

Section 18-1512. LANDSCAPING REGULATIONS.

Section 18-1512.1. PURPOSE AND INTENT. The purpose of this Section is to establish minimum standards for the development, installation, and maintenance of landscaped pervious areas within the City, including the Community Redevelopment Area. The problems associated with intense urban development have become of increasing concern to the residents of the City. It is recognized that the proper management and use of trees, plants and other types of vegetation will reduce the impact of this rapid growth and improve the appearance, value, character, and quality of the urban environment. It is the intent of this Section, therefore, that the establishment of these minimum requirements and encouragement of resourceful planning and creative design be incorporated to promote the public health, safety, and general welfare. This Section is further intended to fulfill objectives as contained within the City's Comprehensive Plan, and the Community Redevelopment Plan by providing for: the conservation of potable and non-potable water; the implementation of Xeriscape landscaping principles; maintaining permeable land areas essential to surface water management and aquifer recharge; encouraging the preservation of existing plant communities; encouraging the planting of site specific, native and drought tolerant plant materials; establishing guidelines for the installation and maintenance of landscape materials and irrigation systems; reducing air, noise, heat, and chemical pollution through the biological filtering capacities of trees; reducing the temperature of the microclimate through the process of evapotranspiration; and promoting energy conservation through the creation of shade. (Ord. 1401 - 7.26.84; Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Section 18-1512.2. LANDSCAPE PLAN - SUBMISSION REQUIREMENTS.

(A) GENERAL.

1. The developer, contractor, or owner shall submit to the Building Division such information as required by Section 18-1505 of the Land Development Code. (Ord. 1401 - 7.26.84; Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
2. A clear indication of trees to be removed and trees to remain, and tree protection barricade description must be shown. (Ord. 2227 - 5.26.94)
3. Interior landscape coverage, expressed in both square feet and as a percentage of the paved vehicular use area must be shown on the plan. (Ord. 2227 - 5.26.94)

(Ord. 1401 - 7.26.84; Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(B) FEES. Review of landscape plans shall be subject to the applicable fee in effect at the time of submission. (Ord. 1401 - 7.26.84; Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Section 18-1512.3. CERTIFICATE OF OCCUPANCY.

(A) Upon completion of all landscaping improvements, the City Manager or his designee shall inspect the project for compliance with the approved final site or plat plan and other requirements of this Section. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(B) When occupancy of a related structure is desired prior to completion of the necessary landscaping, a temporary certificate of occupancy may be issued by the Building Director. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Section 18-1512.4. ENFORCEMENT. The City Manager or his designee is authorized to lawfully enter upon all premises at reasonable times to inspect landscaping and determine its condition insofar as the provisions of this Section apply. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Section 18-1512.5. STANDARDS.

(A) **GENERAL.**

All plant materials used in conformance with the provisions of this Section shall conform to the standards for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, State of Florida Department of Agriculture and Consumer Services, Tallahassee. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(B) **TREES.**

1. Trees planted in fulfillment of this Section shall meet one of the following requirements: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(a) Transplanted Tree stock, in which the method of preparation for planting includes reducing the existing root mass by cutting, pruning, spading or other means, including collected and relocated stock, shall be a minimum of one and one-half (1½) inches in diameter as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height. Transplanted tree stock shall be a minimum of three (3) inches in diameter as measured six (6) inches above grade and be a minimum of twelve (12) feet in overall height, for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(b) Containerized Tree stock, in which the root mass is allowed to grow complete and intact to a reasonable degree, including container and grow bag grown, shall be a minimum of one and one-quarter (1¼) inches caliper as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height. Containerized tree stock shall be a minimum of two (2) inches in diameter as measured six (6) inches above grade and be a minimum of eight (8) feet in overall height, for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

2. The following is a list of acceptable trees which may be utilized in fulfillment of a designated landscaping scheme: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (a) Canopy Tree: Canopy trees are self-supporting, woody plants which normally grow to a minimum height of thirty-five (35) feet in Pinellas County and have trunks which can be maintained with over eight (8) feet of clear wood. For the purposes of this Section, palms shall not be considered canopy trees and shall not be substituted for canopy trees. The following trees shall be considered as acceptable toward meeting the canopy tree planting requirements: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Common Names -

Scientific Botanical Names -

American Holly* (N)	Ilex opaca
Black Cherry* (N)	Prunus serotina
Bald Cypress* (D)	Taxodium distichum
Chinese Elm (N)	Ulmus parvifolia
Camphor (N)	Cinnamomum camphora
Florida Elm* (N)	Ulmus american v. floridana
Green Ash* (D)	Fraxinus pennsylvanica
Hickory* (N)	Carya spp.
Jacaranda (F) (N)	Jacaranda acutifolia
Laurel Oak* (N)	Quercus laurifolia
Live Oak* (N)	Quercus virginiana
Loblolly Bay*(F)(O)	Gordonia lasianthus
Loblolly Pine* (N)	Pinus taeda
Longleaf Pine* (N)	Pinus palustris
Pond Cypress* (O)	Taxodium distichum v. nutans
Red Bay* (N)	Persea borbonia
River Birch* (O)	Betula nigra
Sand Pine* (N)	Pinus clausa
Slash Pine* (N)	Pinus elliotii
Southern Magnolia*(F)(D)	Magnolia grandiflora
Sugarberry* (D)	Celtis laevigata
Sweetbay* (N)	Magnolia virginiana
Sweetgum* (N)	Liquidambar styraciflua
Sycamore* (D)	Platanus occidentalis
Turkey Oak* (N)	Quercus laevis
Winged Elm* (N)	Ulmus alata

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

NOTES:

*Indicates Native Trees.

(1) Mildew Resistant species-Miami, Muskogee, Tuskegee, Biloxi, Wichita.

(F)Indicates Flowering Tree Species.

XERISCAPE ZONES. This information shall be utilized for creating xeriscape designs.

(N) Natural Zone - Includes trees that can survive on natural rainfall. These plants will require irrigation through the establishment period.

(D) Drought Tolerant Zones - Includes trees that require occasional irrigation. These plants will require irrigation through the establishment period.

(O) Oasis Zones - Includes trees that require frequent irrigation.

- (b) Intermediate Tree: Intermediate trees are self-supporting, woody plants which normally attain a height between twenty (20) and thirty-five (35) feet at maturity in Pinellas County. For the purposes of this Section, palms shall not be considered intermediate trees and shall not be substituted for intermediate trees. The following trees shall be considered acceptable toward meeting the intermediate tree planting requirements: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

<u>Common Names -</u>	<u>Botanical Names -</u>
Cherry Laurel* (N)	Prunus caroliniana
Dahoon Holly* (O)	Ilex cassine
Drake Elm (N)	Ulmus parvifolia sempervirens
East Palatka Holly* (N)	Ilex opaca 'Palatka'
Golden Rain Tree (F) (N)	Koelreuteria formosana
Jerusalem Thorn (F) (N)	Parkinsonia aculeata
Orchid Tree (F) (D)	Bauhinia variegata
Persimmon* (D)	Diospyres virginiana
Red Maple* (F) (D)	Acer rubrum
Southern Red Cedar* (N)	Juniperus silicicola

(Ord. 1714 - 8.13.87)

- (c) Understory Tree: Understory trees are self-supporting, woody plants which normally attain or can be easily maintained at a height of under twenty (20) feet at maturity. The following trees shall be considered as acceptable toward meeting the understory tree planting requirements: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

<u>Common Names -</u>	<u>Botanical Names -</u>
Bottle Brush (F) (D)	Callistemon viminalis
Chickasaw Plum* (N)	Prunus angustifolia
Crape Myrtle (1)(F)(N)	Lagerstroemia indica X Faurei
Loquat (F) (N)	Eriobotrya japonica
Myrtle Dahoon Holly*(O)	Ilex cassine myrtifolia
Podocarpus (N) (D)	Podocarpus spp.
Tree Ligustrum (D)	Ligustrum lucidum
Wax Myrtle* (N)	Myrica cerifera
Yaupon Holly* (N)	Ilex vomitoria

(Ord. 1714 - 8.13.87)

NOTES:

*Indicates Native Trees.

