenance and replacement.** The property owner shall:
 - 1. Maintain landscaping in good condition so as to present a healthy, neat, and orderly appearance free from refuse, weeds, and debris in accordance with the landscaping plan as originally approved;
 - 2. Replace within six (6) months plant materials that have died or have otherwise been damaged or removed;
 - 3. Maintain all non-living landscaping materials; and
 - 4. The owner shall be responsible for the maintenance of all landscaping
- D. **Boulevards.** Any property owner wishing to construct a principal building on a vacant lot shall be responsible for installing and maintaining the boulevard landscaping consistent with this Article.
 - 1. Removal of a boulevard tree shall be consistent with OCCGF Title 12, Chapter 15.
 - 2. Trees shall be pruned to provide vertical clearance of eight (8) feet over sidewalks and fourteen (14) feet over streets.
 - 3. Trees required in the boulevard areas shall be selected from the list of "Trees for Boulevard Areas in Great Falls" on file in the Planning and Community Development Department.
 - 4. Mulch must be contained so as not to spill into the street and/or onto the sidewalk. Property owners are required to remove any spillage.
 - 5. Existing significant boulevard trees that are alive and in healthy condition shall be preserved unless approval is given pursuant to OCCGF Title 12, Chapter 15.
- E. **Street Medians.** When a median is incorporated into a subdivision, the developer shall be responsible for installing the landscaping as part of the project and a homeowners' association shall be responsible for perpetual maintenance, or the City, at its discretion, may accept responsibility. Designs shall be approved by the City.
- F. **Mature tree credit.** Mature coverage of existing canopy trees will be computed and applied directly to the required landscaping as follows:

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1. Every existing mature tree of at least six (6) inches of diameter will be applied as the equivalent of two (2) required interior trees.
2. The diameter of the mature tree will be measured pursuant to the requirements of this Article.
3. Health and placement of the mature tree will be taken into consideration by the City when applying the mature tree credit.

17.44.1.050 Specifications for landscaping materials.

- A. **Generally.** All plant materials shall be installed pursuant to the minimum requirements as provided by this Chapter. All plant material shall be healthy, vigorous, and free of disease and insects. Plant material shall conform to the specifications of the American Association of Nurserymen (AAN) for Grade No. 1.
- B. **Trees.** Trees shall meet the following standards:
 1. Boulevard trees shall be at least one and one-half (1½) inches trunk caliper, measured six (6) inches from the soil line or root flare; and
 2. Interior deciduous trees shall be at least one and one (1) inch trunk caliper measured six (6) inches from the soil line or root flare, and interior evergreen trees shall have a minimum planting height of five (5) feet.
- C. **Shrubs.** Shrubs shall be at least two-gallon container-grown material or bare-root of eighteen (18) inches of height or greater.
- D. **Perennials.** Perennials shall be at least one-gallon container-grown material.
- E. **Turf.** Turf areas may be sodded or seeded. In areas subject to erosion, sod shall be used. Sod shall be commercially grown and clean and free of weeds, noxious pests, and diseases. If seeded, temporary watering is required, and a vegetative cover shall be established with a density of at least 70% of the seeded area in order for a certificate of occupancy to be issued.
- F. **Mulch.** Acceptable mulches include organic materials (wood chips and shredded bark), and inert inorganic materials (decomposed granite, cobble and gravel). Where mulch is used as a ground treatment, it shall be applied to a depth of three (3) inches. A suitable landscape fabric shall be placed between the soil and mulch to impede weed growth for inert organic materials.
- G. **Lawn edging.** Lawn edging shall be installed around all shrub beds except for single-family and two-family land uses. Acceptable lawn edging includes steel, aluminum, polyethylene, and concrete curbing.

17.44.1.060 Calculations.

When a calculation is used to determine the number of required trees, or the like, and results in a fraction, the requirement shall be rounded to the nearest whole number.

