

## **DIVISION 3. - LANDSCAPE REQUIREMENTS**

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### **Sec. 12.720. - Purpose.**

Landscaping is accepted as adding value to property and is in the interests of the general welfare of the City. The provision of landscaped areas also serves to increase the amount of a property that is devoted to pervious surface area which, in turn, helps to reduce the amount of impervious surface area, storm water runoff, and consequent nonpoint pollution in local waterways. Therefore, landscaping is hereafter required of new development.

### **Sec. 12.721. - Scope and Enforcement.**

The standards and criteria contained within this Division are deemed to be minimum standards and shall apply to all new, or altered, exceeding thirty percent (30%) of the original floor area, construction occurring within the City. Additionally, any use requiring a Specific Use Permit or a PD zoning designation must comply with these landscape standards unless special landscaping standards are otherwise provided for in the ordinance establishing the SUP or PD district. The provisions of this Section shall be administered and enforced by the City Manager or his/her designee. The landscape standards in this Section apply to nonresidential and multi-family developments, including uses such as schools and churches within a residential zoning district, and minimal front yard landscaping standards apply to single-family and duplex residential developments and individual lot/tracts.

If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be not in conformance with the standards and criteria of this Section, the City Manager or his/her designee shall issue notice to the owner, citing the violation and describing what action is required to comply with this Section. The owner, tenant or agent shall have thirty (30) days from date of said notice to establish/restore the landscaping, as required. If the landscaping is not established/restored within the allotted time, then such person shall be in violation of this chapter.

### **Sec. 12.722. - Permits.**

No permits shall be issued for building, paving, grading or construction until a detailed landscape plan is submitted and approved by the City Manager or his/her designee, along with the site plan and engineering/construction plans. A landscape plan shall be required as part of the site plan submission, as required in article II, division 7 of this chapter. The landscape plan may be shown on the site plan (provided the site plan remains clear and legible) or may be drawn on a separate sheet. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan.

In any case in which a certificate of occupancy is sought at a season of the year in which the City Manager or his/her designee determines that it would be impractical to plant trees, shrubs or groundcover, or to successfully establish turf areas, a temporary certificate of occupancy may be issued provided a letter of agreement from the property owner is submitted that states when the installation shall occur. All landscaping required by the landscaping plan shall be installed within six (6) months of the date of the issuance of the certificate of occupancy.

### **Sec. 12.723. - Landscape Plan.**

Prior to the issuance of a building, paving, grading or construction permit for any use referenced in this Division, a landscape plan shall be submitted to the Planning and Zoning Commission. The Commission, shall review such plans and shall provide City Council with a recommendation and City Council shall take final action on such plans. If the plans are in accordance with the criteria of these zoning regulations an action of approval shall be taken. If the plans are not in conformance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance. Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:

- (a) Minimum scale of one inch (1") equals fifty feet (50'); show scale in both written and graphic form.
- (b) Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate true size and location of trees).

- (c) Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features.
- (d) Species and common names of all plant materials to be used.
- (e) Size of all plant material to be used (container size, planted height, etc.).
- (f) Spacing of plant material where appropriate.
- (g) Layout and description of irrigation, sprinkler, or water systems including location of water sources.
- (h) Description of maintenance provisions.
- (i) Name and address of the person(s) responsible for the preparation of the landscape plan.
- (j) North arrow/symbol, and a small map showing where the property is located.
- (k) Date of the landscape plan.

**Sec. 12.724. - General Standards.**

The following criteria and standards shall apply to landscape materials and installation:

- (a) All non-paved surfaces shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprise a significant portion of the total pervious surface area.
- (b) Plant materials shall conform to the standards of the approved plant list for the City of Roanoke (see Section 12.730 for the approved plant list) and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
- (c) Trees shall have an average crown spread of greater than fifteen feet (15') at maturity. Trees having a lesser average mature crown of fifteen feet (15') may be substituted by grouping the same so as to create the equivalent of fifteen feet (15') of crown spread. Large trees shall be a minimum of three inches (3") in caliper (measured four feet (4') above the ground) and seven feet (7') in height at time of planting. Small ornamental trees shall be a minimum of one and one-half inch (1.5") in caliper and five feet (5') in height at time of planting. All new trees shall be provided with a permeable surface under the dripline a minimum of five feet (5') by five feet (5') diameter.

- (d) Shrubs not of a dwarf variety shall be a minimum of two feet (2') in height when measured immediately after planting. Hedges, where installed for screening purposes, shall be planted and maintained so as to form a continuous seventy-five percent (75%) visual screen which will be at least six feet (6') high within three (3) years after time of planting, except for parking lot/tract/headlight screens, which shall form a continuous, solid visual screen three feet high within two years after planting.
- (e) Vines not intended as ground cover shall be a minimum of two feet (2') in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.
- (f) Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
- (g) Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one (1) year of planting.
- (h) All landscaped areas shall be equipped with an automatic, underground irrigation system with freeze- and moisture sensors to prevent watering at inappropriate times. Landscaped areas having less than ten (10) square feet in area may be irrigated by some other inconspicuous method. If appropriate xeriscape planting techniques are utilized, the City Council may waive the requirement for an underground irrigation system at the time of site plan approval. However, the landscaping shall be required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from public streets or walkways.
- (i) Earthen berms shall have side slopes not to exceed 33.3 percent (three feet (3') of horizontal distance for each one foot (1') of vertical height). All berms shall contain necessary drainage provisions as may be required by the City's Engineer.