(1) Mildew Resistant species-Miami, Muskogee, Tuskegee, Biloxi, Wichita.

(F)Indicates Flowering Tree Species.

XERISCAPE ZONES. This information shall be utilized for creating xeriscape designs.

(N) Natural Zone - Includes trees that can survive on natural rainfall. These plants will require irrigation through the establishment period.

(D) Drought Tolerant Zones - Includes trees that require occasional irrigation. These plants will require irrigation through the establishment period.

(O) Oasis Zones - Includes trees that require frequent irrigation.

This recommended list shall serve to provide guidelines in the selection of trees for planting credit. Other tree species may be planted for credit, however, any deviation from this list must be approved by the City Manager or his designee. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Criteria used to determine if other species will be acceptable are as follows:

- (1) If the tree(s) will survive the temperatures and the physical climate experienced in the Pinellas Park area.
- (2) If the tree(s) will tolerate insect, disease and other pests experienced in the Pinellas Park area.
- (3) If the tree(s) will tolerate and survive within the soils found on the particular site.
- (4) If the tree(s) are considered nuisance exotic or invading tree species, as determined by the Florida Department of Agriculture and Consumer Services, Division of Forestry, or the Cooperative Extension Service. These species will not be acceptable.

(Ord. 2227 - 5.26.94)

3. At least seventy percent (70%) of all required trees shall be of native species, unless the applicant requests an exception. If the applicant requests that less than seventy percent (70%) of all required trees be of native species, the City Manager or his designee shall consider said request and grant or deny the request based on the following criteria:
 - (a) If the tree(s) will survive the temperatures and the physical climate experienced in the Pinellas Park area.
 - (b) If the tree(s) will tolerate insect, disease and other pests experienced in the Pinellas Park area.
 - (c) If the tree(s) will tolerate and survive within the soils found on the particular site.

(Ord. 2227 - 5.26.94)

4. Minimum Planting Areas for Trees - In order to insure adequate space for proper growth and development of healthy trees, the following minimum planting areas shall be required for trees planted in fulfillment of the requirements of this Section. It is the intent herein that the entire area designated for this purpose be prepared for planting, including such activities as the removal of soil pollutants, tillage, soil amendments, mulching or other improvements necessary to achieve a planting environment conducive to healthy growth. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (a) Table for planting area requirements and tree size as follows: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

PLANTING AREA REQUIREMENTS

	<u>TREE SIZE</u>		
	<u>Understory</u>	<u>Intermediate</u>	<u>Canopy</u>
Minimum Total area - single tree	45 SF	100 SF	200 SF
Additional area (per tree) - More than one tree in a group	25 SF	50 SF	100 SF
Minimum setback from trunk to perimeter of impervious surface	1 feet	3.5 feet	5 feet
Minimum Interior Dimension SF = Square Feet (Ord. 1714 - 8.13.87)	5 feet	7 feet	10 feet

- (b) Combinations of required landscaping areas may be used to achieve the minimum square-footage, such as: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (1) Combination of interior landscaped areas.
 - (2) Combination of streetscape and perimeter buffer landscaping.
- (c) All newly created landscaped areas, must be provided with adequate soil, whose depth, texture, structure and Ph is capable of providing a compatible medium for the proposed landscape trees.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

5. In order to maximize the shade coverage and the variety of physical and spatial characteristics, a minimum number of tree species by classification shall be required as follows: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

<u>SIZE CLASSIFICATION</u>	<u>PERCENTAGE OF TOTAL NUMBER OF REQUIRED TREES</u>
Canopy	20%
Intermediate	30%

Canopy trees may be substituted for intermediate trees; intermediate trees may be substituted for understory trees; and the remaining trees may be understory trees to meet this requirement.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

6. In order to achieve a balance of variety, to maximize the benefits of a broad spectrum of individual characteristics, and to further minimize real and potential losses due to insect and disease outbreak, a minimum number of tree species shall be required as follows: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

<u>Required Number of Trees</u>	<u>Minimum Number of Species</u>
1	1
2-20	2
21-30	3
31-40	4
over 41	5 or more

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Individual tree distribution by species shall be so proportioned as to achieve a reasonable degree of balance with respect to the intent of this Section. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

7. Native Florida palms indigenous to Pinellas County shall be considered understory trees. Palms shall be planted at a ratio of three (3) palms per one (1) required understory tree when used in fulfillment of the requirements of this Section. For **all** parcels developed, or proposed to be developed with non-residential and mixed uses, and any multi-family uses greater than one-half (1/2) acre in size, the number of palms shall not exceed twenty-five (25) percent of the number of trees required under this Section. For parcels developed, or proposed to be developed, with single family, mobile homes, and duplex uses, and any multi-family uses, less than one-half (1/2) acre in size, the number of palms shall not exceed fifty (50) percent of the number of trees required under this Section. The number of palms shall not exceed thirty (30) percent of the number of trees required under this Section, for parcels developed, or proposed to be developed, with single family, mobile homes and duplex uses, and any multi-family uses less than one-half (1/2) acre in size, located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)

The following palm species shall be considered acceptable:

- (a) Cabbage Palm (N) - Sabal Palmetto
- (b) Canary Island Date Palm (N) - Phoenix canariensis
- (c) Paurotis Palm (D) - Acoelorrhaphe wrightii
- (d) Queen Palm (N) - Arecastrum romanzoffianum
- (e) Senegal Date Palm (N) - Phoenix reclinata
- (f) Washington Palm (N) - Washingtonia robusta

To receive credit for palms, all plants must be a minimum height of eight (8') feet to the bud at the time of planting.

This recommended list shall serve to provide guidelines in the selection of palms for planting credit. Other palm species may be planted for credit, however, any deviation from this list must be approved by the City Manager or his designee.

NOTES:

*Indicates Native Trees.

(1) Mildew Resistant species-Miami, Muskogee, Tuskegee, Biloxi, Wichita.

(F)Indicates Flowering Tree Species.

XERISCAPE ZONES. This information shall be utilized for creating xeriscape designs.

(N) Natural Zone - Includes trees that can survive on natural rainfall. These plants will require irrigation through the establishment period.

(D) Drought Tolerant Zones - Includes trees that require occasional irrigation. These plants will require irrigation through the establishment period.

(O) Oasis Zones - Includes trees that require frequent irrigation.

Criteria used to determine if other species will be acceptable are as follows:

- (a) If the palm(s) will survive the temperatures and the physical climate experienced in the Pinellas Park area.
- (b) If the palm(s) will tolerate insect, disease and other pests experienced in the Pinellas Park area.
- (c) If the palm(s) will tolerate and survive within the soils found on the particular site.

(Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)

- 8. Trees of a species whose roots are known to cause damage to public roadways, sidewalks, or other public utilities shall not be planted closer than five (5) feet to such roadway, sidewalk or public utility unless an acceptable root barrier material which will prevent the encroachment or undermining by the tree's root system, such as herbicide impregnated materials or reinforced concrete of sufficient width and length, is installed. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Anyone planting tree(s) or shrubs within a public right-of-way must first complete a Right-Of-Way Landscaping Covenant Running With The Land contract with the City.

