

- **§ 25-2-1023 - ROADWAY VEGETATIVE BUFFER.**

(A)

Except as otherwise provided by this section, vegetation within 100 feet of the dedicated right-of-way may not be cleared, unless the clearing is necessary to provide utilities and access to the site.

(B)

Except as otherwise provided by Subsection (D), in the roadway corridor along the Southwest Parkway:

(1)

vegetation within 50 feet of the dedicated right-of-way or drainage easement may not be cleared, unless the clearing is necessary to provide utilities and access to the site; and

(2)

a building must be at least 75 feet from the dedicated right-of-way or drainage easement.

(C)

The council may, after a public hearing, waive the requirements of Subsection (B) for a site if the owner dedicated the right-of-way or a drainage easement to the public at no cost.

(D)

Except as otherwise provided in Subsection (E), in a roadway corridor along a parkway identified in the Transportation Plan, other than Southwest Parkway:

(1)

vegetation within 25 feet of the dedicated right-of-way or drainage easement may not be cleared, unless the clearing is necessary to provide utilities and access to the site; and

(2)

a building must be at least 50 feet from the dedicated right-of-way or drainage easement.

(E)

An area described in this section in which clearing is prohibited may not exceed 20 percent of the acreage of an applicant's property.

Source: Sections 13-7-66(b)(2) and (3) and 13-2-781(d); Ord. 990225-70; Ord. 031211-11.

- **§ 25-2-1024 - RESTORING ROADWAY VEGETATIVE BUFFER.**

(A)

If vegetation in an area in which clearing is prohibited by [Section 25-2-1023](#) (*Roadway Vegetative Buffer*) has been substantially disturbed, it must be revegetated with native trees, shrubs, and grasses.

(B)

Not more than 50 percent of the area in which clearing is prohibited may be used for detention or sedimentation ponds or wastewater drain fields.

Source: Section 13-7-66(b)(1); Ord. 990225-70; Ord. 031211-11.

- **§ 25-2-1025 - NATURAL AREA.**

(A)

At least 40 percent of a site, excluding dedicated right-of-way, must be left in a natural state. Natural areas within parking medians and in an area in which clearing is prohibited by [Section 25-2-1023](#) (*Roadway Vegetative Buffer*) count toward this requirement.

(B)

In complying with this section, priority must be given to the protection of natural critical areas identified in the City's Comprehensive Plan.

(C)

If this section conflicts with another provision of this title, the conflict must be resolved with the minimum departure from the requirement of this section. The resolution must receive approval from the council. The council must receive a recommendation from the Land Use Commission.

(D)

If an area required to be kept in a natural state by this section is revegetated, not more than 25 percent of the area may be used for sewage disposal fields.

Source: Section 13-7-66(c); Ord. 990225-70; Ord. 010607-8; Ord. 031211-11.