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Section 13.010. Statement of Intent

The intent of this Article is to require landscaping in development sites, parking lots and transition areas to enhance the aesthetic qualities of the City and to protect and preserve the appearance, character and value of its neighborhoods and businesses by:

- 1) Providing for quality and consistency in the design of landscaping and screening.
- 2) Providing for the separation of incompatible types of land use.
- 3) Providing for the conservation of existing trees and the planting of new trees in pace with the land development process.

Section 13.020. Applicability

This Article sets out the minimum landscaping, buffering and screening requirements within the City of O’Fallon. An approved preliminary landscaping plan shall be required as a condition of any preliminary plat approval and preliminary site plan approval. A Final Landscaping Plan shall be required as a condition of and prior to issuance of a permit for any construction and grading activity as to the following:

1. final site plan,
2. final plat approval, or
3. any other building or grading permit for any land disturbing construction activity other than permits for agricultural uses, or relating to one single-family detached dwelling or two-family attached dwelling, except where it is determined by the Director that the activity creates no new landscaping needs as established by the purposes of this Article.

Landscaping shall be provided in accordance with the requirements of this Article and all other applicable requirements of this Chapter.

The City may require an outside consultant to review any of the submittal requirements in accordance with this Article. When deemed necessary the City may require a landscape or forestry study performed by an independent Arborist, Urban Forester, Landscape Architect, or other certified professional approved by the Director. All costs associated with these professional services shall be the responsibility of the developer.

Section 13.030. Landscape Plan- submittal requirements.

Landscaping, screening and tree protection plans shall include information and detail as required by the Director to determine compliance with this section. Such plan shall be submitted to the Department and approved prior to any grading, bulldozing, or other removal of existing vegetation that may affect the health of existing tree coverage.

A) Preliminary Landscape Plan Requirements

All preliminary landscape plans, unless otherwise waived by the Director, shall include, but are not limited to, the following;

- 1) Legible Scale consistent with the submitted development plan or plat.
- 2) North reference.
- 3) The extent of the development site, including the limits of land disturbance, clearing, grading, and trenching. Also include the boundaries of existing stands of trees and any significant trees.

- 4) The location and size of all utilities on the site.
- 5) The location of all existing and proposed parking areas, sidewalks and other paved surfaces.
- 6) The location of any screening or enclosures to be used on the property, including but not limited to, trash storage locations and loading areas.
- 7) The general location and proposed type of landscaping for all existing and proposed buildings, structures, trash/dumpster enclosures, signage and all raised medians or islands. The landscaping plan should provide dimensions of planting areas; approximate location and number of plants/trees; and general location, dimension, and material of any structural buffer requirements,
- 8) The boundary of riparian corridors to meet the standards in Section 13.150.

B) Final Landscape Plan Requirements

All final landscape plans, unless otherwise waived by the Director, shall include all preliminary landscape plan requirements in addition, but not limited to, the following;

- 1) The location of all landscape materials proposed to meet the requirements of this Code, drawn to scale; and a planting schedule indicating plant names, quantities, and installation size.
- 2) Location of all stands of trees to remain on the development site and measures taken to protect them during construction.
- 3) The construction details, including a profile section, of each natural and structural buffer proposed.

Section 13.040. General Requirements

All landscaping, screening, and buffering shall meet the following minimum requirements:

- 1) Tracts of land in the downtown area are exempt from the Landscaped Parkway requirements.
- 2) Pedestrian access between developments and in parking lots is encouraged to provide safe and uninterrupted pedestrian access to on-site principal uses and adjacent uses, where appropriate.
- 3) All portions of the site not covered with paving or buildings shall be landscaped. Open areas not covered with other materials shall be covered with turf or ground cover.
- 4) All areas required to be landscaped shall be covered in plant material or other pervious materials in accordance with this Article or as approved by the Director. Plantings shall include trees, shrubs, ground cover, perennials, grasses, decorative rock, mulch, sod or other natural materials excluding gravel, aggregate, paving, and other road surfacing materials.
- 5) Required landscape and buffer areas shall contain no driveways, structures, parking areas, patios, storm water detention facilities or any other structures or accessory uses except for the following:
 - a) Retaining walls or earthen berms constructed as part of an overall landscape design.
 - b) Pedestrian-oriented facilities such as sidewalks and bus stops.
 - c) Underground utilities.
 - d) Required vehicular access/driveways through a required buffer or landscape area may be allowed as a condition of site plan approval.
 - e) Signs otherwise permitted by this Chapter.