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Article 2 DESIGN STANDARDS FOR SINGLE-FAMILY AND TWO-FAMILY RESIDENCE LAND USES

Sections:

17.44.2.010 Boulevards.

17.44.2.020 Landscaping requirements.

17.44.2.010 Boulevards.

- A. Boulevards shall contain sod and trees with three (3) foot diameter organic mulched reservoirs and may include shrubs, perennials, and/or ornamental plants (within a landscaping bed).
- B. Materials and vegetation prohibited in a residential boulevard include, but are not limited to, the following:
 - 1. Artificial vegetation including, but not limited to, trees, shrubs, perennials, and grass;
 - 2. All non-living material except as specifically allowed by this Chapter;
 - 3. Fences and/or walls (unless approved via a Boulevard Encroachment Permit by the City Engineer);
 - 4. Gravel, decomposed granite, or cobble; and
 - 5. Sand.
- C. At least one (1) canopy-type tree shall be planted and maintained in a boulevard section for each thirty-five (35) lineal feet of street and avenue frontage or portion thereof not covered by driveway, sidewalks, or other approved hard surface.
- D. Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like, and the mature canopy width of existing trees and those being planted.
- E. No shrub shall be planted within five (5) feet of a fire hydrant or within a clear vision triangle as defined in OCCGF § 17.32.160, if its mature height will exceed two and one-half (2½) feet. The height shall be measured from the adjoining street centerline surface elevation.

17.44.2.020 Landscaping requirements.

- A. Single-family and two-family dwellings shall contain at least one (1) interior tree in addition to the required boulevard trees.
- B. Turf grass or ground cover plants shall cover at least fifty (50) percent of the lot area not covered by a structure.
- C. Regional stormwater facilities shall be landscaped pursuant to OCCGF Title 13.

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Article 3 DESIGN STANDARDS FOR ALL OTHER LAND USES

Sections:

17.44.3.010 Submittals.

17.44.3.020 Boulevards.

17.44.3.030 Landscaping requirements.

17.44.3.010 Submittals.

All landscape specifications, plans, etc., shall be submitted to the City Planning and Community Development Department for review and approval. Plans shall be to scale and shall include at a minimum:

- A. A site plan showing dimensioned location of all plant materials, site amenities (signage, benches, etc.), north arrow, property lines, visibility triangles, easements, utilities and otherwise;
- B. A plant list containing botanical names, common name, plant size, number, and variety of each plant used and mature area of coverage of canopy trees; and
- C. An analysis of the requirements found in this Chapter including the calculation of required interior landscaping, rate of plantings, and boulevard tree requirements.

17.44.3.020 Boulevards.

- A. Boulevards shall contain sod and trees with three (3) foot diameter organic mulched reservoirs and may include shrubs, perennials, and/or ornamental plants (within a landscaping bed).
- B. Materials and vegetation prohibited in a boulevard include, but are not limited to, the following:
 - 1. Artificial vegetation including, but not limited to, trees, shrubs, vines, bushes, flowers, and grass;
 - 2. Fences and/ or walls (unless approved through a Boulevard Encroachment Permit by the City Engineer); and
 - 3. Sand.
- C. At least one (1) canopy-type tree shall be planted and maintained in the boulevard section for each fifty (50) lineal feet of street and avenue frontage or portion thereof not covered by driveway, sidewalks, or other approved hard surface.
- D. Trees shall be spaced more or less evenly along the length of the boulevard area, taking into account the location of light poles, fire hydrants, and the like, and the mature canopy width of existing trees and those being planted.

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- E. Any landscaping in the boulevard area that impedes pedestrian travel or is deemed detrimental to public safety shall be pruned or removed, immediately by the property owner, tenant, or agency upon written notification from the City.
- F. Limited amounts of non-living materials (mulches) are permitted when used in conjunction with shrub and tree plantings. Acceptable mulches include organic materials (wood chips and shredded bark), and inert inorganic materials (decomposed granite and gravel). Where inert organic materials are used, a suitable landscape fabric shall be placed between the soil and mulch material to impede weed growth. However, the use of these substitute materials must be specifically approved by the City as part of a landscape plan.
- G. All non-living material must be contained and shall not spill into the street and/or onto the sidewalk. Owners are required to remove any spillage.
- H. No shrub shall be planted within five (5) feet of a fire hydrant or within a clear vision triangle (as defined in OCCGF § 17.32.160) if its mature height will exceed two and one-half (2½) feet. The height shall be measured from the adjoining street centerline surface elevation.
- I. An automatic irrigation system shall be required.

