

**City of Delray Beach**

**Section 4.6.16      Landscape Regulations**

(A) **Purpose:** The objective of this article is to improve the appearance of setback and yard areas in conjunction with the development of commercial, industrial, and residential properties, including off-street vehicular parking and open-lot sales and service areas in the City, and to protect and preserve the appearance, character and value of the surrounding neighborhoods and thereby promote the general welfare by providing minimum standards for the installation and maintenance of landscaping.

This Section also provides minimum standards for nonconforming sites and requires the upgrading of the landscaping on these properties, to the extent physically possible, within three (3) years.

This Section is further intended to fulfill objectives as contained within Conservation Element of the Comprehensive Plan, by providing for: the conservation of potable and non-potable water; the implementation of xeriscape landscaping principles; proper tree selection adjacent to or within utilities to mitigate damages which may be caused by trees; 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. **[Amd. Ord. 50-98 1/5/99]**

The provisions of this Section are minimum standards which may be increased in accordance with the guidelines contained herein as well as aesthetic criteria established by the Site Plan Review and Appearance Board and the Historic Preservation Board when applicable. Additional landscape requirements may be required for certain zoning districts and roadways as provided for elsewhere in these regulations.

(B) **Applicability**: The provisions of this Section shall apply as follows:

(1) To the construction of single family homes, for which a building permit is applied for on or after October 1, 1990. Such properties shall comply with minimum standards set forth in Section 4.6.16(H)(1) and other applicable sections of 4.6.16; **[Amd. Ord. 22-96 5/21/96]**

(2) To existing development of all types, including, but not limited to, commercial, industrial and multi-family development including duplexes, but excluding single family detached dwellings on a single lot. Such development shall comply with the minimum standards set forth within Sections 4.6.16(C)(1) and 4.6.16(H)(4) and other applicable Sections of 4.6.16, in addition to all requirements set forth in the approved landscape plan of record. **[Amd. Ord. 22-96 5/21/96]**

(3) To any new development, or any modification of existing development. That portion of the site which is being newly developed or modified must comply with the requirements contained herein; **[Amd. Ord. 22-96 5/21/96]**

(4) To any modification to existing development which results in an increase of 25% in the gross floor area of the structure, or structures, situated on the site. In such cases the entire site shall be upgraded to present landscape standards; **[Amd. Ord. 22-96 5/21/96]**

(C) **Compliance, Review, Appeal, and Relief**: **[Amd. Ord. 22-96 5/21/96]**

(1) **Compliance**:

(a) Prior to the issuance of a building permit for a structure or a paving permit, compliance with the requirements of Section 4.6.16 shall be assured through the review and approval of a landscape plan submitted pursuant to Section 2.4.3(C). **[Amd. Ord. 22-96 5/21/96]**

(b) Prior to upgrading landscaping on an existing site, a landscape plan shall be submitted which shall: **[Amd. Ord. 22-96 5/21/96]**

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1. Be drawn to scale consistent with the site plan with crowded areas provided in a larger scale presentation. **[Amd. Ord. 22-96 5/21/96]**
2. Clearly delineate the existing and proposed parking spaces or other vehicular use areas, access aisles, sidewalks, building locations and similar features. **[Amd. Ord. 22-96 5/21/96]**
3. Contain a Statement of Intent as to the method and coverage of irrigation (irrigation systems require a separate permit). **[Amd. Ord. 22-96 5/21/96]**
4. Designate by name and location the plant material to be installed or preserved. **[Amd. Ord. 22-96 5/21/96]**
5. Show location of overhead lines and utility easements. **[Amd. Ord. 22-96 5/21/96]**
6. Show proposed or existing locations of refuse areas and methods of screening. **[Amd. Ord. 22-96 5/21/96]**
7. Show proposed or existing locations of free standing signs. **[Amd. Ord. 22-96 5/21/96]**

(2) **Review**: The Landscape Compliance Review Committee is hereby created. Landscape plans for the upgrading of existing properties shall be reviewed by the Landscape Compliance Review Committee. The Committee will be comprised of two people from the Planning and Zoning Department, two people from the Community Improvement Department and the City Engineer. The City Manager will appoint the staff members to the Committee. The purpose of the Committee will be to review landscape plans for existing duplex, industrial, commercial and multi-family properties to determine if the plans meet the minimum required standards. **[Amd. Ord. 22-96 5/21/96]**