- f) Buffer areas may contain fences, walls, or earthen berms constructed to provide the visual screening required to meet the standards of Section 13.080.
- 6) All required landscaping shall adhere to applicable requirements of Section 5 and Appendix A of the City of O'Fallon Development Manual, including, but not limited to, spacing, diversity, installation, minimum size, and type. In addition, bushes shall be installed with minimum size of 24-inch, balled and burlapped or 5-gallon container size.

Section 13.050. Subdivision Landscape Standards

Subdivisions and developments shall adhere to the landscape standards set forth in *Section 5: Subdivision Street Tree Planting Requirements* in the City of O'Fallon Development Manual.

Section 13.060. Parking Lot Landscape Standards

Parking lots shall adhere to the landscape standards set forth in Article 11, *Section 11.100 Parking Lot Landscaping Standards* of the City of O'Fallon Zoning Code of Ordinances.

Section 13.070. Buffers, where required

A Landscape buffer shall be provided within any development pursuant to the applicable requirements in Table 13.2 and the following situations:

- 1) A buffer shall be required along a side or rear lot line that abuts a different zoning district, as identified in Table 13.1 below.

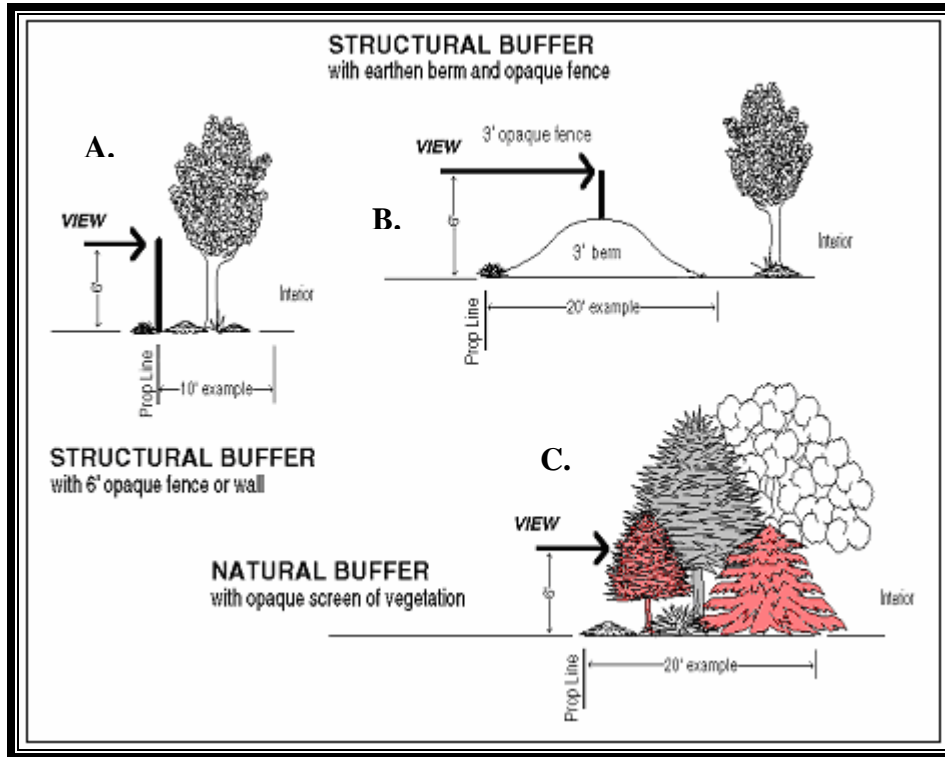
Table 13.1 Situations Where Buffer is Required					
Zoning of Adjacent Development	Zoning of Proposed Development				
	I	B-1 & B-2	O-1	MH & MR	AG, SR1, SR1B, SR2 & SR3
AG, SR1, SR1B, SR2 & SR3	D	A or B	A or B	A or B	-
MH & MR	D	A or B	A or B	-	A or B
B-1 & B-2	C	-	-	A or B	A or B
O-1	C	-	-	A or B	A or B
I	-	C	C	D	D
Required Buffer Design					
(Letters in table correspond with the design standards below and in Figure 13.1)					
<p>A. Structural Buffer - 6' fence or wall with landscaping</p> <p>B. Structural Buffer - Combination of berm, fencing and landscaping</p> <p>C. Natural Buffer - opaque natural screen or vegetation</p> <p>D. Natural Buffer with a fence</p>					

