

Section 64-4.

E. Minimum landscape requirements.

1. Purposes and objectives.

- a. **Purposes.** The purpose of this section is to prevent, protect, and enhance the ecological and aesthetic environments of the City of Mobile. Inasmuch as landscaped areas serve to protect soil erosion; reduce the hazards of flooding; absorb carbon dioxide and supply oxygen; reduce the effects of noise, glare, dust, and other objectionable activities generated by some land uses; safeguard and enhance property values; buffer and screen adjacent properties; promote the pleasant appearance and character of neighborhoods and cities; provide shade; to preserve the economic base attracted to the city by such factors; and facilitate the safe movement of traffic in vehicular use areas, it is further the purpose of this section to improve the appearance, quality, and quantity of landscaped areas throughout the City of Mobile, with emphasis on vehicular use areas.
- b. **Objectives.** In pursuit of these purposes, the objectives to be met in enforcing the minimum landscaping requirements of this section are as follows:
 - (1) **Conservation.** To conserve and protect, insofar as possible, healthy, existing plant material.
 - (2) **Reforestation.** To replenish the local stock of plant material suitable for growing in the City of Mobile.
 - (3) **Protection.** To protect and preserve the unique identity of neighborhoods as well as the City of Mobile.
 - (4) **Flexibility.** To allow flexibility in landscape development in order to encourage innovative and diversified design.
 - (5) **Environment.** To off-set the effects of large impervious surfaces.
 - (6) **Attractiveness.** To provide an attractive appearance to streets.
 - (7) **Tree preservation.** To encourage the preservation of existing heritage trees.

2. Application of section.

- a. Such landscaping requirements shall become applicable as to each building site at the time that an application for a building permit for a new structure on such building site is made, except that the said requirements shall not apply to property zoned R-1 and R-2 under this article.
- b. In order to encourage the renovation, upgrading and maintenance of existing structures, these landscaping requirements shall apply to sites with an existing structure(s) in the event that the total gross floor area of the presently existing structure(s) is increased or decreased by fifty (50) percent. Increases or decreases can occur by either additions or deletions to existing structure(s), or the placement or removal of structures on the site.
- c. In those areas within the central business district where landscaping is required by the architectural review board and/or the community development block grant program/Mobile housing board, landscaping will be required to fulfill said requirements.
- d. Existing landscaping on sites with existing structures or areas suitable for landscaping shall not be reduced below the landscape requirements established herein.

- e. These requirements shall remain with any subsequent owner.

3. Landscaping requirements.

a. Building site.

- (1) Landscaping percentage requirements. On any building site for which an application for a building permit is made, at least five (5) percent in 1987; six (6) percent in 1988, ten (10) percent in 1992; and twelve (12) percent in 1993 of the total building site shall be landscaped as applications are made for building permits. At least sixty (60) percent of this landscaping percentage requirement shall be located on the building site between the street line(s) and the building wall(s) facing the street, as illustrated in figure 1.
- (2) Frontage tree planting requirements. The front setback must contain at least one (1) heritage tree for every thirty (30) feet of road frontage.
- (3) Perimeter tree planting requirements. The building site must contain one (1) heritage tree or one (1) understory tree for every thirty (30) feet of the outside lot perimeter, less those heritage trees required in the front setback. As to the trees required by the preceding sentence, in no case shall more than half of such trees be understory trees. Building sites located within I-1 or I-2 zoning districts shall be exempt from the requirements of this subsection.
- (4) Tree specifications. If new trees must be planted to meet the requirements of this section, they must be a minimum of an initial diameter of three (3) inches DBH, have a warranty of at least two (2) years, and meet the species specification for a heritage tree or understory tree under this article. All such trees shall immediately become heritage trees upon planting. Notwithstanding the foregoing, should the urban forester determine that the number of trees required hereby, after the application of credits, is inappropriate for the site involved, he may, at his discretion, waive any number of trees required, and in such case the applicant shall instead donate the trees waived to the Mobile Tree Commission to be planted as public trees.

b. Parking lots.

- (1) Parking lot requirements. Parking lot landscaping shall be provided in parking lot use areas having uncovered parking at street level. Such landscaping shall be provided in such a manner as to break up the expanse of paving, facilitate the safe circulation of pedestrian and vehicular traffic, and provide shade valuable for pedestrians and/or vehicles. If a parking lot provides more than three hundred (300) uncovered parking spaces at street level and the public is required to park its own vehicles (self-parking), landscaping shall be provided in accordance with the circulation and parking layout requirements for off-street parking in section 64-6 of the zoning ordinance. In addition to the foregoing, parking lots must be landscaped in the interior of the lot to break up the expanse of paving. A ratio of one (1) understory tree for every twenty (20) parking spaces shall be required. Parking lots located within I-1 or I-2 zoning districts shall be exempt from the requirements of this subsection.
- (2) Landscaping design criteria. The landscape material shall be as per section 64-2, "Definitions; Landscape material" except where other landscape material or protection buffer is allowed

or required in accordance with the requirements for buffer protection in section 64-4.D(1)(a) and (b) of the zoning ordinance.

(3) Sight visibility. Landscape material shall not obstruct visibility between the heights of three (3) and eight (8) feet above grade in vehicular use areas. There shall be an exception for existing trees as provided for in section 64-4.E.4(a).