(3) **Appeals**: Appeal from the Landscape Compliance Review Committee shall be to the Site Plan Review and Appearance Board or the Historic Preservation Board as applicable. Appeal from the Site Plan Review and Appearance Board or the Historic Preservation Board shall be to the City Commission. **[Amd. Ord. 22-96 5/21/96]**

(4) **Relief**: Relief from the provisions of this Section shall only be granted through the waiver process [Section 2.4.7(B)] by the City Commission, Site Plan Review and Appearance Board or Historic Preservation Board as applicable. **[Amd. Ord. 22-96 5/21/96]; [Amd. Ord. 83-95 01/09/96]**

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(D) **Site Design Requirements:** The following site design standards, concepts, and practices shall be adhered to in the preparation of landscape plans.

(1) **Concepts for Water Conservation:** Creative site development concepts shall be used in order to promote water conservation. Water requirements may be reduced by providing for:

- (a) The preservation of existing native plant communities;
- (b) The re-establishment of native plant communities;
- (c) The use of site specific plant materials;
- (d) The use of shade trees to reduce transpiration rates of lower story plant materials;
- (e) Limited amounts of lawn grass areas;
- (f) Site development that retains storm runoff on site;
- (g) The use of pervious materials for non landscaped and parking areas.

(2) **Preservation and Promotion of Existing Plant Communities:** All existing native plant communities on sites proposed for development shall be preserved where possible through their incorporation into the required open space. Existing plant communities that are specified to remain shall be preserved to the greatest extent possible with trees, understory, and ground covers left intact and undisturbed, except for the eradication of prohibited plant species.

- (a) **Tree Protection:** Trees which are to be preserved on a site shall be protected from damage during the construction process according to appropriate tree protection techniques. The "Tree Protection Manual for Builders and Developers" published by the Division of Forestry of the State of Florida, Department of Agriculture and Consumer Service, shall be the standard for determining the appropriateness of proposed techniques. All trees which are to be preserved and do not survive shall be replaced by a tree of equal size or an equivalent number of trees based on trunk diameter. [See Section 3.4.6(G) re Tree Removal Permits]
- (b) **Portion of Native Communities to Remain:** When natural plant communities occur on a parcel of land which is to be developed, at least twenty-five percent (25%) of the required open space must be in the form of preserved natural plant communities.

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- (c) **Native Species Required**: A portion of all plant materials required to be planted shall be native species. The percentage of native plant materials required shall be as follows:
- (i) Effective October 1, 1990, twenty-five (25) percent of required trees and twenty-five (25) percent of all other required plant materials shall be native;
  - (ii) Effective October 1, 1991, thirty-five (35) percent of the required trees and twenty-five (25) percent of all other required plant materials shall be native;
  - (iii) Effective October 1, 1992, fifty (50) percent of the required trees and twenty-five (25) percent of all other required plant materials shall be native.
- (d) **Substitution of Mature, Exceptional Tree Specimens for Required Parking**: The intent of this section is to preserve those selected mature trees that are not able to be located in required landscape areas while maintaining a reasonable level of off-street parking for new or expanding multi-family, commercial, and industrial developments or redevelopments, as the preservation of these trees, in most instances, is of higher order than providing the exact amount of required off-street parking. **[Amd. Ord. 2-02 2/5/02]**

The City may require or the applicant may request the substitution of existing, mature, healthy, exceptional tree specimens for required parking spaces in instances where the following conditions are met: **[Amd. Ord. 2-02 2/5/02]**

- Such trees are of a hardwood and/or deciduous variety and a minimum of twelve inches (12”) in diameter measured one foot (1’) above grade. **[Amd. Ord. 2-02 2/5/02]**
- Such trees are free of disease and insects. **[Amd. Ord. 2-02 2/5/02]**
- Every effort has been made in planning and design of parking areas to accommodate such trees in the landscape islands required in Section 4.6.16(H)(3). **[Amd. Ord. 2-02 2/5/02]**
- Such trees are protected during construction as prescribed in Section 4.6.16(D)(2)(a). **[Amd. Ord. 2-02 2/5/02]**

