



# City of Myrtle Beach

## *Landscaping Ordinance*

February 24, 2003



## **Section 910. Landscaping regulations.**

**910.1 Intent.** The City of Myrtle Beach recognizes that the aesthetics, economics, and environment of a city are more than just luxuries for its residents; they are vital ingredients to maintain and create a quality of life desired by members of the community and visitors to this area. The purpose of this ordinance is to provide landscape amenities, setbacks, and screening which promote a positive city image reflecting order, harmony and pride. The results of this effort will be a strengthening of the economic stability of Myrtle Beach's business, cultural and residential areas. The goal of this ordinance is intended to contribute to a strong sense of neighborhood and community. The objectives of the ordinance are as follows:

- a. To improve the appearance of the vehicular use areas and properties abutting public rights-of-way.
- b. To require protective buffering between noncompatible land uses.
- c. To protect and preserve the appearance, character, and value of surrounding neighborhoods.
- d. To promote the aesthetic appeal, scenic beauty, character, and value of the City while preserving and enhancing our natural environment.
- e. To promote public health, safety, and welfare of our community through the reduction of noise pollution, storm water runoff, air pollution, visual pollution, and artificial light glare.
- f. To maintain the integrity of trees and plant materials placing them where they will survive and are allowed to grow to their natural size and shape.
- g. To set criteria for landscaping while allowing for flexibility in design and theme.
- h. To meet the public demand for orderly growth and aesthetic quality.
- i. To protect the existing landscape and any future changes in the landscape.
- j. To create a continuous network of green space and improve the streetscape in the community.
- k. To define necessary installation and maintenance guidelines for landscaping or community.
- l. To define the role of the public and private sectors in creating a community landscape while safeguarding and enhancing property values.
- m. To ensure that this ordinance is compatible with other ordinances in the city.

## **910.2 Sites affected.**

**910.2.1 New sites.** All new development, buildings, structures and vehicle use areas shall comply with the minimum landscaping required by the provisions of this section.

**910.2.2 Existing sites.** If any foundation addition to any of the existing buildings on the property is to be undertaken or if any modification/alteration costing more than 25 percent of the total county assessed tax value of all existing buildings for the entire property within the confines of set property lines is to be undertaken, or if an existing building, structure or land use is to be reused for a different principal use, or if any excavation or movement of soil that requires a permit from the public works department, then all vehicle use areas on the property or on associated properties which directly support the parking needs of these buildings shall meet one of the following requirements:

- a. If any building footprint on site is being increased or change of principal use occurs, then all landscape requirements within this ordinance will apply.
- b. If construction does not include increasing any building footprint and the zoning administrator determines that there is sufficient land available to accommodate existing parking and landscaping, then all landscape requirements within this ordinance will apply.
- c. If construction does not include increasing any building footprint and the zoning administrator determines that there is not sufficient land available to accommodate existing parking and landscaping, then requirements in paragraphs 910.2.3.3 or 910.2.3.3.1 will apply.

**910.2.3 Existing nonconforming sites.** This section is intended to set standards for bringing existing nonconforming sites to certain standards within a specific time frame as directed below. The time frame for compliance of annexed properties shall be computed from the date of annexation. Existing nonconforming sites are designated into certain categories (listed below) which will dictate the standards and time frame.

**910.2.3.1 Sites with landscape buffers and interior landscape islands that are not code compliant because of insufficient landscape material.** These sites will have nine months from March 1, 1998 to comply with the landscape code that was in effect when the landscaping was originally installed. Prior to installation of plant material, a landscape plan for the specific property must be submitted to and approved by the community appearance board unless there is an approved plan available for review by staff.

**910.2.3.2 Sites having vehicle use areas to directly support specific uses that have adequate land to provide landscape buffers, interior landscaping islands, and parking.** All sites except those located in a RM district will have 24 months from March 1, 1998 to comply with the current landscape code regarding the installation of plant material and irrigation. Those sites in RM districts will have 48 months from March 1, 1998, to comply with the current landscape code regarding installation of plant material and irrigation. Prior to installation of plant material, a landscape plan for the specific property must be submitted to and approved by the community appearance board.

