

**Chapter 19.06. Landscaping and Fencing.**

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**19.06.01. Purpose.**

This chapter promotes the health, safety, and general welfare of the public by enhancing aesthetic features of the City, providing adequate spaces and vegetation for outdoor and recreational opportunities, protecting property values, lowering heating and cooling costs of structures, trapping and filtering dust and pollutants, reducing soil erosion, improving air quality, and reducing damaging winds. Additionally, landscaping and fencing are encouraged when used as buffers and screens against undesirable views.

**19.06.02. Required Landscaping Improvements.**

Landscape and fencing requirements of this Chapter shall apply to all new landscaped areas.

(Ord. 14-23)

**19.06.03. General Provisions.**

1. Park strips shall be landscaped and maintained by the property owner who abuts the park strip, unless otherwise noted on an approved and recorded subdivision plat or site plan.
2. Automated water-conserving irrigation systems, including water-conserving sprinkler heads and rain sensors, shall be required for all new landscaping in nonresidential developments as well as for all irrigated open spaces that are held in common or in Homeowner's Association ownership in residential developments.
3. All landscaped areas shall be maintained by watering, weed removal, lawn mowing, or any other activity required to maintain healthy and well-manicured landscaping.

4. Trees which project over any sidewalk shall be pruned clear of all branches between ground and a height of eight feet for that portion of the plant located over the sidewalk.
5. Landscaping and fencing shall maintain a clear sight triangle as specified in Section 19.06.11.
6. All refuse areas shall be screened by approved fencing materials.

(Ord. 16-09, Ord. 14-23)

#### **19.06.04. Landscaping Plan.**

Those required by this Chapter to make landscaping improvements shall submit a landscaping plan prepared by a licensed landscape architect to meet the minimum landscape requirements outlined herein. All single-family residential structures shall be exempt from preparing and submitting a landscape plan, however, single-family residential structures must comply with the single-family specific requirements in this Chapter. The City staff will review the submitted landscaping plan for compliance with this Chapter and forward the plan to the City Council for review and action concurrent with Site Plans and Subdivision Plats. The landscaping plan shall include, at a minimum, the following information:

1. Existing conditions: the location and dimension of all existing and proposed structures, property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting;
2. planting plan: location and planting details for all proposed vegetation and materials. The proposed plan must indicate the size of the plant material at maturation. All existing vegetation that is to be removed or remain on the site must be clearly identified;
3. the name (both botanical and common name), quantity, and size of all proposed plants;
4. topography: existing and proposed grading of the site indicating contours at two feet intervals;
5. irrigation: irrigation plans showing the system layout and details;
6. fencing: location, style, and details for proposed and existing fences and identification of the fencing materials; and
7. a data table: table including the total number of each plant type, and total square footage and percentage of landscaped areas, domestic turf grasses, decorative rock, mulch, bark, and drought tolerant plant species.

(Ord. 14-23)

#### **19.06.05. Completion of Landscape Improvements; Adequate Assurances.**

All required landscaping improvements shall be completed in accordance with the approved Site Plan, subdivision plat, landscaping planting plan, and irrigation plan prior to the issuance of a Certificate of Occupancy for any building. Exceptions may be permitted and Certificates of Occupancy issued where weather conditions prohibit the completion of approved and required landscaping improvements. In such cases, an extension period no longer than six months may be granted so long as a performance bond for no less than 115% of the total estimated value of the landscaping is posted and a performance bond agreement is entered into in accordance with Section 19.12.05 to ensure the landscaping improvements are installed in accordance with this Chapter, City ordinances and standards, and approved site and landscaping plans. In all cases, landscaping improvements shall be guaranteed for a period of 1 year after final acceptance by posting a warranty bond and entering into a warranty bond agreement in accordance with Section 19.12.05.

