

## CITY OF HORACE TREE LIST

SPECIES	HEIGHT	DESCRIPTION	EXAMPLES
Amur Maple	15-20'	Bright reddish, fall color.	Flame; Embers
Flowering Crabapple	10-25'	Valued for foliage, flowers, and variations in form and size; fruitless variety only or variety with fruit.	Radiant; Spring Snow; Royal Raindrops
Japanese Lilac Tree	20-25'	Large, showy flowers; attractive winter fruit display.	
Prairie Gem Flowering Pear	15-30'	White flowers; hardiest of all pears.	
Ironwood	15-30'	Slow growing; exfoliating bark.	
Hawthorn	15-18'	Small red fruit; drought tolerant.	Thornless Cockspur
Amur Chokecherry	15-25'	White flowers; bright amber to deep coppery-orange bark.	
Oak	40-70'	Large, long-lived; produces acorns; slower growing; drought resistant.	Bur Oak; Prairie Stature Oak; Mongolian Oak
Elm	35-65'	Large, umbrella shaped tree; must be Dutch Elm Disease resistant.	Discovery; Prairie Expedition; Cathedral; Accolade
Hackberry	40-60'	Drought tolerant; alkaline soils and wind tolerant; similar form to Elm.	
Honeylocust	30-50'	Small leaflets; salt tolerant; fast growing; must be thornless.	Imperial; Northern Acclaim; Skyline
Alder	25-45'	Rapid growing; drought tolerant; cone-like fruit.	Prairie Horizon
Corktree	25-35'	Cork-like appearance on trunk and branches.	Amur; His Majesty
Kentucky Coffeetree	40-50'	Drought and salt tolerant; large seedpods.	
Linden or Basswood	40-60'	Large stature; excellent shade; aromatic flowers.	Boulevard; Redmond; Harvest Gold; Greenspire; Corinthian; Dropmore; Norlin
Maple	40-65'	Known for unique leaves and fall colors; subject to iron chlorosis locally; Sugar Maple and Red Maple are not recommended; Boxelder Maple is <b>not</b> allowed.	Autumn Blaze; Celebration; Emerald Lustre; Silver Cloud; Northline; Silver Queen; Skinner

Additional information on the various trees contained in this Tree List may be found on North Dakota State University's tree extension website <https://www.ag.ndsu.edu/trees/handbook>.

This Tree List was approved by resolution of the Horace City Council on April 2, 2018.

### 17.8.8 Landscaping Standard

(Source: Ord. 2017-48)

**(1)** Purpose: The preservation of existing trees and vegetation, as well as the planting of new trees and vegetation, can significantly add to the quality of the physical environment of the community. The regulations outlined herein are designed to provide for the health, safety, and welfare of the residents of the City of Horace.

**(2)** General Goals and Objectives for Landscaping Standards:

**(a)** Clearly define spaces, articulate use areas, and unify site elements through use of landscape materials by creating a distinction of natural planting areas and implemented landscaping.

**(b)** Use sustainable landscaping practices:

**(i)** Limit and control erosion throughout site.

**(ii)** Minimize use of non-sustainable fertilizers, herbicides, and pesticides.

**(iii)** Use plant material to reduce adverse climatic conditions such as heat, wind, and precipitation.

**(iv)** Guide future development toward sustainable and environmentally sound design through use of native and locally available plant material, reclaimed water irrigation, and other practices.

**(v)** Feature native plant material.

**(vi)** Reinforce a natural context of the site by simulating a natural type of planting.

**(3)** Applicability: The requirements of this section apply to all development within the City, except for the exemptions provided in Section 17.8.8(4). All street boulevards are required to have boulevard trees unless the Code Administrator deems otherwise. Multiple family properties and commercial properties are required to adhere to the plant unit chart standards described in this chapter. All properties which require green areas (grassed) or landscaped open space, shall have the appropriate landscaping completed prior to the issuance of a certificate of occupancy. A temporary certificate of occupancy may be issued when weather and/or seasonal conditions do not allow the installation of landscaping with a schedule for completion as may be approved by the Code Administrator.

