

Sec. 16.10-16. General landscaping requirements.

No certificate of occupancy shall be issued for any lot or tract of land until and unless the following minimum landscaping requirements have been met:

- (1) Tree requirements for various developments:
 - a. *Residential--Single-family:* Two (2) two-inch caliper trees per lot, at least one (1) of which shall be planted in the front yard. If the front or side street yard of the lot contains two (2) or more existing trees of the required size, this requirement shall be waived.
 - b. *Residential--Multiple-family:* One (1) two-inch caliper tree per living unit plus one (1) two-inch caliper tree per thirty (30) feet of street frontage, or fraction thereof. Trees shall be dispersed throughout the development, within the common areas, and along all street frontages spaced at a distance of no more than thirty (30) linear feet apart. Trees can be placed in clusters and need not be placed at even intervals. If there are existing trees of the required size in the front or side yards equal to the required total number of trees, this requirement shall be waived.
 - c. *Manufactured home communities and recreational vehicle parks:* One (1) two-inch caliper tree for every three (3) dwelling spaces or fraction thereof, plus one two-inch caliper tree per thirty (30) feet of linear property within the required greenbelt. Trees shall be dispersed throughout the development, within the common areas, and along all street frontages spaced at a distance of no more than thirty (30) linear feet apart. Trees can be placed in clusters and need not be placed at even intervals. If there are existing trees of the required size in the front or side yards equal to the required total number of trees, this requirement shall be waived.
 - d. *Nonresidential uses (commercial and industrial):* One (1) two-inch caliper tree per thirty (30) feet of street frontage, or fraction thereof. Trees shall be located along all street frontages spaced at a distance of no more than thirty (30) linear feet apart. Trees can be placed in clusters and need not be placed at even intervals. If there are existing trees of the required size in the front or side yards equal to the required total number of trees, this requirement shall be waived.
- (2) Requirements applicable to all developments:
 - a. Trees to be removed or preserved shall be measured by diameter and trees to be planted shall be measured by caliper or gallon.

- b. Landscaping required by calculating the number of parking spaces provided must be generally distributed among the parking areas.
- c. Quantity of trees to be planted must be determined by calculating the actual number of parking spaces provided.
- d. Landscaping must be in place and in compliance with this chapter prior to the issuance of a certificate of occupancy.
- e. All required trees must be selected from the qualified tree list of the city.
- f. With respect to all development projects, other than those involving single-family residences, adequate irrigation systems shall be installed by the initial owner, in order to provide reasonable assurance that all trees planted under the requirements of this section will survive for a period of two (2) years.
- g. Trees that do not survive this minimum period must be replaced; provided, however, if the initial owner planted trees in excess of the requirements of this section such owner shall not be required to replace any such excess trees.
- h. All pervious land areas shall be brought to finish grade and seeded or planted in sod, native grasses or other appropriate ground covers.

(Ord. No. 498-2003, § 1, 1-13-04)

Sec. 16.10-2. Definitions.

The following definitions, and the definitions contained in the Code of Ordinances of the city, shall apply to this chapter.

Building official shall mean the city's building official or his/her designated representative.

Caliper shall mean the width of the trunk of a tree and shall be measured at four (4) inches to six (6) inches above grade. This measurement is used for measuring nursery stock and is only used for trees that are to be planted, relocated, or measure less than seven (7) inches in diameter at four (4) feet six (6) inches above grade.

Certified arborist shall mean any person who is currently licensed as such by the International Society of Arboriculture (ISA).

Circumference shall mean the outermost measurement of a tree trunk and shall be measured four (4) feet six (6) inches above surrounding grade, using an ordinary tape

measure. For multiple-trunk trees, the trunk circumference is deemed to equal the circumference of the largest trunk, plus one-half (1/2) the sum of all additional trunks at four (4) feet six (6) inch above grade. Measurements should be accurate to the nearest one-half (1/2) inch. To convert to diameter inches, divide circumference inches by 3.142.

Deadwood shall mean limbs, branches, or a portion of a tree that contains no live foliage or living tissue during a period of the year when such foliage or tissue should be present.

Drip line shall mean the outermost edge of a tree's canopy.

Person shall mean and include an individual, partnership, corporation, trust, estate, unincorporated organization or association.

Primary structure shall mean a building in which the primary use of the lot on which the building is located is conducted.

Qualifying trees shall mean trees having a trunk diameter of at least eight (8) inches and of a type listed on the qualified tree list of the city. A qualifying tree may not be diseased, dying, or dead, as determined by an urban forester or ISA certified arborist.

Qualified tree list shall mean a list of acceptable trees as shown on attachment "A"* hereof.

Secondary structure shall mean any building not meeting the definition herein of a primary structure.

Significant tree(s) shall mean any tree having a trunk diameter of nineteen (19) inches or greater, and that is not diseased, dying, or dead, as determined by an urban forester or ISA certified arborist.

Trees shall mean woody plants having well-defined trunks, defined crowns, and a height at maturity of twenty (20) feet.

Trunk diameter shall be measured at four (4) feet six (6) inches above grade using a diameter tape. Measurement shall be taken just above or below any unusual swells in the trunk, as closely as possible to the four (4) feet six (6) inch level. For multiple-trunk trees, the trunk diameter shall be deemed to equal the diameter of the largest trunk, plus one-half (1/2) the sum of all additional trunks at the four (4) feet six (6) inch level. Measurements should be accurate to the nearest one-half (1/2) inch.

Visibility triangle shall mean all of that portion of land lying within a triangular shaped area on each street corner, beginning at the corner of the intersection point of the curb or edge of pavement of each of the two (2) streets forming said corner, and extending a distance of twenty (20) feet along each such curb line or pavement edge from the

intersection point, and the third side being determined by drawing a straight line from the ends of the twenty-foot-extensions, regardless of whether the land is publicly or privately owned.

Working days shall mean those days during which City Hall is open to the public.

Yard or *street yard* shall mean that area of a lot that lies between the street right-of-way line and the actual front wall line of a building or structure, excluding any unenclosed and uncovered porch or steps. On corner lots, the street yard shall consist of all the area of such lot between all abutting street right-of-way lines and the corresponding front wall line or adjacent side wall line, excluding any unenclosed or uncovered porch steps.

(Ord. No. 498-2003, § 1, 1-13-04)

Editor's note: Attachment A referred to above is not set out herein, but is on file as attachment to Ord. No. 498-2003.

Sec. 16.10-19. Visibility triangles.

- (a) No person shall plant, grow, or maintain any plant, hedge, shrub, or other growth at a height of more than three (3) feet, as measured from the edge of the pavement, within any visibility triangle.
- (b) Any tree planted, grown, and/or maintained within any visibility triangle, or extending within five (5) feet of the edge of any pavement, shall not have branches or foliage extending from the trunk thereof at a height lower than fifteen (15) feet as measured from the edge of the pavement.

(Ord. No. 498-2003, § 1, 1-13-04)

Secs. 16.10-20, 16.10-21. Reserved.