**910.2.3.3 Sites having vehicle use areas to directly support a specific uses that do not have adequate land for landscape buffers, interior landscape islands and parking.** All sites, except those located in a RM district, as identified by the zoning administrator, will have 24 months from March 1, 1998 to add landscaping to the property as outlined below. Those sites in a RM district will have 48 months from the effective date of this ordinance to add landscaping to property as outlined below.

- a. Five percent of all impervious material in the front yard and side street set backs will be dedicated to landscaping, with a maximum loss of ten percent of parking spaces.
- b. The areas for landscaping must be at least 64 square feet with at least four-foot minimum dimension between all trees and pavement at time of planting. All newly landscaped areas shall have in-ground irrigation. At the owner's option, "gator" type tree watering bags or other landscape industry accepted irrigation devices may be used if there is no required plant material other than trees planted in the landscape area.
- c. There will be at least one three-inch caliper tree per 150 square feet of required landscaping or one four inch caliper tree in lieu of two three inch caliper trees provided the

planting area is between 150 and 300 square feet.

d. Prior to installation of plant material, a landscape plan for the specific property must be submitted and approved by the community appearance board.

**910.2.3.4 Sites which become nonconforming as a result of eliminating Wax Myrtle and Crepe Myrtles as trees.** Beginning September 1, 1999 all sites which become nonconforming as a result of eliminating Wax Myrtles and Crepe Myrtles as trees will have seven months from their date of nonconformance to comply with the current landscape code regarding the installation of trees.

**910.2.4 Temporary special event sites.** Parts or all of the requirements of this section may be waived by the zoning administrator if the vehicle use area is of such nature that more than 50 percent of its loading only occurs periodically over a span of several days for special events of a nonrecurring nature (such as churches, festivals, etc.) and the lot is maintained in grass, or a combination of grass and grass pavers which present a landscaped appearance.

**910.3 Where landscape materials are required.** The following minimum requirements shall be met for uncomplimentary land uses, buffering around a vehicular use areas, interior landscape areas within a vehicular use area and additional landscape requirements:

**910.3.1 Buffers' relating to uncomplimentary land uses and zones.** The only materials allowed within the buffers are:

#### TREES

Leland Cypress/Cypresses *lelandii*, Live Oak/*Quercus virginiana*, Southern Magnolia/*Magnolia grandiflora*, Yaupon/*Ilex vomitoria*, Japanese Black Pine/*Pinus thunbergii*.

#### SHRUBS

Glossy Abelia/*Abelia grandiflora*, Azaleas/*Azalea indica*, Banana shrub/*Michelia figo*, Broadleaf Ligustrum/*Ligustrum japonica*, Cleyera/*Cleyera japonica*, Sasanqua *Camellia*/*Camellia sasanqua*, *Camellia japonica*, *Eleagnus pungens* "Fruitland", Dwarf Burford Holly/*Ilex cornuta* "Burfordi", *Gordonia*/*Lisianthus*, Variegated Ligustrum/*Ligustrum sinensis*, Fragrant Tea Olive/*Osmanthus fragrans*, Redtip/*Photinia glabra* or *Photinia fraseri*, *Pittosporum tobira*, Variegated *Pittosporum variegata*, *Podocarpus macrocarpus* maki, Indian Hawthorn/*Raphiolepis indica*, Yeddo Hawthorn/*Raphiolepis unbellata*, Wax myrtle/*Myrica cerifera* and *Crape Myrtle Lagerstromia indica*.

**910.3.1.1 Any MH1, MH-2, MTA district property that adjoins any other property boundary shall have a minimum landscape strip of at least ten feet in width adjacent to all common boundaries, including rights-of-way.** Landscape material will consist of at least one ten foot tree placed at 20-foot intervals and one three-gallon shrub placed at three-foot intervals.

