
Article 8. Landscaping and Buffers

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Article 8. Landscaping and Buffers

Sec. 801. Purpose of Article 8.

The purpose of this Article is to improve the aesthetic qualities of the County and to protect and preserve the appearance, character and value of its neighborhoods and business areas by:

- a. Providing for quality and consistency in the design of landscaping and screening; and
- b. Providing for the separation of incompatible types of land use.

Sec. 802. Definitions related to landscaping and buffers.

Buffer, Landscape: A landscape buffer is an area of natural vegetation or man-made construction that is intended to provide a visual and dimensional separation between dissimilar land uses. In contrast, see "Buffer, Stream" in Article 11.

1. *Natural Buffer:* A visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.
2. *Structural Buffer:* A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Caliper: The diameter of a tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Common Open Space: See "Open Space."

Dead Tree Or Plant: Any living plant material that has lost 33% or more of its branches or leaves, as determined by the Code Enforcement Director or other qualified designee, shall be considered dead.

Diameter Breast Height (Dbh): The diameter of an existing tree trunk measured at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, the trunk is measured at its most narrow point beneath the split.

Drip Line: A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

Heavily Landscaped Area: An area planted with a combination of shade and flowering trees, deciduous and evergreen shrubs, and flowering perennials such that the entire area is covered with landscape materials. The green space designated to be heavily landscaped shall have no more than 25% of its area covered in turf (seed or sod). The remaining 75% shall contain shade trees (2 inch caliper minimum), flowering trees (1 inch caliper minimum), evergreen shrubs (3 gallon minimum), deciduous shrubs (3 gallon minimum), and perennials or non-turf groundcovers (2½ inch pot minimum). All plant materials shall be mulched.

Landscape Buffer: See "Buffer, Landscape."

Landscape Materials: Any combination of living plant materials and nonliving materials such as rock, pebbles, wood chips, mulch and pavers, and decorative features, including sculpture, patterned walks, fountains, and pools. Synthetic landscaping materials acceptable to the Development Review Committee may also be used.

Mulch: Pine straw, pine bark, pebbles, lava rock, processed cypress trees, or synthetic landscaping materials acceptable to the Development Review Committee may also be used. By products of unprocessed grinding operations may not be used for mulching under landscape plants or trees.

Natural Buffer: See under "Buffer, Landscape."

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Open Space: An area of land or water that is permanently set aside through dedication, designation or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment. Open space can be defined as:

1. *Common Open Space:* Land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands, and fishing or boating lakes. Common open space does not include any streets or public or private rights-of-way, or yard areas or landscape areas located on private property.
2. *Public Open Space:* Land reserved for preservation, leisure or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space may not be reserved for or dedicated to the exclusive use of the residents of a particular development.
3. *Greenspace:* Permanently protected areas of a site that are preserved in a natural state.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Structural Buffer: See under "Buffer, Landscape."

Tree Harvesting: The planting, cultivating and harvesting of trees in a continuous cycle as a regular agricultural practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.

Tree, Shade: A broadleaf deciduous tree that has a single trunk and which will reach at least 35 feet in height and 35 feet in spread at maturity. In defining such trees, reference may be made to the latest editions of Landscape Plant Materials for Georgia (Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625) and the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books).

Visual Screen: Natural vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. Screening may consist of any combination of the following, as approved by the Planning Director: Fencing constructed of cedar, redwood, treated wood, vinyl replicating wood, or other suitable all-weather material; masonry walls of brick or stone; planted or natural vegetation; or earthen berms.

DIVISION I. PARKING LOT AND LOADING AREA LANDSCAPING.**Sec. 803. Parking lot plantings.**

Any parking lot designed or intended to accommodate 5 cars or more for any purpose, or to accommodate the parking of any number of light trucks or vans, which is located adjacent to any residential or office zoning district or located adjacent to a public street, must provide a buffer adjoining such district or visual screening from such street in accordance with the requirements of this Section. Landscaped planting areas are also required throughout the parking lot under the requirements of this Section.

Sec. 803.01. Landscape planting and maintenance plan required.

A Landscape Planting and Maintenance Plan including provisions for watering, maintenance and replacements is to be submitted to the Planning Director and approved prior to the issuance of a building permit. Installation of plant materials shall have been completed or bonded prior to the issuance of a certificate of occupancy. If bonded, such plant materials shall be installed within 30 days of the bond date.