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The applicant shall indicate on the site plan the location of all required parking spaces and indicate those spaces that will be eliminated in order to preserve trees. The amount of parking spaces permitted to be eliminated for any project shall be determined on a case by case basis. **[Amd. Ord. 2-02 2/5/02]**

The Historic Preservation Board (HPB) or Site Plan Review and Appearance Board (SPRAB), as appropriate, may approve such requests or require such preservation provided the conditions of this subsection are met. **[Amd. Ord. 2-02 2/5/02]**

A decision of HPB or SPRAB disapproving a request for or requiring tree preservation may be appealed to the City Commission pursuant to LDR Section 2.4.7(E). **[Amd. Ord. 2-02 2/5/02]**

All tree(s) which are to be preserved under this section and do not survive shall be replaced by a tree a minimum of 18 feet in height with a 10 foot spread of canopy. The City Horticulturist shall approve such replacements. **[Amd. Ord. 2-02 2/5/02]**

(3) **Site Specific Planting Materials**: Trees and other vegetation used in the landscape design should be appropriate to the conditions in which they are planted, to the greatest extent, they shall be:

- (a) Salt tolerant relative to the area in which they are planted;
- (b) Able to withstand reduced water conditions if planted in sandy soils;
- (c) Able to withstand wet conditions when planted around retention/detention ponds or in swales;
- (d) Deleted. **[Amd. Ord. 50-98 1/5/99]**

(4) **Tree Selection Adjacent to or Within Utility Easements**: Required perimeter landscape buffers often coincide with utility easements. Careful selection of tree species is essential to minimize conflicts as trees mature. Trees planted subsequent to the effective date of this ordinance shall meet the following criteria: **[Amd. Ord. 50-98 1/5/99]**

- (a) The ultimate mature height and width of a tree to be planted should not exceed the available overhead growing space. Tree species shall be consistent with the recommendation in the most recent publication of Florida Power and Light Company's "Plant The Right Tree In The Right Place" (copies available from the Community Improvement Department), which provides recommendations for tree selections. **[Amd. Ord. 50-98 1/5/99]**

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(b) Trees shall not be planted within ten (10) feet of any underground utilities. **[Amd. Ord. 50-98 1/5/99]**

(c) Trees shall have non-invasive growth habits which will not interfere with adjacent above/underground utilities. **[Amd. Ord. 50-98 1/5/99]**

(E) **Landscape Design Standards:** The following shall be considered the minimum standards for the design and installation of all plant materials within the City of Delray Beach.

(1) **Design:** Xeriscape principles shall be utilized in landscape designs and installations. Copies of South Florida Water Management District's "Xeriscape - Plant Guide II" and "How To Xeriscape" are available from the Building Department. Principles of xeriscape include:(a) Appropriate planning and design to include consideration of the size and shape of lot, soil type, topography, intended use of area site specific planting to minimize irrigation waste.

(b) Use of soil analysis and appropriate amendments to provide better absorption of water and to provide beneficial plant nutrients.

(c) Efficient irrigation systems which permit turf and other less drought tolerant plantings to be watered separately from more drought tolerant plantings, consideration of low volume drip, spray or bubbler emitters for trees, shrubs and ground covers.

(d) Reduction of turf areas, utilizing less water demanding materials such as low water demand shrubs and living ground covers in conjunction with organic mulches.

(e) Utilization of drought tolerant plant materials and the grouping of plants with similar water requirements.

(f) Utilization of mulches to increase moisture retention, reduce weed growth and erosion and increase the organic content of soil upon degradation. Mulch should be initially applied at a three inch depth, but pulled away from direct contact with stems and trunks to avoid rotting. Mulched planting beds are an ideal replacement for turf areas.

(g) Appropriate maintenance to preserve the intended beauty of the landscape and conserve water.

(2) **Installation:** All landscaping shall be installed in a sound, workmanlike manner and according to sound horticultural and planting procedures with the quality of plant materials herein described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.