**910.3.1.2 Any C-2, C-3, C-4, C-6, C-10, C-11, AC-1, AC-2, AC-3, or AC-4 district that adjoins any single family or multifamily residential district shall contain a minimum**

**landscape buffer of at least ten feet in width adjacent to all common boundaries, except street frontages, which must contain one of the following:**

- a. A continuous masonry wall that is 72 inches in height, eight inches in width, meeting all criteria of the Standard Building Code, and approved by the community appearance board. The wall is to be placed two feet from residentially zoned property line and continue parallel to the property line to the front yard setback line of the residential property. Landscape materials will consist of at least one ten-foot tree placed at 20-foot intervals and one three-gallon shrub placed at three-foot intervals.
- b. A planted berm, with a maximum slope of 3:1, that is at least 48 inches in height. Landscape materials will consist of at least one ten foot tree placed at 20-foot intervals and one three-gallon shrub placed at three-foot intervals.
- c. A combination of a planted berm and masonry wall that meets the criteria of the above two paragraphs; or
- d. A natural landscape buffer area that must remain untouched that is at least 20 feet in width for lots up to 150 feet in depth. The natural landscape area must increase one-foot for every 7.5 feet of depth up to a maximum of 60 feet. The community appearance board must approve this natural area.

**910.3.1.3 Any utility substation or salvage yard that adjoins any other property, except adjoining properties in C-9 districts, boundary or any street right-of-way shall contain a 72-inch maintained opaque high fence surrounded on the exterior by a minimum ten feet wide landscape buffer.** Landscape materials will consist of at least one ten-foot tree placed at 20-foot intervals and one three-gallon shrub placed at three-foot intervals.

**910.3.1.4 Any C-9 district property boundary that adjoins any other district property boundary, excluding rights-of-way 60 feet or wider shall have a minimum ten feet wide landscape buffer.** Landscape materials will consist of at least one ten-foot tree placed at 20-foot intervals and one three gallon shrub placed at three-foot intervals.

**910.3.2 Vehicular use area perimeter requirement.** Unless regulated in other sections of this article, any vehicular use area that is within 30 feet of any property line shall require a minimum landscape buffer of five feet in width along the linear boundary of the vehicle use area. Where a shared curbcut and drive aisle have been approved, then the amount of landscaped area deleted from the required buffer shall be added on each property to the vehicular use interior landscaping requirements. When a vehicle use area is more than 30 feet from a property line, that area not covered by buildings must be covered by grass or other ground cover as approved by the community appearance board. Landscape requirements are specified in section 910.4. A vehicle use area is considered to be adjoined by any property or right-of-way unless the vehicular use area is entirely screened visually by an intervening building or structure. In such cases, walls and fences are not considered structures.

**910.3.2.1 Those properties located in C-5 district that utilize the special regulations outlined in section 1219 for rear yard parking shall not be required to establish landscaping within vehicle use areas.**

**910.3.2.2 Those properties which have a width of less than 70 feet shall have a minimum**

**landscape buffer of seven feet abutting a right-of-way.** All parking stalls shall have wheel stops at a point 2.5 feet from the top end of the parking space. The 2.5-foot area shall be considered an exterior buffer area. Grass or other types of living ground cover shall be installed within these 2.5-foot wide buffer areas.

**910.3.2.3 Those properties with loading zones and service areas, outside the front and side street setback, that are within 50 feet of a property line shall have at least a ten foot landscape buffer abutting the property line planted with materials as specified in 910.3.1.**

**910.3.3 Vehicular use interior requirements.** Any open vehicular use area (excluding loading, unloading, and storage areas in the C-3, C-9, C-10 or C-11 zones) containing more than 4,000 square feet of area shall provide interior landscaping in addition to the required perimeter landscaping. Such landscape areas shall be located in such a manner as to divide and break the expanse of paving and be located at strategic points to guide travel flow and direction. Interior landscaping may be peninsular or island types.

