

# **CHAPTER 8: LANDSCAPING REQUIREMENTS**

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**Section 8.1 Purpose and Scope** (Amended 6/25/14)

The natural landscape conditions within the Village of Whispering Pines and its extraterritorial jurisdiction typifies the North Carolina Sandhills and Longleaf Pine Ecosystems. These natural conditions (topography, vegetation, and wildlife) are unique within North Carolina and are the strongest visual aspects defining the character of the Village. The purposes of the standards in this Section are to:

1. Protect, facilitate, and enhance the esthetic qualities of the community to ensure that tree removal does not reduce property values.
2. Emphasize the importance of trees and vegetation as both a visual and physical buffer.
3. Promote clean air quality by reducing air pollution and carbon dioxide levels in the atmosphere, returning pure oxygen to the atmosphere, and increasing dust filtration.
4. Reduce the harmful effects of wind and air turbulence, heat and noise, and the glare of motor vehicle lights.
5. Minimize increases in temperature on lands with natural and planted tree cover.
6. Maintain moisture levels in the air of lands with natural tree covers.
7. Preserve underground water reservoirs and to permit the return of precipitation to the ground water strata.
8. Prevent soil erosion.
9. Provide shade.
10. Minimize the cost of construction and maintenance of drainage systems necessitated by the increased flow and diversion of surface waters by facilitating a natural drainage system and amelioration of storm water drainage problems.
11. Conserve natural resources including adequate air and water.
12. Require the preservation and planting of trees on-site to maintain and enlarge the tree canopy cover across the Village.

This Chapter shall only apply to properties subject to Development Permits that were issued after the effective date of this Ordinance. It shall not apply to remodeling of properties that will require additional landscaping. This Chapter shall not apply to all landscaped areas that are being remodeled.

**Section 8.1.1 Designation of permissible oak and pine trees.** Notwithstanding any other provision of this Ordinance, when oak trees or pine trees are required to be planted or retained on the property subject to a development permit, the oak trees to be planted or retained shall be *Quercus Phellos* (willow oak) or *Quercos Virginia* (live oak) trees. Correspondingly pines trees required to be planted or retained shall be *Pinus palustris* (long leaf), *Pinus taeda* (loblolly), or *Pinus echinata* (short leaf) pines. By way of illustration, if a sub divider is required to retain trees on subdivision property which is not a platted lot; the sub divider cannot use various species of oaks which are called collectively “scrub oaks” in the computation.

**Section 8.1.2 Designation of size.** Unless specifically prescribed by some other provision of this Ordinance, any pine tree that is to be planted or retained in compliance with this Ordinance shall have a height that exceeds seven (7) feet. A three inch caliper at DBH shall be the

minimum size for any deciduous tree other than dogwoods. Dogwoods shall have a ½” to 1” diameter trunk.

**Section 8.2 Landscape Plan General Requirements.**

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A landscape plan which must be in conformity with this Ordinance shall be submitted for all residential, subdivision, multifamily and commercial development and its approval is a prerequisite for the issuance of a development permit. The landscape plan must include all vegetation to be planted and the proposed planting schedule for the vegetation. The permit issuing authority, in approving a landscaping plan, and with a majority vote of Village Council, can allow deviations from the specific requirements upon finding that the plan satisfactorily meets the intent and achieves the objectives of this chapter.

**Section 8.2.1 Tree Survey and Protection Plan**

In all single family residential developments permits involving one acre or less and all multifamily and commercial development permit applications a tree survey excluding trees that will be cut as a result of the construction of buildings, driveway, septic, parking and any pool structure must be submitted as part of the landscape plan. The tree survey must identify all trees larger than eight (8) inches DBH (diameter 4 ½ feet above ground). Any additional trees smaller than eight (8) inches DBH that will be preserved shall also be included on the tree survey. Where required by Chapter 10, an existing conditions survey may be submitted as a substitute for the tree survey. The Development Permit shall include a representation by the Owner agreeing to maintain the trees described hereinabove. Failure to comply with the representation shall be a violation of this Ordinance and shall incur the penalties provided in this Ordinance. The representation shall run with the land and be binding upon the successors and assigns of the Owner for the five year period commencing on the date of the issuance of the Certificate of Compliance.

