

ARTICLE 9: Landscaping

9-10 Legislative Intent

The purpose of this Article is to regulate the planting and preservation of landscape materials; to facilitate the creation of an attractive and healthy environment; to enhance property values; and to further the urban design and economic development objectives of the Town of Orange Comprehensive Plan. To these ends, these regulations are intended to promote the planting and preservation of landscape materials which:

- a) Provide visual screening and buffering between incompatible land uses;
- b) Provide parking lot landscaping to reduce the harmful effects of heat, noise, and glare associated with motor vehicle use;
- c) Provide for the creation of safe, attractively landscaped areas adjacent to public streets by using landscape materials which separate vehicular and pedestrian areas;
- d) Provide for useful and attractive open space areas within the Town for the use of its citizens;
- e) Provide visual aesthetic appeal to new development in Town; and
- f) Provide adequate tree canopy and vegetative cover.

9-20 Applicability

The provisions of this Article shall apply to all landscape plans submitted for approval after the effective date of this Ordinance. The provisions of specific sections of this Article shall apply to development projects which (1) require submission and approval of a landscape plan and (2) which meet the criteria prescribed in that section.

9-25 General Provisions

- a) Landscape plans shall seek to maximize the preservation of existing trees and minimize the disruption of established landscape materials employing preservation and protection criteria provided in the Virginia Erosion and Sediment Control Handbook and Virginia Stormwater Management Handbook.
- b) Existing tree cover within any proposed site plan shall be retained to the greatest extent possible and taken fully into account in the design of the improvements, grading of the property and calculation of the minimum tree canopy requirement in accordance with the following requirements:
 - 1) Trees: Existing trees preserved on-site may be used in the tree canopy calculation as a square-foot coverage, including parking lot landscaping and street plantings required by this Article. Any existing trees used to meet the minimum canopy requirements of the Ordinance must be identified by type and be at least four-inch (4”) caliper, in healthy condition and be protected from construction activity. Such protection measures shall be illustrated on the Erosion and Sediment Control Plan.
 - 2) Exceptional or Specimen Trees: Trees of exceptional size, specimen type, canopy, historic value or age preserved may be credited as up to four (4) trees of the same function group for the minimum tree canopy calculation purposes of this article if approved by the Zoning Administrator.

- c) No landscaping materials shall be installed which interfere with minimum transportation sight distances for public and private streets. The landscape plan shall depict sight distance alignments and the location of sight easements.
- d) The quality and type of all new plant materials installed on a site shall be in accord with the specifications of the American Association of Nurserymen, provided that the transplanting of trees and shrubs may be done in accordance with accepted horticultural and silvicultural practices. The planting and placement of trees shall be done in accord with the standardized landscape specifications of the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects.

9-30 Landscape Plan

A landscape plan meeting the requirements of this Article shall be required for all Site Development Plans required under Article 12 of this Ordinance. A landscape plan may be incorporated into the Site Development Plan for a given development project provided the plan contains all information required below. Landscape plans shall be prepared by a qualified landscape designer, nurseryman, horticulturalist or a Certified Landscape Architect. Qualifications and/or certification shall be shown on the site plan and must include the name, address and phone number of the person(s) that prepared the landscape plan.

9-30.10 Information and Requirements

Landscape plans required by this Article shall contain the information and meet the requirements listed below:

- a) Plans shall be drawn to a scale of not less than thirty (30) feet to the inch;
- b) Landscape plans shall indicate dimensions and locations of all proposed trees, plants and landscaped areas;
- c) All plans shall be accompanied by a schedule of plants proposed, including the number proposed, their height, caliper, or container size, and the common and botanical name;
- d) All plans shall include a table calculating the amount of open space and/or parking lot area and the number of plants and trees required by the Ordinance and the amount of open space and trees and plants provided;
- e) Any existing vegetation proposed to be retained shall be identified by name, location, and size;
- f) The landscape plan shall contain a note stating that all plant materials shall be properly maintained and replaced if damaged or dead;
- g) Other plant materials may be substituted for the suggested plant materials listed in the Article, upon approval of the Zoning Administrator, if the applicant demonstrates to the satisfaction of the Zoning Administrator, or designated agent, that the substitution meets the intent of this Article and is appropriate for the area and climate;
- h) All required landscaping must be installed and approved by the first planting season following the issuance of the certificate of occupancy or the total bond will be forfeited to the Town;

- i) The applicant shall be responsible for providing, protecting, and maintaining all landscaping in healthy and growing conditions, replacing unhealthy or dead plant materials within one (1) year or by the next planting season, whichever comes first. Replacement materials shall conform to the original intent of the landscape plan.