#### **910.3.3.1 Location standards for landscape areas**

**910.3.3.1.1 Lots 70 feet in width or greater.** An area equal to five percent of the vehicle use area shall be dedicated to interior landscape areas. The minimum landscape area permitted shall be 100 square feet, with four feet minimum distance between all trees and paving at time of planting, measured at the base of the trunk of the newly planted tree. Vehicular use areas less than 30,000 square feet; the required landscape area will be no larger than 375 sq. ft. Vehicular use areas 30,000 sq. ft or larger; the required landscape area shall be no longer than 1500 square feet. Landscape materials shall be as specified in section 910.4.

**910.3.3.1.2 Lots less than 70 feet in width.** Lots with up to 100 feet of depth shall provide two interior landscaped islands. One additional interior landscaped island shall be required for every 25 feet of lot depth over 100 feet. The minimum dimension of these landscaped areas shall be at least 14 feet wide and 16.5 feet deep.

**910.4 Landscape material required.** All landscape material shall be of the variety and species that is known to grow and thrive in this area, artificial plants are not calculated for code compliance. Any material that is proposed which is normally not used in this area will not be approved unless the owner and designer present their documentation regarding the care and survivability of the questioned material to the zoning administrator who will forward the documentation to the community appearance board for approval. Unless specified elsewhere within the zoning ordinance, landscape material requirements are as follows:

**910.4.1 Perimeter shrubs.** All shrubs, except those located in site triangles, must be of a type that naturally attains a mature height of at least 30 inches. The amount of shrubs must be at least equal to one three-gallon shrub for every three linear feet of required buffer or one seven-gallon shrub for every six linear feet of required buffer. Shrubs may be grouped or clustered, but they must be planted in the same buffer for which they were calculated.

**910.4.2 Interior vehicular use area shrubs.** All shrubs must of a type that naturally attains a

mature height no greater than 24 inches unless the interior landscape area adjoins the perimeter buffer, then the shrubs maybe of the type that reach a mature height of at least 30 inches. The amount of shrubs must be at least equal to eight three-gallon shrub or four seven gallon shrubs for every 150 sq. ft. of required interior vehicle use landscaped area. Shrubs must be located within the interior landscaped area for which they were calculated.

**910.4.3 Wax Myrtle/Myrica cerifera and Crape Myrtle/Lagerstromia indica shrubs.** Wax Myrtle/Myrica cerifera and Crape Myrtle/Lagerstromia indica shrubs may be used at a ratio of 1:2 for up to 50 percent of the required perimeter or interior shrubs.

#### **910.4.4 Trees associated with vehicular use areas.**

**910.4.4.1 Within the front and side street setbacks there shall be sufficient trees within and around the vehicular use area to ensure any vehicle within this setback areas is always within 50 feet of a planted or retained tree within the front or side setbacks.** Trees planted within the front and side street set back must be at least three inches in caliper at time of planting and an upper story species, Sabal Palmettos may be substituted at a 3:1 ratio for upper story trees

**910.4.4.2 There shall be sufficient trees within and around the designated parking with maneuvering areas, outside the front and side street setbacks, to ensure any vehicle at any time shall always be within 75 feet from a tree trunk with two or more trees or 50 feet from a single tree trunk in a planting area.** A planting area shall consist of a maximum of 200 square feet of pervious material per tree or no more than 50 feet between trees within in the same planting area. Trees planted must be at least three inches in caliper for single stemmed trees or 12 to 14 feet in height for multi-stemmed trees. (Sabal Palmettos may be substituted at 3:1 ratio for upper story trees). Except for Japanese Black Pine trees, no more than 15% of the total required planting may consist of any species of pine trees.

**910.4.4.3 Those properties which have a width of less than 70 feet shall have one four-inch caliper upper story tree in each interior island.** A three-inch caliper single stem tree shall be in each seven-foot wide perimeter island, Sabal Palmettos may be substituted at 3:1 ratio in perimeter islands only.