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(3) **Vehicular Encroachment**: There shall be no vehicular encroachment over or into any required landscape area. In order to prevent encroachment and maintain a neat and orderly appearance of all planting areas adjacent to parking spaces, accessways, and/or traffic, all landscape areas shall be separated from vehicular use areas by carstops or non-mountable, reinforced concrete curbing of the type characterized as "Type D" in the current edition of the "Roadway and Traffic Design Standards" Manual prepared by the State of Florida Department of Transportation, or curbing of comparable durability. In the case of curbing around required landscaped islands, the width of the curbing shall be excluded from the calculation of the minimum dimensions of the required island. Landscape islands are required to be a minimum of 5 feet in width exclusive of the curb width.

The exception to this is that in paved parking lots, that portion of the parking space extending beyond the car stop may be sodded, and therefore, a vehicle would encroach into this specific landscaped area.

(4) **Quality**: All plant materials used in conformance with provisions of this ordinance shall conform to the Standards for Florida No. 1 or better as given in "Grades and Standards for Nursery Plants" Part I, 1963 and Part II, State of Florida Department of Agriculture, Tallahassee, or the most current revised edition.

(5) **Trees**: Shall be a species having an average mature spread of crown greater than twenty (20) feet and having trunks which can be maintained in a clean condition with over six (6) feet of clear mature wood. Trees having an average mature spread of crown less than twenty (20) feet may be substituted by grouping the same so as to create the equivalent of a twenty (20) foot spread of crown. Tree species shall be a minimum of twelve (12) feet in overall height at the time of planting, with a minimum of four (4) feet of single straight trunk with six (6) feet of clear trunk, and a six (6) foot spread of canopy. Native tree species shall be permitted to be ten (10) feet in height at the time of planting, with a minimum of four (4) feet of straight single trunk, and a four (4) foot spread of canopy when it can be demonstrated that trees twelve (12) feet in height are not available.

When more than ten (10) trees are required to be planted to meet the requirements of this section, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted. This species mix requirement shall not apply to areas of vegetation required to be preserved by law. The minimum number of species to be planted is as follows:

REQUIRED NUMBER OF TREES	MINIMUM NUMBER OF SPECIES
11 - 20	2
21 - 30	3
31 - 40	4
41 +	5

- (6) **Palms:** Shall be considered trees. Palms considered susceptible to lethal yellowing by the Florida Department of Agriculture shall not be used to fulfill the requirements of this article. Palm species which do not have a mature spread of crown of at least fifteen (15) feet shall be grouped in threes, and three (3) palms shall equal one (1) shade tree. Palms must have an overall height of a minimum of twelve (12) feet and a minimum of six (6) feet of clear trunk at the time of planting. Minimum overall palm height may be increased if palms are of a nature that the fronds hang below an eight (8) foot clearance, and are further, located in an area where pedestrians may be adversely affected by the fronds.

Coconut Palms and Royal Palms may be credited on a one for one basis with shade trees. Coconut Palms are permitted to have a minimum of two (2) feet of grey wood at the time of planting, providing they are located so that the fronds are not hazardous.

- (7) **Shrubs and Hedges:** Shall be a minimum of two (2) feet in height when measured immediately after planting. Hedges where required shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after planting. To this end, shrubs shall be spaced a maximum of two (2) feet, center to center, unless plants are exceptionally full, in which case the shrubs shall be permitted to be planted up to a maximum of thirty (30) inches, center to center, provided the branches are touching at the time of planting.

Hedges must be allowed to attain height of thirty-six (36) inches except where providing adequate and safe sight distance requires them to be maintained at a thirty (30) inch height.

- (8) **Lawn Grass:** (Turf or Sod) A major portion of water demand used for landscape purposes is required for the irrigation of lawn areas. Portions of landscaped areas that have been customarily designed as lawns shall be:

- (a) Preserved as natural plant communities;
- (b) Planted as redeveloped native areas; or

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- (c) Planted in traditional mixes of trees, shrubs, and ground covers. Property 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. **[Amd. Ord. 81-91 12/3/91]**

For commercial, industrial and multi-family developments, no more than 70% of the combination of the required interior greenspace and the required perimeter landscape buffers, shall be planted in lawn grass. The balance shall be planted in a mix of shrubs and ground covers. **[Amd. Ord. 81-91 12/3/91]**

