

22.18 Landscaping, New Developments

(1) PLAN REQUIRED. (Am. #38-02) Whenever new development is New Developments Not Subject to Municipal Code §22.15. New developments that are not required by Municipal Code §22.15 to undergo site and architectural plan review ~~plans under sec. 22.15, a landscape plan by the Plan Commission must comply with the following~~ landscaping requirements:

(a) Required Plantings.

(i) Single-Family Developments. Single-family residential developments shall ~~also be required as part of the~~ provide seeded or sodded lawns for each lot ~~unless the lawns are registered as Natural Lawns pursuant to Municipal Code §17.04(4)(d)2.~~

(ii) Two-Family Developments. Two-family residential developments shall provide seeded or sodded lawns for each lot unless the lawns are registered as Natural Lawns pursuant to Municipal Code §17.04(4)(d)2, and at least two trees each in the street yard and the rear yard.

(b) Completion before Occupancy. Landscaping shall be completed before occupancy is allowed, unless the Chief Building Inspector in his or her sole discretion grants temporary occupancy, in writing, after a showing by the applicant of good cause why landscaping cannot not be completed before occupancy. The Chief Building Inspector may impose conditions on the temporary occupancy to encourage prompt completion of landscaping.

(c) Letter of Credit to Secure Completion. A standby letter of credit in favor of the City in the amount of 120% of the estimated cost of labor and materials needed to complete the landscaping shall be furnished to the City, conditioned on the completion of landscaping as required by this section. The letter of credit shall be in a form acceptable to the City, and shall be furnished before any building permit is issued. The letter of credit must be maintained in full force and effect until all landscaping required by this section is complete.

(d) Maintenance. All plant materials shall be tended and maintained in a healthy growing condition. Plantings shall be kept free from refuse and debris.

(1)(2) New Developments Subject to Municipal Code §22.15. All new developments that are required by Municipal Code §22.15 to undergo site and architectural ~~plans. One family and two family dwellings are subject to the requirements of subsections (4) and (12).~~ plan review by the Plan Commission must include a landscape plan that complies with this section with the materials submitted for the site and architectural plan review, and approval of the landscape plans by the Plan Commission shall be required before building permits may be issued for the development.

(a) CONTENTS OF LANDSCAPE PLAN. Format of Landscape Plans shall. Landscaping plans submitted pursuant to this subsection (2) shall:

(i) Be drawn to scale ~~and shall include the following information:~~

(ii) Include:

(A) The address or tax key number of the property.

(A)(B) The name and address of the ~~property owner, the landscape architect or designer who prepared the plan~~ preparer.

(B)(C) The name of the ~~proposed project~~ development, if any.

(C)(D) The date of the ~~landscape preparation~~ plans and any revisions thereto.

(D)(E) A ~~graphic scale and~~ a north ~~point~~ arrow, and a legend explaining symbols used in the plan.

~~(b) A legal description of the property.~~

(i)(iii) Show the location and size of all existing deciduous trees ~~five (5)~~ inches or larger in diameter at ~~four and one half (4½)~~ 4½ feet above grade; all existing coniferous trees 10 feet or greater in height, and the boundaries of any existing woodlots.

(ii)(iv) ~~Identification of~~ Identify all trees to be ~~moved~~ relocated or ~~destroyed~~ removed.

(iii)(v) ~~The location~~ Show the locations of all proposed plantings.

(iv)(vi) ~~A planting schedule showing all symbols intended to represent plantings;~~ Include a table showing quantities of plant materials, size and caliper of plant materials, root specifications, and special planting instructions.

~~(e) Show typical sections and details of fences, ~~tie~~walls, planting boxes, retaining walls, tot lots, picnic areas, berms, and other landscape improvements.~~

(i)(vii) ~~Typical sections of~~ landscape islands ~~and planter beds,~~ planting beds, foundation plantings, and other landscape improvements, identifying materials to be used.

~~(d) Details of planting beds and foundation plantings.~~

(i)(viii) ~~Delineation of~~ Delineate sodded, seeded, and wooded areas, ~~seeded areas, and wilderness areas~~ indicating square footage of each, materials to be used, and seed mixtures.

~~(e) Where landscape or man-made materials are ~~Include a cross-section of landscaping or structures~~ used to provide ~~required~~ screening or buffers from adjacent properties or ~~pub lie~~ public rights-of-way, ~~a cross-section shall be provided drawn to a recognized~~~~

~~engineering or architectural scale illustrating the perspective of the site from the neighboring property and property line elevation.~~

~~(i)(ix) Details concerning the appropriate screening of trash dumpsters and mechanical equipment. Trash dumpsters and rooftop and grade level mechanical equipment should be installed to be unobtrusive and should be screened from public or buffered view. Trash dumpsters should be screened on at least three sides by a solid wall or fence. The height of the wall or fence should at least equal the height of the dumpster.~~

~~(b) **RELATION TO OTHER PLANS.** All landscape plans shall be integrated with other required **Modification and Approval by Plan Commission.** The Plan Commission may require modification of any landscape plan as a condition of its approval of the plan. The Plan Commission shall, at a minimum, observe the following factors in the exercise of its discretion:~~

~~(i) Compliance with the requirements of this section.~~

~~(ii) The landscape plan's coordination with, and integration into, the development's grading, drainage, buffer, screening, lighting, site, parking, and signage plans.~~