**(4)** Exemptions:

**(a)** Single-family homes, twin homes, duplexes, mobile homes, manufactured homes, and industrial properties are not required to meet proposed plant units for each lot, though they are encouraged to participate. However, single-family homes, twin homes, duplexes, and manufactured home properties shall have a

minimum of one (1) three-gallon shrub for every three (3) lineal feet along the foundation for every street facing facade.

**(b)** Residential properties are not required to meet the parking lot perimeter standards of Section 17.8.8(9)(a).

(Source: Ord. 2020-23)

**(5)** Plant Standards:

**(a)** General Standards:

**(i)** Acceptable trees include but are not limited to those identified as suitable for the intended use in the "Plant List" which shall be approved by resolution of the City Council and kept on file in City Hall. Acceptable vegetative ground cover consists of shrubs, grass, and native prairie grass.

**(ii)** Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, or the fruit is considered a nuisance or high maintenance, as determined by the Code Administrator.

**(iii)** Trees shall be planted in good condition. Plant materials shall be nursery grown and root pruned stock free of insects, disease, and defects.

**(iv)** The developer shall plant or install, as appropriate, grass, tree grates, porous pavers, or similar pervious surfaces, which shall extend to twice the initial drip line of the newly planted tree. Minimum tree grate size shall be five (5) square feet.

**(b)** The City shall maintain a Plant List identifying plants compatible with local soils and climatic conditions including salt tolerance, sun and heat exposure, and mean low temperature. Required landscape plants must be selected from the Plant List. Plant material shall be selected that is best suited to withstand the soil and physical growing conditions on the project site. Plant species that are freeze and drought tolerant are preferred. Protection and preservation of native species and natural areas are encouraged.

**(6)** Landscaping Material:

**(a)** Where landscaping and associated landscape plans are required, the landscaping materials shall consist of the following:

**(i)** Walls shall be constructed of natural stone, brick, or other appropriate aesthetically pleasing decorative materials.

**(ii)** Retaining walls exceeding four feet (4') in height, including stage walls which cumulatively exceed four feet (4') in height, must be constructed in accordance with plans prepared by a registered engineer or

landscape architect of brick, concrete, or natural stone. Artificial material may be approved if appropriate. A building permit is required.

**(b)** Earth berms shall be physical barriers, which block or screen the view similar to a hedge, fence, or wall. Mounds shall be constructed with proper and adequate plant material to prevent erosion.

**(c)** All plant materials shall be living plants; artificial plants are prohibited. Plants must be selected from the approved Plant List or as approved by the Code Administrator. Plant materials shall meet the following requirements:

**(i)** Deciduous trees shall be species having an average crown spread of greater than fifteen feet (15') and having a trunk which can be maintained with over five feet (5') of clear wood in areas which have visibility requirements, except at vehicular use area intersections where an eight foot (8') clear wood requirement will control. Trees having an average mature crown spread less than fifteen feet (15') may be substituted by grouping them together so as to create the equivalent of a fifteen-foot (15') crown spread. Trees must have a minimum of ten feet (10') overall height or minimum caliper [trunk diameter measured six inches (6") above the ground] of at least one and one-half inches (1 ½") immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be placed closer than fifteen feet (15') to such public works, unless the tree root system is completely contained within a barrier for which the minimum interior containing dimensions shall be five feet (5') square and five feet (5') deep and for which the construction requirements shall be reinforced concrete four inches (4") thick.

**(ii)** Evergreen trees shall be a minimum of three feet (3') high with a minimum caliper of one and one-half inches (1 ½") when planted.

**(iii)** Shrubs and hedges shall be at least two feet (2') in average height when planted and shall conform to the opacity and other requirements within four (4) years after planting. Evergreen shrubs shall be at least two feet (2') in average height and two feet (2') in diameter.

