

ARTICLE 24 - LANDSCAPING PROVISIONS

Statement of Intent

It is recognized that the planting of trees and vegetation, as well as the conservation of existing trees and vegetation, can serve to significantly improve the quality of the physical environment. It is also recognized that the uncontrolled cutting or destruction of trees and wooded areas can significantly damage the physical environment, causing increased municipal costs, the encouragement of substandard development, and the reduction of property values. It is therefore in the interest of the public health, safety, and welfare to enact regulations that would promote the planting and preservation of landscape materials which:

- A. provide screening between incompatible land uses, and
- B. provide for the protection of ground water and air quality, and
- C. promote traffic safety by controlling views, and
- D. provide shade and enhancement of urban areas, and parking lots, and
- E. provide a natural habitat for wildlife

The Town of Colonial Beach Master Tree Plan should be consulted for guidance in determining the type of tree to be planted

24.1 Application of This Article.

- A. Except as otherwise provided, the landscaping requirements of this Article shall apply to:
 - 1. Development, public and private, where site plans are required in accordance with Article 14 of this Ordinance
 - 2. Subdivisions
 - 3. Industrial and commercial development
 - 4. Development of public or private parking lots
- B. Notwithstanding Section 24.1(A), the following shall be exempt from the requirements of this Article.
 - 1. Improvements and/or repairs to existing non-residential structures or buildings which do not result in (i) expansion, (ii) reconstruction, (iii) changes in the type of occupancy as set forth by the Virginia Statewide Building Code (USBC) or (iv) any increase in the impermeable surface area
 - 2. The subdivision of one (1) parcel into two (2) parcels, when made in accordance with Section 5-6 of the Subdivision Ordinance of the Town of Colonial Beach (Minor Subdivisions)

24.2 Native Species

All new plantings to meet street frontage and parking area planting requirements are encouraged but not required to be native species as specified in "Native Plants for Conservation, Restoration and Landscaping for the Virginia Coastal Plain" from the Virginia Department of Conservation and Recreation (DCR) and available at the town's planning department; however, invasive species identified by DCR cannot be considered. All new plantings to meet replacement requirements for dead or diseased trees, as specified in Article 22, must be native species listed in the DCR native plants pamphlet, unless otherwise provided for in this ordinance.

24.3 Landscaping Plan.

- A. All landscaping material required by the provisions of this Article shall meet the following minimum

size standards:

1. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 2. Existing and proposed parking spaces, other vehicle areas, access aisles, driveways
 3. The location, size and description of all landscaping materials and tree cover, and
 4. Verification that the minimum landscaping and screening requirements specified in this Article will be met
- B. If all elements of the landscaping plan are already included on the site plan, the requirement of a separate landscaping plan may be waived
- C. A Zoning Permit shall not be issued until such time as the landscaping plan is approved, a Certificate of Occupancy shall not be issued until the landscaping is installed or bonded

24.4 General Requirements and Minimum Standards.

- A. All landscaping material required by the provisions of this Article shall meet the following minimum size standards:
1. All shade trees shall be at least ten (10) to twelve (12) feet in height and shall have a caliper, at four and one-half ft. (4.5) feet from the ground, of two (2) to three (3) inches when planted
 2. All flowering or ornamental trees must be at least six (6) feet in height and shall have a caliper, at four and one-half ft. (4.5) from the ground, and two (2) inch caliper at breast height when planted
 3. All shrubs must be at least one (1) gallon container size when planted
- B. All plantings must be in a mulched planting bed
- C. Existing tree cover shall be retained to the greatest extent possible and taken fully into account in the design or the improvements and grading of any property
- D. Existing trees preserved on the site may be used to satisfy the requirements for landscaping as long as the following conditions are met:
1. Existing trees must be at least three (3) inch caliper at breast height
 2. Be in healthy condition
 3. Be protected from all construction activity
- E. Landscaping shall not obstruct the view of motorists using any street, private driveway, parking aisles, or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety. Whenever the enforcement of the provisions of this Article would result in a traffic hazard, the Zoning Administrator may waive such requirements
- F. Certificates of occupancy may be withheld pending completion of the landscaping in accordance with the approved landscaping plan. However, a certificate of occupancy may be issued prior to the completion of the landscaping if a certified check, irrevocable letter of credit or other surety securing completion of such landscaping is obtained prior to the issuance of such certificate

