

ORDINANCE 513

AN ORDINANCE ESTABLISHING LANDSCAPING REGULATIONS FOR THE
TOWN OF MILLS,
NATRONA COUNTY, WYOMING

WHEREAS the Town wishes to adopt regulations pertaining to landscaping requirements of certain developments and additions,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING:

LANDSCAPING REGULATIONS

The Town of Mills shall require landscaping in certain instances for the following reasons:

1. To encourage quality development within the town;
2. To provide a smooth land use transition between adjoining properties;
3. To screen service yards, parking lots, and other areas which may be a nuisance;
4. To improve erosion control;
5. To encourage a strong sense of commitment to the town by its residents, business owners, developers, and public agencies; and
6. To provide for the health, safety and welfare of the residents of the Town of Mills.

DEFINITION

Landscaping – The use of vegetation and inorganic durable materials such as those identified below to enhance the visual attractiveness of a site and improve erosion control.

In order to meet the requirements of the Town Subdivision and Zoning Ordinances, landscaping shall include, but not be limited, to the following:

1. Formal turf areas;
2. Trees, shrubs, bushes, ground cover or planting;
3. Sprinkler systems;

4. Decorative rock, natural or manmade;
5. Rooftop gardens, exposed aggregate tile or similar decorative materials used in walkways (excluding sidewalks on public property), driveway approaches, and architectural features attached to the building;
6. Decorative lighting (standard street lighting or lighting used primarily for security purposes is not considered decorative);
7. Benches, tables, fountains, planters, kiosks, bus shelters, waterfalls, and manmade streams;
8. Decorative fences and retaining walls (i.e., railroad ties, brick, flagstone);
9. Ponds, excluding detention and retention ponds;
10. Berms and mounds.

PROCEDURES

- A. The owners of all proposed/new public, commercial, or industrial buildings, or parking lots (including churches); all exterior additions to existing public, commercial, or industrial buildings, or enlargement of a parking lot (including churches); or any new residential buildings or exterior additions to existing residential buildings with the exception of single-family and two-family dwellings, must submit and obtain approval of a complete landscaping application before any building permit is issued. Landscaping applications are to be submitted to the Mayor or a designee. A complete landscaping application consists of:
 1. A planting list;
 2. A time frame for installation or planting;
 3. One copy of a landscaping plan complying with the list of landscaping criteria; and
 4. The original copy of the landscaping application form.
- B. At the time the owner submits a landscaping application, the owner shall sign an agreement with the Town to comply with both the landscaping criteria below and an approved landscaping plan, and to complete the landscaping within the time

frame stated in the agreement. Upon approval of a landscaping plan by the Mayor or a designee, the signed agreement shall be filed with the Town Clerk.

- C. Within five working days of receiving a landscaping application, the Mayor or a designee will review the application for completeness and compliance with the landscaping criteria. Applications determined to be incomplete will be returned to the applicant within the five-day period by U.S. Mail to the address provided in the application, along with written notification of additions and corrections necessary for compliance. If written notification of non-compliance is not mailed within such time, the landscaping application is considered complete.
- D. Applications for landscaping on sites 5,000 square feet or less in building/parking lot area shall be reviewed and acted upon by the Mayor or a designee. Upon his or her approval of the application, the Town Code Enforcement Officer will be notified that a building permit can be issued.
- E. The Mayor or a designee will forward landscaping applications for all commercial buildings and other applications for sites over 5,000 square feet in building/parking lot area to the Town Zoning Board for their comments and recommendations. Those comments will be given to the Mayor or a designee for final action. If the application is approved, the Mayor or designee will contact the Town Code Enforcement Officer within five days of receiving the Board comments, and the Code Enforcement Officer may issue a building permit.

Appeals of the decisions of the Mayor or a designee must be requested, in writing, to the Town Council within five working days of the date upon which the owner was notified of the decision.

The Town Council may consider the appeal at the next regularly scheduled Council meeting to be held after receipt of the written appeal. Within fifteen working days of the Council meeting at which the appeal was heard, the Council shall make a final determination upon the appeal.

LANDSCAPING CRITERIA

The landscaping plan must comply with the following criteria:

- A. Minimum size of plant and other materials shall comply with the criteria and specifications set forth in Building Casper's Urban Forest, A Tree and Shrub Selection and Care Guide;
- B. Inorganic ground cover should consist of rock, lava, and bark installed over a minimum six mill screen type material to prevent weed infiltration;

1. Bark chips – a minimum of one inch in size and a minimum of two inches in depth,
 2. Crushed stone – a minimum of one inch in size and a minimum of two inches in depth;
- C. Inorganic landscaping shall not be more than sixty percent of the landscaped area unless first approved by the Mayor or a designee.
- D. Landscaping of off-street parking lots and loading and unloading spaces shall be located to break up the expanse of paving, and shall be of such quality as to improve and enhance the site and its surrounding areas.
1. Parking lots of one or more acres in size shall have interior planting areas provided at a ratio of one planting area for every fifty parking spaces.
 2. Each planter area shall be a minimum of 100 square feet, and shall contain at least two trees or one tree and two shrubs.
 3. The interior planting areas shall be not less than twenty-four feet from the perimeter of the parking lot.
 4. Parking lot landscape islands and perimeter buffer strips may be included in the minimum percentage of the land to be landscaped computation.
 5. The total landscaping to be provided need not exceed the minimum percentage outlined in the Minimum Landscaping Percentages table within this section;
- E. Landscaping shall be required along the perimeter lot line(s) of all off-street parking lots which abut any public way, residential property, or property zoned for a less intensive use.
1. Parking lots of one or more acres in size shall be buffered by a landscaping strip that is at least ten feet in width, which shall be located between the parking area and the abutting property or roadway and may encroach on the abutting street right-of-way with the consent of the right-of-way owner.
 2. The landscaping shall be of a height and density to partially screen the parking lots from adjoining properties or public streets.
 3. Parking lot landscape islands and perimeter buffer strips may be included in the minimum percentage of the land to be landscaped computation.