Section 13.080. Minimum Buffer Standards

Required buffer yards shall comply with the minimum standards in this section. Figure 13.1 provides illustrations of acceptable buffering techniques.

- 1) **Natural Buffers:** At a minimum, natural buffers shall consist of existing vegetation that provides an opaque natural visual screen to a height of at least six (6) feet, or any combination of existing and replanted vegetation that can reasonably be expected to create an opaque visual screen at least six (6) feet high within 5 growing seasons. Natural buffers may contain deciduous or perennial vegetation, but shall contain evergreen shrubs, bushes and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year, in accordance with the following:
 - a) Natural buffers shall include at least one evergreen shrub planted every four (4) feet, at least one evergreen tree planted every twenty-five (25) feet, and at least one deciduous tree planted every fifty (50) feet. The minimum width of all natural buffers shall be twenty (20) feet.
 - b) The retention of existing vegetation should be preserved to the maximum extent practical. The addition of new vegetation may be required if vegetation retained is not sufficient.
 - c) Natural buffers shall be sufficient in opacity to screen automobile headlights from areas zoned residential or agriculture. The City may require a landscaped berm or a structure buffer, such as walls or fences, to achieve the desired level of screening needed.
 - d) Generally, all trees and bushes used within a required buffer area shall be adequate in quantity and type to provide the necessary screening or buffering as determined by the City. Buffer areas shall comply with the standards in Table 13.1 and Figure 13.1.
- 2) **Structural Buffers:** Structural buffers shall meet the following criteria:
 - a) Structural buffers shall be vegetated throughout the minimum area required for the buffer around any fences or walls and upon any earthen berms, which may include grass, ground covers, shrubs, and trees.
 - b) Structural buffers shall include at least one evergreen shrub planted every ten (10) feet, at least one evergreen tree planted every twenty-five (25) feet, and at least one deciduous tree planted every fifty (50) feet. The minimum width of all structural buffers shall be ten (10) feet.
 - c) All earthen berms shall have a maximum side slope of three (3) horizontal to one (1) vertical (3:1). Earthen berms shall not be constructed within the drip line of any existing trees that will remain on the property.
 - d) Fences and freestanding walls of brick, stone or ornamental concrete shall meet the standards of Article 3, Division II, Section 3.070, and shall be designed to present a finished and decorative appearance on both sides. Unless otherwise waived by the Director, fences and walls shall be placed on the property line, and the shrubs, ground covers, or other vegetation shall be provided on the interior side of the fence or wall. .

Figure 13.1 Acceptable Buffer Methods



Section 13.090. Modifications and Alternative Compliance

Upon request by the applicant, the City Council may consider and approve alternatives to full compliance with the landscaping, screening and buffering standards contained in this Article if the associated visual impact is mitigated to the maximum extent feasible by the alternative landscaping and screening plans. Mitigation measures may include, but are not limited to increased setbacks, increased landscaping, additional fencing, and architectural treatments or otherwise camouflaging equipment or, with prior City Council approval, the planting and maintenance, or payment therefore, of adjacent public way landscaping. The Director may waive a buffer requirement or reduce its extent to a temporarily appropriate level of screening if the Future Land Use Map designates adjoining property in a land use category such that a buffer would not be required by this Chapter once the adjoining property is rezoned or developed.

