

Text Amendment to Sec. 8-11004 Definitions

Tree Lawn. The linear space between the back of curb and sidewalk for planting trees, flowers, grass and shrubs. Tree lawns may be existing, reclaimed or newly developed. Because they are set aside for landscaping, tree lawns shall not be used for ornaments, fencing, lighting, artwork, or parking.

Tree Well. The opening in the sidewalk used for tree planting. It is usually smaller than a tree lawn, and is often used when the physical space between a building façade or the stoop of a building and the back of the curb remains after incorporating an ADA-compliant sidewalk does not allow sufficient space for a tree lawn. Like tree lawns, tree wells may either be existing, reclaimed or newly developed. Because they are set aside for landscaping, tree wells shall be used only for trees and no other objects, or parking.

Text Amendment to Sec. 8-11008 Design Requirements

(1) *Non-Residential and Multi-Family Development*

(e) *Tree Lawns.*

- i. The construction of a tree lawn is required when a property is developed, rehabilitated, or improved for non-residential or multifamily purposes. Tree lawns shall be new when established or restored as new when they existed historically or exist within the current nearby context in accordance with the **Tree Lawn Policy Section of the Landscape and Tree Protection Ordinance Compliance Manual (Manual)** and other applicable laws, codes, ordinances, and policies.
- ii. When historic items or materials exist within a tree lawn, such as curbs, markers, monuments, and other objects, these items shall be preserved and remain in situ. If temporary removal or relocation of historic materials is necessary, this shall be noted on the development plans for review and approval by the appropriate City Department.
- iii. The requirement of a tree lawn will depend on the available sidewalk space and accessibility for the disabled, as described in the **Manual**, and all applicable laws and policies. Depending on conditions described in the **Manual**, a tree well may be established in place of a tree lawn.
- iv. Tree lawns are for the planting of trees, shrubs, grass, and flowers as outlined in the Manual. The addition of any structure or item within the right-of-way will require an Encroachment Permit, with the exception of city maintained structures, such as fire hydrants, parking meters, and other structures.
- v. The construction of a tree lawn or tree well will require a Right-of-Way Permit.
- vi. If space or other restrictions, as discussed in the **Manual**, do not permit either tree lawns or tree wells, the development is exempt from these provisions.