4. The total landscaping to be provided need not exceed the minimum percentage outlined in the Minimum Landscaping Percentages Table within this section;
- F. No artificial trees, bushes, hedges, flowers, or shrubs may be used in landscaping any exterior areas, unless having received prior written approval from the Mayor or a designee;
- G. No synthetic ground cover, such as astro turf, is to be used for exterior landscaping unless warranted by soil conditions and unless prior written approval has been received from the Mayor or a designee;
- H. All planted areas must be provided with sprinkler irrigation systems;
- I. The owner or occupant, his successors and assigns, are responsible for irrigating, fertilizing, spraying, pruning, and general maintenance of all plantings and landscaped areas. After two years, the owner or occupant, his successors and assigns, may substitute alternate landscaping upon approval by the Mayor or a designee;
- J. Upon demand of the Code Enforcement Officer or his designee, the owner shall replace and replant any plant material approved with the site plan or conditional use permit that dies within two years of planting, or is not in conformity with the approved landscaping plan. The requirement to replace plant material shall not be assigned to the owner of a vacant property until such time as an active commercial or residential use is established on that property;
- K. Landscaping shall not:
 1. Interfere with the installation, maintenance, and repair of any public utilities;
 2. Restrict pedestrian or vehicular access, or
 3. Constitute a traffic hazard (see attached illustration).
- L. The owner shall attempt to use the list of recommended plantings when selecting landscaping materials. The plant list identifies vegetation conducive to growth in the Casper area, and is available from the Town Planner or Code Enforcement Officer;
- M. A minimum percentage of the site shall be landscaped. A list of minimum percentages is attached;

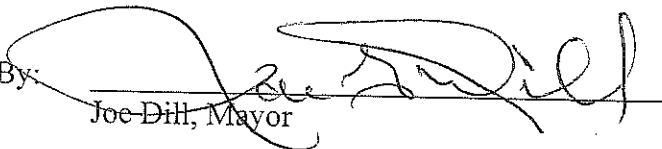
- N. The landscape plan should be prepared by a landscape architect, landscape contractor, or other qualified person;
- O. The landscape plan must be prepared on a scale of 1" = 10' or a multiple thereof and must include:
 1. North arrow, scale and date of preparation,
 2. Street address and location of land under consideration,
 3. Location and width of all interior and abutting roads, highways, rights-of-way, and railroad rights-of-way,
 4. Easements on the land under consideration,
 5. Adjoining property lines and rights-of-way,
 6. The location, type, and size of all existing plant materials that are to remain on the site,
 7. The location, type, size and quantity of proposed plant and other landscaping materials, and
 8. All other significant features.

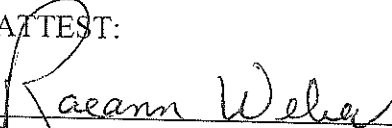
PASSED on 1st reading the 9 day of MARCH, 2005.

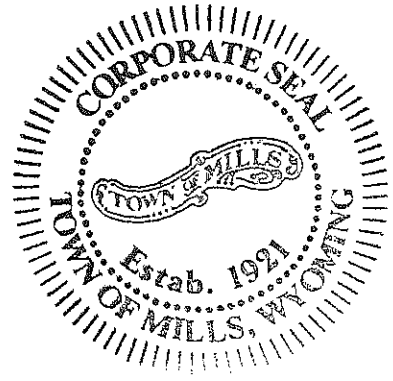
PASSED on 2nd reading the 6 day of APRIL, 2005.

PASSED, APPROVED, AND ADOPTED on the 3rd and final reading on the 4 day of MAY, 2005.

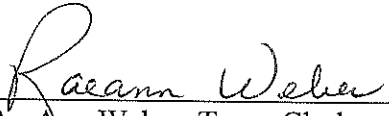
TOWN OF MILLS, WYOMING

By: 
 Joe Dill, Mayor

ATTEST:

 RaeAnn Weber, Town Clerk

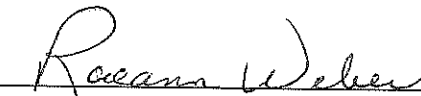


I, RaeAnn Weber, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 513, entitled "AN ORDINANCE ESTABLISHING SANITATION RATES FOR THE TOWN OF MILLS, NATRONA COUNTY, WYOMING" passed on Third Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 14 day of MAY, 2005.



RaeAnn Weber, Town Clerk

I, the regularly appointed, duly qualified and action Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of this Ordinance No. 513 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (10) days as required by law; that it took effect and became in force as a legal ordinance of the Town of Mills, Wyoming on the 4 day of MAY, 2005.



RaeAnn Weber, Town Clerk