

**SEC. 27-1001. INTENT.**

The intent of the Interchange/Entryway Zoning Districts is to promote attractive, high quality development, to provide an appealing image of the City of Billings, to the traveling public and also the community. Further, it is the intent of this district to maintain a sensitivity toward existing development while preserving scenic vistas and protecting environmentally sensitive areas, including the Yellowstone River Corridor.

**OBJECTIVES**

- (a) Promote a unique, attractive physical landscape through topographic variations, water areas, native vegetation and scenic vistas;
- (b) Create and preserve open space;
- (c) Preserve and enhance unique qualities of the total environment;
- (d) Encourage creativity in design;
- (e) Provide for harmonious land design and quality site planning, which will produce a more desirable and attractive environment;
- (f) Reduce the level of adverse impacts from the transportation system on adjoining lands;
- (g) Promote development patterns in harmony with the goals and objectives of the 1990 Yellowstone County Comprehensive Plan; and
- (h) Promote compatible land use transitions with a sensitivity toward existing residential uses.

**SEC. 27-1006. LANDSCAPING STANDARDS.**

(a) *Definitions:*

- (1) Canopy tree: A species of tree which normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy trees shall be two and one-half (2½) inches in caliper.
- (2) Evergreen tree or shrub: A tree or shrub of a species which normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height.

(b) *Street Frontage Landscaping.* All commercial zones are required to place a bufferyard (landscaping strip) adjacent to and along the length of all rights-of-way, excluding driveways. Rights-of-way include the following: ditches adjacent to streets, principal arterial streets, minor arterial streets, collector streets, local streets and US Interstate 90.

The developer shall have the option of bufferyard widths (see options below). Placement and landscaping design shall be at the discretion of the developer. It is recommended that a design professional or local nursery be contacted for assistance with the development of the landscape design.

*Bufferyard Requirements:* The developer shall have the option of one (1) of the following three (3) bufferyards. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

Number of trees and shrubs required per one hundred (100) feet of frontage:

- (1) Twenty-five (25) foot wide bufferyard  
Five (5) Canopy or evergreen trees  
Ten (10) Shrubs
- (2) Twenty (20) foot wide bufferyard  
Ten (10) Canopy or evergreen trees  
Fifteen (15) Shrubs
- (3) Fifteen (15) foot wide bufferyard  
Fifteen (15) Canopy or evergreen trees  
Twenty (20) Shrubs

The following criteria shall also apply to the bufferyards.

- (1) The landscape strip shall be contoured. Berming shall be one (1) foot of rise to four (4) feet of run with a minimum of three (3) feet in height. Depressions shall be no lower than the existing grade of the site.
- (2) All landscaped areas shall contain ground cover such as sod, shrubs, flower beds or organic materials. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones or similar material.
- (3) All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter.

(c) *Off-Street Parking Lot Landscaping.* Landscaping shall be provided within all parking areas. The following requirements shall apply:

- (1) A minimum of twenty (20) square feet of landscaped area shall be provided for each parking space.
- (2) Two (2) canopy and/or evergreen trees and five (5) shrubs shall be required for every nine (9) parking spaces.
- (3) All landscaped areas shall contain ground cover such as sod, shrubs, flower beds or organic materials. No more than ten (10) percent of the landscaped area shall contain fountains, rock, bark chips, stepping stones or similar material.
- (4) The minimum width and/or length of any parking lot landscaped area shall be five (5) feet.

- (5) Internal parking lot landscaping provided shall be proportionately dispersed, at the developers discretion, in order to define aisles and limit unbroken rows of parking. The maximum horizontal or vertical unbroken length shall be limited to one hundred (100) feet. Landscaped areas provided shall be in a scale proportionate to parking lot.
- (6) Any development that has parking abutting a required bufferyard, may extend the width of that bufferyard a minimum of five (5) feet and include the additional required parking landscaping plant material. The minimum bufferyard width and landscaping material is required in addition to the parking landscaping.
- (7) All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter.

(d) *Protection of Landscaped Areas.* Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.

(e) *Commercial Uses Abutting Residential Uses.* All commercial uses abutting residential uses shall install a bufferyard. The bufferyard shall be ten (10) feet wide and shall contain ten (10) evergreen and/or canopy trees and ten (10) shrubs per one hundred (100) lineal feet. A solid fence or wall that is architecturally compatible in color and design with the building, shall be required on the property line. The fence height shall be a minimum of six (6) feet. Chain link or other wire fencing material is prohibited.

(f) *Recommended Tree Types.* It is recommended that the developer work with the City Parks Department, a local greenhouse operator, landscape architect or other design professional to determine the species of trees that are most suitable for each situation. The use of native, drought-tolerant plant material is strongly encouraged. Evergreen trees are encouraged for bufferyards and canopy trees are encouraged for parking areas, however, the planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site.

A list of recommended native plant material shall be available at the Planning Department.

(g) *Fractions in the Calculation of Number of Trees and Shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, all fractions shall be rounded to the nearest whole number.

#### **SEC. 27-1101. PURPOSE.**

The purpose of this section is to provide landscaping and performance standards which:

- (a) Enhance and promote a unique image for the Billings urban area.
- (b) Protect the public health, safety and welfare by:
  - (1) Increasing parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds;

- (2) Minimizing noise, air, water and visual pollution;
- (3) Screening and buffering incompatible land uses;
- (4) Reducing the amount of reflected glare and heat absorbed in and around developments;
- (5) Breaking up large expanses of parking lots;
- (6) Preserving property values and neighborhood characteristics by lessening the impacts of potentially incompatible uses; and
- (7) Providing screening from wind.
- (c) Conserve water resources by:
  - (1) Promoting the use of xeriscaping and drought-tolerant native plantings; and
  - (2) Promoting the utilization of stormwater detention as an irrigation source.
- (d) Ensure that landscaping is an integral part of the site design and development process.

**SEC. 27-1102. SCOPE.**

Development which satisfies one of the following criteria shall be exempt from this section:

- (a) Single or two-family developments where each unit is located on an individual lot;
- (b) Submitted or approved plans, building permits and/or development existing prior to the effective date of this chapter shall comply with the regulations which were in effect at the time of approval; or
- (c) Development located within one of the following zoning classifications:
  - (1) Central Business District (C.B.D.) Zone
  - (2) Entryway Light Commercial (E.L.C.) Zone
  - (3) Entryway General Commercial (E.G.C.) Zone
  - (4) Entryway Mixed Use (E.M.U.) Zone
  - (5) Heavy Industrial (H.I.) Zone
  - (6) Medical Corridor Permit Zoning District
  - (7) Planned Development (P.D.) Zone
  - (8) South 27th Street Corridor Zoning District

The provisions of this section shall apply to development which meets one of the following and is not exempt under above subsection C:

- (a) All new development which has not applied for a building permit before the effective date of this chapter; or
- (b) Existing development in which the gross floor area (GFA) or the number of parking stalls is increased by twenty-five (25) percent.

## **SEC. 27-1103. ADMINISTRATIVE RELIEF.**

Administrative Relief is provided to add flexibility in the application of the landscaping regulations in this section when a standard is inapplicable or inappropriate to a specific use or design proposal. However, the granting of Administrative Relief should not always mean that a requirement is reduced without compensation. For example, the granting of a reduced bufferyard depth should be compensated by the planting of additional trees, shrubs or other plants.

