

ARTICLE V
NON-RESIDENTIAL DEVELOPMENT LANDSCAPE REQUIREMENTS

Section 8-156. Introduction

It is hereby determined that:

1. Landscaping preserves the aesthetic character of communities, improves the aesthetic quality of the built environment, and increases property values.
2. Trees and landscaping replace vegetative cover lost during land development. Vegetation slows soil erosion, helping to reduce nonpoint source pollution found in stormwater runoff.
3. Well-chosen landscaping can improve the compatibility between different types or intensities of land uses by providing a visual buffer.
4. Landscaping visually interrupts the barren expanse of large parking lots and provides shade that cools air and surface temperatures helping negate the “heat island” effect of paved parking lots.

Section 8-157. Definitions

Arterial Road. Defined as Major Arterial or Minor Arterial in Article III of the Fayette County Development Regulations.

Caliper. A method of measuring the diameter of a tree trunk to determine size, grading, and/or classification of nursery stock. Caliper measurement of the trunk shall be taken six inches above the ground up to and including four (4)-inch caliper size. If the caliper at six (6) inches above the ground exceeds four (4) inches, the caliper should be measured at 12 inches above the ground.

Canopy (Overstory) Tree. Any tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

Collector Road. Defined as collector road in Article III of the Fayette County Development Regulations.

Deciduous. Plants that annually lose their leaves.

Evergreen. Plants that retain foliage throughout the year.

Exterior Parking Aisle. A parking aisle adjoining a property line, required landscape area, and/ or zoning buffer along a property line.

Groundcover. A plant with a low-growing, spreading habit, grown specifically to cover the ground,

generally not attaining a height of more than two(2) feet.

Interior Parking Aisle. A parking aisle that does not adjoin a property line, required zoning buffer, or building wall.

Landscape Island. A minimum 10 by 20 foot island placed in parking lots to guide traffic, preserve vegetation, and increase aesthetic quality.

Landscape Plan. A scaled plan that clearly delineates vehicular use areas and displays and describes all landscaping.

Local Road. Defined as County Local or Internal Local in Article III of the Fayette County Development Regulations.

Native Plants. Plants indigenous or naturalized to a given area.

Owner. The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Side-Yard Landscape Area. The landscape area adjacent to a side lot line.

Shrub. A plant with persistent woody stems and a relatively low growth habit, distinguished from a tree by producing several basal stems instead of a single trunk.

Street-Frontage Landscape Area. The landscape area adjacent to street frontage.

Tree. A self-supporting woody perennial plant that, at maturity, has one (1) or more stems or trunks that attain a diameter of at least three (3) inches; a more or less definitely formed crown of foliage; and a height of 10 feet or more.

Zoning Buffer. Defined by the Fayette County Zoning Ordinance.

Section 8-158. General Provisions

- (a) **Purpose and Intent.** The purpose of this ordinance is to establish minimum requirements for landscape areas and buffers in Fayette County.

This ordinance seeks to meet that purpose through the following objectives:

1. Improve the appearance of Fayette County's non-residential properties;
2. Minimize noise, glare, and erosion;
3. Provide a visual separation between incompatible uses;
4. Establish measures for water conservation; and,

5. Reduce the adverse environmental effects of impervious parking areas.
- (b) **Applicability.** This ordinance shall be applicable to all non-residential zoning districts; all non-residential uses allowed within residential zoning districts; and all existing non-paved parking areas that are to be developed into paved parking areas.
 - (c) **Exemptions.** Existing parking areas where additional parking spaces are not required.
 - (d) **Designation of Ordinance.** Administrator: The Fayette County Stormwater Management Department shall administer this ordinance.
 - (e) **Compatibility with Other Regulations.** This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or impose higher protective standards for human health or the environmental shall control.
 - (f) **Severability.** If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.
 - (g) **Effective Date.** December 25, 2010
 - (h) **Technical Standards.** Standards for plant selection and installation listed below are incorporated by reference:
 1. “American Standard for Nursery Stock” (ANSI Z60.1-2004)
 2. “Manual for Woody Landscape Plants” (Michael Dirr, 2009, Stipes)”
 3. Principles and Practices of Planting Trees and Shrubs”(Watson and Himelick, 1997, ISA)

Section 8-159. Landscape Requirements And Submittals

(a) **Submittals.** Unless specifically exempted by this ordinance, any owner or developer proposing any land development activity as defined in Sec. 8-157.b, above, shall submit a Landscape Plan with the Grading Plan to the Stormwater Management Department.

