

DRAFT AMENDMENT

New text is underlined.

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Recent changes are **highlighted**.

COMMERCIAL ZONING ORDINANCE. Sec. 732-214. Special regulations.

(g) Tree Canopy, ~~Landscaping, screening, and grounds maintenance~~: ~~Subject to the allowed uses in required yards,~~ Tree canopy coverage, landscaping, screening and grounds maintenance shall be provided and maintained, for all development in all commercial districts in accordance with the following regulations:

(1) Tree Canopy Coverage Area. Applicability.

Tree canopy coverage, Subsections (2), (3), (4) and (5), shall apply to:

- a. new development that occurs on an undeveloped lot,
- b. new development that occurs on an undeveloped lot in an integrated center, industrial park or business park,
- c. redevelopment on a lot where two-thirds or more of the total floor area of the lot’s buildings have been removed, or will be removed, to allow for redevelopment.
- d. redevelopment on a lot in an integrated center, industrial park or business park where two-thirds or more of the total floor area of the lot’s buildings have been removed, or will be removed, to allow for redevelopment.

(2) Tree Canopy Coverage Area. Computation.

Tree canopy coverage shall consist of trees planted or transplanted and maintained, or preserved as individual trees, in groves or as natural vegetation areas.

a. The minimum size of trees that may be used in calculating the tree canopy coverage area shall be as follows:

| <u>Type of tree</u> | <u>Minimum size</u> |
|--|---|
| <u>Deciduous shade (overstory) trees</u> | <u>one and three-quarters (1 3/4) inch caliper measured at six (6) inches above the ground.</u> |
| <u>Deciduous ornamental (understory) trees</u> | <u>one and one-half (1 1/2) inch caliper measured at six (6) inches above the ground.</u> |
| <u>Multi-stemmed trees</u> | <u>five (5) feet in height</u> |
| <u>Evergreen trees</u> | <u>five (5) feet in height</u> |

b. The tree canopy coverage area of newly planted or transplanted trees shall be calculated using the following areas:

| <u>Type of tree</u> | <u>Tree canopy coverage area</u> |
|--|----------------------------------|
| <u>Deciduous shade (overstory) trees</u> | <u>700 square feet</u> |
| <u>Deciduous ornamental (understory) trees</u> | <u>175 square feet</u> |
| <u>Multi-stemmed trees</u> | <u>175 square feet</u> |
| <u>Evergreen trees</u> | <u>250 square feet</u> |

- c. The tree canopy coverage area of free-standing preserved trees shall be calculated using the following areas:

| <u>Type of tree</u> | <u>Tree canopy coverage area</u> |
|--|---|
| <u>Deciduous shade (overstory) trees</u> | <u>greater of 700 square feet or the ground area within the existing dripline of the tree</u> |
| <u>Deciduous ornamental (understory) trees</u> | <u>greater of 175 square feet or the ground area within the existing dripline of the tree</u> |
| <u>Multi-stemmed trees</u> | <u>greater of 175 square feet or the ground area within the existing dripline of the tree</u> |
| <u>Evergreen trees</u> | <u>greater of 250 square feet or the ground area within the existing dripline of the tree</u> |

The tree canopy coverage area of preserved trees in groups shall be calculated using the following areas:

| <u>Type of tree</u> | <u>Tree canopy coverage area</u> |
|--|--|
| <u>Deciduous shade (overstory) trees</u> | <u>ground area within the combined driplines of the trees in the group</u> |
| <u>Deciduous ornamental (understory) trees</u> | <u>ground area within the combined driplines of the trees in the group</u> |
| <u>Multi-stemmed trees</u> | <u>ground area within the combined driplines of the trees in the group</u> |
| <u>Evergreen trees</u> | <u>ground area within the combined driplines of the trees in the group</u> |

1. Dead, diseased or hazardous trees are not eligible for the calculation of the tree canopy coverage area.
2. To encourage the preservation of existing vegetation, the canopy coverage area of existing trees shall be multiplied by 1.5 to determine the total tree canopy coverage area from preserved trees.
3. The commission shall maintain a list of undesirable tree species that are eligible for computation of the tree canopy coverage area but are not eligible for the 1.5 multiplier. The list shall be entitled “List of Undesirable Tree Species not Eligible for the Tree Canopy Coverage Area Multiplier.”

d. Those portions of a site used and maintained as turf or other permeable surface for sports fields such as football fields, soccer fields, baseball diamonds, volleyball courts or the in-bounds playing area of golf courses may be deducted from the area of the site prior to the computation of the tree canopy coverage area.

e. Trees required by subsections (6), (7), and (8) of this section (g) shall be included in the tree canopy coverage area. If tree canopy coverage area of the trees required by subsection (6), (7) and (8) of this section (g) exceeds the required tree canopy coverage area for the site, the trees required by subsection (6), (7) and (8) of this section (g) shall still be provided.

