

ARTICLE XXIV

LANDSCAPING REQUIREMENTS

SECTION 1. MINIMUM LANDSCAPE REQUIREMENTS: All property within the zoning jurisdiction of the City of Udall shall hereinafter be subject to the following minimum requirements:

1. The open, unpaved areas of each property shall be graded to provide for the adequate drainage of all storm water and shall be free of hazards, nuisances, or unsanitary conditions.
2. Open, unpaved areas shall be appropriately landscaped to provide an attractive appearance to enhance the character of the neighborhood.
3. No vegetation shall overhang a public street or sidewalk below a height of ten (10) feet or obstruct views of pedestrian and vehicular movements.
4. Where districts "PUD", "M - P", "C - S", "C - 2", "I - 1", and "I - 2" adjoin "R - S", "R - 1", "R - 2", and "R - 3" Districts, they shall be appropriately separated by a landscaped area of at least fifteen (15) feet wide or a decorative architectural screen of at least six (6) feet high. Additionally, these requirements shall apply where districts "C - S", "C - 2", "I - 1", and "I - 2" Districts adjoin the "M - P" and "PUD" Districts. A landscaped area and decorative architectural screen shall not be required where these uses are separated by a public street or alley.
5. Parking areas abutting public walkways or streets shall be appropriately separated by a landscaped area or a decorative architectural screen. The landscaped area or architectural screen shall not exceed three (3) feet in height.

SECTION 2. WAIVER OF REQUIREMENTS. The Planning Commission may, in its discretion, temporarily or permanently waive the requirements for screening and/or landscaping if:

1. The adjacent land use in the residential district may not necessitate nor benefit from such a requirement; or
2. The adjacent land use may already have provided adequate screening for which additional screening may be a duplication; or
3. The future land use for the adjacent area can not readily be determined at this time and that upon mutual agreement of the Planning Commission and the applicant, that the requirements may be waived and the matter reviewed at a specified date in the future. In the meanwhile, the Planning Commission shall require that either a

letter of assurance or a covenant be submitted to run with the land; or a guarantee in the form of a corporate security bond, cashier's check, escrow account or other security be submitted to ensure that such requirements will be met when a determination is made. The Planning Commission may determine the sufficiency of the assurance based on the length of time anticipated before a decision, the sizes and cost of the potential work involved, and the need to ensure that the requirement is met regardless of any change in ownership.

4. Nothing shall prevent the Planning Commission from requiring temporary screening on all or a portion of a side or rear yard wherein a non-residential use is proposed for development adjacent to an existing single-family dwelling and thereby a potential nuisance or hazard may be created for the homeowner.