1. The Stormwater Management Department shall have a maximum of 14 calendar days from the submittal date, or each re-submittal date, for plan review. If the plan is not approved a deficiency checklist will be submitted back to the applicant.
2. Landscape plans shall be prepared by a professional landscape architect, or other licensed professional of similar design discipline.
3. Any deviations from the approved Landscape Plan must be approved by the Fayette County Stormwater Management Department prior to installation.
4. A final inspection and approval by the Fayette County Stormwater Management Department is required prior to the issuance of a Certificate of Occupancy.
5. Trees shall have minimum caliper requirements of two and one half (2 1/2) inches measures at six (6) inches above ground at time of planting.
6. Plants with vigorous root systems shall not be planted within the drip line area of said plant next to any nitrification field, sanitary sewer, or public water easement including but not limited to the Eastern Cottonwood, Willow, and Lombardy Poplar.
7. Allow at least 200 square feet of contiguous soil space per overstory tree.
8. No parking space shall be more than 40 feet from a tree.
9. Groundcovers, flowers, stones, and mulch shall be utilized as needed to meet vegetative ground cover requirements.

(b) **Landscape Plan Requirements.** The Landscape Plan shall include:

1. Project name, design professional's name, and contact information;
2. Property boundary lines, all zoning buffer and landscape areas, and entire septic systems;
3. Locations of existing plant materials to be retained and/or new plant materials to be installed, with all details drawn at a scale of one (1) inch to 100 feet or greater; and
4. Plant material list, that shall include:
 - a. Common and/or botanical names of all proposed plants;
 - b. Plant quantities;

- c. Spacing;
- d. Remarks, as necessary, for proper plant selection at installation; and,
- e. Caliper, height, and condition of plants.

Section 8-160. Landscape And Buffer Categories

- (a) **Street Frontage Landscape Areas.** Landscape areas fronting on county maintained roads shall be measured from the right-of-way, or from where county maintenances stops on prescriptive easements. Trees/shrubs may be planted in groups provided that the required number of trees/shrubs are distributed along the entire length of the area to be landscaped.
- (b) **Parking Lot Landscape Areas.** Landscape areas shall be provided for every other interior parking aisle. Exterior and interior parking aisles shall be terminated at both ends by a landscape island. Landscape islands shall be provided for each 150 feet of continuous parking length. All trees planted in parking lot landscape areas shall be canopy trees.
- (c) **Side-Yard Landscape Areas.** A landscape area shall be established along the side property lines of all lots. A side-yard landscape area may not be substituted when a zoning buffer landscape area is required.
- (d) **Zoning Buffer Areas.** Zoning buffer areas shall be established and maintained subject to the requirements listed below.
 1. Zoning buffer areas shall consist of evergreen plant material planted in staggered double rows that will provide a screen for the purpose of visual privacy. If existing vegetation is requested to count toward the Zoning Buffer Area landscape requirements, such information shall be indicated on the landscape plan as required by the Stormwater Management Department.
 2. Listed below are suggested evergreen plant combinations characteristic of buffer area plantings. Additional plant choices can be found at the Fayette County website under Stormwater Management.

<u>Trees</u>	<u>Shrubs</u>	<u>Groundcovers</u>
Virginia Pine	Abelia	Liriope
Red Cedar	Burfordi Holly	Euonymus
Nellie R.	Cleyera	Wintercreeper
Stevens Holly	Cherry Laurel	Asiatic Jasmine
Cryptomeria	Hetzi Juniper	Evergreen Ferns
Lusterleaf Holly	Leucothoe	Creeping Raspberry
Loblolly Pine	Loropetalum	Vinca
Evergreen Dogwood	Pfitzer Juniper	Mondo Grass
Laurel Oak	Pragense Viburnum	Asiatic Jasmine

Chinese Evergreen
 Oak
 Leyland Cypress
 Green Giant
 Arborvitae
 Southern Magnolia
 Eastern Red Cedar

Osmanthus
 Wax Myrtle
 Yaupon Holly

Table 1. Landscape Requirements.