**(iv)** Vines shall be at least twelve inches (12") high at planting and are generally used in conjunction with walls or fences.

**(v)** Grass or ground cover shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used, nurse-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five percent (75%) of complete coverage after two (2) complete growing seasons. In certain

cases, ground cover also may consist of rocks, pebbles, sand, and similar materials if approved by the City Council.

**(7) Material Specifications:**

**(a)** A property owner should have a variety of trees on their property, this will allow the trees to be less prone to disease and have a healthy life. It is suggested that as many different tree species be placed on the site as possible but a minimum number of a variety of tree species shall be provided in accordance with the following table:

Number of Trees	Number of Species
1 - 3	1
4 - 6	2
7 - 9	3
10 - 12	4
13 - 15	5
16 - 18	6
19 - 21	7
22 - 24	8
25 +	9

**(b)** Residential and industrial districts are encouraged to follow the number of plant units for each lot as described below. Multiple family residential, commercial, and overlay zoning districts must have a minimum number of plant units on each lot. These standard plant units are (4) units for every one thousand square feet (1,000 sq/ft) of a lot. Only the plants on the owner's property will be counted towards required total plant units. Garden plants will not count toward the plant units. Below is the equation of the plant units per square footage:

**( Square Footage of Lot ) X 4 = Plant Units 1,000**

PLANT UNITS CHART		
Type:	Size:	Number of Plant Units:
Large, Mature Deciduous Tree	1.5 – 3-inch caliper → 30-foot mature height	10
Large, Mature Evergreen Tree	6-foot height (when planted) → 30-foot mature height	10
Small, Mature Deciduous Tree (Max. of 20% of plant units)	1.5 – 3-inch caliper → 12 – 30-foot mature height	7
Small, Mature Evergreen Tree (Max. of 20% of plant units)	3-foot height (when planted) → 12 – 30-foot mature height	7
Mature Shrub	2 gallon	5
Perennial Plants	2 gallon	3

**(c)** If an area where a wetland, bioswale, rain garden, or native prairie grass is designated for onsite retention, the square footage of that area will be excluded from the total lot area prior to calculation of plant units.

**(8)** Boulevard and Street Vegetation:

**(a)** Tree layouts shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the Code Administrator. It is required by the City to have at least one (1) tree on all street boulevards every thirty-five feet (35'), unless the Code Administrator determines otherwise. Trees shall be planted ten feet (10') from driveways and alleyways. The spacing shall be at least twenty-five feet (25') from existing trees. On corner lots, trees shall be planted forty feet (40') from the point of intersection of the curbs. The Code Administrator shall have final approval of the location of the tree and have the right to approve alterations of the above requirements where conditions necessitate.

**(b)** No tree measuring less than one and one quarter inch (1 ¼") in diameter of trunk, measured one foot (1') above ground, may be planted on the City boulevard. The lowest branch shall be over nine and one half feet (9 ½') from the ground. The tree must be a single stem trunk and have a straight vertical line.

**(9)** Open Space Landscaping: All undeveloped areas of the site, excluding protected wetlands, river districts, and tree preservation areas, shall be seeded or sodded. Seeding includes native prairie grass. In addition, an appropriate mix of trees and other plant material shall be provided to create an aesthetically pleasing site.

**(10)** Parking Lot Landscaping Standards:

**(a)** Measuring from the edge of parking lots, driveways, and drive aisles, to the nearest property line, a green space buffer area with a minimum five (5) foot width is required. The buffer area must only be located on the legal lot, unless the development is a unified development as described in Section 17.7.2(2)(ii).

(Source: Ord. 2020-23)

**(b)** Any open vehicular use areas containing more than six thousand square feet (6,000 sq. ft.) of area or twenty (20) or more vehicular parking spaces, shall provide interior landscaping in accordance with this section in addition to "perimeter" landscaping. Interior landscaping may be peninsular or island types. Landscaped area shall include all parking lot and drive islands and perimeter vegetative landscaping or green space. Required setback areas shall be excluded. There may not be more than twenty (20) continuous parking spaces [forty (40) back to back] in a continual row without providing an island or peninsular landscaping.

