

**ARTICLE 19**  
**SCREENING REQUIREMENTS**

**50.1900 Screening, Generally.** The following provisions shall apply to all screening required to be maintained by the provisions of this Chapter:

**(1) Screening, Generally.** Required screening shall be located on the lot line except where underground utilities, topography, existing mature trees or drainage requirements interfere and except in instances where this Chapter requires conformance with front yard setback lines in abutting residential districts. Required walls may, upon approval of the Planning Commission, be located on the opposite side of an alley right-of-way from a nonresidential district that abuts a residential district when mutually agreeable to affected property owners. The continuity of the required wall on a given block will be a major consideration in reviewing such request.

(a) Such walls or other screening barriers shall only have openings for vehicular traffic, service or pedestrian purposes. Where permitted, the openings shall be so spaced as to maintain the obscuring character required, and shall not reduce the minimum height requirement.

(b) Screening walls must rest on a concrete foundation which stands at least forty-two (42) inches in depth below the finished grade of the land.

(c) Such walls shall be of a reasonable width and height including a stone or concrete coping which may project not more than one (1) inch beyond each side of the wall.

(d) No such wall shall be constructed of exposed concrete block or cinder block nor shall it be painted.

**(2) Screening Walls Required.** Whenever a masonry wall is required, approval of the Planning Commission for the proposed screening wall shall be obtained prior to the issuance of a zoning permit. If the height of said wall is not specifically set forth in this Chapter, then the wall shall be not less than four (4) nor

more than six (6) feet in height. It shall be constructed of face brick or poured concrete decorative material and shall, as much as possible, harmonize with the general character of the neighborhood. The color of the brick or facing shall be compatible with other similar material used in the immediate vicinity within five hundred (500) feet of the proposed use and in the same district. When, to enhance the value of the property, or for the general welfare, health and safety of the residents of the City, and in harmony with the general plan to develop the property, the Planning Commission, upon request of the person seeking a building permit, may determine that a green-belt buffer strip of trees and shrubs, of not less than eight (8) feet in width, together with a four- (4) to six- (6) foot chain link fence, with or without obscuring pickets, may be used in place of the masonry wall. The Commission may also, under the same circumstances, permit a fully landscaped earth mound, known as an earth berm, to be substituted for the wall or greenbelt. Snow plowing and snow removal on the site shall be considered in granting any such permit.

**(3) Greenbelt Required.**

(a) If a greenbelt is required, it shall be at least eight (8) feet wide and shall be constructed to the following standards:

(i) Plant materials shall not be placed closer than four (4) feet from the fence line or property line.

(ii) Plant materials shall be planted in two (2) or more staggered rows.

(iii) Evergreen trees shall be planted not more than five (5) feet on centers.

(iv) Narrow evergreen shall be planted not more than three (3) feet on centers.

(v) Deciduous trees shall be planted not more than thirty (30) feet on centers.

(vi) Tree-like shrubs shall be planted no more than ten (10) feet on centers.

(vii) Large deciduous shrubs shall be planted not more than four (4) feet on centers.

(b) All plant material shall be approved by the Planning Commission as to its suitability.

(4) Unless otherwise expressly directed by the provisions of this Chapter, all screening shall be provided when required along and immediately joining the zoning district boundary line or property line and shall be installed so as to lie wholly on the land of the proposed development.

(5) All screening required by this Chapter shall be completely installed prior to the issuance of an occupancy permit for the use of the premises, except as provided hereinafter.

(6) In any case where the development of the land or buildings has been fully completed and an occupancy permit would otherwise issue, and the complete installation of the screening required is prevented by inclement weather or acts of nature beyond the control of the owner, then, in that event the owner may obtain a temporary occupancy permit for a period not exceeding six (6) months from the Zoning Administrator upon written request therefor, provided said owner may:

(a) Deposit security with the City Treasurer in the form of cash or a corporate surety bond in an amount equal to the cost of the complete installation of the prescribed screening plus an additional ten percent (10%) thereof as determined by the enforcing officer. The additional sum of ten percent (10%) is hereby determined to be the reasonable additional expense incurred by the City in causing the complete installation of the screening as may be required and as provided in Subsection (c) below, and

(b) Complete the installation of the required screening in the time required by the terms of the temporary occupancy permit. Upon complete installation in that event, the security deposit required hereunder shall be cancelled and returned to the depositor upon demand. Upon failure to completely install the screening as required herein, the security deposit required above shall be forfeited as liquidated damages,

the same hereby being declared to be reasonable in view of the difficulty of more exact ascertainment of the damage incurred as a result of such failure.

(c) If the security deposit is forfeited as provided in Subparagraph (b) above:

(i) The Zoning Administrator after specific authorization by the City Council shall expend such amount as has been authorized by the Council not exceeding the total amount of the security deposit to cause the required screening installation to be made.

(ii) The enforcing officer shall not issue a regular occupancy permit until the screening required is completely installed, and

(iii) Use or occupancy of the premises after the expiration of the temporary occupancy permit and before the issuance of a regular occupancy permit shall be unlawful and a violation of this Chapter.

(7) The Planning Commission may waive or modify any of the foregoing requirements where cause can be shown that no good purpose would be served. The Planning Commission may modify the fence or wall requirement if the developer submits a more suitable landscape plan.