



TO: Common Council  
FROM: Nicholas Bartholomew, Community Development Intern **NB**  
Kara Homan, Principal Planner **KH**  
DATE: July 3, 2014  
RE: **Proposed Ordinance Revising Landscaping Requirements in and around  
Parking Lots to accommodate Biofiltration Devices**

### **BACKGROUND**

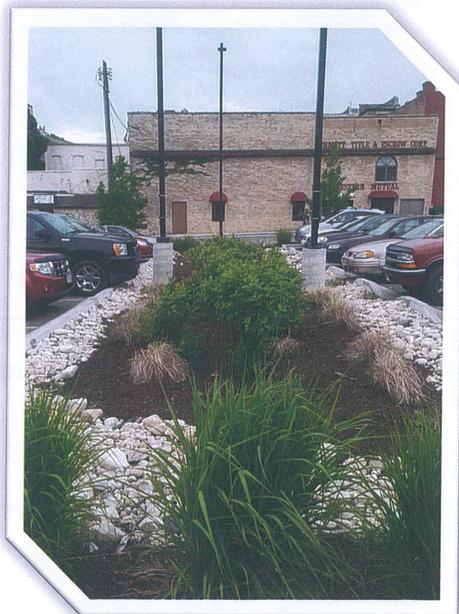
On-site stormwater management that reduces the quantity and improves the quality of discharge is required for most new development and redevelopment sites within the City of Menasha per Sec. 6-7-1 of the municipal code. The creation and implementation of this section of the code is required by the City's DNR-issued MS4 (Municipal Separate Storm Sewer System) permit.

Many developments utilize bio-retention devices (such as biofilters and rain gardens) as a strategy to meet the requirements for stormwater management. Bio-retention devices are structural features which collect and purify stormwater runoff before releasing it into the environment. These features work through a variety of different purification techniques including adsorption, filtration, plant uptake, microbial activity, decomposition, sedimentation, and volatilization.

Currently, bio-retention devices are rarely used within and around parking lots in the City of Menasha due to the incompatibility of biofiltration devices with the existing landscaping requirements contained within City's municipal code (Sec 13-1-12(g)). Presently, bio-filtration devices are almost always located separately from the parking lot landscaping areas. As a result, developers are impeded from fully utilizing their sites, and the "buildable footprint" (e.g. the size & location where a building can be located) is unnecessarily restricted.

The proposed ordinance provides flexibility in the types of plants that are allowed in parking lot landscape areas and the location of canopy trees, while still maintaining the need for canopy trees and parking lot screening, and ensuring plantings are neat, orderly, and aesthetic.

Local examples of utilization of bio-retention filters within and around parking structures include the parking lot of Pullmans in Appleton as well as numerous examples in the City of Oshkosh, as shown on the next page.



### **RECOMMENDATION**

Staff is recommending approval from the Common Council on the proposed amendment to Article B, SEC.13-1-12(g) (O-14-14) in order to facilitate and encourage the use of bio-retention devices within and around parking areas. The proposed additions to the ordinance permit the most productive usage of the lands within the City of Menasha because it allows for one area to serve a dual purpose of both landscaping and stormwater management.

**ORDINANCE O-14-14**

AN ORDINANCE AMENDING TITLE 13, CHAPTER 1  
OF THE CODE OF ORDINANCES  
(Landscaping Design and Material for Site Plan Requirements)

Introduced by Mayor Merkes at the recommendation of the Plan Commission.

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 13, Chapter 1, Article B, SEC.13-1-12(g) of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

**Title 13 – Zoning**

**CHAPTER 1**

Zoning Code

**ARTICLE B**

General Provisions

...

**SEC. 13-1-12 SITE PLANS REVIEWED**

...

**(g) Landscaping and Design Materials**

...

(4) Perimeter Landscaping. The front set back area shall be landscaped except for points of ingress and egress approved by the Plan Commission. At least one canopy tree, not less than 1.5 inch caliper shall be provided for every 35 linear feet along the perimeter of the site adjacent to the street. (This provision may be waived by the Plan Commission if the site is already wooded.) At least 25 percent of the perimeter area shall be landscaped utilizing plant material other than turf. Plant materials shall be comprised of a minimum of 25 percent evergreens but no more than 75 percent evergreens.

(5) Parking Lot Landscaping.  
a. *Perimeter Screening.* All parking lots adjacent to a street shall provide a landscaped buffer along the street not less than 8 feet in width. At least one canopy tree, not less than 1.5 inch caliper and five shrubs shall be provided for every 30 linear feet within the perimeter. Shrubs shall be

maintained to a height of not less than three feet and shall be comprised of a minimum of 50 percent evergreens. The perimeter screening may be combined with the perimeter requirement in sub (4) above provided, however, that plantings of this section are required.

- b. *Interior Landscaping Areas.* Parking lots 5,000 square feet or larger shall provide interior landscaping areas totaling not less than 10 percent of the parking area. Interior landscaping areas may include landscape islands, landscape peninsulas, or planting strips, or bio-retention-devices. Each such area must be a minimum area of 100 square feet and at least one canopy tree not less than 1.5 inch caliper, plus shrubs and/or groundcover. Turf is prohibited. Landscaped areas, including bio-retention devices, shall be protected by curbing or other means approved by the Plan Commission. Landscaped areas shall provide a minimum of 30 inches for vehicle overhang.

(6) Bio-retention Devices. Perimeter and Parking Lot landscaping requirements pertaining to planting as enumerated in subsections (4) and (5) may be supplanted, in whole or in part, by landscaping contained in bio-retention devices if the following requirements are met:

- a. Plantings contained in bio-retention devices are designed by a landscaping professional, reviewed and approved by Plan Commission as part of the overall landscape plan.
- b. Plant materials shall reflect varying heights, textures, species, and seasonal color, and be designed such that plantings look neat and orderly. Plantings used for the purpose of parking lot screening shall be maintained to a height of at least 3 feet above the finished grade at the parking lot when fully mature.
- c. Applicable requirements pertaining to the number and spacing of canopy trees may be modified only if accommodation of the bio-retention device expressly prohibits installation of the required amount or spacing of trees.
- d. Such devices must be a permitted stormwater management practice, as approved by the Department of Public Works.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this \_\_\_\_ day of July, 2014.

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Donald Merkes, Mayor

ATTEST:

\_\_\_\_\_  
Deborah A. Galeazzi, City Clerk