(Ord. 14-23)

**19.06.06. Planting Standards and Design Requirements for Nonresidential and Common Open Space.**

1. These planting standards are the minimum standards of landscaping that the City will accept towards meeting the landscaping required in this Chapter for nonresidential development, and open spaces that are held in common or in Homeowner’s Association ownership in residential developments. Design requirements identify specific standards as they pertain to landscaping. The planting standards and design requirements shall be used in evaluation of any landscaping plan by the City.
2. The following are planting standards for required landscaping that shall be followed for all new development, with all caliper sizes measured no less than 12 inches above the root ball:
  - a. **Required Trees.** Required trees are subject to the following standards:
    - i. **Deciduous Trees.** All deciduous trees shall have a minimum trunk size of two (2) inches in caliper.
    - ii. **Evergreen Trees.** All evergreen trees shall have a minimum size of 6 feet in height.
    - iii. **Tree base clearance.** An area at the base of the tree a minimum of three feet in diameter shall be kept free of rock and turf. In parking lot islands and other narrow strips of landscaping where strips of turf two feet or less in width would otherwise occur, this clear area may be reduced to two feet in diameter.
  - b. **Shrubs.** At least 25% of the required shrubs shall be a minimum of 5 gallons in size at time of installation; all other required shrubs shall be a minimum of 1 gallon in size.
  - c. **Turf.** No landscaping shall be composed of more than seventy percent turf.
  - d. **Drought Tolerant Plants.** Fifty percent of all trees and shrubs shall be required to be drought tolerant species.

- e. **Rock:** rock may be utilized up to the maximum percentage specified in Section 19.06.07, subject to the following requirements:
    - i. a minimum of two separate colors, and a minimum of two different sizes shall be used;
  - f. rock shall provide contrasting color to pavement and other hard surfaces within the property, and all colors used shall be earth tones. **Planting and Shrub Beds.** Planting and shrub beds may be used to satisfy up to the percentage of the total required landscaping as specified in the Section 19.06.07. In addition to the required plants in the chart, planting and shrub beds must meet the following requirements:
    - i. high-quality weed barrier is used;
    - ii. high quality materials such as wood chips, wood mulch, ground cover, decorative rock, landscaping rocks, or similar materials are used, and materials must be heavy enough to not blow away in the wind;
    - iii. edging is used to separate lawns from beds, and all areas except residential must use concrete edging for durability;
    - iv. drip lines are used for irrigation.
  - g. **Artificial Turf.** Artificial turf is not permitted.
3. The following design requirements will be used when reviewing landscaping plans in the City of Saratoga Springs:
- a. **Selection of Plants.** Plants shall be selected for texture, form, color, pattern of growth, and adaptability to local conditions.
  - b. **Evergreens.** Evergreens shall be incorporated into landscaped treatment of sites where screening and buffering are required.
  - c. **Softening of Walls and Fences.** Plants shall be placed intermittently against long expanses of building walls, fences, and barriers to create a softening effect.
  - d. **Planting and Shrub Beds.** Planting and shrub beds are encouraged to be used in order to conserve water. Planting and shrub beds shall meet the requirements in subsection 19.06.06(2)(g) above.
  - e. **Water Conservation.** While irrigation systems are required for all landscaped areas, all systems shall be efficient in the use of water such as the installation of drip lines for shrubs and trees.
  - f. **Energy Conservation.** Placement of plants shall be designed to reduce energy consumption. Deciduous trees are encouraged to be planted on the south and west sides of structures to provide shade over the structures in the summer months. Evergreens trees are encouraged to be planted on the north side of structures when feasible to dissipate the effects of winter winds.
  - g. **Preservation of Existing Vegetation.** Where possible and appropriate, existing native vegetation must be incorporated into the landscape treatment of the proposed site.
  - h. **Tree Preservation.** Existing mature evergreen trees of 16 feet in height or greater, and existing mature deciduous or decorative trees of more than four inches (4") in caliper, shall be identified on the landscape plan and preserved if possible. If a mature tree is preserved, an area around the roots as wide as the existing canopy shall not be disturbed.

- i. If preservation is not possible, the required number of trees shall be increased by double the number of such trees removed.
      - ii. The replacement trees for evergreen trees shall be evergreens, and for deciduous shall be deciduous.
      - iii. Deciduous trees smaller than four inches in caliper, or mature ornamental trees, that are removed shall be replaced on a one to one ratio.
      - iv. Replacement trees shall be in addition to the minimum tree requirements of this Chapter, and shall comply with minimum sizes as outlined in the Chapter.
    - i. **Placement.** Whenever possible, landscaping shall be placed immediately adjacent to structures, particularly where proposed structures have large empty walls.
4. No trees shall be planted directly under or in close proximity to power lines, poles, or utility structures unless:
- a. the City Council gives its approval;
  - b. the power company or owner of the power line gives written consent; and
  - c. the maximum height or width at maturity of the tree species planted is less than 5 feet to any pole, line, or structure.
5. Parking Lots.
- a. Parking areas have additional landscaping standards outlined in Chapter 19.09.

