

4-8.3 Landscaping Buffer and Barriers

4-8.3.1 Landscape Buffer Requirements

The following regulations apply to properties where a landscape screen or buffer is required during the project approval process. Wherever and whenever property located in office, commercial, industrial, business, public or industrial districts, and multi-family developments, as defined in Whitsett Town Development Ordinance Article IV Zoning, abuts or is contiguous to property located in residentially zoned districts, such office commercial, industrial, business, public or institutional zoned properties shall be sufficiently and suitably buffered or screened by a barrier from the residential district zoned properties. Screens are required to protect against noise, lighting and other disruptive effects, to protect the character of residential areas, and to conserve property values:

- A. A minimum 15 foot wide buffer space will be provided.
- B. Required landscaping will consist of a minimum of 6 large maturing trees (minimum 50% evergreen) and 40 medium shrubs (minimum 75% evergreen) for each 100 linear feet, to provide continuous coverage.
- C. New trees and shrubs should be evenly spaced at planting, with trees having an 8-foot minimum installed height, and shrubs having a 36-inch minimum installed height.
- D. For dimensions of less than 100 feet, plantings and spacing will be in proportion to the basic ratio described above.
- E. A solid masonry wall, minimum 6' in height, may be substituted for required shrubs.
- F. Where a natural buffer exists, it is to remain undisturbed. No limbing up. Remove dead wood only. Do not remove undergrowth.
- G. All buffers required by the Lakes Mackintosh and Jordan watershed regulations (Section 4-3.4) will remain completely undisturbed.
- H. If used in addition to a landscape screen, chain link and similar fencing materials will have additional evergreen shrubs a minimum 3 feet in height and 6 foot on center when planted, on their (residential/subdivision) exterior side. No mechanical equipment such as air conditioner units are permitted within the buffer area.
- I. Permanent detention and temporary erosion and sedimentation control basins are prohibited in buffer yards.
- J. Where existing topography prevents the strict application of these standards, alternative screening methods which perform to the same or higher level will be considered.
- K. Utility easements may cross but not be placed within the long dimension of a buffer yard.
- L. Wherever practical, pedestrian access will be provided through the buffer yard. For example, neighborhoods adjacent to the rear of commercial development.

4-8.3.2 Planting Standards for Trees and Shrubs

- A. All new plant material will be of good quality, installed in a sound, workman-like manner and meet the standards set forth in the American Standard for Nursery Stock by the American Association of Nurserymen. The contractor or developer will warrant all new plant material for 2 years from time of installation.
- B. All trees will be properly guyed or staked and mulched (3-4 inch layer) in accordance with accepted practices in the landscape industry, to prevent winds from loosening the roots.
- C. Where large maturing trees are required and overhead utility lines exist, small maturing trees planted 1 per 15 linear feet will be substituted with the approval of the Enforcement Committee.
- D. The owner of the property is responsible for the continued proper maintenance of all landscaping materials and will keep them in a proper, neat and orderly appearance, free from refuse and debris. All dead or unhealthy plant material will be replaced within 180 days to maintain the quality of the landscaping. In no instance will the Town of Whitsett be responsible for the maintenance of any vegetation unless such vegetation is located within the public right of way of a Town maintained street or is located on property owned by the Town of Whitsett.

- E. Where new landscape materials are to be installed, the type of material used will be complementary to plant materials existing on the property and on adjoining properties. Use of native plant materials is encouraged.
- F. At installation, large maturing trees will not be less than 10 feet in height with a minimum 2 1/2 inch caliper. Small maturing trees will be a minimum of 1-1/4 inch caliper and have a minimum height of 8 feet. Installation and construction practices will be utilized which preserve and replace existing topsoil or amend the soil to reduce compaction.
- G. At installation, evergreen trees will not be less than 8 feet in height with a minimum 2 inch caliper.
- H. At installation, small shrubs will be a minimum 2 feet in height and medium or large shrubs a minimum of 3 feet in height. Installation and construction practices will be utilized which preserve existing topsoil or amend the soil to reduce compaction.
- I. No plants will be planted within the sight distance triangle at an intersection, or driveway access points unless an unobstructed view between 30 and 72 in height is maintained.
- J. Existing vegetation may be applied toward the requirements of this ordinance.
- K. Chain link and similar fencing materials, if used, will be landscaped on their exterior side with evergreen shrubs minimum 3 feet in height and 6 feet on center at installation.