For the development of single family and duplex residences, no more than 80% of the pervious lot area shall be planted in lawn grass. A minimum of 20% of the pervious lot area shall be planted in shrubs and ground covers. **[Amd. Ord. 81-91 12/3/91]**

**]When used, lawn grass shall be clean and reasonably free of weeds and noxious pests or diseases. When grass areas are to be seeded, sprigged or plugged, specifications must be submitted to and approved by the City Horticulturist. One hundred percent (100%) coverage must be achieved within ninety (90) days. Nurse grass must be sown for immediate effect and protection against soil erosion until coverage is otherwise achieved.**

Solid sod must be used in swales, canal banks, rights-of-way and other areas subject to erosion.

(9) **Ground Covers**: Ground covers used in lieu of grass, in whole or part, shall be planted at such spacing to present a finished appearance and reasonably complete coverage within six (6) months after planting. All ground cover areas must be kept free from weeds.

(10) **Vines**: Shall be a minimum of thirty (30) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

(11) **Organic Mulches**: Organic mulches may be used in combination with living plants as part of a landscape design as provided in this section. However, organic mulches shall not by themselves constitute landscaping. No more than twenty-five percent (25%) of a front or side street setback may be comprised of mulch independent of living plant materials.

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(F) **Irrigation Requirements**: All landscaped areas shall be provided with a sprinkler system, automatically operated, to provide complete coverage of all plant materials and grass to be maintained. Systems shall be designed to permit all zones to be completed between the hours of 5:00 P.M. and 9:00 A.M. to avoid daylight watering as established in the South Florida Water Management District Guidelines. Exceptions to the requirement to provide irrigation are noted below:

(1) **Irrigation of Existing Plant Communities**: Existing plant communities and ecosystems, maintained in a natural state, do not require and shall not have any additional irrigation water added in any form.

(2) **Reestablished Native Plant Areas**: Native plant areas that are supplements to an existing plant community or newly installed by the developer may initially require additional water to become established. The water required during the establishment period shall be applied from a temporary irrigation system, a water truck or by hand watering from a standard hose bib source.

(3) **Irrigation Design Standards**: The following standards shall be considered the minimum requirements for landscape irrigation design:

- (a) All landscaped areas shall be provided with an irrigation system, automatically operated, to provide complete coverage of all plant materials and grass to be maintained. The source of water shall be pursuant to Section 6.1.10(B)(5). The use of recycled water is encouraged.
- (b) All new installations of landscape irrigation systems and substantial modifications of existing irrigation systems which use well water, excluding single family residences, shall install, operate and maintain rust inhibitor equipment to prevent staining of structures and pavements. **[Amd. Ord. 30-93 4/13/93]**
- (c) Wherever feasible, sprinkler heads irrigating lawns or other high water demand landscape areas shall be circuited so they are on a separate zone or zones from those irrigating trees, shrubbery or other reduced water requirement areas.
- (d) Automatically controlled irrigation systems shall be operated by an irrigation controller that is capable of watering high water requirement areas on a different schedule from low water requirement areas.
- (e) Sprinkler heads shall be installed and maintained so as to minimize spray upon any public access, sidewalk, street or other non-pervious area.

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- (f) The use of low trajectory spray nozzles is encouraged in order to reduce the effect of wind velocity on the spray system.
- (g) The use of low volume or drip systems is encouraged.
- (h) All new installations of landscape irrigation systems, and modifications of existing irrigation systems, shall be equipped with a rain sensing device which will override the irrigation cycle of the system when adequate rainfall has occurred. Further, these rain sensing devices must be operated and maintained for the life of the irrigation system.  
**[Amd. Ord. 30-93 4/13/93]**
- (a) The use of pop-up sprinkler heads is required in the swale area between the property line and the edge of pavement of the adjacent right-of-way to minimize pedestrian hazard.