(3) Tree Canopy Coverage Area. Required coverage area.

All lots shall have a tree canopy coverage area equal to or greater than 25% of the lot.

(4) *Tree Canopy Coverage Area. Protection of trees during construction.*

During groundwork and construction activity, protective care and physical restraint barriers at the dripline, such as temporary protective fencing, shall be provided to prevent alteration, compaction or increased depth of the soil in the root system area. Parking, storage or maneuvering of construction equipment or materials shall not occur within the dripline of the tree.

(5) *Tree Canopy Coverage Area. Protection of preserved trees.*

All existing trees that are to be preserved shall be maintained without injury and with sufficient area for the root system to sustain the tree. Ongoing maintenance of preserved trees shall include protection of the trees from:

- a. Changes in depth of the soil within their driplines.
- b. Construction of walls and foundations within the dripline.
- c. Improper pruning techniques such as topping.
- d. Other activities that may hinder root growth, kill the trees or cause immediate or long-term decline in the health of the trees.

(6) ~~(4)~~ *Landscaping and screening in required yards.*

a. All required yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation such as trees and shrubs as specified in section 732-214(g)(46) b. and c. and grasses or ground cover materials, planted or transplanted and maintained, or preserved as existing natural vegetation areas (e.g., woods or thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the area of the required yard in which it is used.

b. Landscaping and screening of the required front yard shall be provided and maintained according to the following minimum standards:

1. Landscaping in the required front yard shall consist of trees planted in accordance with one (1) of the two (2) following alternatives:

i. If deciduous shade (overstory) trees are used:

There shall be one (1) tree planted at a maximum of every forty (40) feet on center of linear distance along all required front yards.

These required trees may be grouped together in the required front yard, however, in no case shall spacing between the trees exceed eighty (80) feet (refer to section 732-217, Diagram F); or

ii. If deciduous ornamental (understory) trees are used:

There shall be one (1) tree planted at a maximum of every twenty-five (25) feet on center of linear distance along the required front yard.

These required trees may be grouped together in the required front yard, however, in no case shall spacing between the trees exceed fifty (50) feet (refer to section 732-217, Diagram F).

Deciduous shade trees and deciduous ornamental trees may be grouped together in the required yards, however, in no case shall spacing between a deciduous shade tree and a deciduous ornamental tree exceed fifty (50) feet.

2. Screening in the required front yard of the project may include:

- i. Wall or fence - an ornamental, decorative fence or masonry wall, not more than forty-two (42) inches in height if solid, or six (6) feet if the sight barrier is less than fifty (50) percent, may be used in conjunction with the required landscaping; or
- ii. Berm - an earthen berm may be used in conjunction with the required landscaping. It shall be a maximum height of forty-two (42) inches, have a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation (a retaining wall may be used on one (1) side of the berm in lieu of a side slope, if desired); or
- iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs may be used in conjunction with the required landscaping.

Provided, however, for all parking areas between the building line, as extended, and the street, there shall be provided and maintained along the front line of the parking area a screen of a minimum height of thirty-six (36) inches along a minimum of seventy-five (75) percent of the linear distance of the parking area (excluding the linear width of driveways) with a solid wall, solid fence, berm, or plant material screen. In addition, no linear open space between the above noted screening techniques shall be greater than thirty (30) feet.

The ground area between such wall, fence, berm, or plant material screen and the front proposed right-of-way line shall be planted and maintained in grass or other suitable ground cover.

A minimum of half of the required trees shall also be planted between the proposed right-of-way and the wall, fence, berm, or plant material screen.

- c. Landscaping and screening in the required side and rear yards shall be provided and maintained according to the following minimum standards:
 - 1. Landscaping in the required side and rear yards shall consist of trees planted in accordance with one (1) of the two (2) following alternatives:
 - i. If deciduous shade (overstory) trees are used:

There shall be one (1) tree planted at a maximum of every sixty (60) feet on center of linear distance along all required side and rear yards. These required trees may be grouped together in the required side and rear yards, however, in no case shall spacing between the trees exceed eighty (80) feet (refer to section 732-217, Diagram F); or
 - ii. If deciduous ornamental (understory) trees are used:

There shall be one (1) tree planted at a maximum of every forty (40) feet on center of linear distance along all required side and rear yards. These required trees may be grouped together in the required side and rear yards, however, in no case shall spacing between the trees exceed fifty (50) feet (refer to section 732-217, Diagram F).

