

SUBJECT: Landscape Agreement
EFFECTIVE DATE: April 2003
POLICY NUMBER: PL - 001
SEE ALSO: PLF – 001, BLF – 029, BL - 54

POLICY SUMMARY

A landowner may obtain a Temporary Certificate of Occupancy (TCO) or a Certificate of Occupancy (CO) for a structure prior to completion of required landscaping work **if** completion is not possible due to seasonal or weather conditions and **if** a **Landscape Agreement form (PLF – 001)** is completed and acceptable assurance is submitted guaranteeing the completion of said landscaping. This assurance will be in the form of a Cashier's Check and will be based on the value of the landscaping shown on the approved site plan multiplied by 125%.

In order to ensure clear communication between City (Planning Department) staff and the property owner, the “**Landscape Agreement**” form (PLF – 001) shall be signed by City staff and the owner **at the beginning** of a building or renovation project which requires landscaping. A building permit will not be issued until this form is completed.

The following steps will be taken to process a Landscape Agreement form:

- (1) A Planning Department (PL) staff person will be assigned to review the project drawings and determine if landscaping is required.
- (2) If landscaping is required, the PL staff person will work with the owner to develop an acceptable landscape plan.
- (3) When the landscaping is acceptable, the landscape plan is stamped “Approved” and signed by the PL staff person.
- (4) Once the landscape plans have been approved, the owner will obtain a written estimate for the landscaping and submit it to the PL staff person. The estimated amount will be multiplied by 125% and that amount will be noted on the Landscape Agreement form.
- (5) The PL staff person, with the owner's assistance, will then complete the top part of the Landscape Agreement form. The form will not be binding until both the owner and the authorized PL staff person have signed.
- (6) A copy of the completed Landscape Agreement form will be given to the property owner. The original will be kept in the project file with the building permit.
- (7) When a final inspection is scheduled, Planning Department (PL) staff will confirm the status of the landscaping by performing a site visit. If landscaping is complete, the PL staff person will notify the Building Services (BL) staff person that landscaping is complete and no further PL action is necessary. If landscaping is incomplete, PL staff will complete the bottom part of the Landscape Agreement form (PLF – 001).

- (8) The original of the Landscape Agreement form will then be given to the (BL) staff person who is preparing the TCO or CO. The BL staff person will prepare a “**Landscape Compliance Order**” form (BLF – 029).
- (9) The BL staff person will obtain a cashier’s check from the owner for the amount indicated on the bottom part of the Landscape Agreement. (See BL – 54, “Handling of Cashier’s Checks for Landscaping” for follow up procedure.)
- (10) If the project is associated with a Planning Department case file, PL staff will ensure that a copy of the Landscape Agreement form and the Landscape Compliance Order gets placed in the PL case file.
- (11) Once the Landscape Compliance Order form is completed and a Cashier’s Check has been submitted, the TCO or CO may be issued.
- (12) The PL staff person assigned to the case will perform a follow up inspection of the landscaping at the request of the owner or landscape contractor. If no inspection request is received, the PL staff person will perform the follow up inspection **at least one week prior to the expiration date** of the Landscape Compliance Order.
- (13) If landscaping is complete at that time, the PL staff person will notify the Building Services (BL) staff person that landscaping is complete and no further PL action is necessary. If the landscaping is still incomplete, the City will take action to complete the landscaping and use the funds from the certified check.
- (14) Policy BL – 54, “Handling of Cashier’s Checks for Landscaping” is located on the Building Services T Drive in the Policy Manual Folder.