A written request for Administrative Relief shall be submitted to the Planning Director or his/her designee either before or in conjunction with the building permit review process. The written request shall include a justification in terms of the findings necessary to grant Administrative Relief. The written request shall close with a section for the Planning Department's use which will include a block for the decision of approval/denial, the Planning Director or his/her designee's signature, and decision date. The written request with decision shall be attached to the plan or retained in the applicable file, as appropriate. An example of this written request shall be available from the Planning Department.

The Planning Director or his/her designee must make all of the following findings in order to grant Administrative Relief:

- (a) The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same general area and such conditions will not allow a reasonable use of the property in its current zone in absence of relief;
- (b) The intent of the landscaping section and the specific regulation in question is preserved; and
- (c) The granting of the Administrative Relief will not result in an adverse impact upon surrounding properties.

The Planning Director or his/her designee shall render a decision on the request within five (5) working days of receipt of the request and all required information. An appeal of the Planning Director's decision may be made to the Board of Adjustment with jurisdiction over the property, within ten (10) days after the decision. At this time, the appeal will be put on the agenda for the next Board of Adjustment meeting which allows for the required public notice.

### **Policies**

- (1) The Planning Department recognizes that the specific landscape requirements in this section cannot and do not anticipate all possible landscape situations. In addition, the Planning Department recognizes that there may be landscape proposals which conform to the purpose, intent and objectives of the landscape regulations, but were not anticipated in the specific regulations. Therefore, the Planning Department may grant Administrative Relief in the event of these situations and proposals.

- (2) The Planning Department recognizes that a proposed development of a relatively small commercial or industrial lot which was created prior to the current landscape requirements may present unusual difficulties in complying with the current requirements.

The Planning Department shall attempt to balance the reasonable use of such lot with the provision of required landscaping. This balance will be affected by the site's characteristics, as well as, the proposed development plan.

The Planning Department also recognizes that to allow reasonable development there should be an upper limit to the amount of a site that is required to be landscaped. As a general guideline for relatively small commercial or industrial lots (such as one (1) acre or less), the requirements should not exceed twenty-five (25) percent of a site.

The reasonable development of a site may require the granting of Administrative Relief to some of the requirements. Although all of the categories of landscape requirements are considered important, the Planning Department generally assigns the following priorities for compliance with the landscape requirements:

First, adjacent residential uses should be buffered,

Second, an attractive appearance of the project should be provided along adjacent streets by landscaped setbacks and trees,

Third, the parking areas and building elevations which form major public views of the project should be visually softened and enhanced by trees and other plantings.

Compliance with the requirements, such as the third priority above, should not be "forced" into a site design. For both visual effect and ease of maintenance, relatively few, but larger landscaped areas, which are integrated with the other elements of the site design, are generally encouraged. In addition, relatively numerous and smaller landscaped areas, which are not integrated with the other elements of the site design, are generally discouraged.<sup>1</sup>

#### **SEC. 27-1104. DEFINITIONS.**

*Berm:* An earthen mound designed to provide visual interest, screen undesirable views and/or decrease noise levels.

*Bufferyard:* A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen uses from one another.

*Caliper:* A standard for trunk measurement of nursery stock that is measured from a specified distance above the ground.

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<sup>1</sup> (Ord. No. 97-5048, § 9, 12-22-97)

*Commercial Uses:* Land uses which are allowed by right or through the special review process in the Residential Professional, Neighborhood Commercial, Community Commercial, or Highway Commercial zones, as listed in BMCC Section 27-306 of the Zoning Regulations.

*Coniferous:* A plant with foliage that persists and remains green year-round.

*Deciduous:* A plant with foliage that is shed annually.

*Development:* The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure or any use or extension of the use of the land.

*Dripline:* A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

*Drought Avoidance:* The ability of a plant to withstand drought without showing signs of stress.

*Drought Tolerance:* The ability of a plant to withstand drought without dying.

*Industrial Uses:* Uses of land which are allowed by right or through the special review process only in the Controlled or Heavy Industrial zoning classifications, as listed in BMCC Section 27-306, of the Zoning Regulations.

*Landscaping Material, Inorganic:* Nonliving material such as river rock, stone, bark chips, mulch, flower tubs, fountains, outdoor plazas or other environmental amenities as approved by the Zoning Coordinator.

*Landscaping Material, Organic:* Living vegetative material such as trees, shrubs, vines, turf, and flower beds.

*Perimeter Landscaping:* The landscaping located appurtenant to the outer property lines, exclusive of the property line(s) which abut a public street right-of-way.

*Permanent Tree Protection Devices:* Structural measures, such as retaining walls or aeration devices, that are designed to protect the tree and its root system throughout its lifetime.

*Public Uses:* Uses of land which are considered public in nature such as parks and recreation areas, public or private schools, colleges, playgrounds, day care centers or churches, or other public buildings.

*Shrub:* A woody plant that usually remains low and produces shoots or stems from the base and is not usually tree-like or single stemmed.

*Vegetation, Native:* Plant life which is indigenous to a geographic region.

*Vehicular Use Area:* The area of a site devoted to vehicular parking and driving isles.

*Vine:* A woody plant whose stem requires support and climbs by tendrils or twining or creeps along the ground.

*Wall or Fence:* An artificially constructed barrier of posts connected by boards, rails, or panels, erected for the purpose of enclosing space to separate parcels of land, or to screen or enclose areas of land. This term also includes a masonry wall.

*Xeriscape:* Landscape methods which conserve water through the use of drought-tolerant plants and planting techniques.

#### **SEC. 27-1105. REQUIRED BUFFERYARDS.**

(a) For developments with less than 130,000 square feet in lot area, the following standards shall apply:

- (1) The development shall provide a minimum of ten (10) percent of the lot area for landscaping, less the square footage of the building footprint. In addition, fifty (50) percent of this required landscaping shall be placed so that it abuts adjoining public right-of-way, excluding alleys.
- (2) A six (6) foot high sight-obscuring fence or wall shall be provided on the property line where commercial or industrial uses are adjacent or across an alley from residential uses. A continuous hedge may be substituted for the required fence or wall, as long as it has a minimum height at installation of three (3) feet and maintains such size or reaches six (6) feet or more at maturity.

(b) For developments with 130,000 square feet or more in lot area, the following standards shall apply:

- (1) *Street Frontage Landscaping* The area along any property line which abuts a public street right-of-way must be landscaped using one (1) or a combination of two (2) or more of the following four (4) options which the developer may choose.

Option 1: 20' minimum bufferyard width  
1 tree per 40 linear feet of frontage

Option 2: 10' minimum bufferyard width  
2 trees per 40 linear feet of frontage

Option 3: Landscaped berm with 2' minimum average height  
1' rise: 4' run maximum slope  
No minimum or maximum berm width  
1 tree per 40 linear feet of frontage

Option 4: 5' minimum bufferyard  
1 tree per 40 linear feet of frontage  
30" high decorative or non-decorative wall located appurtenant to the parking area. A non-decorative wall shall be covered with vines on the street side of the wall.