24.5 Required Landscaping - Street Frontage

Street trees shall be required along any existing and proposed street right of way for any development in accordance with Section 24.1(A) of this Article and not exempted in Section 24.1(B) of this Article

- A. Along any street right of way on which the utility pole for power, street lights and/or telephone service is or will be located, at least one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center
- B. Along any street right of way on which the utility pole for power, street lights and/or telephone service are not and will not be located, one (1) shade tree shall be planted for every 50-feet, or portion thereof, of road frontage or one (1) flowering or ornamental tree shall be planted for every 25-feet of street frontage, or portion thereof, at approximately 20-feet on center

24.6 Required Landscaping - Transitional Screening.

- A. In order to reduce the negative impact of adjoining incompatible uses, transitional screening shall be required for the following:
1. Any development within a Light Industrial, M-1 Zoning District shall be screened along all property lines which border any zoning district other than Light Industrial, M-1
 2. Commercial uses excluding home occupations shall be screened along all property lines which border the following:
 - a. Residential Limited, R-1 Zoning District
 - b. Residential General, R-2 Zoning District
 - c. All residential uses within an Agricultural, A-1 Zoning District
 3. Multifamily dwellings and mobile home parks shall be screened along all property lines which border residential uses

For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.

- B. The transitional screening required by this Section shall be:
1. At least six (6) feet in height when planted
 2. Consist of one row of trees planted not more than ten (10) feet on center or two staggered rows of trees planted not more than fifteen (15) feet on center
- C. Alternate methods of screening such as walls or earth berms may be used in lieu of vegetative screening with approval of the Zoning Administrator
- D. The transitional screening required by this Section shall be consistent with Sections 24.3 through 24.6 of this article

24.7 Buffer Yards and Transitional Screening

A. Buffer Yards

1. Table 24-2A.1 (below) shows the buffer yard footage recommended between differing zoning districts.

Table 24-2A.1 Typical Recommended Buffers between Zoning Districts (in feet)									
Zoning Districts	R-1 & R-2	R-3	C-R	R-C	M-C	C-1	C-2	PUD	AG
R-1 & R-2	0	25	35	50	75	100	100	50	100
R-3	25	0	35	50	75	75	35	50	100
C-R	35	35	0	25	50	25	25	50	100
R-C	50	50	25	0	0	0	0	50	100
M-C	75	75	50	0	0	0	0	50	100
C-1	100	75	25	0	0	0	0	50	100
C-2	100	35	25	0	0	0	0	50	100
PUD	50	50	50	50	50	50	50	0	100
Ag	100	100	100	100	100	100	100	100	0

2. The Table above illustrates the recommended buffer yards based upon adjoining zoning districts. When a development application is submitted, one of other the buffer yards shown

below must be shown on the General Development Plan (GDP) and the site plan. The buffer shall be located upon the proposed development site and not the pre-existing development on the adjacent site.

