

SEC. 51A-10.102 PURPOSE

The process of development with its alteration of the natural topography, vegetation, and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the city can and should be protected through the ~~preservation~~ conservation and enhancement of the unique natural beauty, environment, and vegetative space in this area. Recognizing that the general objectives of this article are to promote and protect the health, safety, and welfare of the public, the city council further declares that this article is adopted for the following specific purposes:

- (1) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, ground-water recharge, and storm water runoff retardation, while at the same time aiding in noise, glare, wind, and heat abatement.
- (2) To provide visual buffering between land uses of differing character to alleviate the harshness of urban life.
- (3) To enhance the beautification of the city.
- (4) To safeguard and enhance property values and to protect public and private investment.
- (5) To conserve energy.
- (6) To provide habitat for wildlife.
- (7) To encourage the preservation of large trees which, once removed, can be replaced only after generations.
- (8) To conserve water.
- (9) To recognize and conserve the urban forest as part of the city's natural/green infrastructure.

- (a) No artificial plant materials may be used to satisfy the requirements of this article.
- (b) In satisfying the requirements of this article, the use of high-quality, winter-hardy, and heat and drought-tolerant plant materials is recommended and encouraged.
- () Palm trees may not be used to qualify for requirements.
- () Invasive plant material is prohibited in required landscapes.
- () A list of acceptable plant materials will be maintained by the Director and referenced in the Landscape and Tree Manual.
- () Synthetic, or artificial, turf may not be used to qualify for landscape area requirements. Synthetic turf is defined as 'a grass-like ground cover that replicates lush natural grass in appearance and function.' – Synthetic Turf Council. Synthetic turf is recognized as an impervious surface material for purposes of this ordinance unless otherwise determined by the building official. Synthetic turf may not be applied within the critical root zone of a protected tree.

SEC. 51A-10.104 SOIL AND PLANTING AREA REQUIREMENTS

(a) Planting areas dedicated to the growth of roots may consist of surface soil areas, covered soil areas, and root paths. The planting areas must have native soils, prepared soils, or structural soils, and may include permeable pavement, sidewalk support, and soil cells.

(~~a~~b) Planting areas in general must have the following soil depths and dimensions:

(1) For each ~~large shrub~~ or small tree installation, a minimum of 24 inches of soil depth and 16 25 square feet of surface area (total of 50 cubic feet).

(2) For each large or medium tree installation, a minimum of 36 inches of soil depth and ~~25~~ 160 square feet of surface area (total of ~~75~~ 480 cubic feet).

(c) (~~b~~) Planting areas located above underground buildings or structures must have the following soil depths and dimensions:

(1) For each ~~large shrub~~ or small tree installation, a minimum of 30 inches of soil depth and 25 square feet of surface area (total of 62.5 cubic feet).

(2) For each large or medium tree installation, a minimum of 40 inches of soil depth and 36 square feet of surface area (total of 120 cubic feet).

(d) (~~c~~) The building official may waive the minimum planting area requirements if a landscape architect certifies that the proposed alternative soil depths and dimensions are sufficient to support the healthy and vigorous growth of the plant materials affected or depth to impermeable subsurface prohibits minimum soil depth requirements.

(e) All large trees may not be planted closer than 20 feet from the closest point of an overhead electric distribution line. All medium trees may not be planted closer than 15 feet from the center line of a overhead electric distribution corridor.

(f) All existing trees to be retained during and after construction to be included in landscaping must be fully protected as stipulated in Section 51A-10.136, except that encroachment of less than 20 percent of the critical root zone shall be allowed if approved by the building official.

SEC. 51A-10.105 PROTECTION OF PLANTING AREAS

Required areas for plant materials must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.

SEC. 51A-10.106 IRRIGATION REQUIREMENTS

Except as otherwise stated in this section, automatic irrigation systems with dedicated water zones are required for all non-residential landscape designs that include landscape areas of 500 square feet or greater. The designed irrigation system must be:

- (a) indicated on the landscape plan, if any; and
- (b) adequate to maintain the plant materials in a healthy, growing condition at all times.

Permit for renovations and additions, on building sites or artificial lots less than one acre, and less than 2,000 square feet of net impervious surface increase, must have all required plants within 100 feet of a verifiable water supply. Proposed watering methods (irrigation or otherwise) must be:

- (a) indicated on the landscape plan, if any; and
- (b) adequate to maintain the plant materials in a healthy, growing condition at all times.

~~All plant materials used as screening under this article must be irrigated by an automatic irrigation system installed to comply with industry standards. Other plant materials used to comply with this article must be located within 100 feet of a verifiable water supply. Proposed watering methods (irrigation or otherwise) must be:~~

- ~~(a) indicated on the landscape plan, if any; and~~
- ~~(b) adequate to maintain the plant materials in a healthy, growing condition at all times.~~

SEC. 51A-10.107 PLANTERS ALLOWED.

Planters may be used to satisfy the requirements of this article provided that the soil requirements in Section 51A-10.104 are met.

SEC. 51A-10.107A PEDESTRIAN PATHWAYS

Pedestrian pathways must be a minimum of three feet in width and a maximum of 15 feet in width.

SEC. 51A-10.108 GENERAL MAINTENANCE

(a) Required plant materials must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living

plant that complies with this article and the approved landscape plan, if any, within 90 days after notification by the city.

(b) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required plant materials in a utility easement is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the plant materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.

SEC. 51A-10.109. LANDSCAPE AND TREE MANUAL

Landscape and tree manual is provided as a technical guide for conserving, protecting, maintaining and establishing the landscape and urban forest of the City.

SEC. 51A-10.110 SPECIAL EXCEPTIONS

(a) Landscaping.

(1a) The board may grant a special exception to the requirements of landscaping of this article upon making a special finding from the evidence presented that:

(A1) strict compliance with the requirements of this article will unreasonably burden the use of the property;

(B2) the special exception will not adversely affect neighboring property; and

(C3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

(2b) In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

(A1) The extent to which there is residential adjacency.

(B2) The topography of the site.

(C3) The extent to which landscaping exists for which no credit is given under this article.

(D4) The extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

(b) Tree Conservation.

(1) The board may grant a special exception to the requirements of tree conservation of this article upon making a special finding from the evidence presented that:

_____ (A) strict compliance with the requirements of this article will unreasonably burden the use of the property;

_____ (B) the special exception will not adversely affect neighboring property; and

_____ (C) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

_____ (2) In determining whether to grant a special exception under Subsection (a), the board shall consider the following factors:

_____ (1) The extent to which there is residential adjacency.

_____ (2) The topography of the site.

_____ (3) The ability to plant replacement trees safely on the property.

_____ (4) The extent to which alternative methods of replacement will compensate for a reduction or extended time for tree replacement.

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