9. The following species of trees shall not be planted as fulfillment of the tree requirements established in this Ordinance. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Australian Pine (Casuarina spp.)
Brazilian Pepper (Schinus spp.)
Chinaberry (Melia azedarach)
Citrus, spp.
Ear Tree (Enterolobium cyclocarpum)
Eucalyptus (Eucalyptus spp.)
Punk (Melaleuca spp.)
Silk Oak (Grevillea robusta)
Woman's Tongue (Albizia spp.)
Chinese Tallow (Sapium sebeferum)

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

10. Where Punk (Melaceuca spp.), Australian pine (Casuarina spp.) or Brazilian pepper (Schinus spp.) exist on a site, they shall be required to be removed prior to the approval of the final landscape inspection. Where the above species exist as a part of or in direct association with a jurisdictional wetland ecosystem, the applicant shall be required to obtain all necessary permits from other agencies as required prior to the removal of this vegetation. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

EXCEPTIONS. Where the removal of the above species would result in the destruction of the primary nesting ground or habitat site for any Florida Native Wildlife species as listed by the Florida Game and Freshwater Fish Commission, these requirements shall not apply. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(C) HEDGES. Shrub plants used to create hedges shall be a minimum of twenty (20) inches in height immediately upon planting, with a spacing of no more than thirty (30) inches on center and reach an average height of twenty (24) inches within one (1) year of planting. These hedges shall be of nondeciduous species, planted and maintained so as to form a continuous visual screen within a maximum of one (1) year of planting. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Shrub stock larger than the required minimum may be planted at a spacing greater than thirty (30) inches on center when consistent with the spread classification as specified on an approved landscaping plan; however, in no case shall the spacing of shrubs planted for hedges be greater than thirty-six (36) inches on center. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(D) GROUND COVERS. Ground covers used in lieu of grass shall be planted in such a manner, maintaining a maximum spacing of twenty-four (24) inches, so as to present a finished appearance and reasonably complete coverage within one (1) year of planting. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(E) LAWN. (Turf or Sod) Portions of landscaped areas that have been customarily designed as lawns shall be planted in traditional mixes of trees, shrubs, and ground covers. Properly managed non-grass landscape developments of site specific plantings will typically be able to survive on reduced water requirement and survive drought conditions better than lawn areas. Lawn grass shall be planted in specific zones, and adhere to the irrigation requirements found in Section 18-1512.9(C).

When used, lawn grass shall be clean and reasonably free of weeds and noxious pests or diseases. For new developments when grass areas are to be seeded, sprigged, or plugged, specifications must be submitted to and approved by the City Manager or his designee. One hundred percent (100%) coverage must be achieved within one (1) year. Nurse grass must be sown for immediate effect and protection against soil erosion until coverage is otherwise achieved. To the maximum extent feasible, drought tolerant lawn grass species must be utilized. Solid sod only shall be required on parcels located within the Community Redevelopment Area, except where hedges or ground cover, as defined in (C) and (D) above, are utilized.

(Ord. 2227 - 5.26.94)

(F) DROUGHT TOLERANT PLANTS. For increased water conservation, the applicant shall utilize no less than fifty percent (50%) drought tolerant shrubs, ground cover, and lawn grasses, as specified on lists obtainable from City and County/State agencies. (Ord. 2227 - 5.26.94)

(G) MISCELLANEOUS MATERIAL. Non-living durable materials may be used to complement, but not to be credited as landscaping. These materials include, but are not limited to, wood chips, wood structures used to define landscape beds, walls or fences, and rocks and pebbles; paving and sand are excluded. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Section 18-1512.6. REQUIRED LANDSCAPING PRACTICES.

(A) PRESERVATION.

1. General Provisions. Where existing native vegetation in good health meets the criteria for denial of a permit for its removal under Article 4, Environmental Habitat Preservation and Enhancement, of the Land Development Code, and falls within the building or parking area, the City Manager or his designee may require a reasonable alteration of the site plan within the context of this Section in order to protect this vegetation, subject to the following conditions: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
 - (a) The proposed alteration does not create undue hardship or further limit the economic enjoyment of the subject property. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
 - (b) Credit toward meeting the minimum planting requirements is allowable for the vegetation protected by this action as described in Section 18-1512.7. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (c) Any proposed alteration of the plan for vegetation preservation shall also be reviewed and approved by other City Departments/Divisions as necessary. (Ord. 2227 - 5.26.94)
- 2. Exceptions. Where the developer has shown that sufficient steps in the planning of the site project have been taken to insure the preservation of this type vegetation and further conservation will severely limit the use of the subject property for the purposes intended, the City Manager or his designee may recommend waiving all or part of the requirements of this Section. This requirement is subject to review by and approval by the Community Redevelopment Agency for all parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94; Ord. 2615 - 07.08.99)

(B) STREETSCAPE BUFFER LANDSCAPING STANDARDS.

1. General Provisions

- (a) For purposes of this subsection, buffer landscaping shall consist of a combination of trees; shrubs; ground cover, and/or lawn grass. Additional landscaping materials may be incorporated provided these basic components are included. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (b) Detention/Retention ponds may be credited toward meeting the requirements of this Section subject to the following conditions: (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)
 - (1) A landscaped strip a minimum of five (5) feet in width shall be provided along the entire perimeter of such ponds containing a combination of trees, lawn grass, shrubs, and other acceptable ground cover. Other specific landscaping required under this section may be incorporated in combination with the above, provided that minimum planting areas and adequate spacing for proper plant growth are maintained. Trees which are planted along pond banks must be adequately spaced or grouped, in order to allow for any necessary pond maintenance. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)
 - (2) In no case shall such areas be credited more than fifty (50) percent of the square-footage requirement. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
 - (3) Detention/Retention ponds shall further conform to Article 2 and Section 18-1507.20 of the Land Development Code and other applicable regulations. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (c) Where any proposed trees fall within a right-of-way, or a drainage or utility easement, approval from the appropriate jurisdictional agency shall be required. In any case, where overhead utility lines exist, understory trees shall be the only trees counted toward meeting the requirements of this Section when planted within twenty (20) feet of the artificial line along the ground which corresponds to the location of such lines as projected vertically to the ground. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (d) Grandfather Provisions. For the purpose of this subsection, the following grandfather provisions shall apply:
- (1) Streetscape shall only be required for new construction taking place on undeveloped lots, or on lots which are undergoing building and/or vehicular use area expansion, in accordance with Section 18-1512.6(E). As used in this subsection, the term "undeveloped lot" shall mean any lot which is not improved with a permanent principal building and shall include developed lots from which such permanent principal building is hereafter removed for any reason, including damage or destruction and not replaced in accordance with Section 18-1510.1 of the Land Development Code. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
 - (2) All property with parking areas existing as of May 28, 1987, shall not be required to conform to the provisions of this Section unless building and/or vehicular use area expansion, in accordance with Section 18-1512.6(E), is occurring on the lot, or a change of use occurs which calls for an increase in the required number of off-street parking spaces. No structure shall be required to be altered or moved, except during reconstruction, to meet the provisions of this Section. (Ord. 2227 - 5.26.94)
 - (3) No parking area shall be required to lose more than ten percent (10%) of the required number of off-street parking spaces in order to achieve compliance. This provision shall not apply to parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (e) LANDSCAPE UPGRADING REQUIREMENTS FOR PARCELS LOCATED IN THE COMMUNITY REDEVELOPMENT AREA. With respect to existing parcels landscaped pursuant to and in conformance with previous landscaping standards prior to the effective date of this subsection, located within the City's Community Redevelopment Area, the City Council finds that it is in the public's interest to effect a timely improvement in the landscaping of said parcels in order to promote the goals of redevelopment. For this

reason, this subsection is intended to apply to existing parcels landscaped pursuant to and in conformance with previous landscaping standards prior to the effective date of this subsection, located within the City's Community Redevelopment Area, except as to parcels with single family residential uses. However, as an accommodation to the owners of said existing parcels, it is intended that a lesser standard of landscape upgrading be required for said parcels, depending on when the property owner commences and completes their landscape upgrading. (Ord. 2300 - 1.26.95)