Deciduous shade trees and deciduous ornamental trees may be grouped together in the required yards, however, in no case shall spacing between a deciduous shade tree and a deciduous ornamental tree exceed fifty (50) feet.

2. Screening in the required side and rear yard of the project may include:
 - i. Wall or fence - an ornamental, decorative fence or masonry wall up to a maximum height of ten (10) feet may be used in conjunction with the required landscaping; or
 - ii. Berm - an earthen berm may be used in conjunction with the required landscaping. It shall have a maximum height of ten (10) feet, have a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation; or
 - iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs may be used in conjunction with the required landscaping.
- d. All landscape plantings, architectural screens (fences, walls), shrubs, trees, structures or other objects shall permit completely unobstructed vision within a clear sight triangular area as noted in section 732-214(c).
- e. No architectural screen fronting upon or abutting a protected district shall be electrified with the intent of providing for an electrical shock if touched.
- f. Barbed wire, razor wire and similar type wires shall not be permitted within the front yard setback, or in front of any existing building in the C-1, C-2, C-3, C-3C, C-4, C-5, or C-6 commercial districts.
- g. The minimum size of all required landscape plant materials in yards or transitional yards required by chapter 732, at the time of planting, including substituting or replacement trees and shrubs, shall be as follows:
 1. Deciduous shade (overstory) trees - two-and-one-half-inch caliper measured at six (6) inches above the ground.
 2. Deciduous ornamental (understory) trees - one-and-one-half-inch caliper measured at six (6) inches above the ground.
 3. Multi-stemmed trees - eight (8) feet in height.
 4. Evergreen trees - five (5) to six (6) feet in height.
 5. Deciduous or evergreen shrubs - twenty-four (24) inches in height. Shrubs are to be planted at a maximum of four (4) feet on center of linear distance along the required yard.

Except, however, shrubs used to screen parking in front of the building facade of an automotive dealership (new, used, or rental) shall be eighteen (18) inches in height.
- h. All trees and shrubs shall be planted or transplanted in accordance with the standards contained in American Standards for Nursery Stock, copyrighted in 1986 by the American Association of Nurserymen and approved May 2, 1986, by the American National Standards Institute, Inc. (a copy of which is on file in the office of the division of planning and is hereby incorporated by reference and made a part hereof). All trees and shrubs shall be mulched and maintained to give a clean and weed-free appearance.
- i. In computing the number of trees to be planted in a required yard or a required transitional yard, a fraction of one-half (1/2) or greater shall be rounded up to count as an additional tree.
- j. Existing trees may fulfill the requirements for tree planting in required yards or required transitional yards as long as the standards specified for required yards

(section 732-214(g)(26)b. or c.) or required transitional yards (section 732-214(g)(37)b. or c.) are met.

~~k. The removal from any minimum required yard or any minimum required transitional yard of any existing live deciduous tree over four inch caliper measured at four and one-half (4 1/2) feet above ground or of any existing shrub or evergreen tree over six (6) feet in height shall be prohibited except to facilitate the placement of utilities or to provide for necessary easements or drainage improvements. Removal of such tree(s) shall require the replanting of replacement tree(s) so that the total number of trees replanted equals the total number of trees removed. Replacement trees shall be of the same species as those trees removed unless approved otherwise by the Administrator. Replanting of these replacement trees shall occur within six (6) months of removal, or the next planting season, whichever occurs first.~~

~~l. All existing trees which are to be preserved shall be maintained without injury and with sufficient area for the root system to sustain the tree. Protective care and physical restraint barriers at the dripline, such as temporary protective fencing, shall be provided to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction. Heavy equipment traffic and the storage of construction equipment or materials shall not occur within the dripline of the tree.~~

~~k. All existing trees that are to be preserved shall be maintained without injury and with sufficient area for the root system to sustain the tree. Ongoing maintenance of preserved trees shall include protection of the trees from:~~

- ~~1. Changes in depth of the soil within their driplines.~~
- ~~2. Construction of walls and foundations within the dripline.~~
- ~~3. Improper pruning techniques such as topping.~~
- ~~4. Other activities that may hinder root growth, kill the trees or cause immediate or long-term decline in the health of the trees.~~

