



Date: February 12<sup>th</sup>, 2024  
To: Mayor Kudron and the Board of Trustees  
From: Kim White, Community Development Department

RE: Consideration of Ordinance 01-2024 Amending Town Code Section 9-1-1 (E) Regarding Landscaping Inspections and Related Bond Requirements

### Purpose

To require a bond to be submitted with the letter stating when landscaping material will be installed on a project, when a weather-related extension for landscaping is requested during a final inspection.

### Background

The existing code for final zoning inspections of building permits require that specific items be submitted to the Town in order for Town Staff to determine compliance with the approved permit and submitted plans.

During the inspection, Town Staff is unable to sign off on the final zoning inspection until all items are submitted and complete, including proof that the landscaping plan has been followed and completed. In some cases, the owner will request a final inspection during the winter months when landscaping material cannot be placed or inspected. In such cases, the code provides the following statements which can allow for incomplete projects to be approved:

*9-1-1(E)(2)(a)(3):*

*A written statement from the property owner indicating the date that the landscaping plan will be completed by and a statement indicating that the lot has been reseeded.*

*9-1-1(E)(2)(b)(2)*

*Landscaping material must be installed as per the landscaping plan. Landscaping plans may be delayed due to weather upon the Town's receipt of written notice from the property owner indicating the date that the plan will be completed by and a statement indicating that the lot has been reseeded.*

Town Staff has proposed the following changes to the code to account for landscaping plans to be completed if the owner fails to complete the project after a final inspection has been approved.

### Municipal Code:

#### Recommended Change to existing code:

9-1-1(E)(2)(a)(3):

*A written statement from the property owner indicating the date that the landscaping plan will be completed by and a statement indicating that the lot has been reseeded. **The Town may require such statement be accompanied by a bond as required pursuant to subsection 9-1-1(E)(2)(b)(2).***



9-1-1(E)(2)(b)(2)

*Landscaping material must be installed as per the landscaping plan. Landscaping plans may be delayed due to weather upon the Town's receipt of **a bond and a** written notice from the property owner indicating the date that the plan will be completed by and a statement indicating that the lot has been reseeded. **For purposes of this section, such bond shall be an uncancelable surety secured unto the Town and acceptable to the Town Attorney in an amount up to one hundred fifty percent (150%) of the estimated construction cost as approved by Town Staff.***

**Suggested Board Motion**

Motion to approve Ordinance 01-2024

Or

Motion to deny Ordinance 01-2024