

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 12-15-102 AND 12-15-105 OF ORDINANCE NO. 1265 OF THE CITY OF PIERRE, HUGHES COUNTY, SOUTH DAKOTA, TO AMEND THE LANDSCAPE ORDINANCE INCLUDING THE DEFINITIONS AND THE BOULEVARD/PUBLIC RIGHT-OF-WAY LANDSCAPING REQUIREMENTS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PIERRE, SOUTH DAKOTA:

Section 1: That Section 12-15-102, Definitions, shall be revised as follows:

12-15-102. Definitions.

1. **"Boulevard"** is the area within the public right-of-way between the back of the curb and the sidewalk.

1.2. **"Greenscape"** is a predominantly green natural landscape with foliage and/or grass. This excludes concrete or decorative rock, or other inert material.

2.3. **"Major Renovation"** reconstruction and renovation of an existing structure to the extent of increasing the assessed value of said structure by fifty (50) percent or more.

3.4. **"Shrubbery"** a self-supporting, deciduous or evergreen wood plant normally branched near the base, bushy and a minimum height of one foot at the time of planting.

4.5. **"Tree"** a tree which is required by this ordinance and meets or exceeds the following minimum specifications according to tree type.

a). **"Tree, Deciduous Ornamental"** a minimum of one inch (1") caliper measured at a point six inches (6") above immediate ground level and normally growing to a height less than thirty feet (30") at maturity.

b). **"Tree, Deciduous Shade"** a minimum of one and one-quarter inch (1¼") caliper measured at a point six inches (6") above immediate ground level and normally capable of reaching a mature height of fifty feet (50').

c). **"Tree, Evergreen or Coniferous"** a minimum height of four feet (4') measured above immediate ground level.

Section 2: That Section 12-15-103, Boulevard/Public Right-of-Way Landscaping Requirements, shall be revised as follows:

12-15-105. Boulevard/Public Right-of-Way Landscaping Requirements.

The entire public right-of-way, excluding the street, shall be devoted entirely to grass or an approved greenscape and approved trees/shrubbery plantings, except for the necessary surfacing of sidewalks and driveways perpendicular to the right-of-way.

There shall be a minimum width of ~~tenfifteen~~ (1015) feet of grass or an approved greenscape adjacent to the public street. In the event that there is not ~~tenfifteen~~ (1015) feet of public right-of-way to be utilized for the planting of grass or approved greenscape, the difference shall be met by requiring the developer/property owner of the property to provide the balance of the required ~~tenfifteen~~ (1015) feet of grass or approved greenscape on private property. ~~The necessary surfacing of sidewalks and driveways may be allowed within the minimum width of fifteen (15) feet of grass. An equivalent area may be considered and approved by the City Engineer.~~

The care, mowing, tree-trimming and maintenance of the right-of-way, including the area between the property line and street curb shall be the responsibility of the owner of the abutting property. The property owner is liable for the care, maintenance, mowing and tree trimming.

Section 3: All ordinances or parts thereof in conflict herewith are hereby repealed.

First Reading: _____

Second Reading & Adoption: _____

Published: _____

ATTEST:

Steve Harding, Mayor

Twila Hight, Business Manager/Finance Officer