9-40 Street Trees

9-40.10 Applicability

Street tree planting is required any time a street is constructed or extended, including any capital improvement projects, and all development applications except as specifically modified as part of the rezoning process or as otherwise prescribed herein. In addition, any time a street is widened, any tree removed as a result of such widening shall be replaced with a street tree equal or superior in size and quality. This requirement shall apply to all zoning districts, and such plantings shall be subject to all other requirements for street trees set forth in the applicable zoning district regulations.

9-40.20 Number, Spacing and Location

The number and spacing of street trees shall be in accordance with the requirements set forth for each zoning district. Street trees shall be located within the public right-of-way where specified by the zoning district requirements except in cases where the Zoning Administrator, after consulting with the Director of Public Works, determines that an unacceptable conflict with public facilities will result. In such cases, street trees shall be located no further than fifteen (15) feet from the right-of-way line, sidewalk, or edge of pavement within a dedicated planting strip oriented parallel to the roadway.

9-50 Perimeter Parking Lot Landscaping

9-50.10 Applicability

The requirements of this section shall apply to the construction or enlargement of any parking lot with sixteen (16) or more parking spaces.

9-50.20 Parking Lots Adjacent to Public Streets

- a) Landscape Area: Where a parking lot or private driveway providing access to a parking lot or building entry abuts a public right-of-way for a Town street, a continuous landscape area or planting strip not less than ten (10) feet in width, exclusive of sidewalks, trails or rights-of-way, shall be located between the parking lot or private driveway and the right-of-way line. This landscape area may be disrupted by driveway entrances and/or exits.
- b) Number and Type of Trees: Except as otherwise specified in this Ordinance, a minimum of one (1) deciduous shade tree per forty (40) feet of frontage shall be planted within the planting strip.

- c) Shrubs and Groundcovers: Where appropriate, ground covers and a combination of medium and large shrubs shall be provided within the landscape strip to establish an enhanced low-level visual buffer between the parking area and street.
- d) Waiver/Modification Provision: The applicable approving authority, whether the Zoning Administrator, Planning Commission or Town Council, may waive or reduce the requirements for trees planted between the parking area and right-of-way if street trees meeting or exceeding the quantity and size specifications of this Article will be planted within the right-of-way. The Zoning Administrator may also waive or reduce these requirements upon making a written determination that:
 - 1) The parking lot is incidental to a principal or accessory use located within the TTC, TAC, or TRH zoning districts and therefore subject to alternative parking lot setbacks and/or buffering requirements described in the applicable section of Article 5 of the Ordinance; and
 - 2) The applicant demonstrates to the satisfaction of the Zoning Administrator that there is insufficient space on an existing lot(s) to accommodate the required planting strip in addition to a sufficient number of off-street parking spaces and drive aisles to serve the proposed use. In such cases, the required planting strip may be reduced to a width of not less than five (5) feet provided that a continuous evergreen hedge not less than three (3) feet in height is planted within the landscape strip.

9-50.30 Parking Lots Adjacent to Other Property Lines

- a) Landscape Area: Where a parking lot or private driveway providing access to a parking lot or building entry abuts a property line not common with the right-of-way of a street, a landscaping strip not less than ten (10) feet in width, exclusive of sidewalks, trails or rights-of-way, shall be located between the parking lot and the abutting property line.
- b) Number and Type of Trees. Except as otherwise specified in this Ordinance, a minimum of one (1) deciduous shade tree per forty (40) feet of frontage shall be planted within the planting strip.
- c) Shrubs and Groundcovers: Where appropriate, ground covers and a combination of large and medium shrubs shall be provided within the landscape strip to establish an enhanced low-level visual buffer between the adjoining properties.
- d) Waiver/Modification Provision: The applicable approving authority, whether the Zoning Administrator, Planning Commission or Town Council, may waive or reduce the requirements for trees planted between the parking area and property line(s) upon making a written determination that:
 - 1) The parking lot is incidental to a principal or accessory use located within the TTC, TAC, or TRH zoning districts and therefore subject to alternative parking lot setbacks and/or buffering requirements described in the applicable section of Article 5 of the Ordinance; and
 - 2) The applicant demonstrates to the satisfaction of the Zoning Administrator that there is insufficient space on an existing lot(s) to accommodate the required planting strip in addition to a sufficient number of off-street parking spaces and drive aisles to serve the proposed use. In such cases, the required planting strip may be reduced to a width of not

less than five (5) feet provided that a continuous evergreen hedge not less than three (3) feet in height is planted within the landscape strip.