Sec. 803.02. Parking lot buffers.

Any parking lot designed or intended to accommodate 5 cars or more for any purpose, or to accommodate the parking of any number of light trucks or vans, which is located adjacent to any residential or office zoning district must provide a buffer as follows:

- a. The buffer shall meet the minimum width for a zoning buffer as required under Sec. 806, but in no case shall be less than 10 feet wide.
- b. Parking lot buffers adjacent to residential and office use or zoning districts shall meet the buffer design standards of Sec. 808, whether or not the parking lot buffer is also required as a zoning buffer under Sec. 806.

Sec. 803.03. Parking lot screening.

For landscape strips adjacent to public streets or rights-of-way, plant materials shall consist of at least one shade tree (as defined in this Development Code) for each 25 linear feet of landscape strip and visual screening as provided below. For purposes of this section, such tree may be any shade tree native to this region which, when planted, is a minimum height of 10 feet.

- a. Visual screening required.
 - (1) Any parking lot designed or intended to accommodate 5 cars or more for any purpose, or to accommodate the parking of any number of light trucks or vans, which is visible from a street right-of-way, must provide a landscaped visual screen of the parking lot that meets the requirements of this Section. Truck loading areas shall be screened in accordance with the requirements of Sec. 804.
 - (2) Decorative visual screening shall be provided to a height of 3 feet above the elevation of the parking/loading area (measured at the edge or top of curb nearest the adjacent street) or the adjacent street (measured at the right-of-way line), whichever is highest.
 - (3) The screening may be included within any frontage landscape strip required by this Development Code, but in no case shall be less than 10 feet wide.
- b. Screening alternatives.

The decorative visual screening may be provided in any of (or any combination of) the following ways that achieves a total height of 3 feet:

- (1) *Planted only.* A hedge consisting of at least a single row of shrubs planted 3 feet on center that will spread into a continuous visual screen within 2 growing seasons. Shrubs must be at least 18 inches tall at the time of planting, be of a species that will normally exceed 3 feet in height at maturity, and be suitable for the

parking lot application. The hedge must be set back at least 4 feet from the street right-of-way line.

- (2) *Earthen berm.* An earthen berm shall not exceed a slope of 50% (1 foot of vertical rise for every 2 feet of horizontal run) and shall have a crown of at least 2 feet. The berm shall be planted in ground covers and other plant materials to achieve a decorative effect to the reasonable satisfaction of the Planning Director.
- (3) *Wall.* A wall of brick, stone or finished and textured concrete, landscaped with plant material to achieve a decorative effect to the reasonable satisfaction of the Planning Director. The wall must be set back at least 4 feet from the street right-of-way line.
- (4) *Decorative fence.* A fence constructed of imitation-wood vinyl pickets, or of wrought iron with masonry columns, landscaped with plant material to achieve a decorative effect to the reasonable satisfaction of the Planning Director. "Open design" decorative fencing of wood or imitation-wood vinyl, such as split rail or slat fencing, are allowed with supplemental plantings to achieve the required screening effect. Fences must be set back at least 4 feet from the street right-of-way line.
- (5) *Combination.* Any combination of hedge, berm, wall or fence that effectively provides a visual screen of the parking lot or loading area to a height of 3 feet and achieves a decorative effect through appropriate use of landscaping and plant material.

Sec. 803.04. **Parking lot planting areas.**

a. Trees required.

An average of at least one shade tree (as defined in this Development Code), occupying a planting space of at least 150 square feet each shall be furnished for each 10 cars on the interior and for each 5 cars on the perimeter of the parking lot. The perimeter of the parking lot includes the outside perimeter and any parking spaces adjacent to a building.

- (1) Trees must be placed in or around the parking lot such that every parking space is within 50 feet of a shade tree. The 50-foot distance is measured from the center of the tree to any point within the parking space.
- (2) New trees shall have a caliper of no less than 2½ inches and a height of no less than 10 feet upon planting, and shall be maintained in good condition. Trees that must be removed as a result of disease, damage or death, must be replaced.

b. Standards for parking lot planting areas.

