

§ 153.062 LANDSCAPING AND TURF ESTABLISHMENT.

(A) All developed, improved or built upon lots or parcels shall be landscaped. Landscaping on a lot shall consist of a finish grade, and a soil retention cover such as sod, seed and mulch, or plantings to protect the soil and aesthetic values on the lot and adjacent property.

(B) In all districts, all developed uses shall provide soil retention from street edge to the road right-of-way lines. This area shall be kept clear of all structures, exterior storage and off-street parking.

(C) No trees or large shrubs shall be allowed within any drainage or utility easement or road right-of-way and shall be planted only on private property, within a front, side, or rear yard.

(D) Landscaping shall be provided and maintained on all required front and side yards in all developed districts except where pavement or crushed stone is used for walkways or driveways.

(E) Construction of new attached and detached single-family units shall be required to meet the following regulations regarding trees:

(1) The planting of two trees per dwelling unit, one of which must be deciduous.

(2) When two or more healthy, significant trees are present per dwelling unit, no trees are required to be planted. For the purpose of this section, a significant tree shall be any healthy deciduous tree (except Russian Olive, Silver Maple, Cottonwood, Box Elder, Mulberry and Elm) that measures six inches in diameter four and a half feet or any healthy coniferous (evergreen) tree that measures six inches in diameter at four and a half feet.

(3) One tree shall be planted within the front yard.

(4) All required plant materials shall meet the following minimum size standards. For the purposes of determining tree trunk size, the diameter shall be measured at four and a half inches above the ground level. A deciduous tree shall be a minimum of two and a half inches in diameter and a coniferous tree shall be a minimum of six feet in height.

(F) Construction of new nonresidential uses shall be required to meet the following regulations regarding trees:

(1) The planting of trees shall contain at a minimum the greater of:

(a) One tree per 1,000 square feet of gross building floor area; or

(b) One tree per 50 lineal feet of site perimeter.

(2) The full requirements of the landscaping ordinance shall not apply to land zoned B-3 Central Business District. The Planning and Zoning Commission shall determine the extent to which it is possible for the requirements of this chapter to apply to the parcel.

(3) The complement of trees fulfilling the requirements of this section shall be not less than 25% deciduous and not less than 25% coniferous.

(4) Existing trees on a lot may count towards the required number of trees provided the size and type are consistent with the requirements of this section and they are shown and labeled as such on the site plan. For the purpose of this section, a significant tree shall be any healthy deciduous tree (except Russian Olive, Silver Maple, Cottonwood, Box Elder, Mulberry, and Elm) that measures six inches in diameter at 4 1/2 feet or any healthy coniferous (evergreen) tree that measures six inches in diameter at 4 1/2 feet.

(5) Each two ornamental trees may fulfill the requirement of one tree as required by this section.

(6) All required plant materials shall meet the following minimum size standards. For the purposes of determining tree trunk size, the diameter shall be measured at 4 1/2 feet above the ground level. A deciduous tree shall be a minimum of 2 1/2 inches in diameter and a coniferous tree shall be a minimum of six feet in height.

(G) The following shall be required regarding turf establishment:

(1) Interior lots shall be sodded from the roadside edge or the unpaved right-of-way to the back corners of the furthest building.

(2) Corner lots with two sides of the lot adjacent to the street, in the front yard, sod shall be installed from the roadside edge or the unpaved right-of-way in the front of the building to the back corners of the furthest building. Sod shall also be installed on the street side yard within the boulevard commencing at the rear corner of the building to the rear lot line.

(3) All areas that required silt fences during construction and along any portions of the lot and adjoin drainage easements shall be sodded. Any remaining disturbed areas not mentioned above may be seeded. Silt fences must be maintained throughout the construction period until new vegetation is established.

(4) The required sod must be in place before a final certificate of occupancy will be issued. If the sod is not in place and occupancy is requested by the builder, a temporary certificate of occupancy may be issued. The builder/homeowner is required to install sod within 60 days after the temporary certificate of occupancy is issued. It is the responsibility of the owner to establish turf in the area where sod is not required. A final certificate of occupancy will be issued only after the turf has been established. The remaining areas of a lot that are not required to have turf established prior to issuance of the final certificate of occupancy should be established with turf within 60 days after the issuance of the final certificate of occupancy.

(5) In periods of adverse weather conditions between approximately October 16 and April 30, a temporary certificate of occupancy may be issued, but the installation of sod must be completed on or before July 1.

(H) The tree planting requirements of this section shall be in addition to, and shall not count towards, any tree replacement that is required by the Tree and Woodland Preservation section of the Lonsdale City Code.

(I) (1) The city shall collect a cash escrow specifically for the planting of required trees, an as-built certificate of survey, and turf establishment before any building permit is issued. The escrow amount shall be established by the City Council and shall be refunded when all of the following are completed and approved.

- (a) Required trees are installed.
- (b) Final grade requirements are completed.
- (c) Ground cover requirements are completed.

(2) If these requirements are not met, the escrow will be used to either complete the grading of the lot consistent with the grading land and/or complete the installation of the sod and seed and/or tree plantings.

(Ord. passed 2-29-1996; Am. Ord. 2006-189, passed 1-26-2006; Am. Ord. 2006-199, passed 6-26-2006)