### (G) **Prohibited and Controlled Species:**

(1) **Prohibited Plant Species:** All prohibited plant species shall be eradicated from the development site and reestablishment of prohibited species shall not be permitted. The following plant species shall not be planted in the City of Delray Beach:

- (a) Melaleuca quinquenervia (commonly known as Punk tree, paper bark, Cajeput, Melaleuca); or
- (b) Schinus terebinthifolius (commonly known as Brazilian Pepper or Florida Holly); or
- (c) Casuarina Species (commonly known as Australian Pine); or
- (d) Acacia auriculiformis (commonly known as Earleaf Acacia).

(2) **Controlled Plant Species:** Ficus species can be planted as individual trees provided they are no closer than twelve (12) feet from any public improvement. Ficus species may be planted within twelve (12) feet of any public improvements only if they are maintained as a hedge which is constantly cultivated and does not exceed six (6) feet in height if located within a setback area. Height may be permitted to reach eight (8) feet when planted on a residential project and used to separate the residential use from an arterial or collector road right-of-way.

### (H) **Minimum Landscape Requirements:**

(1) **New Single Family Detached Residences:** For single family residences for which a building permit has not been applied for prior to October 1, 1990, the following minimum standards for landscaping shall apply:

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- (a) One shade tree shall be planted for every 2,500 square feet of lot area. Shade trees for single family residences may be a minimum of eight (8) feet in height with a three (3) foot spread at the time of installation. Existing trees preserved on the site may be credited toward this tree requirement.
- (b) Shrubs shall be installed along the foundation of the side of the residence that faces any street.
- (c) All air-conditioning units shall be screened with shrubbery or wood fencing.
- (d) All other lot areas not covered by driveways or structures shall be planted with lawn grass, ground cover or other approved landscape materials.
- (e) The area between the property line and the edge of pavement of the abutting right-of-way shall be sodded or landscaped with ground cover acceptable to the City Engineering Department. Rock or gravel is expressly prohibited from being used in the right-of-way, unless approved by City Engineering.
- (f) All refuse container storage areas visible from an adjacent street must be screened with vision obscuring fencing or hedging. A vision obscuring gate must be used in conjunction with hedging.
- (g) All landscaped areas shall be provided with an irrigation system, automatically operated, to provide complete coverage of all plant materials and grass to be maintained. The source of water may be either from City water or non-potable water. The use of recycled water is encouraged.

### (2) **Duplex Residential Development:**

- (a) One (1) tree shall be planted for every 2,000 square feet of lot area or fraction thereof. Existing trees preserved on the site may be credited toward this tree requirement.
- (b) In addition, in consideration of the fact that some duplex units have back-out parking, and no direct screening can be achieved between the parking and street area, hedging and a shade tree will be required to be installed on both sides of the back-out parking area.
- (c) A strip of land a minimum of five (5) feet in width shall be provided around the foundation of the building where it faces the right-of-way

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and along the side of the building that provides entry for the units and shall be landscaped with shrubs and ground covers. All other lot areas not covered by buildings or paving will be landscaped with sod, shrubs or ground covers.

- (d) In addition the area between the property line and the edge of pavement of the abutting right-of-way shall be provided with sod, irrigation and maintenance.
- (e) All air-conditioning units and other mechanical equipment and refuse areas will be screened with shrubbery or fencing.
- (f) For duplexes that have a parking lot that does not require back-out parking, the screening specified for new multi-family units provided below shall be required.

(3) **New Multiple Family, Commercial, and Industrial Development:** Multi-family, commercial, industrial and all other uses are required to comply with the minimum requirements for off-street parking. On the site of a building or open-lot use providing an off-street parking, storage or other vehicular use area, where such an area will not be screened visually by an intervening building or structure from an abutting right-of-way or dedicated alley, there shall be provided landscaping as follows:

Perimeter requirements adjacent to public and private rights-of-way:

- (a) A strip of land at least five (5) feet in depth located between the off-street parking area or other vehicular use area and the right-of-way shall be landscaped, provided, however, that should the zoning code of the Delray Code of Ordinances require additional perimeter depths, that the provisions of the zoning code shall prevail. The landscaping shall consist of at least one tree for each thirty (30) linear feet or fraction thereof. The trees shall be located between the right-of-way line and the off-street parking or vehicular use area. Where the depth of the perimeter landscape strip adjacent to the right-of-way exceeds fifteen (15) feet, shade trees may be planted in clusters, but the maximum spacing shall not exceed fifty (50) feet. The remainder of the landscape area shall be landscaped with grass, ground cover, or other landscape treatment excluding pavement.