Placement and landscaping design shall be at the discretion of the developer, including the placement of the required trees within the required bufferyard. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

- (2) *Perimeter Landscaping* The exterior boundaries of the lot which do not abut a public street right-of-way shall meet the bufferyard requirements shown below, depending upon the adjacent land use. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

Note:	<b>Residential Uses</b>	<b>Commercial Uses</b>	<b>Industrial Uses</b>	<b>Public Uses</b>
	A	C	D	A
	C	A	B	B
	D	B	A	D
	A	B	D	A

If a use does not conform with one of the above categories, the Zoning Coordinator shall determine which category best matches the use.

**Bufferyard Classification Requirements:**

- Bufferyard A: 5' minimum bufferyard  
1 tree per 40 linear feet
- Bufferyard B: 10' minimum bufferyard  
2 trees per 40 linear feet
- Bufferyard C: 15' minimum bufferyard  
3 trees per 40 linear feet  
6' sight obscuring fence or wall located on the property line\*
- Bufferyard D: 15' minimum bufferyard  
4 trees per 40 linear feet  
6' sight obscuring fence or wall located on the property line\*

\*A continuous hedge may be substituted for the required fence or wall in Bufferyards C and D, as long as it has a minimum height at installation of three (3) feet and maintains such size or reaches six (6) feet or more at maturity.

Placement and landscaping design shall be at the discretion of the developer, including the placement of the required trees within the required bufferyard. Bufferyard depth is measured from the property line inward. Any buffer area which overlaps another buffer area shall be subtracted from the total to avoid double counting.

- (c) *Bufferyard Standards for All Developments* All required bufferyards must contain a minimum of seventy-five (75) percent organic landscaping material, with a maximum of twenty-five (25) percent nonliving landscaping materials.

All required bufferyards shall be irrigated, maintained and kept free of weeds, debris and litter.

The use of coniferous trees is encouraged in the perimeter bufferyards.

**SEC. 27-1106. OFF-STREET PARKING LOT LANDSCAPING.**

The following requirements shall be met for off-street parking lots which are not exempt from this chapter or for developments whose lot area is 130,000 square feet or more.

(a) There shall be one (1) tree provided for every ten (10) parking stalls.

(b) Depending on the number of spaces, the following square feet of landscaped area must be placed in the vehicle use areas. The required landscaped area shall be "stepped" up to the number of stalls which will be provided. For example, a parking lot with 52 stalls shall provide no square feet for the first 9 parking stalls, stalls 10-25 shall provide 15 square feet per stall, stalls 26-50 shall provide 18 square feet per stall, and stalls 51-52 shall provide 25 square feet per stall.

Number of Stalls	Required Landscaped Area	0-9
	None required	
10-25	15 sq. ft. per stall	
26-50	18 sq. ft. per stall	
51-99	25 sq. ft. per stall	
100 or more	35 sq. ft. per stall	

(c) No parking stall shall be more than one hundred and twenty (120) feet from a required landscaped area.

(d) The developer is encouraged to utilize landscaped terminal islands at the end of parking rows and/or divider strips between parking rows to help disperse the required landscaping throughout the entire parking lot.

(e) Parking stalls that abut a required bufferyard may increase the width of this bufferyard a minimum of five (5) feet and count this toward the required off-street parking landscaped area.

(f) Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.

(g) Clear vision areas within the off-street parking area must be established at intersections by maintaining a maximum height for shrubs and ground cover of thirty (30) inches and tree branches must be trimmed up eight (8) feet from the ground.

(h) The minimum width or length of any landscaped area shall be five (5) feet, however the recommended minimum size is eight (8) feet. All of the required landscaped areas must contain a minimum of seventy-five (75) percent living landscaping material, with a maximum of twenty-five (25) percent nonliving landscaping material. Approved sidewalks are not counted toward this percentage.

(i) Parking lots containing between 200-749 parking stalls are encouraged to divide the lot into two or more lots, separated by a landscaped strip which may be counted toward the

required off-street parking landscaping area. Parking lots with more than 750 stalls are required to divide the lot into at least two parking lots with a landscaped strip separating them. The minimum width of these landscaping strips shall be ten (10) feet.

(j) A landscaped divider strip that separates either parking rows or parking lots shall be allowed to count a sidewalk located within this divider strip toward a part of the required off-street parking lot landscaping. The intent of this sidewalk is to help facilitate safe pedestrian movement. This sidewalk must meet the following criteria if it is to be counted toward the required landscaping:

- (1) The sidewalk has a five (5) foot wide walking path and shall add two (2) feet for vehicle overhang, if the sidewalk abuts a parking stall.
- (2) The sidewalk runs the entire length of the divider strip.
- (3) The sidewalk is bordered on at least one side by landscaping, of which the sidewalk cannot account for more than fifty (50) percent of the area of the divider strip.

(k) Deciduous trees are encouraged within the parking lot.

#### **SEC. 27-1107. SUPPLEMENTAL STANDARDS.**

All landscaped areas must comply with the clear vision standards for intersections as established in BMCC Section 27-615 of the Zoning Regulations. These sections regulate the allowed height and placement of fences, walls, signs, landscaping materials, in addition to other objects.

Chain link or wire fencing is prohibited where a sight obscuring fence is required in a bufferyard.

All landscaping shall be located so that it does not interfere with utilities, easements or fire hydrants.

Where appropriate, the use of porous pavement and/or specially designed brick or block should be considered to increase on-site water retention for plant material and groundwater supplies and to reduce problems associated with runoff.

All solid waste storage facilities shall be enclosed on three (3) sides by a sight obscuring fence or wall and by a sight obscuring gate on the remaining side. This requirement shall exclude up to two (2) recycling centers for general public access which are set up in the parking lot of commercially zoned properties.

Any permitted outside storage of merchandise shall be enclosed by a sight obscuring fence or wall. Exceptions to this requirement are temporary promotional displays, vehicle sales lots and plant materials that are located appurtenant to an approved building.

#### **SEC. 27-1108. LANDSCAPING PLAN REQUIREMENTS.**

A landscaping plan must be approved by the Planning Director or his/her designee before the issuance of a building permit. The developer is encouraged to work with a local landscape

architect, nurseryman or design professional to make the landscaping an integral part of the overall site design by using site-specific materials which are:

- (a) Appropriate to the conditions in which they are planted;
- (b) Have noninvasive growth habits;
- (c) Encourage low maintenance, high quality design; and
- (d) Be otherwise consistent with the intent of this chapter.

A list of recommended plants can be obtained from the Planning Department or the Montana State University Extension Service.

The landscaping plan should contain the following elements:

- (a) Scale:  $\frac{1}{4}''=1'0''$  to  $1''=40'$
- (b) Property lines, easements and public rights-of-way, including clear vision triangles.
- (c) Buildings or structures - both new and existing.
- (d) Drive approaches, parking spaces, light standards, circulation and pedestrian walkways.
- (e) Landscaping materials:
  - (1) Location and spacing of proposed plant materials.
  - (2) Location of existing trees or landscaping to be preserved or eliminated.
  - (3) Types and location of new vegetation identified by botanical and common names and listed on a plant schedule.
  - (4) Size of materials, in diameter and height at installation and maturity.
  - (5) Quantity of each planting materials to be used.
  - (6) Types and location of inorganic landscaping material.
- (f) Location of walls, fences and refuse storage areas.
- (g) Methods of protecting the landscaped areas.
- (h) Proposed treatment of all ground surfaces (concrete or asphalt paving, pavers, turf or gravel).