Section 13.100. Installation

All landscaping shall be installed in accordance with the American Standard for Nursery Stock, published by the American Association for Nurserymen and is hereby incorporated by reference. All landscaping shall be installed prior to issuance of any temporary or final occupancy permit, unless a hardship is determined to exist by the Director. In such event, the landscaping improvements shall be secured with a letter of credit or other acceptable surety pursuant to Article 3, Division II, Section 3.090.

Section 13.110. Maintenance

The applicant, developer, landowner, and successors in interest shall be jointly and severally responsible for the regular maintenance of all landscaping elements, whether located on private common ground or private property, in accordance with the approved landscaping plan. Trees and vegetation, irrigation systems, fences, walls and other landscape elements shall be considered required elements of a development in the same manner as parking, building materials, and other site requirements imposed by the final development plan or otherwise. When a buffer is required,

the owner shall maintain the landscaping and screening to provide an opaque visual screen to a height of six (6) feet on a continuous, year-round basis. All landscaping shall be maintained free of disease, pests, weeds and litter. All landscape structures such as fences, walls and planters shall be repaired and replaced periodically to maintain them in a structurally sound and aesthetically pleasing condition. All property owners shall be responsible to maintain and keep safe and free from debris and yard waste the Landscaped Parkway adjacent to such property. Any landscape element located on the owner's property that dies, or is otherwise removed or seriously damaged, shall within 30 days of the beginning of the growing season be replaced based on the requirement of this Article. If the owner fails to fulfill his or her obligation in this regard during an eighteen month period after installation of the landscaping, the City may complete the performance and seek reimbursement from the owner's surety.

Section 13.120. Landscape Credit

Any existing trees on a site that are in appropriate locations and of acceptable quality may be credited towards fulfillment of any landscaping provisions of this ordinance on a caliper inch per inch basis at the discretion of the city.

Section 13.130. Construction Protection

The following standards shall be followed prior to and during construction to protect significant trees;

- 1) Within the drip line of any protected tree, there shall be no cut or fill unless the disturbance has been evaluated and approved by an independent arborist, urban forester, landscape architect or other certified professional as approved by the Director.
- 2) Prior to and during construction, temporary barriers shall be erected around all protected existing trees, or tree stands, with a four foot fence outside the drip line or five times the DBH, whichever is greater. There shall be no storage or movement of equipment, material, debris, or fill within the fenced tree-protection zone. The temporary barriers shall be inspected by a qualified professional identified in item 1 of this section prior to disturbance.

Section 13.140. Riparian Corridors

- 1) Definition: Riparian corridors are those linear natural landscape systems, which have economic, biological, ecological, or visual values for the community. Within O'Fallon, riparian corridors located along naturally occurring drainage channels have been identified as critical environmental resources within the community. These corridors form important visual and recreational opportunities for the community, which in-turn create economic value when correctly preserved as amenities within developed parcels.
- 2) Intent: This section is provided to govern the preservation of all existing landform/ topographic conditions and vegetative cover within identified environmental corridors. Riparian corridors, identified in the Environmental/Landscape Framework Plan, are defined as those natural drainage channels having tree canopy or other vegetative cover, and/or soils generally associated with continuous or intermittent drainage or flooding. For purposes of the plan, riparian corridors have been identified by visual means, using current aerial photographs that indicate tree canopy cover over or within natural drainage channels.
- 3) Applicability: This section shall apply to any land disturbance or construction of any structure within any area designated as a Riparian Corridor as set forth in the Environmental/Landscape Framework Plan, the boundaries of which are more specifically set forth in the Plan's Map Appendix. To the extent that a parcel is only partially subject to the Riparian Corridor designation, only structures or land disturbance on that portion of the site shall be subject to this section.