A Tree and Root Preservation Plan must be incorporated as part of the Landscape Plan for the project and shall consist of the following type of preventative measures herein below.

Tree removal for multifamily, commercial and subdivisions applications are set forth herein below.

- A. The preservation of existing trees requires protection by physical barriers in addition to supervision during the construction phase of development. During development of the property, the owner shall be responsible for the erection of all tree and root protection fencing necessary to protect existing or installed vegetation from damage both during and after construction. All significant vegetation, native ornamental species and perimeter landscaping that are to be preserved during development shall be protected with a sturdy and visible fence before clearing and grading begins. Generally, the location should be as far as possible from the vegetation in order to preserve soil and root structure. The location of tree protection fencing and method of construction shall be noted on the landscape plan. The proper installation of tree protection fencing shall be approved prior to site clearing, grading, construction, or other land disturbing activity, and cannot be removed until after

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final inspection by the Village of Whispering Pines. Tree protection fencing shall remain in place and in good condition until all development activities are completed.

- B. The tree protection fence shall be located no less than one (1) foot from the tree trunk for each one (1) inch in tree diameter for specimen trees, significant vegetation, or from the dripline of any forest canopy stand to be preserved, with a minimum distance of ten (10) feet required from the edge of the trunk. Tree protection fencing for forest canopy stands are to be located no less than one (1) foot from the tree trunk, for each tree one (1) inch in diameter of the dripline trees identified up to ten (10) feet. Tree protection fencing shall be constructed from any material substantial enough to protect the roots, trunk, and crown of the tree, such as 2"x 4" wood posts and 1"x 4" wood rails, silt fencing or orange safety fencing a minimum of 4 ft in height on metal or wood posts.
- C. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment is allowed in the tree and root protection area(s), or within the drip line of trees to be retained.
- D. Dead trees and undesirable undergrowth shall be cut flush with adjacent grade and removed during construction.
- E. Root pruning shall be kept to an absolute minimum.
- F. No nails, ropes, cables, signs, or fencing shall be attached to any part of any tree that will be preserved.

### Section 8.2.2 Landscaping Installation

In all new construction all landscape must comply with the "American Standard for Nursery Stock" published by the American Association of Nurserymen for proper relations of height, caliper and root diameter. In order to minimize the removal of Dogwoods and other native species that do not exhibit the trunk diameter growth characteristic which most hardwoods and pine trees have, and in order to encourage the planting of such species, the tree girth dimensions set forth through out this ordinance shall not apply to such species, provided however, that any such species substituted for girth measured trees, must have a maturity of a least three years. Landscaping must meet or exceed the procedures and techniques referenced in the latest edition of the NC Landscape Registration Board Manual.

- A. Final Inspection – Final inspection for compliance with the approved Landscaping Plan. This inspection is part of the inspection for the Certificate of Compliance as described in Chapter 3.

### Section 8.2.3 Landscaping Maintenance

The plantings, fences, walls or berms that constitute required landscaping shall be properly maintained in order for the landscaping to fulfill the purpose for which it is established. The owner of the property and any tenant on the property where landscaping is required shall be jointly and severally responsible for the maintenance of all landscaping materials. Such maintenance shall include all actions necessary to keep the landscaped area free of litter and

debris; to keep plantings healthy; to keep plant growth from interfering with safe vehicular and pedestrian travel, or the use of parking areas, or from creating nuisances to adjoining properties; and to keep walls, fences, and berms in good repair and neat appearance. Any vegetation that constitutes part of a required landscaping area shall be replaced in the event that it dies. All landscaping materials shall be protected from damage by erosion, motor vehicles, or pedestrians which could reduce the effectiveness of the required landscaping. The Development Permit shall include a representation by the Owner agreeing to maintain the landscaping described hereinabove. Failure to comply with the representation shall be a violation of this Ordinance and shall incur the penalties provided in this Ordinance. The representation shall run with the land and be binding upon the successors and assigns of the Owner for the five year period commencing on the date of the issuance of the Certificate of Compliance.