~~l. During groundwork and construction activity, protective care and physical restraint barriers at the dripline, such as temporary protective fencing, shall be provided to prevent alteration, compaction or increased depth of the soil in the root system area. Parking, storage or maneuvering of construction equipment or materials shall not occur within the dripline of the tree.~~

~~(7) (2) Landscaping and screening of required transitional yards: Landscaping and screening of yards fronting upon or abutting a protected district shall be provided and maintained, for all development in all commercial districts in accordance with the following regulations in addition to section 732-214(g)(16)d. through k.~~

~~a. All required transitional yards shall be landscaped. The landscaping of these yards shall, at a minimum, consist of a combination of living vegetation such as trees, shrubs, hedges, and grasses or ground cover as specified in section 732-214(g)(27)b. and c., planted or transplanted and maintained, or preserved as existing natural vegetation areas (e.g., woods or thickets). Loose stone, rock or gravel may be used as a landscaping accent, but shall not exceed twenty (20) percent of the area of the required yard in which it is used.~~

- b. Landscaping and screening of required front transitional yards shall be provided and maintained according to the following minimum standards:
1. Landscaping in front transitional yards shall consist of trees planted in accordance with the standards specified for required front yards. See section 732-214(g)(46)b.1.
 2. Screening in front transitional yards shall be provided in an open pattern to partially screen the commercial use.
Provided, however, for any parking areas between the building line, as extended, and the street, there shall be provided and maintained along the front line of the parking area a buffer screen of a minimum of one (1) of the following:
 - i. Architectural screen - a wall or fence of ornamental block, brick, solid wood fencing or combination thereof. Such wall or fence shall be a maximum of forty-two (42) inches and a minimum of thirty-six (36) inches in height and shall be so constructed to such minimum height to restrict any view therethrough: or
 - ii. Berm - an earthen berm shall be a maximum height of forty-two (42) inches and a minimum height of thirty-six (36) inches, a minimum crown width of two (2) feet, a side slope of no greater than three to one (3:1), and shall be planted and covered with live vegetation (a retaining wall may be used on one (1) side of the berm in lieu of a side slope, if desired).
Exception: The earthen berm may be combined with shrubs to attain the minimum height of thirty-six (36) inches.
 - iii. Plant material screen - a compact hedge of evergreen or densely twigged deciduous shrubs. Such shrubs shall attain a minimum height of thirty-six (36) inches at maturity; and
The ground area between such wall, fence, berm, or hedge and the front right-of-way line shall be planted and maintained in grass or other suitable ground cover. A minimum of half of the required trees shall also be planted between the proposed right-of-way and the wall, fence, berm, or hedge.
- c. Required side and rear transitional yards shall be landscaped and have an effective screening of the commercial use.
1. Landscaping and screening required side and rear transitional yards using a solid wall or fence shall be provided and maintained according to the following minimum standards:
 - i. Landscaping standards for required side or rear transitional yards using a solid wall or fence.
Trees shall be planted along all side and rear transitional yards according to the standards specified for tree planting in front required yards. See section 732-214(g)(26)b.1.
 - ii. Screening standards for required side and rear transitional yards using a solid wall or fence:
 - (a) The finished side of the fence shall face the protected district.
Such fence or wall shall be constructed to a height of not less than six (6) feet and no more than ten (10) feet.

(b) A berm may be used in place of a solid fence or wall so long as the berm is a minimum of six (6) feet in height to a maximum of ten (10) feet, has a minimum crown width of two (2) feet, a side slope no greater than three to one (3:1), and shall be planted and covered in live vegetation.

Exception: The earthen berm may be combined with shrubs to attain the minimum height of six (6) feet.

2. Landscaping and screening in the required side and rear transitional yards, if a solid wall or solid fence is not used, shall be provided and maintained according to one (1) of the following minimum standards:

i. A combination of trees and shrubs:

(a) Trees - trees shall be planted in accordance with the standards specified for required front yards (see section 732-214(g)(26)b.); and

(b) Shrubs - shrubs shall be planted so that one hundred (100) percent of the linear distance of the required transitional yard is screened. Shrubs shall be planted at a maximum of four (4) feet on center of linear distance along the required transitional yard. The shrubs shall have a minimum ultimate height of six (6) feet and shall be either evergreen or densely twigged deciduous shrubs: or

ii. Low branching and densely twigged deciduous ornamental trees shall be planted to maintain a spacing of twelve and one-half (12 1/2) feet on center; or

iii. Densely branched evergreen trees shall be planted to maintain a spacing of twelve and one-half (12 1/2) feet on center; or

iv. A combination of i., ii., or iii. to be maintained so that one hundred (100) percent of the linear distance shall be screened.