**SEC. 27-1109. LANDSCAPING MATERIAL STANDARDS.**

- (a) Plants shall conform to the measurements specified in the plant schedule submitted with the landscaping plan.
- (b) Landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken six (6) inches above grade.
  - (1) Minimum height for shade trees shall be eight (8) feet.
  - (2) Minimum size for shade trees shall be a one and one-half (1") inch caliper.

(3) Minimum size for evergreen trees shall be five (5) feet in height.

(4) Minimum size for shrubs shall be one (1) gallon container for low and medium shrubs and five (5) gallon container for tall shrubs.

(c) It is recommended that a professional horticulturist, nurseryman or design professional be consulted to determine the proper time to move and install all plant materials, so that stress to the plants will be minimized.

#### **SEC. 27-1110. INSTALLATION AND MAINTENANCE.**

A performance bond or letter of credit for one hundred fifty (150) percent of the landscaping materials and labor costs shall be posted with the Planning Department to ensure the placement of the required landscaping. The property shall be inspected by the Planning Director or his/her designee to make sure that the required landscaping has been planted before the Certificate of Occupancy is signed off. The planting of the required landscaping may be delayed until the next suitable planting season with written approval from the Planning Director or his/her designee.

The responsibility for the maintenance of the landscaping shall lie with the property owner, his/her successor and/or their agents. All landscaping elements shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with this section. In addition, all walls and fences shall also be maintained in good condition and, when necessary, be repaired or replaced.

#### **SEC. 27-1111. ADMINISTRATION AND ENFORCEMENT.**

The administration and enforcement of this article shall reside with the Zoning Coordinator as stated in BMCC Sections 27-1602 and 27-1603.

#### **SEC. 27-1401. (NORTH SHILOH CORRIDOR OVERLAY) PURPOSE. (NORTH OF KING AVE WEST)**

The purpose of the Shiloh Corridor Overlay District is to provide standards for industrial, commercial, and mixed-use development as called for in the West Billings Plan. This overlay zoning district is intended to promote an aesthetically pleasing and distinct entryway corridor by encouraging abundant landscaping, attractive building design, and preservation of scenic vistas. Single family and duplex residential development are exempt from the requirements of this overlay zoning district. The overlay zoning does not alter the category of permitted uses in the underlying zoning.

#### **SEC. 27-1406. ABSOLUTE CRITERIA.**

*(b) Landscaping standards.*

(1) *Shiloh Road frontage setback landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of Shiloh Road, excluding driveways. Frontage setbacks shall be landscaped with a minimum of five (5) canopy or evergreen trees and fifteen (15) shrubs per one hundred (100) feet of frontage.

a Developer is encouraged to mass trees to create interest along the frontage. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree.

Within 200 lineal feet of street frontage the required number of trees and shrubs may be massed together to create one or more large tree and shrub planting area(s) somewhere within the 200 lineal foot length. Developer is encouraged to mass ornamental trees and shrub beds at intersections with Shiloh Road and other right-of-way frontage roads and at internal street intersections while still maintaining clear vision triangle height restrictions, pursuant to section 27-618.

- b. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way.
- (2) *Right-of-way frontage other than Shiloh Road landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of all rights-of-way other than Shiloh Road, excluding driveways. Right-of-way frontage setbacks shall be landscaped with a minimum of three (3) canopy or evergreen trees and eight (8) shrubs per one hundred (100) feet of frontage. See (1) a. above
- a. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right of way.
- (3) *Off-street parking lot landscaping.*
- a. A minimum of twenty (20) square feet of internal landscaping shall be provided for each parking space.
  - b. One (1) canopy and/or evergreen tree and (5) shrubs shall be required for every eight (8) parking spaces. Developer is encouraged to mass trees to create interest inside parking lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout the parking lot and to use parking lot islands with trees and shrubs to direct traffic through parking lot.
  - c. The shortest dimension of any parking lot landscaped area shall not be less than five (5) feet.
  - d. Internal parking lot landscaping shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum unbroken distance in any direction shall be limited to one hundred (100) feet. See section 27-1106 for additional requirements.
- (4) *Commercial uses abutting residential and public uses.* All commercial or industrial uses shall be separated from abutting, including across an alley, residential single family, duplex and public uses by a fifteen (15) foot wide bufferyard. The bufferyard shall be landscaped with a minimum of five (5) canopy or evergreen trees and twelve (12) shrubs per one hundred (100) linear feet. See (1) a. above. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

A solid fence or wall that is architecturally similar in color and design shall be required on the property line. The fence shall be a minimum of six (6) feet high. Chain link or other wire fencing material is prohibited. All fences shall be maintained by the commercial property owner.

- (5) *Non-living material allowed.* River rock, bark chips, flagstones or similar material may be used as mulch or decorative landscape features to supplement the living plant material. Bufferyards may include boulevard sidewalks. No more than twenty-five (25) percent of the landscaped area shall contain non-living material.

- (6) *Landscape maintenance required.* All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter. Dead or dying material shall be replaced within one (1) year.
- (7) *Protection of landscaped areas.* Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved barriers.
- (8) *Automobile and recreation vehicle sales.* Automobile and recreation vehicle sales are required to install two (2) of the required trees and one and one half (1½) the required shrubs along street frontages or are exempt from the tree requirements as long as the required trees are replaced with shrubs and/or other landscape features, including but not limited to water features, landscape rock, public art, etc.
- (9) *Plant standards.*
  - a. *Canopy tree.* A species of tree that normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy trees shall be at least two (2) inches in caliper at the time of installation. Caliper shall be defined by the American Nurseryman Standard Definition.
  - b. *Evergreen.* A tree or shrub of a species that normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height at the time of installation.
  - c. *Ornamental tree.* A species of tree that normally bears flowers in the spring time of the year or has other ornamental features such as unique leaves, bark, leaf color or fruit. Minimum size at installation shall be one and one half (1½) inch caliper. Caliper shall be defined by the American Nurseryman Standard Definition.
  - d. *Shrubs.* The minimum size of a shrub shall be at least five (5) gallons.
  - e. *Recommended tree types.* It is recommended that the developer work with the city parks department, county extension agent, a local greenhouse operator, landscape architect or other professional designer to determine the species of trees that are most suitable for each situation. The use of native, drought tolerant plant materials is strongly encouraged. Evergreen trees are discouraged for internal parking areas if they limit sight lines. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site. A list of recommended plant material shall be available at the planning department.
  - f. *Fractions in the calculations of number of trees and shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, fractions of less than five-tenths (.5) shall be rounded down to the nearest whole number; fractions of more than five-tenths (.5) shall be rounded up to the nearest whole number.

**SEC. 27-1427. SOUTH SHILOH CORRIDOR OVERLAY DISTRICT.**

**SEC. 27-1428. PURPOSE. (SOUTH OF KING AVE WEST AND 500 FEET SOUTH FROM C/L OF KING AVE WEST EAST FROM SHILOH TO 32<sup>ND</sup> ST WEST)**

The purpose of the South Shiloh corridor overlay district is to provide standards for industrial, commercial, and mixed-use development as called for in the West Billings Plan. This overlay zoning district is intended to promote an aesthetically pleasing and distinct entryway corridor by encouraging abundant landscaping, attractive building design, and preservation of scenic vistas. Single family and duplex residential development are exempt from the requirements of this overlay zoning district. The overlay zoning does not alter the category of permitted uses in the underlying zoning.