Additionally, a hedge, wall or other durable landscape area shall be placed along the interior perimeter of the landscape strip. If a hedge is used, it must be a minimum of two (2) feet in height at the time of planting and attain a minimum height of three (3) feet above the finished grade of the adjacent vehicular use or off-street parking area within one year of planting.

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If a nonliving barrier is used, it shall be a minimum of three (3) feet above the finished grade of the adjacent vehicular use. Nonliving barriers shall require additional landscaping to soften them and enhance their appearance. For each ten (10) feet of nonliving barrier, a shrub or vine shall be planted along the street side of the barrier, in addition to tree requirements.

Earth berms may be used only when installed in conjunction with sufficient plant materials to satisfy the screening requirements. The slope of the berm shall not exceed a 3:1 ratio.

Hedges for multi-family projects which are used to separate a residential use from an adjacent arterial or collector road right-of-way may attain a height of eight (8) feet to mitigate the impact of the adjacent roadway

Perimeter hedging installed to effect screening of storage areas must be a minimum of four (4) feet in height at the time of installation and be permitted to grow to a height to conceal the materials being stored. Perimeter shade trees are required to be planted every thirty (30) feet and are not permitted to be clustered.

- (b) The unpaved portion of the right-of-way adjacent to the property line shall be landscaped with sod and provided with irrigation and maintenance.
- (c) The width of accessways which provide access to a site or vehicular use areas may be subtracted from the linear dimensions used to determine the number of trees required.

Perimeter landscaping requirements relating to abutting properties:

- (d) A landscaped barrier shall be provided between the off-street parking area or other vehicular use area and abutting properties. The landscape barrier may be two (2) feet at the time of planting and achieve and be maintained at not less than three (3) nor greater than six (6) feet in height to form a continuous screen between the off-street parking area or vehicular use area and such abutting property. This landscape barrier shall be located between the common lot line and the off-street parking area or other vehicular use area in a planting strip of not less than five (5) feet in width. Duplexes may be permitted to reduce the perimeter planting strip to two and one-half (2 1/2) feet in width in cases where lot frontage is less than fifty-five (55) feet. In addition, one (1) tree shall be provided for every thirty (30) linear feet of such landscaped barrier or fraction thereof.

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- (e) Where any commercial or industrial areas abut a residential zoning district or properties in residential use, in addition to requirements established for district boundary line separators in the zoning code, one (1) tree shall be planted every twenty-five (25) feet to form a solid tree line.
- (f) The provisions for perimeter landscape requirements relating to abutting properties shall not be applicable where a proposed parking area or other vehicular use area abuts an existing hedge or established tree line, the existing hedge and trees may be used to satisfy the landscape requirements provided the existing material meets all applicable standards. The landscape strip, a minimum of five (5) feet in depth, however, is still required, and must be landscaped with sod or ground cover. If the existing landscaping does not meet the standards of this article, additional landscaping shall be required as necessary to meet the standards. In the event that the landscaping provided by the adjacent property which has been used to satisfy the landscaping requirements for the property making application is ever removed, the property heretofore using the existing vegetation to satisfy landscaping requirements, must then install landscaping as required to comply with the provisions of this code. Interior landscape requirements for parking and other vehicular use areas:
  - (g) The amount of interior landscaping within off-street parking areas shall amount to no less than ten percent (10%) of the total area used for parking and accessways.
  - (h) There shall be a group of palms or a shade tree for every one hundred twenty-five (125) square feet of required interior landscaping. No more than twenty-five percent (25%) of these required trees shall be palms.
  - (i) Landscape islands which contain a minimum of seventy-five (75) square feet of plantable area, with a minimum dimension of five (5) feet, exclusive of the required curb, shall be placed at intervals of no less than one landscaped island for every ten (10) parking spaces. One shade tree or equivalent number of palm trees shall be planted in every interior island. Where approval for the use of compact parking has been approved, islands may be placed at intervals of no less than one (1) island for every thirteen (13) parking spaces.
  - (j) Each row of parking spaces shall be terminated by landscape islands with dimensions as indicated above, An exception to this requirement is when a landscaped area exists at the end of the parking row.