3. The content of the buffer yard shall be as follows:
 - a. Buffer Vegetation for 100-foot Buffer:
 - I. Five (5) large deciduous trees for every fifty (50) linear feet
 - II. Four (4) small deciduous trees for every twenty-five (25) linear feet
 - III. Four (4) evergreen trees for every twenty (20) linear feet
 - IV. Four (4) medium shrubs for every fifteen (15) linear feet
 - V. Swale(s)
 - b. Buffer Vegetation for 75-foot Buffer:
 - I. Three (3) large deciduous trees for every fifty (50) feet;
 - II. Three (3) small deciduous trees for every twenty-five (25) feet;
 - III. Three (3) evergreen trees for every twenty (20) feet;
 - IV. Six (6) medium shrubs for every fifteen (15) feet;
 - V. Swale(s)
 - c. Buffer Vegetation for 50-foot Buffer;
 - I. Two (2) large deciduous trees for every fifty (50) feet
 - II. Two (2) small deciduous trees for every twenty-five (25) feet
 - III. Two (2) evergreen trees for every twenty (20) feet;
 - IV. Six (6) medium shrubs for every fifteen (15) feet;
 - V. Swale(s)
 - d. Buffer Vegetation of 35-foot Buffer;
 - I. One (1) large deciduous tree for every fifty (50) feet;
 - II. Two (2) small deciduous trees for every twenty-five (25) feet;
 - III. One (1) evergreen tree for every twenty (20) feet;
 - IV. Ten (10) medium shrubs for every fifteen (15) feet;
 - V. Swale(s)
 - e. Buffer Vegetation of 25-foot Buffer;
 - I. One (1) large deciduous trees for every fifty (50) feet;
 - II. One (1) small deciduous trees for every twenty-five (25) feet;
 - III. One (1) evergreen tree for every twenty (20) feet;
 - IV. Ten (10) medium shrubs for every fifteen (15) feet.
 - V. Swale(s)
 - f. The ratio of the Swale and vegetated area shall be 1/3 swale area with a maximum slope of 3:1 and 2/3 vegetated area. The Swale(s) shall be built in a manner to undulate parallel to property lines. If it can be shown that the purposes of the Swale(s) are already being served on the property by the existing topography or by the use of walls and fencing, then the use of Swales may be mitigated or lessened as determined by the Planning Director.

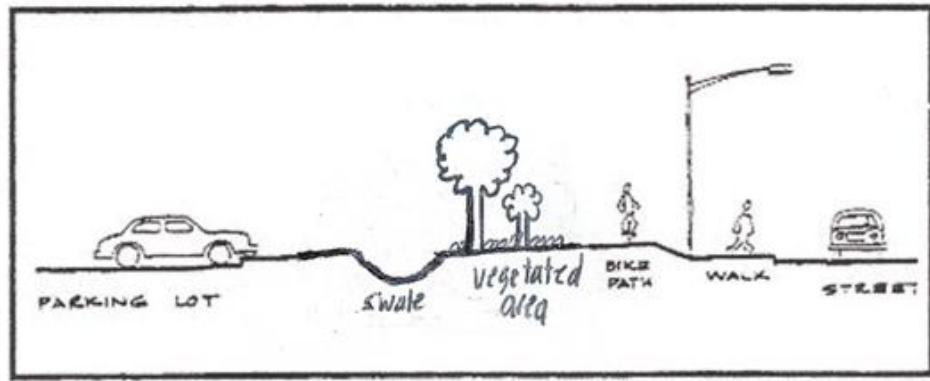


Figure 24-2A.1f Typical Design/Use of a Swale & Buffer

- g. Buffer Reduction – A recommended buffer yard and associated landscaping may be reduced by 50% if a minimum of a 6-foot tall masonry wall is erected with the required landscaping placed on the exterior of the wall.
- h. Maintenance of the Swale and landscaping is the responsibility of the land owner and there shall be developer's agreement executed and recorded for this purpose.
- i. For the purpose of this Section any undeveloped lot or parcel within any zoning district which allows residential uses by right shall be treated as if a residential use exists on that lot or parcel.

24.8 Maintenance.

The property owner and developer shall be responsible for the maintenance, repair, and replacement of all landscaping material required by the provisions of this Article. The maintenance provisions include the following:

- A. All required plant material shall be maintained in good health and shall conform to the Association of Nurserymen Standards for Nursery Stock.
- B. Any dead, unhealthy, or missing plants must be replaced within six (6) months with vegetation which conforms to the planting standards of this Article.
- C. All plant material shall be kept free of refuse and debris.
- D. All plant material shall be maintained in a manner such that it does not become a traffic hazard.