TYPE	SIZE OF AREA TO BE LANDSCAPED	REQUIRED TREES		REQUIRED SHRUBS	
		Number	Height	Number	Height
Street Frontage	Arterials: 20'	1 per 20'	10'	7 per tree	2'
	Collectors: 15'	1 per 20'	10'	7 per tree	2'
	Locals: 10'	1 per 20'	10'	7 per tree	2'
Parking Lot	Exterior Aisles 10'	1 per 30'	6'	5 per tree	2'
	Interior Aisles 7'	1 per 30'	6'	5 per tree	2'
	Buildings or Walls 5' (Excluding walls not visible from the street)			5 per 25 linear feet of building wall.	2'
	Landscape Islands 10' x 20'	1 per island	6'	5 per island	2'
Side Yard	Side Property Lines 6'	1 per 40'	6'	3 per tree	2'
Zoning Buffer	SEE APPLICABLE ZONING DISTRICT REGULATIONS FOR BUFFER WIDTH REQUIREMENTS	1 per 10'	6'	As needed to provide visual screen	4'

Section 8-161. **Suggested Planting Materials**

Native Plants

Trees

Redbud
 Dogwood
 Red Maple
 Sugar Maple
 Southern Magnolia
 Fringe Tree
 Overcup Oak
 Bald Cypress

Small Shrubs
 (1-8 feet)

Sweet Shrub
 Flame Azalea
 Florida Azalea
 Yucca
 Virginia Sweetspire
 Dwarf Yaupon Holly
 Inkberry Holly
 Clethra

Large Shrubs
 (8ft. & up)

Oakleaf Hydrangea
 Yaupon Holly
 Spanish Dagger Yucca
 Bottlebrush Buckeye
 Devilwood Osmanthus
 Southern Wax Myrtle
 Small Anise-Tree
 Cherry Laurel

Tulip Poplar
 Willow Oak
 River Birch
 Swamp Chestnut Oak
 Nuttall Oak
 Serviceberry
 Bigleaf Magnolia
 Blackgum
 Georgia Gem Ash
 American Hornbeam
 American Beech
 Carolina Silverbell

Deciduous Holly

Groundcovers

Carolina Yellow Jessamine
 Creeping Liriope
 Daylilly
 Mondo Grass
 Native Ferns
 Miscanthus
 Penisetum

Vines

Liriope
 Swamp Jessamine
 Crossvine
 Trumpet Honeysuckle
 Climbing Hydrangea

Other Suitable Plants

Trees

Sycamore
 Trident Maple
 Crape Myrtle
 Winged Elm
 Chinese Pistache
 Shumard Oak
 Red Oak
 Lacebark Elm
 Japanese Zelkova
 Western Red Cedar
 Okame or Yoshino Cherry
 Chinese Flame
 Sawtooth Oak
 Saucer Magnolia
 Dawn Redwood
 Chaste Tree

Shrubs

Abelia
 Holly
 Japanese Barberry
 Beautyberry
 Juniper
 Indian Hawthorn
 Spirea
 Knock Out Rose
 Viburnum
 Osmanthus
 Loropetulum
 Forsythia

Perennials and Groundcovers

Daylilly
 Rudbeckia
 Coneflower
 Yarrow
 Sedum
 Daisy
 Asiatic Jasmine
 Liriope
 Mondo Grass
 Vinca
 St. Johnswort

- (a) In addition to those listed above, acceptable plant choices can be found at the Fayette County website under Stormwater Management.

Section 8-162. **Performance Surety.**

- (a) **Landscape Performance Surety.** In the event that the requirements of this Ordinance have not been met at the time that a final building inspection request is made, the owner or his agent shall post a Landscape Performance Bond or other County approved surety in an amount equal to 110 percent of the cost of materials, labor, and other attendant costs, incidental to the installation of the required landscaping. Said surety shall:

1. Be drawn in favor of the Board of Commissioners,

2. Be in a form satisfactory to the County Attorney.
3. Specify the time for the completion of the landscaping requirements of this Ordinance which shall not be longer than six (6) months following the issuance of a Certificate of Occupancy.

Section 8-163. General Maintenance. Plants required pursuant to the provisions of this Ordinance shall be attractively maintained. All dead and/or diseased plants shall be replaced annually as a condition of occupancy.

Section 8-164. Sec. 8-167 - 8-175. Reserved.

Section III. If any part of this Ordinance shall be declared unconstitutional by the judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder of this enactment shall remain in full force and effect.

Section IV. All laws, ordinances, and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Section V. This Ordinance shall become effective upon its approval by the Board of Commissioners.

SO ORDAINED, this 25th day of December, 2010.