9-60 Interior Parking Lot Landscaping

9-60.10 Applicability

The requirements of this section shall apply to the construction or enlargement of any parking lot with sixteen (16) or more parking spaces. Interior parking lot landscaping shall be in addition to perimeter parking lot landscaping, street tree planting and screening. The requirements of this section shall not apply to vehicle or equipment sales areas.

9-60.20 Planting Islands

Landscaping located within the interior of parking lots shall be contained within planting islands with raised medians meeting the following requirements:

- a) A median or planting island oriented parallel to the long dimension of the parking spaces shall be constructed to separate no more than eight (8) contiguous spaces for single-loading bays and sixteen (16) spaces for double-loading bays. In addition, a planting island shall be constructed to terminate the end of any parallel parking bay and to provide adequate separation between the parking bay and driveway or travelway. All such planting islands shall have a minimum width of ten (10) feet and shall be designed to permit vehicle doors to open fully without impacting plant materials.
- b) In cases where the parking lot layout incorporates three or more double-loaded parking bays which are contiguous and parallel to each other, planting islands shall be constructed between every other parking bay. Planting islands designed such that parking spaces are located on opposite sides of the island or median shall have a minimum width of six (6) feet to allow for bumper overhang and shall otherwise provide adequate width for the growth and maintenance of the intended landscape materials to be planted therein.
- c) Not less than one (1) deciduous shade tree shall be planted within the landscape area for every eight (8) parking spaces.

9-70 Tree Canopy Requirements

Street trees, perimeter and interior parking lot landscaping, foundation plantings, buffer areas and screening, landscaped open space, and preserved trees shall be counted toward required tree canopy cover. The landscape plan shall provide for the preservation, planting and/or replacement of trees on the site to the extent that, at twenty (20) years of growth, minimum tree canopies or tree coverage will be established in accord with the following standards:

Zoning District	Minimum Canopy Requirement
Traditional Town Center (TTC) District	10%
Town Activity Center (TAC) District	
Rural Commercial (RC) District	
Traditional Industrial (TI) District	
Traditional Residential – High Density (TRH) District	20 or more du/acre: 10% More than 10 but less than 20 du/acre: 15% 10 or fewer du/acre: 20%
Traditional Residential – Low Density (TRL) District	
Rural Residential (RR) District	

An exclusion from the minimum tree canopy requirement is permitted for areas comprised of the following features which shall be identified and shown on the site plan:

- 1) Lakes and retention ponds, based on the normal water surface elevation, and swimming pools;
- 2) Lands under active commercial production or management of agricultural, horticultural or forest crops;
- 3) Major utility distribution easements of twenty-five (25) feet or more in width;
- 4) Floodplains and preserved wetlands;
- 5) Farmland or areas devoid of woody material;
- 6) Dedicated school sites;
- 7) Playing fields and other non-wooded recreation areas;
- 8) Dedicated right-of-way streets.

Tree canopy requirements may be reduced on a case-by-case basis by waiver of the applicable approving authority, whether the Zoning Administrator, Planning Commission or Town Council, during the plan approval process where it can be clearly demonstrated by the applicant that either:

- a) The reduced canopy achieves the intended landscape design objective through a combination of alternative landscape architectural and landscaping techniques; or
- b) Where the characteristics of the property are such that the canopy coverage will not be effective and other methods of landscaping provide equal and adequate design responses.

9-80 Buffers and Screening

9-80.10 Buffer Areas

- a) Applicability: Transitional buffer areas shall be established to buffer adjoining land uses. Buffer areas shall be imposed on the property of the more intensive zoning category in the following instances:
 - 1) Property located in an industrial zoning district abuts property located in any commercial zoning district;
 - 2) Property located in a commercial or industrial zoning district abuts property located in any residential zoning district; or

- 3) Property located in a higher-density residential zoning district abuts property located in lower-density residential zoning district.
- b) Landscape Areas: Buffer areas shall be used for the planting of landscape materials and shall not be used for the storage of materials, buildings, parking or loading areas for motor vehicles or equipment, or signs. Sidewalks and pedestrian and/or multi-use trails may be incorporated into buffer yards. In addition, the landscape materials planted within buffer areas shall meet the following requirements:
 - 1) Buffer areas shall be at least fifteen (15) feet in width. Driveways and vehicle entrances providing access to adjacent parking lots or developments may interrupt the required width of the buffer area if the Zoning Administrator determines that such interruption is consistent with the intent of this Section.
 - 2) At least one (1) canopy tree and three (3) large shrubs shall be planted within each 25 linear feet of buffer area. In addition, at least one (1) understory or small flowering tree shall be planted within each 100 linear feet of buffer area.
 - 3) The use of fences, walls, dense vegetation, woodlands preservation, and/or earthen berms may be employed in conjunction with required landscaping to meet buffer requirements.