Exception: Existing trees and shrubs may be used to screen commercial uses. However, required transitional yards must be supplemented where sparsely vegetated to maintain a dense visual barrier to a height of six (6) feet.

3. Landscaping and screening in the required side and rear transitional yards may be achieved by combining elements from 1. and 2. of this subsection, so long as the minimum standards set forth for that element utilized is satisfied.

~~(8) (3)~~ *Additional landscaping requirements - interior of parking lots:* The purpose of interior landscaping is to help reduce glare and heat buildup; to promote interior islands for pedestrian safety and traffic separation; to visually break up large expanses of pavement; and to reduce surface runoff. Trees shall be planted in the interior of any parking lot with 20 or more spaces. At least 75 percent of the trees planted shall be deciduous shade (overstory) trees. ~~shall be landscaped based on the following minimum standards:-~~

TABLE INSET:

| Total Number of Parking Spaces | Required Interior Landscaped Area |
|---|---|
| Less than 100 spaces required | None required |
| 100 or more spaces required | Minimum 15 square feet per parking space |

- a. Each tree shall be provided with, and located in, an interior landscaping area. The minimum size of a required interior landscaping area shall be ~~one hundred eight (108)~~ one hundred eighty (180) square feet. No planting area shall be less than ~~six (6)~~ eight (8) feet in any dimension, measured from the inside of the permanent barrier to inside of permanent barrier, except those portions created by turning radii ~~or angles or parking spaces~~ (refer to section 732-217, Diagram G).
- b. Required interior landscaped areas shall be in-ground and not placed upon a pavement surface. Minimum depth of soil shall be twenty-four (24) inches. Minimum volume of soil per tree shall be 540 cubic feet.
- c. A permanent barrier, such as curbing or wheel stops, shall enclose each interior landscaped area so as to minimize damage from vehicles, pedestrians and improve parking lot maintenance. The barrier may have openings 36 inches or less in width to allow water to drain into the landscape area.
- d. For each ~~twelve (12)–twenty (20)~~-parking spaces or fraction thereof, one (1) tree shall be provided. Trees and their interior landscaping areas shall be distributed throughout the parking lot so as to define aisles and limit unbroken rows of parking spaces to a maximum of twenty-five (25) spaces (refer to section 732-217, Diagram N). ~~Trees located at the end of a parking bay shall be deciduous shade (overstory) or deciduous ornamental (understory). Trees located in any other portion of the interior landscaped area may be deciduous shade (overstory), deciduous ornamental (understory) or evergreen.~~ The minimum size for trees shall be as follows:

| Type of tree | Minimum size |
|--|--|
| <u>Deciduous shade (overstory) trees</u> | <u>two and one-half-inch caliper measured at six (6) inches above the ground at time of planting</u> |
| <u>Deciduous ornamental (understory) trees</u> | <u>one and one-half-inch caliper measured at six (6) inches above the ground at the time of planting</u> |
| <u>Evergreen trees</u> | <u>five (5) to six (6) feet in height at the time of planting</u> |

- ~~Two and one-half inch caliper at six (6) inches above the ground at time of planting (deciduous shade (overstory)).~~
 - ~~One and one-half inch caliper at six (6) inches above the ground at the time of planting (deciduous ornamental (understory)).~~
 - ~~Five (5) to six (6) feet in height at the time of planting (evergreen trees).~~
- e. Each tree shall be a minimum of two and one-half (2 1/2) feet away from the outside of any permanent barrier of a landscaped area or edge of the parking area.
- f. Hardy ground cover or grasses shall be planted to cover each interior landscaped area completely within three (3) years. All ground cover shall have a mature height of not more than two and one-half (2 1/2) feet.
- g. ~~Space devoted to required interior landscaped areas shall be in addition to any required front, side or rear yard or required front, side or rear transitional yard.~~
- h. ~~Fifty (50) percent of the required interior landscaped areas shall be installed at the end of parking bays (refer to section 732-217, Diagram G). The balance of the~~

~~required interior landscaped area may be installed anywhere on the lot outside of the required front, side or rear yard or required front, side or rear transitional yard.~~
Exceptions to interior parking lot landscaping:

- a. The requirements of this subsection shall not apply to parking garages or parking decks.
- b. The requirements of this subsection shall not apply to the parking lots of ~~commercial developments~~, legally established prior to **Month Day, 2010** unless there is additional square footage added to the development that **increases the amount of parking required by Section #####** ~~is equal to or in excess of fifteen (15) percent of the development~~, in which case the additional parking that would be required shall meet the requirements of this section for the additional square footage, but the existing parking would not be subject to these landscaping requirements.