**SEC. 27-1433. ABSOLUTE CRITERIA.**

(b) *Landscaping standards.*

(1) *Shiloh Road and Zoo Drive frontage setback landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of Shiloh Road and Zoo Drive, excluding driveways. Frontage setbacks shall be landscaped with a minimum of five (5) canopy or evergreen trees and ten (10) shrubs per one hundred (100) feet of frontage. Trees may be massed within the frontage setback as long as the same densities are maintained.

(2) *Right-of-way frontage other than Shiloh Road and Zoo Drive landscaping required.* All developments are required to landscape the frontage setback adjacent to and along the length of all rights-of-way other than Shiloh Road, excluding driveways. Right-of-way frontage setbacks shall be landscaped with a minimum of four (4) canopy or trees and eight (8) shrubs per one hundred (100) feet of frontage. Massing of landscaping elements with the required number of landscaping is permitted to meet the intent of subsection (b)(1)a.

a. Up to thirty (30) percent of the required landscaping may be located in the boulevard of the public right-of-way

(3) *Off-street parking lot landscaping.*

a. A minimum of twenty (20) square feet of internal landscaping shall be provided for each parking space.

b. One (1) canopy and/or evergreen trees and five (5) shrubs shall be required for every nine (9) parking spaces. Developer is encouraged to mass trees to create interest inside parking lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout the parking lot and to use parking lot islands with trees and shrubs to direct traffic through parking lot.

c. The shortest dimension of any parking lot landscaped area shall not be less than five (5) feet.

d. Internal parking lot landscaping shall be proportionately dispersed, at the developer's discretion, in order to define aisles and limit unbroken rows of parking. The maximum unbroken distance in any direction shall be limited to one hundred fifty (150) feet. See section 27-1106 for additional requirements.



e. Trees and shrubs may be massed.

- (4) *Commercial uses abutting residential and public uses.* All commercial or industrial uses shall be separated from abutting, including across an alley, residential single family, duplex and public uses by a fifteen (15) foot wide bufferyard. The bufferyard shall be landscaped with a minimum of five (5) canopy or evergreen trees and ten (10) shrubs per one hundred (100) linear feet. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use.

A solid fence or wall that is architecturally similar in color and design shall be required on the property line. The fence shall be a minimum of six (6) feet high. Chain link or other wire fencing material is prohibited. All fences shall be maintained by the commercial property owner.

- (5) *Non-living material allowed.* River rock, bark chips, flagstones or similar material may be used as mulch or decorative landscape features to supplement the living plant material. Bufferyards may include boulevard sidewalks. No more than twenty-five (25) percent of the landscaped area shall contain non-living material.
- (6) *Landscape maintenance required.* All landscaped areas shall be irrigated, maintained and kept free of weeds, debris and litter. Dead or dying material shall be replaced within one (1) year.
- (7) *Protection of landscaped areas.* Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved barriers.
- (8) *Landscape exemptions.* Uses for automobile and recreation vehicle sales are required to install half (1/2) the required trees and one and one half (1 ½ ) the required shrubs along street frontages or are exempt from the tree requirements in the interior of their lots only as long as the required trees are replaced with shrubs and/or other landscape features, including but not limited to water features, landscape rock, public art, etc. If no landscaping is provided in the interior of lots, at least one (1) additional tree and two additional shrubs per five hundred (500) feet of frontage should be provided in perimeter landscape to offset the exemption. This landscaping may also be massed.
- (a) Developer is encouraged to mass trees to create interest inside their lot. Two (2) ornamental trees may be substituted for one (1) canopy or evergreen tree. Developer is encouraged to create several large shrub areas throughout their lot and to use planting islands with trees and shrubs to direct traffic through their lot.

- (9) *Plant standards.*

- a. *Canopy tree.* A species of tree that normally bears crown foliage no lower than six (6) feet above ground level upon maturity. Minimum size of canopy trees shall be at least two (2) inches in caliper at the time of installation. Caliper shall be defined by the American Nurseryman Standard Definition.

- b. *Evergreen.* A tree or shrub of a species that normally retains leaves/needles throughout the year. Minimum size of evergreen trees shall be five (5) feet in height at the time of installation.
- c. *Shrubs.* The minimum size of a shrub shall be at least five (5) gallons.
- d. *Recommended tree types.* It is recommended that the developer work with the city parks department, county extension agent, a local greenhouse operator, landscape architect or other professional designer to determine the species of trees that are most suitable for each situation. The use of native, drought tolerant plant materials is strongly encouraged. Evergreen trees are discouraged for internal parking areas if they limit sight lines. The planting of trees should be done in such a manner as to provide maximum solar efficiency throughout the site. A list of recommended plant material shall be available at the planning department.
- e. *Fractions in the calculations of number of trees and shrubs.* In the calculation of trees and shrubs for bufferyards or parking landscaping, fractions of less than five-tenths (.5) shall be rounded down to the nearest whole number; fractions five-tenths and more (.5) shall be rounded up to the nearest whole number.

## Sec. 27-1815. Landscape standards.

The following landscape requirements apply to all EBURD districts. Refer to BMCC section 27-1802.

- (a) *General compliance.* Application of this section to existing uses shall occur with the following developments.
  - (1) The expansion of more than thirty (30) percent of the surface area of an existing parking lot or loading facility, including any associated driveways.
  - (2) Alteration to an existing principal or accessory structure that results in a change of fifteen (15) percent or more in the structure's gross floor area.
  - (3) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.
- (b) *General requirements.* Refer to BMCC section 27-1100 for all landscape requirements, including but not limited to the approval process, materials, installation, and maintenance. However, the EBURD specific standards in this section 27-1815 supersede the requirements of subsections 27-1105 and 27-1106
- (c) *Landscape area vegetation.* All unpaved areas shall be covered by one of the following.
  - (1) *Planting beds.*
    - a. Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
    - b. Nonliving materials, such as rocks, gravel, cobbles, pine straw, or mulch, are permitted for up to fifty (50) percent of a bed area.
    - c. Annual beds must be maintained seasonally, replanting as necessary.
  - (2) *Grass.* Seeded, plugged, or sodded grass may be planted throughout landscaped areas, established within ninety (90) days of planting or the area must be reseeded, replugged, or resodded.
- (d) *Permeable surface.* For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this article.
  - (1) Preserved trees should have a permeable surface area equal to the critical root zone. The critical root zone is equal to half of the radius of the tree's mature canopy, measured from the trunk out to the dripline.
  - (2) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 27-1815-1 for details.
  - (3) Permeable area for one tree cannot count toward that of another tree.
  - (4) Structural soil. When the critical root zone of an existing tree or the suggested permeable surface area requirement of a newly planted tree extends below any pavement, structural soil is required underneath the pavement.

**Table 27-1815-1. Minimum Recommended Soil Volumes and Permeable Area Per Planted Tree.**

Tree Type	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
	2852	1141 (approx. 34' x 34')	225 (15' x 15')
Shade	6532	2681 (approx. 50' x 50')	400 (20' x 20')

(e) *Street trees.* All new developments or redevelopments shall include the installation of street trees per BMCC section 27-1817, Street Types. The following standards apply to the installation of street trees.