- 4) Procedures: Land disturbance and construction of any structure governed by this section is prohibited except as may be specifically permitted by Special Use Permit issued pursuant to Article 8 & 13, and subject to the additional standards established in this section. If construction is proposed as part of a Planned Use, no separate Special Use permit is needed.
- 5) Standards: No Special Use Permit shall be granted pursuant to this section except in conformance with the standards established in the Environmental/Landscape Framework Plan, and the standards established in Article 8, Special Uses, as applied to the Riparian Corridor. The issuance of a special use permit shall require maximum preservation of vegetation and tree canopy, and shall include mitigation conditions to ensure that any disturbance within the Riparian Corridor is minimized and adequately restored and mitigated where disturbance cannot be reasonably avoided.
- 6) Requirements: If it is determined that a portion of a riparian corridor is located on the site of a proposed subdivision or development proposal, the petitioner shall comply with the following:
 - a) Site Plan: Each applicant must show any riparian areas on the required site plan. The City may determine the applicability of specific criteria where existing riparian corridor tree canopy and other vegetative cover is less than 300' in width.
 - b) Clearing Restrictions: In no case may existing trees or other vegetation be removed within riparian corridors identified as part of a submitted site plan without prior written approval by the City. Such review and approval by the City is required in order to maintain a City-wide functional storm water management system and important environmental functions of these areas.
- 7) Riparian Corridor "x" Zone: The "x" zone (Figure 13.2, 13.3) of the riparian corridor is a critical zone of vegetative cover and soil conditions that provides for drainage channel bank stability and erosion control.¹ Current tree canopy along most of the identified riparian corridors occurs within the width of the "x" zone, and in addition to the erosion control created by the vegetation within the zone, the zone creates primary wildlife habitat and movement corridors. The zone's tree canopy, a remnant of the forests which covered much of O'Fallon's landscape prior to agricultural use and development, creates important visual qualities for the City. Development and preservation criteria for the "x" zone include:
 - a) A minimum width of 300', measured 150' (horizontal or plan dimension) perpendicular from center line of drainage channel on both slopes.
 - b) Development of parcels shall not directly or indirectly impact the "x" zone area of the riparian corridors.
 - c) All vegetative cover and landform/topographic conditions must be retained in a natural condition during development and post-development activities.
 - d) Storm water management basins, devices, or strategies shall not be deployed within the "x" zone of the riparian corridor unless other storm water mitigation strategies are deemed impractical by the City.
 - e) Use of the "x" zone shall be primarily resource preservation. Limited use of the zone for hike and bike trails may be approved by the City.
- 8) Riparian Corridor "y" Zone: The "y" zone (Figure 13.2, 13.3) of the riparian corridor is another critical zone of vegetative cover and soil conditions that shall be preserved or re-established outside of the "x" zone described above. The primary purpose of the "y" zone is to provide

additional biological filtration of sediment and contaminants carried by storm water run-off into natural drainage channels, and to further buffer or slow storm water time of concentration as storm flows enter natural drainage channels. Development and preservation criteria for the “y” zone include:

- a) Minimum width of 50', measured 50' (horizontal or plan dimension) perpendicular from outside boundary of “x” zone as described above
- b) Development of parcels shall not directly or indirectly impact the “y” zone area of the riparian corridors except for uses noted below. Otherwise all vegetative cover and landform/topographic conditions must be retained in a natural condition during development and post-development.
- c) Use of the “y” zone shall be limited to non-structural or natural storm water management strategies, non-vehicular circulation systems, or dedicated parkland/ open space developed with native plant species.
- d) Storm water management basins, devices, or strategies deployed within the “y” zone shall be reviewed and approved by the City.