**Sec. 12.725. - Minimum Landscaping Requirements for Nonresidential and Multifamily Developments.**

- (a) For all nonresidential and multi-family developments, including schools, churches, day care facilities, and other similar uses in a residential district, at least twenty percent (20%) of the lot/tract area shall be pervious, permanently landscaped area (see Illustration 8). For corner lot/tracts, a six hundred (600) square foot landscaped area shall be provided at the street intersection, which can be counted toward the twenty percent (20%) requirement.
- (b) A minimum twenty-five foot (25') landscaped street buffer adjacent to the right-of way of any arterial (Type "B" or larger) is required for the first two hundred and fifty

feet (250') from the beginning (i.e., tangent) point of the street corner radius. Beyond the first 250 feet, the landscaped street buffer may either continue at the 25-foot width (developer's option), or it shall transition down to a required width of fifteen feet (15') along the remainder of the arterial frontage (minimum length of transition shall be one hundred feet [100']). A minimum fifteen-foot (15') landscaped street buffer shall be required along any street frontage for any other nonresidential or multi-family development (including schools, churches, day care facilities, and other similar uses in a residential district). Corner lot/tracts fronting two (2) arterials shall provide the appropriate required landscape buffer on both street frontages. One (1) large shade tree and four (4) small ornamental trees shall be required per fifty (50) linear feet (or portion thereof) of street buffer frontage. Trees should be grouped or clustered to facilitate site design and to provide an aesthetically pleasing, natural looking planting arrangement. The landscaped street buffer area may be included in the required landscape area percentage.

- (c) Landscape areas within parking lot/tracts should generally be at least one parking space in size, with no landscape area less than fifty (50) square feet in area. Landscape areas shall be no less than five feet (5') wide, shall equal a total of at least sixteen (16) square feet per parking space, and shall be dispersed throughout the parking area (i.e., not confined to the perimeter). There shall be a landscaped area with at least one (1) large shade tree within sixty feet (60') of every parking space. There shall be a minimum of one (1) large shade tree planted within the parking area for every ten (10) parking spaces for parking lot/tracts having more than twenty (20) spaces. Within parking lot/tracts, landscape areas should be located to define parking areas and to assist in clarifying appropriate circulation patterns. Landscape islands shall be located at the terminus of all parking rows and within bays of parking such that bays do not generally exceed fifteen (15) parking spaces in length, and all islands shall contain at least one (1) tree (large or ornamental). All landscape areas shall be protected by a monolithic concrete curb or wheel stops, and shall remain free of trash, litter, and car bumper overhangs.
- (d) Each lot/tract shall provide a minimum five foot (5') wide landscaped buffer strip around the sides and rear perimeters of the lot/tract, provided that each side or rear lot/tract line does not abut residentially zoned property, which requires a screening wall, per article VII, division 5 of this chapter. Within the five foot (5') perimeter buffer, shall be provided a four foot (4') tall screen comprised of hardy, evergreen shrubs, decorative walls with shrubs, or similar landscaping. If a side or rear lot/tract line abuts a residentially zoned property, and for nonresidential and institutional uses in residential zoning districts, then that portion(s) of the perimeter buffer strip shall observe the required screening per article VII, division 5 of this chapter, shall be a minimum of ten feet (10') in width, and shall be required to have one (1) large shade tree, in lieu of the four foot (4') high screen described above for every thirty linear feet (30') for overstory screening/buffering for the adjacent residences.
- (e) Only shrubs, groundcovers and small ornamental trees shall be used under existing or proposed overhead utility lines.

- (f) Vehicular driveways from the public right-of-way and sidewalks, in accordance with City regulations, shall be permitted through all required landscaping.

**Sec. 12.726. - Minimum Landscaping Requirements for Single-Family and Two Family Residential Developments.**

- (a) For all single-family and two-family developments, each residential lot/tract shall be required to have one (1) large shade tree for each fifty feet (50') of lot/tract width. Trees may be clustered or spaced linearly and need not be placed evenly at 50-foot intervals. The required trees shall be installed prior to issuance of a Certificate of Occupancy for the premises. (see Section 12.728 below).
- (b) The shade trees shall be a minimum of three inch (3") caliper measured forty-eight inches (48") above the ground. If the tree is located on a slope, measurement shall be from the highest side of the slope. The shade trees shall be selected from the current approved tree list contained in Chapter 9, Exhibit A, Section 11(K) of this Code.
- (c) *Minimum height required.*
  - (1) Shade trees: seven feet (7').
- (d) Shade trees in single-family developments are not required to be maintained.

**Sec. 12.727. - Sight Distance and Visibility.**

- (a) Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections (see Section 12.807 for visibility requirements at street intersections and corners).
- (b) Landscaping, except required grass and low ground cover, shall not be located closer than three feet (3') from the edge of any vehicular pavement in order to avoid visibility problems when plant materials mature.
- (c) In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the City Manager or his/her designee, the requirements set forth herein may be slightly reduced, if necessary, to remove the conflict.

**Sec. 12.728. - Maintenance.**

- (a) The owner, tenant and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to, mowing, edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of

the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size, within ninety (90) days. Trees with a trunk diameter in excess of six inches (6") measured four foot (4') above the ground may be replaced with ones of similar variety having a trunk diameter of no less than three inches (3") measured four foot (4') above the ground on a caliper-inch for caliper-inch basis (e.g., for a 6" tree, two 3" replacement trees shall be required). A time extension may be granted by the City Manager or his/her designee if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his/her agent.

- (b) It shall be the duty of any person or persons owning or occupying real property bordering on any street to prune trees next to the street in such manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection (see visibility requirements, article VII, division 5 of this chapter). The minimum clearance of any portion of a tree overhanging public street right-of-way shall be fourteen feet (14'), and overhanging a public sidewalk shall be eight feet (8').
- (c) Failure to maintain any landscape area in compliance with this Section is considered a violation of this Section and may be subject to penalties of Section 12.952.

**Secs. 12.729—12.749. - Reserved.**