**910.4.4.4 Those properties which are located in C-9 or C-11 Zoning Districts which utilize vehicle use areas without designated parking, shall have a three inch caliper tree for every fifty linear feet of buffer.** These trees will be spaced as equally as possible providing for various easements and utility encroachments

**910.4.4.5 Any tree placed to meet the above coverage requirements shall be on the same property as the designated parking spaces it covers.**

**910.4.5 Multifamily dwellings.** In addition to other landscaping requirements, on upper story tree of at least three inches in caliper is required to be planted for every two dwelling units, these trees shall be planted within the required open space on the property. If under story trees are desired, then a mix of 50 percent under story trees to 50 percent upper story trees may be substituted, provided that the under story trees be substituted for upper story trees at a ratio of 2:1

and the under story trees be at least 12 to 14 feet in height at time of planting. Sabal Palmettos may be substituted for under story trees at a ratio of 3:1. The under story trees may be placed anywhere within the required open space outside of the front and side street setback areas.

**910.4.6 Ground cover.** Some form of ground cover must cover all portions of landscape area not occupied by required landscape materials. Ground cover may consist of the following: grass, shrubs that do not exceed 12 inches in height at maturity, organic mulch, crushed stone or other landscape amenity that is approved by the community appearance board.

**910.4.7 Planting beds.** No more than 20 per cent of the area in landscape buffers that abut a street frontage may be composed of planting beds that contain annual and perennial flowers. These beds shall be weed free, with alive and healthy flowers in the beds at all times and shall have a maximum length of eight feet and shall be separated by at least 15 linear feet within the same buffer area. These beds shall be indicated on the landscape plan submitted for the community appearance board approval.

**910.4.8 Parking structure landscape requirements.**

a. 15-foot buffer option. One upper story tree (three-to three-and-one-half-inch caliper at time of planting) and ten seven- to ten-gallon shrubs (five feet tall at time of planting) per 300 square feet of buffer area (including the five-foot perimeter landscape strip). Lower story trees (two-inch caliper at time of planting) may be substituted for 50 percent of the upper story trees at a ratio of 1.5 lower story trees per each upper story tree. Palmetto trees shall be considered lower story trees; however, their ratio shall be two palmettos per each upper story tree. Three-gallon shrubs (two and one-half feet tall at time of planting) may be substituted for 50 percent of the seven- to ten-gallon shrubs at a ratio of two three-gallon shrubs per each seven- to ten-gallon shrub.

b. Side and rear yard exception requirements in a TA district abutting an R, RM or residential PUD.

For structures of no more than 25 feet in height. One under story tree (two-inch caliper at time of planting) per 15 feet of lineal boundary and one seven- to ten-gallon evergreen shrub (five feet tall at time of planting) per five feet of lineal boundary (no clumping or grouping permitted). If palmetto trees are used, their ratio shall be 1.5 palmettos per each under story tree; palmettos may be grouped in pairs.

For structures of more than 25 feet in height. One upper story tree (three- to three-and-one-half-inch caliper at time of planting) per 30 feet of lineal boundary and one seven- to ten-gallon evergreen shrub (five feet tall at time of planting) per five feet of lineal boundary. Lower story trees (two-inch caliper at time of planting) may be substituted for 50 percent of the upper story trees at a ratio of two lower story trees per each upper story tree. Palmetto trees shall be considered lower story trees; however, their ratio shall be three palmettos per each upper story tree. All trees and shrubs shall be located at least six feet from the property line with a minimum grass (sod) strip of four feet adjoining the adjacent property.

**910.5 Mitigating tree and sign conflicts.** This section is intended to provide a landowner that has conforming landscaping a means to mitigate tree removal to protect the visibility of signs that were erected prior to the effective date of this ordinance. This subsection does not affect landscaping and signs that are approved after the effective date of this ordinance.

**910.5.1 The zoning administrator may approve a reduction of up to ten percent of available parking (fractions are rounded down) to accomplish this mitigation only after the board of architectural review approves a revised landscape plan for this purpose.** Trees removed must be relocated in the setback from where they were removed and replaced with trees in accordance with 903.10(1). The following documentation must be submitted to the zoning administrator at least ten days prior to a scheduled community appearance board session by the landowner.