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- (k) Whenever parking tiers abut, they shall be separated by a minimum five (5) foot wide landscape strip. This strip shall be in addition to the parking stall. Non-mountable curbs are not required for these landscaping strips, providing carstops are provided.
- (l) Perimeter landscape strips which are required to be created by this code or requirements of the zoning code shall not be credited to satisfy any interior landscaping requirements, however, the gross area of perimeter landscape strips which exceed minimum requirements may be credited to satisfy the interior landscape requirements of this section.
- (m) Interior landscaping in both parking areas and other vehicular use areas shall, insofar as possible, be used to delineate and guide major traffic movement within the parking area so as to prevent cross-space driving wherever possible. A portion of the landscaping for interior parking spaces, not to exceed twenty-five percent (25%) of the total requirement, may be relocated so as to emphasize corridors or special landscape areas within the general parking area or adjacent to buildings located on the site, if helpful in achieving greater overall aesthetic effect. Such relocated landscaping shall be in addition to the perimeter landscaping requirements.
- (n) All dumpster and refuse areas and all ground level air-conditioning units and mechanical equipment shall be screened.
- (o) Landscaping may be permitted in easements only with the written permission of the easement holder. Written permission shall be submitted as part of the site plan or landscape plan review.

(4) **Existing Multiple Family, Duplex, Commercial, and Industrial Development:** All existing multi-family units, duplexes, and commercial and industrial uses shall comply with the minimum standards for landscaping as follows: **[Amd. Ord. 22-96 5/21/96]**

- (a) Provide for perimeter landscaping adjacent to public rights-of-way to screen vehicular parking, open-lot sales, service and storage areas to the extent physically possible and deemed feasible by the Landscape Compliance Review Committee. Elimination of parking spaces required by code will not be permitted to upgrade landscaping, however, the deletion of parking spaces in excess of code requirements will be required if they are in areas that will facilitate the required implementation of the minimum landscape requirements for existing development contained herein. **[Amd. Ord. 22-96 5/21/96]**

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(b) Provide sod and irrigation within the right-of-way between the property line and the edge of pavement of the adjacent travel lane. The removal of existing asphalt may be required within the area between the property line and the edge of pavement of the adjacent travel lane.

**[Amd. Ord. 22-96 5/21/96]**

(c) Provide screening for all dumpsters and refuse areas and all ground level air-conditioning units and mechanical equipment. Adequacy of screening shall be determined by the Landscape Compliance Review Committee. **[Amd. Ord. 22-96 5/21/96]**

(d) Foundation landscaping shall be provided for building elevations that are visible from adjacent rights-of-way.

(5) **Sight Distance**: Sight distance for landscaping adjacent to rights-of-way and points of access shall be provided pursuant to Section 4.6.14.

(I) **Minimum Maintenance Requirements**:

(1) **General**: The owner or his agent shall be responsible for the maintenance of all landscaping required by ordinance or made a condition for approval for a building permit. Landscaping shall be maintained in a good condition so as to present a healthy, neat, and orderly appearance at least equal to that which was required for the original installation, and shall be kept free from refuse and debris. Maintenance is to include mowing, edging, weeding, shrub pruning, fertilization and inspection and repair of irrigation systems to ensure their proper functioning.

(2) **Pruning of Trees**: Maintenance pruning of trees is to allow for uniform healthy growth. Trees shall be allowed to attain their normal size, and at a minimum attain a twenty (20) foot spread of canopy, prior to any pruning except in conjunction with the removal of diseased limbs, or to remove limbs or foliage that present a hazard to power lines or structures. Lower branches and suckers must be selectively removed to provide a minimum of six (6) feet of clear trunk. Severely cutting back lateral branches and canopy, or "hatracking" is expressly prohibited. Trees may be periodically thinned in order to reduce the leaf mass in preparation for tropical storms. All pruning shall be accomplished in accordance with the National Arborist's Standards. A tree's habit of growth must be considered before planting to prevent conflicts with view or signage and such a conflict shall not of itself necessarily permit the pruning or removal of a tree.