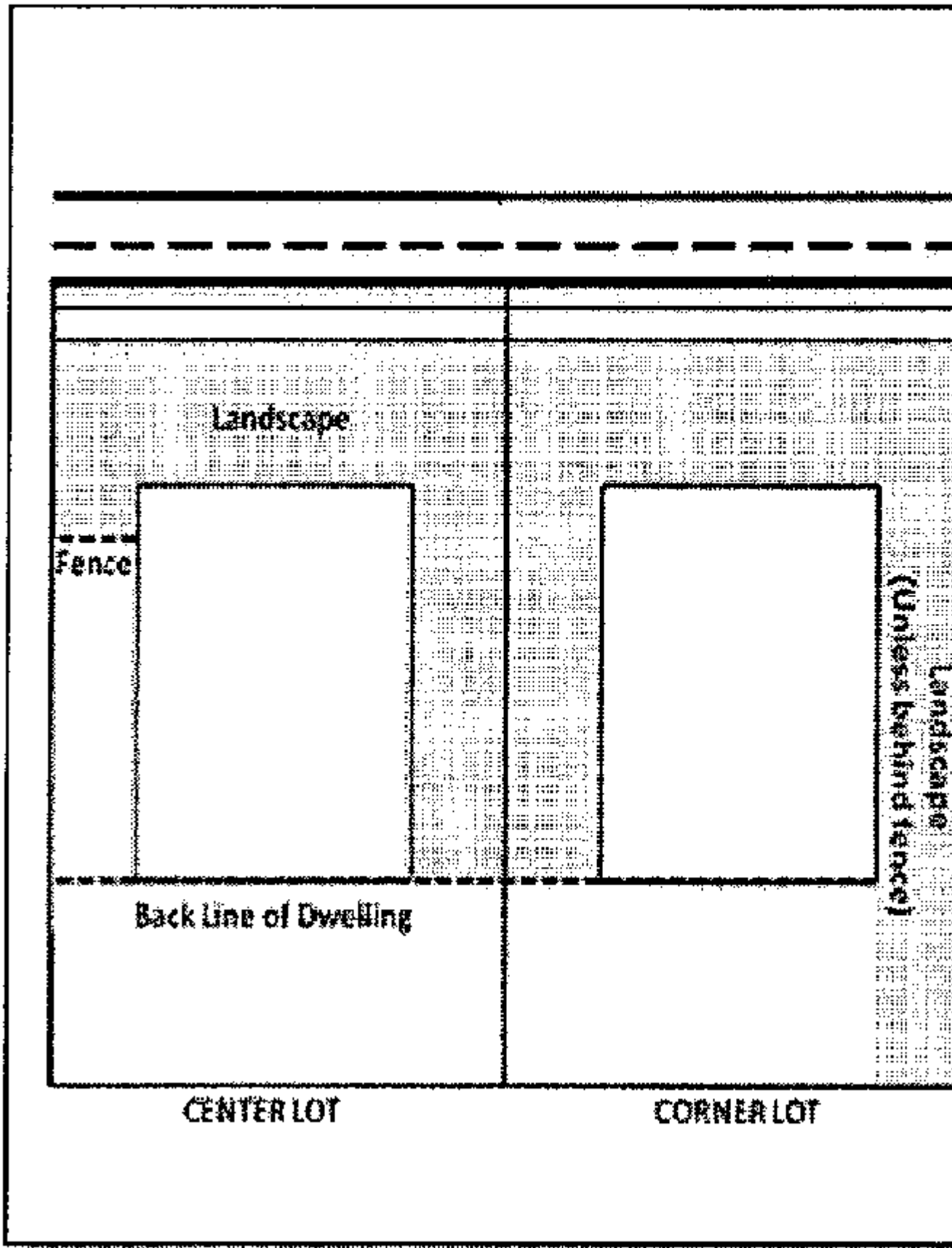
10-12-36: LANDSCAPING REQUIREMENTS; RESIDENTIAL AND COMMERCIAL:

A. Residential and Commercial Lot; ~~Front Yard: Front yards of single-family lots,~~ – Prior to issuance of a Certificate of Occupancy (COO) and thereafter, all open ~~including~~areas including any area in front of the dwelling, and including ~~the~~ any area between the street and the sidewalk called the planter strip, shall be landscaped. Side yards to the back line of the dwelling or to a sight obscuring fence, shall also be landscaped. On corner ~~lots~~lots, the side yard and sidewalk planter strip adjacent to the street shall be landscaped, except areas behind a sight obscuring fence. Lots without street curbing shall be landscaped to the asphalt of the road or to the shoulder gravel area.~~.~~

1. Between Nov 1 and Mar 1 when weather conditions prohibit the completion of required landscaping an exception may be permitted and Certificates of Occupancy (COO) issued. In such cases, the applicant shall post a performance guarantee for no less than 125% of the total estimated value of the landscaping. The guarantee shall be in the form of a cash bond. The performance guarantee shall not extend beyond June 1 following the seasonal period the guarantee is posted. Landscaping not completed by June 1 will be turned over to the City Attorney's Office for legal remedies, which may include the forfeiture of all or a portion of the posted guarantee. The city building inspector shall verify the work complies with all city code and ordinance requirements before the bond is released


Landscape
Fence
Back Line of Dwelling
Landscape
(Unless behind fence)
CENTER LOT
CORNER LOT

B. Residential Lot; Rear Yard: Rear yards of single-family lots, including any area to the rear of the dwelling and side yard not included as part of the front yard shall at a minimum, be required to maintain weed control. Noxious weeds and native grasses shall be kept less than four inches (4") tall within thirty feet (30') of a structure. Noxious weeds shall be kept less than twelve inches (12") tall for all other areas.

C. ~~Commercial And Large~~ Residential and Commercial -D~~D~~evelopments: Landscape materials ~~must~~ shall be installed prior to completion of all residential subdivisions, ~~commercial projects~~, planned unit, senior housing, hillside cluster, ~~and~~ mountain home developments, and commercial projects. A landscaping plan must be drawn, designed and certified by a licensed landscape architect and submitted to the planning commission for their approval. The plan shall show street trees, planting materials, irrigation, structural features, playgrounds, sport fields, building locations, and hard surfaces (streets, sidewalks, trails, etc.). It shall also show grading with contours and spot elevations before construction and anticipated contours and elevations after completion.

A cash bond of one hundred twenty five percent (125%) of landscaping costs will be posted prior to recording whether the landscaped area is proposed to be in city ownership or in a private homeowners' association. If weather does not permit for landscaping to be installed prior to subdivision completion, the city can extend installation up to ~~May 15~~ June 1 the following year. An inspection shall be performed by the city building inspector to verify work complies with all city code and ordinance requirements before the bond is released.

If the subdivision contains individual lots to be built upon after subdivision completion, only common areas in the subdivision will be subject to this requirement. Individual lots will be required to follow ~~front and rear~~ yard landscaping requirements as per paragraph A. of this section.~~.~~

D. Types ~~Of~~of Landscaping: Landscaping shall include the installation of an automatic sprinkler system with a back flow prevention device (specifically a RPZ valve), a pressure reducing valve (PRV), automatic drain valves, a rain sensor, low loss heads, use of drip systems, ~~the~~and the treatment of the ground surface with live materials such as, but not limited to~~,~~ sod, grass, ground cover, trees, shrubs, vines, and other growing horticultural plant material. In addition, a combination of ~~xeriscape~~Xeriscape plantings and the utilization of native vegetation is encouraged in clusters on smaller and flatter terrain lots and allowed exclusively on slopes over fifteen percent (15%). Native vegetation includes grasses and trees that are currently established in the non-developed hillside areas of the city. Erosion control and elimination of noxious weeds must be accomplished in order to qualify as native plantings. Simply grading the ground and letting vegetation to grow back is not allowed because this promotes noxious weeds to grow. Landscaping may also include other decorative surfacing such as bark chips, crushed stone, mulch materials, or pavers. Structural features such as fountains, pools,

statues, playgrounds, and benches shall also be considered a part of the landscaping, but such objects alone shall not meet the requirements of landscaping. Hard surfaces, such as concrete or asphalt, shall not cover more than thirty percent (30%) of a front yard area.

