

Landscaping and Screenings:

- (a) In all zoning districts, one tree is required for each 2,000 square feet or fraction of yard space.
  - i) When the total lot area is less than two acres in size, "yard space" is the total lot area less the area occupied by buildings and paved parking, or 20% of the total lot area, whichever is greater.
  - ii) When the total lot area is two acres or greater in size, "yard space" is the rectangular area within which disturbance by grading and/or excavation will be entirely contained less the area occupied by buildings and paved parking, or 20% of such rectangular disturbance area, whichever is greater.
- (b) All trees required shall, at planting, have a minimum height of six (6) feet and minimum diameter of 1 ½" at 4 ½' above ground.
- (c) Required trees shall not be pruned, except to remove dead wood, in a manner as to prevent growth to a height of at least fifteen (15) feet or to reduce existing height below fifteen (15) feet.
- (d) Where new tree plantings are otherwise required, existing trees having a height of at least ten (10) feet may be counted as required trees if the earth below their branches remains undisturbed by heavy machinery.
- (e) All required trees shall be surrounded by an unpaved area of at least twelve (12) square feet, and shall be located a minimum of eight (8) feet apart.
- (f) Four (4) shrubs shall be required for every one (1) required tree.
- (g) Required shrubs shall be at least 1-gallon size and at least twelve (12) inches high at planting.
- (h) Within all dedicated easements and/or rights-of-way lying between the site property and the pavement of a public road, as well as within any area on the site property not occupied by structures, parking, required trees and shrubs, or flowerbeds, all ground shall be graded to a maintainable surface and sewn grass or sod shall be installed and maintained.
- (i) Where a business site adjoins any residential district or where a multi-family residential site adjoins a single-family residential district, an appropriate screening device at a height of no less than six (6) feet at installation shall be installed and maintained.
- (j) Appropriate screening devices shall consist of evergreen trees, shrubs, and/or solid-panel fencing of material deemed appropriate by the Planning Commission.

(k) Upon installation and/or planting, screening materials shall span the full length of the subject property line(s) and shall screen at least 50% of the new structure(s) from view from neighboring property.

(l) Under no circumstances shall plantings for screening be counted toward the fulfillment of landscaping requirements as otherwise outlined in this ordinance.

(m) If a screening fence has two distinct sides, the side with protruding studs, posts, etc. shall face the lot of the party responsible for the placement of the fence.

(n) Variance from the requirements of this section may be granted only in instances when said requirements incur an unnecessary hardship on a property as determined by the Board of Zoning Adjustment.

(o) Prior to the granting of a certificate of occupancy by the city building official, installed landscaping shall be inspected and approved by the City Planner for conformance to the approved site plan. If, in the opinion of the City Planner, all required landscaping has not been completed, a financial guarantee (performance bond) may be provided in-lieu of immediate installation of the required landscaping. Said performance bond shall be received and accepted by the City Planner prior to the granting of the certificate of occupancy and shall be equal to 120% of the estimated total cost to complete all landscaping requirements.

Performance bonding may be made by deposit with the City of Hartselle in the form of a certified check, or in the form of an irrevocable letter of credit established with a financial institution, and automatically renewable after the initial period of 90 calendar days, wherein the City of Hartselle has access to funds in the event the city must contract the completion of required landscaping. The time allowed for the completion of all landscaping shall be 90 calendar days from the issue date of the certificate of occupancy and may be extended only by action of the Planning Commission. Upon completion of all required landscaping, the developer shall notify the City Planner in writing. The City Planner shall inspect all landscaping for completion in conformance with the approved site plan and issue a certified opinion to the Planning Commission. Such report shall recommend full approval or rejection of the landscaping with the stated reason(s) for any rejection. Approval of landscaping by the Planning Commission shall authorize the City Planner to return said bond to the developer within 30 days of Planning Commission action.

Rejection of landscaping by the Planning Commission shall require the continued holding of the performance bond until such time that all issues are corrected by the developer and a satisfactory inspection report by the City Planner is presented to the Planning Commission for full approval or rejection. Under no circumstances shall the Commission partially approve landscaping and reduce the amount of a landscaping performance bond.