- (1) All existing parcels landscaped pursuant to and in conformance with previous landscaping standards prior to the effective date of this subsection, located within the City's Community Redevelopment Area (except parcels with single family residential uses), which do not contain the landscaping that is required by Section 18-1512, will be permitted to provide greenspace and/or landscape upgrading as set forth in the following table, based on the number of years that the parcel owner utilizes to complete their required landscaping upgrading: (Ord. 2300 - 1.26.95)

If Permit is Obtained by -	And Project is Completed by -	Required Percentage of the Total Landscaping Requirements Imposed by this Section 18-1512
Jan 26, 1996	July 26, 1996	30%
Jan 26, 1997	July 26, 1997	35%
Jan 26, 1998	July 26, 1998	40%
Jan 26, 1999 (or thereafter)	July 26, 1999 (or thereafter)	50%

- (2) All landscape upgrading permitted herein shall comply with the following:
 - a. The property owner or agent shall provide landscape plans to the City. These plans may be drawn by the owner or agent unless otherwise prohibited by other applicable law or regulation. (Ord. 2300 - 1.26.95)
 - b. The property owner or agent shall apply to the City for a permit, which shall be issued at no charge. (Ord. 2300 - 1.26.95)
 - c. Unless otherwise prohibited by other applicable law or regulation, the property owner or agent shall be allowed to implement their own Landscape Upgrading

Project, in accordance with the approved permit. Any work that requires certification shall be carried out by a licensed certified contractor, such as, but not limited to, flatwork masonry specialty contractors for installation of concrete curbing, or irrigation systems specialty contractors for installation of irrigation systems. (Ord. 2300 - 1.26.95)

- d. If architectural planters are to be utilized in fulfillment of the greenspace and buffer area requirements, such use shall not exceed 50% of the greenspace and buffer area requirements. Each architectural planter shall contain at least one(1) approved tree. All planters shall have a minimum planting surface area of ten (10) square feet and depth of not less than fifteen (15) inches. Architectural planters must be provided with adequate soil, whose depth, texture, structure and Ph is capable of providing a compatible growing medium for the proposed tree. The replacement of architectural planters and the trees planted within them, as later maintenance needs arise, shall not require City approval as long as the owner or agent replaces them with acceptable new planters and trees that meet Code requirements. (Ord. 2300 - 1.26.95)

Any such replacement of architectural planters and the trees within them, however, shall require a final inspection by the Zoning Director or a designee.

- e. Where space is limited on a parcel, trellises may be utilized in fulfillment of the greenspace and buffer area requirements, but such use shall not exceed 25% of the greenspace and buffer area requirements. Trellises may be installed in landscape beds along the sides of buildings and other visible locations to enhance a landscape design. They must be designed so as not to obstruct vehicular visibility on the owner's or agent's parcel or on neighboring parcels. (Ord. 2300 - 1.26.95)
- f. The removal of asphalt or concrete to achieve compliance to the interior greenspace and buffer area requirements is encouraged, but shall not be required if the removal of asphalt or concrete would result in the loss of parking spaces, or substantially impede the operation of the owner's or agent's vehicular use area. (Ord. 2300 - 1.26.95)

- g. All landscape areas shall be protected from vehicular encroachment through the installation of at least six inch (6") high concrete curbing or other similar barriers acceptable to the Zoning Director or a designee. (Ord. 2300 - 1.26.95)
- h. For existing parcels landscaped under previous landscaping standards prior to the effective date of this subsection which cannot satisfy the interior landscaping requirements of this subsection due to physical site constraints may utilize, in fulfilling the requirements of this subsection, additional landscape buffers along the perimeter of the property over and above the minimum landscape buffers required by this Section 18-1512, which additional landscape buffers may be substituted in satisfaction of the landscaping requirements of this subsection on a pro rata basis. (Ord. 2300 - 1.26.95)
- i. All existing parcels landscaped under previous landscaping standards prior to the effective date of this subsection which cannot satisfy the landscape buffer requirements of this subsection due to physical site constraints may utilize, in fulfilling the requirements of this subsection, additional interior landscaping throughout the parcel over and above the minimum interior landscaping required by this Section 18-1512, which additional interior landscaping may be substituted in satisfaction of the landscaping requirements of this subsection on a pro rata basis. (Ord. 2300 - 1.26.95)
- j. This subsection shall not apply to the front of any existing parcel landscaped under previous landscaping standards prior to the effective date of this subsection which contains buildings with zero lot line walls and/or building fronts that extend to the street right-of-way line (particularly on lots with widths of fifty feet (50') or less), but only as to that portion of the parcel where there is no space to create landscape beds or to place planters or trellises. However, in that event, the landscape upgrading required by this subsection shall be installed on such parcels in the rear parking area(s). (Ord. 2300 - 1.26.95)

- (3) The requirements of this subsection shall be in addition to any landscaping requirements imposed under Section 18-1512.6(E) (Building and/or Vehicular Use Area Expansion). Where a property owner seeks a building area expansion and/or a vehicular use area expansion, all of the landscaping requirements of Section 18-1512.6(E) shall apply, notwithstanding that the property owner has complied with the landscaping requirements of this subsection. (Ord. 2300 - 1.26.95)
- (4) **Waivers.** In any case where the strict application of the requirements of this subsection presents an undue hardship, the owner or agent may request a waiver of one or more of the requirements imposed herein. An application for a landscape waiver shall be submitted to the Zoning Director, or a designee, and shall include a letter of explanation of the circumstances necessitating the waiver. A site plan of the property identifying existing landscaping, as well as any proposed required landscaping, shall be submitted. No fee shall be required for consideration of a landscape waiver. (Ord. 2300 - 1.26.95)
- a. In determining an application for a landscape waiver, the following criteria shall be considered: (Ord. 2300 - 1.26.95)
- [1] Public Interest; Adjacent Property. Whether granting the waiver will adversely impact the public interest or adjacent property and whether all necessary alternative measures have been or will be taken by the applicant to prevent any such impact;
 - [2] Property Size, Configuration, Natural Features. Whether the size, configuration and/or natural features of the property involved present a hardship on the development of the property;
 - [3] Hardship. Whether the need for the waiver is the result of a self-imposed hardship;
 - [4] Surrounding Property. The size, character, configuration, zoning and natural features of and use of the surrounding property.

- b. The Executive Director or a designee may approve, approve with conditions, or deny the waiver based on the criteria set forth above. In granting approval of any waiver, the Executive Director or a designee may prescribe appropriate conditions in conformity with this Article, such as providing for some amount of landscape upgrading, which may include tree(s) in architectural planters, installation of trellises, installation of hanging baskets with living plants, or a combination of these. Violation of such conditions shall be deemed a violation of this Article and punishable as provided by this Article or other applicable City Codes. (Ord. 2300 - 1.26.95)
- c. Decisions of the Executive Director or a designee on applications for landscaping waivers may be appealed to the Community Redevelopment Agency within thirty (30) days from the date of said decision, specifying the grounds therefor in writing. Such appeal shall be restricted to the record before the Executive Director or a designee. The Community Redevelopment Agency shall consider the same criteria stated herein in deciding the appeal. Any person aggrieved by the decision of the Community Redevelopment Agency may appeal to a court of competent jurisdiction in the manner provided by law. (Ord. 2300 - 1.26.95)

2. Streetscape Buffer Requirements

- (a) For the purposes of this Subsection, streetscape shall consist of all greenspace area located within the front yard, and (when applicable) the secondary front yard.
- (b) Single Family, Duplex, and Mobile Home (T-1) Residential Uses.

Streetscape Landscaping

- (1) One (1) tree is required for each fifty (50) linear feet of lot frontage or fraction thereof.
- (2) On all parcels which are required to plant two (2) trees in the streetscape area, one (1) understory tree or three (3) palm trees (in accordance with Section 18-1512.5(B)7) may be substituted for the one (1) intermediate type tree as required in Section 18-1512.5(B)5. One canopy type tree must still be planted as required.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94; Ord. 2311 - 02.23.95)

- (3) Within the streetscape area generally located between the facade of the building and the street right-of-way line, a landscape bed shall be established which is equal to two (2) square feet per linear foot of lot frontage. At least thirty percent (30%) of the landscape bed shall contain groupings of perennial shrubs and ground cover.