- (1) *Clear branch height.* Minimum clear branch height is eight (8) feet.
- (2) *Permitted street tree type.* Deciduous shade and ornamental trees per the city recommended plant list are permitted to be installed as street trees. Refer to the current edition of the City of Billings Standard Modifications to the Montana Public Works Standard Specifications for Plant List and other installation specifications. Refer to BMCC section 25-208 for tree species prohibited in the public right-of-way.
- (3) *Street tree spacing.* Street trees shall be planted as follows.
  - a. Each lot is required to have one (1) tree for every forty (40) feet of street frontage with a minimum of one (1) street tree per street frontage.
  - b. Spacing.
    - i. Shade trees must be spaced a minimum of thirty (30) and a maximum of sixty (60) feet on center.
    - ii. Ornamental trees must be spaced a minimum of twenty (20) and a maximum of forty (40) feet on center.
    - iii. The location of trees shall take into account the location of signs, wherever it is feasible, so as to not block the view for motorists and still meet the intent of this section.
  - c. Limited distance from curb and sidewalk. Where the distance from the back of the curb to the edge of the right-of-way or lot line is less than nine (9) feet with a sidewalk, applicant shall work with the city forester to determine the appropriate tree species. The zoning coordinator may waive the street tree requirement in spaces less than nine (9) feet.
- (4) *Tree wells.* Where the sidewalk extends from the back of curb to the lot line, tree wells shall be utilized.

- a. For tree wells adjacent to sidewalks five (5) feet wide or less, an open pit is not permitted.
  - i. The opening must be covered with a tree grate or pervious pavement.
  - ii. The opening in a tree grate for the trunk must be expandable.
- (f) A. *Landscape area requirements.* These standards apply to all development except single family residential.
  - (1) *Tree requirements.* One (1) evergreen, ornamental or shade tree is required for every two thousand five hundred (2,500) square feet of landscape area.
    - a. Existing tree canopy may be utilized to meet this requirement.
    - b. If less than two thousand five hundred (2,500) square feet of landscape area exists, tree plantings are not required.
  - (2) *Planting bed requirements.* A minimum of forty (40) percent of the landscape area of front and corner side yards not already designated as a frontage or side and rear buffer (refer to BMCC section 27-1815) must be planting beds (refer to BMCC subsection 27-1815(b)).
- B. *Fences and walls.* These standards apply to all lots in all EBURD Districts. Fences and walls must adhere to the following standards.
  - (1) *Height.* The maximum height of any fence or wall shall be six (6) feet measured from the ground at the base of the fence or wall to the top of the fence boards or wall.
    - a. Posts, decorative columns, light fixtures, or other decorative details are permitted to exceed the height limit by up to two (2) feet.
    - b. Fences over four (4) feet in height are not permitted in the front yard.
    - c. In the Central Works [District], the maximum height of any fence or wall shall be eight (8) feet.
    - d. In the Industrial Sanctuary [District], height limits do not apply.
  - (2) *Location.* All fences and walls must be located within a lot's lot lines.
  - (3) *Materials.*
    - a. *Permitted materials.* Brick; stone; cast stone; wood; painted, matte finish vinyl; wood composites; or steel are permitted fence and wall materials.
    - b. *Prohibited materials.* Barbed wire, chain link, exposed cinder or concrete block, metal mesh, and razor wire and single wire fences and wall are prohibited with the following exceptions:
      - i. In the Industrial Sanctuary districts, chain link, razor wire, and barbed wire fencing are permitted. Sharp fencing must be located eight (8) feet above grade.
  - (4) *Opacity.* Fences along the front yard or front lot line shall have a maximum opacity of fifty (50) percent.

(g) *Buffers*. Landscape buffers are required according to the provisions in this section with the following exceptions.

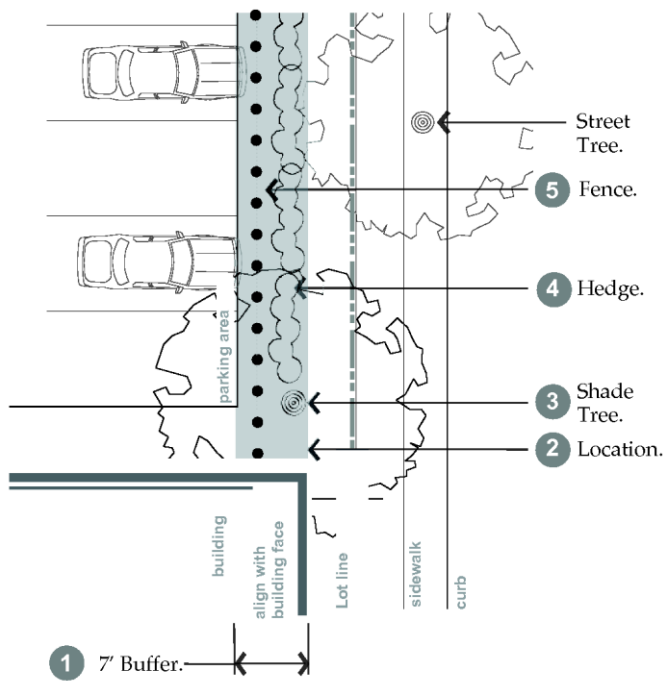
(1) *Shared driveways*. Buffers shall not be required along a lot line where a curb cut or aisle is shared between two (2) adjoining lots.

(2) *Points of access*. Buffering is not required at driveways or other points of access to a lot.

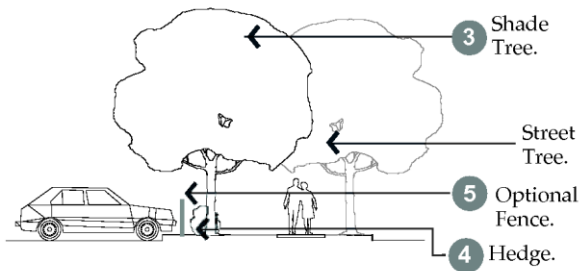
(h) *Frontage buffer requirements (refer to Figure 27-1815-1)*.

(1) Intent & Applicability		
Intent	To lessen the visual impact of vehicular areas & outdoor storage visible from the street	
General Applicability	Applies to Frontage Types where a vehicular area or outdoor storage is located adjacent to a Right-of-Way	
Exceptions	Vehicular areas along alleys, except when a residential district is located across the alley; Single and two family residences	
(2) Buffer Depth & Location <sup>1</sup>		
Depth	7'	1
Location on the Site	Between street facing Lot line and parking area <sup>2</sup>	2
(3) Buffer Landscape Requirements		
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees	3
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of vehicular areas	4
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center	
Existing Vegetation	May be credited toward buffer area	
(4) Fence <sup>5</sup>		
Location	2' from back of curb of vehicular area	
Materials	Steel or painted, matte finish PVC; Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted	
Minimum Height	3'	
Maximum Height	4'	
Colors	Black, gray, or dark green	

Opacity	Minimum 20%; Maximum 60%	
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'	
<b>Notes:</b>		
<sup>1</sup> This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.		
<sup>2</sup> In front, corner, and rear yards on a through lot, when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the lot line must be landscaped.		