Figure 13.2 Riparian Corridor Zones: Plan View

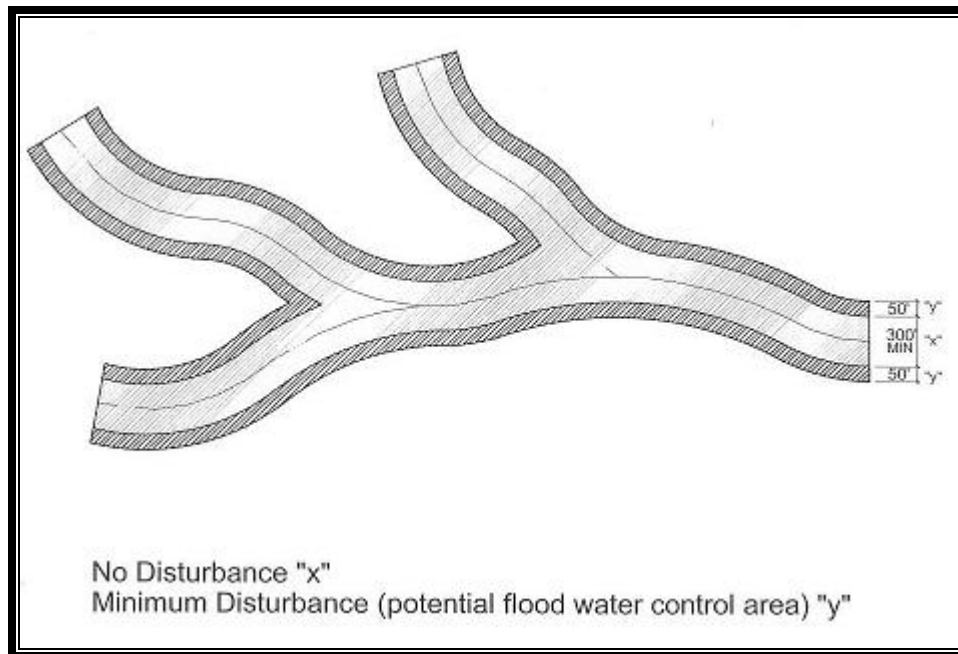
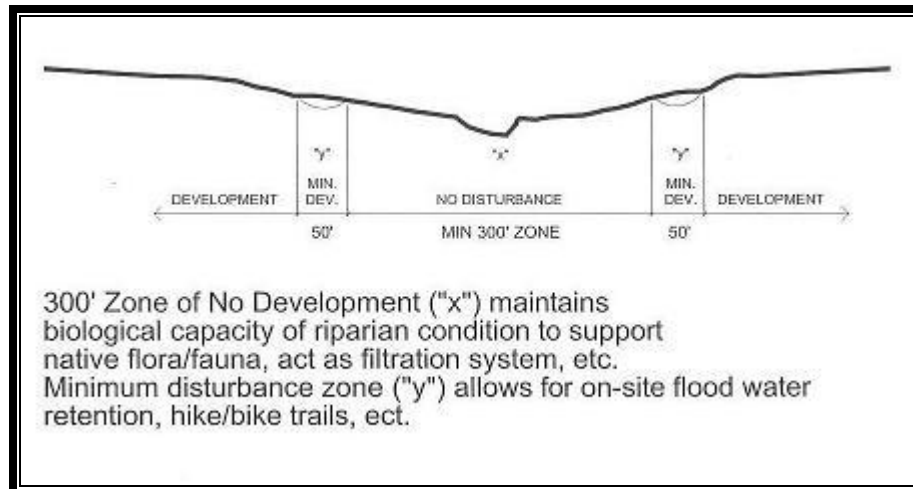


Figure 13.3 Riparian Corridor Zones: Cross-Section



- 9) Alternative Compliance: Upon request by the applicant, the Director may consider and approve alternatives to full compliance with the development guidelines contained in this Article if the associated environmental and functional impact of the environmental corridor is mitigated to the maximum extent feasible by the alternative methods. Any proposed alternatives must be shown on the site plan and certified by a qualified professional knowledgeable in the area of natural drainage systems.

