

ARTICLE I. LANDSCAPING STANDARDS

Sec. 44-1. New development.

A developer shall provide and maintain landscaped areas within all new developments according to the standards contained in this article. The standards contained herein are minimum standards.

(Ord. No. 2003-01, § 2, 3-17-03)

Sec. 44-2. Definitions.

Buffer shall mean a specified land area, together with the planting and landscaping required on any building site, which may also contain a barrier, such as a berm or a fence, where such additional screening is necessary to achieve the desired level of buffering between various activities, and shall meet the minimum requirements to provide a year-round visual obstruction.

Building site shall mean the tract, parcel or lot of land area which is being developed and which is designated on the building permit application, together with all contiguous tracts or parcels of land held under common ownership and any existing buildings and appurtenant parking.

Diameter shall mean the minimum diameter of a tree as measured six inches about the root collar for trees up to and including four inches in diameter and 12 inches above the root collar for trees having a larger diameter.

Drip line shall mean the periphery of an area underneath a tree, which would be encompassed by the perpendicular line dropped from the outermost edges of the crown of the tree.

Groundcover plants. No minimum size is required but the planting is to be done so as to develop full coverage within 18 months.

Landscape development shall mean trees, shrubs, groundcover plants, vines, or grass installed in planting areas, having a minimum of ten square feet of actual plantable area and a minimum inside dimension on any side of 18 inches.

Private property shall mean any industrial, commercial, business, multi-family, or townhouse site development.

Public property shall mean any land owned by the city, including street rights-of-way and yards around public buildings.

Root collar shall mean an encircling structure of band-like markings or a marked color change (from the tree bark) located at the highest part of the root system joining into the trunk of the tree at or slightly below the surrounding soil line.

Screening shall mean any method of visually shielding or obscuring one land use from another by the planting of evergreen trees or shrubs, or both, or the erection of a screening fence designed to minimize the transmission or propagation of noise, light, vibration, or dust from traffic or other activity on one property to adjoining public or private properties. Screening shall meet minimum requirements to provide a year-round visual obstruction.

Shrub shall mean any self-supporting, woody, deciduous or evergreen species, which is generally multi-stemmed and sold by height or spread and measured in inches or feet, as normally will grow in the county.

Tree shall mean any self-supporting wood plant, evergreen or deciduous, which at the time of planting has a caliper equal to or greater than two inches as measured six inches about the root collar, which is not less than six feet in height as measured from the root collar, and shall be of a species that normally grows to an overall height of a minimum of 15 feet in the county.

(Ord. No. 2003-01, § 2, 3-17-03)

Sec. 44-3. Landscaping required.

- (a) This section shall set forth the minimum standards and shall apply to all property developed, except single- or two-family residential buildings. No building permit shall be issued unless the minimum area, prescribed in table A below, of the building site not covered by a building or structure is devoted to landscape development.

TABLE INSET:

<u>Table A</u>	
<u>Total Area of Site</u>	<u>Required Landscape Development</u>
Up to 20,000 sq. ft.	5% of area not covered by building or structure
20,000 to 200,000 sq. ft.	7-1/2% of area not covered by building or structure
Above 200,000 sq. ft.	10% of area not covered by building or structure
The required number of trees on a building site not covered by a building or structure shall be:	
<u>Area Not Covered By Building or Structure</u>	<u>No. of Trees Required</u>
Less than 3,000 sq. ft.	0

3,000--7,000 sq. ft.	1
7,001--10,000 sq. ft.	2
10,001--20,000 sq. ft.	3
20,001--30,000 sq. ft.	4
30,001--40,000 sq. ft.	6
40,001 sq. ft. or greater	3 per 20,000 sq. ft.*
* Round to the next highest whole tree.	

- (b) Landscape development located within the rear setback area of a building site and not adjacent to a public street shall not be considered when determining the minimum requirements of this section.
- (c) Trees planted to meet these requirements must have a minimum caliper of two inches at six inches above the root collar.
- (d) If a building or development, constructed or substantially constructed prior to the date of adoption of this chapter, is altered or enlarged, such building or development shall not be subject to the provisions.
- (e) Landscaping plan. A landscaping plan shall be submitted at the time of application for any preliminary plat or building permit application, and such landscaping plan required under this section shall contain the following information:
 - (1) The location and type of all existing trees on the building site, which are six inches or more in diameter, and delineation of which trees or natural features are to be retained;
 - (2) A description/plan of how existing healthy trees to be retained on the site will be protected from damage during construction;
 - (3) The location, height, and material of all proposed screening and fencing on the site;
 - (4) The location and dimension of proposed landscape development; and
 - (5) A description of trees, shrubs, and groundcover plants shown on the plan, including names, location, quantities, size (diameter and/or container), height, spread, and spacing.
- (f) Alternate landscaping design. The planning commission may consider and approve an alternative plan, which is not in strict compliance with the requirements of this chapter. Such alternative plan must meet the objectives and purposes of this chapter, as determined by the planning commission, may not reduce the standards set forth herein, and clearly be superior to a plan that would otherwise be in strict

compliance. In making this determination, the planning commission may consider the topography, shape, size, or other natural features of the building site; the suitability of any alternative screening or buffering proposal; and other similar factors.

- (g) Replacement of dead landscaping plants. If any required landscaping tree, shrub, or groundcover plant should die, the owner shall replace these plants by the end of the next planting season.
- (h) Replacement of existing landscape development. Any major or significant modification to a landscape development constructed or installed in association with this chapter must be in accordance with this chapter and must be approved by the city's building official.

(Ord. No. 2003-01, § 2, 3-17-03)

Sec. 44-4. Credits; minimum requirements.

- (a) Tree preservation credit. Landscaping plans that preserve existing trees shall be given credit toward the total number of trees required as shown below:

TABLE INSET:

Diameter of existing tree	Credit against tree requirement
1"--3"	1.0 tree
3 1/2"--9"	2.0 trees
9 1/2"--15"	3.0 trees
15 1/2" or greater	6.0 trees

- (b) If a credited tree dies for any reason, it must be replaced with the credit number of trees within 120 days.

(Ord. No. 2003-01, § 2, 3-17-03)

Sec. 44-5. Prohibited activities.

The following activities shall be prohibited within the limits of the drip line of any existing tree to be retained under the provisions of a landscape plan required by this chapter:

- (1) Material storage. No materials intended for use in construction or waste materials accumulated due to excavation or demolition;

- (2) Equipment cleaning/liquid disposal. No equipment shall be cleaned or other liquids deposited, including paint, oil, solvents, asphalt, concrete, mortar, or other materials;
- (3) Tree attachments. No signs, wires, or other attachments, other than those of a protective nature, which have been approved in the tree disposition plan; and
- (4) Vehicular traffic. No vehicle, construction equipment or parking is allowed.

(Ord. No. 2003-01, § 2, 3-17-03)

Editor's note: Ord. No. 2003-01, § 2, adopted March 17, 2003, enacted provisions intended for use as subsections (a)--(d). To preserve the style of this Code, and at the discretion of the editor, said provisions have been redesignated as subsections (1)--(4).

Sec. 44-6. Trees within public rights-of-way.

A person commits an offense if he removes or destroys a tree within a street right-of-way, or upon any public property, without first obtaining written authorization therefore from the city manager.

(Ord. No. 2003-01, § 2, 3-17-03)

Secs. 44-7--44-9. Reserved.