(Ord. 1714 - 8.13.87; Ord. 2257 - 5.26.94; Ord. 2311 - 02.23.95)

- (c) Single Family Attached, Multi-family, Mobile Home Parks (T-2) and Other Residential Uses

Streetscape Landscaping

- (1) A total landscaped area equal to at least five (5) square feet for each linear foot of lot frontage shall be required.
- (2) Such areas shall be required to contain one (1) tree for each fifty (50) linear feet of lot frontage, or fraction thereof. This requirement shall be one (1) tree for each thirty-five (35) linear feet of lot frontage or fraction thereof, for parcels located within the Community Redevelopment Area.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94; Ord. 2311 - 02.23.95)

- (3) In addition to part b. above, planting areas at least twenty (20) square feet in size containing groupings of shrubs, trees, etc. shall be placed intermittently along the facade of each dwelling unit or at the ends of each building. Such areas shall contain a minimum of three (3) shrubs and one (1) tree per dwelling unit.

- (d) Commercial, Office, Industrial, Mixed Uses, and All Other Non-residential Uses.

Streetscape Landscaping

- (1) A total landscaped area equal to at least six (6) square feet for each linear foot of lot frontage shall be required.
- (2) Such areas shall contain one (1) tree for each forty (40) linear feet of lot frontage or fraction thereof. This requirement shall be one (1) tree for each thirty-five (35) linear feet of lot frontage or fraction thereof, for parcels located within the Community Redevelopment Area.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

3. Protection From Vehicular Encroachment

- (a) Vehicular use areas shall be designed using wheel stops, bollards, and/or raised concrete curbing, to prevent the encroachment of vehicles upon or into landscaped areas. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (b) The above requirement does not apply in situations where parking rows abut. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (c) That part of a driveway which is within the right-of-way shall be exempt from this requirement. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

4. Unobstructed Visibility at Intersections

When a driveway intersects a right-of-way, or when the subject property abuts the intersection of two (2) or more rights-of-way, shrubs and ground cover shall be maintained, so as not to exceed two (2) feet in height within the visibility triangle. For definition of Visibility Triangles, refer to Section 18-1502. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

5. Exceptions

- (a) When a property line abuts an alley, natural barrier, or railroad right-of-way, the requirements of this section may be adjusted by the City Manager or his designee. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (b) Where a proposed parking area, or other vehicular use area abuts an existing hedge or wall on an abutting property, the shrub and tree requirements may be adjusted upon approval by the City Manager or his designee; however, the required landscaped strip, planted with grass, ground cover or other acceptable vegetative materials shall be maintained in all cases. The existing barrier shall meet all other applicable standards of this Ordinance and protection against vehicular encroachment shall be provided. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (c) Criteria used to determine if these requirements may be adjusted, per (a) and (b) above, are as follows:
 - (1) If the natural or man made feature(s) or the existing abutting landscape plants effectively create a buffer, thus meeting the intent of this Ordinance.
 - (2) If the natural or man made feature(s) or the existing abutting landscape plants are in good repair and/or in healthy condition.
 - (3) If the existing abutting landscape plants are composed of species acceptable by this Ordinance.

(Ord. 2227 - 5.26.94)

6. Interior landscaping requirements. An area or combination of areas equal to eight (8) percent of the total vehicular use area shall be devoted to interior landscaping. An area or combination of areas equal to ten (10) percent of the vehicular use area shall be devoted to interior landscaping, for parcels located within the Community Redevelopment Area. Interior landscaped areas shall be located in such a manner as to divide and break up the monotony of paving, to provide shaded areas and to delineate the intended traffic pattern(s). This includes only those areas that actually protrude into the parking lot and vehicular use areas, such as (but not limited to) interior and terminal landscape islands and parking row separators, that are capable of supporting trees as specified in the requirements of this Section. In no case shall less than one (1) tree for each two hundred (200) square feet or fraction thereof of such required landscaping be provided. This subsection shall not apply to single family, duplex, and mobile home (T-1) residential uses where only one (1) single driveway services the residence. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(a) Terminal Islands

- (1) Each row of ten (10) or more contiguous parking spaces shall be terminated on both ends by landscaped islands of a size not less than five (5) feet in width, as measured inside the curbing and having a length of which is consistent with that of the adjacent parking stall. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (2) Landscaping shall consist, at a minimum, of one (1) tree plus lawn grass or ground cover. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(b) Interior Islands and Greenspace Parking Row Dividers

- (1) Interior islands shall be placed within rows of contiguous parking spaces at intervals of not more than fifteen (15) spaces. (Ten (10) spaces within the Community Redevelopment Area). (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (2) Interior islands and greenspace parking row dividers shall be no less than five (5) feet in width as measured inside the curbing, and all interior islands shall have a length of which is consistent with that of the adjacent parking stall. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (3) Landscaping shall, at a minimum, consist of one (1) tree plus lawn grass or ground cover. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (c) In order to provide for more growing space for trees within vehicular use areas, the consolidation of interior landscaped islands may be permitted in parking areas, upon approval by the City Manager or his designee. These consolidated greenspace islands must primarily be located within high visibility business front streetscape locations. Criteria used to determine if interior landscaped areas may be consolidated, are as follows:
- (1) The consolidated areas must meet the intent and definition of interior landscaped areas, and must occupy at least eight percent (8%) of the total vehicular use area; or ten percent (10%) in the Community Redevelopment Area.
 - (2) The consolidated areas must offer increased growing area for the roots of trees, thus allowing for larger shade producing canopy type trees to grow and function within vehicular use areas.
 - (3) By consolidating interior landscaped areas, the internal function and design of specialized vehicular use areas (i.e. truck depot yards, auto auctions, etc.) will be more efficient.

(Ord. 2227 - 5.26.94)

(C) BUFFER LANDSCAPING STANDARDS.

1. **APPLICABILITY.** All development shall provide buffer landscaping along the perimeters of the parcel according to Table I. To use the table, locate the appropriate zoning district on the left side of the table of the property to be developed. Next, identify the zoning of the abutting property to each side of the subject property. The number or letter located at the intersection of the corresponding row and column indicates the required Landscaping Standard applicable for the abutting property (see the notes to the table). Depending on the zoning of the adjacent property, the buffering may be different along each property line. In any case where this subsection conflicts with the standard landscaping requirements, the requirements of this Section shall govern. In addition, buffer landscaping required in this Section may be utilized to fulfill the requirements of the buffer landscaping in Section 18-1512.6(B).

If the abutting property is zoned RPUD, CPUD, or IPUD, the buffer landscaping standards to be applied shall be the same standards applied to that zoning district in Table 1 that is the most similar in development to the subject RPUD, CPUD, or IPUD.