9-80.20 Screening

- a) Applicability: Screening shall be established to block an objectionable view from a public street or adjacent property. Screening shall be required in the following instances:
 - 1) Outdoor loading areas and vehicle or equipment storage areas shall be screened from view from all public streets and adjacent residential properties;
 - 2) Dumpster pads shall be paved and dumpsters shall be screened from view on all sides by opaque wooden fencing or a decorative masonry wall;
 - 3) Stormwater detention areas shall be screened from view from adjacent residences and public streets unless such areas are designed and maintained to serve as permanent wet ponds and recreational amenities within developments. The use of chain-link fences shall not be construed to satisfy this requirement unless such fences are supplemented with evergreen trees as specified in subsection b) below.
- b) Materials. Unless otherwise specified in this section, required screening may be provided using one or more of the following methods:
 - 1) Opaque fencing or a masonry wall at least six (6) feet in height;
 - 2) Evergreen trees planted with minimal spacing between trees so as to create an opaque barrier. The minimum height of such trees shall be not less than six (6) feet at the time of planting;
 - 3) The use of dense vegetation, woodlands preservation, and/or earthen berms may be employed in conjunction with required landscaping, fencing, and/or walls to meet screening requirements.

9-90 Foundation Plantings

9-90.10 Applicability

The requirements of this section shall apply to the construction or enlargement of multi-family, commercial, institutional, public, mixed-use or industrial buildings, which front on a public or

private street or are visible from an adjacent residential district. The requirements of this section shall not apply to such buildings located within the Traditional Town Center District.

9-90.20 Landscape Area

A continuous landscape area at least five (5) feet in width shall be provided along any edge of the building that is visible from a public street. The landscape area may be interrupted by building entrances and exits. The landscape area shall contain mulch, stone, grass, or other decorative ground cover, and shall be planted with a combination of understory or ornamental trees, shrubs, or flowering plants spaced proportionately throughout the area. Such plantings may be placed in collective groupings along the perimeter of the building. At a minimum, the landscape area shall contain:

- 1) One (1) ornamental or understory tree per fifty (50) linear feet of building, and
- 2) One (1) large shrub per ten (10) linear feet of building, or
- 3) One (1) medium shrub and one (1) small shrub per ten (10) linear feet of building, or
- 4) Three (3) small shrubs per ten (10) linear feet of building, or
- 5) Any combination of 2, 3 or 4 above.

9-100 Planting Materials

Unless otherwise specified, all plant materials required by this Article shall comply with the following minimum size requirements at the time of planting:

- a) Street trees: Minimum caliper = 2.5 inches
- b) Deciduous shade trees and canopy trees: Minimum caliper = 2.0 inches
- c) Evergreen trees: Minimum height = 6 feet and full branching
- d) Ornamental and understory trees: Minimum height = 6 feet; Minimum caliper = 1.5 inches
- e) Evergreen and deciduous shrubs: Minimum spread or height: Large shrubs = 3 feet; medium shrubs = 2 feet; small shrubs = 1 foot
- f) Hedges: Planted and maintained to form a continuous, solid visual screen at least three (3) feet in height within one year after planting.

9-110 Bonding and Maintenance

- a) No landscape plan required by this ordinance shall be approved until the applicant has posted a bond or surety acceptable to the Town conditioned upon satisfactory installation of the landscaping proposed in the landscape plan. The bondable sum shall be established by the Zoning Administrator upon receipt of the applicant's certified estimate of costs for the proposed landscape improvements.
- b) At the discretion of the Zoning Administrator, the bond or portion thereof for landscaping may be held in force for a period of not longer than thirty-six (36) months from date of planting of materials, provided that landscape materials have been specified, planted and maintained pursuant to the requirements of this Article. During the period, plant materials shall be tended and maintained in a healthy growing condition free of disease and infestation and replaced if necessary.
- c) Upon written notice by the Zoning Administrator, the subdivider or developer shall repair or replace any landscape materials, seeding and ground cover, screening, fencing, fine grading and

earthscaping, or other landscape elements which do not meet the requirements and intent of this Article within thirty (30) days of notification.

- d) No final Certificate of Occupancy shall be issued until required landscaping is completed in accordance with the approved landscape plan or as otherwise conditioned by the Zoning Administrator.
- e) The owner or the owner's agent shall be responsible for the maintenance, repair and replacement of all landscape materials, earthen berms, fences and walls required by this article or privately held property that is not otherwise maintained by a homeowners' association.