17.44.3.030 Landscaping requirements.

- A. **Minimum requirements for interior landscaping.** The minimum square footage of interior landscaping, inclusive of landscaping in vehicular use areas, shall be fifteen (15) percent of the gross property area to be developed or redeveloped for all uses except industrial.
- B. **Vehicular use area requirements.** A minimum of ten (10) percent of off-street vehicular use areas must be landscaped. This requirement can be a part of the required interior landscaping pursuant to § 17.44.3.030(A.). The following specific standards shall apply:
 - 1. Each row of parking spaces in interior parking areas shall be terminated by a landscaped island;
 - 2. There shall be no more than twenty (20) parking spaces in a row without a landscaped island;
 - 3. Landscaped islands shall have a minimum island dimension (inside curb face to inside curb face) of six (6) feet and shall extend the length of the parking space;
 - 4. Landscaped areas within a vehicular use area shall be bounded by continuous concrete curbs or similar barrier approved by the City Engineer;
 - 5. Landscaped islands must contain a tree with either shrubs and/or turf grass. If light poles are located within a landscape island, the island tree may be planted in another location within the interior area to be landscaped; and
 - 6. Where a vehicular use area abuts a public-use roadway, a minimum six (6) feet of landscaping shall be provided between the vehicular use area and the property line.
- C. **Irrigation of Landscaping.** An automatic irrigation system shall be required.
- D. **Rate of plantings.**

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1. **For sites less than two (2) acres:** There shall be a minimum of one (1) tree and four (4) shrubs planted and maintained per four hundred (400) square feet, or fraction thereof, of required interior landscaping.
 2. **For sites two (2) acres and greater:** There shall be a minimum of one (1) tree and four (4) shrubs planted and maintained per five hundred (500) square feet, or fraction thereof, of required interior landscaping.
 3. **Perennial substitution:** Two (2) perennials or one (1) ornamental grass may be substituted for one (1) shrub for a maximum of thirty (30) percent of total required shrubs.
 4. **Non-vegetative special features:**
 - i. Nine (9) cubic feet of freestanding permanent sculpture which is integrated with other landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs. Requirements shall be approved by the City.
 - ii. Stone boulders not smaller than two (2) feet in diameter which are integrated with other landscaping may be substituted for one (1) shrub with a maximum of ten (10) percent of total required shrubs.
- E. **Boulevard landscaping credit.** Twenty-five (25) percent of the boulevard landscaping area, excluding sidewalks and driveways, may be credited to the interior landscaping area requirement specified in (A). In addition, up to two (2) shade trees planted in the boulevard area may be credited toward interior tree requirements.
- F. **Buffer between uses.** Where a non-residential use abuts a residential use, a minimum fifteen-foot landscape buffer shall be provided along the full length of the shared property line. The landscape buffer shall contain sod, trees, and shrubs. The plantings required for the landscape buffer may be counted towards the interior rate of plantings requirement.
- G. **Screening between uses.** Where a vehicular use area abuts an adjacent residential use one of the following shall be installed to screen the residential use from the lights of the vehicles:
1. **Fence or wall.** Provide a six-foot tall, 100 percent opaque wall or fence along the shared property line; or
 2. **Landscape Berm.** Provide a berm at least three (3) feet in height with landscaping at the top of the berm. If the berm is less than five (5) feet in height, it must include at least one shrub or tree per three (3) linear feet along the top of the berm.
- H. **Natural amenities.** When a site abuts a natural amenity such as a flood plain, canal, park or other open space, the landscape plan shall integrate with and respect the natural integrity of the amenity.
- I. **Stormwater facilities.** By design, stormwater facilities shall be physically, functionally, and visually integrated into adjacent landscape areas. Standing water is discouraged and shall be properly drained unless incorporated into re-circulating water features or irrigation systems.
- J. **Landscaping in Central business core.** All properties located in the C-4 Central business core zoning district are exempt from the above listed requirements except for Subsections (B.) and (C.) of this Section.