4-8.3 Alternative Methods of Compliance

- A. Alternate landscaping plans, plant materials, or planting methods may be used where unreasonable or impractical situations would result from application of landscaping requirements, or where necessary to protect existing vegetation. Such situations may result from streams, natural rock formations, topography, or other physical conditions; or from lot Configuration, utility easements, unified development design, or unusual site conditions.
- B. The Planning Board may approve an alternate plan that proposes different plant materials or methods provided that quality, effectiveness durability, and performance equivalent to that required by this ordinance.
- C. The performance of alternate landscaping plans will be evaluated by the Enforcement Committee to determine if the alternate plan meets the intent and purpose of this ordinance. This determination will take into account the land use classification of adjacent property, number of plantings, species, arrangement and coverage, location of plantings on the lots, and the level of screening height, spread, and canopy of the planting at maturity.
- D. Decisions of the Enforcement Committee regarding alternate methods of compliance may be appealed to the Planning Board, then Town Council.

4-8.4 Revisions to Approved Landscape Plans

Due to seasonal planting problems and/or a lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to planting plans may be approved by the Enforcement Committee if:

1. There is no reduction in the quantity of plant material.
2. There is no significant change in size or location of plant materials.
3. The new plants are of the same general category (i.e., shade tree, ornamental tree, evergreen, or shrub) and have the same general design characteristics (mature height, crown spread) as the materials being replaced.

4-8.5 Inspection of Sites

- A. The Enforcement Officer may periodically inspect sites subject to the provisions of this ordinance.
- B. If, through inspection, it is determined that a site has failed to comply or is no longer in compliance with the provisions of this ordinance, enforcement activities will commence.
- C. A certificate of occupancy for the development will not be issued unless the landscaping required under this section is installed in accordance with these standards and in accordance with the approved site plan or subdivision plat.

4-8.6 Emergencies

In the case of emergencies such as windstorms, ice storms, fire, or other disasters, the Town may waive the landscaping requirements of this ordinance during the emergency period so that the requirements of this ordinance will in no way hamper private or public work to restore order in the Town.

4-8.7 Replacement of disturbed and damaged vegetation

4-8.7.1 Re-Vegetation

- A. The disturbance of any landscaped area or vegetation required by this section will constitute a violation of this ordinance. All disturbed landscaped areas and vegetation will be replanted to meet the standards of this section as well as the approved site or master plan.
- B. Where the vegetation that has been disturbed or damaged existed on the site at the time the development was approved, all replacement vegetation will meet the standards set forth in this section taking into account any unique site conditions and significant vegetation remaining within the landscaped area. Trees or vegetation that die within one year of construction completion, because of contractor negligence, will be removed and replaced with new vegetation of equal or greater in size.
- C. Existing vegetation required to be preserved that has been damaged or destroyed during the course of development activity will be subject to civil penalties and replaced in accordance with the requirements of this section.
- D. A revegetation plan will be submitted that takes into consideration the development condition of the site, significant vegetation remaining within landscaped areas, and the replacement plant materials. The Town of *Whitsett* may require equal amounts of new vegetation to be installed equal to the size of the vegetation removed.
- E. Replacement consists of one or a combination of any of the following measures:
 - 1. Replant according to the requirements of this section. A replanting plan denoting the proposed installation will be submitted to the Town of *Whitsett's Enforcement Committee* for approval.
 - 2. Replace damaged or destroyed significant vegetation in both perimeter and or interior landscaped areas with an equal amount of new vegetation according to the size of vegetation removed. Any tree with a caliper of at least 8 inches that is damaged or removed will be replaced with one or more trees that have a caliper of at least two and one half inches and a cumulative caliper equal to or greater than the original tree. Trees damaged or destroyed less than 8 inches in diameter will be replaced to satisfy the performance criteria of this Section. Understory plantings may also be required to restore the buffer performance criteria for the disturbed area. A revegetation plan denoting the proposed installation will be submitted to the Enforcement Committee for approval.
- F. For all other cases where existing vegetation is damaged or removed, the type and amount of replacement vegetation will meet the requirements of this Section.
- G. Replanting should be located within the vicinity of the violation. If the area is too small for sufficient growth, a more suitable location on the site may be selected by the Enforcement Committee.