E. Zones With Animal Rights: Properties within zones with animal rights shall be allowed to keep areas of the property for use of raising livestock and agriculture uses. This can include corrals, pastures, coops, barnyards, etc. These areas will still be required to maintain weed control. Noxious weeds and native grasses shall be kept less than four inches (4") tall within thirty feet (30') of a structure. Noxious weeds shall be kept less than twelve inches (12") tall for all other areas.

F. Vegetative Clearance: The use of native vegetation is encouraged on steeper slopes over fifteen percent (15%) and on larger lots over one-half ($^1/_2$) acre in size to conserve water and to help preserve the native hillside areas of the city. Properties within the urban/~~wildland~~wild land interface area (generally hillside areas in the southern area of the city) shall adhere to the requirements for vegetative clearance as listed in section 9-3-9 of this code. Properties within the hillside residential 1 zone have additional native vegetation preservation requirements.

G. Street Trees: ~~To allow for proper root depth needed within planter strips and to recognize the higher elevation growth requirements, t~~The following trees are approved to be planted within the planter strip area between the sidewalk and the street: autumn blaze maple, Norway maple, honey locust, summit ash, green spire linden, autumn purple ash~~.~~ or as approved by the City Tree Committee. ~~It is recommended that trees have a two inch (2") caliper trunk and be potted rather than burlap balled.~~

Street trees in the planter strip of residential subdivisions shall have a minimum of one and one-half inch (1 1/2") caliper trunk. Street trees in the planter strip of commercial, planned unit, senior housing, hillside cluster, or mountain home developments ~~shall be shown on the landscaping plan. Trees~~ shall have a ~~trunk of at least~~ minimum of ~~two inch~~two-inch (2") caliper trunk. ~~and be potted rather than burlap balled to provide for stronger growth in the Elk Ridge environment.~~

The planter strip of ~~E~~each street within these types of developments shall have the same type of tree planted along it. All units shall have at least two (2) trees within the planter strip adjacent to the unit (4 on corner lots). The required sight distance at intersections shall be maintained. (Ord. 08-15.6, 10-28-2008, eff. 11-28-2008)

H. Deleted ~~Time Allowed For Residential Landscaping Installation: Landscape materials must be installed within twenty four (24) months of occupancy of residential structures. If in noncompliance after twenty four (24) months, this will be considered a violation of the city of Elk Ridge development code and will be classified as a class C misdemeanor, with all the applicable penalties and fines. (Ord. 14-5, 10-14-2014)~~

I. Existing Residential Yard Requirements: Existing residential yards associated with a structure, which do not comply with this section, shall be brought into compliance within twenty four (24) months of enactment of this section (October 31, 2008). If in noncompliance after twenty four (24) months, this will be considered a violation of the city of Elk Ridge development code and will be classified as a class C misdemeanor, with all the applicable penalties and fines.

J. Maintenance: The landowner shall be responsible for the continued proper maintenance of all landscaping ~~materials~~ areas as defined in paragraph A.~~.~~ Landscaping shall be maintained in good condition so as to present a healthy, neat, and orderly appearance at all times. Landscaping shall be mowed, groomed, trimmed, pruned and watered according to water wise conservation guidelines to maintain healthy growing conditions and not detract from the appearance of the immediate neighborhood. Landscaping shall be kept visually free of insects and disease, and shall be kept free from weeds and other volunteer plants. Irrigation systems shall be maintained so as to eliminate water loss due to damaged, missing, or improperly operating sprinkler system components. All unhealthy or dead plant material shall be replaced within six (6) months, or the next planting period (spring or fall), whichever comes first; while other defective landscape features shall be removed, replaced or repaired within three (3) months. Gravel shoulder areas on lots without street curbing shall be kept weed and vegetation free. If utility work is needed within the city owned road right of way the city or utility company shall restore landscaping and other improvements to their original state.

K. Hazards: Landscaping shall be maintained to minimize property damage and public safety hazards, including the removal/replacement of dead or decaying plant material, removal of low hanging branches ~~and those~~ obstructing sidewalks and traffic sight distance requirements. In the event a tree, shrub, or other plant causes damage to streets, sidewalks, trails, or other public improvements, the city may order the removal of the offending vegetation and/or other landscape features and may require the repair or replacement of the damaged city property at the landowner's expense. (Ord. 08-15.6, 10-28-2008, eff. 11-28-2008)