(Ord. 16-09, Ord. 15-29, Ord. 14-23)

**19.06.07. Amount of Required Landscaping.**

- 1. Portions of property that are not developed with structures, rights of ways, or parking areas shall be required to be landscaped per the definition of Landscaping in Section 19.02 in all land use zones.
- 2. Single-family residential lots shall be required to landscape per Section 19.06.08.
- 3. The Multi-family, improved open space, and nonresidential development in all Zones shall be required to adhere to the minimum landscaped standards contained in the table below.
- 4. The City Council shall have authority to adjust these standards as circumstances dictate.

Required Landscaped Area <sup>1</sup>	Minimum Deciduous Trees <sup>3</sup>	Minimum Evergreen Trees <sup>3</sup>	Minimum Shrubs	Minimum Percentage of Required Turf	Percentage of Required Planting and Shrub Beds
< than 1,000	1	1	7	0 % <sup>2</sup>	Up to 100%
1,001 - 3,000	3	1	10	0 % <sup>2</sup>	Up to 100%
3,001 - 5,000	5	2	13	0 % <sup>2</sup>	Up to 100%
5,001 - 7,000	5	3	14	35%	Not more than 65%
7,001 - 9,000	6	3	17	35%	Not more than 65%
9,001 - 11,000	6	4	19	35%	Not more than 65%
11,001 - 13,000	6	4	22	35%	Not more than 65%
13,001 - 15,000	7	5	25	35%	Not more than 65%
15,001>	7 + 1 per additional 3000 sq.ft.	5 + 1 per additional 3000 sq.ft.	25 + 1 per additional 3000 sq.ft.	25%	Not more than 75%

<sup>1</sup>Areas are measured in square feet. Parking lot landscaping islands may have different standards and are found in Chapter 19.09.

<sup>2</sup> The City Council may require a certain percentage of turf on a case-by-case basis.

<sup>3</sup> This number shall be increased per the requirements of Section 19.06.06 above.

(Ord. 15-29, Ord. 14-23, Ord. 14-1)

### **19.06.08. Single Family Residential and Park Strip Landscaping Requirements.**

#### **1. Single Family Residential Lots**

- a. All residential lots in all zones except A and RA-5 that are one-third acre in size or smaller shall have the front yards, and street-side yards for corner lots, landscaped within one year, and interior side and back yards within two years after (whichever is less restrictive):
  - i. receiving a Certificate of Occupancy; or
  - ii. once ownership is established by the current owner.
- b. All residential lots in all zones except A and RA-5 that are larger than one-third acre must landscape a minimum of one-third acre.
  - i. The one-third acre may include structure footprints, driveways, parking areas, and other lot improvements that fall within a contiguous one-half acre area.
  - ii. The one-third acre shall include the front yard.
  - iii. Areas outside of the landscaped one-third acre may remain in a native state, and shall be maintained in compliance with nuisance and fire requirements.
  - iv. That portion of the landscaping that falls within the front yard, and street-side yard for corner lots, shall be landscaped within one year, and that portion of landscaping within interior side and back yards shall be landscaped within two years after (whichever is less restrictive):
    1. receiving a Certificate of Occupancy; or

2. once ownership is established by the current owner.
  - c. All front yards and street side yards shall be completely landscaped per the definition of Landscaping in Section 19.02,
  - d. All back yards shall either be completely landscaped per the definition of Landscaping in Section 19.02, or, if fully enclosed with a minimum six foot tall privacy fence that extends to the ground to prevent spread of weeds, may instead be stabilized per the definition of Protective Ground Cover in Section 19.02, with the following exceptions:
    - i. Bare dirt, meaning ground with no planting, hardscape, rock, or other cover, may occur in limited quantities when in conjunction with features including gardens and trellis areas.
    - ii. Trees and shrubs are permitted to have a ring of bare dirt around the trunk and beneath the drip line of the canopy.
  - e. At least 25% of landscaping in front yards and corner street side yards shall consist of non-rock planter beds, shrubs and grasses, or other non-hardscape and non-rock landscaping.
  - f. Artificial turf is not permitted in front or corner street side yards.
2. Park strips.
- a. Park strips shall be landscaped when the front yard is landscaped for a residential dwelling, or when site improvements are completed for a non-residential project, and shall thereafter be perpetually maintained by the property owner who abuts the park strip. Only the following shall be installed in park strips: turf, trees, shrubs or other plants, mulch, live plant vegetation (other than trees) below three feet in height, landscape rock, cobble, and removable pavers. When landscape rock, cobble, or pavers are used, at least thirty percent of each park strip shall contain plantings.
  - b. Weeds, dead vegetation, fruit trees, fruit and vegetable gardens, gravel, asphalt, concrete, and large boulders are prohibited in park strips.
  - c. Four foot wide concrete walkways are allowed in the park strip when the walkway lines up with the main walkway to the front door.