Exhibit "B"

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(Ord. 3211, 2019; Ord. 2958, 2007; Ord. 2950, 2007; Ord. 2923, 2005; Ord. 2734, 1998; Ord. 2687, 1995; Ord. 2599, 1991; Ord. 2549, 1989; Ord. 2404, 1985; Ord. 2185, 1980)

ORDINANCE 3212

AN ORDINANCE AMENDING TITLE 17 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF): REPEALING APPENDIX B PERTAINING TO THE LIST OF REQUIRED BOULEVARD AREAS AND STREET MEDIANS.

* * * * *

WHEREAS, the City Commission established Title 17 of the OCCGF outlining provisions pertaining to, and known as, the Land Development Code; and

WHEREAS, the City Commission has recognized deficiencies throughout OCCGF Title 17, Appendix B, including lack of flexibility as urban forest conditions and tree diseases change; and

WHEREAS, the City Commission wishes to cure the deficiencies by repealing OCCGF Title 17, Appendix B, as well as to establish consistency within the OCCGF and, where applicable, the Montana Code Annotated; and

WHEREAS, at its regularly scheduled January 14, 2020, meeting, the Great Falls Planning Advisory Board voted to recommend that the City Commission adopt Ordinance 3212; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

Section 1. OCCGF Title 17, Appendix B is hereby repealed as depicted in Exhibit “A” attached hereto and by reference incorporated herein; and

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading February 18, 2020.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading and public hearing March 17, 2020.

Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

Lisa Kunz, City Clerk

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3212 on the Great Falls Civic Center posting board and the Great Falls City website.

Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit "A"

Appendix B REPEALED.

Appendix B — LIST OF REQUIRED TREES FOR BOULEVARD AREAS AND STREET MEDIANS

Shade Trees — Large (50' and higher)	
— American Linden	Tilia americana
— Black Walnut	Juglans nigra
— Bur Oak	Quercus macrocarpa
— Green Ash	Fraxinus pennsylvanica
— Green Ash — Bergeson	Fraxinus pennsylvanica "Bergeson"
— Green Ash — Kindred	Fraxinus pennsylvanica "Kindred"
— Green Ash — Patmore	Fraxinus pennsylvanica "Patmore"
— Green Ash — Summit	Fraxinus pennsylvanica "Summit"
— Green Ash — Centennial	Fraxinus pennsylvanica "Centennial"
— Green Ash — Prairie Spire	Fraxinus pennsylvanica "Prairie Spire"
— Hackberry	Celtis occidentalis
Shade Trees — Medium (30' to 50')	
— Black Ash — Fallgold	Fraxinus nigra "Fall Gold"
— Honey Locust	Gleditsia triacanthos "Inermis"
— Honey Locust — Imperial	Gleditsia triacanthos "Imperial"

Appendix B LIST OF REQUIRED TREES FOR BOULEVARD AREAS AND STREET MEDIANS

Exhibit "A"

