



PREPARED FOR THE PLAN COMMISSION

**Proposal:** Zoning Text Amendment

**Legistar File ID #:** [52049](#)

**Prepared By:** Planning and Zoning Staff

The following is a summary of the proposed zoning text amendment related to allowing for stone mulch in landscaped beds, in addition to shredded bark or chipped wood.

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**52049 Include stone as an acceptable planting bed mulch type**

This ordinance amendment would allow stone to be used in addition to organic (wood) material as an alternative mulch within landscape areas, in appropriate situations. This ordinance amends the existing requirement, which was included as part of a comprehensive re-write of the City's zoning code, effective January 2, 2013. The 2013 code set a new standard for mulch in landscape areas, and rendered all existing landscape areas with stone mulch as nonconforming.

Currently, the landscaping requirements of the zoning code only allow organic material (shredded bark or chipped wood) to be used as a mulch. Staff has learned that there are some circumstances in which bark mulch is not the most appropriate form of landscaping material. For example, some mulched areas are prone to water runoff and often result in mulch pieces migrating into driveways or parking lots. Organic mulch can attract and provide habitation and sustenance, as well as promote possible vermin entry into adjacent structures. Also, many mulched areas are frequented by pets who can have tendencies to eat the mulch.

In consultation with a Landscape Architect in the Planning Department, it has been commonly/historically understood by landscape professionals that wood mulch can be generally superior to stone mulch in certain applications, but that is not always the case given the variety and uniqueness of sites across the City. Stone mulch can be entirely appropriate in certain circumstances. The landscape section of the Zoning Ordinance empowers licensed Landscape Architects to design most plans, and those Landscape Architects should be empowered to make the appropriate decisions about mulch design at particular site or location.

Stone mulch can provide a cost effective, low maintenance permeable ground cover for residential, commercial, industrial, and institutional facilities. Stone mulch is often used as a decorative design element, to create additional visual interest at sites (i.e. rock gardens), and to allow passage of drainage/water across a site in certain circumstances. Stone material provides an alternative for such areas while continuing to maintain the area as a permeable surface. The additional language in the amendment requiring weed barrier under stone mulch relates to creating a water permeable separation between the stone and the soil/plan root structure below. Bark or wood composts into organic material, where stone will not similarly break down.

The new zoning ordinance required any new landscape beds or sites where the level of alteration or expansion triggered landscape code compliance to use bark or chipped wood for mulch. Many places in the City have existing stone mulch beds which have stood the test of time adequately. The requirement to remove pre-existing stone mulch and replacement with bark or chipped wood negatively affects plants that have grown within existing landscape beds due to the removal of the stone by excavation, which exposes and otherwise damages the landscape plant roots.

The landscaping requirements in the Zoning Ordinance were reviewed by the Urban Design Commission and recommended by the Plan Commission, ultimately adopted by the Common Council. It appears as though the Plan Commission did not closely review this particular requirement at the time the code was being reviewed, and over the passage of time it has become clear this restriction can be problematic. It is not clear exactly why only wood material was required for mulch in landscape areas, however, the requirement for organic material has been a common condition for projects reviewed by UDC in the past. The UDC still retains its review of landscaping at sites requiring their recommendation or approval, such as development in the DC and UMX Districts, development in Urban Design Districts, new residential building complexes, new or altered Planned Multi-use sites with large-format retail development, public buildings and sites, and Planned Development rezoning requests.

Upon introduction of this ordinance, it was not referred to the Urban Design Commission, however staff believes that there would be value in getting feedback from that body prior to acting. In discussion with the City Attorney's Office, City Ordinance allows the UDC to provide advice and make recommendations concerning urban design problems at the request of any City department, agency, Commission or Division.

Staff advises that the Plan Commission recommend that the Common Council re-refer this to the August 20 Plan Commission meeting for the purpose of obtaining input from the Urban Design Commission on this issue.