~~(2) **REQUIRED LANDSCAPE PLANTING.** (Am. #38-02) The number of plant materials required in order to achieve an appropriate and complete landscape plan for a site shall be provided so that plant materials shall consist of a mixture of trees, shrubs, and ground cover as approved by the Plan Commission. Two family residential development shall provide a minimum of two trees located in the front yard, two trees located in the rear yard, and seeded lawns for each lot. One family residential development shall provide seeded or sodded lawns for each lot unless the property in question is registered as a Natural Lawn pursuant to section 17.14(6)(b) of the Municipal Code. Multi family residential, business, industrial, institutional, and park development shall plant appropriate trees, shrubs, and ground cover as approved by the Plan Commission based on the size of the project.~~

~~(iii) **REQUIRED BUFFER PLANTING.** Plant materialsInterference with vehicles, driver vision, street and highway signs, pedestrian ways, and other public safety and convenience considerations.~~

~~(iv) The appropriateness of the landscape plan to the development's overall character and the character of the surrounding area, in variety, quantity, and quality.~~

~~(v) The effectiveness of the landscape screening of trash enclosures and at-grade mechanical equipment.~~

~~(vi) The potential for interference with utilities, solar or wind generation facilities, antennas, or neighbor's light and air requirements, both as-installed and after the plantings have reached mature size.~~

(vii) The inclusion of disease-prone species or cultivars, or invasive species.

(c) Landscaping Standards. All landscaping done pursuant to this subsection (2) shall meet the following standards:

(i) Landscaping required for buffering or screening shall be in accordance with Section Municipal Code §22.14(3-) and §17.09(1)(j)(ii), as applicable.

(3) MINIMUM SIZE OF PLANTINGS. All plantings under this subsection shall be in accordance with the following:

(i)(ii) Deciduous trees shall be a minimum size of ~~two and one half (2½)~~ 2½ inches in diameter at ~~four and one half (4½)~~ ½ feet above grade.

(ii)(iii) Coniferous trees shall be a minimum of ~~six (6)~~ feet in height.

(iii)(iv) Shrubs shall be a minimum of ~~eighteen (18)~~ inches in height or spread.

(iv)(v) Ornamental trees shall be a minimum size of ~~one and one half (1½)~~ 1½ inches in diameter at ~~four and one half (4½)~~ ½ feet above grade.

(v)(vi) METHOD OF INSTALLATION. All deciduous and coniferous trees shall be ~~ball~~ delivered balled and ~~burlap, and burlapped,~~ staked and guyed, and generally installed in accordance with the American Association of Nurserymens Standards. Standard for Nursery Stock (ANSI Z60.1). Trees may also be transplanted with use of a tree spade. All shrubs shall be ~~ball~~ delivered balled and ~~burlap, burlapped~~ or potted.

(4) SODDING AND GROUND COVER. All open areas not occupied by buildings, parking, or storage shall be sodded. Exceptions to this requirement may be permitted when:

(a) Areas are intended for future expansion in which case the areas shall be seeded, or seeded with grass and protected from soil erosion; and ~~maintained with grass.~~

(i)(vii) undisturbed areas containing existing natural vegetation shall be maintained and kept free of ~~foreign debris~~ and noxious ~~materials~~ weeds.

(ii)(viii) SLOPES AND BERMS. Slopes and berms steeper than ~~one (1) foot vertical for each three (1:3) feet horizontal~~ shall ~~are~~ not be permitted without special treatment, such as terracing or retaining walls, ~~as~~ approved by the Plan Commission.

(iii)(ix) PLANT PROTECTION. All planting beds shall be provided with weed barriers, ~~mulched, and provided with~~ a permanent edge or curbing, and be mulched.

(5) LOCATION OF TREES. In determining the location of trees, the mature height and the distance between the trees shall be considered.

(x) IMPLEMENTATION OF LANDSCAPE PLANS. (Am. #38-02) Trees shall be located taking into account their mature size.

(d) Completion before Occupancy. Landscaping shall be ~~completed within one (1) year of the date of~~ completed before occupancy ~~of the development or in the event that the development contains more than one unit, the last unit of the development.~~ Except with regard to one-family dwellings, an irrevocable is allowed, unless the Chief Building Inspector in his or her sole discretion grants temporary occupancy, in writing, after a showing by the applicant of good cause why landscaping cannot not be completed before occupancy. The Chief Building Inspector may impose conditions on the temporary occupancy to encourage prompt completion of landscaping.

(a)(e) Letter of Credit to Secure Completion. A standby letter of credit ~~or surety bond~~ in favor of the ~~sum~~ City in the amount of ~~twice~~ 120% of the estimated ~~amount~~ cost of labor and materials needed to complete the landscaping shall be furnished to ~~guarantee the installation~~ City, conditioned on the completion of landscaping as ~~shown on the approved landscape plan required by this section.~~ The ~~irrevocable~~ letter of credit ~~or surety bond~~ shall be in a form ~~as is~~ acceptable to the City ~~to allow the City to secure the committed funds if there is a default. The irrevocable letter of credit or surety bond, and~~ shall be furnished before any building permit ~~will be~~ is issued ~~and shall not expire and will be.~~ The letter of credit must be maintained in full force and effect until ~~the~~ all landscaping required by this section is complete ~~in accordance with the approved landscape plan.~~

(b)(f) Maintenance. All plant materials shall be tended and maintained in a healthy growing condition. Plantings shall be replaced when necessary and kept free from refuse and debris. All planting material which is dying or damaged beyond recovery shall be replaced within ~~six~~ 6 months or by the next planting season, whichever comes first.

(e)(g) LANDSCAPING PROHIBITED. Private Landscaping on City Property Prohibited. No private landscaping shall be permitted within City rights-of-way or utility easements, or drainage easements ~~or rights-of-way~~ except ~~with the approval by~~ written permission of the City Engineer.