(Ord. 2227 - 5.26.94)

BUFFER LANDSCAPING STANDARDS

TABLE 1

DEVELOPING PROPERTY	ADJACENT PROPERTY																										
	F	RE	RR	R-1	R-2	R-3	R-4	R-5	R-6	R-7	T-1	T-2	ROR	MXD	MXD-1	MXD-2	TC	CN	GO	B-1	CH	M-1	IH	P	OS	PRES	
F	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
RE	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3	3	
RR	1	1	1	1	1	1	1	1	1	1	1	1	1	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-1	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-2	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-3	1	1	1	1	1	1	A	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-4	A	A	A	1	1	1	1	A	A	A	A	A	A	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-5	B	B	B	B	B	B	A	A	A	A	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-6	B	B	B	B	B	B	A	A	A	A	B	B	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
R-7	B	B	B	B	B	B	A	A	A	A	A	A	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
T-1	B	B	B	B	B	B	A	A	A	A	1	A	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
T-2	B	B	B	B	B	B	A	A	A	A	A	1	B	B	B	B	B	B	B	B	B	B	B	1	3	3	
ROR	A	A	A	B	B	B	B	B	B	B	B	B	1	1	1	1	1	1	A	A	A	B	B	B	1	3	3
MXD	A	A	B	B	B	B	B	B	B	B	B	B	1	1	1	1	1	1	A	A	A	B	B	B	1	3	3
MXD-1	A	B	B	B	B	B	B	B	B	B	B	B	1	1	1	1	1	1	A	A	A	B	B	B	1	3	3
MXD-2	B	B	B	B	B	B	B	B	B	B	B	B	1	1	1	1	1	1	A	A	A	B	B	B	1	3	3
TC	B	B	B	B	B	B	B	B	B	B	B	B	1	1	1	1	1	1	A	A	A	B	B	B	1	3	3
CN	B	B	B	B	B	B	B	B	B	B	B	B	A	A	A	A	A	A	1	A	A	B	B	B	1	3	3
GO	C	C	C	C	C	C	C	C	C	C	C	C	B	A	A	A	A	A	1	A	B	B	B	1	3	3	
B-1	C	C	C	C	C	C	C	C	C	C	C	C	B	A	A	A	A	A	1	A	B	B	B	1	3	3	
CH	C	C	C	C	C	C	C	C	C	C	C	C	B	B	B	B	B	B	B	B	1	B	B	1	3	3	
M-1	D	D	D	D	D	D	D	D	D	D	D	D	C	C	C	C	C	C	B	B	B	B	1	1	1	3	3
IH	D	D	D	D	D	D	D	D	D	D	D	D	C	C	C	C	C	C	B	B	B	B	1	1	1	3	3
P	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
OS	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	1	1	
PRES	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1	1	1	

NOTES FOR TABLE 1

- 1 Refer to Section 18-1512.6(C)2.(a) for specific buffering requirements.
- 2 Buffering/landscaping requirements shall be established on a case-by-case basis. In determining which standard to use, the City Council shall consider the following criteria and standards:

Criteria.

- (a) If the proposed use will cause adverse impacts (e.g. visual, noise, smell) to the abutting property.
- (b) If the proposed use will cause adverse impacts (e.g. sedimentation, pollution, erosion) to the natural environment of the abutting property.
- (c) If the proposed use will cause a potential safety hazard to abutting property, making a buffer area necessary.

The buffering/landscaping requirements shall, however, at a minimum, meet the requirements of Standard "A".

- 3 Refer to Section 18-408 and Section 18-1512.6(C)2.(a) for specific buffer requirements.
- A Refer to Section 18-1512.6(C)2.(b)
- B Refer to Section 18-1512.6(C)2.(c)
- C Refer to Section 18-1512.6(C)2.(d)
- D Refer to Section 18-1512.6(C)2.(e)

(Ord. 2227 - 5.26.94)

2. BUFFER LANDSCAPING STANDARDS.

- (a) Parking Lot and Vehicular Use Area Buffer Landscaping. Whenever a vehicular use area is not entirely screened from an abutting property, right-of-way, or residential or mixed use zoning district by an intervening building, the following landscaping shall be provided between the abutting property or right-of-way and the exposed vehicular use area. This subsection shall not apply to single family, duplex, and mobile home (T-1) residential uses where only one (1) single driveway services the residence. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)
- (1) As defined for purposes of this Subsection, vehicular use areas shall include all areas used for parking, circulation and/or display of any and all types of vehicles, boats, or heavy construction equipment, or other machinery capable of movement over streets and highways, whether self-propelled or not, and all areas upon which such vehicles traverse as a function of the primary uses of the related structures or properties. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (2) A landscaped strip being an average of five (5) feet in width, with a minimum width of three (3) feet shall be located between the common lot line and vehicular use area, and shall contain: (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)
- a. One (1) tree for each forty (40) linear feet of lot frontage or fraction thereof along rights-of-way is required; and one (1) tree for each fifty (50) linear feet of exposed area or fraction thereof along abutting properties. This requirement shall be one (1) tree for each thirty-five (35) linear feet of lot frontage or fraction thereof along rights-of-way, and/or one (1) tree for each fifty (50) linear feet of exposed area or fraction thereof along abutting properties, for parcels located within the Community Redevelopment Area. Such trees shall be planted in a planting area with a minimum interior dimension of five (5) feet, and (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- b. A hedge, which shall form a continuous screen between the vehicular use area and abutting properties or rights-of-way, is required. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)

c. The remainder of the required landscaped strip shall be landscaped with grass, ground cover, or other acceptable vegetative materials. Paving, sand, pebbles, or rocks are not acceptable materials. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(3) The landscaping requirements of this subsection shall not apply to the extent the abutting property is an alley. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(b) Landscaping Standard A

A buffer strip a minimum of five (5) feet in width shall be parallel to and abutting the entire length of the side and rear property lines. This buffer strip shall contain: a continuous hedge, and one (1) tree for each fifty (50) linear feet or fraction thereof. This buffer strip shall contain a continuous hedge, and one (1) tree for each thirty-five (35) linear feet or fraction thereof, for parcels located within the Community Redevelopment Area. (Ord. 1714 8.13.87; Ord. 2227 - 5.26.94)

(c) Landscaping Standard B

A buffer strip a minimum of six (6) feet in width shall be parallel to and abutting the entire length of the side and rear property lines. The buffer strip shall contain the following: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(1) A continuous hedge; or shrubbery planted in groupings of four (4) or more to maximize the physical effectiveness and soften the visual impact of the buffer, provided that at least forty (40) percent of the length of the buffer strip is filled with shrubs. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(2) A solid masonry wall, solid fence or permanent planting screen six (6) feet in height shall be included in this buffer strip. Such a wall or fence shall further comply to other applicable height and setback requirements. If a landscape planting screen is utilized and composed of continuous evergreen shrub plants at least six (6) feet in height at the time of planting, the continuous hedge or shrubbery requirements of subsection (1) above shall not apply. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (3) One (1) tree shall be planted within this buffer strip for each fifty (50) linear feet or fraction thereof of required buffer. This requirement shall be one (1) tree for each thirty-five (35) linear feet or fraction thereof, of required buffer, for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (4) The remainder of the buffer strip shall be landscaped with grass, ground cover or other acceptable vegetative materials. Paving, sand, pebbles, or rocks are not acceptable materials. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(d) Landscaping Standard C

A buffer strip a minimum of eight (8) feet in width shall be parallel to and abutting the entire length of the side and rear property lines. The buffer strip shall contain the following: (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

- (1) A continuous hedge; or shrubbery planted in groupings of four or more to maximize the physical effectiveness and soften the visual impact of the buffer, provided that at least sixty (60) percent of the length of the buffer strip is filled with shrubs. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (2) A solid fence or masonry wall six (6) feet in height. Such a wall or fence shall further comply to other applicable height and setback requirements. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (3) One (1) tree shall be planted within this buffer strip for each forty (40) linear feet or fraction thereof of required buffer. This requirement shall be one (1) tree for each thirty-five (35) linear feet or fraction thereof, of required buffer, for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (4) The remainder of the buffer strip shall be landscaped with grass, ground cover or other acceptable vegetative materials. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(e) Landscaping Standard D

A buffer strip a minimum of eight (8) feet in width shall be parallel to and abutting the entire length of the side and rear property lines. The buffer strip shall contain the following: (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)

- (1) A continuous hedge or shrubbery planted in groupings of four (4) or more in order to maximize the physical effectiveness and soften the visual impact of the buffer, provided that at least sixty (60) percent of the length of the buffer strip is filled with shrubs. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)
- (2) A solid masonry wall eight (8) feet in height. Such a wall shall further comply to other applicable height and setback requirements. (Ord. 2227 - 5.26.94)
- (3) One (1) tree shall be planted within this buffer strip for each forty (40) linear feet or fraction thereof of required buffer. This requirement shall be one (1) tree for each thirty-five (35) linear feet or fraction thereof of required buffer, for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
- (4) The remainder of the buffer strip shall be landscaped with grass, ground cover or other acceptable vegetative materials. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(D) LANDSCAPING STANDARDS FOR OPEN GROUND AREAS.