— Honey Locust – Skyline	<i>Gleditsia triacanthos</i> "Skyline"
— Little Leaf Linden	<i>Tilia cordata</i>
— Little Leaf Linden – Greenspire	<i>Tilia cordata</i> "Greenspire"
— Little Leaf Linden – Glenleven	<i>Tilia cordata</i> "Glenleven"
— Dropmore Linden	<i>Tilia X flavescens</i> "Dropmore"
— Redmond Linden	<i>Tilia X euchlora</i> "Redmond"
— Manchurian Ash	<i>Fraxinus mandshurica</i> "Mancan"
— Ohio Buckeye	<i>Aesculus glabra</i>
— Norway Maple	<i>Acer platanoides</i>
— Norway Maple – Emerald Lustre	<i>Acer platanoides</i> "Emerald Lustre"
Ornamental Trees	
— Amur Chokecherry	<i>Prunus maackii</i>
— Japanese Tree Lilac	<i>Syringa reticulata</i>
— Snowbird Hawthorne	<i>Crataegis</i> sp. "Snowbird"
— Toba Hawthorne	<i>Crataegis</i> sp. "Toba"
— Mayday	<i>Prunus padus</i>
— Tatarian Maple	<i>Acer tataricum</i>

Trees for Boulevard Areas in Great Falls

Shade Trees

Common Name	Botanical Name	Height	Spread	Notes
Elm, Brandon	<i>Ulmus americana</i> 'Brandon'	40-60 ft.	30-40 ft.	Don't use where Dutch Elm Disease is present
Elm, Prairie Expedition	<i>Ulmus Americana</i> 'Lewis & Clark	50-60 ft.	40 ft.	Variety is Dutch Elm Disease resistant
Hackberry	<i>Celtis occidentalis</i>	40-60 ft.	40 ft.	Tough and adaptive tree often overlooked.
Honeylocust, Imperial	<i>Gleditsia triacanthos inermis</i> 'Impcole'	40-50 ft.	35 ft.	Tall, broad canopy. Small, compound leaves. Yellow fall color.
Honeylocust, Prairie Silk	<i>Gleditsia triacanthos inermis</i> 'Dursan'	35-40 ft.	30 ft.	Smaller variety. Small, compound leaves. Yellow fall color.
Honeylocust, Skyline	<i>Gleditsia triacanthos inermis</i> 'Skycole'	40-50 ft.	35 ft.	Tall, broad canopy. Small, compound leaves. Yellow fall color.
Linden, American	<i>Tilia americana</i>	40-50 ft.	30-40 ft.	Aka Basswood. Small, scented flowers.
Linden, Boulevard	<i>Tilia americana</i> 'Boulevard'	40-50	20-30 ft.	Narrower than American Linden. Small, scented flowers.
Linden, Glenleven	<i>Tilia codata</i> 'Glenleven'	50-70 ft.	40-50 ft.	Little-leaf linden. Small, scented flowers.
Linden, Greenspire	<i>Tilia codata</i>	35-45 ft.	25-35 ft.	Little-leaf or European linden. Yellow fall color. Scented flowers.
Linden, Dropmore	<i>Tilia x flavescens</i> 'Dropmore'	40-50 ft.	20-30 ft.	Hybrid of American and Little-leaf Linden.
Linden, Redmond	<i>Tilia americana</i> 'Redmond'	50 ft.	30 ft.	Smaller, but similar to <i>Tilia Americana</i> .
Linden, Harvest Gold	<i>Tilia x mongolica</i> 'Harvest Gold'	40 ft.	30 ft.	Orange fall color. Exfoliating bark.
Maple, Autumn Blaze	<i>Acer x freemanii</i> 'Jeffsred'	50-60 ft.	40 ft.	Red fall color. Can have chlorosis in heavy alkaline soils.
Maple, Sienna Glen	<i>Acer x freemanii</i> 'Sienna'	40-50 ft.	35 ft.	Orange-red fall color. Can have chlorosis in heavy alkaline soils.
Maple, Silver	<i>Acer saccharinum</i>	50-60 ft.	40 ft.	Silver underside of leaves. Large mature size. Fast growing.
Oak, Bur	<i>Quercus macrocarpa</i>	40-60 ft.	40-60 ft.	Slow growing and wind resistant.
Walnut, Black	<i>Juglans nigra</i>	50 ft.	50 ft.	Produces walnuts when mature.

*Small canopy trees are permitted with Staff approval under power lines and where special conditions exist. A list of smaller trees is available at the City of Great Falls Planning and Community Development Office, Room 112 of the Civic Center.