**Front Buffer Plan.**



**Front Buffer Section.**

**Figure 27-1815-1. Frontage Buffer Plan and Section.**

(i) *Interior parking lot landscaping requirements (refer to Figure 27-1815-2).*

(1) Intent & Applicability		
Intent	To provide shade, minimize paving & associated stormwater runoff, & improve the aesthetic look of parking lots	
General Applicability	All open-air, off-street parking lots <sup>1</sup>	
Other Internal Parking Lot Areas	Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650' thereafter	
Existing Vegetation	Existing vegetation may be credited toward these requirements	
(2) Landscape Island Requirements		
Required Island Locations	Terminal ends <sup>2</sup> of free standing rows or bays of parking; After every ninth parking space for rows of parking greater than 10 spaces in length <sup>4</sup>	1 2
Minimum Width	5'; Islands less than 15' must utilize structural soil under any paved surface within a tree's recommended permeable surface area requirement (per Table 27-1815-1); Islands under 9' must install an aeration system and utilize permeable pavement	3
Required Trees Within Islands	Minimum of 1 medium or large shade tree per island	
(3) Tree Requirements		
Requirements per Parking Space <sup>3</sup>	Each parking space must be located within 50' of a tree planted within parking lot interior; and no more than 8 continuous parking spaces in a row are permitted without a landscape island	
	Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces	
Tree Shade	Within 20 years of tree installation, 30% of the interior of the parking lot must be shaded by tree canopy	

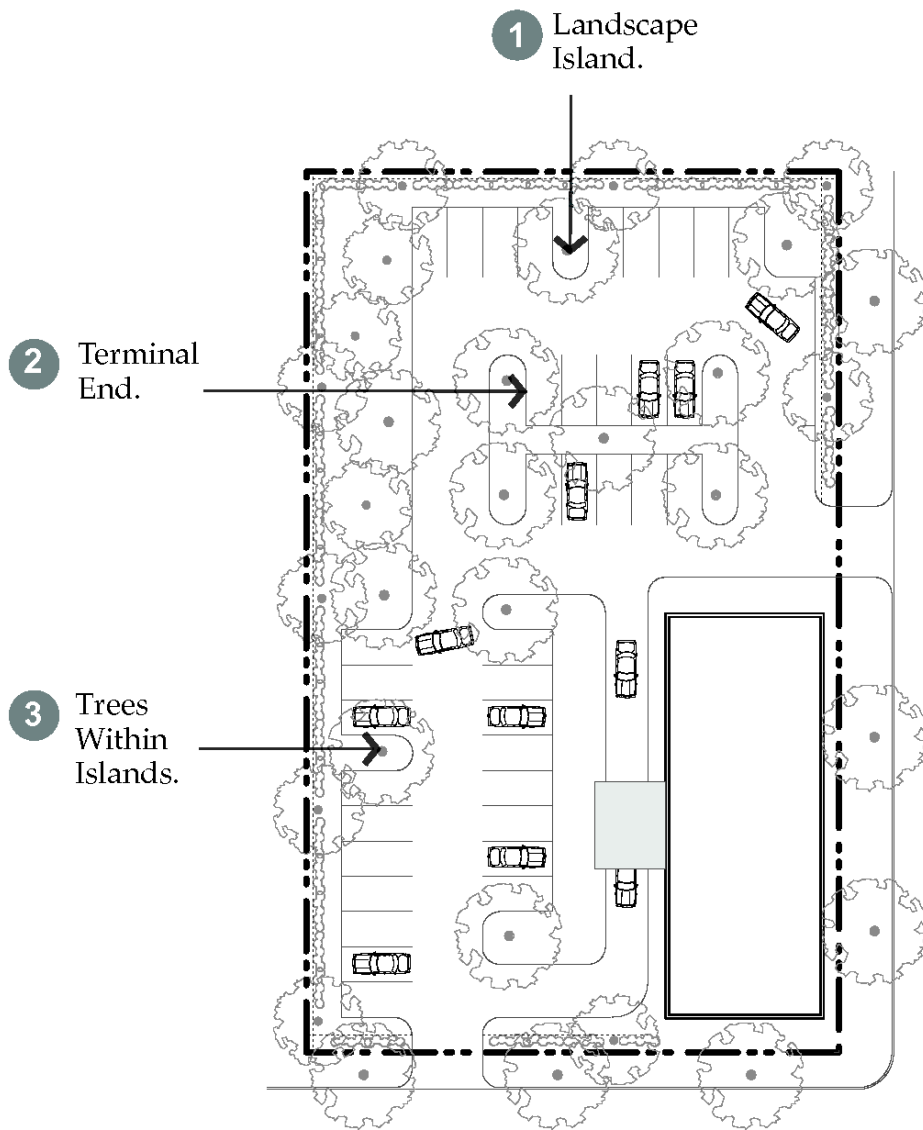
**Notes:**

<sup>1</sup> Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from the farthest edge of pavement to opposing farthest edge of pavement.

<sup>2</sup> Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

<sup>3</sup> Trees within a designated buffer area may not be utilized to meet these requirements. Trees and landscaping located outside of the parking lot interior, including in the side and rear buffer or frontage buffer, may not be applied to this requirement.





**Figure 27-1815-2. Interior Parking Lot Landscape.**

<b>Tree Size</b>	<b>Estimated Canopy at Maturity (sq ft)</b>	<b>Estimated Height at Maturity (ft)</b>
Very Small	150	under 15'
Small	400	15'—25'
Medium	900	25'—40'
Large	1600	40'+

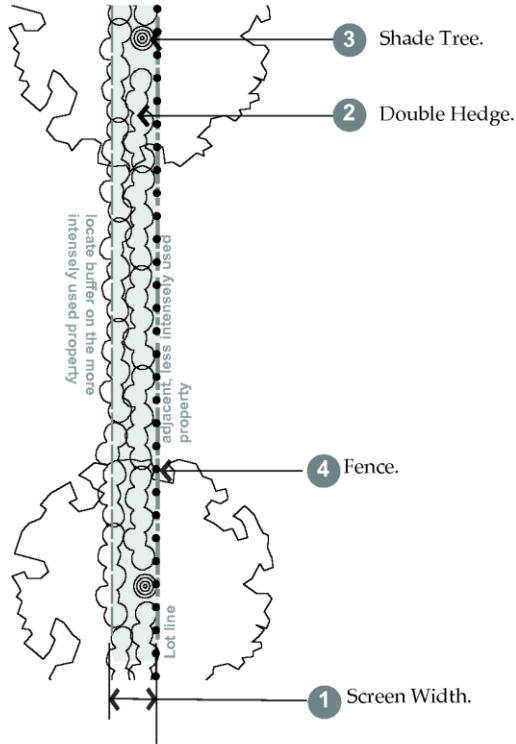
**Table 27-1815-3. Estimated Canopy and Height at Maturity.**