- a. A current plat or survey of the property showing the location of the sign, all parking, buildings, and trees in question.
- b. A proposed landscape and parking plan drawn to scale to be reviewed by the community appearance board showing current and new landscaping, a statement indicating that irrigation will be installed to support new landscape material, and type of ground cover to be used around the new material.
- c. Photographs showing the tree hindering the visibility or potential visibility problem of the sign.
- d. Photographs showing the landscape area that surround the sign and trees
- e. Landowner must certify that the loss of parking will not create a hardship.

**910.5.2 The zoning administrator will notify the board of architectural review regarding the loss of parking.** If the zoning administrator disagrees with the owner that loss of parking will not create a hardship, the owner may then appeal the decision to the zoning board of appeals

**910.5.3 The board of architectural review will review the landscape plans to insure that the new landscaping requested conforms to the remainder of the existing landscaping.**

**910.6 Special landscape requirements for the BP district.** The following site perimeter and vehicular use area landscape requirements are established for the unique needs of the BP district. All regulations contained within section 910 that are not altered by the following special requirements are still applicable.

**910.6.1 Perimeter undisturbed area.** Existing forested areas on the periphery of sites shall be preserved to maintain the natural character of the area. A minimum 15-foot area adjacent to all adjacent properties (excluding rights-of-way) shall remain undisturbed, except for maintenance and limited clearing of vegetation two inches or less in caliper after written request has been received and approved by the zoning administrator. Where areas between site development and adjacent residential or PRC districts are not forested, a planted berm (as defined within these special regulations) shall be provided.

**910.6.2 Perimeter parking lot landscaping.** When areas between parking lots and adjacent properties and rights-of-way are forested with existing trees, these trees shall be preserved to buffer parking lots from adjacent properties and rights-of-way. Where these areas are not forested, a planted berm (as defined within these special regulations) shall be established around all edges of the parking lot which do not face the principal use building.

**910.6.3 Interior parking lot landscaping.** A minimum of eight percent of the total area of

parking lots that exceed 1,500 square feet shall be provided for landscape areas, of which 75 percent of the interior landscape area shall be surrounded by vehicular use area. These landscape areas shall be located strategically to divide and break up the expanse of paving, and to guide traffic flow and direction. Interior landscape areas shall be a minimum of 180 square feet, have a maximum creditable size of 1,500 square feet, have a minimum linear dimension of nine feet, and have no less than four feet of clearance from the edge of any tree (planted or existing) to any curbing or paved area. Interior landscape areas shall be located to preserve specimen trees and tree stands where applicable. One upper story tree of at least four inches caliper shall be required per each 150 square feet of required interior landscape area.

**910.6.4 Landscaping requirements for all other vehicular use areas.** In order to preserve a natural environment and mitigate the loss of trees within this district, a minimum of eight percent of the total vehicular use area not considered in 910.6.3 will be used as the basis for determining reforestation requirements. One tree for every 100 square feet of this area shall be planted in a way that furthers the purpose of the district, except that none of these trees shall be planted in designated wetlands or the required perimeter buffer. (e.g., 10,000 sq. ft. of driveway  $\times$  8% = 800  $\div$  100 = 8 trees)

**910.6.5 Planted berm specifications.** The earthen portion of planted berms shall have a minimum height of three feet, and have a maximum side slope of 3:1. The following plant materials shall be installed, in an informally grouped fashion, per each 100 linear feet:

- a. Three upper story trees, with a minimum caliper measurement of 3.5 inches at installation.
- b. Six under story trees, with a minimum caliper measurement of two inches at installation.
- c. Nine evergreen shrubs, with a minimum container size of ten gallons at installation.