- c. Installation. All landscape material shall be installed in a sound workmanlike manner and in accordance with the landscape plan, as finally approved.
- d. Maintenance. All landscaped areas shall be maintained by the owner of the property at all times. Maintenance shall include the prompt replacement of all dead or damaged landscaped material so as to ensure continued compliance with the landscaping requirements of this section. This applies to right-of-way and median maintenance for developers who elect to take credits toward landscaping requirements. Any subsequent owner of property whose predecessor in interest took credits for right-of-way and median maintenance must continue to maintain said right-of-way or median in compliance with these landscape provisions.
- e. Irrigation. All landscaped areas shall be provided with an adequate water supply through the use of one (1) or more appropriate methods of irrigation, including hose bibbs and/or automatic or manual irrigation systems and/or any other appropriate methods.
- f. Sight visibility. Landscape material shall not create an obstruction to visibility at intersections as required in section 64-4.D(4) of the zoning ordinance.
- g. Protection of landscaped areas. All landscaped areas shall be protected by the use of protective tree grates, concrete curbs, wheel stops, continuous border plants of hedgerows, railroad ties, or other suitable barriers to allow sufficient percolation of water and air to the root system of living landscape material and to protect from damage due to heavy foot traffic or vehicular encroachment.

4. Credits toward landscaping requirements. Allocations of credits, if any, referred to in paragraphs 1 and 2 above, and approval of plans shall be made by the inspection services department, zoning and subdivision staff. Any disagreement with the determination made by the inspection services department, zoning and subdivision staff shall be resolved by the board of zoning adjustment.

- a. Where natural features and amenities such as trees, water courses, historic sites, and similarly irreplaceable assets exist on a building site prior to development and provision is made to preserve the aforementioned permanently, up to one hundred (100) percent may be credited toward the landscaping percentage requirement for the total building site set out in section 64-4.E.3.a., provided it is determined that such credit satisfies all purposes, objectives and requirements of this section.
- b. Credit will be allowed toward the landscaping percentage requirements for the total building site for landscape material in adjacent rights-of-way and medians not to exceed three (3) percent of the total landscape requirements. At no time will the landscaping requirements be less than five (5) percent on the main site. Credit for right-of-way and median landscaping must be replanted as to meet all criteria in section 64-4.E. of the zoning ordinance entitled "Minimum landscaping requirements".

- a. Allocations of credits, if any, referred to in paragraphs 1 and 2 above, and approval of plans shall be made by the zoning and subdivision staff. Any disagreement with the determination made by the planning commission staff shall be resolved by the City of Mobile planning commission. Total on-site landscaping requirements will not be reduced below five (5) percent except in cases of hardship, developments in historic districts or professional buildings with specific site criteria. Added credits may be issued upon documentation of the need.
- b. Tree credit. Preservation of existing heritage trees or existing pine trees with a minimum DBH of twelve (12) inches can be credited toward the tree planting requirements of this article according to the following ratio: the number of credited trees shall be determined by measuring at a height of four and one-half (4½) feet above grade level, the diameter (in inches) of each preserved heritage tree or pine tree and dividing the sum by six (6). To be included in the computation for credit for preserved trees, each preserved tree must be at least twelve (12) inches in diameter; however, any existing heritage tree less than twelve (12) inches in diameter by meeting the minimum tree planting size requirements of this article, may be credited for one (1) required tree. Credited trees shall be uniformly encircled by a protected ground area of sufficient size to ensure the health of the tree. During any construction on the site, the protected ground area shall be clearly marked in the field.

No credit will be allowed for any tree proposed to be retained if there is any encroachment within the "protected ground area" defined by a circle which has as its center the trunk of the tree or the tree is unhealthy or dead. If any preserved tree being used for credit dies or fails to thrive, the owner shall plant new trees equal to the number of credited trees and the replacement trees will be of the same species or variety as the credited tree(s) lost.

In no case shall credits for preserved trees eliminate the requirement that the front setback shall contain a ratio of at least one (1) heritage tree for every thirty (30) feet of frontage.

5. Landscape plan approval. A landscape plan shall be submitted for approval at the time that an application for a building permit is made on any land where the landscaping requirements of this section are applicable. Such landscape plan shall be drawn at the same scale and be provided in the same number of copies as the site plan, and shall contain the following information:
- a. The date, scale north arrow, title, and name of owner.
 - b. The approximate location of existing boundary lines and dimensions of the building site.
 - c. The location, species, and size of existing trees and other vegetation that the applicant proposes to remain on the site and have made a part of the landscape development.
 - d. The approximate center line of existing watercourses; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, existing and proposed utility easements on or adjacent to the building site, and existing and proposed sidewalks adjacent to streets.
 - e. The location and size of proposed landscaped areas, in square feet.
 - f. The location, number, size, and name of proposed landscape material.

- g. Statistics verifying the minimum percentage of landscaping required under this section will be met.
- h. The locations, species and DBH of existing heritage trees and heritage live oak trees indicating those to be retained, and those heritagelive oak trees to be removed, and whether they are to be counted as part of the landscaping requirements. An indication of how healthy existing trees proposed to be retained will be protected during construction. The location and dimensions of the proposed landscape areas within the parking area(s) including a description and location of new trees and plant materials to be placed within the landscape area.
- i. An indication, using written or graphic information, of how the applicant plans to protect existing trees and other vegetation, which are proposed to be retained, from damage during construction.
- j. The proposed irrigation type and design.
- k. Certification that the landscape plan has been prepared by one of the following: a registered landscape architect, professional engineer, architect, landscape designer, full time building designer, and that it satisfies all purposes, objectives and requirements of this section.