**(c)** Concrete curbing is encouraged to protect landscaped areas unless the area is implemented to be a rain garden or bioswale.

**(d)** All landscaping areas shall have the proper soil preparation to ensure the viability of the vegetation to survive. The landscaping plan shall provide specifications for proper soil preparation.

**(11)** Landscape Aesthetics and Design Criteria: Landscaping plans shall provide for an appropriate mix of plantings around the exterior footprint of all buildings. The intent of this section is to improve the appearance of the structures and, where necessary, break up large unadorned building elevations. These plantings are not intended to obscure views of the building or accessory signage.

**(a)** Landscape areas shall be designed with an emphasis on aesthetic appeal, function, safety, appropriateness to site conditions, and water conservation. The grouping of plants with similar water requirements is encouraged.

**(b)** Where overhead utility lines are located above landscaping, small ornamental trees that do not exceed the growth of fifteen feet (15') shall be substituted instead of a large shade tree that will have to be trimmed after the tree has matured.

**(c)** Grass may be sodded, plugged, sprigged, or seeded, except that solid sod shall be used in swales or other areas subject to erosion. Slopes steeper than 10:1 shall be sodded. However, if natural prairie grass, cattails, or reeds are being implemented proper erosion control practices shall be engaged.

**(d)** All trees, shrubbery, ground cover, and vine planting beds shall be mulched with standard mulch materials such as shredded cypress bark, pine bark chips, pine straw, or decorative stone to prevent invasion of other plant species and weeds, to absorb and retain moisture for the benefit of the plants, to prevent erosion, to enrich the soil, to provide protection from maintenance equipment, and to present a neat and orderly appearance of the landscaped area.

**(12)** Existing Trees and Landscapes:

**(a)** Where the site contains existing trees, a special effort shall be made to preserve them in accordance with the following requirements:

**(i)** Trees in a healthy condition shall be protected and preserved.

**(ii)** Removal of unhealthy or diseased trees is mandatory. Tree replacement may be required.

**(iii)** Trees to be preserved shall be protected during construction operations by the use of barricades or fencing large enough to include everything inside the outer edge or drip line of the tree and conspicuous enough to be seen easily by operators of trucks and heavy equipment.

**(iv)** Tree roots shall be protected and preserved where possible. Tunneling shall be used to avoid damaging roots where construction in the

immediate area is necessary. No trenching of tree roots within twenty feet (20') of the trunk shall be performed without approval of the Code Administrator.

**(v)** Chemical poisoning and run-off from petroleum products, lime and mortar, fertilizers, pesticides, soil sterilants, or washing of equipment designed to apply these materials shall be prohibited, within the dripline of trees to be preserved.

**(vi)** Agricultural tree rows (shelter belts) shall not be removed unless authorized by the Code Administrator or the City Council. These trees are not only an important part of the City's quality but are needed to help control extreme winds and weather. Adequate measures shall be taken to mitigate any danger to the preservation or health of the tree rows. If agricultural tree rows (shelter belts) cannot be preserved, based upon the discretion from the Code Administrator stating that the trees are no longer in a healthy condition, the trees may be removed. Tree rows authorized for removal shall be replaced and/or additional landscape enhancement shall be provided as approved by the Code Administrator.

**(b)** Wooded Areas:

**(i)** Wooded areas with mature trees are to be preserved, at the applicants option, these trees may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The Code Administrator shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.

**(ii)** Existing trees in wooded areas designated to be included as part of these requirements should be protected during construction by fencing.

**(13)** Installation:

**(a)** All materials installed shall conform to the approved landscape plans. If any changes of materials are desired, amended plans must be submitted and approved before installation.