### **Section 8.3 Residential Development Landscaping Requirements**

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In applications for the construction of residential development, after removal of trees from the foot print of the residence, driveway, septic system, pool or any accessory building, no more than 50% of the remaining trees shown on the tree survey shall be removed; provided in all events:

- A. Single family residential development shall have a minimum of four (4) trees of the size and type set forth in this ordinance. Two of such trees shall be located in a yard that is fronting on a street. Corner lots with three sides fronting on streets shall have a minimum of six (6) trees, with two trees located on each side of the lot fronting on a street.
- B. All principal residential structures are required to have shrubberies planted along the foundation, or perimeter of the house. Shrubberies shall be planted around the entire foundation, with a maximum separation of five (5) feet on center. A mixture of plant sizes shall be used, with a minimum of fifty percent (50%) of the shrubberies being at least five (5) gallons in size and the remainder being at least three (3) gallons in size.
- C. Plantings shall be required around those decks or foundations which are up to five (5) feet in height. When decks or foundations are over five (5) feet tall, decorative planting or fencing containing materials similar to those used in the house such as brick or lattice are required (except on a basement where the view or access would be blocked).
- D. HVAC units and similar mechanical or utility service equipment on the property shall be screened with a minimum of four (4) five gallon shrubs.
- E. Pool equipment, well houses, and other like accessory structures shall be screened with approved fencing (up to six (6) feet in height) and/or landscaping materials, using a minimum size of three (3) gallon plants, as necessary to screen. Detached garages, storage sheds, and similar accessory structures shall be screened with landscaping materials, a minimum of five (5) gallon plant size. Placement of at least one (1) plant every five (5) feet is required.
- F. Ground cover, whether by grass, natural vegetation, decorative stone, xeriscaping or pine straw shall be required on all lots.

**Section 8.4 Landscape Types (excluding single family residential development)**

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The following types of landscaping are required for all developments except for individual single-family dwellings, which are subject to the landscaping requirements hereinabove:

- A. Buffer Areas.
- B. Landscape Screens.
- C. Parking Area Landscaping.
- D. Vegetative Buffers along streams, wetlands and other bodies of water as regulated in Chapter 5.
- E. Areas of Subdivisions which are not platted lots, streets and right of ways.
- F. Retention and detention ponds

**Section 8.5 Buffer Areas**

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Buffer Areas shall be required to provide separation between non-residential development and residential development. Planted buffers shall also be required between multi-family development and single-family development.

**8.5.1 General**

Existing buffers shall be left in an undisturbed natural vegetated state and provided with supplemental plantings. Selective thinning of vegetation and removal of dead vegetation may be permitted as long as the intent of the planted buffer requirement is maintained. Driveways shall cross a planted buffer at or as near a perpendicular angle as practical. Paths and walkways may pass through the planted buffer and pedestrian walkways (greenways) may be installed within buffer areas. Grading in the designated planted buffer may be allowed with site plan approval, if the re-vegetation plan is determined to meet the intent of this Section:

**8.5.2 Location of Planted Buffers**

Planted buffers shall be provided along the perimeter of all development unless alternate locations are approved by Village Council. Planted buffers shall be designated and dimensioned on all site plans and subdivisions plans, where applicable.

**8.5.3 Pedestrian Easement**

Buffer areas may be designated as a pedestrian easement as part of the Special Use approval process.

**8.5.4 Application**

These standards apply to all non-residential and multi-family uses located within the Village's jurisdiction. For purposes of this Section, multi-family uses shall include townhouse development and duplexes. When nonresidential and multi-family uses submit a site plan for locations next to property zoned for residential use, planted buffers shall be provided along the perimeter of the nonresidential or multi-family property.