~~(9)~~ ~~(4)~~ *Landscape plan and tree canopy coverage area plan requirements:* A landscape plan and tree canopy coverage area plan shall:

- a. Be drawn on a copy of the site plan (or a simplified scale drawing thereof) and show exact locations and outline of all rights-of-way (both existing and proposed by the Official Thoroughfare Plan for Marion County), structures, buildings, sidewalks and pedestrian ways, streets, trash enclosures, project access and interior access drives and driveways, individual and project storage, permanent lighting fixtures, signs, benches, screens, walls, fences, natural vegetation areas, open space, recreational areas, transitional yards, adjacent property zones, and all underground and overhead lines within areas to be landscaped (with depths or heights indicated at intervals where lines change direction or where terminals or connections are provided);
- b. Show dimensioned detailed elevation or section drawings of walls and fences;
- c. Show all existing elevations and proposed land contour lines having at least two-foot intervals;
- d. Show location and nature of existing and proposed drainage systems and their flow;
- e. ~~Include a tree survey of required yards or required transitional yards indicating the exact location of existing trees over four inch caliper at four and one half (4 1/2) feet above the ground and all flowering trees, shrubs and evergreens over six (6) feet in height.~~
- f. ~~Include the exact location of any existing tree two and one half inch caliper or greater at four and one half (4 1/2) feet above the ground which that will be counted as a required tree. Such trees, shrubs and evergreens shall be accurately labeled in the tree survey with species and caliper size indicated as either existing to remain or existing to be removed or transplanted.~~
- f. g. Show all proposed planting by labeling the species, size, and spacing (on center).
- g. In addition to paragraphs a through f above, a tree canopy coverage area plan shall show the location and dripline of free-standing trees and the location and combined dripline of trees in groves that are to be preserved as part of the tree canopy coverage area. Such trees shall be accurately labeled with species and area within the dripline and indicated as an existing tree to remain. The tree

canopy coverage area plan shall also show existing natural vegetation areas to be preserved as part of the tree canopy coverage area. The plan shall show the combined dripline of the existing natural vegetation area, calculation of the area within the dripline, and characterize the species, tree sizes and condition of the natural vegetation area.

~~(10) (5)~~ *Grounds maintenance:* ~~The project owner or management shall:~~

a. ~~Maintain the landscaping by keeping~~ Lawns shall be mowed, all plants shall be maintained as disease-free, and planting beds shall be groomed, except in naturally occurring vegetation areas, such as thickets, ; and

b. ~~Replace a~~ Any required planting(s), which that are removed or die after the date of planting per the previously approved plans on file shall be replaced. Such replacement shall occur during the next planting season.

c. Improper pruning techniques such as topping shall not be employed. All pruning shall be in accordance with the ANSI A-300 Pruning Standard.

~~(11) (6)~~ *Administrator approval of alternate plans:* The Administrator, upon request by the applicant, shall have the power to modify any landscape requirements and approve alternatives for those requirements as long as the alternative plan is appropriate for the site and its surroundings and is compatible and consistent with the intent of the stated standards. Increased preservation of existing trees is an example of a reason for which the Administrator may modify the landscape requirements. Such modification shall be noted on the alternative landscape plan, stamped approved by the Administrator and become a part of the file and requirements for the Improvement Location Permit.

(h) *Appeal.* In all sections of this chapter where the Administrator is given the authority of discretionary approval of plans and specifications, or the method or manner of qualification, or any other similar authority, any party of interest shall have the right to bring such action by the Administrator before the Metropolitan Development Commission for its review and approval or disapproval.

(i) *Application of section 732-214.* This section shall be applicable to all commercial districts except as modified by Subsection (g).

(G.O. 2, 2002, § 13)

Sec. 732-211. Off-street parking regulations.

(j) Landscaping. All parking areas in excess of ~~one hundred (100)~~ twenty (20) spaces shall be landscaped in accordance with section 732-214 (g)(~~3-8~~) (additional landscaping requirements – interior of parking lots).