Section 13.150. Definitions

Unless specifically defined below, words or phrases used in this Article shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

1. *Agricultural activities*. (1) commercial production from the land or on the land of agricultural products, including horticultural, floricultural, dairy, livestock, poultry, and apiarian products, but not including forestry products (see "Tree farming" herein); and (2) clearing trees for the purpose of planting crops, providing pasture for livestock, or constructing buildings accessory to production of agricultural products.
2. *Berm*. A mound of earth, or the act of pushing earth into a mound.
3. *Buffer*. An area of natural vegetation or man-made construction that is intended to provide a visual and dimensional separation between dissimilar land uses.
4. *Buffer, Natural*. A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.
5. *Buffer, Structural*. A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, to present an opaque visual separation when viewed from one side to the other throughout the year.
6. *Building Tree Line*. The lines extending from the corners of a building nearest a street to the side lines of the lot (not including a street right-of-way), parallel to the right-of-way line or to the chord of that line.

7. *Caliper*. The diameter of a tree (usually nursery stock) measured at a point six (6) inches above the ground or top of the root ball for up to and including four (4) inch caliper trees, and at a point twelve (12) inches above the ground or top of root ball for larger sizes.
8. *Canopy*. A roof-like structure supported by columns or projecting from a building and open on at least three sides.
9. *Critical Root Zone*. The land area circular in shape and centered on the trunk of a tree, the radius of which circle is determined by the farthest extent of the drip line from the trunk.
10. *Development site*. That portion of a tract of land that will be dedicated to a proposed development, including the land containing trees that will be counted toward satisfying the requirements of these provisions. Where the proposed development site is less than the entire tract, the Director shall to determine the boundaries of the development site.
11. *Diameter Breast Height (DBH)*. The diameter of a tree trunk (usually a mature tree) measured at a height of four and one half (4) feet above the ground. If a tree splits into multiple trunks below four and one half (4) feet, the trunk is measured at the narrowest point beneath the split.
12. *Drip Line*. A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.
13. *Ground cover*. A low growing plant other than turf grass that forms a continuous cover over the ground surface.
14. *Landscape materials*. Any combination of living plant materials and nonliving materials, such as rock, pebbles, sand, mulch, pavers, berms, fencing, walls, fountains and other decorative materials.
15. *Landscaped Parkway*. The landscaped or green area between the curb and sidewalk or other improvement.
16. *Landscaping*. Landscaping shall consist of shrubs, vines, turf, ground cover and other landscape materials that are utilized to enhance the aesthetic and functional qualities of a site.
17. *Opaque*: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.
18. *Plant materials*. Living plants that include trees, shrubs, ground cover, grasses and perennial flowering plants, turf and vines, which are suitable for ornamental and/or functional use.
19. *Riparian Corridor*. A strip of land located along naturally occurring drainage channels.
20. *Screen*. Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. For the purpose of this ordinance, a screen is opaque to a height of six (6) feet above the ground surface or, for a screen of plant materials, has the maximum opacity obtainable with the approved arrangement and species of plant materials, to a height of six (6) feet. Screening may consist of any combination of the following, as approved by the Director:
 - a) Fencing constructed of cedar, redwood, treated wood, or other suitable all-weather material.
 - b) Masonry walls.
 - c) Plant materials or natural vegetation
 - d) Earthen berms.

21. *Shade Tree.* A broadleaf tree having an average height at maturity of a least twenty (20) feet and having a broad spread relative to its height (excluding trees with pyramidal, conical, or columnar crowns) and a dense canopy, so as to provide shade in the summer months.
22. *Significant tree.* A tree in fair or better condition, which is twenty inches DBH or greater or small ornamental hardwoods such as dogwoods, redbuds or sourwoods whose diameters are eight (8) inches DBH or more.
23. *Shrub.* A self-supporting woody plant that normally reaches a height of less than fifteen (15) feet.
24. *Tree.* A self-supporting woody plant which normally reaches a height of at least fifteen (15) feet.
25. *Tree farming.* The planting, cultivating and harvesting of trees in a continuous cycle as a regular practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.
26. *Turf.* Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.
27. *Vine.* A plant that is typically woody and climbs by supporting itself on some other plant or structure.