- (1) Landscape islands, strips or other planting areas shall be located within the parking lot and shall constitute at least 8% of the entire area devoted to parking spaces, aisles and connecting driveways.
- (2) Landscape islands, strips or other planting areas shall be landscaped with any combination of such plant materials as trees, shrubs, grass or ground cover, except for those areas that are mulched. Such planting areas shall be well drained and contain suitable soil and natural irrigation characteristics for the planting materials they contain.
- (3) As a minimum, a landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall extend the length of the parking bay and shall be no less than 8 feet wide for at least one-half the length of the adjacent parking space.
- (4) Landscape islands between side-by-side parking spaces shall be no less than 8 feet in width and extend for at least one-half the length of the adjacent parking space. Landscaping strips between head-to-head parking spaces shall be no less

than 8 feet in width without wheel stops, or 5 feet in width when provided with wheel stops in the parking spaces such that no vehicular overhang is permitted.

Sec. 804. Screening of vehicle use areas.

For vehicle use areas which do not include designated automobile parking spaces such as mini storage warehouses, truck loading and unloading spaces, impoundment yards, and the driveways and turning areas associated therewith, the required shade tree planting shall be:

- a. One shade tree as defined herein for each 1,500 square feet of such areas.
- b. A planting area of 150 square feet shall be provided for each shade tree and the trees shall be generally spaced in a uniform pattern to provide shade, screening and reduce stormwater runoff.
- c. These shade trees shall be in addition to the buffer plantings required by this Article.

Sec. 805. Obstructions to sight distance.

All landscaping and other screening devices placed along street rights-of-way and driveways must be designed and installed in a manner consistent with the requirements of this Development Code regarding visibility clearance.

DIVISION II. LANDSCAPE BUFFERS BETWEEN INCOMPATIBLE LAND USES.

Sec. 806. Buffers; where required.

A buffer meeting or exceeding the following widths shall be required between any multi-family or nonresidential development project along a side or rear lot line that abuts a less intense land use, as follows:

Table 8.1: Situations Where Buffer Required					
	① Provide a buffer on the lot of this use ↓ ↓ ↓ ↓ ↓				
② Along a side or rear lot line next to this less intense use or zoning ↓	1- or 2-Family Residence	Multi-Family	Office or Institutional	Commercial	Industrial
A-1 Agricultural land, or Active Agricultural use in any zoning district	N/A ¹	15 feet ¹	15 feet	15 feet	15 feet
1- or 2-Family Residential ²	None	25 feet	25 feet	50 feet	100 feet
Multi-Family Residential	None	None	25 feet	25 feet	50 feet
Office, Institutional, Commercial or Industrial	None	None	None	None	None
¹ See separation requirements for certain uses in Article 3. ² Includes any land zoned AR-5, AR-4, AR-3, AR-2, AR-1, R-1 or R-2, and any 1- or 2-Family Residential use zoned A-1 or R-3.					

- a. A buffer must be provided between any multi-family use (townhouses, apartments or mobile home park) and any agricultural zoning district or single-family or two-family use or zoning district;
- b. A buffer must be provided between any office, institutional or commercial use and any agricultural zoning district or any single-family, two-family or multi-family use or zoning district; and
- c. A buffer must be provided between any industrial use and any agricultural zoning district or any single-family, two-family or multi-family use or zoning district.

Sec. 807. Buffers; timing of installation.

Buffers are required to be created at the time of construction of any infrastructure or new development of a building or site.

Sec. 808. Buffer design standards.

Sec. 808.01. General.

- a. Buffer areas shall contain no driveways, access easements, parking areas, patios, storm water detention facilities, or any other structures or accessory uses except for a fence, wall, or earthen berm constructed to provide the visual screening required to meet the standards of this Ordinance.
- b. Underground utilities including closed storm drains may be permitted to cross perpendicular to a buffer if the screening standards of this Ordinance will be subsequently achieved.
- c. Vehicular access through a buffer may be allowed only as a condition of rezoning, Conditional Use or Master Planned Development approval by the Board of Commissioners.

Sec. 808.02. Width of buffer.