- A. The required planted buffer width is based on the classification shown in Section 8.5.5 set forth herein below.
- B. Non-residential or multi-family uses proposed next to individual single family dwellings shall provide the required planted buffer width along all perimeters adjoining the residential property;
- C. If the adjacent property is zoned Residential Single Family but is vacant at the time of the proposed development, the required planted buffer width shall be provided;
- D. If the proposed development is nonresidential and the adjacent property is zoned or used for multi-family dwellings, one-half of the planted buffer width shall be provided;
- E. If the proposed development is for multi-family dwellings adjacent to property zoned or used for multi-family dwellings, one-half of the planted buffer width shall be provided, whether the property is occupied or not.

**8.5.5 Planted Buffer Classifications and Width**

- A. Planted buffer width shall be determined as follows:

- (1) In any Recreation (“REC”) or Residential and Agricultural (“RA”)zoned district:
  - a. The buffer width for an adjacent developed residential (“RS”) zoned district shall be 20 feet.
  - b. The buffer width for a principal residential use in that REC or RA zoned district shall be 20 feet.
  - c. The buffer width for an adjacent Residential Multiple Unit Dwelling (“RM”) zoned district (whether developed or vacant) shall be 20 feet.
- (2) In any “OP”, or “AC”, zoned district:
  - a. The buffer width for an adjacent developed residential (“RS”) zoned district shall be 30 feet.
  - b. The buffer width for a principal residential use in that OP or AC zoned district shall be 30 feet.
  - c. The buffer width for an adjacent Residential Multiple Unit Dwelling (“RM”) zoned district (whether developed or vacant) shall be 30 feet.
- (3) In any “NS” zoned district:
  - a. The buffer width for an adjacent developed residential (“RS”) zoned district shall be 30 feet.

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- b. The buffer width for a principal residential use in that NS zoned district shall be 30 feet.
  - c. The buffer width for an adjacent Residential Multiple Unit Dwelling (“RM”) zoned district (whether developed or vacant) shall be 30 feet.
- B. Required setbacks may be used to meet planted buffer requirements in all nonresidential districts. When planted buffers are required for subdivisions the planted buffer requirements shall be maintained by the owners’ association, owner or his assignees, or the Village and not part of any individual Lot;
- C. Planted buffer widths and required plantings may be reduced by a maximum of fifty percent (50%) if the site plan indicates the use of berms, alternative landscaping, walls, opaque fencing in combination with landscaping or topographic features, which will, in the opinion of the Village Council, achieve the intent of this Section and result in equal or better performance. In no case shall a buffer width be less than ten (10) feet. Berms may not have a slope steeper than two (2) horizontal to one (1) vertical and must have a crown width of at least two (2) feet;
- D. See Highway Corridor Overlay District buffers in Chapter 5.

### 8.5.6 Requirements for Planted Buffer Areas:

- A. Existing Vegetation: Planted buffers require provision of both physical separation and landscape elements to meet the intent of this Ordinance. Existing vegetation shall be used to meet all or part of the requirements of this Section wherever possible, if it provides the same level of obscurity as the planted buffer required below. Vegetation to be preserved shall be identified on site plans, along with protection measures to be used during grading and construction.
- B. Planted Vegetation: Required plantings allow for large hardwood and/or pine trees, small trees/large shrubs other than scrub oak or smaller shrubs to provide a natural planting closely matched to the ecosystem conditions of the site. Evergreens, other than pines, are added to planted buffer to provide a more opaque screen, as well as a more natural appearance to the planted buffer. The mix is designed to create a planted buffer that will give a satisfactory screening within three (3) years of planting, under normal maintenance, while allowing room for the various plants to mature naturally.

Planting requirements for planted buffers include both trees (large and small) and shrubs as described below. In calculating buffer planting requirements, areas of driveways are excluded;

- (1) Tree Standards: This requirement may be satisfied as follows:



- (a) Hardwood trees with a minimum size of three (3) inch caliper at DBH, and pine trees with a minimum height of seven (7) feet shall be planted at the following minimum rates:

<b>Required Buffer Width</b>	<b>One Deciduous Per</b>	<b>One Coniferous Per</b>
<20 ft.	200 square feet/buffer	200 square feet/buffer
21 ft. to 50 ft.	300 square feet/buffer	300 square feet/buffer

- (b) Trees with a caliper smaller than three (3) inches are required to fulfill no less than twenty percent (20%) and no more than thirty percent (30%) of the required number of trees in (a) above. Additionally, evergreen trees, other than pines, are required to fulfill at least ten percent (10%) of the number of required trees planted in the buffer;

- (c) Trees shall be distributed along the entire length and width of the planted buffer. Due to unique characteristics of a site, or design objectives, alternative plant mixes and spacing may be approved by the Administrator.