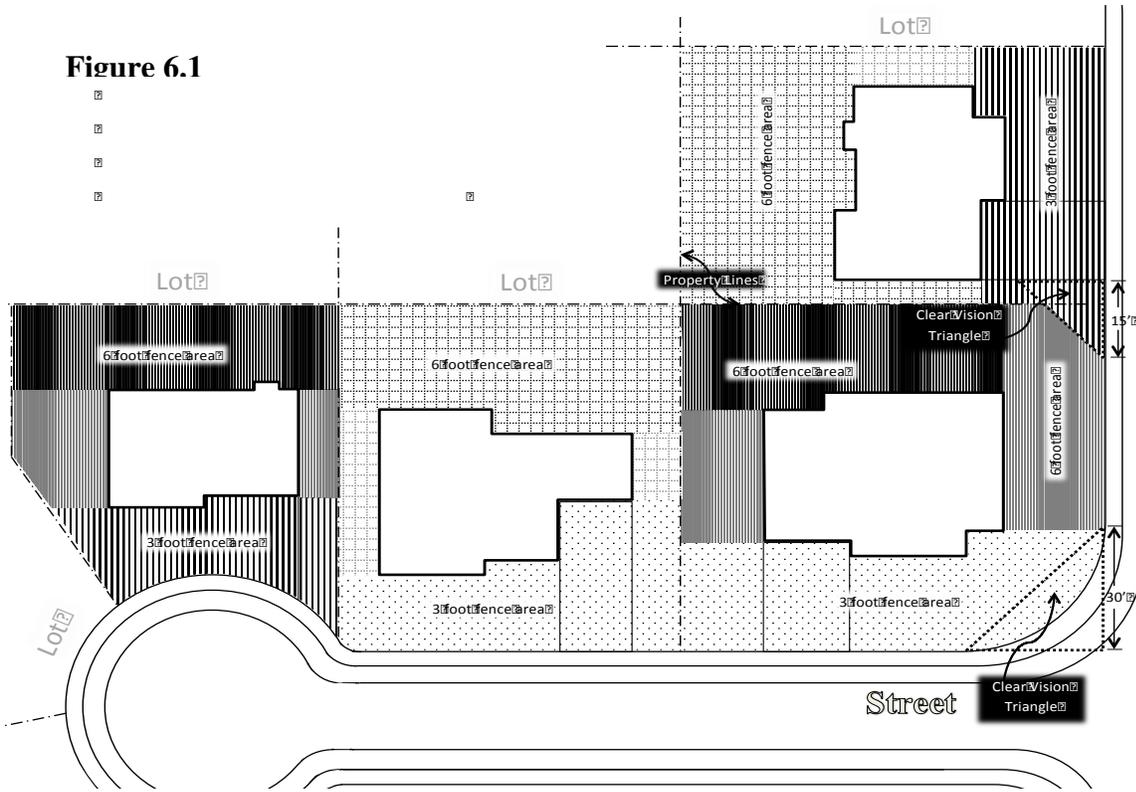
(Ord. 16-17, Ord. 16-10, Ord. 15-29, Ord. 14-23)