(j) *Side and rear buffer requirements (refer to Figure 27-1815-3).*

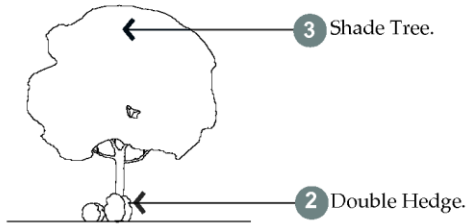
A. Intent & Applicability		
Intent	To minimize the impact that one building may have on a neighboring district and to provide a transition between districts	
General	Applies to all directly adjoining properties as outlined in Table 27-1815-4 <sup>1</sup>	
B. Required Landscape Screen		
Size	5' landscape screen in addition to any other buffer landscaping	①
Location	Directly adjacent to the Rear or Side Lot line per Table 27-1815-2	
Hedge	Continuous double row of shrubs required between shade trees	②
Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; Mature height in one year of 24"	
Hedge Frequency	Minimum of 15 shrubs per 100' of Lot line is required	
Shade Trees	At least 1 medium or large shade tree per every 40' within the buffer	③
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer	
Existing Vegetation	May be credited toward buffer area	
C. Required Fence		
Permitted Materials	Steel or painted, matte finish PVC for semi-opaque; Wood or masonry for opaque. Chain link not permitted.	
Minimum Height	6'	
Maximum Height	8'	
Colors	If steel: black, gray, or dark green	
Opacity	Option 1: Semi-Opaque 20%-60% opacity, hedge required; Option 2: Opaque fence, no hedge required	

**Notes:**

<sup>1</sup> Zoning Coordinator may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and similarity between uses.



Landscape Screen Plan.



Landscape Screen Section.

Figure 27-1815-3. Landscape Screen within Side & Rear Buffer.

Frontage Types		Buffer	
Buffer Required on Lot	When Lot Line is adjacent to:	Buffer Required	Buffer Width
Open, Commerce, Limited Bay	Yard, General Stoop, Storefront	Side & Rear	5'
General Stoop	Yard	Side Rear	5'

Table 27-1815-4. Side & Rear Buffer Requirements by District.

(k) *Commercial patio frontage (refer to Figure 27-1815-4).*

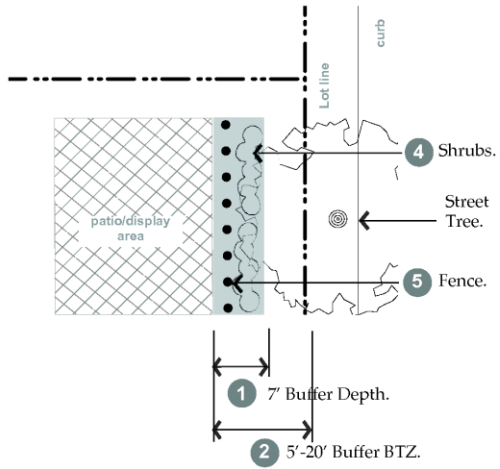
(1) Intent & Applicability		
Intent	To provide a buffer between outdoor sales uses and street activity	
General Applicability	Applies to Commercial Outdoor Site Frontage Type only (refer to BMCC Sec. 27-1813(h))	
(2) Frontage Location		
Minimum Depth	7'	1
Location on the Site	Between 5' and 20' from Front and Corner Side Lot line adjacent to patio/display area	2
(3) Buffer Landscape Requirements <sup>1</sup>		
Shade Trees	Medium or large shade tree required at least every 40'; Spacing should alternate with street trees <sup>2</sup>	3
Shrubs	Required continuous shrubs on street side of fence	4
Hedge Composition	Individual shrubs with a minimum width and height of 12", spaced no more than 24" on center	
Existing Vegetation	May be credited toward buffer area	
(4) Required Fence <sup>5</sup>		
Materials	Steel or painted, matte finish PVC; Masonry base or columns permitted	
Minimum Height	18"	
Maximum Height	4'	
Colors	Black, gray, or dark green for steel or PVC	
Opacity <sup>3</sup>	Minimum 30 percent; Maximum 60%	
Gate/Opening	Two gates permitted per street frontage; Opening width maximum 6'	

**Notes:**

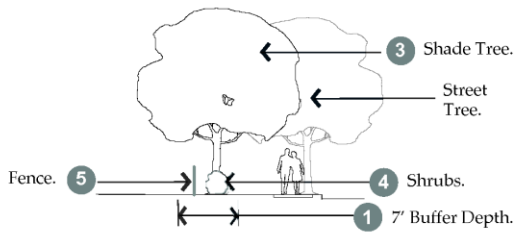
<sup>1</sup> This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

<sup>2</sup> Exception: Trees for Automobile Sales Use may be spaced 90' on center

<sup>3</sup> Fence may be solid if 30" or less in height



Commercial Patio Frontage Plan.



Commercial Patio Frontage Section.

**Figure 27-1815-4. Commercial Patio Frontage Plan and Section.**

- (l) *Screening of open storage, refuse areas, and utility appurtenances (refer to Figure 27-1815-5).*

A. Intent & Applicability		
Intent	To reduce the visibility of open storage, refuse areas, and utility appurtenances from public areas and adjacent properties	
General	All dumpsters, open storage, refuse areas, and utility appurtenances	
B. Open Storage & Refuse Area Screening Requirements <sup>1</sup>		
Location on the Site	Not permitted in Front or Corner Side Yards	
Opaque Screen Wall <sub>1</sub>	Required around 3 sides of the dumpster and trash bin area	①
Screen Wall Height	Height shall be the higher of the following:	
	1.6'	
	2. Height of use to be screened	
	3. Height as determined by the Zoning Coordinator to accomplish objective of the screen	
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates	②
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree <sub>2</sub> in at least 1 of the landscape areas	③
C. Utility Appurtenance Screening Requirements		
Large Private Mechanical Equipment <sup>3</sup>	Shall be fenced with opaque wood or brick-faced masonry on all sides facing Right-of-Way	
Small Private Mechanical Equipment <sup>4</sup>	Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center	

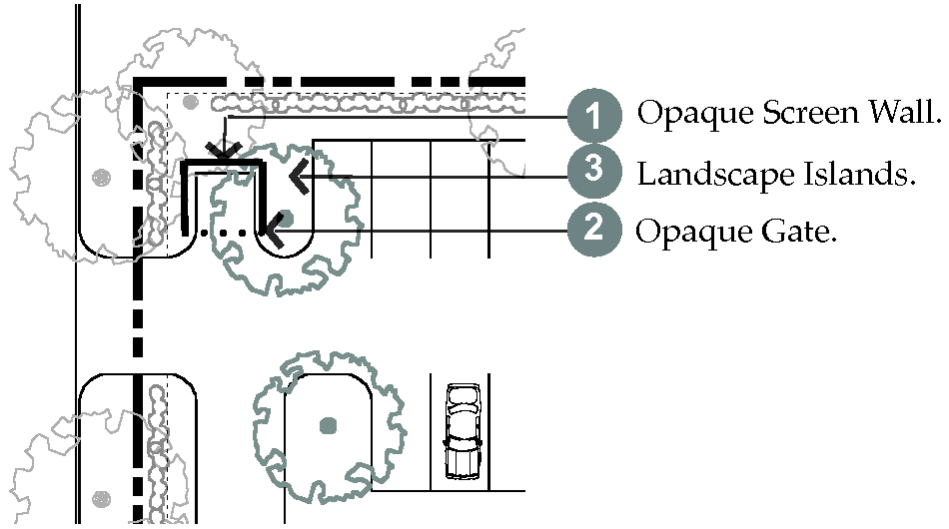


Figure 27-1815-5. Screening of Open Storage & Refuse Areas.