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## **Sec. 94-452. - Roadway beautification.**

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- a. *Intent.* The intent of this section is to beautify public roads and keep the public roads aesthetically pleasing with landscaping and other enhancements.
- b. *Applicability.*
  - 1. The standards contained in this section shall apply to all public rights-of-way which are adjacent, contiguous or internal to existing and proposed residential and nonresidential developments. Landscaping and irrigation are required within roadway medians and road shoulders. All approved planned developments that are subject to major amendments, shall be required to landscape, irrigate and maintain improvements within adjacent and/or contiguous public rights-of-way. If a development order requires road improvements not adjacent and/or contiguous to the development, the petitioner of the development shall landscape and irrigate said road. Unless otherwise approved through a development order or other agreement, developers and their successors or assigns shall be responsible for the installation and maintenance of roadway landscaping, including irrigation. Where roads have been landscaped and enhanced, but become nonconforming due to safety standards implemented by this section, nonconformities may be rectified during future road improvements by the person or entity making the improvements.
  - 2. As new developments are approved, property owners on both sides of the road shall be required to share the cost of landscape and irrigation maintenance for medians and/or road shoulders based on the linear frontage of each development or by the square footage of the area to be maintained.
- c. *Landscape plans.* Landscape plans for rights-of-way shall be submitted by the applicant and approved with each development approval.
- d. *Installation.*
  - 1. Landscaping installation shall be in accordance with applicable state and/or county engineering standards and this code. All landscaping and irrigation within the right-of-way shall be installed and completed within six months from the issuance of the clearing permit for said project or as otherwise approved by the city commission. The preparation of the soil within the road right-of-way shall include excavation of material detrimental to plant growth. Best management practices shall be used for proper soil preparation and drainage of the site. The water source for the roadway landscaping shall originate from the developer's project.
  - 2. The developer shall be responsible for obtaining all permits through the appropriate agencies.
- e. *Maintenance.* The developer and its successors, or assigns shall be responsible for the maintenance of the roadway landscaping. Landscaping maintenance shall be performed in accordance with applicable state and/or county engineering standards and city code requirements. The roadway shall be maintained to the same standard as the adjacent development landscaping. As new developments or major amendments to approved developments occur adjacent to existing roadway beautification projects, the cost to maintain the common median shall be equally shared between the property owners on both sides of the roadway, and each owner shall be jointly and severally liable for such maintenance, unless otherwise specified in the conditions of development approval or separate agreements. The city shall disclose to all parties any maintenance agreements between developments upon request, but it shall be the property owner's responsibility to coordinate the maintenance and the shared cost thereof.
- f. *Enforcement.* Failure to install and maintain roadway landscaping, including plant replacement, shall be a violation of this section as well as development order conditions, if applicable.

(Ord. No. 4689-16, § 12, 4-11-2017)