1. **APPLICABILITY.** All open ground areas on any site, including those areas intended as pervious surfaces meeting lot coverage requirements, yard areas, open ground areas disturbed by construction and other similar areas where such landscaping is appropriate and feasible, shall conform to the minimum requirements provided herein. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
2. **REQUIREMENTS.** Open ground surfaces shall be provided with coverage of a combination of grass, ground cover, shrubs, or other approved landscaping materials and trees. The quantity of required tree replants will be based on requirements defined in Article 4, Environmental Habitat Preservation and Enhancement, of the Land Development Code. Materials that prevent or inhibit to a reasonable degree the percolation of water into the soil shall not be considered acceptable for the treatment of these areas. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
3. Any lot from which a building is demolished or moved shall be seeded with grass seed or sodded in a timely manner of the date of completion of the removal of the building. (Ord. 2227 - 5.26.94)

(E) LANDSCAPE STANDARDS FOR SITES PROPOSING BUILDING AND/OR VEHICULAR USE AREA EXPANSION. All parcels proposing building and/or vehicular use area expansion, must complete the following steps. This subsection shall not apply to single family, duplex, and mobile home (T-1) residential uses where only one (1) single driveway services the residence. (Ord. 2227 - 5.26.94)

1. Compute the actual Project Percentage by dividing the total cost of the project by the current assessed value of the property from the files of the Pinellas County Property Appraiser. (Ord. 2227 - 5.26.94)

$$\frac{\text{Total Cost of Project}}{\text{Current Assessed Value}} \times 100 = \text{Project Percentage}$$

2. Determine the Threshold Percentage from the following table according to the current assessed value of the applicant's property: (Ord. 2227 - 5.26.94)

<u>THRESHOLD PERCENTAGE</u>	<u>CURRENT ASSESSED VALUE</u>
50%	Up to \$ 49,999.99
45%	From \$ 50,000.00 to 99,999.99
40%	From \$100,000.00 to 149,999.99
35%	From \$150,000.00 to 199,999.99
30%	From \$200,000.00 to 249,999.99
25%	\$250,000.00 or more

3. If the computed Project Percentage is equal to or exceeds the Threshold Percentage, the applicant will be required to comply with all landscape requirements specified in Section 18-1512 of the Land Development Code. (Ord. 2227 - 5.26.94)
4. If the computed Project Percentage falls between one half (1/2) of the Threshold Percentage and the Threshold Percentage, then at least one half (1/2) of the specified buffer and interior greenspace area, and tree and shrub planting and spacing requirements specified in Section 18-1512 of the Land Development Code shall be installed. The size of all plant materials shall conform to applicable Code requirements. Also, solid fences and walls which are required by Code shall conform to the usual specified Code requirements. (Ord. 2227 - 5.26.94)

Section 18-1512.7. TREE AND NATIVE VEGETATION PRESERVATION REQUIREMENTS.

The following landscaping practices are required for the retention of existing, natural vegetation to the maximum extent possible. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(A) Where healthy trees and native vegetation of desirable species exist, it shall be required to the maximum extent possible that they be retained on the site and to be credited toward meeting the required number of trees required by Code. In all cases, for each healthy native Florida tree which is 1 1/2 inches DBH or greater, and preserved on the site as part of the final landscaping, the applicant will receive one (1) tree credit. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

1. Palms shall be allowed credit as follows:

For palm species listed in Section 18-1512.5(B)(7) having a height of eight (8) feet or greater, which are preserved on a site, a credit of one (1) understory tree shall be allowed for every three (3) existing palms preserved. Credit for other palms native to Florida and indigenous to Pinellas County may be allowed to meet tree planting requirements as determined by the City Manager or his designee where the height, species, location and other factors can be effectively utilized to meet the intent of this Section. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

Criteria used to determine if other species will be acceptable are as follows:

- (a) If the palm(s) will survive the temperatures and the physical climate experienced in the Pinellas Park area.
- (b) If the palm(s) will tolerate insect, disease and other pests experienced in the Pinellas Park area.
- (c) If the palm(s) will tolerate and survive within the soils found on the particular site.

2. Where existing trees are to be credited toward the minimum requirements of this section, the following table shall be used to determine the minimum undisturbed area to remain after construction. Tree protection standards required by Article 4 (Environmental Habitat Preservation and Enhancement) of the Land Development Code may require a larger area to be protected during construction.

(Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

EXISTING TREE AREA REQUIREMENTS

Tree Size (DBH)	1½" to 6"	7" to 12"	13" and above
Total area - single tree	150 SF	400 SF	625 SF
Additional area (per tree) - More than one in a group	50 SF	100 SF	200 SF
Minimum setback from trunk to perimeter	5 feet	7 feet	10 feet

SF = Square Feet

DBH = Tree Trunk Diameter in inches, measured at Breast Height, four and one-half (4½) feet above original grade.

These standards are minimum requirements. To increase the survival chances for larger trees (twelve (12) inches DBH or greater) intensive tree care during the recovery period may be necessary. In all cases the owner/developer must take all steps necessary to assure survival of those trees designated to remain on site. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

3. The location of the existing tree(s) on the site in relation to existing and proposed improvements shall govern the specific application of credit toward the locations of tree planting requirements. Credit for existing trees will be given on a 1 for 1 basis depending on the location of the existing trees and how they meet the intent of the Code. (Ord. 2227 - 5.26.94)

Section 18-1512.8. ALTERNATIVE LANDSCAPING PRACTICES. The following alternative landscaping practices are permitted to further encourage the use of innovative landscape designs. (Ord. 2227 - 5.26.94)

(A) Architectural planters may be utilized in fulfillment of the open space requirement for a particular Zoning District; however, in no case shall the use of such architectural planters exceed ten percent (10%) of the open space area requirement. Architectural planters shall contain a surface area of not less than ten (10) square feet and shall have a minimum height of not less than fifteen (15) inches. Architectural planters must be provided with adequate soil, whose depth, texture, structure, and Ph is capable of providing a compatible medium for the proposed landscape plants. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(B) Where existing natural vegetation and/or topographic features (e.g.-wetlands, uplands) are preserved and incorporated into the landscaping scheme so as to meet the intent of this Section, one or more of the requirements contained in this Ordinance, concerning Streetscape Landscaping, Interior Landscape Areas, or Buffer Landscaping may be waived (for special provisions, refer to Section 18-408, Environmental Habitat Preservation and Enhancement, (D) Upland Buffers Adjacent To Wetlands and (E) Upland Preservation Areas). (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(C) The use of an earthen berm in lieu of a wall or fence is acceptable provided that the following design standards are followed:

1. Such a berm shall be constructed at a 4 to 1 slope and shall have a minimum height of three (3) feet. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
2. The sides shall be covered in either grass or ground cover. (Ord. 1714 - 8.14.87; Ord. 2227 - 5.26.94)
3. The top of the berm shall be planted with shrubs of a height so that the overall height of the berm and shrubs is equal to six (6) feet from the original grade. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
4. All other Sections of this Code shall apply, including tree planting requirements. (Ord. 2227 - 5.26.94)

(D) The City Manager or his designee may reduce the requirement for off-street parking spaces within any zoning district when trees of value are endangered. A tree of value shall be any tree of eight (8) inch DBH or greater, and of any species identified in this Section as being acceptable. In no case shall this reduction exceed ten percent (10%) of the required number of parking spaces, except for parcels located within the Community Redevelopment Area. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(E) The use of turf blocks as a means of preserving existing trees and shrubbery is permitted, provided that the developer follows proper design criteria according the manufacturer's specifications for installation of such, and upon approval by the City Engineer or his designee. (Ord. 1714 - 8.13.87; Ord. 2227 -5.26.94)

Section 18-1512.9. INSTALLATION AND MAINTENANCE REQUIREMENTS.