**910.6.6 Credit for undisturbed areas.** Any area that remains undisturbed that brings the total undisturbed area to over the 20 percent minimum requirement will receive credit for saved trees, provided these areas are forested. The credit will be twice the number of trees required for reforestation (910.6.4) times the percentage of undisturbed area exceeding the required minimum of 20 percent. (e.g., 50,000 sq. ft. of private roads  $\times$  8%  $\div$  100 sq. ft. = 40 trees required for reforestation; 30 percent undisturbed area 20% = 10% in excess of minimum required; therefore 2  $\times$  40 trees  $\times$  10% = 8 trees credit)

**910.6.7 Plant material.** Trees used for reforestation may be a mix of the following:

- a. Upper story trees with at least a four-inch caliper at the time of planting shall comprise at least 75 percent of the required trees.
- b. Under story trees with at least a two-inch caliper at the time of planting may comprise the balance of the required trees.
- c. With the exception of undisturbed natural areas, ground cover shall cover all portions of landscape areas.

**910.7 Who provides landscape buffers.** The landscape buffer and material adjacent to any street under section 910.3 shall be provided by the property owner adjoining the street. When adjacent to other common boundaries the landscape buffer and materials shall be provided on the parcel being developed. If there exists a landscape buffer on the adjoining property, then it is the

responsibility of the owner of the property being developed to insure that the landscaping in the two buffers are compatible.

**910.8 Requirement conflicts.** Whenever a site falls under two or more of the categories listed in paragraphs 910.3.1 or 910.3.2, only one category (that with the most stringent requirements) will be enforced.

**910.9 Existing landscape materials.** Existing landscape material shall be shown on the required landscape plan.

**910.10 Credit for existing trees saved.** It will be the responsibility of the zoning administrator to determine the amount of credit given towards the number of required trees based upon the number of trees saved during development.

**910.10.1 When requirements dictate the quantity of trees on the property, the amount credited shall be based upon the formula used in 903.10 mitigation policy.**

**910.10.2 When requirements dictate spacing of trees in vehicular use areas, the distance from existing trees to vehicles will be measured from the drip line of the existing tree provided the existing tree is at least four inches in caliper with a 15-foot canopy.** The dripline of the trees proposed to be saved shall be indicated on the landscape and site plan.

**910.11 Installation and maintenance.**

**910.11.1 Installation.** All landscaping materials shall be living and installed in a sound workmanship-like manner, according to accepted planting procedures. All landscaping materials shall be installed in accordance with the approved landscape plan prior to issue of any certificate of occupancy. In all cases, any required landscaped area shall have available an in ground irrigation system that provides coverage to all plant material.

**910.11.2 Maintenance.** The owner, tenant and their agent, if any, shall be jointly and severally responsible for the continued proper maintenance of all landscaping materials. Landscaping shall be reviewed periodically by an inspector from construction services to insure proper maintenance. The owner, tenant, or their agent shall be notified by the City of Myrtle Beach Zoning Office, in writing, of any areas which are not being properly maintained and shall, with 30 calendar days from the time of notification, restore the landscape to a healthy condition.

a. Trees. Unless special approval is given by the Community Appearance Board, and noted on the approved landscape plan, trees planted and retained to fulfill the requirements of this ordinance shall be allowed to attain their normal and mature size. Trees shall be pruned only as necessary to promote healthy growth and within the guidelines of section 903; tree protection ordinance. All unhealthy or dead material shall be replaced.

b. Shrubs. Unless special approval is given by the community appearance board and noted on the approved landscape plans, all shrubs planted and retained to fulfill the requirements of this ordinance shall not be trimmed in unusual shapes and shall be allowed to grow to their normal height or a minimum of 30 inches. All unhealthy or dead material shall be replaced.

c. Landscape planting areas. All landscape planting areas shall always contain the ground cover as required by the approved landscape plan. All landscape planting areas on all commercial properties shall remain visibly absent of weeds, refuse or debris at all times and shall be kept in proper, neat, and have an orderly appearance.