- a. Buffers required along any lot line shall be no less than the minimum required width as shown on Table 8.1, or as may be reduced under Sec. 810.
- b. When a proposed development adjoins an existing development of a higher intensity, but the full width of the required buffer does not exist on the existing development, the new development shall provide a buffer of adequate width to meet the full width required on Table 8.1 when considered in combination with any existing buffer on the property of the adjoining existing development.

Sec. 808.03. Minimum required screening.

- a. A buffer shall be provided that creates a barrier between differing land uses or adjoining properties which substantially blocks the sight lines, noise transmission, and the transfer of artificial light and reflected light between said differing land uses or adjoining properties including all components of said differing land uses or adjoining properties.
- b. A buffer, as defined herein, shall incorporate but not be limited to at least two or more, and in some cases all, of the following components:
 - (1) Fences;
 - (2) Berms;
 - (3) Free-standing walls;
 - (4) Evergreen plant material; or
 - (5) Horizontal distance.
- c. A buffer, as defined herein, shall also incorporate optimal placement of the foregoing components on the property and in relationship to the adjoining property, so as to provide the most effective barrier described above. This shall include particular consideration to the vertical relationship, lines of sight and resulting view angles between differing land uses and adjoining properties and may involve the grading design, building heights, architectural styles, and placement of design elements on the property being developed.

Sec. 808.04. Location of buffers.

Buffer plantings or structural solutions shall be located on the site to best achieve the screening required, in accordance with the County approved site plan.

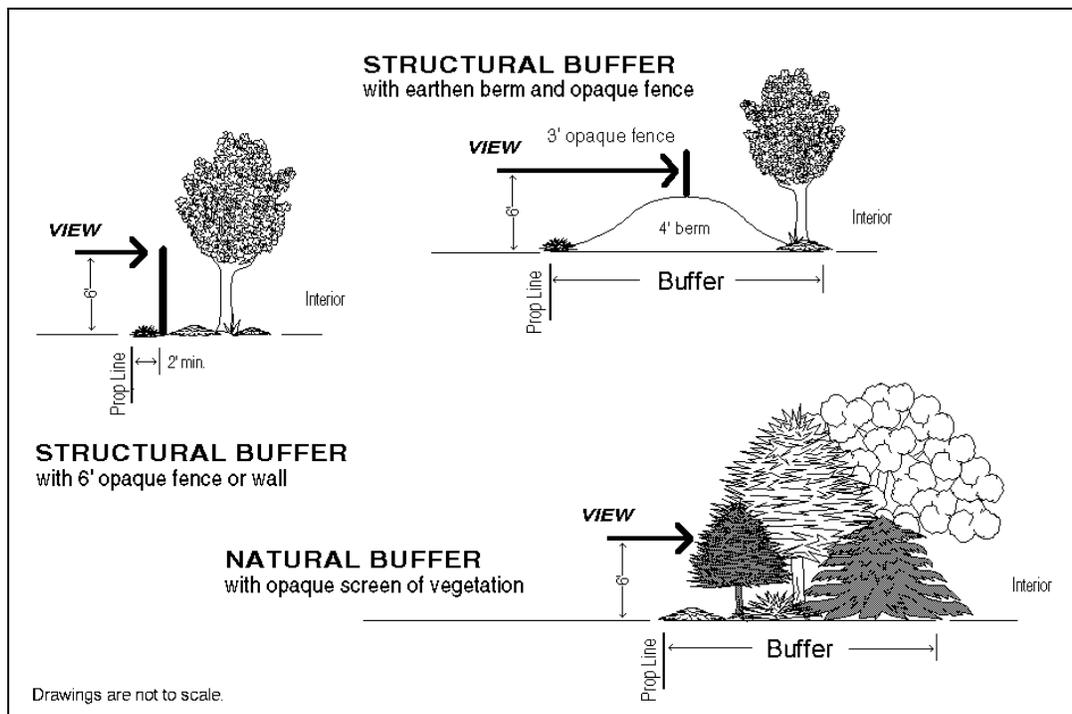
Sec. 808.05. Natural buffers.

Natural buffers may contain deciduous or perennial vegetation, but shall contain evergreen shrubs and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year.