(A) All required landscaping shall be installed according to generally accepted planting procedures and shall be installed so as to meet all applicable Ordinances and Code requirements. (Ord. 2227 - 5.26.94)

(B) In order to provide increased moisture retention within the root balls of newly planted and immature trees and shrubs and to further increase the probability of survival and proper growth of such vegetation, a minimum of two (2) inches thickness of mulch no less than twenty-four (24) inches beyond the trunk or stem of all newly planted trees or shrubs shall be installed and maintained. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(C) All landscaped areas shall be provided with an approved automatic irrigation system or available water supply with at least one hose connection within fifty (50) feet of all plant material to be maintained. Individual planters and isolated planting areas shall have appropriate irrigation sources provided within each separate planting area. An automatic irrigation system must be utilized on all parcels with non-residential and mixed uses, and any multi-family uses greater than one-half (1/2) acre in size. Hose bibs may be utilized for irrigation of single family, mobile home subdivisions (T-1), duplex, and multi-family zoned parcels of one-half (1/2) acre or less in size. (Ord. 1714 - 8.13.87; Ord. 2311 - 02.23.95)

1. All irrigation systems shall be maintained in an operable condition capable of providing adequate irrigation to landscaped areas as required. All inoperable irrigation systems and components thereof shall be promptly repaired or replaced such that adequate coverage of landscaped areas is restored. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)
2. To conserve water, all applicants must conform to Xeriscape landscape designs to the greatest extent feasible.

Xeriscape is defined as water conservation through creative landscaping. It specifically addresses seven (7) steps.

- (a) Carefully planned design.

- (b) Selection of appropriate plants for placement in three (3) distinct water consumption zones.

Natural Zone - Least watering - plants live on natural rainfall.

Drought Tolerant Zone - Little watering - plants only need watering during periods of extended drought.

Oasis Zone - Frequent watering - lawn grass, fruit and vegetable gardens

- (c) Improve the soil with compost, peat, manure, top soil.
- (d) Use of turf wisely only in recreation and leisure areas.
- (e) Irrigation, efficiently utilizing the zones and providing low volume irrigation systems.
- (f) Use mulches around all plants.
- (g) Practice proper maintenance by not over watering and over fertilizing.

(Ord. 2227 - 5.26.94)

3. The applicant shall utilize efficient irrigation relying on proper irrigation system design and the appropriate equipment. Irrigation systems shall be zoned so that plant groupings can be watered separately, according to the area's need. "Bubblers", micro-sprays, or a drip system can help provide efficient water use. Water needs change, and automatic shut-off devices shall be installed so that landscapes are not irrigated during periods of rain. (Ord. 2227 - 5.26.94)
4. No private inground irrigation systems shall be permitted within any public right-of-way. (Ord. 2227 - 5.26.94)
5. No inground irrigation system shall be permitted to connect to the City Potable Water System. Refer to Section 10-128 of the City Code of Ordinances, for variance procedure for single family residences. (Ord. 2311 - 02.23.95)

(D) Landscaping plants, trees, and other material shall be maintained in a healthy, growing condition or shall be promptly replaced within thirty (30) days. This replacement requirement includes all trees and shrubs, which fall below Florida Grade 1 or better standards, and whose above ground portion dies back to fifty percent (50%) or less of living canopy. Top pruning or other severe pruning or maintenance practice(s) of landscaping materials that results in stunted, abnormal, or other unreasonable deviation from the normal healthy growth of trees, shrubs, and other required landscaping components shall be considered as the destruction of these materials and replacement shall be required as described herein or in Article 4 Environmental Habitat Preservation and Enhancement of the Land Development Code. All new and existing trees,

shrubs, and other ground cover located within parcels so designated as wetlands preservation areas, uplands preservation areas, upland buffer adjacent to wetlands, and other City, State, or County designated wildlife preservation areas, which are credited in this Section 18-1512 and Article 4, of the Land Development Code and in Chapter 12 of the City's Code of Ordinances, shall remain under management as specified by an approved management or landscape plan. This shall include the continued removal of invading nuisance exotic plant species as needed, and as required by the original approved plan. Failure of the owner of the property to maintain the premises in good condition, as set forth above, shall make him liable for the penalties as set forth by this Code the City's Code of Ordinances. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(E) No landscaped area may be abandoned, paved, encroached upon by vehicular traffic, or otherwise employed, without submission of a site plan and approval by the City pursuant to the procedures set forth herein. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(F) It shall be the responsibility of the owner, tenant, or agent of developed properties to maintain the right-of-way area beyond the property line contiguous to the site. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)

(G) All provisions of this Section 18-1512 shall apply and remain enforceable notwithstanding changes in property ownership. (Ord. 2227 - 5.26.94)

Section 18-1512.10. WAIVERS.

(A) In any case where the strict application of the requirements of this Section present an undue hardship, the City Council, or the Community Redevelopment Agency, for parcels located within the Community Redevelopment Area, may waive one or more of the requirements imposed under this Section. To apply for a Landscape Waiver, the applicant must provide copies of the Site/Landscape Plan, and pay the applicable fees. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94; Ord. 2615 - 07.08.99)

(B) In determining whether any requirements of this Section should be waived, the City Council or Community Redevelopment Agency shall consider the following criteria:

1. Purpose of Requirement. Whether the purpose of the requirement is otherwise fully achieved, or more important purposes of this Ordinance, the Comprehensive Plan, or the Community Redevelopment Plan will be served thereby, or the requirement serves no valid public purpose in the particular case;
2. Public Interest, Adjacent Property. The waiver will not create an adverse impact; on the public interest or on the adjacent property, and all necessary alternative measures shall be taken by the applicant to prevent any such impact.
3. Property Size Configuration, Natural Feature. Whether the size, configuration, and/or natural features of the property involved present a hardship on the development of the property;

4. Surrounding Property. The size, character, configuration, zoning, natural features of and use of the surrounding property; and
5. Hardship. Whether the need for the waiver is the result of a self-imposed hardship.

(Ord. 2227 - 5.26.94)

(C) The City Council or Community Redevelopment Agency may approve, approve with conditions, or deny the waiver based on the standards set forth above. In granting approval of any waiver, the City Council or Community Redevelopment Agency may prescribe appropriate conditions and safeguards in conformity with this Article. The City Council or Community Redevelopment Agency may require the developer to install additional buffering in order to reduce or eliminate the adverse impact of the proposed use upon the adjacent uses and to the area. Violation of such conditions and safeguards, when made a part of the terms under which the waiver is approved, shall be deemed a violation of this Article and punishable as provided by this Article or other applicable City Codes. (Ord. 2227 - 5.26.94)

(D) Expiration. Approval of a waiver as required by this Section shall expire and be void one (1) year after the date of such approval unless (i) a valid building permit(s) for construction is then in effect, or (ii) occupancy has not been lawfully established on the site. Additionally, the applicant must complete all landscape conditions as required by the City Council or Community Redevelopment Agency within one (1) year of the date of approval. (Ord. 2227 - 5.26.94)

(E) Decisions of the City Council or the Community Redevelopment Agency may be appealed by the Circuit Court within thirty (30) days from the date of said decision, for review by certiorari, not de novo. Such appeal to the circuit court shall be restricted to the record before the City Council or the Community Redevelopment Agency. (Ord. 1714 - 8.13.87; Ord. 2227 - 5.26.94)