- (2) Shrub Standards: Shrubs, a minimum of twenty-four (24) inches in height, of a variety that can be expected to reach four (4) to five (5) feet in height and three (3) feet in width within three (3) years of planting, shall be provided. Shrubs shall not be planted closer than six (6) feet to newly planted trees, nor within the drip line of existing hardwood trees. Shrubs shall be distributed along the entire length and width of the planted buffer except as required at the edge of parking Lots. Shrubs shall be provided at the following rates:

<b>Req. Buffer Width</b>	<b>One Shrub Per</b>
<20 ft.	50 square feet/buffer
21 ft. to 50 ft.	75 square feet/buffer
>50 ft.	200 square feet/buffer

**Section 8.6 Landscape Screens**

The purpose of a landscape screen is to use plants and/or other landscape architectural elements to obscure views from adjacent roads and properties.

Structures such as loading docks, utility service areas, solid waste collection and storage areas, and outside storage of material stocks or equipment, or other uses incidental to the principal use shall be screened from unobstructed off-site views. Uses requiring screening as noted in this

## Chapter 8: Landscape Requirements

Ordinance or as required on the site plan shall be screened according to the requirements of this Section.

A. Screening must be provided to obscure the open storage of any item which is not part of the permanent structures and landscaping of the property, excluding registered motor vehicles. This includes but is not limited to trashcans, garden equipment and tools, lawn and house maintenance equipment, and LP gas tanks.

(1) Screening must extend a minimum of twelve (12) inches above the item being screened, but less than seventy-two (72) inches high. The screen must completely hide the regulated item(s). Evergreen shrubbery that meets the above requirements, and provides year round screening is preferred.

Acceptable screening materials include:

a. Brick or brick in combination with other approved materials. An example would be a brick wall, topped with a wood or lattice extension.

b. Board and batten or reverse board and batten panels with 4X4 corner posts and 2X4 top and bottom rails.

c. Pressure treated fencing, utilizing 4X4 posts at the corners, of a shadow box design.

B. The minimum result shall be a semi-opaque seventy-five percent (75%) screen that obscures views from the ground to a height of the object being screened. Plants shall be at least two (2) feet tall at the time of installation and reach the desired height within three (3) years of planting. When a combination of features is proposed, one third of the surface area of all walls, fences or berms that face off-site must be covered with plant material within three (3) years. Additionally, screen areas shall be sufficient size to allow for the mature growth of plant materials when used.

### **Service Area - Loading Dock and Dumpster Screening**

No service area or loading dock shall be permitted adjacent to any roadway or public right-of-way unless enclosed such that all sides appear as a primary facade similar to the principal building, including design, detail, materials, and landscaping. All trash, garbage, and recycling receptacles and storage areas shall be located away from public streets and public right-of-ways and screened entirely from public view using a masonry wall at a minimum of 6 feet measured from the finished grade. The placement of which shall include landscaping to help with the screening.

A. The masonry wall shall be finished concrete masonry unit, brick, stucco, or other material matching the exterior of the principal building. Chain length wire, painted or unpainted block walls, barbed wire and wood are prohibited as part of a wall. Each enclosure shall include an opaque gate equal in height to the masonry wall.

B. Service areas and dumpster areas shall be located away from any residential side of the development. All trash and loading receptacles and storage areas shall be located away from public streets and screened entirely from public view. All non- vegetative screening used to block public view shall be made of materials compatible in color and type to the principal structures on the property.