**(b)** Curb cuts and driveway aprons which are abandoned shall be removed and replaced with standard curbing and sod.

**(c)** During installation of landscaping, grassed areas off-site or within the public rights-of-way which have been disturbed by construction activity shall be cleaned of all debris, regraded to the proper elevations, and resodded or reseeded. Any preserved vegetation areas that have been damaged or removed shall be replanted and refurbished to restore the area as much as possible to its original condition.



**(14)** Maintenance:

**(a)** It shall be the duty of all persons, whether owners or tenants, to keep shade trees along public streets and avenues adjoining such property trimmed in such a manner that such trees shall not interfere with travel on said streets, avenues, and sidewalks.

**(b)** The property owner and tenant shall be jointly and severally responsible for **maintenance** of all required landscape, irrigation, and hardscape improvements as originally approved. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.

**(c)** Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City. The hatracking of trees is prohibited. All dead plants shall be replaced. All damaged plants including lawn grass shall be replaced or restored. Mulch shall be at the proper coverage and depth.

**(d)** Pavement, curbing, wheel stops, and other hardscape improvements shall be sound and in place. If it is determined by maintenance inspections that such curbs are insufficient to prevent vehicular encroachment, then installation of bollards or similar devices substantial enough to prohibit encroachment may be required. Any such fixtures shall be architecturally consistent with other site fixtures and structures for materials and colors.

**(e)** The City shall notify the property owner and tenant in writing of any maintenance violations. Upon notification of a maintenance violation, the property owner, tenant, or authorized agent shall correct the violation within thirty

(30) days.

**(15)** Replacement:

**(a)** Tree replacement requirements:

**(i)** It is the policy of the City to preserve natural woodland areas throughout the City and with respect to specific site development to retain as far as practical, substantial tree stands which can be incorporated into the overall landscape plan.

**(ii)** The owner, tenant, and their respective agents shall be held jointly and severally responsible to maintain their property and landscaping in a condition presenting a healthy, neat, and orderly appearance and free from

refuse and debris. Plants and ground cover which are required by an approved site or landscape plan and which have died shall be replaced within three (3) months of notifications by the City. However, the Code Administrator may extend the time for compliance up to nine (9) months in order to allow for seasonal or weather conditions.

**(iii)** No clear cutting of woodland areas shall be permitted, except if approved by the Code Administrator.

**(16)** Plan Submission and Approval: The property owner or developer is required to prepare a landscape plan drawn by a registered landscape architect or other professional acceptable to the City if deemed necessary by the Code Administrator. The City shall apply the following standards in reviewing the landscape plans including but not limited to:

- (a)** Landscape plan drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, vehicular use areas (including parking stalls, driveways, service areas, square footage), water outlets, and landscape material.
- (b)** Typical elevations and/or cross sections may be required in any landscape plan.
- (c)** Title block with the pertinent names and addresses (property owner and person drawing the plan), scale date, north arrow (generally orient plan so that north is to top of plan), and zoning district.
- (d)** Existing landscape material shall be shown on the required plan and any material in satisfactory condition may be used to satisfy this section in whole or in part.

**(17)** Approved Plant List:

- (a)** The list of boulevard trees and other species shall be adopted by resolution of the City Council and known as the Plant List.

### **17.8.9 Street Lights**

Streetlights, suitable for different uses and street type, and their location shall be in accordance with the minimum standards established by the City Council.

### **17.8.10 Dedication of Land for Public Purposes** (Source: Ord. 2016-23, Sec. 1; Ord. 2018-11)

**(1)** Purpose. The City of Horace finds it is necessary and in the public interest to provide public spaces and recreational areas for its residents. This is caused, in part, by new development within the City and its extraterritorial area which increases population and/or demand upon public services. Accordingly, the City finds it shall be required that the owner or developer (the "Subdivider") of every subdivision or resubdivision dedicate land for parks, playgrounds, public open space, public trails, municipal facilities, park