#### **19.06.09. Screening and Fencing Requirements and Restrictions.**

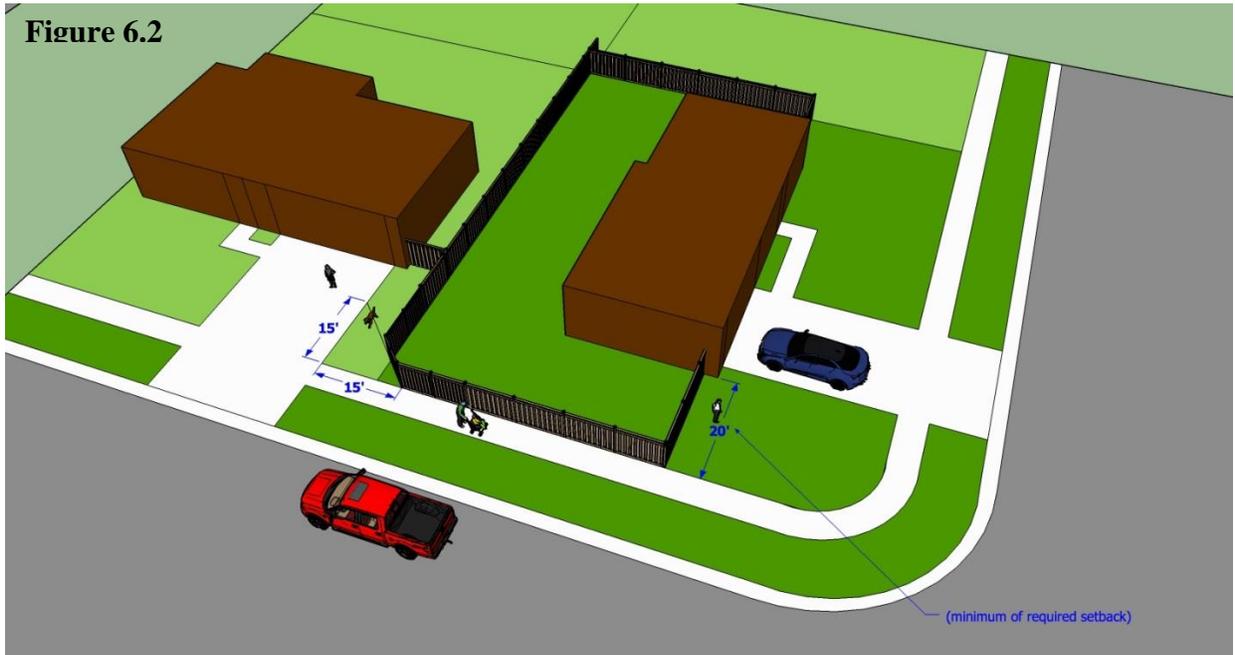
This Section outlines provisions that govern the heights of screening and fencing.

1. **Front yards:** fences exceeding three feet in height shall not be erected in any front yard space of any residential lot.
2. **Street side yards:** fencing in street side yards adjacent to a driveway shall not exceed three feet for a distance of fifteen feet back from the intersection of driveway and sidewalk, or driveway and property line where no sidewalk exists as shown in the drawing below. Fencing shall also comply with all other clear sight triangle requirements as stated in 19.06. See Figures 6.1 and 6.2 below:

**Figure 6.1**



**Figure 6.2**



- Retaining walls:** for construction of all retaining walls four feet or taller in height, a building permit must be obtained. Prior to construction of retaining walls, Chapter 18 of the City Code shall be consulted to determine if a grading permit is also required. Where there is a difference in elevation on opposite sides of the fence, the height of the fence shall be measured from the highest elevation. Approval of fences over six feet in height

will be determined on a case-by-case basis by the City Council for all new developments if fencing is proposed during the subdivision review process, or by the Planning Director for all developments that have received final approval; however, in no case will a fence be allowed to exceed eight feet in height. The following criteria shall be applied in making this determination:

- a. compatibility with fences of surrounding uses;
- b. quality of proposed materials;
- c. aesthetics of proposed materials;
- d. requirements of applicable development agreements;
- e. intensity of existing surrounding uses; and
- f. applicable conditions of approval.

4. **Prohibited fencing:**

- a. No barbed wire, chain link, razor, or wire (agricultural, electric, chicken wire, mesh wire, hog fencing, etc.) fences shall be allowed. This does not apply to chain link or wire fences if the fence: (1) is not being used to delineate lot boundaries; and (2) is being used for Agricultural uses or otherwise for the keeping of animals; and (3) does not occupy more than 50% of any residential yard.
- b. No fencing that parallels existing fencing shall be permitted within an existing fenced yard. Exceptions: interior fencing to enclose chickens, bees, or other livestock as otherwise specifically permitted under this Code, and any fencing of three feet or less in height within an existing fenced yard.