**910.12 Landscape plans required.** Whenever any property is required to have landscaping in accordance with these regulations the property owner or developer shall prepare a landscape plan for submittal and approval. As a minimum, the plan shall be constructed and contain the following:

- a. Scaled drawings of the property at a scale of one-inch equals to 20 feet, unless the zoning administrator approves a variation.
- b. Project owner's name, addresses, and telephone number.
- c. Project name and address.
- d. Designer's name, address, and telephone number.
- e. Date of drawing and revised dates as applicable.
- f. A notation stating, "This landscape plan has been reviewed and approved by the owner/responsible agent who understands that any changes, substitutions, or deletions may require review and approval by the responsible reviewing authority."
- g. Property lines and dimensions.
- h. Existing and proposed buildings and accessory structures to include existing and proposed signs.
- i. Parking spaces showing all required wheel stops, curbs, driveways, and sidewalks.
- j. All sight triangles.
- k. Location of solid waste containers.
- l. Height, type, and location of existing and proposed walls and fences.
- m. Location and description, to include dbh (diameter at breast height), canopy and species name, of each existing tree to be retained.
- n. Location and appropriate symbol that corresponds to each proposed tree and shrub. Any special height or shape requests for trees or shrubs must be clearly indicated for each request.
- o. Plant materials list that includes: Common and botanical names of all species being planted, a key that denotes the appropriate symbol, minimum installation size, quantity and appropriate remarks.
- p. Additional remarks required: The amount, depth and type of mulch required; statement regarding the type of irrigation system to be installed; any other remarks deemed appropriate by the designer.
- q. All sign locations will be shown.
- r. All site lighting will be shown.
- s. All easements and their designation will be shown.

**910.13 Tree survey.** Whenever any property is developed or redeveloped the property owner or developer shall prepare a tree survey for submittal and approval. The survey must be at the same scale as the submitted landscape plan or site plan accurately locating all protected trees and defining them by species and diameter at breast height.

**910.14 Landscape bonding.** Where landscaping is required, no building permit shall be issued until the required landscape plan has been submitted and approved, and no certificate of

occupancy shall be issued until the landscaping is completed in accordance with the approved landscape plan as certified, on site, by an inspector from the city's construction services department. In instances where conditions do not permit immediate planting of materials and if the City is furnished with a bond equal to 250 percent of the cost of the total required planting and irrigation (including labor), then a temporary certificate of occupancy may be issued. The required bond must be in the form of cash or a certified check made payable to the City of Myrtle Beach. Conditions for bonding are:

- a. The cost estimate is to be prepared by a landscape architect, landscape contractor or nurseryman using prevailing material and labor costs. All cost estimates must receive approval of the zoning administrator.
- b. The area on site must be set aside and reserved for landscaping and irrigation shall be in conformance with the approved landscape plan.
- c. Landscaping must be installed and approved within 121 days of the date the temporary certificate of occupancy is issued or bond will be forfeited to the city. The City of Myrtle Beach then has the option of utilizing the bond to landscape the property according to the approved landscape plan. If the City of Myrtle Beach installs the landscaping, any bond money in excess of what was expended will be returned within 45 days of completion of landscaping.

**910.15 Landscaping at driveway and street intersections.** A sight triangle will be maintained at all street intersections or intersections of driveways with streets. Trees shall be permitted as long as, except during early growth stages, only the trunk is visible between the ground and six feet above the ground. Shrubbery or other low growing plants are permitted provided the maximum height at maturity shall not exceed 24 inches. If any low growing plant, other than a shrub is used, than it shall be used at a ratio of 1:3 when using one gallon containers in lieu of three gallon containers.

**910.16 Prohibited plants.** The following plants are specifically prohibited from use to meet the landscaping requirements of the City of Myrtle Beach:

- a. Yucca, Spanish Bayonet, Adams Needle, cactus and any other plant harmful to touch or any plants that are poisonous to touch.
- b. Kudzu vine, farm crops, or any other plant determined by the zoning administrator to be a nuisance.

(Ord. No. 991012-41, 10-12-99; Ord. No. 2003-12, 2-24-03)