C. Drive thru Windows, freestanding ATMs, fuel pumps, and similar devices and accessory uses shall only be placed in areas that do not interfere with the safe movement of pedestrians and vehicles in parking and driveway areas. These devices shall not be placed between the primary façade of the building and the public street or public right-of-way.

D. A drive-thru window or lane that is visible from a public right-of-way or public street shall be screened by a 5 foot wide landscape buffer extending the entire length of the drive-thru including the cueing and stacking areas.

### **Section 8.7 Parking Area Landscape (except for individual single family development)**

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#### **8.7.1 Purpose**

In order to reduce reflected sunlight and headlight glare from parked vehicles, as well as to maintain a separation between vehicles and other uses and to reduce the effects on the environment of vehicle parking facilities, the following standards apply.

#### **8.7.2 Required Landscape Plants in Parking Areas Adjoining Property and Streets.**

- A. Large trees: Hardwoods shall be planted at the rate of one three (3) inch caliper tree per forty (40) linear feet of property line abutting adjoining property or Longleaf pines of the same size shall be planted at the rate of one (1) tree per twenty (20) linear feet of property abutting adjoining property.
- B. Evergreen shrubs at the rate of one (1) shrub with a minimum height of twenty four (24) inches per three (3) linear feet of parking Lot edge abutting streets and adjoining property, excluding driveways, of a species expected to reach a minimum height of thirty-six (36) inches and a minimum spread of thirty (30) inches within three (3) years of planting.

Shrubs shall be planted in a manner such that no less than seventy-five percent (75%) of the length of the parking Lot edge, to a height of 36 inches, is obscured from view after three (3) years of growth. Shrubs planted within sight distance triangles shall be of a type with a maximum mature height of eighteen (18) inches.

- C. Berms may be installed within the front or interior (side or rear) yards with a minimum height of two (2) feet, a two (2) foot minimum crown width, and side slopes steeper than two horizontal to one vertical (2:1). Berms shall be planted with live ground cover, and may be planted with smaller shrubs to meet screening requirements, provided that the combination of the berm and the shrubs obscures no less than seventy-five percent (75%) of the length of the parking area, to a minimum height of thirty-six (36) inches after three (3) years of growth;

#### **8.7.3 Landscaping Within Parking Areas:**

- A. Location

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Paved areas shall provide landscaped areas based upon the amount of parking area. Areas under canopies, loading and service areas, and portions of drives with no parking on either side for a distance longer than twenty-five (25) feet and/or used exclusively as access to loading or service areas are exempt from this requirement. Landscaping within parking areas shall be provided in addition to planted buffer requirements of this Ordinance.

Areas used for landscaping shall be provided in the amount equivalent to at least fifteen percent (15%) percent of the parking area, and shall be used for planting either trees and/or shrubs according to the requirements below. Tree planting areas shall be located such that no parking space is farther than seventy-five (75) feet from a tree trunk;

### B. Required Landscape Plants

Trees shall be used at the following rates to satisfy the landscape area requirements:

- (1) One three (3) inch caliper, large hardwood tree per two hundred fifty (250) square feet or one pine tree with a minimum height of seven (7) feet per one hundred eighty (180) square feet of required landscaped area. Each large tree shall be located within a minimum growing area as specified above, which shall be un-encroached upon by shrubs or impervious pavement, with a minimum dimension of ten (10) feet;
- (2) One small hardwood tree with a caliper smaller than three (3) inches or one small pine tree with a height of less than seven (7) feet at the rate of one eight (8) foot tall tree per one hundred twenty-five (125) square feet of required landscaped area. Small trees shall be located within a minimum growing area as specified above, with a minimum dimension of seven and one half (7.5) feet, un-encroached upon by shrubs or impervious pavement. Small trees may be used to fulfill up to one third (1/3) of the required number of trees. Evergreen trees when used shall be either pruned or located in such a manner as to ensure the preservation of safe sight distances within parking Lots.