Sec. 808.06. **Structural buffers.**

Structural buffers shall meet the following criteria:

- a. Structural buffers shall be vegetated throughout the minimum area required for the buffer around any fences or walls and upon any earthen berms, which may include, ground covers, shrubs and trees.
- b. All earthen berms shall have a maximum side slope of 50% (1 foot of vertical rise to 2 feet of horizontal run). Earthen berms shall not be constructed within the drip line of any existing trees that will remain on the property.
- c. Trees shall be located or planted within any structural buffer at a density of no less than one shade tree for each 25 feet of buffer length or portion thereof. New deciduous trees shall have a caliper of no less than 2 inches upon planting, and new evergreens shall be at least 6 feet tall when planted.
- d. Fences and freestanding walls shall present a finished and decorative appearance to the abutting property, and shall be located no closer to the property line than 2 feet. Shrubs, ground covers, or other vegetation shall be provided between the fence or wall and the property line so as to provide a decorative effect, following professional landscaping standards for spacing, location and design.
- e. Fences used in buffers must be made of rot-resistant material or protected from deterioration with waterproofing material.
- f. Examples of buffers are shown in the following illustration:



Sec. 809. **Maintenance of buffers.**

Every buffer required under this Division II shall be maintained by the owner of the property where the buffer is located, so as to provide an opaque visual screen to a height of 6 feet on a continuous, year-round basis. Dead or dying plants or trees must be replaced immediately with the same or an equivalent species.

Sec. 810. Waiver or reduction for unnecessary buffers.

Following a review and recommendation by the Planning Department, the Board of Commissioners may waive a landscape buffer otherwise required by this Section, or reduce its extent to an appropriate dimension, provided that the Board deems such waiver or reduction as adequate to protect the health, safety or general welfare of the public, and provided that reasonable objections from adjoining property owners shall be considered in making such waiver or reduction. Such action shall be handled as a special exception variance under the Appeals Article of this Development Code.

DIVISION III. LANDSCAPING PLANS, INSTALLATION AND MAINTENANCE.

Sec. 811. Site landscaping plans.

Sec. 811.01. Site landscaping plans; when required.

- a. Site landscaping plans are required upon application for a development permit or for a building permit for new construction of buildings in any development to which landscaping, screening or buffer requirements apply.
- b. The location and detail of all zoning buffers and screening shall be depicted on the required site landscaping plan.
- c. In cases where approval of the site landscaping plans would cause harmful delay to the start of construction, the Code Enforcement Director may issue footing and foundation permits for the project so that construction may proceed.
- d. Permits for construction beyond the footing and foundation shall not be issued until the site landscaping plans have been submitted and approved.

Sec. 811.02. Site landscaping plans; criteria.

The technical specifications for site landscaping plans are found under the Procedures and Permits Article of this Code.

Sec. 811.03. Exemptions from site landscaping plan requirements.

- a. The provisions of this Section shall not apply to structures for which site landscaping plans previously have been submitted and approved.
- b. Site landscaping plans shall be required for only that phase of development for which the development permit or building permit is being requested.

Sec. 812. Plant materials; standards.

Sec. 812.01. Acceptable plant materials.

The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this Article. Acceptable plant materials for landscaping, screening and zoning buffers shall be as approved by a Georgia registered Landscape Architect.

- a. New plant materials.
 - (1) Medium shrubs (those having a mature height of 4 feet or less), 18 x 24 inch balled and burlapped or 2-gallon container.
 - (2) Large shrubs (those having a mature height greater than 4 feet), 24 x 30 inch balled and burlapped or 3-gallon container.
 - (3) Ground cover, 2½ inch pot.
 - (4) Trees, minimum 2-inch caliper (or as required for specific applications under this Article).
- b. The *American Standard for Nursery Stock*, published by the American Association for Nurserymen, may be referred to for the determination of plant standards.
- c. Existing trees that are to be retained to satisfy the requirements of this Code shall meet the following standards:
 - (1) Trees shall be free from mechanical and natural injuries, insect infestations and disease.
 - (2) Trees shall be protected from injury to roots, trunks and branches during grading and construction. Protective fencing, tree wells, or retaining walls shall be utilized where necessary to insure tree vigor upon completion of construction.

Sec. 812.02. Approval of plant materials.