5. **Double frontages:** where lots have frontages onto more than one street, that area designated by the property owner as the rear yard may have a solid or view obstructing fence, wall, or hedge not exceeding six feet in height. Where the double frontage lot is also a corner lot (three frontages), clear sight across corner property shall be required and enforced. See Section 19.06.11, Clear Sight Triangles.

6. **Non-residential and Multi-family:** fencing and other screening materials for multi-family, residential, commercial, or industrial projects must receive approval by the City Council through the Site Plan review process. See Chapter 19.13 for Site Plan review requirements. In addition, the following criteria shall be applied:

- a. compatibility with fences of surrounding uses;
- b. quality of proposed materials;
- c. aesthetics of proposed materials;
- d. requirements of applicable development agreements;
- e. intensity of existing surrounding uses; and
- f. applicable conditions of approval.

7. **Required residential fencing:** fencing in residential development shall be placed along property lines abutting open space, parks, trails, and easement corridors. In addition, fencing may also be required adjacent to undeveloped properties.

- a. In an effort to promote safety for citizens and security for homeowners, fences along open space, parks, trails, and easement corridors shall be semi-private.

Exception: privacy fencing is permitted for property lines abutting trail corridors that are not City maintained and are both adjacent to and visible from an arterial.

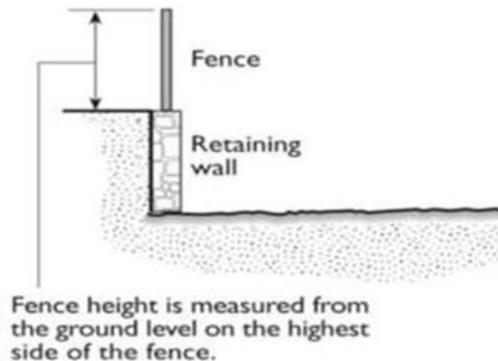
- b. Fencing along arterial roads shall be of a consistent material and color within each development.
- c. Fencing along open space, parks, trails, and easement corridors may be less than six feet in height but shall not be less than three feet in height, at the discretion of the property owner or HOA as applicable.

(Ord. 16-20, Ord. 16-17, Ord. 15-29, Ord. 14-23)

### **19.06.10. Screening at Boundaries of Residential Zones.**

This Section outlines provisions that shall govern the heights of screening and fencing for commercial, mixed use, and industrial developments that abut residential zones.

- 1. For commercial, mixed use, and industrial developments abutting residential zones an opaque fence or wall shall be installed and maintained along lot lines.
- 2. For residential developments abutting active agricultural property or operations, a solid fence or wall shall be installed and maintained along the abutting property line.
- 3. The opaque fence shall be a minimum of six feet in height but not more than eight feet. A lower height fence may be required adjacent to a front property line for sight distance and traffic safety (see Section 19.06.08). Walls above six feet shall first be reviewed and approved by the City Council during site plan review. In determining the specific height of the fence, the following criteria shall be applied:
  - a. compatibility with fences or walls of surrounding uses;
  - b. aesthetics of proposed materials;
  - c. requirements of applicable development agreements;
  - d. intensity of existing surrounding uses; and
  - e. applicable conditions of approval
- 4. Where there is a difference in elevation on opposite sides of the fence, the height of the required fence shall be measured from the highest elevation:



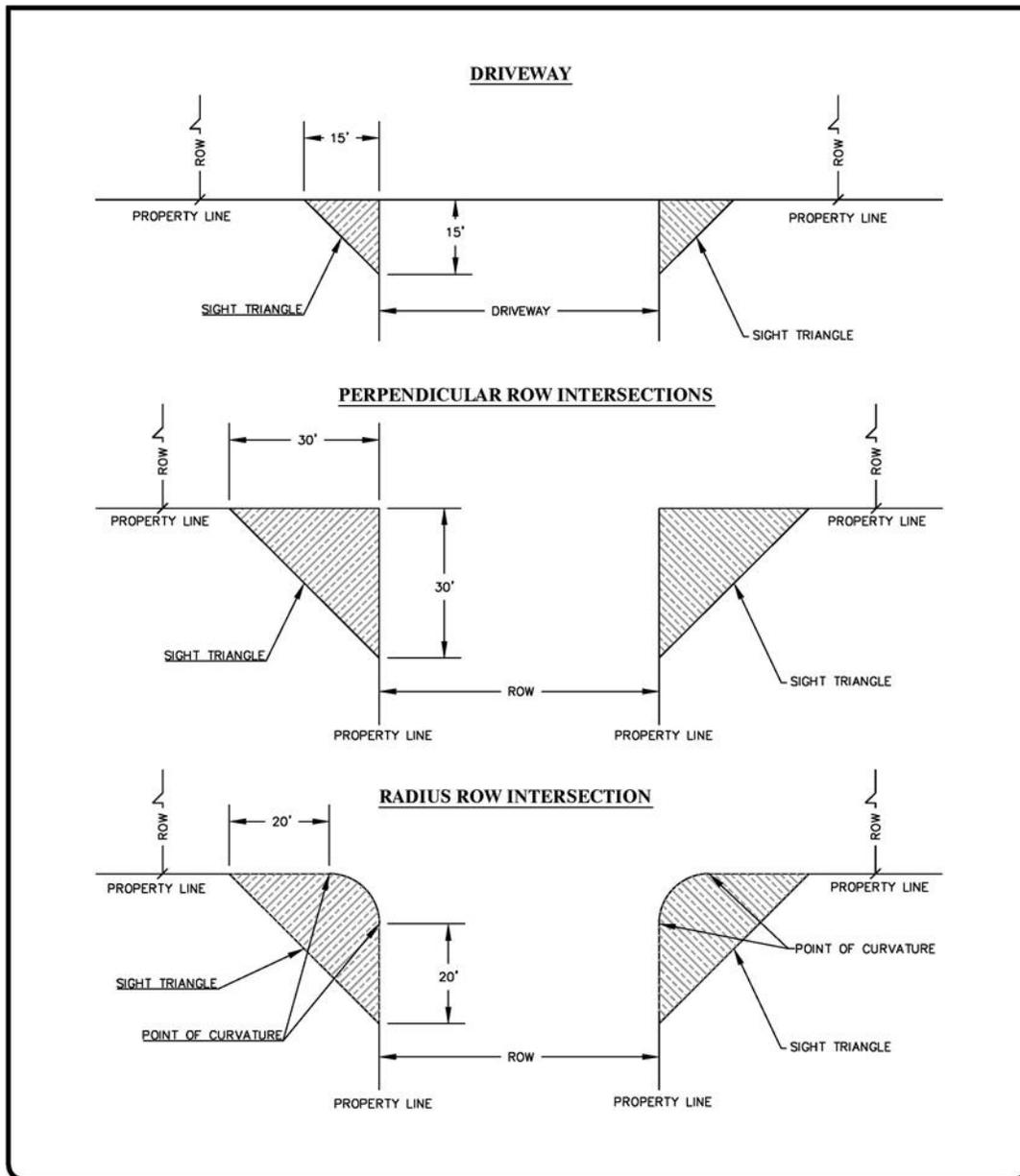
(Ord. 14-23)

**19.06.11. Clear Sight Triangle.**

- A. To allow for clear sight as shown in the graphic below, at all intersections of streets, driveways, or sidewalks, for a distance of twenty feet back from the point of curvature of curved ROWs and property lines or thirty feet back from the intersection of straight ROWs and property lines, whichever is greater, and fifteen feet back from edge of driveways:
  - a. all landscaping, and fencing shall be limited to a height of not more than three feet, and
  - b. the grade at such intersections shall not be bermed or raised.
- B. Exceptions:
  - a. Deciduous tree canopies may be located in the clear sight triangle of privately maintained intersections only if at maturity, as defined in Section 19.06.06, the distance between the ground and base of the canopy is maintained at no less than eight feet and any portion of the tree trunk at maturity that enters the clear sight triangle is no greater than twelve inches, and
  - b. any other exception outlined in the Code.

(Ord. 16-20, Ord. 16-09)

# Clear Sight Triangle:



<b>SIGHT TRIANGLE</b>	DATE: JULY 2014	REVISIONS			STANDARD DETAILS	
	DRAWING NAME:	REV. DATE	BY		COMMENTS	SIGHT TRIANGLE
	DRAWN BY: ETL					
	CHECKED:    APPROVED:	<b>SARATOGA SPRINGS CITY</b> <small>1307 N. COMMERCIAL DR. 8000 SARATOGA SPRINGS, FL 32835 PHONE: 904.799.8793 FAX: 904.799.8794</small>				

(Ord. 15-29, Ord. 14-23)