### 8.7.4 Islands and Medians

- A. A minimum curb radius of five (5) feet is required on the corners of all tree islands and medians to allow for the free movement of motor vehicles around planting materials. All medians and islands shall have raised concrete curbing around them to further protect plants from being damaged by motor vehicles.
- B. No more than one (1) tree may be provided per island, unless there is at least the minimum growing area per tree as required above. Large trees shall not be planted fewer than eighteen (18) feet apart, and small trees/large shrubs shall not be planted fewer than twelve (12) feet apart.

### 8.7.5 Parking Area Landscaped Yards

Any new or expanded off-street parking areas shall provide landscaped areas meeting the requirements below:

- A. New or expanded parking areas shall provide a landscaped area, adjacent to and outside of the street right-of-way, and/or adjacent residential property line edge, less driveways, of a minimum of five (5) feet in width. Proposed locations of plants and parking spaces shall be arranged to protect plants from vehicles;
- B. Planted buffers and/or screens provided adjacent to a right-of-way, as required herein below, and located between parking lots and streets and/or adjoining residential property may be utilized to fulfill these requirements.

**8.7.6 Irrigation**

Prior to the issuance of a certificate of compliance, an underground irrigation system shall be installed to maintain the landscaping.

**Section 8.8 Landscaping for uses in NS.**

The use of open space, parks, and courtyards in the development are encouraged to make the area pedestrian friendly and to give the character of a small town to the commercial area. All sites shall be maintained to present a neat and pleasing appearance to all off- property vantage points, and shall-

- A. Provide landscape areas directly adjacent to the building which incorporates native, drought resistant non-invasive species of trees, shrubs or flowers.
- B. Create outdoor spaces such as courtyards, fountains or gardens with shaded community space.
- C. Facilitate pedestrian movement on the site connecting buildings and amenities with sidewalks and/or covered walkways or breezeways.
- D. Use landscaping and/or naturally designed berms to soften the appearance of large buildings and preserve existing vegetation where possible. If trees need to be removed, their replacements must be of a suitable size to measure one-third of the building height at time of occupancy.
- E. Take steps to remove unsightly, scarred areas due to construction activity or other damage done to the site or vegetation. These steps must include steps to be taken to remove dead plant material and refuse from the site. The site shall also naturalize all areas disturbed by the construction to include but not be limited to: planting native plant material, spreading mulch/pine straw, and feathering transitions between truly native areas and the newly restored areas.
- F. Complete landscaping within six months of the completion of the building's exterior or by occupancy whichever occurs first.

**Section 8.8.1 Additional Requirements.**

In addition to the foregoing set forth hereinabove, the following shall also apply.

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- A. The front, back and side setbacks along public right-of-way shall be landscaped with berming and shrubs with a maximum combined height of 42 inches within two months. Landscaping at the corners of all walkways, driveways and parking lot areas shall be continued. Suitable native trees of a height that at maturity will not impede the safety of the public, but will soften the appearance of the development, must be included in the landscaping of the property.
- B. Prior to the issuance of a certificate of compliance, an underground irrigation system shall be installed to maintain the landscaping.
- C. In some situations in order to carry out the intents and purposes of this Chapter, the developer shall be required to plant trees and/or add contouring to a site to screen unsightly on-site elements from off-site vantage points.
- D. The property owner(s) shall be responsible for maintaining the landscaped areas required by this section to include the replacement of all dead and/or missing vegetation.
- E. The landscaped areas shall be designed in a fashion to reduce steep slopes less than 20%.

### **Section 8.9 Areas of Subdivisions which are not platted lots, retention ponds, or streets and right of ways.**

Application for any subdivision development permit shall include a landscape plan showing the location of trees existing or to be planted on those areas of the plat which are not platted lots or streets or right of ways. Unless affected by overhead power lines, conforming hardwood trees shall be planted at the rate of one three (3) inch caliper tree per 400 square feet in such area and longleaf pines with a height of not less than seven (7) feet shall be planted at the rate of one (1) tree per three hundred square feet of area. Notwithstanding the foregoing, this Section shall not apply to areas in which retention ponds are located.

**Section 8.10** In detention and retention pond areas the subdivider shall plant a buffer of trees and shrubs that will screen not less than ninety percent of the retention pond on all sides after five years of growth in the buffer.