Approval of a proposal to use a specific landscaping or buffer material shall be subject to a determination by the Planning Director that the proposed material is the most appropriate for:

- a. The specific location, given surrounding land uses and the type of screening used on nearby properties, and
- b. The specific topography, soil, existing vegetation, and other factors that may influence the effectiveness of a screen material.
- c. The following table includes examples of plant materials that may be appropriate for various applications. The planning department may be consulted if clarification is required.

Table 8.2: Suggested Species List for Proposed New Trees		
Large Trees		Small to Medium Trees
Deodar Cedar	Red Oak	Trident Maple
Loblolly Pine	Nuttall Oak	Virginia Pine
Blackgum	White Oak	Redbud
Cryptomeria	Shumard Oak	Sweetbay Magnolia
Southern Magnolia	Scarlet Oak	Claudia Wannamaker Magnolia
D.D. Blanchard Magnolia	Overcup Oak	Chaste Tree
Japanese Zelkova	Pin Oak	Chinese Evergreen Oak
Dawn Redwood	Willow Oak	Little Gem Magnolia
Bald Cypress	Water Oak	Saucer Magnolia
Florida Maple	Swamp Chestnut Oak	Crepe Myrtle
Red Maple	Lacebark Elm	Foster Holly
October Glory Maple	Athena Elm	American Holly
Red Sunset Maple	Atlantic White Cedar	Savannah Holly
Autumn Blaze Maple	Tulip Tree	Emily Bruner Holly
Sugar Maple	Sycamore	Wax Myrtle
Autumn Flame Red Maple		Mary Nelle Holly
River Birch		Nellie Stevens Holly
American Beech		Fringetree
Chinese Pistache		American Yellowwood

Sec. 813. Installation and maintenance of plant materials.

Sec. 813.01. Installation of plant materials.

- a. Plant materials, as required by the provisions of this Article, shall be installed prior to issuance of a Certificate of Occupancy. The Code Enforcement Director may allow one planting season in a twelve month period in which the installation of plant materials shall be completed, subject to the performance security requirements, below.
- b. Performance surety.
 - (1) In such cases as when planting stock availability is low or weather conditions are not appropriate for planting new trees, the project owner may postpone planting for up to 6 months; provided that performance security is posted with Oconee County in accordance with the following criteria:

- (a) Security shall be in cash held in escrow or an irrevocable letter of credit submitted to the Code Enforcement Department, with the appropriate documentation.
 - (b) Security shall be provided in an amount equal to 110 percent of the cost of materials, installation and 2-year guarantee as demonstrated by a signed contract between the owner and a qualified landscape contractor, and as approved by the Code Enforcement Director.
- (2) An inspection shall be made by the Code Enforcement Department of all tree plantings to assure compliance with plan requirements prior to release of the performance security. The performance security will be drawn upon by Oconee County at the time of expiration if the planting requirements have not been fulfilled, or if the owner has not requested an extension. One 6-month extension may be permitted with documented justification acceptable to the Director of Code Enforcement. Any inspections performed after the final inspection (for project release) are subject to re-inspection fee schedules.
- c. Maintenance bond.
- (1) Prior to approval of a final subdivision plat or issuance of a certificate of occupancy, or prior to release of a performance surety provided under this Section (whichever last occurs), a maintenance bond, letter of credit or escrow account in a form acceptable to the Code Enforcement Director is required for all plant materials installed as a result of the requirements of this Article. The developer shall be responsible for maintenance of all such plant materials for 2 years from the date of acceptance of the maintenance bond.
 - (2) The value of the Maintenance Bond shall be equal to 25 percent of the actual cost of installation of the plant materials. The cost of installation shall be evidenced by copies of contractor agreements or actual invoices paid, or as otherwise determined by the Code Enforcement Director in accordance with generally established costs for the industry.

Sec. 813.02. **Maintenance of required plant materials.**

- a. The owner, tenant and their agent, if any, and their successors and assigns shall be jointly and severably responsible for the maintenance in good condition of the plant materials used to meet the minimum landscaping and buffer requirements of this Article. This responsibility is in addition to and survives the release of any maintenance bond provided for the property by the developer.
- b. Plants that are diseased, unsurvivalably damaged or are dead shall be removed and replaced with a plant of the same species, variety or cultivar, as acceptable to the Code Enforcement Director.
- c. Other landscape materials shall be maintained in proper repair and shall be kept clear of refuse and debris.